

**Management of Organisational Systems at Township Secondary Schools in
the Free State Province**

By

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DECLARATION

I, K.F. Khauoe, Identity number: _____ and student number _____, do hereby that this research project submitted to the Central University of Technology, Free State for the Degree Doctor of Education (D.Ed.), is my own independent work, and complies with the Code of Academic Integrity, as well as other relevant policies, procedures, rules and regulations of the Central University of Technology, Free State, and has not been submitted before to any institution by myself or any other person in fulfilment (or partial fulfilment) of the requirements for the attainment of any qualification.

Signature of student

Wednesday, 24 January 2018

DEDICATION

This thesis is dedicated to my beloved late grandparents, *Ntatemoholo* Pitso and *Nkgono* Fedile, who have encouraged me to study further when they were still alive.

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SUMMARY

This research project employed action research which is grounded in qualitative methodology in order to address the problem statement and the fundamental research questions. The purposive sampling was found to be effective to use in this research. All the groups that were purposefully selected collaborated with me to systematically and carefully examine their performance and practice by using dialectic, phenomenological and hermeneutic methods of research.

This study identified a principal as an accounting officer who is authorised by law to coordinate the activities of the teaching personnel; school management teams; representative council of learners; school governing bodies; cleaners and factotums as well as the interviewing panels who are the parts or aspects of the secondary school. Each of the aforementioned persons are expected to pursue a different goal in order to ensure that a secondary school effectively attains its overall goal.

However, the principal, including other persons attached to the township secondary school as mentioned above, dismally perform their duties. The primary contributory factor to the dismal performance of the township secondary schools in the Free State Province is the politicisation of these schools. This phenomenon gave rise to unionised teachers; as a result of this the South African Democratic Teachers Union which is aligned to the African National Congress collude with the School Governing Body to sell promotional positions/posts to their members.

This illegal promotion of the teaching personnel is in contravention of section 7(1)(a) of the Employment of Educators Act No. 76 of 1998 which provides that when an appointment of the teaching personnel is made, the ability of the candidate must be taken into consideration. Not only at the school level are promotional posts sold; this practice is also carried out at the higher echelon of the education system in South Africa. What the study revealed suggests that this type of appointments exacerbates poor performance of township secondary schools.

The politicisation of township secondary schools breeds a laissez-faire situation which is prevalent at these schools. For example, learners and educators leisurely come late to school and honour their teaching periods only long after the bell has rung. The toilets and the entire school premises of the secondary schools understudy resemble a pigsty thereby flouting section 24(a) of the Constitution Act

108 of 1996. In addition to this the principal, educators and the school governing body fail to observe common law principles such as *contra bonos mores*, *in loco parentis*, *bonus patrifamilias* et cetera.

As a result of this, learners contribute to the unsafe school environment by doing drugs and consuming intoxicating beverages during school hours. In most schools, learners have formed gangs that terrorise the neighbourhood of schools. All these result in them showing no respect to their educators who in turn, are also not showing respect to authority (principal, deputy principal, and heads of departments).

Lastly and more importantly, the study also highlights the fact that the Regulations for Safety Measures at Public Schools are not adhered to (cf. regulations 4(4) & 5). For example, learners go to schools armed with dangerous weapons; and in some instances kill each other, and put the life of their educators at risk. What is even more disturbing, is that the outsiders enter school premises at any time during school hours to carry out mischievous and illegal deeds. Apparently, the representative council of learners does not know what its mandate is.

LIST OF ABBREVIATIONS AND ACRONYMS

ABBREVIATIONS AND ACRONYMS		Page
ANC	African National Congress.....	4
BELAA	Basic Education Laws Amendment Act.....	56
CA	Children’s Act.....	95
CFT	Cleaners and Factotums.....	18
COSAS	Congress of South African Students.....	4
DBE	Department of Basic Education.....	29
DET	Department of Education and Training.....	4
EEA	Employment of Educators Act.....	3
ELAA	Education Laws Amendment Act.....	37
FEA	Free State Education Act.....	95
HoD	Head of Department.....	3
IP	Interviewing Panels.....	18
LRA	Labour Relations Act.....	95
LTSM	Learner and Teacher Support Materials.....	42
MEC	Member of Executive Council.....	37
NEPA	National Education Policy Act.....	81
NNSF	National Norms and Standards for School Funding.....	1
OHSA	Occupational Health and Safety Act.....	38
PAM	Personnel Administrative Measures.....	1
RCL	Representative Council of Learners.....	10
RSP	Recruitment and Selection olicy.....	1
SACE	South African Council for Educators.....	1

SADTU	South African Democratic Teachers' Union	4
SASA	South African Schools' Act	1
SBST	School Based Support Team.....	108
SGB	School Governing Body.....	1
SMT	School Management Team.....	1
TP	Teaching Personnel.....	18

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CHAPTER 1

1. ORIENTATION

1.1 Introduction

Cole and Kelly (2011:96) hold the view that a system is the parts or aspects of an organisation which enables the organisation to function properly. According to them, these parts are interrelated. Sam Ashe Edmunds (September 4, 2017)¹ concurs with Cole and Kelly by pointing out that the system is a structure which forms part of a particular organisation. If one has to take a closer look at an organisation, one comes to the conclusion that it is characterised by persons who come together to pursue a common goal. This obviates the fact that an organisation cannot exist without persons attached to it. In so far as the secondary school as an organisation is concerned in our country, there are various legal natural persons who constitute its system/structure.

These legal persons are: the principal (cf. section 16(3) of the South African Schools Act (hereafter SASA), the teaching personnel (educators) (cf. section 1 of the South African Council for Educators (hereafter SACE), the school governing body (cf. section 16(1) of SASA), the school management teams (cf. item 4.4 of the personnel Administration Measures (hereafter PAM), the representative council for learners (cf. section 11(1) of SASA), the interviewing panel (cf. item 5 of the Recruitment and Selection Policy (hereafter RSP) and the cleaners and factotum (cf. item 29 of SASA amended National Norms and Standards for School Funds (hereafter NNGSF).

In light of the preceding paragraph it is crystal clear that in the secondary school as an organisation, there are a number of persons who form distinct and discernible groups that strive to achieve goals that concern the individual group. For example, the School Governing Body (hereafter SGB) of a secondary school is a group of elected parents who pursue their goal (cf. section 20 and 21 of SASA). While on the other hand, the school management team (hereafter SMT) of a secondary school pursues a different goal from that of the SGB (cf. 4.2, 4.3 & 4.4 of PAM). So is the case with other natural persons who constitute the system of a secondary school.

¹ <http://www.ehow.com/info>

The secondary school system is analogous to the digestive system of a human being. If for instance, the oesophagus, the tongue, the intestines which are the parts of the digestive system of a human being are sick, the whole body will not function properly. With regards to the school system Wilkinson (2015:3-4) is correct to say that in South Africa some of the secondary schools within the townships in the Free State do not attain desirable academic goals because of their systems that are “sick” or dysfunctional.

At a secondary school the person who is regarded as the most important part of the secondary school system is a principal, because it is expected of him/her to effectively and efficiently manage the activities of the groups of the natural persons attached to it (cf. section 16(3) of SASA). The concept of management is defined as *the function that coordinates the efforts of people to accomplish goals and objectives by using resources both effectively and efficiently*².

As such, management is a tool that is used by organisations for coordinating their activities. In concurring with this definition another scholar adds another dimension by referring to management as *the process of planning, organising, leading, and controlling the efforts of the organisation, its members and of using all other organisational resources to achieve stated organizational goals*³.

In the two definitions of management above, the word “activities” is mentioned. At a school seen as an organisation, the person who must carry out these activities is the principal and the SMT. In fact, the person who is charged with the responsibility of managing the activities of a school is the principal who collaborates with the SMT in coordinating management activities in order to effectively and efficiently attain the desired outcomes or goals (cf. item 4.2, 4.3 4.4 of PAM).

In a situation where the members of the SMT are opposing, every endeavour of the principal for reasons of their own, the school finds it difficult if not impossible to achieve the desirable and acceptable goals. Working together as a team to coordinate the process of management assists the SMT to create an environment which enables them to attain their goal⁴.

² <http://www.en.wikipedia.org/wiki/management>

³ <http://www.universalteacherpublicatuions.com/mba/notes/ms01/c1/what-does-management-mean.htm>

⁴ <http://www.businessdictionary.com/definition/organisation-management.html>

At this juncture, it is very important to note that the legal authority of managing the school by the principal is set out in section 16(3) of SASA, which provides that the professional management of a school must be carried out by the principal under the legal guidance of the Head of Department (hereafter HoD), whereas the SGB is legally authorised by section 16(1) of SASA to govern a public school in that, it provides that the governance of a public school is vested in its SGB which must perform its duty in terms of SASA. The concept of governance is defined differently by different scholars. The researcher feels that the relevant definition for this research project is the one of a scholar who defines it as *all the processes that coordinate and control an organisation's resources and actions*⁵.

The resources which are mentioned in the definition, so far as the SGB is concerned, are: financial resources, buildings and assets of the secondary school etc., and the actions which are mentioned in the definition can be exercised in terms of sections of SASA, to mention but a few: section 5, section 6, section 7, section 8, section 16, section 18A, section 20, section 21, section 36, section 38, section 41, section 42 section & section 43.

Secondly, from the above definition of governance, an inference is made that the members (parent component) of the SGB must take action. This means that they must participate in the discussions of the affairs of the public school without any fear of the principal or of the teacher-component intimidating the members (parent component) of the SGB. At all costs the SGB must feel free to give direction, to perform the governance duty in fairness and to account in terms of the provision of section 16(1) of SASA.

Be that as it may, the reports in print and electronic media abound that more often than not a principal in most cases encroaches on the governance of the SGB. For example, a principal of a school in Gauteng Province reportedly colluded with the treasurer of the SGB to embezzle school funds (SABC, 2015:15:31)⁶. This occurrence is an indicator of the fact that the SGB of the school in question does not carry out its mandate in terms of section 16(1) of SASA. Thus, the entire SGB is regarded as not standing in a position of trust towards the school (cf. section 16(2) of SASA).

⁵ <http://www.cio.com/article/2448788/governance/what-does-governance-mean-.html>

⁶ <http://www.sabc.co.za>

The next important point is that the systems of most secondary schools in townships in the Free State Province are dysfunctional or 'sick'. The efficiency and effectiveness of all secondary schools in South Africa is measured through the pass percentage in matriculation results⁷. The schools which manage to attain the benchmark set out by the Department of Education are rated as being well organised⁸. This notion may mislead many schools and society because the examination is part of other processes taking place in the school's interrelated systems.

Take for instance the management of a school by the SMT which is an important system of a secondary school, and which seems not to be managing the school effectively and efficiently. The thorough investigation of this is in Paragraph 2.4 of this research project. Secondly, most of the SGBs of secondary schools in the townships also face challenges, some of which have been hastily mentioned in the foregoing Paragraphs. A full exposition of how ineffective and inefficient some of the SGBs are is given in paragraph 2.2 of this research project. Lastly, the comprehensive account of all parts that form the secondary school system will be given in Chapter Two (cf. figure 2.1).

1.2 Background of the research

The period between 1976 and 1994 was bad in the history of South African secondary education systems for the black communities in South Africa⁹. The political activists used some of the learners and some of the educators mostly from the secondary schools to fight against the then apartheid regime and the officials of the defunct Department of Education and Training (hereafter DET). Turning schools into battlefields impacted negatively on the school systems¹⁰.

During this period, everything became out of hand. At some schools learners frog-marched principals, while other principals were chased away by learners. The cars and the houses of some of those principals who dared maintain discipline were torched by the learners. All the township secondary schools became highly politicised¹¹. This gave birth to a politicised teacher union namely the South African

⁷ <http://www.education.gov.za/portals/0/Documents/Publications/Education%20Statistic%202013.pdf>.

⁸ <http://www.education.gov.za>

⁹ <http://sites.library.northwestern.edu/southafrica/chapter-1/>.

¹⁰ <http://sites.library.northwestern.edu/southafrica/chapter-1/>.

¹¹ <http://thoughtleader.co.za/sentletsediakanyo/2008/08/24/is-sadtu-school-pupils-as-political-pawns/>.

Democratic Teachers Union (hereafter SADTU), and the Congress of the South African Students (hereafter COSAS) which are aligned with the African National Congress (hereafter ANC)¹². The members of SADTU and COSAS dictated terms to the principals, thereby collapsing the school system.

Both SADTU and COSAS endlessly disrupted the schools and interfered with the management and the running of day-to-day activities of the principals of the township secondary schools. This resulted in the *laissez faire* situation at all secondary schools in the townships throughout South Africa. Both learners and educators began to show disrespect to their parents (school committees), their educators, their principals and the officials of the then DET¹³.

Tardiness by the learners and educators became the order of the day. In fact, learners came to school to bask in the sun, while on the other hand, the educators refused to carry out the legal instructions of the principals. A number of the members of the SMTs began to gang-up on the principal. All these rendered the township secondary school system useless¹⁴.

The new organisational culture outlined above was perpetuated and carried through to the new educational dispensation, which came into being in 1994, and continued up to date. In most secondary schools in South Africa as of now, the school systems are not effectively and efficiently functioning, hence this study which intends to investigate the extent to which the school system is at some of the secondary schools failing to yield the desirable and acceptable goals. This is done in Chapter Two basing the arguments and analysis in figure 2.1.

1.3 Purpose of the research

The purpose of this research project is to investigate factors affecting the management of organisational systems in some of the secondary schools in the townships within the Free State. From this broad purpose, other factors which influence the management of secondary school systems in the township schools in the Free State appear and will be studied, including the following:

- to investigate the implementation of school policies by the SGB and SMT,

¹² <http://www.csvT.Org.za/old/index.php/publications/1548-the-resurgence-of-pupil-power-explaining-violence-in-african-schools.html>.

¹³ <http://repository.up.ac.za/blitstream/handle/2263/26734/02chapter2.pdf?>

¹⁴ <http://contentpro.seals.ac.za/iii/cpro/app?id=1027340282079268&itemId=1005836&lang=eng&service=blob&suite=def>.

- to investigate the roles played by different structures such as the school governing body, school management team, the representative council for learners etc.,
- to study the personal qualities of an effective school principal,
- to recommend the secondary structure that I think will effectively and efficiently handle the day-to-day activities of the secondary school as an organisation.

1.4 Significance of the research project

This research project is important because it seeks to provide solutions to the problems experienced by some of the secondary school systems in the townships of the Free State Province. To clarify what is being said, the following are found to be relevant.

- The study seeks to provide the SGB, SMT, RCL, the principal and other stakeholders with the working knowledge of the aspects of the efficient management of organisational systems in secondary schools.
- The study deals with how the different stakeholders can synergise their activities in order to provide quality education to the children.
- Lastly, it suggests a clear structure of a secondary school that will solve the identified problem.

1.5 Literature review

In this research project, I used primary sources such as management, education law and legal documents which provided me with first-hand information about the failure of the township secondary school systems in the Free State Province. By interacting with the participants at the secondary schools which formed the sample of this research project, I was able to use eyewitness accounts. The interviews and fieldwork that I embarked upon were used as primary sources.¹⁵

I also used secondary sources such as scholastic articles on education law and policy studies, as well as articles in the newspapers that are relevant to my research topic. The recent published management and education law books that are relevant to my topic were also used. It is also important to mention that secondary sources describe, discuss, interpret, debate, compare and analyse what the primary sources

¹⁵ <http://www.loc.gov/teachers/usingprimarysources/>.

put across¹⁶. The literature that I used in the paragraphs above and the ones that I shall discuss throughout the research project is evidence of this.

As has already been mentioned in paragraph 1.1, section 16(1) of SASA provides that the governance of every school is vested in the SGB whereas the professional management of the school is carried out by the principal. The problem here is that some of the SGBs do overstep their mandate when they suddenly assume the management role of the school, while on the other hand the principals encroach on the governance of the school (Bagarette, 2011:231). In the situation where the SGB is unable and has no ability to perform its functions, the principal unlawfully performs the functions of the SGB.

A principal who is ineffective and inefficient in managing the school may lack responsibility and accountability and this may result in chaotic situations at a secondary school. For example, Macupe (2015:2) reports that principals were fingered as major culprits in the corruptions plaguing the schools in South Africa. There are also reports about a principal from East London in the Eastern Cape Province who was suspended or put on precautionary leave for mismanagement of school funds¹⁷.

As set out in section 15(1) of SASA, every public school as an organisation is a juristic person who has the legal capacity to perform its functions. The school as an organisation performs its function through their SGBs. This point is further emphasised in section 56(1) of the Free State Schools Education Act 2 of 2000 which stipulates that the SGB must prepare a budget each year.

Owing to the provision of section 15(1) of SASA, the school as an organisation should have systems in place including financial management (cf. paragraph 1.2). At some schools it has been observed that this requirement is festered with a litany of problems. For example, at most Free State secondary schools in the townships there is a lack of capacity to budget, a lack of transparency at some schools, mistrust among stakeholders, and forensic audits by the Department of Education due to mismanagement of funds, fraud and improper control of financial records¹⁸.

¹⁶ <http://www.library.library.illinois.edu/ugl/howdoi/secondarysources.html>.

¹⁷ <http://www.dispatchlive.co.za>

¹⁸ <http://www.joe.ukzn.ac.za>

Another basic problem that the SGB faces is to provide enough resources to schools (Odden and Picus, 2008:29). Providing resources to schools enables the schools to provide equitable and adequate tuition to each child. In a school where finance is mismanaged by the SGB this could lead to serious implications for all the children attending said school.

In order to manage finance properly, the SGB must budget the allocated funds, procurement of school resources, etc. In turn, the principal should manage the resources acquired by the SGB effectively and efficiently. However, some principals feel disempowered by this practice and begin to resist power-sharing with the SGB (Bagarette, 2011:227).

In providing resources to schools, section 58(c) of the Education Laws Amendment Act 31 of 2007 provides that the Head of the Provincial Department of Education should comply with all norms and standards within a public school by identifying and providing all the resources the school may need. In reality, it has been reported that some of the secondary schools are even affected by poor sanitation.

What is said here is attested in the report that highlighted that there was only one toilet per one hundred learners at one of the secondary schools (Louw, 2015:1). This means that the Head of the Provincial Department of Education did not comply with all norms and standards in providing resources needed by the school.

Macupe and Mahopo (2015:10) aligned themselves to this by pointing out that township schools are a shocking mess. In their investigation at schools in Soweto, they discovered that girls in one school had to navigate around floors littered with bloodied sanitation towels, as well as puddles of stale urine and faeces. This scenario is applicable to some of the secondary schools in the townships of the Free State. Where this situation is found, it obviates the fact that the school systems as depicted in Figure 2.1 are ineffective, more especially the SGB, the principal, and the teaching personnel.

The school policies, which are instruments that give direction to the day-to-day running of the school, are not followed to the letter (Van Wyk and Marumuloa, 2012:102). This is very unfortunate because these tools provide both the principal and the SMT with clear directions for the structures and systems within the school as an organisation. With regard to this it must be indicated that the problem regarding functionality and implementation of policies at the secondary schools in the Free

State is thwarted by a lack of resources and ineffective and inefficient management by the SMTs who are not competent (Van der Mescht and Tyala, 2008:9).

The schools are requested in writing to provide for their needs, perform their functions in terms of section 21(1) of SASA. This section provides that the SGB should purchase textbooks for learners. Lack of knowledge by the SGB to acquire learner support materials creates serious problems for the school. For example, Macupe (2015:8) highlighted an incident where a pregnant girl was made to sit on the cement floor for thirty minutes on two occasions because of the shortage of chairs.

The girl was punished because she failed to complete her homework due to the fact that she did not have a textbook, as the SGB purchased too few books for each grade at that school. This suggests that the SGB did not have knowledge of budgeting for the school. Secondly, this scenario makes me believe that other SGBs at other secondary schools in the townships of the Free State also lack the knowledge of budgeting because they are the same in terms of organisational culture, climate and ethos.

In this regard, Louw (2015:1) argues that textbooks are not the only important resources that are not adequately provided for in secondary schools in the Free State townships. According to him, it has been discovered that there are schools without desks, ceilings, whereas in some of the classroom floors there are “potholes”, broken doors and windows. This gives me the impression that some of the township schools are not adequately resourced and as such, they are very dilapidated. Lastly, the failure to control the finances of the school results in non-achievement of educational goals and quality education (Odden *et al.*, 2008:25).

The involvement of some teacher unions in both the governance and management of schools is also a cause for concern. For example, the SGB is tasked with the recruitment, selection and placement of personnel at schools. However, it is reported that SADTU members who were involved in this function in KwaZulu-Natal sold promotional posts such as principal posts, deputy principal posts, heads of department posts and even posts at a higher level, such as chief education specialist posts by those SADTU members who are Directors of Education.¹⁹

¹⁹ <http://www.news24.com/ArchivesCity-Press/How-Sadtu-sells-its-p0sts-20150429>.

It is furthermore reported that in some cases, SADTU members collaborated with the SGB members to extort R30 000 from a teacher who applied for a principal position in KwaZulu-Natal Province (Masondo, 2015:1). This practice is also prevalent at secondary schools in the townships, in other provinces, including the Free State. The SGB that colludes with the teacher union - SADTU - to sell posts does not stand in the position of trust with the school (cf. section 16(2) of SASA).

Another function that the SGB is incompetent to perform is the assisting of the SMTs and the teaching personnel with discipline. Joubert and Prinsloo (2011:106) postulate that discipline is necessary for effective learning and teaching. It is therefore incumbent on the SGB to adopt a code of conduct for the learners, as this helps in avoiding problems such as violence on the school premises. Mestry and Khumalo (2012:105) share the same sentiments by saying that lately learners are not disciplined. Due to this, they do not show respect to those in authority and this frustrates the teaching and learning processes at the secondary schools in the townships of the Free State.

Moloi (2007:472) adds another dimension to the problem facing the management of the secondary school systems. This he puts forward as the teachers who are not reliable and who continually come late to school. This habit contributes to the weak culture of learning and teaching. For instance, if teachers arrive late and submit work after the due date, the smooth running of the school is impacted upon negatively.

Similarly, van der Mescht and Tyala (2008:7) are of the opinion that this problem is compounded by some of the teachers who demand politically connected principals, meaning those who come from the ranks of their unions. These teachers do this without taking into cognisance the competency of the applicant for managing the school. This suggests that the SGB has no say in the appointment of people in managerial positions. Instead, politics play a bigger role in the appointment of both teachers and other SMT members.

Another structure of the secondary school system is the Representative Council for Learners (hereafter RCL) which came into being because of section 11(1) of SASA which provides that the RCL should be established at all schools which cater for Grade 8 to Grade 12. The RCL should be seen as a vehicle used by learners to participate in decision-making and also to be able to express their views on educational matters which affect them (Carr and Williams, 2009:2). Secondly, the

RCL should promote dialogue among stakeholders; promote democratic values such as tolerance, mutual respect, equality and creation of a democratic political culture.

Unfortunately, the aforementioned intention of the RCL has resulted in unintended outcomes. As has already been mentioned in Paragraph 1.1, during the apartheid era learners were used by the political activists to strike and demonstrate against white supremacy. This led to the creation of an inferior culture of learning and teaching. This culture was perpetuated and carried through to the new political dispensation. Even today, learners who are vocal and aligned to the ANC are the ones who are elected into the RCL solely for their radical, rebellious and disruptive behaviour (Mestry & Khumalo, 2012:98).

As may be seen from the foregoing exposition, most secondary schools in the townships in the Free State are adversely affected by the problems highlighted. This presupposes that it is very difficult if not impossible for a principal to manage the secondary school systems. The SGBs lack knowledge of school governance, the principal has poor management and leadership skills, the RCLs are always found not wanting to perform their roles, while the SMT members operate in silos and some educators are oblivious to their responsibilities.

1.6 Statement of the problem

Owing to the discourse in Paragraphs 1.1 & 1.5 it came to the fore that there is an enormous problem with the management of secondary school systems in the townships in the Free State Province. The researcher finds it important to mention the concept of administration because one cannot separate it from management. In America, the two concepts are used interchangeably. For the purpose of this research project, I used only one concept, namely management as defined in paragraph 1.1.

Throughout paragraphs 1.1 & 1.5, I highlighted that the following systems of a secondary school in the township schools of the Free State Province are dysfunctional or “sick”: the principal, the teaching personnel, the SMTs, the SGB, the RCL, the interviewing panel, the cleaners and the factotum. The reason why the aforementioned aspects of the systems of secondary schools in the Free State Province are mentioned is that they do not perform well as they have been highly politicised (cf. paragraph 1.1).

The following are the criteria that justify that the township secondary schools' systems in the Free State Province are dysfunctional or "sick".

- The principals at some of the secondary schools in the townships in the Free State do not adequately carry out their managerial tasks namely control, planning, organising and leading²⁰. This results in a chaotic situation where one finds that at some schools there is noise in the classrooms all day long.
- The SGBs of some schools do not hold meetings. If ever meetings are held, the principals and the teacher components dominate the discussions.²¹ Secondly, some SGBs do not have budgeting skills because the HoD does not make money available as required by section 19 of the SASA to train the members of the SGBs²².
- The teaching personnel i.e. the educators do not effectively teach learners. Some of the educators waste time in the staff rooms, while others are questioning the legal instructions of the principals. Some educators at the secondary schools in the townships are reportedly not doing their lesson preparations. As a result, they do not complete the syllabus²³.
- I concur with the research conducted by Vikani Msimanga²⁴ that the RCL do not know what their mandate is. In most cases, learners who are elected into this structure are having problems with regard to the understanding of the school policies. Those who are aligned with a certain political party carry out the agenda of their parties thereby rendering the school dysfunctional.²⁵
- The SMT, which is a very important aspect or part of the secondary school system, is ineffective and inefficient in carrying out their managerial tasks. Instead, in some of the secondary schools they relentlessly oppose the principals, more especially if the principal is not aligned to their teacher union, or if (s)he is not their friend who collude with them in doing mischievous things.²⁶

²⁰ <http://study.com/academy/lesson/four-functions-of-management-planning-organizing-leading-controlling.html>.

²¹ http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S0256-01002011000200004.

²² http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S0256-01002011000200004.

²³ <http://www.dreamstoreality.co.za/the-challenge-of-south-africas-education-system/>.

²⁴ http://researchspace.ukzn.ac.za/bitstream/handle/10413/12973/Msimanga_Vikani_Innocent_Phillip_2015.pdf?sequence=1&isAllowed=y.

²⁵ http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S0256-01002010000100008.

²⁶ <http://www.enca.com/south-africa/sadtu-fingered-cash-jobs-scam>.

- Most of the secondary schools in the townships in the Free State have cleaners and factotum. One wonders as to what these people are employed for. The school environment that they are supposed to take care of is an appalling situation. For instance, toilets are dirty and they resemble a pigsty.²⁷
- The last structure of a secondary school is an interviewing panel. As may be seen from figure 2.1, this structure falls under the labour relations. In terms of the appointments and promotions' official legal documents²⁸ the different members of the different teacher unions take part in the interviews to observe the procedures and the processes of the interviews. Be that as it may, it has been reported that at some secondary schools they collude with the SGB to sell posts.²⁹ This practice of selling teaching posts and promotional posts have a negative influence on learner performance.

1.7 Research aim and research questions

1.7.1 Aim of the study

Research aim can be defined as a broad statement of the desired outcomes or the general intention of the research, which paint the picture of the research project³⁰. It emphasises what is to be accomplished or achieved. It also reflects the aspirations and wishes of the research topic. Therefore, the aim prescribes what the research project is set out to achieve³¹.

The aim of this research project is to investigate factors that impact negatively on the management of organisational systems at secondary schools in the Free State Province. Furthermore, this research project aims at providing possible solutions to the problems mentioned in Paragraph 1.6. The focus was on secondary schools in the townships. The discussion below will dwell on the fundamental research questions.

1.7.2 Fundamental research questions

This research project encapsulates the research questions as follows:

²⁷ <http://www.news24.com/SouthAfrica/News/Toilet-conditions-in-Gauteng-township-schools.worse-than-prison-20150513>.

²⁸ <http://www.gmsouthafricafoundation.com/download/78>.

²⁹ <http://city=press.news24.com/News/Principal=post-sales-get-deadly-20150912>.

³⁰ <http://www.qub.ac.uk/schools/Schoolsofeducation>

³¹ <http://www.ro.uwe.ac.uk/Renderpages/Renderlearningobjectives>

- Are the systems of the secondary schools in the townships in the Free State Province functioning properly?
- Do principals, who are persons accountable at the township secondary schools in the Free State Province, find it difficult to manage schools?
- Do the persons who constitute the township secondary schools in the Free State Province knowingly or unknowingly contravene the law?
- Are some of the township secondary schools in the Free State Province unable to attain desirable and acceptable academic goals?
- What is the solution to the problem identified at the township secondary schools in the Free State Province?

1.8 The objectives of the research project

The following are the objectives of the research project:

- to determine whether the systems of secondary schools in the townships in the Free State Province function properly,
- to establish whether principals as persons accountable at the township secondary schools find it difficult to manage schools,
- to find out whether the persons who constitute the township secondary schools in the Free State Province knowingly or unknowingly contravene the law,
- to establish whether the township secondary schools in the Free State attain desirable and acceptable academic goals,
- to come up with a solution to the problem identified at the township secondary schools in the Free State Province.

1.9 Research design

The word design is explained by The Chambers Dictionary (2006)³² as a plan or a scheme formed in the mind of an individual. If an individual wants to do anything there is a plan or design in his or her mind. The word design therefore means to plan or a systematic layout of the procedure that one follows when conducting research.

This means that researcher must also have a plan in mind when conducting research. The research design is analogous to an architect who plans a house. For example the house(s) he plans may have six rooms namely the kitchen, sitting room,

³² www.worldcat.org/title/chambers-dictionary/oclc/70229998

TV room, dining room, main bedroom, the second bedroom, the third bedroom and the fourth bedroom.

In light of the above it becomes clear that before a house is built it is designed or planned. So is the case with this research which I have planned or designed as follows. I used action research which is an alternative to qualitative research. I also used the dialectic method of research which enabled me to discuss issues pertaining to my research with the groups that I have identified, the observation of what happens at schools was also found to be important for this research project.

The phenomenological method of research helped me achieve this, while the hermeneutic method of research assisted me to interpret what I read in the official documents of the six similar schools which I selected in terms of their socioeconomic situation, political influence, organisational culture, organisational climate and ethos, work ethics etc. I included paradigms such as ontology, epistemology, constructivism, interpretivism, axiology etc. which were the frameworks within which I conducted this research.

1.10 Action research

Action research is an alternative to qualitative research. Both of these methodologies seek to understand the situation that is prevailing in its natural setting. The difference is that action research involves participative groups wherein the researcher is also an insider. For example, teachers in a classroom become researchers when they try to find out why learners lack discipline when they are at school; learners are involved when suggestions to solutions are sought out. In this way the teacher solves problems with learners as opposed to finding solutions for them (Denzin and Lincoln, 2013:28).

Action research is defined as the study of a social situation, involving the participants as researchers, with a view to improving the quality of action within that environment. In action research, the attention is on both the action and the research processes which take place at the same time.³³ For example, when the researcher is observing phenomena, she/he will take notes and interpret them. The other participants' views are also taken into cognisance to arrive at the solution.

³³ <http://www.ascd.org/publications/books/100047/chapters/What-is-Action-Research%C2%A2.aspx>.

During the implementation of action research, the researcher becomes part of the process. She/he actively participates in data collection through the reading of documents, dialogue and group discussions. As such, the researcher becomes the insider because she/he is involved in the research project³⁴. As may be seen, action researchers are interested in the study of phenomena in its natural setting. They go to the targeted area to conduct their research. Thereafter, they review their findings. This is reflective participatory learning because they were involved together with their subjects during the construction of research problems and the findings of possible solutions.

Action research is compatible to my research topic *Management of organisational systems at secondary schools in the Free State Province* because the participants of all six secondary schools that were sampled shared their experience with me. I paid a visit to all these schools in order to gather data as it happens in its natural setting. While at the schools, I requested permission to visit areas such as toilets, classrooms, etc. the comprehensive explanation of which will be given in Paragraph 4.2 of this research project.

1.11 Research methods

During my visits to the six secondary schools that I used as a sample, data were collected through observation, reading of available documents such as policies and minutes books, and there were also group discussions. Various methods which I used for data collection are diagrammatically represented in figure 1.1 and explained below:

³⁴ <https://www.books.google.co.za/books>

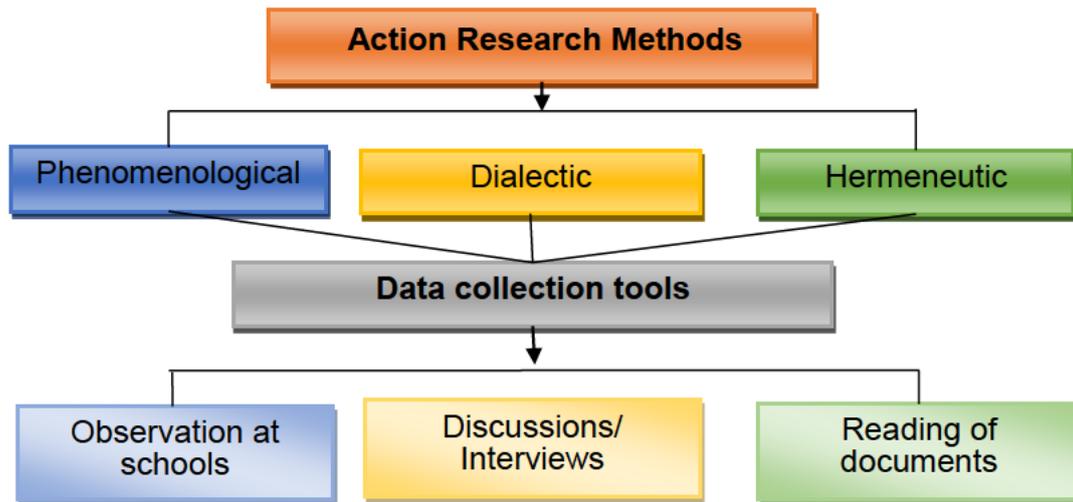


Figure 1.1: Action research methods and data collection tools

- **Dialectic method:** this is a method of argument rooted in the ordinary practice of conversation between two or more people who hold different ideas about a topic or phenomena³⁵. It is derived from dialogue where people have a talk amongst themselves about something important. During the face-to-face communication some people may whisper, indicating the sensitivity of the matter whilst others may pause indicating some agreement. The language used is also an important factor (Flick, 2014:299).
- **Phenomenology:** it must be noted upfront that phenomenology as a method overlaps with hermeneutic and dialectic methods. I have separated them because I want to use one aspect of it, namely observation³⁶. Secondly it must be noted that I used it because I was concerned with the real natural setting of the schools I visited (Groenewald, 2004:5)³⁷ i.e. the characteristics of their environments. The main objective for me was to observe the behaviour of both learners and teachers. For instance, to observe punctuality in the morning, punctuality to the classrooms after the change of periods, the state of the school environments and the working ethic of both learners and educators.
- **Hermeneutic:** according to Flick (2014:137) this is a process of interpretation of spoken, written language or of any human acts. Many researchers see social reality as being socially constructed as opposed to being an objective fact (Grey,

³⁵ <http://www.booksgoogler.co.za/books?id=2scftejgk>

³⁶ <http://www.resaerchproposalforhealthprofessionals>

³⁷ <https://www.ualerta.ca/-iiqm/badcissue/3-1/pdf/groenewald.pdf>

2009:24). This means that the facts or findings may have been influenced by prior understandings, prejudices, coding and decoding of messages during the interpretation processes. It is very likely that when a message is decoded, new unintended meanings may erupt.

1.12 The sample of the research

Maree (2012:79) defines sampling as a process used to select a portion of the population for study. In terms of the quantitative methodology, the aim of sampling is to generalise the results from the sample group to the population which is the larger group (Gliner, Morgan, & Leech, 2009:115). In the case of this research project I used a small sample because I embarked on a qualitative study. The results of this research project will therefore be transferable and not generalizable.

This means that the findings of this research project will be transferred to the other schools whose members of SGBs, SMTs, RCLs, principals, educators etc. had discussions and interviews with me and are the same in respect of their work ethics, organisational climate and culture, their political belief, their situation and their ethos.

In this research project I used purposeful sampling because the six secondary schools which were accessible and whose groups/structure form part of the sample were purposively selected throughout the Free State Province. The purpose was to have schools in the Free State which were similar in respect of their situations, socioeconomic backgrounds, the work ethics of their educators, the values and moral standard of their educators, the organisational climate of the schools and the organisational culture as well as the ethos of the schools.

For the sake of anonymity, the six secondary schools were referred to as A, B, C, D, E, & F (cf. Figure 1.2). At these schools, I had discussions and interviews with seven (7) groups of each of the six schools as follows: ±17 members of the SGB, 6-10 members of the SMT, 5 members of the RCL, 2-5 cleaners and factotum (hereafter CFT), 4-6 members of interviewing panels (hereafter IP), 3 senior & 5 junior members of the teaching personnel (hereafter TP) and 6 principals. To be clear of what I inferred to in the foregoing explanation, the stakeholders within each school are represented in figure 1.2 below.

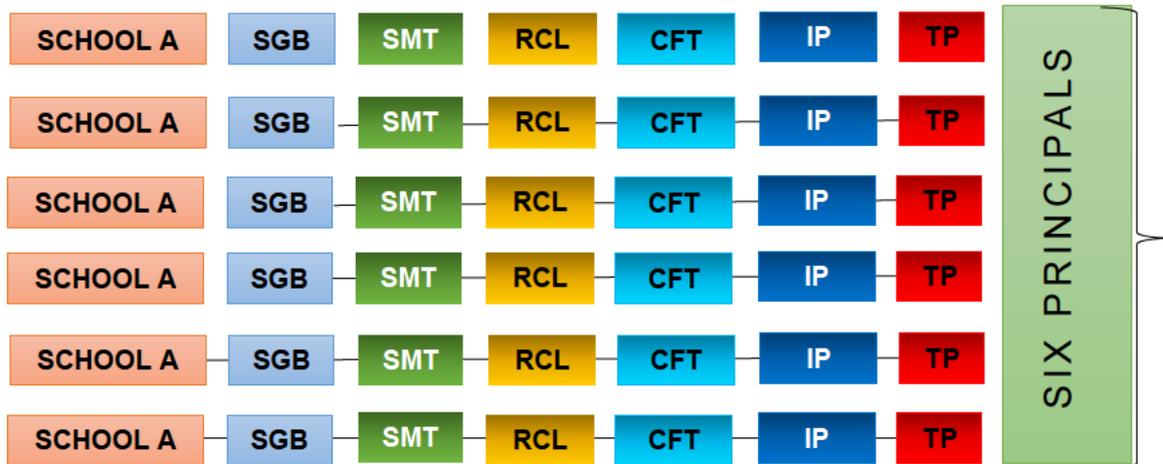


Figure 1.2: The seven participative groups of each of the six schools

CFT: Cleaners and Factotum.

IP: Interviewing Panels.

SGB: School Governing Body: Six groups, one of each is represented by 17 members.

SMT: School Management Team: Six groups, one of each is represented by 6-10 members.

RCL: Representative Council of Learners: Six groups, one of each is represented by 5 members.

Principals: Six principals of six schools which constitute a group.

TP: Teaching Personnel.

1.13 Working assumption

Throughout the research project the researcher considered the assumption(s) which I made in Paragraphs 1.13.1 & 1.13.2 below. Jayesh Patidar³⁸ points out that a research assumption is not statistically tested as is the case with hypotheses. Instead, in action research methodology, researchers use group discussions with the participants whereby structured and unstructured questions which are used by both the researcher and the participating groups are responded to. In other words, communication and the observation in the natural setting characterise action

³⁸ <http://www.slideshare.net/driaveshpatidar/research-assumption>.

research. In the case of this research project I used seven of each of the stakeholders from the six schools that were identified (cf. figure 1.2).

From the explanation made in the foregoing discussion it is deduced that a research working assumption is just an expectation that a researcher makes and believes to be realistic and true. Unfortunately, the assumption (s)he makes cannot be tested as is the case with hypotheses. This means that there is no evidence that supports what the researcher assumes is. It must also be noted that assumption can mislead if accepted by researchers as is without being thoroughly examined³⁹.

This is more so because an assumption is a mere belief that a researcher holds. As has already been mentioned, this belief cannot be empirically supported or tested. On the other hand, hypotheses answer research questions that are posed in the research project and are derived from observation before a researcher conducts research. It must also be mentioned that a researcher develops a hypothesis from experience and literature. Lastly and more importantly, the hypothesis states the relationship between variables whereas it is not the case with research assumption⁴⁰.

1.13.1 Ontological assumption

The ontological assumption has to do with something that is real in nature or in the natural setting. For example, if one has to look at the school as an organisation there are ontological facts/existing facts that are discernible in the natural setting of that particular school. It is assumed that what exists at schools are influenced by a set of beliefs, references and commitments in the natural setting of a particular school (Denzin *et al.*, 2013:13). As results of these, problems may exist at a particular school because of reasons mentioned in the foregoing explanation. In the case of this research project the following is an ontological fact that the researcher holds.

The secondary schools are experiencing violent incidents against the principal, because some teachers go to the extent of ganging up against the principal, thereby rendering the school system ineffective and inefficient.

³⁹ <http://webcache.googleusercontent.com/research?hl=en.ZA&biw&bih&q=cache:Fk42e..>

⁴⁰ <https://quantres.wordpress.com/2009/11/12/hypothesis/>.

1.13.2 Epistemological assumption

Epistemology is the relationship between the researcher and the already known phenomena. It is regarded as a theoretical perspective of ontology⁴¹. Therefore, its focus is on the recorded data which had been analysed previously. It has the following assumptions: it raises the questions of how reality can be known, what is the relationship between the knower and what is known. In short, epistemology is the study of acquiring knowledge in the natural setting or reality.

Lastly, it is important to indicate that epistemology has characteristics, principles, and assumptions that guide the process of knowing and achievement of findings and as such it involves a process of transition from observation to understanding from external to internal⁴². It must however be noted that when the epistemological assumption has formulated, the view(s)/evidence of the researcher might be subjective. In the case of this research project, the following is an epistemological assumption that the researcher holds.

Education legislation is not followed hence there are unnecessary conflicts among staff, overlapping of responsibilities by the SGB, especially when they unintentionally resume the management duties of the principal.

1.14 Research paradigms

A research paradigm is directed by a set of certain beliefs which are shared by researchers who have a particular way of thinking (Gliner *et al.*, 2009:7). For example, when researchers conduct research, they may be guided by the following: a set of beliefs, attitudes and feelings about the world, how it should be understood and studied (Denzin *et al.*, 2013:26). These beliefs may also influence researchers when interpreting data collected.

In accomplishing this task, researchers follow a particular scientific system called a paradigm (Gliner *et al.*, 2013:26). In other words, the research paradigms are the frameworks within which the researcher is conducting research. The paradigms mentioned below will comprehensively be discussed in Chapter Four of the research project (cf. paragraph 4.6).

⁴¹ http://www.researchgate.net/post/How_we_differentiate_ontology_and_epistemology

⁴² [www.qualitative-research.net/fq3>view](http://www.qualitative-research.net/fq3/view)

- **Axiology:** refers to ethics and it is based on the choice of the problem, choice of paradigms to guide the problem as well as data gathering and analysis methods. For example, the researcher has to know and understand the purpose, the goodness and the reason why a research project is undertaken and ultimately how the investigation will unfold without hurting the feelings of others⁴³. It has to be dealt with in the choice of context, treatment values within the context and the careful choice of formats for presenting the research results⁴⁴. The synoptic account of research ethics is given in paragraph 5.2 of this research project.
- **Authenticity:** when something is authentic it means that it maintains what it professes to be under any circumstances. Therefore, the research method used should conform to facts and be worthy of trust, reliable and always genuine⁴⁵. For instance, a research project is authentic when fairness prevails. Meaning that the responses of all the stakeholders should be recorded without exception (Denzin *et al.*, 2013:122). The authenticity of this research project will be verified in paragraph 6.4.
- **Credibility:** refers to the process of establishing whether the results of the research are believable or not credible. What concerns researchers so far as action research is the quality of information and not quantity⁴⁶. This paradigm will be applied in paragraph 6.5 of this research project.

Transferability: refers to the process where the researchers and the readers make connections from revealed data to both local and entire community-level behaviour and practice⁴⁷ and it also invites readers of the research study to make connections between elements of a study and their own experiences⁴⁸. In actual fact, transferability is the degree to which the research results can be transferred to other situations⁴⁹. The transferability of this research project will be dealt with in paragraph 6.6.

⁴³ <http://www.srmo.sagepub.com/view/sage-encyc-qualitative-research/n31>

⁴⁴ <http://qualitative.wikidot.com/the-sage-handbookqualitative>

⁴⁵ <http://www.thefreedictionary>

⁴⁶ <http://www.credibility-rsmet.blogspot.c>

⁴⁷ <http://srmo.sagepub.com/view/sage-ency-qualitative>

⁴⁸ <http://writing.colostate.edu/guides/guide.cfm?guide>

⁴⁹ <http://www.socialreserchmethods.net.kb/qualval.php>

1.15 Data collection tools/techniques

Action research is used by qualitative researchers to find out more about problems and to understand a central phenomenon. In order to gather information, there should be a formulation of research questions. The purpose here is to collect as much data as possible about the central phenomenon. Participants ought to be people who have the knowledge and some experiences about the situation (Maree, 2012:265).

The collection of data is limited to a group of sampled people. In this research project, six secondary schools with similar conditions and environments have been sampled in the Free State Province. In order to get to grips about the factors affecting the good management of organisational systems at secondary schools, I used observations; official documents' examination and group discussion/dialogue with the groups that were found in the six schools (cf. Figure 1.2). The data collection tools that I used are as follows.

1.15.1 Collecting data by observation

This process involves the observation of phenomena which is also referred to as participant observation. Here the researcher systematically observes the events, and behaviours of participants in a social setting as they unfold (Marshall & Rossman, 1989)⁵⁰. Observation has some advantages. It enables the researcher to check non-verbal behaviour, to determine who interacts with whom and helps in the avoidance of distortions.

1.15.2 Official documents examination

Documents are written information in various forms. It is something that can be read, it relates to some form of the social world⁵¹. Documents such as school policies, acts, legislation, resolutions, minutes, and other legislation found in the school were perused. The researcher also went through the school improvement plans⁵² and other internal arrangements agreed upon by the participants at the six secondary schools that were sampled for the research topic *Management of organisational systems at township secondary schools in the Free State Province*.

⁵⁰ <http://www.qualitative-research.net/index.php/fqs/art>

⁵¹ <http://www.drcath.net/toolkit/document.html>

⁵² <http://www.enquirylearning.net/ELU/research/res/Ch4.html>

1.15.3 Group discussions/dialogue with the groups

As it has been explained elsewhere in this discussion, the action research process involves observing the situation as it occurs. To fulfil this, the researcher visited the site. As a researcher, I gathered information from identical groups (like SGBs, SMTs etc.) by allowing them to discuss a particular issue with me or amongst themselves. Thereafter everything that participants said was recorded for future reference⁵³. An account of this can be found in paragraph 4.3.1.

1.16 Data analysis

This is another important step in the research process. Information collected is organised in such way that misunderstandings are corrected. In the case of this research project, I engaged myself in processes that yielded some form of explanations, understandings, and interpretations⁵⁴. Action research data analysis follows a certain pattern or stages as explained below and also in paragraph 4.8.

- **Familiarisation:** this involves the researcher having to acquaint himself/herself with all the data collected.
- **Transcription:** here, audio recordings are converted into verbatim form. For example, before data is analysed it is important to eliminate unnecessary and meaningless information.
- **Organisation:** at this stage I arranged data according to sections or categories which made it easy for me to retrieve. For example, groups which participated in the research project were given pseudonyms for identification purposes (cf. paragraph 1.12).
- **Coding:** at this stage it is important to describe what was observed and provide reasons why that process was important. For example, raw qualitative data such as words, phrases, and sentences are assigned different codes for retrieval purposes.
- **Analysis:** at this stage theory is systematically generated from available data. This is called grounded theory and it emphasises theory as the final output of the research.⁵⁵

⁵³ <http://www.audiencedialogue.net.kya11a.html>

⁵⁴ <http://peoplelearning.homestead.com/chapter7.methods>

⁵⁵ <http://peoplelearning.homestead.com/chapter7.methods.qr.doc>

Action research data analysis refers to the interpretation and classification of data collected (Flick, 2014:370). When analysing phenomenological data it is important to take into cognisance the values and meanings the role players attach to their natural world (Maree, 2012:266). The qualitative researcher is a participant whose aim is not to influence the results but to work with the natural persons in their environment in order to find a solution to the problem being investigated.

1.17 Limitations of the research

My research findings will be definite to the problem I have identified. In addition to this, there are limitations to this study such as the following:

- **The scope of study**

I am conducting a study embedded in qualitative research; therefore I used a sample of only six secondary schools throughout the Free State Province to ensure the manageability of the research process at these schools. This means that the research is limited to six secondary schools while others are left out.

- **The methodology**

I used the action research grounded in qualitative methodology which assumes that reality is multiple, subjective, and mentally constructed by individuals (cf. paragraph 1.11). As a result the findings may not be generalised but can be restricted to the six sampled secondary schools in the Free State Province. Be that as it may, the findings of the post-positivists (action research grounded in qualitative methodology) may be transferred to the other similar situations (schools in the Free State Province or in South Africa). This means that the findings of this research may be transferred to schools that are similar to the six sampled schools in terms of work ethics, the political beliefs of teachers, organisational climate and culture etc.

1.18 Key words and phrases in the research project

Action research, management, organisational climate culture, representative council of learners, resources, school governing body, secondary school systems.

1.19 Division of the chapters

Chapter One: Orientation.

Chapter Two: The functions of the systems of the secondary school as an organisation.

Chapter Three: The legal aspects pertaining to the secondary school systems.

Chapter Four: The comprehensive explanation of the research design.

Chapter Five: The interpretation of data collected during the fieldwork.

Chapter Six: The findings, recommendations and conclusions of the research.

1.20 Conclusion

This discussion has highlighted certain factors which negatively affect the management of organisational systems at secondary schools in the Free State Province. The reasons for these phenomena should be considered in a serious light in that the provincial Departments of Education, particularly Free State, have embarked on various campaigns targeting the development and establishment of effective school management.

Consequently, the education officials visiting schools have paid attention to only one aspect of the system, namely, the achievement of desirable Grade 12 examination results by educators, at the expense of other equally important activities. The study is therefore undertaken to unravel the problems affecting the entire management of organisational systems. The discussion that will provide possible answers and solutions to the identified problems as espoused in the aforementioned discussion.

CHAPTER 2

2. THE FUNCTIONS OF THE SYSTEMS OF THE SECONDARY SCHOOL AS AN ORGANISATION

2.1 Introduction

As has already been alluded to in paragraph 1.1, the school systems are the parts or the juristic and natural persons that constitute a secondary school as an organisation. The school systems are analogous with the parts of the body of a human being which are the head, the neck, the chest, the arms etc. Should one of the parts of the body of a human being be sick, the whole body does not function properly. So is the case with the secondary school as an organisation. For example, if one or more parts/systems of the secondary school is or are not functioning properly, such a secondary school becomes dysfunctional.

In this chapter, this research project intends to investigate whether the township secondary school systems as represented in figure 2.1 below perform their functions effectively and efficiently.

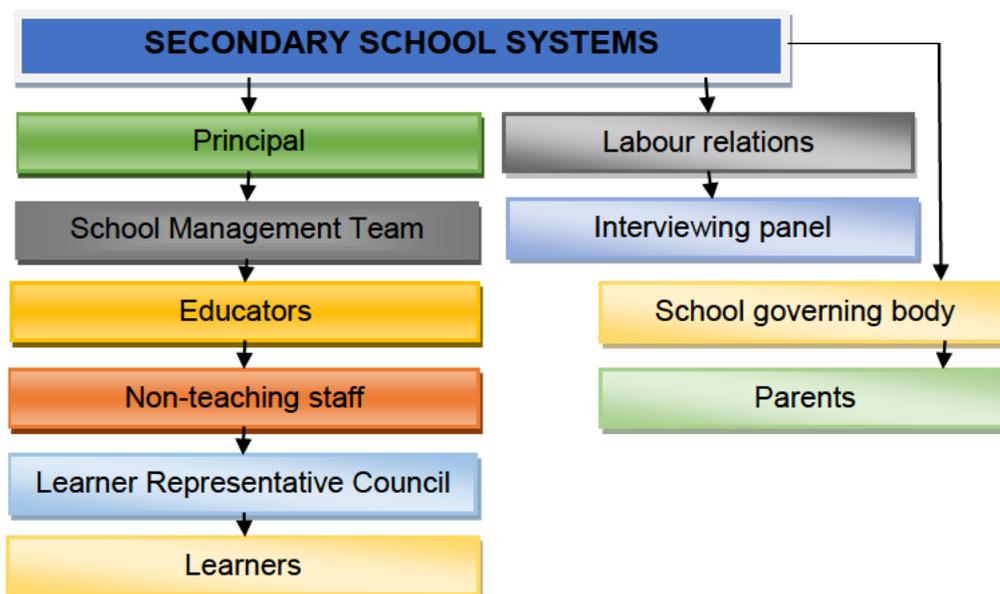


Figure 2.1: Ineffective township secondary school systems

2.2 The functions of the school governing bodies

The preamble of SASA emphasises that the aim of the new education system in South Africa is to promote the acceptance of responsibility for the organisation (school), governance and funding of the State in partnerships with the society, learners, parents and educators. Therefore all learners should be subjected to high quality education. This is not true for learners from the township secondary schools. The problem is that some SGBs are failing to align themselves with legislation when they execute their functions. They do not understand the Acts that govern education in this country.

This is one of the reasons why many schools in townships are very unsafe for habitation. Xaba (2011:201) supports by saying that the SGBs should abide by the school acts when they perform their duties. They must always take into cognisance what the Constitution dictates before they adopt policies (Joubert, 2008:235)⁵⁶. Therefore, the affected schools are constituted by the SGBs which are ignorant to the rule of law. They do not have plans and strategies to keep their schools functional in all spheres.

Section 29 (1) (a) Act 108 of 1996 (hereafter, the Constitution), promulgates that every child has the right to basic education. In order to fulfil this duty optimally, the SGBs are allocated certain functions. One of the duties is to adopt a code of conduct for learners. This will be discussed later in this chapter.

In support of the Constitution, section 16(1) (2) of SASA provides that the SGB stands in a position of trust towards the school. Therefore, society puts its trust in the SGB to create a healthy school environment. It is trusted to adopt laws and policies which will serve to protect both learners and teachers. Mestry *et al.* (2012:97) posit that such laws should result in the development of a safe and secure environment for learning and teaching. Therefore, educators, learners, and other workers in the school will be effective in the execution of their work. The critical area to create a safe school is the adoption of the code of conduct for learners by the SGB.

2.2.1 Adoption of the code of conduct for learners

A code of conduct can be described as a set of rules or regulations developed by the school to provide guidance to learners on how they should behave at school. Its

⁵⁶ <http://www.ufs.ac.za>

purpose is to help with the creation of a healthy and conducive environment for learning and teaching. One of the questions asked in Chapter One is how policies can be developed (cf. paragraph 1.7.2) in order to address the problems experienced in some of the secondary schools in townships in the Free State.

Section 20 (1) (d) of the SASSA provides that the SGB should adopt a code of conduct for learners. SGBs in the affected schools under this study have no capacity to formulate and adopt the code of conduct for learners. They struggle with the language, such as English, because their schools use it as a medium of instruction. Hence they are expected to use it too when they develop the school policies. On the other hand, the principal and other district officials from the DBE may not be conversant with the African language spoken in a specific residential area, resulting in the trainers having to resort to a common language which happens to be English.

The Act is silent about the process that should be followed when this duty unfolds. This creates a problem because the SGB members are inadequately trained to perform this important task. In the secondary schools in townships in the Free State, the parents rely on both teachers and the principal to develop the code of conduct for learners. This problem is made profound by the amount of paper work in the form of manuals that should be presented to parents in a very short space of time during training organised by the Department⁵⁷.

Parents are always in the majority in the SGB, but when it comes to serious matters they take a back stage approach due to lack of knowledge and the high level of academic material they find themselves exposed to. Thus the participative democratic principles of healthy partnerships in the school as an organisation are negatively affected. In other words, the roles played by SGB members in the school, especially for the adoption of the code of conduct, are not equal (Van Wyk, 2007:134).

In short, it is very unacceptable to expect parents who have little or no knowledge about education issues to understand the Acts within three to five days when teachers, principals and district officials are exposed to programs of two or more years of training about school governance and management. They even get

⁵⁷ <http://www.scielo.org.za>

bursaries for their training. However, parents from schools struggle with such small amounts such as transport from home to the training venue.

Xaba (2011:202) argues that parents are unable to work out practical solutions for practical problems. It is because of the fact that they think that the school is the only place where proper discipline would unfold. On the other hand, some principals and their SGB members are reluctant to give learners an opportunity to air their views, aspirations and wishes about the policies which govern them⁵⁸. I think that a code of conduct can go a long way for the school in maintaining discipline.

Mestry *et al.* (2012:97) maintain that SGBs should adopt a code of conduct for learners as a means to create a disciplined and purposeful school environment. This means that both the SGB and the principal are tasked with the responsibility of creating a conducive environment for teaching and learning. If this notion is left unchallenged there will be no discipline in many township schools because learners will be reduced to passive participants in matters that affect them.

I agree with literature studies which suggest that the adoption of the code of conduct for learners should be consultative in nature. Joubert (2008:237)⁵⁹ points out that the code of conduct for learners can be developed by teachers or delegated members of the SGB. I have a different suggestion, however. When something is done for another person, there could be unintended outcomes.

For instance, learners in secondary schools in townships in the Free State may be unruly because they do not own the school's code of conduct for learners. Maybe they view it as a document that is forced down their throats. Therefore, before the code of conduct for learners is adopted by the SGB, there should be an agreed upon process that will be followed.

The liaison officer or the designated deputy principal can assist by doing the following things: Firstly, learners from all Grades could be given time frames to discuss the rules that should govern them. Secondly, teachers as adults at the school can also discuss the possible principles that should be included in the code of conduct. Thirdly, all the inputs should be submitted to the delegated structure from the SGB. Fourthly, the submissions should be scrutinised. At this stage it must be

⁵⁸ <http://www.dgmt-community.co.za>

⁵⁹ <http://www.ufs.ac.za>

ascertained that the Acts regulating education are included. Fifthly, the suggested code of conduct for learners should then be taken to the entire SGB for adoption.

Finally, the copies of the code of conduct should be produced for all learners from Grade 8 to Grade 12. All learners should be encouraged to take the code of conduct home and discuss it with their parents. If the parties are satisfied they can append their signatures in the appropriate spaces. Teachers should also be given their copies. Both the principal and the SGB chairperson should sign for the adoption of this document at the point where the SGB adopts it. Thereafter a copy may be sent to the district office for further scrutiny.

This exercise has the following positive spin-offs:

- Learners will feel valued, respected, and needed by their school.
- Learners will be exposed to the democratic principles of leadership, decision-making and tolerance. Therefore, the school will be involved in building future leaders for this country.
- Principals and parents will become aware of the value of learners. They have important information about their school and the community at large.
- Communication among stakeholders will improve.
- Peer counselling will be established. Learners turn away easily from their bad behaviour if they are assisted by their peers. Remember that the RCL is elected by learners. So they could be trained as peer counsellors.
- Teachers will be protected from disciplinary inquiry against them because they will not be tempted to administer corporal punishment. It is still perceived by many teachers as a quick response to address bad behaviour by learners. But they will follow the due process that is included in a code of conduct for learners. Moloi (2007:472) cautions that the abolition of corporal punishment left teachers wanting as they were not provided with effective alternatives to corporal punishment. This practice by teachers was institutionalised during the apartheid era. It came to an end abruptly at the dawn of democracy in South Africa. From my tenure as a principal, I have experienced that some teachers would claim that principals do not want them to discipline learners when they debar them from

applying corporal punishment. There will be a discussion about corporal punishment later in this chapter.

- Learners will not resort to violence against teachers because they will know what steps to follow if they want to lodge a grievance, and
- In situations where transgressions are perceived to have happened, the suspected learners will be asked to bring along their copies to the hearing. At this stage they should be accompanied by their parents or a representative.

A lot can be said about the value of the code of conduct for learners. The SGB is also responsible for the maintenance of school property, physical facilities and school grounds. This function is discussed in the paragraphs that follow.

2.2.2 Maintenance of the school property, physical facilities, and school Grounds

Section 20 (1) (g) of SASA provides that the function of the SGB is to administer and control the school's property, and buildings and grounds occupied by the school. The main purpose to maintain school facilities is to prevent injury to learners and teachers, and loss of life that may arise from the poorly maintained facilities. The SGBs of the secondary schools in townships in the Free State are not able to perform this duty.

This emanates from the appalling state of many school facilities in the townships. By merely passing-by these schools, one will see old furniture strewn everywhere. When you enter the school premises one will be greeted by debris, litter and graffiti. Learners' toilets are characterised by a bad smell hanging over them (cf. paragraph 1.5). An essential feature at this point is the manner in which the school buildings are supposed to be maintained by the SGB.

2.2.2.1 Maintenance of the school buildings

The word "maintenance" means looking after something; it also means to repair it, or to replace it when it is worn-out. The argument here is that most of the township schools have dilapidated buildings. The reasons for this situation are numerous. For example, some problems are attributable to nature, others to vandalism. But the main one is where the SGB became indolent to its roles. This can be referred to as the human-induced hazard. Its consequences may affect the work of the teachers,

the learners and even the health of the teachers and other workers within the school⁶⁰.

2.2.2.1.1 Impact of the broken windows on learners

In Chapter One, mention was made of the problem of the *broken window syndrome*. It comes from the habit of not replacing one broken window at school until the second one is broken and ultimately the problem grows too big for the SGB. For instance, if one broken window is replaced immediately, the costs will be low as compared to a situation where the SGB has to wait until too many windows are broken and the costs become exorbitant.

Some of the secondary schools in townships in the Free State display a similar scenario. Windows are left broken throughout different seasons. Sometimes learners have to stay in these situations even in winter time. Teachers would not want to go and teach in such inhumane conditions. In order to improve the situation, learners would then take the responsibility by covering the open broken windows with plastic materials or any other convenient object. Due to their incapacity, some SGBs are prone to leave small problems until they become major. This serves as evidence that in such schools there is no effective learning and teaching.

There is neither a code of conduct nor its implementation; hence the school facilities are in a bad shape. The work ethic of both teachers and learners is very low. In support of this statement, Van Deventer and Kruger. (2003:4) agree by saying that a poor culture of learning in a particular school can be recognised from the observable poor state of school buildings, facilities and resources. The state of the school's windows gives a clear picture of the conditions of the school. People can see from a distance that there are serious problems of maintenance in that school. Therefore, the SGB should develop and adopt a maintenance policy in order to improve the school buildings. The focus should also be on the state of the toilets (cf. paragraph 1.5).

2.2.2.1.2 Maintenance of the school's toilets

There should be routine maintenance at every secondary school but of a very high standard. Section 21 (1) (a) of SASA provides that the SGB may apply to the Head of Department in writing to be allocated the function of maintaining and improving the

⁶⁰ <http://www.nces.ed.gov>

school buildings and most importantly, the learners' toilets. The school toilets pose a serious challenge to the competency of the SGB. Most of the school buildings have toilets juxtaposed to the classrooms.

The situation at the affected secondary schools is so bad that learners find themselves being taught in the midst of bad gases or smells emitted by the malfunctioning toilets. It was mentioned earlier that some of the roles expected from the SGB are very cumbersome. Even though principals are active members of the SGBs, they are mostly unaware that they can assist the SGB to apply to the education authorities to perform certain functions. Therefore the Act is there but not helping the school authorities with ways on how to effectively manage their institutions.

Contrarily, the procedure that should be followed results in a red tape which takes too long to get a response from the HoD. Challenges grow to an extent that some of the SGB may find themselves using the money allocated for learning and teaching to repair school toilets. If the principal is not empowered s/he may not be aware of this Act and s/he could be charged with misappropriation of the school's monies or for failing to advise the SGB. Joubert *et al.* (2011:239) warn that the principal is forced, in terms of legislation, to follow the instruction of the HoD.

In this instance where the SGB could not have applied to the HoD to use the money allocated for learning and teaching, they may agree to have this money being used for repairs to the school's toilets. This is a conflict of interest for the principal. The SGB may want to repair the toilets and not have any raised funds, or be permitted by the HoD to use the allocated budget. There are procedures that could be followed when addressing this problem for good.

The first step is to establish the School Maintenance Committee⁶¹. I am of the view that the members should be sourced from all the relevant structures from the school. There should be one member from each structure. The DBE recommends that the grounds man and the SGB member with the expertise to get quotations should be members. But experience has proven to me that the DBE may have these good documents which remain hidden to the SGB.

⁶¹ <http://www.education.gov.za>

Although the department is adamant that teaching time should be protected, it is needless to say that the membership from learners is emphasised because they are the direct beneficiaries of a healthy school environment. Due to their lack of discipline they are the perpetrators of filth and dirt in and outside the school premises. They should learn to take care of their school premises.

In secondary schools there are learners who may have some knowledge about maintenance. They could be used during weekends to assist parents and teachers who may be assigned this duty. Having said this, the SGB and the principal should guard against being labelled as perpetrators of child labour. This is one reason why the Congress of South African Students (hereafter COSAS) has decided to flag this problem by visiting secondary schools to teach learners about the importance of hygiene and maintenance of school buildings, including toilets (Macupe, 2015:6). Therefore, COSAS understands that the participation of learners is crucial in the reduction of risk areas in the school premises. They have realised that there is a gap in fulfilling this need.

The second step is to look at what the law prescribes. Section 20 (1) (h) of SASA provides that the SGB should encourage parents to avail voluntary services to the school. Parents and the community should be led by the SGB to help in repairing the school buildings. However, in many poor communities, unemployment is high and parents see any work from the school as an opportunity to earn some money.

Simple things like the toilets should not be left to rot just because the school might not have money to hire plumbers. Dirty toilets pose a serious health risk to users and other people. Macupe (2015:6) reports that in some schools in the townships like Soweto, you will find faeces on toilet seats and sanitation pads lying on the floor. In such a school there is a low culture of learning because the positive influence of effective education on the lives of both teachers and learners is not evident when one pays attention to the conditions of toilets.

This state of affairs could also be inferred to some of the secondary schools in townships in the Free State. It should always be borne in mind that the aim of the school is also to mobilise the community members to play a role in the affairs of the school. Therefore, the school cannot be left in dire straits. The SGB is better positioned to encourage community participation (Clase and Van der Merwe, 2007).

Finally, it is imperative to investigate the conditions of risk areas like toilets and classrooms. This issue will be further discussed under the *Norms and Standards for School Infrastructure*. The maintenance of school buildings, particularly the toilets is very crucial to the success of the SGB. If toilets are worn-out, and not structurally strong, the users, especially learners, could be faced with fatal situations. For example, there is a family that has sued the Minister of Basic Education because their child fell into the pit toilet and died (Savides, 2015:4).

It is unacceptable for someone to lose a life just for using a toilet at school. This may be compared to the situation in the secondary schools in townships in the Free State. Many of these schools have classrooms and toilets with potholes. It is well known that it is very dangerous to drive on a road with potholes. Now they are in some of our classrooms and in schools' toilets throughout the country.

According to Jika (2015:6) many of our children are left in unsafe schools. The SGBs have to come to the party to address these serious situations. To make matters worse, the Department of Basic Education has the audacity to defend itself when it was sued by civil society for its failure to fulfil its mandate (Savides, 2015:4). I think that they could have accepted their mistake and then pledge the money they paid to be in court to be used to upgrade the situation of schools in the townships.

The DBE has painted itself into a corner by failing to provide safe schools. In ensuring that our learners in secondary schools in townships across the Free State are taught in a desirable situation and in conducive environments. It was believed it would be in accordance with norms and standards for school infrastructure⁶². It is recommended that principals should avail this document at their schools.

As enlightened people and as they are legally compelled, they should train the SGBs about this document, and therefore they should take full responsibility and be accountable for the participation of all the stakeholders in the school as an organisation⁶³. It is imperative to discuss the *Norms and standards for School infrastructure*.

⁶² <http://www.equaleducation.prg.za>

⁶³ <http://www.uir.unisa.ac.za>

2.2.2.1.3 Norms and standards for school infrastructure

These are regulations that determine the infrastructural conditions that make a school a school. Section 5A (1) (a) of the Education Laws Amendment Act 31 of 2007 (hereafter ELAA) provides that the Minister may, after consultation with the Council of Education Ministers, by regulation prescribe uniform norms and standards for school infrastructure.

The South African Parliament had to move for the changes in education laws because they realised that the SGBs are not able to comply with the prescripts of SASA. The blame for poor service delivery at secondary schools in the Free State should also be blamed on the failure of education officials. Hence this amendment bill emphasises the role that should be played by the MEC for education and the HoD.

Section 5A (2) of ELAA stipulates that the norms and standards for school infrastructure must provide for the availability of classrooms, electricity, water, sanitation, a library, laboratories for science, technology, mathematics, and life sciences, sport and recreation facilities, electronic connectivity and perimeter security.

Alas, this is not happening, particularly in secondary schools in townships in the Free State. In most of the cases both the SGBs and the DBE commit serious offences by ignoring the law. Every school must meet certain basic levels of infrastructure. At first glance the school should appear clean and safe. The doors and the windows must be in good condition. Unlike the situation at some of the secondary schools in townships in the Free State where they struggle with the fundamentals like keeping the classrooms warm.

The task of caring for the school infrastructure became very cumbersome for many SGBs. That's why such schools have challenges of infrastructure. It was mentioned elsewhere in this research project that such SGBs are not aware that they are legally expected, in terms of SASA, to take full responsibility for planned and unplanned maintenance and repairs⁶⁴ of school facilities. These are material resources destined

⁶⁴ <http://www.kzeducation.gov.za>

for both learners and teachers⁶⁵ to maximise productivity as learning and teaching unfold.

It is not acceptable that in this new dispensation, after twenty-one years of democracy, we still see the imbalances of the past. Former white schools are still having appropriate school buildings as compared to those in the townships. This is another reason why many children who stay in the townships are seen to be driven out of their communities to go and learn in schools located in towns and cities. No parent would want their child to attend an unsafe school. It is a democratic principle that a balance is found among all institutions of learning. Therefore all learners in South Africa regardless of race, colour, place of stay, socioeconomic and political status, should learn in environments which possess necessary and enough school infrastructure⁶⁶.

Some of the SGBs in secondary schools in townships in the Free State are capricious when they formulate policies for maintenance of school buildings. Xaba (2011:206) laments by saying that it is sad to realise that the difficulties in policy making are put squarely on the parent governors' low education levels, lack of knowledge and their reliance on the principal and educators.

This discussion leads us to the function of adoption and implementation of maintenance policy.

2.2.2.1.4 Adoption and implementation of maintenance policy

Considering the problems mentioned above, the SGB should adopt a maintenance policy. The Occupation Health and Safety Act of 1993 instructs the provincial departments to provide and maintain safe working environments which are without risk to employees or any other person⁶⁷. This instruction is also applicable to schools.

Failure by the Free State Education Department to implement this act could culminate into serious repercussions for the department, schools and SGBs. Bearing in mind that a school is a juristic person; therefore the inept and amateurish SGBs will be susceptible to unnecessary law suits by parents, civil societies or by individual

⁶⁵ <http://www.sciencepub.org>

⁶⁶ <http://www.nces.ed.gov>

⁶⁷ <http://www.kzeducation.gov.za>

learners and teachers. Take for example the law suit against the minister over the latrine tragedy (Savides, 2015:4).

Insufficient funding for township schools results in poor budgeting⁶⁸ for maintenance. Unsafe and dilapidated school buildings and facilities such as classrooms, laboratories, toilets and libraries need to be supported financially⁶⁹. Therefore, there is a need to adopt a maintenance policy which will also inform the budgetary needs for repairs. The maintenance policy should uphold values such as equality, dignity, respect, and promotion of good health within the school and outside in the community⁷⁰. Formulation of the maintenance policy will help the SGB to fulfil its mandate of supporting the principal, educators, and learners (Joubert *et al.*, 2011:242).

The first step to follow when adopting the maintenance policy is to formulate the School Maintenance Committee (cf. paragraph 2.2.2.1). The second step is to facilitate the draft copy of this policy. Members of the School Maintenance Committee should circulate the draft copies to all the stakeholders. Inputs should be received on a date set aside. Then the committee will meet again to ratify inputs. At this stage focus should also be on the legal aspects. Then the draft copy should be sent to the SGB for further scrutiny and adoption.

It is very important that the SGB communicates this policy with the DBE. They should solicit advice and inputs from senior officials who will also be expected to append their signatures on the policy. This process helps the school to improve its communication processes with all the stakeholders. The SGB becomes effective when it consults with its community. Legally, the SGB ensures that its partners are active through consultation (Clase *et al.*, 2007:243). The affected secondary schools in townships in the Free State could benefit and change for the better if they could adopt these recommendations. Another important function of the SGB is to manage the finances of the school.

2.2.3 Financial management by the School Governing Body

Financial management in a school situation can be described as a process where both the SGB and the SMT draw a plan that outlines how the money that is expected

⁶⁸ <http://www.nces.ed.gov>

⁶⁹ <http://www.contentpro.seals.ac.za>

⁷⁰ <http://www.leadsa.co.za>

to be received will be spent throughout the course of the year. These structures are challenged to implement the prescripts of the law. The violation of these processes could lead to legal steps being taken against defaulting persons. This will be discussed further in Chapter Three.

The reform of the education landscape in South Africa came with the devolution of certain powers from the State to the SGBs. This included the delegation of financial responsibilities of the school to the SGB. According to Clase *et al.* (2007:243) this action should be seen as the fundamental principle of democracy. Therefore the secondary schools in townships in the Free State are also affected by this move.

The biggest question to be asked is: *Do the SGBs of the school involved in this study have the capacity to manage their allocated funds as well as those they are expected to raise?* The answer is no. It is suspected that most of the secondary schools in townships in the Free State lack systems that could help them to manage their finances (cf. Paragraph 1.6). In response to the question about the roles of the SGB (cf. Paragraph 1.7.2) it is necessary to refer to what SASA prescribes to be the responsibility of the SGB.

2.2.3.1 Budgeting by the school governing body

Section 38 (1) of SASA provides that the governing body of a school must prepare a budget each year. The purpose is to give the governors an opportunity to prepare a financial plan for the coming year. Many of the SGBs have descended into peril due to their failure to perform this function. Parents believe that the financial management of the school is the sole responsibility of the principal (Mestry, 2006:31).

It is well documented that the SGB, of which the principal is an ex-officio member, should take full responsibility of the schools monies. In support of this statement, I know that the letter containing the allocated budget from the provincial Head of the Education Department to the school is addressed to the SGB chairperson.

Section 16 (1) and (3) of SASA provides that the SGBs are governors of the school whereas the principal is responsible for the professional management of the school. Governors should develop and adopt the budget and the managers should implement it. Poor budgeting or failure by the SGB to perform this function could result in serious problems.

For example, Henderson (2015:5) reports about principals who have embezzled the school funds, who have looted the schools' property and who have paid themselves additional salaries without following proper channels. This problem could have been avoided if the SGBs had adopted the budget. They would be able to track every cent of the school's budget. They would also be able to ensure that items purchased by the school are those on the budget.

Budgeting is a necessary aspect of the SGB. Although Sorenson and Goldsmith (2013:154)⁷¹ hold the view that all the structures of the school should be involved. These authors go further by saying that the principal should take the lead by calling all the stakeholders to the budget meeting. A problem arises when the principal prepares the budget alone. The money that is received by the school is meant for the betterment of education in any school. This is the reason why all the stakeholders should be involved in the budget process.

Even though budgeting is the prerogative of the SGB, it is still a problem for it to be understood by the parent component in the SGB. Financial management in the school system is very academic. Most of the parents in township schools are incapable of understanding what should happen with the school's finances. I have a personal experience where the treasurer in most cases is a parent not knowing anything. Crooked principals and wicked teachers do exploit the ignorance of such parents.

There are reports where they have complained that they are made to sign empty cheques. In order to curb this problem in the secondary schools in townships in the Free State, there should be a process that unfolds and it should abide by the law. When payments are made or when the school has to procure something, there should be a meeting scheduled for this purpose (cf. section 38(2) of SASA). The committee affected should provide evidence in the form of minutes and an attendance register as proof that a decision was made at a very primary level and recommendation was forwarded to the SGB. This practice will help the school to avoid unnecessary investigations and conflicts.

Section 38 (2) of SASA provides that before the budget is approved by the SGB, it must be presented to a general meeting of parents convened on at least 30 days'

⁷¹ <http://www.mars.cs.ukzn.ac.za>

notice, for consideration and approval by a majority of parents present and voting. The problem with this arrangement is that by the time the budget is prepared, the schools are already engaged in another national agenda which is the matriculation examination. As a result, the SGBs who rely on their principal will struggle because his/her attention is on the examination process.

Before the budget meeting can take place, Clarke (2010:294) suggests a budgeting process. This is the duty of the finance committee under the tutelage of the principal. It is as follows:

- i. All the sections of the school should identify their needs, materials and services,
- ii. Review the school's current budget and projected income,
- iii. Estimate a percentage of possible increase of purchases and services for the coming year,
- iv. Estimate income, the principal would know that the cash injection from the DBE is calculated according to the learner numbers,
- v. Estimate operational costs,
- vi. Estimate minimum reserve funds. This could be very difficult in the township schools because their main funder remains to be the DBE,
- vii. Submission of the proposed budget to the SGB,
- viii. Presentation of the final draft to the parents' general meeting convened for this purpose,
- ix. Adoption of the budget,
- x. Submission of the budget to the DBE together with proof in the form of minutes and attendance registers.

The SGB should adopt a budget in order to fulfil other duties like purchasing of learner and teacher support materials (hereafter LTSM), and payment of services.

2.2.3.2 Purchasing of learner teacher support materials

Section 21 (1) (c) of SASA provides that the SGB must purchase textbooks, educational material and equipment of the school. The SGB must budget for desks. But when you get to schools, especially the 'section 21 schools', you will find that

there are no desks. Most of them are too old and shabby to be used by learners. The biggest problem here is that the budget may not be in line with the real needs of the learners. Many people are trapped in the notion that the allocated budget is reserved for textbooks only. Year in, year out some schools buy textbooks at the expense of school furniture. Sometimes these textbooks get lost before the end of the school day.

Van Wyk (2007:136) argues that in many black communities, SGBs are incompetent to handle financial matters. Unfortunately, the majority of the schools fall under this category. This challenge can also be true about some principals as members of the SGB. Bush, Kiggundu, and Moorosi (2011:31) agree by saying that many principals were trained as teachers, and good teaching abilities will not serve as proof that the individual appointed will be a good and effective financial manager. Maybe this is the case in secondary schools in townships in the Free State. Hence they have forgotten that fifty percent of the money received from DBE is designated for LTSM. In-depth training about financial management is needed for all the stakeholders.

2.2.3.3 Payment of municipal services

Section 21 (1) (d) of SASA provides that the SGB should pay for services to the school. Failure to fulfil this legally binding task has resulted in some of the secondary schools in Thabong in the Free State having to release learners earlier in the day due to unpaid municipal bills and the water supply was cut off. This is scandalous and unacceptable.

It shows that the training of SGBs was insufficient as promulgated in section 19 (1) (b) of SASA. This problem is also a manifest of a lack of funds in the affected schools. The secondary schools in townships in the Free State receive money which is not enough to cover all their costs. It has been mentioned earlier in this discussion that money is allocated according to the number of learners enrolled at the school.

Perhaps it should be mentioned here that the services are not charged according to roll, but according to their usage. So it will be difficult for the schools to service accounts accordingly. The fundraising initiatives by the SGB also do not bear fruit. The challenge is that most of the parents in the township schools are unemployed. Joubert *et al.* (2011:93) posit that the SGB should ensure that it makes enough money available to the school. The school is a service organisation with the main aim of providing quality education to the children of the society. It cannot afford to

run without funds. Therefore, the rights of the children whose classes were suspended due to unpaid services were violated.

Section 12 (1) of SASA provides that the Member of the Executive Council must provide public schools for the education of learners out of funds appropriated for this purpose by the Provincial Legislature. I have experienced a violation of this act for several years where my former school and those of my colleagues in our area have gone for months without the cash injection by the Department. They did not meet the deadline. It is hard for both the principal and the SGB to run the school without funds. So the DBE should accept some of the blame when systems run down in the secondary schools in townships in the Free State. The DBE runs the education of a black child as if it is a cheap commodity. Cheap education doesn't pay.

In spite of these problems proper financial management remains inevitable. The secondary schools in townships in the Free State have to be trained continuously throughout their term about financial management. A week's training is not enough. The good handling of school funds is pivotal because it enhances academic learner achievement⁷².

The SGB has another function which is to recommend teachers for appointment at their schools. This responsibility is discussed in section 2.5 under the heading of Interviewing Panels.

The functions of the representative council of learners are discussed in the paragraphs that follow.

2.3 The representative council of learners

Section 11(1) of SASA provides that a Representative Council of Learners (hereafter RCL) at the school must be established at every public school enrolling learners in Grade Eight or higher and such is the recognised and legitimate representative for secondary school learners. This is a legal structure but its work performance is hamstrung by the attitude of the adult members in the SGB. For example, its manifesto is decided by the SGB (cf. paragraph 2.2.1). The problem is that in many secondary schools in townships in the Free State, the RCLs do not have their own Constitutions. Therefore they do not understand their roles and responsibilities (cf. paragraph 1.6).

⁷² <http://www.joe.ukzn.ac.za>

Section 8 (1) of SASA provides that subject to any applicable provincial law, a governing body of a public school must adopt a code of conduct for the learners after consultation with learners, parents and educators of the school. This means that the very SGB which is found to be inept is expected to draw the code of conduct for learners and only consult them. In these consultations they only inform the RCL about the kind of code of conduct they have drawn. The main problem is that there is a lot of research which reports that many parents in secondary schools in townships in the Free State are incapable of dealing with serious and complex academic matters such as using the Acts to craft the code of conduct for learners.

Sometimes, the SGB find itself having to cut-and-paste the code of conduct from other schools. This is fatal to the mission of the SGB because such a code of conduct will not be applicable to the situation of that school. Take for instance a scenario where the code of conduct from a former white school is adapted to the situation of a township school. The easiest method is for the SGB to make use of its RCL to develop a code of conduct. The involvement of the RCL in developing the code of conduct will make it easy for the school to design the duties of the RCL.

2.3.1 Roles and responsibilities of the Representative Council of Learners

The DBE provides guidelines in the form of manuals to schools which outline the expected functions of the RCL. As this is a legitimate body which is supposed to protect and advance the interest of the learners, it is expected to be conversant with its duties within the school premises. However, they are confronted by stereotypes such as the traditional standpoint by adults in the SGB and SMT that learners do not have a say in serious matters of the school⁷³. Therefore, there is lack of support in terms of how they should execute their duties, the role of the RCL in the maintenance of school discipline, non-participation in matters around school finances and problems of gender and power relations in the RCL. These problems are discussed in the following Paragraphs.

2.3.1.1 Lack of support from the parents component

The RCL is expected to work harmoniously with the adults including the principal, teachers, SMT, and parents. Their dilemma is that they are viewed with suspicion when they debate issues which affect them. This problem is further complicated by

⁷³ <http://www.dgmt-community.co.za>

lack of recognition and disrespect, although this is the only legally legitimate structure of learners which looks after the needs of all the learners in the school⁷⁴.

Another problem is that in many schools the RCL is not regarded as an equal partner in matters that affect the school (Carr *et al.*, 2009:75). For example, they are made to participate in school matters which deal with discipline of other learners. Thereafter they are asked to leave the SGB meeting. This unfortunate act leads to the breaking of the law by the schools.

The democratic processes that are supposed to unfold in the school are therefore hampered. RCLs are supposed to be equal partners in the school matters. It is true that they cannot sit in meetings where the teachers are being discussed. But they cannot have the door being closed on them when the SGB discusses the financial matters of the school.

If this situation is left unchallenged, learners will feel disgruntled. They will neither own the school nor respect the school properties. Such schools are characterised by poor academic performance, vandalism, corruption, fraud and pockets of violence. The untoward manner of some adults, including principals, where they undermine the RCL, criticising them, condemning and blaming them leads to further inefficiencies of the entire school system⁷⁵.

2.3.1.2 The representative council of learners and finance

Although there is not much literature about the role that should be played by the RCL in the usage of the school funds, there is a need to look into this aspect.

Section 32 of SASA prohibits minors (learners) from making any binding contracts with third parties on behalf of the school. This law created many problems for the RCLs in the secondary schools in townships in the Free State. For a simple process like budgeting, the RCL members are not permitted by their SGBs to participate. How can they be expected to gather views, suggestions and opinions from their constituencies when they cannot take part in decision making about how the school will spend its allocated budget? They are supposed to be informed about the planned school expenditure so that they would come to know about areas where money is wasted and what role they can play to curb such problems.

⁷⁴ <http://www.scielo.org.za>

⁷⁵ <http://www.dgmt-community.co.za>

Carr *et al.* (2009:75)⁷⁶ caution that budgeting is the prerogative of the SGB, but it becomes a serious problem if the RCLs are not considered in the schools' financial planning. In some instances, learners are not allowed to participate in the financial decisions of their school because they are regarded as minors due to their age.

Most of them will be younger than 21 years when they leave school. Therefore they will never have a chance to participate fully in the finance committee of the school or to have their views heard⁷⁷. Hence these learners will cast aspersions about how the school finances are managed. Therefore principals, particularly those from the township secondary schools should be wary of the fact that there are always complaints about them enriching themselves with the funds of the school (cf. paragraph 1.7.2).

2.3.1.3 Representative council of learners and discipline

The RCL has a legitimate role to play in school governance⁷⁸ including discipline, but they are disorganised and cannot work together with both the SGB and the SMT, leading to intolerance among learners, and between learners and teachers. Ultimately issues of violence surface. In such schools, there are acts of bullying, fighting both in the classrooms when teachers are absent, and in the toilets⁷⁹.

The RCLs in secondary schools in townships in the Free State are therefore failing to prevent problems like bullying, assaults and fights⁸⁰. Some incidents of violence taking place in the township secondary schools end up not being reported. Another problem caused by the failure of the RCLs to report untoward behaviour by any person in the school premises is the occurrence of sexual harassment of female learners by males. Sometimes it is perpetuated by boys and also by male teachers. Mcube and Harber (2012) in Mgijima (2014:199) argue that sexual harassment is commonplace in many secondary schools. It results in many social problems. These things happen under the watch of the RCLs in many schools.

This crime leads to problems such as absenteeism, dropping out of school, contracting diseases and unplanned pregnancy. This is a direct violation of Section 12 of the Constitution which provides that everyone has the right to freedom and

⁷⁶ <http://www.scielo.org.za>

⁷⁷ <http://www.scielo.org.za>

⁷⁸ <http://www.ijbssnet.com>

⁷⁹ <http://www.mg.co.za>

⁸⁰ <http://www.mcser.org>

security which includes the right not be treated or punished in a cruel, inhumane or degrading way. Girls are supposed to play a leading role as SGB members but they are ignored by many people because of gender stereotypes that exist in many communities.

2.3.1.4 Gender in the representative council of learners

The RCL should uphold the principles of democracy at all times. But in many secondary schools in townships in the Free State this principle is so difficult to be upheld. Although there is not much literature study about gender issues in the RCL, it is imperative to mention that there are stereotypes about the roles of girls in the RCL. In some schools, RCLs become inefficient because the learners may shun the instructions from the girls who are members of the RCL.

Therefore learners may respond with disrespect and disdain towards the girls due to gender-based stereotypes⁸¹. The membership of learners in the SGB is initially obtained through the RCL elections in the first place. Then the learners will be nominated by other RCL members to represent them in the SGB.

For schools where learners are represented by girls in the SGB, there is a problem with the attendance of such girls when meetings take place at night. These children will have issues of safety as well as the reluctance of their parents or guardians to release them for such meetings. Therefore, their participation in the SGB matters is further put into disarray. If it happens that they attend the SGB meeting, they cannot fully and freely participate because they would not know what transpired in previous meetings⁸².

The discussions above further indicate that the RCL as part of the school system is dysfunctional. The reality of the matter is that learners at large stand to lose because their institutions are not ready for normal schooling in a safe environment.

The other structure which is so important is the SMT.

2.4 School management teams

Section 16(1) (c) (i) of the ELAA provides that the principal of a public school must annually, at the beginning of the year, prepare a plan setting out how the academic performance will be improved. This instruction is given to the schools which have a

⁸¹ <http://www.scielo.org.za>

⁸² <http://www.scielo.org.za>

history of underperformance. Taylor (2008:3) posits that poor performance can be attributed to disparities in performance between schools from former white areas and those located mainly at townships in the Free State Province. Perhaps it is necessary to indicate that such schools are regarded as being dysfunctional⁸³ due to their poor performance in matriculation examinations.

Labelling them with such derogatory names adds more problems instead of helping them. Both learners and teachers feel unwanted and begin to lose hope. But I think when they are regarded as 'not on the right track' but rather are categorised as schools which need an overhaul of their systems because they are in *an intervention state*⁸⁴, then they will be much more motivated to turn a corner. This indicates that although they have tried to perform as expected, they still need help through the intervention of both the DBE and other NGOs. It is necessary to discuss the functions of the SMT in the paragraphs that follow.

2.4.1 Planning for curriculum delivery

All the schools which have gained *intervention status* because of their poor performance are found at townships in the Free State. It is the responsibility of the SMT to provide good leadership in terms of curriculum delivery (cf. paragraph 1.6). Unfortunately, the managers in these schools are reluctant to perform this duty. Some of them do not have a clue about what curriculum planning is. There are various factors which negatively affect their work. Some of these factors are discussed in the paragraphs that follow.

2.4.1.1 Poor Planning

Most of these schools have plans which came about for the purposes of complying with the instructions from the HoD of Education in the Free State. The problem is that the principal of the school may develop the plan alone or with some SMT members who are in his/her corner, whilst neglecting others. The curriculum delivery plan was therefore arranged without consulting other stakeholders. Hence, Karlsson and Mbolazi (2005:11) reported that some SMTs only consult teachers at staff meetings about minor issues.

⁸³ <http://www/mg.co.za>

⁸⁴ <http://www.hechingerreport.org>

This is the reason why many SMT members are not willing to be accountable either as a group or as individual teachers for the poor performance of the school. They point a blaming finger at the principal when the organisational goals are not achieved⁸⁵. It is important for the SMTs of the schools which have gained *intervention status* to know that the involvement of all stakeholders in decision making creates a sense of ownership by all the role players. They will also adhere more to the functioning of the schools' systems than when things are just imposed upon them⁸⁶.

It is clear here that the action plan in question cannot be implemented. The SMT is running the school without a compass. They cannot manage the curriculum whilst on the other hand having teachers grapple with the alignment of syllabi to new demands placed by society on education. Where there is no consultation, there is also no democracy. Naicker and Mestry (2013:7) lament by saying that schools as democratic organisations are supposed to promote the principle of consultation, but with full accountability, by the SMT.

This will enhance free association and harmony among teachers and the SMT because everybody will know that their views, no matter their position, are taken into cognisance by the school leadership. The unintended outcomes of poor planning by the SMT become evident in these schools when the following things happen:

- a. Educators do not manage the curriculum implementation in their respective classrooms. They neither mark nor control the attendance registers. Learners become absent as they wish, without consequences. Hence academic performance is so poor because there are no learners in classes when lessons are supposed to take place. There are no plans as to when the attendance registers should be marked and who must receive them for the general control of learners' attendance.
- b. Most of the teachers, including the SMT members, go to class and teach without having proper lesson plans.
- c. Heads of Departments fail to take control of the teaching of their subjects throughout the term. They become surprised when there are subject advisors from the Department who visit schools for moderation. During these visits many

⁸⁵ <http://www.scielo.org.za>

⁸⁶ <http://www.education.gov.za>

teachers are found not have completed their work. Some of them do not have subject files. On the other hand most of the HoDs' are found not to have controlled the work of the teachers for longer periods. There are reports that some managers even keep subject advisors waiting in the school foyer when they pretend to go and fetch their management files but end up literally running away and out of the school premises. It is alleged that sometimes they hide themselves.

- d. HoDs' fail to report, and to submit their work for control to the deputy principals. As a result, the latter cannot have any work to be reported or to be submitted to the principal for monitoring.
- e. There is also poor quality of learning in these schools because of problems such as a lack of resources, lack of purpose and indiscipline⁸⁷.

The problems of the schools which have gained *intervention status* due to poor performance cannot be limited to the factors above. Another problem is poor monitoring of school work by the SMTs.

2.4.1.2 Poor monitoring of work

It is clear from the above discussion that poor planning leads to poor or no monitoring of school work by the SMTs. The secondary schools in townships in the Free State are characterised by these scenarios. There are serious problems such as HoDs being reportedly afraid of their subordinates. They cannot visit classrooms because they are afraid that some unions have instructed their members to refuse visits by SMTs.

It should always be borne in mind that today's politics play a prominent role in schools (cf. paragraph 1.5). How can the poor HoD monitor the teaching processes by the teachers? This stance creates situations where teachers are appointed to these management positions due to their proximity to power houses in the field of education, and not due to their competency. Taylor (2008:23) agrees by saying that HoDs at these schools should be appointed on the basis of their strength, expertise and their knowledge in different subjects' content.

I suppose that in many of these schools things are such that the teachers who are SGB members also sit as panel members during the processes of recruitment and

⁸⁷ <http://www.uir.unisa.ac.za>

placement of teachers in managerial posts. Therefore, they wield power to decide about the prospective appointees. This makes them prone to take bribes or to appoint their friends⁸⁸. HoDs who got to these positions in either of these ways will not be keen to work hard. They will avoid monitoring the work of these teachers and ultimately this will have a negative impact on the work of the entire SMT at a specific school.

This is why Naicker *et al.* (2013:11) caution that in such schools there is no teamwork. Teachers work alone even if they may share a subject in the same Grade. There are researches findings abound that sometimes learners in the same Grade but in different classes are made to write different question papers during the final examinations. The problem is that the SMTs did not realise that their teachers were not on par with regard to the work that was supposed to be covered. Failure to manage curriculum constitute a serious crisis in these schools because SMTs reflect that they are gravely incapacitated to carry out their mandate⁸⁹.

Another equally important function of the SMT in schools as organisations is the formulation and implementation of policies.

2.4.2 Policy formulation and implementation

The SASA came into effect in 1996 in order to decentralise both the management and governance of education to individual schools in this country. Van Wyk *et al.* (2012:101) posit that the principles of school-based management coupled with self and participative management styles were also established by this act. Thus the secondary schools in townships in the Free State have to have both the SGB and the SMT working side by side in order to provide quality education to any child from any community. This expectation could be realised through the process of policy formulation and implementation. This ideal is a challenge to these schools because when you look at them you only see disaster. For example, these schools are dirty and learners are not performing as expected in their examinations from Grades 8 to 12.

It is evident here that these structures, particularly the SMT, cannot develop school policies (Joubert, 2008:235 & Van Wyk *et al.*, 2012:104). Furthermore, Moloji

⁸⁸ paddy.harper@citypress.co.za

⁸⁹ <http://www.uir.unisa.ac.za>

(2007:467) argues that the SMT is compelled to think strategically in order for the management policies to be aligned to those from the Department of Education. It is imperative for this research to reflect on the factors negatively affecting this function of the SMT.

2.4.2.1 Knowing what to do but not doing it

Most of the SMT members in township secondary schools are well qualified. They have acquired their post graduate degrees and diplomas through part time studies. However, they are reluctant to implement their knowledge at their respective schools. On the other hand, the DBE has taken many of them through short courses or to meetings where policies such as WSE and IQMS were discussed and their purpose was outlined (cf. paragraph 1.7.2). That is to make it easier for the SMTs to run schools smoothly. The problem is that some SMTs are not willing to implement these policies.

They have problems with facilitation and interpretation. They view them as tedious and time consuming. For example, the SMT members know that IQMS deals with the evaluation of individual teacher's work by both his/her peers and the immediate supervisor. Many teachers choose a peer who is not necessarily an expert in their subject.

This makes the process fraught with problems of favouritism when awarding marks or points. As a result, the intended outcome to make these schools' systems effective is not realized. Moloji (2007:467) says that although there is limited material on the role of the SMT in policy formulation and development, there are calls for them to begin to do this important function. Otherwise their schools remain trapped in the quagmire of underperformance.

The perpetual failure by the SMTs of secondary schools in townships in the Free State to use policies as the basis to run their schools professionally is attributable to a routine management style which has been proven to be ineffective (Milondzo & Seema, 2015:1). For example, HoDs know that they are supposed to use policies that were developed by all the teachers in that department or they should discuss the subject policies with teachers, but these responsibilities get ignored. Unfortunately, these activities have a bearing on the functioning of different teams on the school premises.

It is common knowledge by the subject advisors that in many occasions they also find obsolete policies which were used during the apartheid era in the management files of many Heads of Departments. This out-dated practise makes it difficult for SMTs to establish good teams within their schools. Bush, Joubert, Kiggundu, and Van Rooyen (2009:4) support this by saying that when the management files are perused there is no evidence that there are effective teams within the different departments of the respective schools.

It is unlikely that in such schools learners will produce quantity and quality results. Partnership and team work are very critical for schools to pass their learners with quality results⁹⁰. If the SMTs at these schools do not turn a corner for the improvement of their leadership, the management of organisational systems will forever suffer. Policies are not implemented due to poor leadership.

2.4.2.2 Poor quality leadership

The management of organisational systems in secondary schools in townships in the Free State is in tatters. An important factor to be considered is that these schools have many learners who come from poor families. If money was not an issue their parents would have taken them to schools in former white areas because of the type of education offered there. Quality education is always proffered by quality leaders. The findings of Milondzo *et al.* (2015:1) prove that in order to improve the quality of results we must first improve the quality of school leadership. These will also yield an increase in the number of teachers who perform well in different subjects.

Poor quality leadership leads to poor teacher performance and a high failure rate⁹¹. The plain truth is that there are SMT members that are not monitoring the work of teachers. Simple policies, for example, submission, examination, attendance, observation, etc. cannot be found anywhere in these schools. Therefore there is no one taking responsibility to ensure that teachers do their work properly⁹². Failure to formulate and implement policies is sometimes a consequence of the political meddling of the school's affairs.

⁹⁰ <http://www.hechingerreport.org>

⁹¹ <http://www.cepd.org>

⁹² <http://www.ngopulse.org>

2.4.2.3 Political influence on the management teams

Our democracy is regarded as one of the youngest in the world, with South Sudan at the bottom. There are many acts which govern education. They also protect schools from any political influence. The influence of the apartheid system is still felt by many teachers. For example, some SMTs are keen to dictate terms to their subordinates. They do not discuss anything with them. This could be a problem for many secondary schools in townships in the Free State.

Moloi (2007:463) concedes that this problem will continue because of the influence apartheid had on today's black teachers and SMT members who are accustomed to the principle of *top-down*. Most of the managers were trained during apartheid to become teachers. They regard the notion of being asked questions by their subordinates as a sign of rebellion instead of an opportunity to explain what is expected from teachers.

It is evident that many SMT members in secondary schools in townships in the Free State were taken by surprise when new Acts suddenly gave them powers to make decisions about how their schools should be run (Bagarette, 2011:223). The school managers chose to be naïve to the opportunities that come with the decentralisation of powers⁹³. Unfortunately, the segregationist and discriminatory laws of apartheid still have a lasting effect on the management and leadership of many secondary schools in townships. Regrettably, the SMTs cannot use the devolution of powers from the State to schools as an opportunity for them to master their work through consultative decision making processes (Clase *et al.*, 2007:243).

Perhaps the most daunting task for management in these schools is to decide how to make use of the powers that come with a section 21 status as stipulated in SASA. The perception by many SMT members is that a section 21 status is only useful for financial management of schools. There are various opportunities that come with this status. Self-management and school-based management are powers that could be used by the SMT to improve on their management (Moloi, 2007:466).

This status also provides them with the opportunity to transform from *top-down* decision making to the much more democratic styles of making choices by the school-based leadership (Van Wyk *et al.*, 2012:101). Simple things such as policies

⁹³ <http://www.dgmt-community.co.za>

should be decided upon by the SMTs. If they allow a vacuum, that space will be occupied by militant unions such as SADTU (Taylor.2008:7).

Van Wyk (2012:102) warns that if the uses of policies as tools that provide direction in the school's daily business are ignored, then there will be serious consequences for both the management and leadership of the school. According to the researcher, if politics are involved in the running of the school, as is the situation at secondary schools in townships in the Free State, then the following problems are experienced on daily basis:

- i) Powerful labour unions will usurp the powers endowed upon the SMT of the school. They render the SMT useless by derailing the direction which the school has to take.
- ii) Teachers who are union members are having an undue influence on the SGB and SMT to an extent that they can even appoint or recommend other teachers for promotions. There is a suspicion that sometimes bribery is involved.
- iii) The legitimate powers bestowed on the SMT are eradicated because some unions dictate terms to both the SMT and staff.
- iv) Staff members are heavily divided according to their union affiliations. As a result, learners suffer. For example, when one union goes on strike or time off it expects others not to report for duty.
- v) Unfortunately, when there is a teacher who has committed an offence, there are always attempts by the powerful unions to push for the offence to be put aside.

The list is endless. The law also protects schools from political biasness by influential labour unions or political parties.

Section 33A (1) (4) of Basic Education Laws Amendment Act of 2011, provides that a school may not allow the display of material of a party-political nature on its premises unless such party-political material is related to the curriculum of the school. This provision is always ignored by many SMT members at township secondary schools. For example, on Fridays there are teachers, including SMT members, who report for duty in their union paraphernalia.

This causes divisions among staff members. They hide behind the militancy of their unions to continue with their poor management of organisational systems. Therefore, they exhibit a perpetual failure to assume responsibility for their managerial work.

The problem becomes worse when the custodians of the school cannot exercise control over their work environment (Taylor, 2008:7).

In the face of this dilemma an area of political intolerance is unwittingly created. Many learners in secondary schools in townships in the Free State are members or followers of student movements. For example, Congress of South African Students (hereafter COSAS) is an affiliate of SADTU. SMT members who are members of SADTU may enjoy support from COSAS but at the expense of other teachers who may not subscribe to the SADTU ideologies. Unfortunately, learners take sides and begin to show disrespect to those teachers. This becomes apparent when there is a newly appointed SMT member. Those teachers who were unsuccessful abuse their political relationships with student bodies to unseat other SMT members.

The SMTs in secondary schools in townships in the Free State are also tasked to manage learner discipline.

2.4.3 Management of learners' discipline

The adoption and implementation of the code of conduct by the SGB is a very important milestone (cf. paragraph 2). The main purpose of the code of conduct is to help with the effective management of learners. The achievement of this goal leads to the creation and maintenance of school discipline where both teachers and learners feel safe and protected (Masitsa, 2011:3).

There is evidence from literature that in many secondary schools, especially from the SMT, that they are naïve to the importance of school policies. They cannot manage learners because they do not know relevant legislature as well as how to implement the code of conduct for learners. Dhamini (2014:840) asserts that the *laissez-faire* atmosphere that engulfs these schools due to lack of efficiency and commitment by some SMT members is a cause for concern. Hence positive discipline is affected by many factors.

Some SMT members claim that the abolishment of corporal punishment has brought about a lack of learner discipline, and poor classroom management. These factors are discussed in the paragraphs that follow.

2.4.3.1 The abolishment of corporal punishment

The chaotic situation that prevails in most of the secondary schools in townships in the Free State shows that the SMT members cannot manage learners in their

respective schools. Bechuke and Debeila (2012:240) argue that discipline is collapsing in many schools in townships due to the banning of corporal punishment as postulated in SASA. This statement can be refuted by pointing out that the problems of these schools are not caused by legislation, but by the failure and the unwillingness of the SMT members to make up their minds that there are alternatives to corporal punishment. Good behaviour can be encouraged through praise, especially when educators react to perfect results achieved by their learners. This practise is not common in township secondary schools.

Masitsa (2007) in Bechuke *et al.* (2012:242) reports about educators who are frustrated because of the seriousness of the untoward behaviour of learners. Instead of applying relevant procedures to discipline learners, they are calling for the return of corporal punishment. Unfortunately, they are indirectly saying that violence is alright in South African schools. It will be very disappointing for SMT members to be seen to be perpetuating violence in their schools. Sometimes some learners also retaliate.

When this happens, violence against all and sundry will spread like wild fire in the school premises. The use of corporal punishment to maintain discipline denies the SMTs an opportunity to get to the heart of the problems affecting the school (Porteus, Vally and Ruth, 2001:11)⁹⁴. In support of this statement, the code of conduct for SADTU stipulates that educators as well as SMT members should treat learners with respect and dignity and as such cannot commit acts against children which are illegal⁹⁵. Although SMT members are aware that the use of corporal punishment remains immoral and inhumane, they still apply it amid its dire consequences. It is therefore necessary to discuss the nature of discipline in secondary schools in townships in the Free State.

2.4.3.2 The nature of discipline as an intervention

The previous discussion highlighted the consequences arising from the use of corporal punishment. Unfortunately, some SMTs have adopted a carefree attitude because they yearn for the old and wicked ways of disciplining learners. According to Mestry *et al.* (2012:98) it is not acceptable to see that the level of discipline is still

⁹⁴ <http://www.mars.cs.ukzn.ac.za>

⁹⁵ <http://www.sadtu.org.za>

declining whereas there is good legislation about how to encourage and maintain good behaviour.

Dlhamini (2014:839) warns against the misconception of SASA by many learners who think that the school laws protect their rights more than encouraging them to fulfil their responsibilities. Thus, there are sour fruits such as school indiscipline. Learners are arriving late, educators are susceptible to apply corporal punishment, and SMT members are passive on-lookers when learners come to school without having completed their homework. They know that 'wrong elements' in COSAS will protect these children against any disciplinary steps taken.

Parents are negligent because they are not involved in the school activities. In these schools the system is rotten because there is nobody willing to take the initiative to change the school for the better, especially the SMT (Dlhamini, 2014:839). Joubert & Squelch in Mestry *et al.* (2012:97) postulate that there is a need for the creation of an enabling environment for learning and teaching where safety, respect and self-control are essential. This goal cannot be achieved in the schools being investigated unless the SMT members realise that the lack of learner discipline poses a serious challenge to their schools (Joubert, 2008:252) and as such, effective schooling in South Africa is threatened⁹⁶.

The problems experienced at these schools are numerous. Therefore, the biggest challenge is the role of the SGB regarding the interviewing panels, and how they recommend the correct/incorrect type of teachers that their schools have.

2.5 Interviewing panels

Any public school is an organ of state which is powered by SASA to carry out its functions. One important function of the SGB is to facilitate the processes of recruitment, selection and placement of teachers in their specific schools. The same situation should prevail for secondary schools in townships in the Free State but this has proven not to be a simple task for many SGBs.

Section 20 (1) (i) of SASA provides that the SGB must recommend to the HoD the appointment of educators at the school. In doing this function, the Act is supported by the Collective Agreement 1 of 2012 which stipulates that the interviewing panel must be established by the SGB. The observers are the representatives from the

⁹⁶ <http://www.ufs.ac.za>

labour unions as well as DBE officials. This composition is a source of many problems for the SGBs and DBE. There are problems of favouritism, nepotism, jobs-for-cash scams and jobs-for-pals.

2.5.1 Interviewing panels and school governing body

Item 4.2 of the Collective Agreement 1 of 2012 stipulates that the SGB will delegate some its members to serve as panellists. Thereafter, the interviewing panel will appoint both its chairperson and secretary. The antithesis of this arrangement is that the chairperson of the SGB may not be appointed as the chairperson of the interviewing panel. Even though all the panel members have signed the declaration of secrecy, the SGB chair person who may not have been the panel member is supposed to get the report from his/her delegates at the special SGB meeting.

It is at this meeting where the code of secrecy is broken, whether deliberately or not. At this meeting the SGB members will be informed that the SGB chairperson has to append his/her signature on the relevant documents before the recommendation is sent to the HoD for an appointment and all other members should not disclose the information about the person who has 'won' the interview. But the SGB members who have made promises to their 'horses' will then spread the lies that the interview process was flawed. Thereafter the union offices will be inundated with letters of disputes and appeals.

Havoc is wreaked if the applicants who did not make it through to short-listing and later to the interview sessions are teachers at the school where the post is advertised. There will be no teaching and no work will be performed until this matter is settled. Sometimes this problem escalates to the level where both teachers and learners will call for the principal's head. Unfortunately, the poor learners suffer. These problems are prominent in poor schools. This is further proof that South Africa has a two tiered system of education. Poor schools bear the brunt of many flaws in the education system whilst rich schools are able to create their own promotional posts and fund them from their coffers (Beckman and Prinsloo, 2009:5).

Unions are also guilty of wanting to force SGBs to recommend their members. This problem is discussed in the paragraphs that follow.

2.5.2 Problems caused by labour unions

Item 4.4.4 of the Collective Agreement 1 of 2012 stipulates that union representatives shall be observers but many representatives do not observe, they participate fully during the interview sessions. They come to the sessions with the preconceived idea that they will push for the recommendation of their '*comrade*'. In most cases they threaten other panel members with dispute-lodges. Therefore, the teachers who are not capable, end up being recommended. Some of the secondary schools in townships in the Free State are struggling because they are run by unions. Poor principals end up being paper pushers, and SGBs lose interest because strong teacher unions make it impossible for them to work. It was mentioned elsewhere in this discussion that many parents in the SGBs are not educated.

Unscrupulous union members will dominate the interview sessions, as they do during the SGB meetings. They resort to difficult English when they push for their 'horse' to be recommended. Poor parents then keep quite because they cannot debate their points through the English language. Due to of their illegitimate power, some union members begin to sell promotional posts (cf. paragraph 1.5).

Others know that the SGB members are naïve to the resolutions, and how they should be implemented and they see this as an opportunity to train parents about the resolution when the processes are already unfolding to which parents respond by being quiet. This is a clear usurp of SGB powers by the unions. Hence Minister Angie Motshega lamented that the unions, especially SADTU, are in control of government, and therefore SGBs⁹⁷.

This untoward power to the labour unions has resulted in the commitment of serious crimes by certain members. For example, some posts are sold by unions for as much as R1000 per month (Harper, 2015:11). In terms of the newspaper reports, these fees are paid endlessly and there is a chain of beneficiaries from the school to the offices of the labour unions.

According to Masondo and Harper (2015:2) the jobs-for-cash scam in township schools has been going on for a decade. Sometimes the SGB members are also lured in to benefit. Some of them receive cattle for a principal's post. The problem

⁹⁷ <http://www.news24.com>

here is that sometimes the incumbent of the post will be known even before the interviews take place.

Harper (2015:6)⁹⁸ argues that the perpetrators of these crimes are allowed to continue to do wrong with impunity. The whistle blowers are the ones who are brought to book by the employer for disclosing wrong practices within the DBE. As a result, teachers at schools where these crimes are prevalent will become indolent, uncooperative, and will sabotage the school activities.

In some secondary schools, powerful teachers begin to create promotional posts for themselves. This happens when the unions or certain individuals are no longer willing to be led by an incumbent principal. Sometimes an already occupied promotional post is sold to a friend or to someone who is politically connected. Threats are then made to the current principal or any member of the school management team which also result in actual deaths or injury if the target refuses to resign or to retire (cf. paragraph 2.6.4).

Corrupt and dubious panel members do not consider the ability of any candidate. They just force their way in, even if their target lacks integrity, especially within his/her community.

2.6 The principalship

The word 'principal' is tantamount to director. The function of the principal is to provide leadership and management to the school⁹⁹. They are at the helm of the school hierarchy (Mgijima, 2014:202). Yet they are inundated with serious problems on a daily basis. Some of their problems can be put to their individual competencies and others are attributable to the education system. In this discussion, focus will be on problems caused by poor leadership and management, poor management of LTSM, and principals as corrupt individuals.

2.6.1 Leadership and management

Section 16 (2) (a) of ELAA provides that the principal must take professional management of a public school. However, the conduct of some principals in secondary schools in townships in the Free State is problematic. Hence learners at these schools fail their matriculation examination in big numbers. For example,

⁹⁸ <http://www.news24.com>

⁹⁹ <http://www.elsevier.com>

principals cannot get learners into classes for them to be taught. The main reason is that they are unable to manage basic documents such as the attendance registers for both learners and educators (Taylor, 2008:6). This results in high absenteeism by both learners and teachers. Tardiness becomes the negative culture of these schools.

Moloi (2007:467) agrees with Taylor by saying that learning and teaching are very important to the concept of schooling. There is no effective schooling at these institutions because their principals allow both teachers and learners to be absent or to be late. The indolence of many principals is a manifestation of a disease of general failure by them to manage, monitor and to control the work of all the stakeholders. It is also a failure to create a positive working environment at their schools (Taylor, 2008:7).

Naicker *et al.* (2013:2) concur with Taylor's belief by saying that failure to monitor and control the work of subordinates is a reflection of the principal's inability to enforce the practices of the principles of responsibility and accountability. This is observable from the regrettable leadership and management practices reflected by many principals from secondary schools in townships in the Free State.

The biggest concern is that the management of the organisational systems in these schools will remain in a poor state of affairs (Modisaotsile, 2012:1). Problems such as overcrowding will not be solved because many learners fail in different Grades whilst many learners are enrolled from primary schools. Compounding this problem is the inability and the avoidance of principals to enforce the one-on-one engagements by educators and learners to discuss poor performance or by SMT members and underperforming teachers. Principals are then left on their own because they cannot even resort to skill learners through processes of reading and writing (Taylor, 2008:23).

Poor leadership and management are common in secondary schools in townships in the Free State because their principals cannot enforce the participation of stakeholders in decision making around issues of management¹⁰⁰. They are not engaging SMT members about what needs to be done for the improvement of management of organisational systems in their schools. When meetings are held,

¹⁰⁰ <http://www.uir.unisa.co.za>

the only person who is vocal is the principal. Others are deliberately oblivious to what is being discussed.

Van Wyk *et al.* (2007:134) posit that problematic principals rely on their legitimate power to dominate meetings. It is also a usual occurrence that they hide information from other structures in order to disempower them. For example, they hide information, circulars from the DBE and other important documents in order to frustrate the SGBs, SMTs, RCLs and teachers (Mgijima, 2014:198).

These principals contravene their contracts because by legislation, they are required to work, share and delegate certain tasks to their colleagues (cf. paragraph 1.6). The continuation of this practise sometimes provides a fertile soil for conflicts. Ultimately, other stakeholders feel relegated to the doldrums of the school but at the peril of the poor learners. Another problem which results in poor performance is the inability by principals to manage LTSM, especially textbooks.

2.6.2 Management of learner teacher support materials

According to Steyn¹⁰¹, poor quality learning can be associated with poverty, as well as with bad or absent facilities and lack of resources such as textbooks. The availability of textbooks is a fundamental responsibility of the principal (cf. paragraph 1.5). But most of the principals at secondary schools at risk have allowed the shortage of textbooks to be an acceptable and tolerated problem in their schools. It was mentioned earlier in this discussion that principals must inculcate the culture of reading, writing and enhance proper texting. The achievement of these goals remains a pipe's dream because there are no textbooks at these schools.

Taylor (2008:9) attributes the shortage as well as the unavailability of textbooks to the principals' inability to retrieve textbooks. As a result, some learners have only one textbook whilst others have already spent more than five years at these schools without ever having had the chance to own a textbook (Govender, 2015:15). Going forward, Govender cautions that the shortage of textbooks is a serious violation of the rights of the poor learners to acquire quality education. The continuous shortage of LTSM contributes to the turmoil and uncertainty within which the schools at risk operate (Jansen, 2015:13).

¹⁰¹ <http://www.uir.unisa.co.za>

Poor performance, lack of discipline, and corruption are prevalent in schools where there is a history of perpetual poverty and deprivation. These are black South African secondary schools (Taylor, 2009:11). In these organisations, the future of our children is bleak because of another serious problem of corruption that is committed by some principals.

Mestry (2006:31) postulate that principals are custodians of school funds and therefore should remain accountable for the purchasing of LTSM, as well as the control and safe keeping of textbooks. Unfortunately, they are tempted to enrich themselves with these funds because there are huge sums of money involved during the procurement processes of school resources. It is therefore imperative to talk about corruption in our schools.

2.6.3 Corrupt principals

Problems such as a shortage of textbooks, un-resourced school laboratories and libraries as well as uninhabitable school premises sometimes result from graft by some principals. This is a huge challenge that hampers the effective management of organisational systems in secondary schools in townships in the Free State. Many principals are implicated by non-governmental organisations such as Corruption Watch, in acts of financial mismanagement, theft of school funds, tender corruption, employment corruption, and theft of goods for school nutrition¹⁰².

Henderson (2015:5) accuses some principals for giving themselves additional salaries. Same could be said about some principals in secondary schools in townships in the Free State. Sometimes they force unsuspecting parents (SGB) to approve empty cheques for obscured purchases or payments. Thereafter they are at liberty to do anything with their loot.

According to Roane (2013)¹⁰³ the most common misconduct by principals is the embezzlement of school funds. In some instances these malpractices come as a joint venture among principals and SMT members, or with officials from the district and provincial offices. Therefore, they are being assisted by others to commit acts of misconduct¹⁰⁴.

¹⁰² <http://www.mg.co.za>

¹⁰³ <http://www.iol.co.za>

¹⁰⁴ <http://www.mg.co.za>

The schools at risk find themselves in the quagmire because their systems are so rotten that even the communities have accused some principals for mismanagement of funds, inflating school rolls and for favouritism for a higher salary and nepotism¹⁰⁵. The appearance of these schools bears testimony to the fact that their cash is going elsewhere. This is because their principals abuse public funds designated for infrastructure maintenance, and for sourcing of LTSM¹⁰⁶. Corruption is not only experienced in the finances of the school, but also through favours given to some learners during the examination.

2.6.3.1 Corruption in examinations

Some principals also receive favours from learners in exchange of better marks. They sell question papers and memoranda either to learners, or to their parents¹⁰⁷. There were also allegations in Lejweleputswa District about principals who were reported to have given their own children (biological) question papers and memoranda. Culprits were reportedly principals who have their children attending school at former white institutions.

These acts of corruption were done clandestinely, but they have a way of coming out. For example, the disappointing incident where thirty-six secondary schools were implicated in the group-copying scandal during the 2014 Grade 12 final examinations (Mthethwa, 2015:4). It was shocking for the country to have such a crime continuing whilst the principals as chief invigilators were present. Due to their corrupt behaviour, they decided to turn a blind eye to the crime. They have seen this as an opportunity to have their learners passing in large numbers because they were afraid that if they were to fail then the DBE would name and shame their schools (Jansen, 2015:13). Principals also commit corruption when they cover up teachers from wrong doing.

2.6.3.2 Corruption as a cover up to protect some educators

Corruption is not only manifested by the embezzlement of funds, but it can also come as a cover up by some principals to protect their favoured teachers. For example, some principals and teachers in secondary schools in townships in the Free State still apply corporal punishment. There are reports from newspapers that sexual violence against female children by some male teachers and school boys is

¹⁰⁵ <http://www.dispatchlive.cp.za>

¹⁰⁶ <http://www.mg.co.za>

¹⁰⁷ <http://www.mg.co.za>

still rife¹⁰⁸. These cases will not see their day in court because some principals are the culprits or perhaps even their friends, so they will not report these cases to the authorities such as the South African Council for Educators (Mgijima, 2014:204). An assumption can be made from the previous statements that these cases are not reported because some principals may have received bribes from offenders.

Besides the previously mentioned problems, some principals may not perform as expected because of intimidation.

2.6.4 Intimidation of principals at schools

There are reports abound about the bad treatment that some principals receive from some of the teachers in secondary schools in townships in the Free State. They are intimidated by teachers and are afraid to take disciplinary steps against some union members. Other principals are forced to retire so that they leave the post vacant for someone who is politically powerful to take over. For example, a principal was threatened with death when she refused to retire so that her post could become vacant¹⁰⁹.

These threats also end in real loss of life. This is evidenced by the newspaper report about the sentencing to life imprisonment of two assailants for killing a deputy principal and the HoD for their posts to become vacant. The killing of Principal Nokuthula Magwanyana is an example of a process of intimidation followed by a message that says that if she refused to resign she will die, which then happened¹¹⁰. These reports send serious signals to other principals that if they do not toe the line, the same fate can befall them.

It is not uncommon to hear principals complaining about the contestations from their staff members about things such as their roles in the recommendation of teachers for appointments. Most of the 'bully' teachers spread bad rumours that the principal has appointed a person because of certain favours to him/her (Karlsson, *et al.*, 2005:11).

An important factor in teaching is the role of teachers. Many schools experience problems because of what teachers do in their respective schools.

¹⁰⁸ <http://www.mg.co.za>

¹⁰⁹ paddy.harper@citypress.co.za

¹¹⁰ paddy.harper@citypress.co.za

2.7 The teaching personnel

Teachers constitute an important factor for schools to effectively manage their organisational systems. It becomes difficult to talk about principals, parents, learners and SMTs without alluding to the problems brought about by teachers in secondary schools in townships in the Free State. For the delivery of quality education, teachers provide a direct link between the DBE and the communities. They are the *foot soldiers* paid by government to teach the children of the Free State, but many of them do the opposite.

That is why many schools are bedevilled by many problems. For instance, some teachers cannot teach, they also become absent in big numbers and others are violent towards learners, whilst others molest girls. Take, for example, the report where an educator was found to have asked girls to visit his shack. One girl will be sent on errands and the remaining girl will be raped by this dance teacher¹¹¹. These stories are also true for many secondary schools in townships in the Free State. The discussion will focus on problems caused by teachers in our schools.

2.7.1 The quality of educators

Although the South African government purports to have one education system, the quality of education received by learners is not the same. By merely looking at the buildings and surroundings of the schools in town and those in townships, you will realise that learners in townships receive an inferior education as compared to those in the former white areas. It is therefore a given fact that secondary schools in former white areas, under the management of white personnel are still performing better than learners in black schools in townships.

This is shameful because teachers in underperforming schools are known to apply low efforts to enhance performance of learners (Van der Berg, Taylor, Gustaffson, Spaul, and Armstrong, 2011:4). The damning thing is that they have forgotten that it remains their responsibility to ensure that their learners are taught, they learn, and achieve (Capel, Leask, and Turner, 2013:11).

They are fixated in the notion of teaching for the sake of finishing syllabi. They keep doing same things year-in-year-out without the improvement of results. For example, some teachers provide learners with very old question papers to practice even if the

¹¹¹ <http://www.enca.com>

papers are now irrelevant. Thereafter learners prepare for their examinations with out-dated question papers. Learners cannot pass if the teachers do not know the syllabus. Worse so when they do not know the subject matter.

Taylor (2008:11) posits that the knowledge of subject content and pedagogy as well as classroom practices determine the quality of education learners receive. Therefore, the quality of education can only be provided by quality teachers. Arguably, many teachers in secondary schools in townships in the Free State do not have an in-depth knowledge of subjects they offer. Van der Berg *et al.* (2011:4) agree by stating that the weak teacher content knowledge as well as lack of pedagogical skills renders teaching an ineffective activity in many secondary schools in the Free State.

At the heart of this problem is the teachers' inability to teach learners skills needed for reading with understanding and they also cannot help them with the writing skills (Taylor, 2008:15). On the other hand, many teachers lack the initiative for self-study from their textbooks. This malpractice affects their content knowledge negatively. What they know best is to read the textbooks with learners. Thereafter an attempt is made to explain concepts.

Teachers who do these things embarrass themselves because they come across words that are new to them and cannot explain their meanings to the learners. Rotten teachers go to class unprepared. There are no goals set for learners to achieve. It is difficult to follow what is happening in the classroom because teachers rely on their textbooks (Taylor, 2008:13). Learners at these schools are also taught by teachers who struggle with the language of teaching, such as English.

All secondary schools in townships in the Free State chose English as the medium of instruction. But the majority of teachers at these schools are not English speakers at home. Therefore, their challenges around subject content knowledge become insurmountable because of their lack of English proficiency. This is an in-classroom factor contributing to poor performance¹¹². I am also of the opinion that there are out-of-classroom factors which contributed to this problem. Poor training teachers receive at workshops conducted by subject advisors. The latter were also teachers who received same training during the apartheid regime. Teachers tend to cover their short comings by resorting to vernacular when they have to explain difficult

¹¹² <http://www.ngopulse.org>

concepts in gateway subjects such as mathematics, accounting, and physical sciences, etc.

By assumption, both subject advisors and teachers have received poor training from teacher training colleges as well as during their tenure as teachers hence they all struggle with the language of teaching and learning (Masondo, 2015:4). It is common knowledge that once parents of children from township schools are able to afford transport and school fees at former white schools, they pull their children out of struggling public secondary schools¹¹³.

With the quantum leap in the fast pace of educational and social reforms in South Africa, black teachers in secondary schools find themselves out of reach of technological trends and opportunities provided by the new system. Their problems (cf. paragraph 1.7.2) are that they do not know how to operate computers and they cannot adapt to progress made in new developments and changes into their daily teaching practices¹¹⁴. The controversy is that these teachers cannot make use of internet facilities found in their schools to conduct research about their subjects. Unfortunately, their learners miss out of these opportunities because the computer laboratories are obsolete. Money that is used by both government and NGOs has gone to waste.

When teachers continue to work at perennially dysfunctional schools, they become demoralised. They lose hope that the school will turn the corner one day. Sometimes the problem is caused by a corrupt principal who will register large numbers of children who also fail in big numbers. Teachers end up not being positive about teaching¹¹⁵. For instance, many teachers in secondary schools in townships in the Free State are defensive when they have to account about poor results. They do not see this process as an opportunity to express their frustrations to the education authorities.

They do not want take the blame and they resign. On the other hand, the best teachers seem to be abundant in former white schools. These teachers are known to have a repertoire of strategies, methods and effective approaches to teaching¹¹⁶, but

¹¹³ <http://www.ngo.org>

¹¹⁴ <http://www.uir.unisa.co.za>

¹¹⁵ <http://www.old.biz.colostate.edu>

¹¹⁶ <http://www.old.biz.colostate.edu>

because of cultural differences and pockets of racism, it becomes difficult for both black and white teachers to solicit help and advice from each other.

Some of these teachers are affected by personal difficulties such as illnesses, depression, HIV and AIDS as well as being heavily indebted. On top of their problems, the DBE will resolve to use the *top-down* management style. They become so demoralised and then respond with decadent behaviours towards each other and to authority¹¹⁷.

Characteristics of incompetence, below-standard qualifications and bunking of periods/lessons are common among these teachers¹¹⁸. In trying to address this problem, some principals are known to have made a clarion call for their teachers to be retrained on content knowledge (Bush *et al.*, 2009:5). Subject content knowledge remains a barrier to teacher development, especially when teachers display that they do not have any clue about the subjects they teach¹¹⁹

Despite resigning some teachers express their dissatisfaction by being absent and even become violent.

2.7.2 Educator absenteeism

A teacher from one of the secondary schools in Welkom, Free State, once related a story to me about how they planned to be absent as staff members. He said that they will have an arrangement for each teacher to pay a visit to his/her doctor. They will fake an illness and get a medical certificate which will book them off for two or more days and on the same date.

According to this teacher, they did this bad thing because they were defiant and spiteful to the principal and the SMT. I refer to this practice as *arranged-group-absenteeism* by indolent professionals. Such teachers are selfish, and unethical. They do not comply with their code of professional ethics as stated in the South African Council for Educators' manual (Mgijima, 2014:204).

Section 29 (1) of the Constitution provides that every child has the right to basic education. Most of the teachers in secondary schools in townships in the Free State violate this Act. According to Mgijima (2014:204) some teachers lack

¹¹⁷ <http://www.googlecontent.com>

¹¹⁸ <http://www.cepd.org.za>

¹¹⁹ <http://www.magnapubs.com>

professionalism, integrity, self-respect and they disregard authority. Children are left on their own in most of the cases.

Prew (2009)¹²⁰ laments by saying that troubled schools remain at risk because such practices are a result of the incumbent teachers staying in their posts for longer periods. The problem is that they resist change and cannot implement new technologies. I agree, because even if such teachers are taken for training they come back worse than before. They always say that the training was not effective because they cannot operate computers. But the main problem as mentioned earlier is their command of English.

The *arranged-group-absenteeism* in many secondary schools takes place in the form of three to ten teachers becoming absent on a single day. Many classrooms, or three to five hundred learners, end up sitting without a teacher from morning until school's out. Modisaotsile (2012:4) add by saying that most of these teachers become absent on Mondays and Fridays. Sometimes they prolong long weekends. It is hard for them to accept that they have lost the desire to continue teaching¹²¹. It shouldn't be a surprise that there are research works that have discovered that in black schools in townships, teachers teach for 3,5 hours as compared to the situation in former white schools where teachers teach for 6,5 hours. This refers to teaching hours lost through unnecessary absenteeism.

In response to this dilemma, Prew (2009)¹²² says that the government talks about equality in education whereas there is a differentiation in its implementation because of a two-tiered school system.

This is reflected by the reality that learners in township secondary schools are used to roaming the streets during teaching time whilst their counterparts are taught throughout the day. They also have afternoon sports. Nowadays one will hardly see children playing sports in the afternoon in their school grounds. Teachers in black schools are no longer keen to assist and coach learners who play sports. Theirs is to observe the seven hours per day being at school. Modisaotsile (2012:4) argues that those teachers who happen to stay behind also begin to solicit permission from the

¹²⁰ <http://www.cepd.org.za>

¹²¹ <http://www.uir.unisa.ac.za>

¹²² <http://www.cepd.org.za>

SMT to go and run errands. In actual fact, they are running away from the ailing situation.

It is imperative to discuss what happens in the classroom when there are no teachers: *violence*.

2.7.3 Violence in the classroom

Teacher absenteeism in secondary schools in townships in the Free State is a serious problem, so much so that learners have turned to violent behaviours when teachers are not at school or when they are not looking. This is a culmination of the failure of the SGBs in these schools to adopt and implement the code of conduct for learners (cf. paragraph 2.2.1). When teachers are not looking, learners are quick to attack each other in the classroom¹²³. Most of the violent incidents in these schools are a reflection of frustrations the learners feel. They display their problems through acts of anger¹²⁴.

Bester and du Plessis (2010:5) point out that when learners continue to fail, an academic tension is created. The culprits are those learners who have a history of failing in large numbers. They are clustered mainly in Grades 9 and 10 in secondary schools at townships throughout Free State. Their victims are mainly small boys and girls as well as female teachers.

The rippling effect of this small time violence in the classroom is the creation of gangsters. Some learners involve their friends within the school or from the streets. There will be fights and those who lose will retaliate until the classes are disrupted (Bester *et al.*, 2010:5).

The common places in the schools where fights occur are in the classrooms. When teachers are not looking and when they are absent (cf. paragraph 2.7.2), bullying, assault, robbery, and sexual molestation of girls occur in the classroom. This is a new trend because it happens in full view of other learners. Instead of stopping perpetrators, they film the process with their cellular phones and circulate the video clips on social media¹²⁵. For example, footage of an angry learner who was attacking his teacher with a broom and a chair was circulated. No one dared to stop this outrageous incident.

¹²³ <http://www.mg.co.za>

¹²⁴ <http://www.googlecontent.com>

¹²⁵ <http://www.enca.com>

This situation bears some similarities with what is happening in secondary schools in townships. There was also a sensitive video footage on e-TV news, of school children having sex in the school premises at one of the secondary schools in Gauteng. There is footage on YouTube of a 15 year old boy who was repeatedly stabbed to death by his friend and classmate over a pencil¹²⁶. At the same time other learners did not intervene, but they decided to film the incident and posted it on social media.

In all of these incidents, there were no teachers. Macupe (2016:6) reports about a boy who suffered a concussion after he was badly attacked by another boy at a secondary school in Kimberley. Although there were no reports about incidents of this nature from many of the schools in the Free State, it does not mean that they are not happening. Most of the victims do, however, report such things to their parents. Some parents react by removing their children from bad schools. On the other hand, problems of violence and bullying lead to other victims committing suicide.

Macupe (2016:6) reports about an incident where learners kept their teachers hostage on the school premises. They had vandalised the school property and the principal's car because they wanted their confiscated cellular phones to be returned to them. This serves as testimony that even if the secondary schools in townships in the Free State might have policies, they come across fire when they try to enforce them. Contrarily, teachers themselves break the law.

For example, when they are busy teaching and their cellular phones go off, they stop teaching, go out and respond to the call. It's a well-known practice that the policy on the use of cellular phones will dictate that neither a teacher nor a child should have their phones on whilst the lesson is continuing. Hence there is call for both teachers and managers to be held accountable for learner safety and security of all the other people on the school premises¹²⁷.

Some teachers also allow violence to continue on their watch¹²⁸. Bester *et al.* (2010:6) caution that violent learners get ignored by teachers because they feel that there is no support for them from their schools. There are many learners per one

¹²⁶ <http://www.enca.com>

¹²⁷ <http://www.sowetanlive.co.za>

¹²⁸ <http://www.iol.co.za>

classroom in secondary schools in townships across Free State. Teachers have to spend a lot of time disciplining learners instead of teaching.

Lack of parental involvement and support to schools is also a challenge. Some parents claim that they are afraid of their children when they are called to school to help teachers address acts of violence perpetrated by their children. Violence escalates in schools to the extent that ambulances are called by schools. Communities are less concerned and schools are left unsafe for learners and teachers to have education in a peaceful place¹²⁹.

The on-going acts of violence within the secondary schools in townships in the Free State, as well as sexual misconducts against girls are testimony to what happens to children and their schools when the communities have dissociated themselves from the schools¹³⁰. Unless there are attempts by civil society and credible NGOs to assist schools, corruption, stealing of school property and other social misdemeanours will continue unabated in these schools. Unfortunately, it remains the responsibility of the school principal to ensure that the school is safe as mandated by legislation. S/he must lead teachers, SMT, SGB, RCL and all learners to craft strategies that could be used to prevent violence, theft, and sexual assault in the school premises (Mgijima, 2014:198).

Another important system at the secondary school at townships in the Free State is the cleaners and factotums.

2.8. Cleaners and factotums

Van der berg *et al.* (2011:1) posits that even after the end of apartheid, low quality education is still a problem within historically disadvantaged communities. This includes secondary schools in townships in the Free State. Most of these schools are dirty; they display broken windows and have dysfunctional toilets (cf. paragraph 1.5). The problem is that they have cleaners and factotums who are paid by the government to keep the school premises tidy. Even though there is not much research about these people, I think that it necessary for me to mention the problems they contribute into the schools.

¹²⁹ <http://www.sowetanlive.co.za>

¹³⁰ <http://www.sowetanlive.co.za>

2.8.1 Problems caused by the school cleaners and factotums

2.8.1.1 Failure to keep the school premises clean

Section 24 (a) of the Constitution provides that everyone has the right to an environment that is not harmful to their health or well-being. This is applicable to all institutions, including the secondary schools in townships in the Free State. The problem is that the health of all the people in these schools is at risk due to the failure of the factotums and school cleaners to perform their duties. Many principals complain that they report for duty by signing and then disappear from their work stations.

In most of the poverty stricken schools, there is big shortage of garden equipment, and other consumables needed for them to tidy the school. Sometimes schools buy these things. On the other hand, the DBE supplies schools with these needs. The researcher posits that they are not at school because some of the users steal his equipment. Therefore they can be blamed for dirty toilets, and littered school grounds (cf. paragraph 1.5). Hazardous school grounds are an indication that the cleaners present another problem of uncoordinated school management systems.

2.8.1.2 Failure by the factotums to report hazardous areas

The duty of checking holes in the school fence is delegated to the factotum by the principal. The problem is that the factotums in secondary schools in townships in the Free State have left their school fences with very big holes. If the principal does not do the walking about of the schools premises, the holes will never be discovered. The holes invite thieves to the school because they can see that there is nobody who cares. This is the reason why theft, burglary and vandalism are so rife in township schools as compared to schools in former white areas.

Their refusal to maintain the school toilets results in them not realising that there is danger looming for all persons in the school. For example, Mtundini Saphepha, a factotum in Eastern Cape, nearly lost his life just like Michael Komape, a learner from Limpopo, when he fell into a pit toilet. He survived drowning because he is an adult and he could pull himself out of danger¹³¹. Even though he blames the government, I think that he should also point a finger at himself for not having done a routine check and then alerting the school about that dangerous area.

¹³¹ <http://www.mg.co.za>

Factotums fail to report leaking toilets, uncovered electric wires and even sink holes in the classrooms¹³². According to the DBE, the safety and security of all persons and property is the responsibility of teachers, the principal as well as the ground staff¹³³. For this purpose to be fulfilled, the factotums and cleaners should do routine checks of premises as they continue with their daily tasks. They are caretakers and should therefore close and open classrooms.

2.8.1.3 Failure to open classrooms on time

A classroom is an important area in the school where the core business of the DBE unfolds. But there are problems in most of the schools that have gained *intervention status* because of their poor performance. The classrooms are not always opened on time. There are many reasons for this shortcoming. Sometimes they lend classroom keys to learners in the afternoon. Then the learners will arrive late for school the following morning. The teacher who was supposed to be teaching in the first period will then leave learners unattended. These learners will make noise (cf. paragraphs 2.7.2 & 2.7.3). Therefore, the factotums fail to play their role in the maintenance of order in the school. They are also part of the system because they have to interact with teachers, learners, SMTs, and principals on a daily basis¹³⁴.

In addition to the problems previously mentioned, the researcher has had discussions where principals of many secondary schools in townships in the Free State alleged that some factotums, especially males, commit the following transgressions:

- Sell cigarettes and marijuana to the school boys,
- Sell school property to the unscrupulous community members,
- Are informants to the thieves? They are always suspected for inside jobs whenever the school was broken into,
- Some of them do have love affairs with school girls.

The roles and responsibilities of cleaners and factotums in schools are recommended for further research.

¹³² <http://www.mg.co.za>

¹³³ <http://www.edu.gov>

¹³⁴ <http://www.edu.gov>

2.9 Conclusion

Chapter 2 has given us a picture regarding the functions of the systems of the school as an organisation. Problems encountered by the SGBs, SMTs, RCLs, teachers, principals and learners in secondary schools in townships in the Free State were highlighted. The study also alluded to the importance of education legislation in all the schools. There is a need for further investigations. Hence Chapter 3 will focus on the role of laws regarding education in creating productive schools in the Free State, especially in the townships.

CHAPTER 3

3. THE LEGAL ASPECTS PERTAINING TO THE SECONDARY SCHOOL SYSTEMS

3.1 Introduction

Subsequent to the ushering in of the new educational dispensation in South Africa, the school governing bodies, the principals, the head of departments, and the teachers were compelled to consider legal prescripts when dealing with the school matters or issues such as finance, learners, sporting activities, safety of the learners, disciplinary matters of both learners and educators, code of conduct, and so forth (Joubert and Prinsloo, 2008:2).

It is therefore imperative for the aforementioned persons to be aware of the sources of law in education which are the following: i) the Constitution (supreme law) of South Africa which came into use in 1996; ii) the legislation (statutes or Acts) which are made by the parliament and the provincial legislatures; iii) the common law which originates from Dutch law and also from legal opinions, and principles derived from the courts' judgments. Lastly, iv) the case law which is the decision of the South African courts or court judgments of the following courts: Constitutional court (supreme court); High court and Appeal court. The judgments or decisions of these courts are binding, and they become law (Joubert et al, 2008:14).

The discussion, analysis, debate and comparison in this chapter will be based on the four sources of education law mentioned above. Figure 3.1 below diagrammatically represents these four sources of law.

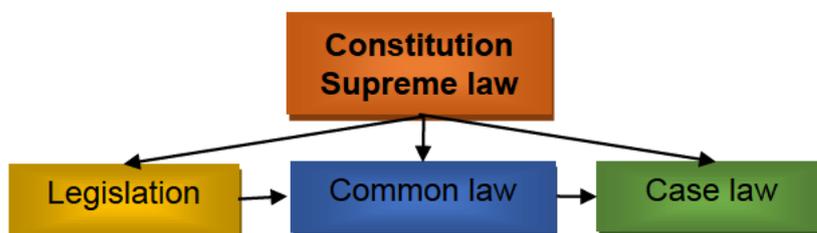


Figure 3.1: The sources of education law that are ignored

3.2 Constitution

In terms of section 2 of the Constitution Act, No. 108 of 1996 (hereafter Constitution); the Constitution is the supreme law of the Republic of South Africa. The word supreme in this context refers to the highest authority or law in a country (cf. Oxford Advanced Learner's Dictionary)¹³⁵. This means that the Constitution supersedes the authority of any person; be a natural person such as the president of our country, or a juristic person like the parliament, the legal institutions, the learning institutions, the health institutions, the religious institutions etc.

It is against this background that any juristic and/or natural person must operate within the parameters of the Constitution. For example, the laws that are made by the national parliament and the provincial legislatures must be compatible with the Constitution. Take for instance, section 10(1) of the South African Schools Act, No. 84 of 1996 (henceforth SASA) which provides that no person may administer corporal punishment at a school to a learner.

When the national parliament enacted this Act i.e. SASA, they considered among others section 12(1) (c); (d) & (e) of the Constitution. Secondly, the courts cannot impose capital punishment or death sentence because such judgment will be inconsistent with section 11 of the Constitution which provides that everyone has the right to life.

In the light of the foregoing exposition, it is deduced that any person who acts contrary to the provisions of any section of the Constitution; the actions of that person will be regarded as inconsistent and invalid with the Constitution, because such actions do not fulfil the obligations imposed by the Constitution (cf. section 2 of the Constitution). The discussions of the Constitution in the paragraphs that will follow will be based on the relevant sections of the Constitution infringed on by natural and/or juristic person(s) in Chapter 2 of this research project.

3.2.1 Transgression of the Constitution by the school governing bodies

In terms of section 6 (2) of SASA, the governing body of a public school may determine the language policy of the school subject to the Constitution. But this right is not enjoyed by most of the black parents in secondary schools at townships in Free State. Take for example the situation that prevails wherein these SGBs have

¹³⁵ <http://www.elt.oup.com>teachers.oald>

adopted English instead of their African language as a medium of instruction (cf.paragraph2.2.1). This practise is very much portentous to the processes of decision making as well as to both learning and teaching.

First, the SGB of a township school is expected to use the English language when it formulates its policies. For example, they use it for developing the code of conduct for learners, finance policy, maintenance policy, etc. Their challenge is that they are not English language speakers. Hence they have problems with English as a medium of instruction. They cannot express their wishes well enough as they would have wanted if this process could have been done through Sesotho or any African language.

In addition to this problem is that the DBE conducts SGB trainings through the English medium. Parents who attend these sessions are unable to fully participate. They cannot ask important questions. Ultimately the SGB-workshop degenerates to an extended meeting of the DBE officials, principals and teachers who serve in the SGBs from different schools.

As a result, section 30 of the Constitution is violated by both SGBs and DBE because unsophisticated and uneducated parents are denied the right to use their home language when they formulate policies. The unfortunate consequence is that many SGBs in township secondary schools end up committing plagiarism when they take policies from other schools and make them their own through acts of cut-and-paste. Sometimes they forget to remove the name of the school from which the policy in question was sourced.

Second, consider section 3 (4) (m) of the National Education Policy Act 27 of 1996 (hereafter NAPA). This section provides that the Minister shall determine national policy for the planning, provision, financing, co-ordination, management, governance, programs, monitoring, evaluation, and well-being of the education system and without derogating from the generality of this section, may determine, among others, the national policy for *language in education*. It is therefore debatable whether the Minister should give directions or assistance with regard to what language should be used by SGBs in township schools in all provinces across South Africa.

In actual fact this section supports the proclamation of section 6 (2) of SASA which gives the SGBs the power to determine the language policy of the school. Both these

acts are affirmed by section 30 of the Constitution. The problem is that most of the SGBs in secondary schools at townships in Free State are not aware of these powers and rights. This is the reason why they experience problems in decision making, as well as in the management of their organisational systems and procedures. The use of English in SGB meetings gives crooked principal undue powers to control the SGB. Parents serving in the SGB are naturally afraid of these people because of their level of education. Sometimes the principal is the only person with the university degree in the school, so who will argue with him?

Third, English as a medium of instruction in township schools results in ineffective teaching and learning (cf.paragraph2.7.1). It is practically impossible for two people to begin to communicate in a language they both do not understand. Both teachers and learners are being frustrated by their medium of instruction coupled with their difficult subject matter. But children who attend schools in former white areas are at an unfair advantage here. For example, white children are taught all their subjects in their mother tongue as compared to their black counterparts who have to deal with difficult English even if it is at the level of first additional language.

The reality of the matter is that even if the standard of English is lowered, but other subjects like mathematics and physical sciences are not taught at this level. Meaning that all the children write common examination papers for content subjects like mathematics. This papers have their questions set at the same language level, hence black children in township schools will find it difficult to understand questions and how to navigate their ways to answer correctly whereas their counterparts in former white schools, especially white children, will answer the examination papers with ease due to the fact that many of them are English speakers.

The other group is advantaged by the fact that their parents, even if they are black, are mostly regarded as the new middle class. That is why they can afford to pay school fees at former white schools. This exposition clearly indicates that section 29 (2) (b) of the Constitution is infringed by the fact that it is not practically possible to expect the majority of black learners in township schools to perform well or better than their counterparts in former white schools. I therefore postulate that education is an expensive commodity in any country around the world. But it remains very cheap in our townships hence it yields poor results at the end of every year. Poor management of organisational systems in these schools provides a fertile ground for

the contravention of section 6 (2) (a) of the Constitution because it is not in the best interest of the child to be exposed to a system that fails him/her from the beginning.

Fourth, the SGBs violate section 24 of the Constitution when they deny both teachers and learners the right to work in an environment that is not harmful to their health or well-being (cf.paragraph2.2.2). For example, toilets that are poorly maintained, that do not have neither the roof nor doors, that cannot be flushed due to blockages, broken water pipes, and non-availability of wash basins pose a serious threat to the lives of all the inhabitants of that school (Macupe, 2015:6). Some SGBs lack the initiative to build decent toilets for their schools.

They are still pit toilets which have cracked floors. Even adults can fall through and die when the floor collapse¹³⁶. The law is clear that all the children of South Africa should be subjected to equal and quality education. But black learners at township schools in Free State are mainly not subjected to quality education. The principle of equality, which includes the full and equal enjoyment of all rights such as being taught in a habitable school environment where there is safety and basic amenities such as text books are available, is violated (cf.section9 (2) of the Constitution).

Children from poor communities with the history of deprivation of good education resources during the apartheid era are at the receiving end of these malpractices. Ironically there is a repetition of inequality in education even after the dawn of democracy in South Africa. Taylor (2008:3) agrees by saying that the end result is poor performance which leads to high failure rate by African learners. Therefore they are failed by their own SGBs to have access to institutions of higher learning because those who pass also present with inferior marks.

Even worse is the fact that the unequal provision of quality education to learners in this country creates two worlds. The world of the haves where schools are safe and fully resourced and the world of the have-nots, where the education resources are scarce, where the rights, safety and security of all stakeholders are ignored (Mestry *et al*, 2012:97).

Fifth, the problems caused by the SGBs can be escalated to be those that are supposed to be dealt with by the DBE. I see a pattern of ignorance emerging from the SGB and later by the state. For instance, African children are the majority group

¹³⁶ <http://www.mg.co.za/article/2015-11-08-school-toilets-still-the-pits>

in the township schools. It is in these schools where the infringements of the law are common. For example, section 9 (3) of the Constitution is violated because the State is found to be unfairly and indirectly discriminating against poor children in township secondary schools on the grounds of:

- i) **Race.** They are black and very poor. But they are forced to attend school at such appalling conditions. Comparatively speaking, there is no white child whether poor or rich who attends school in such bad conditions. The ugly head of discrimination still rear when looking at what is happening to these children when they are at school. Therefore the minister should enforce the implementation of Norms and Standards for School Infrastructure¹³⁷. I postulate that the DBE should produce a plan that outlines which schools will be repaired and at what time. There is a need to accelerate these processes due to the bigger numbers of schools in need of infrastructure development (Jika, 2015:6).
- ii) **Age.** Many of them are late in their school years due to apartheid complexities as well as other social factors. For example, some of these children's families were moved from their land or farms during apartheid and even after its demise because some of the farms were sold to other persons. They also walk long distances to and from school. On their way they become victims of crime. Their personal belongings are taken by thugs. Some of the girls are raped even within the school grounds (cf.paragraph2.7.3) and fall pregnant.

Serious issues of gangsters also come into play; hence they drop out of school or fail in big numbers. The majority of children who drop out of school also cite sexual abuse, intimidation as well as unsafe school environments as reasons for them to leave school¹³⁸. They will repeat their classes and those who have dropped out of school would want to return after some years because there are no jobs and absolutely nothing to do at home. Their hope is at school. The end result is overcrowded classrooms which perpetuate high failure rate (Savides, 2016:7)¹³⁹.

¹³⁷ <http://www.equaleducation.org.za/page/school-infrastructure>

¹³⁸ <http://www.iol.co.za/pretoria-news/fixing-sas-schools-from-hell>

¹³⁹ <http://www.timeslive.co.za>

Sixth, the failure of some SGBs to replace broken windows at their schools is a direct disrespect to all persons who use the school premises on daily basis. Teaching and learning should be regarded as high profile social activities. Therefore section 10 of the Constitution is violated in that the human dignity of both personnel and learners is not upheld. There is no one protected from harm such as hostile weather and noise from outside the classroom.

Lastly, failure by the SGBs to purchase LTSM such as textbooks could lead to loss of life. This emanates from the textbook saga in one of the secondary schools in Gauteng. Here a pregnant learner was made to sit on the cold concrete floor at school for failing to complete her homework because she did not have her own textbooks due to shortages (cf.paragraph2.2.3.2). Therefore section 11 of the Constitution was violated because it provides that everyone has the right to life. I think that both the mother and the unborn child could have lost their lives due to complications that could have resulted from cold concrete floor.

I suspect that the same situation is prevailing in secondary schools at townships in Free State because pregnant girls are found in these schools. And the shortage of textbooks in black schools remains a standing problem for both learners and teachers. Besides this problem, lack of proper sanitation and shortage of modern toilets has resulted in the actual loss of life (cf.paragraph2.2.2.1.2). Equally so, both sections 11 and 27 (1) (a) of the Constitution were violated because that small boy has lost his life at a place where he was supposed to be provided with quality health care, meaning good; safe; and clean toilets.

Another important system is the RCL. Some of them are ignorant to their roles as advocates of safe schools.

3.2.2 Learner representative council's violation of the Constitution

Most of the RCLs in secondary schools at townships in Free State fail to protect young girls from forced sexual relations and violence against them by both male teachers and boys (cf.paragraph2.3.1.3). This amounts to the contravention of section 12 (1) (c) & (e) of the Constitution in that the victims are not free from forms of violence by either public figures such as male teachers or from big boys who threaten young girls with violence when they refuse to sleep with them. They are also not protected from bad treatment or punishment in a cruel, inhumane and degrading way. It is indeed cruel for a matured male teacher, who is probably a

father, to have sexual relationships with a young, innocent and vulnerable teenage girl.

There are also reports about teachers who pay money to parents of their victims to silence them. Some of them prey on poor girls. They buy groceries for their poor families whilst they continue to sexually abuse them. Some teachers are also guilty of showing pornographic videos to girls at the full knowledge of the RCL¹⁴⁰. But they keep quite saying that they don't want these teachers to lose their jobs.

This is now a big problem for schools, government and communities at large because it is not only teachers who have obscene affairs with young school girls. Senior government officials have also joined the fray. Those who have affairs with these girls are called *blessers*¹⁴¹ because they provide them with huge sums of money and other gifts after having sex with them. Therefore the RCLs are supposed to be vigilant by campaigning against such untoward activities with the intention of protecting the human dignity of their girl folks (cf.section10 of the Constitution).

3.2.3 Violation of the Constitution by the school management teams

True, there is much that the SMTs of the secondary schools at townships in Free State are doing that negatively impacts on their managerial work. Their battered procedures have led to the serious transgressions of the Constitution. Firstly, the SMT members have the constitutional right to make political choices (cf.section19 (2) of the constitution).

They also have the right to form and to join a trade union (cf.section23 of the constitution). The danger with these rights is that they provide the SMT members with the right to neglect the rights of other individuals such as learners. For example, when they engage in political activities of their parties and when they have to go on strike, learners get neglected. They forfeit their right to education at that specific time (cf.paragraph2.4.2.1.3).

Secondly, the SMTs are floundering in the maintenance of discipline in their schools. They display a huge deficit of knowledge with regard to the use of corrective measures for learners¹⁴². They resort to the application of corporal punishment when

¹⁴⁰ <http://www.enca.com/South-Africa/look-back-sas-violent-classrooms>

¹⁴¹ <http://www.sundayworld.co.za/news/2016/07/24/blessers>

¹⁴² <http://www.mars.cs.ukzn.ac.za>

their learners fail to comply with their instructions (cf.paragraph2.4.3). Section 12 (1) (d) & (e) of the Constitution is transgressed because the use of corporal punishment to effect positive change is tantamount to torture, cruelty and inhumane treatment of learners.

Lastly, the SMT members are unable to create an environment that is conducive to learning and teaching. Their conduct is inconsistent with the constitutional provisions because they violate the rights of the learners by failing to ensure that areas such as toilets are clean (cf.paragraph2.4.3.2). Therefore they violate the rights of the learners to be taught in an environment that is not harmful to their health or well-being (cf.section24 (a) of the constitution). Added to this problem is the failure of SMTs to take the initiative to have the fundamental area for learning and teaching which is a classroom, being renovated hence they teach in classrooms with *pot-holes* (cf.paragraph2.2.2.1.2).

It is an embarrassment to both the DBE and SMTs of secondary schools at townships in Free State to allow education processes to take places in such conditions when at the same time the DBE was lambasted by civil society when in 2016 it returned more than R500 million that was designated for school infrastructure to National Treasury (Savides, 2016:7)¹⁴³.

Therefore the state has failed to promote a just an efficient administration (cf.section33 (3) (c) of the Constitution) due to DBE returning such amount of money when township schools are in bad shape and they were made aware by schools and through newspapers (Savides, 2016:7)¹⁴⁴.

The recruitment, selection and placement of teachers are other delicate functions of the SGBs. Therefore the interviewing panels also break the law.

3.2.4 Flouting of the Constitution by the interviewing panels

The negative impact that some of the teacher unions have on the interviewing panels cannot be taken lightly. Minister Angie Motshekga has already raised the alarm about the influence SADTU has on government¹⁴⁵. Their undue threats to other panellists and to principals during interview sessions lead to the violation of section

¹⁴³ <http://www.timeslive.co.za>

¹⁴⁴ <http://www.timeslive.co.za>

¹⁴⁵ <http://www.news24.com/SouthAfrica/News/govt-report-accuses-sadtu-of-selling-teaching-post>

16 (1) (b) of the Constitution because they deny other panellists the right to freedom of expression and the freedom to receive or impart information.

Therefore other panellists become afraid to express their opinions before a decision to hire a teacher, especially in the promotional post, is made. They fear that some learners and teachers may be incited to administer violence against non-compliant panel members (cf.paragraph2.4.2.1.3). Sometimes principals are threatened with death if they resist the pressure from influential unions¹⁴⁶. The violent situations which are perpetrated by rogue elements in SADTU are repugnant to the Constitution. Take for instance incidents where children or some union members are incited to react violently to principals or SMT members who refuse to kowtow to their selfish demands (cf.paragraphs2.5.2&2.6.4).

Principals as representatives of the HoD in the school also violate the Constitution.

3.2.5 Contravention of the Constitution by principals

The conduct of some principals in secondary schools at townships in Free State is fraught with problems. Their ignorance to the rule of law when they run schools makes them to be guilty of serious offences. Therefore they are guilty of contravening the Constitution. Firstly, some principal have a habit of deliberately hiding information from teachers, RCLs, SGBs, and SMTs (cf.paragraph2.6.1).

They deny them the opportunity to access departmental circulars and other documents from government. This is an infringement of section 32 (1) (b) of the Constitution. All people should have access to information. Therefore principals cannot keep state information from other stakeholder, especially with the intention of manipulating them. It is therefore wrong to hold information from unsuspecting participants with the intention to disempowering them.

Secondly, graft by some principals leads to shortage of textbooks (cf.paragraph2.6.3). Learners from such schools are victims of double jeopardy. They are coming from poor families and on the other hand they go to schools that are poor due to corruption by some of the headmasters. Henderson (2015:1)¹⁴⁷ avers that it is generally people with knowledge and power who rely on the naivety of ordinary SGB members and their lack of knowledge with regard to financial management and procurement procedures, who carry out nefarious activities.

¹⁴⁶ paddyharper@citypress.co.za

¹⁴⁷ <http://www.sowetanlive.co.za/news/2015/10/22/principals-mosy-corrupt-in-schools>

Unfortunately the culprits are mostly principals. Their schools are not well resourced. Principals of such schools have failed to maintain standards of education in their schools that are not inferior to those standards at public schools in former white areas (cf.section29 (3) (c) of the Constitution).

Thirdly, corrupt principals fail to create a habitable school environment. It is again mentioned here that all persons in such schools are exposed to bad toilets which have a stale smell (cf.paragraphs2.6.3 & 2.2.2.3.2). When schools have dirty toilets which are blocked due to shortage of money because it was stolen (Macupe, 2015:6), it becomes hard to pay for the municipal services to the school. The municipal manger stops the water flow to the school. Toilets will be blocked. Therefore graft principals also transgress section 27 (1) (b) of the Constitution in that there will be insufficient water supply to the school.

Lastly, the failure of many principals to ensure that the government provides poor schools with healthy toilet systems¹⁴⁸ is a clear violation of the Constitution by the state, as it is a supreme law of South Africa. Section 10 of the Constitution provides that everyone has the right to inherent dignity and to have their dignity respected and protected. Again, take for example the toilet saga in Limpopo where a young boy fell into a pit toilet at school and died (Savides, 2015:22). Here the State has failed to protect the dignity of that boy whilst he was still alive when they did not build appropriate toilets for all the children in that school. Most probably there are such situations elsewhere in Free State schools.

Teachers are the most common factor in the delivery of education. They have daily contacts with all learners more than anyone else in the system. They too also conduct themselves inappropriately.

3.2.6 Transgression of the Constitution by educators

It is hard to believe that teachers' conduct can lead to serious transgressions of the Constitution. They continue to compromise the quality of teaching and learning by being absent in their big numbers (cf.paragraph2.7.2). Ultimately the enormous efforts of legislation to arrest the imbalances of the past prove to be fruitless.

¹⁴⁸ <http://www.mg.co.za>

When teachers are absent, remaining learners become vulnerable to bullies, violence and sorts of harassment¹⁴⁹. Therefore the schools fail to fulfil the rights of learners to appropriate alternative care. This is due to the fact that children are presumed to be safe at their homes. When they are at school, they should be safe as the school shall have replaced their family environment (cf. section 28 (1) (b) of the Constitution).

Furthermore, section 28 (1) (d) of the Constitution provides that every child has the right to be protected from maltreatment, neglect, abuse or degradation. This right is infringed when children are bullied due to their sexual orientation. For example, girls and gay kids in many secondary schools at townships in Free State are sometimes faced with this predicament. In order to address these problems, SACE has set aside a budget of R8.9 million for disciplinary cases against teachers who are alleged to be involved in the rape of girls and discrimination against gays and lesbians within the school premises (Mkhwanazi, 2016:5)¹⁵⁰. Some of the boys who are gay are forced to drop out of school due to not being accepted by both teachers and school mates. These acts are proof that school children are being abused and humiliated (Govender, 2016:7).

Sure enough is the occurrence of incidents where learners will have sex or others will be raped within the school premises just because teachers were absent. This is a direct violation of section 12 (2) (a) because unplanned pregnancy could result from forced genital penetration of girls by unscrupulous males within the school premises. And the victims would not have given consent to reproduction.

Some teachers contravene the law when they confiscate personal belongings of learners such as cellular phones and laptops under the pretext that such items are illegal within the school premises. This creates an opportunity for other learners to bully both teachers and learners because they see an opportunity to make money from selling these items. Hence they threaten both teachers and learners with serious bodily harm if they refuse to hand over their belongings (Macupe, 2016:6). This is the violation of section 14 (c) & (d) of the Constitution.

¹⁴⁹ <http://www.enca.com>

¹⁵⁰ <http://www.iol.co.za>

On the other hand section 12 (1) (c) provides that everyone has the right to freedom and security of the person which include the right to be free from all forms of violence from either public or private sources. Therefore both teachers and learners cannot use violence against any person. They cannot come to school carrying knives and other sharp objects with the intention to stab other people (Macupe, 2016:6).

The discussion above is basically on the Bill of Rights in the Constitution. It is against this background that I escalate this discussion to the level of further transgressions as promulgated in section 195 of the Constitution. This section promotes basic values and principles governing public administration. Therefore it can be deduced from this research project that the administration of many secondary schools at townships in Free State is in tatters.

3.2.7 Violation of basic values and principles

First, I have realised that the instability that exists in many of these schools is caused by the contravention of section 195 (1) (a) of the Constitution because some principals deliberately hide valuable information in the form of departmental circulars and resolutions from stakeholders with the intention of manipulating and dominating them (cf.paragraph2.6.1).

Even though they are professionals in schools, but they fail to promote the standard of professional ethics. Rogue elements in unions like SADTU also violate the code of professional ethics when they sell posts, assault, intimidate and kill some principals (cf.paragraph2.6.4). It is very unethical to have situations where some teachers and some bad senior government officials are known to have sexual relationships with small girls (Mothombeni)¹⁵¹.

Second, the perennial shortage of textbooks in most of the secondary schools at townships in Free State is regarded as highly unethical because other children in the country have textbooks. But it shows the manner in which both principals and DBE are failing to ensure that there are efficient, economic, and effective uses of resources such as money within the schools (cf.section195 (1) (b)).

The funds that are allocated to each school are also meant for purchasing LTSM. Unfortunately many principals and their SGBs have other agendas for that money. It

¹⁵¹ <http://www.sundayworld.co.za/news/2016/07/24/blessers>

is very likely that you will find thousands of rands being spent on items such as curtains for the staff room, CCTV cameras for each classroom, carpools for teachers and for paving school grounds whereas poor children lack textbooks.

Hence some of it gets stolen (cf.paragraph2.6.3). I know that it has been for many years now that most of the grades 8 and 9 learners have been without textbooks for many years. These are classes where a good foundation for good results is supposed to be laid. How on earth could schools be able to accomplish this if children have no LTSM? Taylor (2008:19) affirms this statement by saying that textbooks contain a study program for the academic year where in concepts, definitions, and symbols are explained, and even problems are worked out. Therefore their shortages add to the problem of English proficiency by both teachers and learners (cf.paragraph2.7).

Third, section 195 (1) (d) of the Constitution provides that services must be provided impartially, fairly, equitably, and without bias. The problem is that the service providers such as the municipality have a tendency of stopping services to schools when there are problems. For example, in 2015 the Matjhabeng Municipality decided to cut water supply to schools which did not pay their accounts (cf.paragraph2.2.23.2).

I view this as an unfair treatment to poor children who knew nothing about that problem. Remember that many of them are coming from poor families where they do not have access to flushing toilet systems. Their hope is to get fresh water at school and to also relieve themselves in the school toilets. In addition section 195 (1) (f) was infringed by both the SGBs and principals of defaulting schools because they could have realized that failure to pay accounts will lead to the suspension of services to the school.

In my view, this impasse has led to many children not completing syllabi. This is because they were released before the end of the school day for a certain period of time. The results of the matriculants were therefore negatively affected. This is another proof that there are serious problems in the management of organisational systems in many townships schools across Free State.

Fourth, the needs of many learners in most of the secondary schools at townships in Free State cannot be met. There is evidence that many schools do not have textbooks for learners, are not safe due to poor sanitation, no perimeter fence, and

they also have experienced water cuts by uncaring municipalities (cf.paragraphs2.2.3.2; 2.2.2.1.2 & 2.2.2.3.2). Therefore their needs were not responded to by neither the SGB nor the state (cf.section195 (1) (e) of the Constitution).

Section 195 (1) (g) promulgates that public, in this instance the school, should provide and should also be provided with timely, accessible and accurate information. This section was violated by the school when it failed to inform parents that their children will be in danger if they come to school when there was no water. Squarely, the Matjhabeng Municipality has failed to inform both the schools and their communities that the water supply will be stopped due to non-payment by both schools and the state.

Therefore there was no transparency from both parties and poor black children became victims of poor management of organisational systems again. They were once more forced to inhabit schools where sanitation was poor. Maybe some of them contracted contagious diseases from unhealthy toilets.

Lastly, it has been proven that many teachers in South Africa, particularly those employed in township schools are inadequately trained. Initially they received an inferior training during apartheid (cf.paragraph2.7.1) and today their main problem is that they lack good English proficiency, have poor reading skills and have poor subject content knowledge as well as insufficient pedagogical knowledge¹⁵². This means that both the SGBs and the DBE cannot fulfil the prescripts of section 195 (1) (i) because most of the secondary schools at townships in Free State are in the hands of principals, SMTs and teachers who are not objective enough to make their schools ideal institutions of learning. Their inabilities in almost all spheres within their institutions make it more challenging for these schools to address the imbalances of the past. For example, during apartheid black schools were not enough for the then population hence there was overcrowding.

But today that problem still exists even though there are many schools in all the townships. Shirley Wakefield affirms by saying that South African learners want a good education, but they feel that they cannot have access to it due to problems of

¹⁵² <http://www.mg.co.za/article/2015/04/17-most-of-our-new-teachers-cant>

overcrowding and shortage of textbooks¹⁵³. There are also shortages of library books, laboratory material and even desks and chairs for both learners and teachers. The infringement of the Constitution cannot be limited to what is discussed above, but it is also imperative for me to highlight the violations of subordinate education laws of the Constitution.

3.3 Legislation

Legislation can be described as a process of developing various laws within a country or in any enterprise. It also refers to a collective body of laws enacted by government. Both legislation and the Constitution are written laws made by both National Parliament and Provincial Legislature. The difference is that the Constitution is a supreme law as it may be seen in paragraph 3.2 of this research project.

Therefore all the laws and acts of parliament are subsidiary to the Constitution. This is the reason why the education legislation should be aligned to this document. For instance, the education laws are promulgated for the purposes of providing guidelines about education processes within the South African schools (Oosthuizen, Botha, Roos, Rossouw, and Smit; 2014:59). But this seems to be a far-fetched ideal because many secondary schools at townships in Free State are besotted with disorder, havoc and discord. The principles of *geborgenheit* in education are not upheld (Oosthuizen et al; 2014:18). Both teachers and learners are not protected from any harm.

The paragraphs that will follow will look into the violations of the education laws such as South African Schools' Act, National Education Policy Act, Employment of Educators' Act, Labour Relations Act, Free State Education Act, as well as Children's Act. The bedrock of these pieces of legislation is the Constitution. Their relationships can be diagrammatically represented as follows:

¹⁵³ <http://www.ebizradio.com/shortage-of-textbooks-and-and-crammed-classrooms-hampering-education>

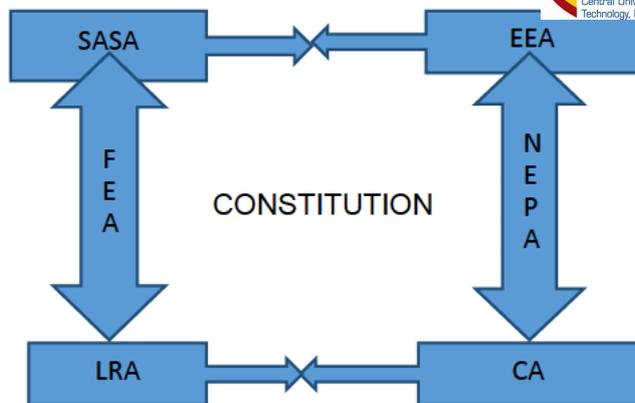


Figure 3.2: Legislative framework

- ✚ SASA: South African Schools Act
- ✚ Employment of Educators Act
- ✚ Free State Education Act
- ✚ National Education Policy Act
- ✚ Labour Relation Act
- ✚ Children’s Act

3.3.1 Infringements of South African Schools’ Act

3.3.1.1 Problems of English as a medium of instruction

The SGB and the DBE are guilty of contravening various prescripts of SASA. Take for instance the language rights of all the learners across secondary schools at townships in Free State. It is a norm for these schools to adopt English as a medium of instruction. It was discussed elsewhere in this research project that the SGBs are ineffective with regard to their understanding of what they should or should not do within their respective schools as a result of the medium through which the policies are written (cf.paragraph1.7.2). It is important to look at the unintended ramifications of English as a medium of instruction in black schools.

Firstly, section 2 (d) of the Children’s act provides that there should be provisions made for structures, services, and means for promoting and monitoring the sound physical, psychological, intellectual, and social development of children. This section is infringed by both the SGB and DBE because their language policies disregard the best interest of children at black schools by using English as a medium of instruction because English is not their mother tongue, as a result they do not understand it.

Hence their intellectual and social developments are not being catered for. For example, it is only African children who have to switch from an indigenous language

to English from grade 4, especially in township schools. This switch has detrimental effects on their overall development and also over their performance throughout their schooling. They hardly master their own mother tongue when they are suddenly introduced to a foreign language by teachers who themselves struggle with their English register. I see three problems occurring here:

- (i) Their mother tongue development is thwarted at an early age whilst their white counterparts as well as other black children in former white schools gain because they do not have to switch languages at their developmental stages;
- (ii) It becomes difficult for them to develop abstract thinking skills because of deficiencies in their mother tongue language development; and
- (iii) All children have the potential to do well in both mathematics and science when they go to school for the first time. But this ability is eroded by the implementation of inefficient language policies that are adopted by naïve SGBs or are introduced by DBE especially at the foundation phase¹⁵⁴. This is an unfair competition because both black teachers and their students become the scorn of the nation every time the grade twelve results are announced.

Take for instance the performance of Afrikaans and English speakers in comparison to that of any African language at grade twelve. One will find that learners in the former languages (former white schools) have outperformed learners in the latter languages (township schools). I think the reason is that learners in former white schools were exposed to English from an early age throughout their schooling career without controversial language policies hindering this development as it is the case in township schools. And the Afrikaans speakers are still protected by the Constitution and other laws because they still write their entire examinations through their mother tongue, be it mathematics or any subject.

Secondly, section 6 (2) of SASA provides that the governing body of a public school may determine the language policy of the school subject to the Constitution, and this Act and any applicable provincial law. The challenge here is that parents from many secondary schools at townships in Free State are inclined to choose English as a

¹⁵⁴ <http://www.mg.co.za/article/2012-07-27-language-p0licy-lets-pupils-down>

medium of instruction maybe for economic reasons. This language is used in the business world of South Africa.

However, learners are put at the risk of failing; as reflected in the previous paragraph; due to the great lack of people with enough and efficient English knowledge. Therefore we have a scenario in our classrooms across townships where teachers who are not good in English trying to teach non- English speakers through English. No one understands what is going on there.

Hence these schools struggle with the management of organisational resources. That is chaos begin from the classroom until they can be seen by anyone in the public. There is nothing wrong with English as a medium of instruction, but the SGBs and the DBE should do their best in providing schools with well trained personnel who are good English speakers in order to fulfil the challenges presented by English as medium of instruction.

Lastly, I posit that English as a medium of instruction in secondary schools at townships in Free State does not serve these schools well. It is the prerogatives of both the SGBs and government to promote the development of African languages. The Constitution is violated further because a larger percentage of instruction time is spent through the usage of English for both teaching and for communication during meetings.

The question is when will the African languages be developed? Most of the schools in former white areas appear to have cleverer teachers and wiser children due to the language advantage as compared to both black teachers and black children in township schools. This assertion is made every time when the national grade 12 results are announced. It is a well-known fact that learners in former white schools perform better than their counter parts in township schools. However, English is an international language.

Business is conducted through it; hence many parents adopt it as a medium of instruction for economic purposes. Therefore it should always remain in the hind side of the SGBs that it has been scientifically proven that it is not easy, but very difficult to learn and understand a foreign language fully; much more challenging to learn concepts, and content subjects through it¹⁵⁵.

¹⁵⁵ <http://www.medioclubsouthafrica.com/youth-and-education-43-culture>

Therefore if the SGBs in these schools are able to deal with this problem from an early stage, there will be no need to have the multitudes of grade 12 learners in townships having to sleep at their schools or in the so called matric camps preparing for examination. The crux of the matter here is to deal with English as a language barrier and results will improve. Poor children cannot even play sports. This state of affairs also breeds the occurrence of disorder and ill-discipline.

3.3.1.2 Failure to deal with ill-disciplined learners

Maintaining order and discipline through participatory democratic processes is the fundamental responsibility of the SGBs. But the majority of the SGBs at secondary schools in townships across Free State are indolent to this responsibility. Take for instance the problem of boys who would go to their respective schools being well armed with knives and sometimes with guns. There are also incidents of gang warfare taking place from the school grounds. This is a clear indication that many of our children do not know that their schools are supposed to portray places of sanctity where there is no violence. Regrettably both the SGBs and school management cannot use discipline as a means (cf.paragraph2.2.1)

Section 9 (1) of SASA provides that the governing body of a public school may, after a fair hearing, suspend a learner from attending the school:

- (a) As correctional measure for a period not longer than one week. This section is problematic in that it creates a fertile ground for learners to misbehave. Once they become aware that they get to be suspended for ill-behaviour, they deliberately commit offences which will get them out of school for that period. On the other hand teachers and many SGBs see this due process of disciplining learners by holding disciplinary hearings as a tedious exercise which crawl on their spare time. Therefore suspending learners for a week does not necessarily curb bad behaviour, but perpetuates it;
- (b) In consultation with the HoD, pending a decision as to whether the learner should be expelled from the school by the HoD. This due process is also problematic because it provides a red tape which discourages the SGBs to take drastic steps

against serious offences. And in most of the cases the culprits are brought back to school due to a certain technicality.

For example, the SGBs may flout procedure due to language problem. This mistake may be cited as a reason to claim an unfair disciplinary procedure by the defendant. I posit that in itself this process is an erosion of the legitimate powers afforded the parents, through SGBs, to bring about everlasting and effective steps of learner discipline in all our schools.

This problem is worsened by the fact that the SGBs in the township schools are financially crippled. Although they are a juristic person, they will find it very difficult to take the DBE to court on such matters. These schools will remain unsafe for both learners and teachers. Therefore suspension of learners does not serve as deterrent against bad behaviour.

I think that after a fair hearing, culprits should be given some kind of punishment which should run parallel with suspended period from school. Unlike seating at home, they should be given community work. And expelled learners should have their cases taken to courts because the school is part of the broader community. Any offence against the school is also an offence to the community. Besides that the parents should account to the community about what their child will be doing when others are at school.

The SGBs in township schools cannot be left unchallenged when they fail to perform their functions.

3.3.1.3 Failure by the school governing body to perform

Section 25 (1) of SASA, provides that if the HoD determines on reasonable grounds that a governing body has ceased to perform functions allocated to it in terms of this act or has failed to perform one or more of such functions, he/she must appoint sufficient persons to perform all such functions or one or more of such functions, as the case may be; for a period not exceeding three months.

It is amazing to realize that the majority of SGBs in township secondary schools are not able to perform their duties but they remain intact in their positions without being trained to perform their duty. Hence these schools remain in dire straits for years on end. The DBE is therefore failing to take necessary steps against SGBs which cannot resource their schools.

When learners fail, they do not take the fall because the blame is left on the door step of the principal by the authorities. Maybe it is because they are viewed as volunteers who can withdraw their participation at any time from the school. Or it is easy to blame an individual rather than challenging a group of people.

But when I compare the situation that prevails in former white schools, I see a different picture. In the latter schools parents who constitute the SGB are mostly rich and very much educated. Whereas their counter parts in township schools are no so educated; are no so financially free. They are therefore myopic to the needs of their schools. They do not know that by law it is the responsibility of the DBE to erect perimeter fence. They also struggle to raise funds for such needs (cf.paragraphs2.2.2 & 2.2.3).

Considering the problems mentioned above, it becomes evident that section 20 (1) (e) of SASA is violated by the SGBs by failing to ensure that both the principal and educators are supported in the performance of their professional duties. Nowadays educators in some of the secondary schools at townships in Free State are constantly exposed to harassment, verbal abuse, death, assault and insults by children and other unscrupulous adults within and from outside the school premises (cf.paragraphs2.5.2; 2.6.4 & 2.7.3). Oosthuizen et al (2014:293) cautions that the problem of safety has escalated because the rights of many learners have taken an upper hand more than the rights of educators. Truly, the SGBs should look into this imbalance when they craft their codes of conduct.

However, section 25 (4) of SASA provides that if the SGB fails to perform its functions, the HoD should appoint other persons who will capacitate the SGB with necessary skills. But there is no evidence to prove the implementation of this act. The only time when parents are trained is immediately after their elections for the new period. As it was mentioned earlier in this research that SGBs in township schools are failing, it will suffice for me to declare that these parents need to be schooled continuously by well trained and informed personnel from DBE. On the other hand the SGBs should be given extra money designated for further training during the first year of their term.

The role of the principal in the SGB is also crucial. The following paragraph will focus the legislated role of the principal.

3.3.2 Problems caused by principal's poor leadership

Legislation is very clear about what roles should principals play in the running of secondary schools at townships in Free State? But they are still the source of many problems for their schools.

Firstly, section 5 A (1) (b) of the ELAA of 2007 provides that the Minister may, after consultation with the Council of Education Ministers, by regulation prescribe minimum uniform norms and standards for the capacity of a school in respect of the number of learners a school can admit. Most of the principals are not aware of this regulation. They continue to admit many learners even if their schools lack space. Some of them admit learners because they have received bribes from parents (cf.paragraph2.6.1).

Others inflate school roll in order to get higher salaries (cf.paragtaph2.6.3). Therefore this section is violated by principals who deliberately make their classrooms to be overcrowded. Some of them claim that they were instructed by the DBE to take many learners. I think that they find themselves in this situation because they do not know their norms and standards in terms of teacher-learner-ratio.

In overcrowded classrooms learners are congested, they cannot write on their books, and teachers cannot move between the rows to check homework. The most worrying problem is that teachers cannot track the attendance of learners because they appear to be present. In real terms learners become absent in *shifts*. This means that those who were absent yesterday are present today and there are others who would be absent today.

The poor teacher will realise this problem maybe at the end of the term when marks for projects and activities are collected. As a result some of the teachers are irked by this situation because they know that a safe classroom should have at least a maximum of forty learners. But in these schools teachers complain about classrooms which reflect mass meetings because they contain fifty to hundred learners¹⁵⁶.

Although there are researches reports which dispute that overcrowding may not be put as a reason for poor performance, I still maintain that former white schools are never overcrowded and their results are never bad. This statement is supported by the good quality of their grade 12 results as compared to the perpetual inferior

¹⁵⁶ <http://www.equaleducation.org.za>

results in township secondary schools. Unless principals in black schools invoke the law and run their schools according to legislation, such problems will not cease.

Secondly, section 5A (3) of ELAA provides that any SGB must comply with the norms and standards for the school infrastructure. This implies that principals as members of the SGB should uphold the dictates of the policy on school infrastructure (cf.paragraph2.2.2.1.3). School grounds are not being taken serious by many principals in secondary schools at townships across Free State. Take for instance, the availability of sports grounds in the township schools.

They hardly exist because the principals have allowed the open fields in their yards to be covered by tall grass and weeds. Such environments provide hooligans with these schools with hiding places for weapons. Other learners hide themselves there to smoke dagga and drugs. I have also realised that when one drives pass by those schools, one comes across big holes on the school's security fence.

Lastly, section 16A (h) and (i) of SASA as amended, provides that the principal should assist the SGB with the management of the school's funds; which assistance must include taking all reasonable steps to prevent any financial maladministration or mismanagement by any staff member or by the governing body of the school. This act is always violated by many principals because of a myriad of reasons. They include the following:

- Corruption by some of the very principals who are supposed to be the custodians of the law (cf.paragraph.2.6.3);
- Problems of poor leadership by principals and their SMTs (cf.paragraph.2.6.1);
- Some principals deliberately protect defaulting teachers (cf.paragraph.2.6.3.2);
- Some principals are intimidated at work by teachers or SGB members hence they are afraid of them and they allow such elements to still money or goods from school (cf.paragraph2.6.4); and
- Failure by the DBE to either train principals about financial management or to help them hire personnel such as financial clerks who have relevant qualifications.

Principals are also custodians of the Labour Relations Act. But they are oblivious to it. It is important to allude to its violations.

3.3.3 The infringements of the Labour Relations Act

Section 1 (d) (iii) of the Labour Relations Act 66 of 1995 (hereafter LRA) stipulates that the purpose of this Act is to advance economic development, social justice, labour peace, and democratisation of the work place by fulfilling the primary objectives of this Act, which are to promote employee participation in decision making in the work place. A negative practise by principals in most of the secondary schools at townships in Free State is that teachers are not allowed to participate in decision making processes within their schools (cf.paragraph2.6.1).

In management meetings as well as in governance meetings, the principal dominates the discussions. Both SGB and SMT members are called to meetings to only listen to the principal who talks alone and who decides alone. What s/he needs is the attendance register as proof that that meeting was attended by so and so when a particular agreement was made. Therefore there will be no development at these institutions because of unilateral decision making habits.

I hold the view that such principals are not aware of the demands of school management as directed by LRA and any other applicable laws. This is the reason why they are not aware of the ramifications of deliberately hiding information from other stakeholders. For example, when team members are not sure of what should happen in their school, they end up being disgruntled. That is why principals who dictate terms are seen to have walked away with the school in the event they are absent or have attended meetings elsewhere. The activities of the school stall because of one man, the principal. She/he creates undemocratic ways of running the school.

The management of organisational systems becomes poor because learners, teachers and parents are not actively involved in decision making¹⁵⁷. Van Wyk (2007:134) avers by saying that such principals misuse their legitimate powers both as SGB members, and therefore as representatives of the HoD in the SGB because they cannot look after the interests of the DBE in the school activities. Undemocratic practices set a premise for the violations of the LRA.

Secondly, section 23 (1) (a) of promulgates that a collective agreement binds the parties to the collective agreement. The parties to the agreement are the employer (DBE) and the employee organisations (Labour Unions). Therefore within the

¹⁵⁷ <http://www.iol.co.za/pretoria-news/fixing-sas-schools-from-hell>

education system, the LRA speaks only to teachers and the DBE officials. But when I look at procedures in the appointment of teachers, I have realised that SGBs, particularly in township secondary schools in Free State are not made to follow the rules or due processes as outlined in the collective agreements relevant to the employment of teachers.

For example, Collective agreement No 12 of 2012 (cf.paragraph2.5) outlines how teachers should be recommended for appointment. The irony is that the SGB members, especially the parent component are not signatories to this agreement. They only see it during the short-listing and interviewing processes. This practise constitutes serious violations of LRA because the conduct of unions where they force parents to recommend their pals leads to the contradiction of section 23 (1) (c) (ii) of LRA. This means that these SADTU representatives in the interviewing panels act against the binding principles of this collective agreement.

I think that it will be fair enough if the parent component through its representatives could be part of negotiations when such collective agreements are made. If this happens then controversies around the conduct of strong and influential teacher unions could be avoided because the parents would know what is expected of them Oosthuizen et al (2014:298) affirms by saying that the SGBs must send their recommendations for appointment to the DBE in Free State. I have observed that SGBs know nothing about forms to be signed before they are sent to the HoD for appointments, but they know nothing hence they rely on the principal and/or the union representatives. This ignorance is prevalent in the township secondary schools.

Thirdly, section 24 (1) of LRA stipulates that every collective agreement must provide for a procedure to resolve disputes about the interpretation or application of the collective agreement. Unfortunately the SGBs in secondary schools at townships in Free State are not aware of this right. Because of corruption, many principals at these schools fail to inform parents that they can object or made an appeal if they feel that their rights were violated during the process of recommending a suitable person for promotion or employment.

The real problem is that most of the parents who serve school structures such as the SGB at many township secondary schools are not as educated as teachers and union members are. This shortcoming pre-disposes them to be easily manipulated

by rogue elements in their schools or from the departmental officials. For example, item 6.2 of Collective Agreement No 12 of 2012, dictates that questions to be asked in the interview should be set in full view of all the panellists. This is done in order to avoid problems where it will be alleged that some questions were leaked to favoured candidates before the interviews.

According to me this practise is still problematic on that parents who are panellists rely on teachers to help them set those questions. Because of the lack of expertise in management of education, more often than not union representatives are roped in to help with the setting of interview questions. I suspect that some of these observers do go to interview sessions having prepared their *horse*. Theirs is just to drive or influence the panellists to set certain questions.

It will appear as if no questions were leaked. These practices are an indication that the schools violate certain acts including the LRA. This is the reason why there are delays in the appointments of educators because some of the candidates may peak it up that some of the competitors were unduly advantaged and have thus raised objections to the processes (cf.paragraph2.5.1).

3.3.4 Infringement of the Employment of Educators' Act

Black secondary schools across Free State present with a myriad of problems. One of the challenges is the poor implementation of the Employment of Educators' Act 76 of 1998 (hereafter EEA). I have observed that it is in these schools where the management of organisational systems is in tatters. If the status quo remains unchallenged, then many learners will not see real liberation from poverty and they will not enjoy true freedom. I say this because one cannot declare that others are free when problems of rape, graft, theft, bribery, violence, corruption and murder are committed almost on daily basis in many secondary schools at townships in Free State.

The main culprits are principals, followed by teachers and SGB members. Nair (2016)¹⁵⁸ avers that the commitment of these atrocities is hinged squarely on doorstep of the principal and it is a warning sign that teachers ignore the fact that rape occur during school hours. These bad incidents deny learners to have free access to quality education. This amounts to serious violations of EEA.

¹⁵⁸ <http://www.timeslive.co.za>

Firstly, some principals are accused having their hand in the trough with regard to the schools' finances. They enrich themselves illegally by taking money designated for LTSM and school nutrition program (cf.paragraph2.6.3).In terms of section 17 (1) (a) of EEA, an educator or the principal must be dismissed if s/he is found guilty of theft, bribery, fraud or an act of corruption in regard to examination or promotional posts. I have already indicated in paragraphs 2.5; 2.6; & 2.7 that EEA is not followed in the day-to-day running of many schools at townships in Free State.

What bothers me is that these problems have escalated to considerable heights due to the failure by both the DBE as the employer at provincial level (cf.section3 (1) (b) of EEA) and the SGBs as the employer at school level (cf.section20 (4) & (5) of SASA); to effectively apply legal measures to discipline their employees. It is a small percentage of perpetrators who will have their cases heard but with very minimal punishment being sanctioned. Therefore there is no deterrent to would be violators of this act. More so that when a culprit is well known in union ranks or in politics there is a likely hood of no punitive steps being meted out.

Secondly, girls in many of the secondary schools at townships in Free State are not safe. They are being sexually assaulted by male teachers who force themselves on top of them (cf.pargraph2.7). This is a criminal act because teachers who are culprits contravene section 17 (1) (b) of EEA because all persons in the school yards are prohibited from committing any act of sexual assault on a learner, student, or other employee.

This is a serious problem in these schools because perpetrators employ different strategies to avoid punishment. Some of them are friends to corrupt principals who deliberately cover up their sinful deeds and on the other side the principals receive bribes from bad teachers (cf.paragraph2.6.3.2). Others resort to old tricks such as promising parents of victims that they will them.

Some of the perpetrators pay damages and promise the poor families of victims that they buy them groceries if they (parents) do not promise not to report them to authorities. Unfortunately for these poor girls offenders get off scot free. The rippling effect of this bad event is that illegal abortions are on the rise in black communities, girls end up dropping out of school because they get scorned for having abortion. On the other side the offending teacher has moved to another victim. Mgijima

(2014:205) agrees by saying that if girls fall pregnant the teacher responsible pay damages or *fake lobola*.

Thereafter they disappeared, leaving girls and their destitute families traumatised. This is an unfortunate and deliberate violation of section 17 (1) (c) of EEA because it is illegal for a mature adult male teacher to have a sexual relationship with an immature girl child. Male teachers are supposed to act in *loco parentis* at all times.

Problems regarding sexual misconduct by teachers are so rife in most of township schools to an extent that SACE is intending to clamp down this problem. Mkhwanazi (2016:5) affirms this statement by reporting that money to the tune of R3 million is set aside by SACE to train parents, teachers and other officials about problems of rape, corruption and theft in various schools across South Africa. This adds to the woes of South African education system. It is really unbecoming for professionals to act so irresponsibly resulting in such huge figures being spent on unnecessary projects. This money could be spent on the improvement of school infrastructure.

Thirdly, the challenges of sexual harassment in schools are profound because they are coupled with physical assault. Some teachers assault both learners and their fellow colleagues. Others have principals as their targets (cf.paragraph2.6.4). Take for example my personal experience. I was assaulted by a fellow teacher during my tenure as a principal at one of the secondary schools in Free State.

To me this means that many principals have fallen victims of this untoward experience and they have not reported it to authorities for various reasons. Lack of support to principals, to teachers perceived to be weak and to girls is leads to the contravention of section 17 (1) (d) of EEA because this act debars any one from seriously assaulting another person with the intention to cause grievous bodily harm.

Violence is prohibited by law within the schools. For example, section 7 (l) (i) (ii) and of the children's Act 38 of 2005 provides that, whenever the provision of this act requires the best interest of the child standard to be applied, the following factors must be taken into consideration where relevant, namely-the need to protect the child from any physical or psychological harm that may be caused by:

- i) Subjecting the child to maltreatment, abuse, neglect, exploitation or degradation or exposing the child to violence exploitation or other harmful behaviour

- ii) Exposing the child to maltreatment, abuse, degradation, ill-treatment, violence or harmful behaviour towards another person

Section 7 (m) of the children's Act 38 of 2005 provides that any family violence involving the child or a family member of the child is prohibited. In this instance when the child is at school, the school becomes his/her family. By applying corporal punishment, and bullying is tantamount to the child being exposed to violent acts by teachers and or other children.

This act is supported by section 17(1) (d) of the EEA 76 of 1998, which provides that an educator must be dismissed if he or she is found to be guilty of seriously assaulting, with intention to cause grievous bodily harm to a learner, student or other employee. Therefore violence is not allowed in any school situation.

Be that as it may, there are newspaper reports indicating that this practice is gaining momentum. I think that this situation is as it is in many black secondary schools because it becomes very difficult for victims to have credible witnesses. If the law cannot take its course, then some of the victims may respond with more violence. For example there are cases where the victims of bullies were found to have taken guns and other weapons to schools with the intention of defending themselves. Some of them commit suicide. This shows that even structures such as the School Based Support Teams (SBST) cannot address these problems.

Lastly, many teachers in township secondary schools in Free State become absent from work. The problem is so serious because both the principals, SMTs and administration staff cannot manage leave taken effectively (cf.paragraph2.7.2). For example, failure to keep accurate leave records may indirectly lead to fraud. It is because the DBE will be paying salaries of teachers who were never at work. Unaccounted leave as well as assumption of unauthorised leave by crooked personnel leads to the contravention of section 18 (1) (j) of EEA because it is not worthwhile for trustworthy person to be away from work without official leave. The rippling effects of this behaviour are:

- Violence in the classroom because there is no teacher (cf.paragraph2.7.3);
- Children's rights to have access to quality education are infringed (cf.paragraph2.7.2);

- Habitual truant teachers fail to take care of children; they cannot respect, protect, promote or fulfil their rights as set out in the Bill of Rights. Children are abandoned by these teachers;
- Sports activities take a knock because there is no one to coach children after school. I am of the opinion that our national teams are not performing so well at international levels because many children are found in troubled black school and there is no one to unravel the potential talent abound in these schools; and
- Poor learners cannot finish syllabi; they fail as a result and cannot go further with their education. Some of them drop-out; others become overage whilst at school. They respond by being troublesome.

I posit that there are willing principals who want to tackle these problems. But some of the culprits are union officials who intimidate principals (cf.paragraph2.6.4). They boast by saying that they are personally held in high esteem by the DBE because they attend high profile meetings with officials in higher echelons. Some of these officials are able to manufacture lies when they say that are attending meetings. Their colleagues will know that they have gone to fulfil their personal errands. This deepens rifts within the school. Intimidation and threats are factors which must be rooted out in township secondary schools in Free State (cf.section18 (1) (u) of EEA.

The problems that come with absenteeism cannot be limited to this discussion. There is still much work to be done on this topic. Surely when teachers are absent in large numbers the school is not safe. It is therefore imperative for this research work to allude to the infringements of the Occupational Health and Safety Act.

3.3.5 The flouting of the Occupational Health and Safety Act

Albeit the call by both government and its departments for the promotion of healthy, safe and secure work environments, many schools are still fertile grounds for accidents, assaults and violence. In my view, this situation prevails because the SGBs as well as principals of many secondary schools in the Free State are not aware about the impetus of the Occupational Health and Safety Act No. 181 of 1993 (hereafter OHSA). This act empowers schools to establish safe and healthy environments for all and sundry.

Due to ignorance and lack of good leadership, many principals leave their schools as breeding grounds dangerous workplaces (cf.paragraph2.2). This problem is made

profound by the inability of the SGBs and SMTs to instil learner discipline. It has been mentioned elsewhere in this discussion that most of the SGBs at township schools cannot develop a strategic code of conduct for learners. Hence these structures should be blamed for providing harmful school environments. In an undisciplined school environment, both the physical and psychological safety of teachers and learners cannot be guaranteed.

These problems are discussed in the paragraphs that follow:

3.3.6 Factors affecting the safety of learners and educators

Lack of capacity by many SGBs to develop and implement a strategic code of conduct for learners leave staff members and learners exposed to physical harm. In terms of regulation 4 (2) (f) of the schedule of the Regulations for Safety Measures at the public schools of 2001; no person may cause any form of violence or disturbances which can negatively impact on any public school activities. In my opinion lack of code of conduct for learners breeds fertile grounds for violence by learners on learners, learners on teachers, or teachers on learners (cf.paragraph2.5.2).

This situation has a negative psychological impact on both the victim and the perpetrator. The culprit thinks that it is acceptable to intimidate and assault others. On the other hand the victims spent sleepless nights when they think about coming to school the following day and to only be violated. Unfortunately the end result is that the victims become withdrawn in school premises. They become so ashamed due to bullying and their academic and other school activities drop. The unexpected results are that many children will drop out of school or they will be forced to change schools unnecessarily.

In other instances the problem is that by knowing that there are gangsters at school, many learners cannot concentrate in class because they think that there could and attack at any given time. Boys become worried that they could be forcefully recruited to join gangsters. If they refuse then they could be stabbed with knives. On the other side girls are worried about imminent rape both at school or on their way home by these gangsters who roam school premises as if they are genuine learners.

In extreme circumstances rape is used by bad elements within schools as a weapon of intimidation to girls. Such incidents make victims to constantly ponder what might

happen to them whilst they are at school. Worse if something like that might have already happened to their friends. Such schools have dismally failed to make arrangements for ensuring, as far as reasonably practicable, the safety and absence of risks to both their psychological and physical health (cf.section8 (2) (c) of OHSA). In agreement with this act is section 6 (3) of EEA which promulgates that harassment of an employee and therefore of learners is a form of unfair discrimination and is prohibited on ant one.

Therefore by merely knowing that the school uses the law in its day-to-day business, both teachers and learners will not worry about their safety. They will be able to concentrate on the academic school work. As opposed to having their minds focused on their personal safety. That is why the SGBs should take into cognisance the psychological well-being of their learners and teachers when they draw school plans.

Section 8 (2) (h) of OHSA provides that the employer is duty bound to enforce such measures as may be necessary in the interest of health and safety of all the employees. I see a contrast here in as far as what is practically happening in many secondary schools at townships in Free State Province. Many schools lack respect for both girls and female teachers, and they are not safe in these school environments (cf.paragraph2.4.3.2).

In these school environments teachers and learners are experiencing stress and trauma due to unsafe and unprotected workplaces (Oosthuizen *et al*; 2014:260). Such SGBs are further exposed to negative criticism because of their incapacity to formulate policies including the code of conduct for learners (cf.paragraph2.2.1).

Central to the creation of effective management of organisational systems in secondary schools at townships in Free State, is the role of the principal. No matter how hard they try to employ safety and security measures for their schools, they fail because they themselves are victims of intimidation, attack, assault and murder (cf.paragraph2.6.4).

They are forced to work under unbearable conditions even though the DBE is aware of their plight. Take for instance section 8 (2) (f) OHSA which provides thatas far as is reasonably practicable, not permitting an employee to do any work.....unless precautionary measures have been taken to safe guard employees. In my view the DBE and the SGBs are failing to create safe schools for both teachers and learners. This leads to sickness and unnecessary stress.

Poor environmental conditions also cause a serious distress to learners and teachers. Take for example the issue of the toilet saga in Limpopo and Eastern Cape Provinces (cf.paragraph2.8.1.2). Teachers and learners who are exposed to these dangers are experiencing psychological problems. By merely being aware of what has happened to another person will leave you with serious psychological scars.

You constantly think that it could have been you or it will be someone else close to you in future who may fall to their death in the pit toilet. This is good example of the situation of safety issues at many schools even in Free State. Many schools are still non-compliant in terms of the implementation of the policy on Norms and Standards for School Infrastructure. In agreement of this dilemma is the report that 68 schools have no sanitation facilities throughout the country.

This number may increase if further research is conducted because schools lose the functionality of their toilets almost on daily basis. Added to this is that 4986 schools have pit toilets in this country (Savides; 2016: 2)¹⁵⁹. By closely looking at this problem one can come to the conclusion that many children are in trouble because they cannot use dirty toilets whilst at school. Therefore they become sick or develop bladder problems due to them having to keep urine in their bladder for longer periods.

I am concluding this matter by saying that some of the secondary schools at townships in Free State contravene section 9 (1) (c) of the OHS Act when they fail to conduct themselves in such manner as to ensure, as far as reasonably practicable, that persons in their schools are not exposed to hazards to their health or safety. I see this impasse as a serious indictment on both the DBE and SGBs because even today, many school toilets, classrooms and school grounds are not safe for habitation by people.

3.3.7 Factors affecting the physical safety of learners and educators

In Chapter 2, the negative role of rogue elements in teacher unions was discussed. For instance, intimidation and murder of principals by bad elements in SADTU (cf.paragraph2.5.2) is a cause for concern. In my view, threatening and killing of teachers and principals in school premises leave others with the feeling that “if it can happen there or in that school, it can also happen here or to me”. Accordingly, acts

¹⁵⁹ <http://www.timeslive.co.za>

of violence which leads to actual deaths indicate the violation section 8 (2) (b) of OHS Act which provides that it is the employer's duty to take steps as may be reasonably practicable, to eliminate or mitigate any hazard or potential hazard to the safety or health of employees (teachers and principals) as well as safety and health of learners in the school premises.

But the DBE is failing to provide schools with security personnel. Violence and assault are common occurrences throughout the country. Perpetrators, be it teachers or learners, are at fault because they contravene section 4 (2) (h) of the schedule for the Regulations for safety measures at public schools of 2001, when they directly or indirectly cause harm to anyone, who exposes another person who makes an attempt to frustrate the prevention of dangerous objects and activities.

Perpetrators refuse to be reported. For example, gangsters who have infiltrated township schools are known to sell some goods including dagga during teaching time in some schools at Sebokeng Township¹⁶⁰. They commit this crime with impunity. They know that everyone else is afraid of them both within the school premises and in the location. This could also be a situation that prevails in secondary schools at townships in the Free State Province.

In terms of regulation 4 (2) (c) of the schedule of Regulations for Safety Measures at the public schools of 2001; no person may store any dangerous object in the school premises with the intention to harm others. Surprisingly there are teachers who continue to beat up learners during teaching time. They rely on corporal punishment to maintain good discipline in their classrooms.

These teachers use sticks and "hose-pipes" to inculcate good behaviour in learners. These weapons are kept at school in cup-boards. Such teachers infringe the regulation above because they did not get permission from the principal to keep whips and other dangerous objects in the school premises. When asked to account why they keep these weapons at school they respond by saying that the abolishment of corporal punishment has resulted in many disciplinary problems for their schools (cf.paragraph2.4.3.1).

In as far as I am concerned the sticks which teachers use to beat up learners are not supposed to be at school. I suppose that it is commonly known by all teachers that

¹⁶⁰ <https://www.enca.com>.

corporal punishment is illegal. Therefore some teachers in secondary schools at townships in Free State Province are ignorant to both common and criminal law principles.

The discussion that will follow will dwell on the principles of common law in education.

3.4 Common law in education

It is very important at the beginning of this discussion to pause for a moment in order to ponder and understand the origin of common law in South Africa. In my view, the decisions and actions taking place in our schools should be based on the principles of common law in education. Therefore these deliberations will allude to the definition of common law.

The South African common law originates from a hybrid of legal systems¹⁶¹. The main influence is from European countries. Although common law is unwritten, but it can be defined as unmodified and interweaved legal principles and traditions from Roman-Dutch, English laws, as well as African customary laws (Joubert et al; 2011:20 & Oosthuizen *et al*; 2014:105).

In the light of what is said above, it becomes clear that common law is mixture of different legal systems. It is also a product of historical developments (Joubert et al; 2008:21). Therefore I draw the conclusion that in common law there are provisions of legislation, and in this case, education legislation, case law, criminal law, labour law as well as decisions of the courts. In simpler terms, common law principles are applied to court decisions in order to help ensure that similar cases end up with similar results¹⁶². It is therefore necessary for me to give an account of common law principles that I believe are being ignored by various structures in secondary schools at townships in Free State.

3.4.1 Ultra vires

Ultra vires is a Latin phrase which means “beyond the powers”¹⁶³. For example, rogue elements in SADTU have usurped legal powers bestowed on SGBs to appoint teachers in their respective schools (cf.paragraph2.5.2). These people have acted beyond their mandate because it is not their responsibility to influence and to decide

¹⁶¹ <https://www.en.m.wikipedia.org/wiki/Com>

¹⁶² <http://www.legaldictionary.net/common-law>

¹⁶³ <http://www.en.m.wikipedia.org>

about who gets appointed. They have acted beyond their legal authority (Hienstru & Gonin in Oosthuizen et al; 2014:109).

In my view strong teacher unions are used to transgress administrative laws with impunity. Aggressive leaders tend to use their populism to sway the decisions of vulnerable SGBs and SMTs. This is another reason the said schools are struggling with the discipline of both teachers and learners. The main reason is that the affected persons have the knowledge that those incumbents of certain posts in their schools may have bought their way up.

These rogue elements act beyond their mandate because they continue to intimidate principals, sell posts, and perpetuate sexual abuse of girls by bad teachers. They defend teachers who become absent unnecessarily and reject any move by the DBE to take disciplinary action against poor performing teachers. This labour union is failing to put our children first by making itself a roadblock in the way for positive changes needed by secondary schools in this study¹⁶⁴.

I have alluded to the incident of the toilet saga elsewhere in this discussion. In my view, the Minister of education has acted unreasonably by defending herself in a court of law when the family of the victim sued her. She has failed to ensure that schools are safe havens for children during school hours. She has also failed dismally to put measures which helped schools to avoid loss of life or injury (cf.paragraph2.2.2).

I conclude this point by saying that both the DBE officials and the Minister have exceeded the ambit of their statutory powers by defending themselves when in fact they were supposed to apologise to the nation and compensate the grieving family¹⁶⁵. Their actions were therefore immoral.

This brings us to the principle of *contra Bonos Mores*.

3.4.2 Contra bonos mores

¹⁶⁴ <http://www.iol.co.za>capeargus>sadtu-bad-c>

¹⁶⁵ <http://www.uir.unisa.ac.za>

Contra bonos mores is a Latin term meaning *against good morals*¹⁶⁶. In my view, teachers who force themselves on innocent girls at schools and penetrate them sexually are very much immoral professionals (cf.paragraph2.7.1).

I cannot fathom the actual motives of teachers who knowingly infect innocent school girls with HIV virus. Therefore they are supposed to be arrested and charged with murder because they have involved themselves in the so called *revenge sex*. This happens when an HIV/AIDS infected person sleeps around and engages in unprotected sex with victims who are unaware of their status¹⁶⁷.

It is one community value accepted that teachers are supposed to be protectors of all children. Unlike what is happening in the secondary schools at township in Free State where teachers fail to ensure that they replace parents of their learners when they are at school, instead they have sex with them and they even go to an extent of filming the incident¹⁶⁸. This brings us to the discussion about *in loco parentis* principle.

3.4.3 In loco parentis

The term *in loco parentis* is derived from Latin and it means *in the place of a parent*¹⁶⁹. At school, an educator who acts in loco parentis has to meet the obligations and the responsibilities of a parent. This means that the duties of caring, protecting and ensuring that safety of learners are of paramount importance. But in my view teachers in most of the secondary schools at townships are oblivious to these duties. Take for example the bad conditions of the physical facilities in many of these schools.

Toilets are dirty and dysfunctional, school grounds are inhabitable and windows are broken (cf.paragraph2.2.2). In my view, both principals and teachers at these schools are not compliant to the principle of in loco parentis because their learners are exposed to imminent health hazards and other dangerous situations. Their obligation to safeguard both the physical and psychological safety of their learners is in jeopardy (Oosthuizen et al; 2014:126). This is because they cannot even supervise the affected children to clean up their toilets.

¹⁶⁶ <http://www.merriam-webster.com>

¹⁶⁷ <http://www.ncbi.nlm.nih.gov>

¹⁶⁸ <http://www.iol.co.za>

¹⁶⁹ <http://www.law.cornell.edu>wex>

In addition to this dilemma, it is the responsibility of the teachers to maintain order in the school. In past dispensation, the administration of corporal punishment was embedded in common law principle of *in loco parentis*¹⁷⁰. Today this principle is repealed by the Bill of Rights as stipulated in the Constitution (cf.section12 (1) of the Constitution).

However, there are teachers in many secondary schools at townships in Free State who still apply corporal punishment as means to maintain order in their classrooms (cf.paragraph2.4.3.1). This is illegal because the application of corporal punishment is the perpetuation of violence. The law dictates that children have the right to family care or parental care or to appropriate alternative care when they are removed from family environment (cf.section28 (1) of the Constitution).

Therefore teachers who apply corporal punishment are in violation of the *in loco parentis* principle because they fail to take appropriate measures to safeguard and protect children from any form of harm or injury when they are at school¹⁷¹. I conclude this discussion by saying that parents, guardians and teachers are compelled by law to protect children from both physical and psychological harm. Teachers in particular, are supposed to assume the role of parents when children are at school (Joubert et al: 2011:140).

3.4.4 Dolus eventualis principle

Dolus eventualis murder, also called common murder, can be defined as an intentional act where the perpetrator foresees that his/her action will result in someone dying but persist with his/her action regardless of the foreseeable consequences¹⁷². Take for example the killing of Principal Nokuthula Magwanyana. Her killers started by warning her that if she does not resign from her principal's post then she would die (cf.paragraph2.6.4). They wanted her to make space for their favoured person. Maybe this invisible person could have paid them already.

Threats, assaults and actual killings of innocent principals and other SMT members are not uncommon in some of secondary schools at townships in Free State. In *Dolus eventualis*, the culprit will get lesser sentence because they are charged with

¹⁷⁰ <http://www.journals.koers.aos>

¹⁷¹ <http://www.journals.co.za>codi>EJC26734>

¹⁷² <http://www.inependent.co.uk>

culpable homicide. In my opinion people who maim and kill principals do so with the full knowledge that they will get a lesser sentence to jail.

This makes SMT members to be reluctant to take action against such persons. Ultimately they lose interest in their work because they know that they are not safe. This problem is made profound by the feelings of insecurity experienced by teachers in secondary schools at townships in South Africa. They know that strangers access school grounds with ease and some learners carry guns and other weapons to school (Masitsa; 2011:172).

3.4.5 Bonus pater familias principle

Bonus Pater familias is the Latin term for “father of the family”¹⁷³. Such a person can assume the position of the head of the family, organisation or state. Their role is to protect. In terms of section 83 of the Constitution, the president of the Republic of South Africa is the head of the State as well as the head of the National Executive. Therefore President Zuma is the father of the nation. He must be a *bonus pater familias*¹⁷⁴.

This is analogous to the role of being a good and reasonable family man. In terms of his responsibility for his nation, the duty of civil liability for his nation is determined by his reasonableness (*bonus paterfamilias*)¹⁷⁵ in ensuring the safety of citizens wherever they are, even in schools. In my view the State President is indolent to the plight of many children and their teachers in secondary schools at townships across Free State. Take for example the killings of deputy principals and head masters within the school yards (cf.paragraph2.6.4) and the presence of gangsters in many schools across the country (cf.paragraph2.7.3).

Some of the gang members are dangerous learners who come to school armed with pangas¹⁷⁶ in full view of the community members and teachers. The President is liable to his civilians. He should, like a good father, send the army to such schools so that trained people can deal with thugs. Everybody will be safe, because there will be no blood bath as it happens when schools and communities attempt to take law into their own hands.

¹⁷³ <https://www.definitions.ulegal.com>

¹⁷⁴ <http://www.en.m.wikipedia.org>

¹⁷⁵ <http://www.duhaime.org>legaldictionary>

¹⁷⁶ <http://www.iol.org>

3.4.6 Natural justice as principles of common law

Section 33 (1) of the Constitution provides that everyone has the right to administrative action that is lawful, reasonable, and procedurally fair. In relation to this stipulation, the rules of natural justice have yielded principles such as (i) *audi alteram partem*, and (ii) *nemo iudex in propria causa* (Oosthuizen *et al*; 2014:111). In my view the management of organisational systems in secondary schools at townships in Free State is negatively affected by principals who ignore these principles when they discipline teachers and learners.

Firstly, *audi alteram partem* rule refers to “hear the other side of the story” (Oosthuizen *et al*; 2014:111). The omnipotence inherent in this principle is that no one should be punished until he/she is given an opportunity to defend themselves¹⁷⁷. In contrast to the application of this principle, we see the continuous application of corporal punishment in many schools. The meting out of this sought of punishment is against the principle of *audi alteram partem*.

For example, teachers who beat up children for arriving late at school or for failing to complete their homework deny them the opportunity to state reasons why they have committed those offences (cf.paragraph2.4.3.2). I posit that such teachers also break the law because they keep dangerous weapons such as sticks and hosepipes at school without the permission of the principal.

Secondly, some of the principals are guilty of *nemo iudex in propria causa*. This is a principle of natural justice meaning that you can never be the judge in your own case or assuming the position of a player and the referee at the same time (Oosthuizen *et al*, 2014:111). Take for instance principals who dominate discussions, be it SMT, staff or SGB meetings. They hide important information in the form of circulars, resolutions from the DBE from other stakeholders with the intention of manipulating administrative decisions to their favour (cf.paragraph2.6.1).

In conclusion if principals have vested interest in a specific matter, they will be biased in arriving at solutions if they do not recues themselves. This could be a reason why many teachers and parents are forever disgruntled in their schools. A good example is that where a person stands to gain monetarily if a decision is made in particular way (Oosthuizen *et al*; 2014:119).

¹⁷⁷ <http://www.legalservicesindia.cm>

In the following exposition attention will be on the influence of court decisions which ultimately influence the education landscape. Therefore case law will be discussed.

3.5 Case law

3.5.1 Introduction

As it has been seen in the previous discussion, common law is not enacted by Parliament, but comes as a result of customary, traditional and historical developments (cf.paragraph3.8). Case law comes as a result of court decisions over a particular matter or legal dispute. Case law can be defined as judicial rulings handed down previously by various courts (Joubert et al, 2008:21). It is a precedent *ratio decidendi* from which a reason to arrive at a particular judicial decisions is based. Case law is anchored on decisions that have been made by judges in the past¹⁷⁸.

It is very important for any court of law to ascertain that before a court decision is turned into case law; that court decision does not supersede the precedent system that is outlined by the Constitutional Court, Supreme Court of Appeals, High Courts or the Magistrates Courts. These courts play a prominent role in contributing to the legal rules of South Africa. The dogma of precedent, which is called *stare decisis* means that a competent court has set an authoritative pattern thereby creating a new legal rule which can be applied by other courts if an analogous case (tried previously) is heard in another court.

This simply means that a court trying a case stands by the decisions taken by the previous court if the present case is similar to the previous one. This is the reason why the court decisions should be published in the law book or law reports before they can be classified as case law. In my opinion, this practise is beneficial to the education system because of many legal battles that are taken to court from schools and the DBE. For example, when an issue about learner safety is taken to court, the resulting judicial decision will serve as guideline for similar cases from other schools.

In concluding this discussion, it becomes apparent to reflect on the differences between case law and legislation. Legislation is the process by members of parliament, or legislators at provincial level, through which they create laws, whereas

¹⁷⁸ <http://www.dictionary.cambridge.org>dictionary>

case law refers to legal precedents which were passed by the judiciary after they have presided over a case in a court of law¹⁷⁹.

In this research project, the judgements of the cases from schools are of interest to me. This is because the education kaleidoscope in South Africa, is influenced by the ever shifting patterns of education legislation. Problems experienced by secondary schools at townships in Free State come into play. They include and are not limited to negative discipline, lack of safety within the school premises, graft, undue influence of labour unions in schools, and issues of murder and assault within these schools (cf. paragraphs 2.2; 2.3; 2.4; 2.5; 2.6 & 2.7). These cases end up being referred to courts of law because judicial decisions are binding. They have become powerful tools which force governments, SGBs, SMTs and other stakeholders to respect, protect, and fulfil the rights of learners and teachers¹⁸⁰.

I have observed that the functioning of the DBE, SGBs, SMTs and RCLs are not in sync. I will therefore examine a case of negligence. In this case a child learner was injured in the school premises after a device with protruding copper wires exploded in his hands. This case was brought before the South African court. The cases which interest me are those on which decisions have already been taken by courts and have already been recorded in the law book or law reports.

When cases are written in the law book or law reports, they reflect the name of a judge who took the decision on the case; the court in which the case was tried; the name of the respondent/ defendant (accused); the name of the plaintiff/applicant (complainant); the case number; and the date on which judgement was delivered (*Oosthuizen et al*; 2014:140 & *Joubert et al*; 2008:23-24).

- a) **Title of the Case:** Member of Executive Council for Education (MEC) v Onica Skhosana obo Solomon Skhosana
- b) **Neutral Citation:** MEC for Education: Mpumalanga v Skhosana
- c) **Case Number:** 523/11
- d) **Date on which the verdict was delivered:** 17 May 2012
- e) **Court that took decision:** North Gauteng High Court: Pretoria
- f) **Coram:** Nugent; Heher; Cachalia JJA; McLaren and Petse AJJA

¹⁷⁹ <http://www.quora.com>

¹⁸⁰ <http://www.r2e.gn.apc.org>node>

g) Applicant/Appellant: MEC for Education: Mpumalanga

h) Respondent: Onica Skhosana obo Solomon Skhosana

3.5.2 Background of the case

This is the case of negligence by one of the teachers from Tjhidelane Primary school in Mpumalanga. The incident took place on the 15th August 2007 when Solomon Skhosana, 12 year old, grade 5 learner, and son of Onica Skhosana (respondent); has sustained serious injuries when an electronic device exploded in his hands within the school premises, although it was after school.

Actually, the MEC for Education in Mpumalanga (plaintiff) has appealed the finding of the court that both the DBE and the teacher were indeed negligent. Their ignorance to learners' safety resulted from a situation where an electronic device with protruding copper wires was confiscated earlier in the day by a teacher, Ms Mashiane. The same unfamiliar device was given to Solomon by Mbali, another learner. She (Mbali) has requested Solomon to connect the unfamiliar device to the small battery he had taken to school for a ship-building school project. It was unclear during the court proceedings how the device got back to Mbali.

3.5.3 Court decisions

This appeal case was heard on the 3rd May 2012 and the judgement was delivered on the 17th May 2012 on appeal by the North Gauteng High Court, Pretoria. The MEC (appellant) was represented by Mr Nonyane and Ms Skhosana (respondent) was represented by Mr Ströh.

The court ordered for the appeal to be dismissed with costs to two counsels. This judgement was made by Cachalia JA (Judge of Appeal) with Nugent JA and McLaren AJA concurring. On the other side, Heher JA (Judge of Appeal) expressed that absolution from blame would have been a better court order. And Petse AJJA concurred. Matojane J was sitting as court of first instance.

As has already been mentioned above, this is an appeal case which was tried at the North Gauteng High Court. The appeal was made by the MEC for Education in Mpumalanga. In my understanding the Mpumalanga Provincial Government was found to be liable to the injuries sustained by Solomon Skhosana, a 12 year-old-grade 5 school-learner.

The presiding judges then separated the two issues of liability and quantum damages. They only proceeded on the matter of liability. The court decided to set aside the question of damages for later determination. This means that the MEC still had to pay for damages because the appeal case was dismissed. The outcome of the initial Court still stands. There is no monetary value attached to the court finding.

3.5.4 Implications of this case for school management

As can be seen from the discussion above, this case was dismissed with costs to the MEC. In my opinion the court order was fair. It is in agreement with my supposition that the management of organisational systems within secondary schools at townships in Free State is fraught with serious challenges. The judges who presided over this case are aware that children are supposed to be kept safe by their schools as it would be the situation when they are at home (cf.paragraph3.7).

Potential danger is always looming in and around school premises during the execution of school activities (Oosthuizen *et al*, 2014:187). Regrettably, Solomon Skhosana's rights to safety were grossly violated by both his school and his teachers when he was left unsupervised after school, but within school premises. In my opinion, the SGB, SMT, RCL, Principal, and the teachers have been negligent. The indolence of these structures from Tjhidelane Primary school can be inferred to many schools around the country, including secondary schools at townships in Free State. Their negligence is discussed in the paragraphs that follow:

3.5.4.1 Negligence of learners' safety

The time during which Solomon was injured is very crucial. The accident happened at 14H00. Although it was after school, but the boy was supposed to be under supervision until his parents have collected him. I therefore assert that the SGB of that school has neither formulated nor implemented the safety policy for the school as well as the code of conduct for learners (cf.paragraphs3.7 & 2.2.1). Both these documents would have included the aftercare procedures. In this instance there was supposed to be a teacher on duty for supervision of learners who are waiting for their parents.

Besides this, the SGB did not set times for supervision as it is their legal duty to do so. The court has dismissed this case because the MEC for education in Mpumalanga did not see to it that the SGBs under his care have adopted policies

with the aim of protecting both the physical and psychological well-being of teachers and learners (Oosthuizen *et al*, 2014:294). The indolence of the Tjhidelane Primary School's SGB is a good example of the real situation in many schools, especially in secondary schools at townships in Free State.

Just like the SGB, the SMT of Tjhidelane Primary School is also at fault.

3.5.4.2 Poor Management of safety and security

One of the most important duties of the SMTs is to support the SGB by formulating policies for adoption. They are also tasked with ensuring that those policies are indeed implemented by their schools (cf.paragraph2.4.2). In my view Solomon would not have sustained injuries if the SMT could have publicly displayed the safety policy for everyone to see and to abide by it (Joubert *et al*, 2008:157).

Going further with this fact is the problem of lack of synergy among the teachers and the SMT. I am of the view that Ms Mashiane, Solomon's teacher, has taken a good step by confiscating the electric device with protruding copper wires. But she did not present that device to the head of department or to the safety officer. If this was done then someone with better knowledge could have cautioned everyone else about the potential danger of that device. It was an explosive material because in court testimonies, the device exploded when it was connected to the battery that the boy had.

Clinically and carefully planned safety measures should be executed when children and teachers use electrical appliances for completing school projects. Hence the OHSA instructs SMT members to identify potential dangers which could result in damage of property and to a person (body) before an experiment is undertaken (Joubert *et al*, 2008:162). I want to conclude this discussion by saying that it is not only the SMT of this school that is found wanting about safety issues, but many SMTs remain ignorant to the potential dangers in their schools because of lack of proper management systems.

SMTs supervise teachers. These are the foot soldiers of the State because they are at the service point and interact directly with the people who voted the government into power in as far as education is concerned.

3.5.4.3 The negative role played by educators

The North Gauteng High Court in Pretoria has indeed dismissed the appeal case by the MEC for Education in Mpumalanga against Ms Onica Skhosana, Solomon's mother for a myriad of reasons. One of the reasons is that Ms Mashiane did not observe or practise the *in loco parentis* principle. She is legally bound as an individual person to ensure that the device was not dangerous before returning it to Mbali, the girl who brought the device to school. Teachers have the autonomous right to maintain authority over children when they are at school. They are delegated tasks which give them the authority to ensure their effective implementation (Joubert *et al*, 2008:148).

If lack of safety measures has resulted in Mbali unlawfully taken her device back, then this authority was overruled by lack of stringent safety systems within this school. By implication, the secondary schools at townships in Free State are faced with the same dilemma. Learners in these schools have a habit of not carrying out their teachers' instructions. There are classrooms with protruding electric wires, broken windows, as well as broken furniture.

Learners may trip and fall over these items resulting in them being seriously wounded. Hence Solomon and maybe many other learners in other schools end up sustaining serious injuries within the school premises. For example, Solomon's teacher did not perform the duty of caring supervision in order to uphold the sound psychological and physical welfare of this boy and other children (Oosthuizen *et al*, 2014:126).

Both the SMTs and the teachers are under the supervision of the principal. Let's see how this lack of vision has impacted on this case

3.5.4.4 Principal's poor vision as a leader

When I analyse this case, particularly the evidence presented to the judges, I came to realize that there is no mention of the principal in this saga. I am concerned about the fact that the Tjhidelane Primary School's principal lacks the so called visionary leadership. S/he is supposed to have realized that children who wait for longer hours after school before their parents collect them were in need of supervision. The principal is the centre of all activities of the school. But in this case s/he was myopic to his/her legal duties in terms of implementing the prescripts of OHS&A. As can be

seen from Solomon's injuries, the principal has allowed teachers to use industrial and electric devices with protruding copper wires without protection for both learners and themselves (Joubert et al, 2008:156).

This scenario is similar to the conditions that prevail in many secondary schools at townships in Free State where there are many classrooms with protruding electric wires. Just like the MEC for education in Mpumalanga, other senior government personnel will lose cases because most of them do not ensure that their principals and teachers collaborate to establish safe, and risk-free school environments for all and sundry (Joubert et al, 2011:157).

The court order against the MEC from Mpumalanga has set precedence. Oosthuizen et al (2014:202) refers to the principle of *vicarious liability* when explaining the consequences of Solomon's case. It takes place when the employer has to be liable for damages and injuries sustained by a learner when they were completing the school projects. Therefore the parents, just like Onica Skhosana has done, will sue the DBE for the delictual mistakes by its employees. In my opinion, there are many instances or situations which may lead to the DBE being sued.

Take for example the situation in many schools where there are broken windows, filthy toilets, classrooms with pot holes, and broken furniture that is lying around both inside and outside classrooms (cf.paragraph2.2.2). Principals who allow such hazardous conditions to prevail in their school are also guilty of failing to fulfil the principle of *bonus pater familias*. They cannot protect their learners against harm or any danger just like a father would do when his family is in dire straits (cf.paragraph3.8.5).

3.6 Conclusion

The legal powers bestowed on the SGBs indicate that South Africa is a judicial state. The court order to dismiss the MEC's appeal with costs indicates that both the DBE and the SGB can and they can also be sued. In this instance the state was sued and it appealed but lost. It was ordered to pay because its employees have floundered. Considering the ramifications of such cases, the DBE should act proactively because for now, parents from townships are still illiterate about how to go about when the schools have wronged them. Ms Onica Skhosana is a good example of what can happen I all parents and guardians would want to bring their problems to court. I

believe that there are many learners that were injured from school but without any recourse from the DBE.

CHAPTER 4

4. THE COMPREHENSIVE EXPLANATION OF RESEARCH DESIGN

4.1 Introduction

I explained the concept research design in Paragraph 1.9. To refresh our memories, let me reiterate that the concept 'research design' refers to a plan that assists a researcher to conduct research¹⁸¹. In my case, I designed or planned this research project the way I thought it would address the research questions, the aim, the objectives and the problem of this research project that I identified in Paragraph 1.6.

To clarify the assertion I made in the forgoing paragraph, a mention must be made that I also planned or designed to embark on this research project by employing action research because it afforded me and the persons attached to the secondary schools the chance to identify management problems facing the secondary schools in the townships. It also assisted us to resolve the problems we identified, and then to reflect upon how successful our efforts were. Lastly, where we were not satisfied, we tried again until the problem was solved¹⁸².

Secondly, I planned to use methods of research such as the dialectic, hermeneutic, and phenomenological method, which of course overlaps with the dialectic and hermeneutic methods (cf. paragraph 1.11). These methods were found to be suitable because they assisted me to achieve the aim and the objectives of this research project. A careful choice of sample for this research was made. For example, I chose to employ groups that appear in Figure 1.2 as a sample of this research to enable me to address the problem identified in Paragraph 1.6.

Lastly, to avoid confusion, I planned to differentiate between hypotheses which are used by quantitative researchers from a working assumption which is used by qualitative researchers (cf. paragraph 1.13). The research paradigms that are the framework within which I conducted this research were cautiously planned. It is very difficult, if not impossible to conduct research if a researcher does not plan the data collection tools. In this regard, I planned to use the reading of documents, interviews, discussions and observation as data collection tools.

¹⁸¹ [http://research-methodology.net/research-methodology/research-design/\(http://research-methodology.net/research-methodology/research-design\)](http://research-methodology.net/research-methodology/research-design/(http://research-methodology.net/research-methodology/research-design)).

¹⁸² <http://www.web.net/~robrien/papers/arfinal.html>.

Following what is said in the foregoing paragraphs one is inclined to draw a conclusion that in order to conduct research, a researcher must first design it. The discussion below sheds more light on how I planned to conduct this research.

4.2 Methodology

Many researchers use the concepts methodology and method interchangeably when in actual fact, the two concepts are not the same and they do not mean the same thing¹⁸³. Be that as it may, the two concepts are related. The concept methodology answers the question “how?” To have a clear understanding of what is meant by this, it is important to make this analogy: if, for instance, a person wants to cut a tree, (s)he asks a question “how can I quickly and neatly cut this tree?”. The answer may be, by using an axe or by using a saw.

So is the case with a person who wants to conduct research. This person may ask the question “how shall I best conduct this research?” The answer may be, by using qualitative methodology or quantitative methodology. The term ‘methodology’ therefore refers to a vehicle that a researcher uses to conduct research or a mode of research. This postulation is supported by one scholar who defines methodology as “*the study of how research is done, how we find out about things, and how knowledge is gained*”. This scholar goes on to say that methodology must be seen as “*a principle that guides research practices*”¹⁸⁴.

So far as this research is concerned, I have decided to use action research embedded in qualitative methodology in order to authenticate the findings of this study which came about as a result of collaborative participation (cf. paragraph 6.2). The concept ‘action research’ refers to a situation where a researcher collaborates with a group of persons who constitute a secondary school as an organisation to diagnose the problems or the challenges that face the township secondary schools. They do not only detect the problems, but they also devise solutions with a view of eradicating the problems¹⁸⁵.

Secondly, I have chosen to use action research because of the environment of the township secondary schools that is constantly changing as well as the conduct of

¹⁸³ <http://pediaa.com/difference-between-research-methods-and-research-methodology/>

¹⁸⁴ <http://whanauresearch.co.nz/news/method-or-methodology-whats-the-difference/>

¹⁸⁵ <http://www.web.net/~robrien/papers/arfinal.html>.

educators and learners that has changed. For instance, lately learners publicly smoke dagga on the premises of most township secondary schools, while both learners and educators show no respect for the principal (cf. paragraph 1.3).

By using action research I believed that problems or challenges of the secondary school as an organisation could be collaboratively solved by me and the legal persons constituting the township secondary schools in the Free State Province. At this juncture, it is important to mention that action research has features that must be taken into consideration by researchers who have chosen to use this methodology. The features that must be taken into consideration are: planning, action, observation, and reflection. What is said here can be diagrammatically represented as follows:

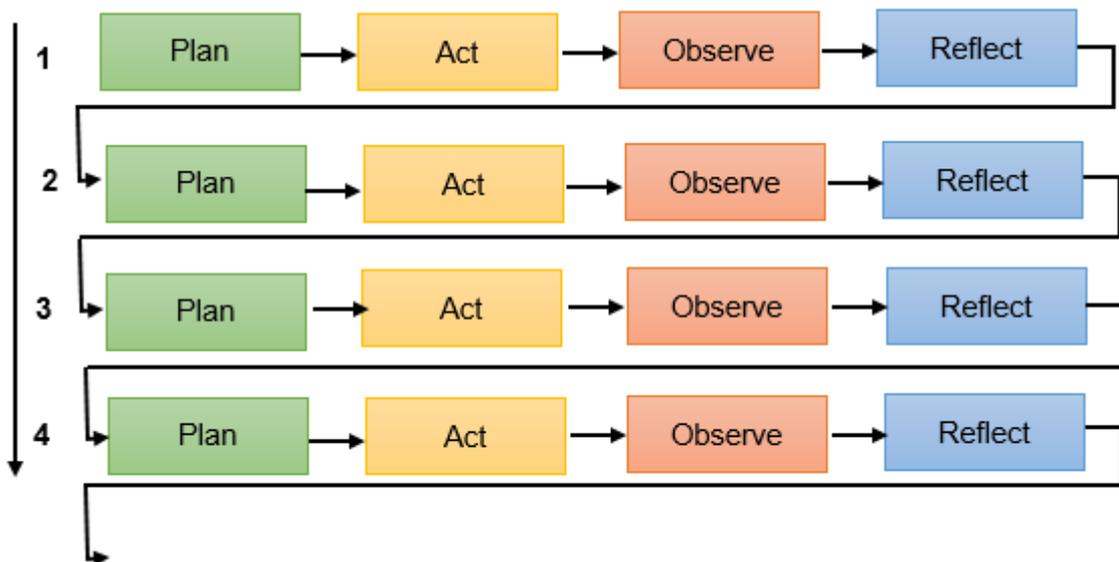


Figure 4.1: The features of Action Research that must be considered

The conclusion that is drawn from Figure 4.1 is that when action researchers, together with the collaborators (participants) have decided to use this methodology, they start by planning in order to initiate change in their management practice. This is followed by the implementation of the change that they suggested or came up with. The researcher and the participants then observe whether what they put into practice yielded expected results i.e. the consequences of the implementation of their action. Lastly, both the researcher and the participants (collaborators) reflect on the process of change.¹⁸⁶

¹⁸⁶ [http://edglossary.org/action-research\(http://edglossary.org/action-research\)](http://edglossary.org/action-research(http://edglossary.org/action-research)).

As may be deduced from the foregoing paragraph, action research is a beneficial methodology of research in that the findings came about as the result of a bilateral endeavour. Though this methodology looks good, it consumes a lot of time if one wants to use it properly. In Figure 4.1, there are discernible stages that must be followed by both the researcher and the participants (collaborators). These stages imply that action research is an on-going process which may take a semester or even a whole year whilst being conducted. In the case of this study, we were able to follow only the first stage shown in Figure 4.1 because of time constraints.

4.3 Methods of research

In Paragraph 4.2 I spelled out that many scholars confuse method and methodology as one, when in actual fact they are not the same. Strictly speaking, there are differences between the two concepts. One of the differences is that a method of research may fit certain quantitative research topics or a specific subject, whereas qualitative methodology fits all social or human science research¹⁸⁷. The following practical example clarifies the concept of a method better.

If a person wants to undertake a journey, (s)he decides on the transport that will help her/him to reach her/his destination. Before a journey is undertaken, a traveller asks a question “what will I use to successfully reach my destination?”. The answer to this question may be, by train, by aeroplane, by bus, or by ship. Each of these fulfils a certain purpose for the traveller. For example, if the traveller uses a ship, (s)he will definitely see different things than are seen by one who uses a train along the way.

Similarly, a researcher who wants to start with her/his qualitative research asks herself/himself a question “what can I use to effectively conduct this research in order to address the research problem I identified, as well as the aim and objectives of my research project?”. The answer to this question is by using qualitative methods of research. The concept ‘method’ means a tool, technique or even a procedure or a process that a researcher uses in her/his research in order to address the statement of the problem as well as the aim and objectives of the research¹⁸⁸.

In this way, researchers gain a new body of knowledge. Qualitative research does not only use one method. Instead, it uses a number of methods from which a

¹⁸⁷ <http://simplyeducate.me/205/02/15/method-methodology-difference/>.

¹⁸⁸ <http://whanauoraresearch.co.nz/method-or-methodology-whats-the-difference/>.

researcher chooses. A researcher makes a choice in line with her/his research topic. In this research project, I used dialectic, hermeneutic and phenomenological methods as procedures and processes that elicited the information or data needed for this research project. What is said here is diagrammatically represented in Figure 4.2 below.

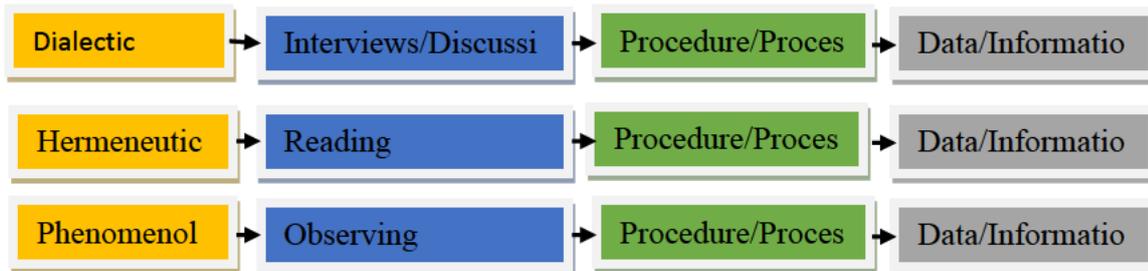


Figure 4.2: The procedures and process that researchers follow to elicit data

4.3.1 Dialectic method

The word dialectic has been derived from the word dialogue, which means a conversation or a talk between two or more individuals. Within a dialogue there is a two way conversation or talk. The individuals who are engaged in a dialogue may agree or disagree, basing their agreement or disagreement on facts. A conversation of this nature is referred to as an argument or debate. The individuals normally argue or debate in order to come to an agreement, or for the verification of an issue at hand.

The term dialectic was originally used as a method of argument or exposition by a well-known Greek philosopher by the name of Plato. The word dialectic is derived from the Greek word *dialektikê* which means “to debate”, whereas *dialektikos* means “conversation between individuals”¹⁸⁹. Later, the concept was used by a German philosopher whose name was Hegel. This philosopher then came to the conclusion that the dialectic method assists one to arrive at absolute truth. In order to realise this, he formulated three steps through which argument was processed, namely from thesis to antithesis then to synthesis¹⁹⁰.

¹⁸⁹ <http://www.thefreedictionary.com/Dialectical+method>.

¹⁹⁰ <http://www.thefreedictionary.com/Dialectical+method>.

What Hegel avers in the foregoing paragraph is relevant to this study. More so because dialectic is the art of argument and it is concerned with the verification of what people engaged in their conversation. Dialectic as a philosophical method was later adopted by qualitative researchers to be used as a qualitative research method. In his explanation, James Seligman¹⁹¹ concurs with this statement by pointing out that qualitative researchers use the dialectic method when they want to investigate phenomena that are in the natural setting of the schools.

Figure 4.2 depicts the dialectic method as a tool or technique that enables a qualitative researcher to follow certain procedures and processes, in the event of conducting research. First and foremost, the qualitative researcher decides on the number of respondents, on the time and venue where interviews and discussions are going to be taking place. This is followed by the formulation of structured and sometimes unstructured open-ended questions for interviews and discussions.

The procedures of interviews and discussions are tedious. I had to request permission to have discussions and interviews with the groups that I identified in Figure 1.2. This was compounded by the fact that on the day of the interviews and discussions, some members of the groups came late whereas others did not turn up. The process that was followed was also laborious. For example, I had to wait for the parents to finish working at their place of employment. Secondly, I found it difficult to elicit the needed data since some parents were shy to express their point of view (cf. paragraph 5.3).

It is very important to note that dialectic method does not rely on statistics as is the case with quantitative research. There are also no experiments that are carried out; as a result, variables are not manipulated. Instead, in qualitative research, the researchers explore the phenomena under study by using the dialectic method in the natural setting in order to obtain first-hand information from the participants. In the case of this study, I initiated dialogue among the different groups of individuals who are attached to the township secondary schools (cf. paragraph 5.3).

This method assisted me to discuss or engage the groups in dialogue as shown in figure 1.2. The purpose of discussing and holding interviews with the different groups was to identify the problem(s) or challenge(s) that are facing each group, to collect

¹⁹¹ <http://files.eric.ed.gov/fulltext/EJ1043532.pdf>.

data on the problem(s) or challenge(s), to analyse and interpret the problems in order to solve them, and to develop a plan of action that would help us to address the problems I had identified with the groups. The dialectic method was found to be effective, though the exercise consumed a lot of time.

4.3.2 Hermeneutic method

The term hermeneutic dates from the ancient Greek. During this period, a man known as Hermes used to be sent out to the villages to deliver the message of the gods. This he did by interpreting the messages he delivered. The Greek word *hermēneutikos* means “someone who is an expert in interpreting messages”. While on the other hand, someone who interprets the message i.e. an interpreter is referred to as *hermēneus*. The act of interpretation i.e. to interpret is referred to as *hermēneuein*. If one takes a closer look at the word hermeneutic one realises that the word has been derived from the proper noun Hermes¹⁹².

Following what is said in the foregoing paragraph, it becomes clear that the term hermeneutic means to interpret. The art of interpretation of messages dates back to the platonic era. The word platonic has been derived from a well-known Greek philosopher Plato, whose student was Socrates. Both Plato and Socrates called their method of dialogue interpretation ‘Plato’s Socratic method of interpretation’. Later on this method was used by many philosophers and social science scholars in the interpretation of text. One such scholar was Luther, who used this method to interpret texts in the Bible and referred to it as ‘biblical exegesis’¹⁹³.

Qualitative researchers borrowed this method of biblical exegesis to interpret the text in the books and more especially the text in legal prescripts. Textual interpretation is very important for qualitative researchers because in the text there may be more than one meaning. For example, the author may want to teach or indoctrinate his/her readers with certain values or principles related to ontological or epistemological aspects. In this case, everything is left to the reader to identify the meaning in the

¹⁹² <http://www.dictionary.com/browse/hermeneutics>(<http://www.dictionary.com/browse/hermeneutics>).

¹⁹³ <http://www.oxfordbibliographies.com/view/document/obo-97801953966577/obo-9780195396577-0054.xmi>.

text. The reader may be influenced by external and internal variables or factors in the process of interpreting the text¹⁹⁴.

In Paragraph 4.1, I indicated that more often than not the concept of hermeneutic is interchangeably used with phenomenology. To avoid this confusion, I would like to mention up front that the concept 'hermeneutic' in this study is used to mean the interpretation of text, whereas phenomenology as explained in Paragraph 4.3.3 is used to mean the interpretation of phenomena i.e. what occurs in the immediate environment of the qualitative researcher. As I indicated earlier on in the context of this research, I used the hermeneutic method to interpret the text, which may be negatively or positively influenced by factors such as race, gender, or culture¹⁹⁵.

The text of the documents that I interpreted using the hermeneutic method were official documents such as the logbooks, instruction books, time registers, financial reports etc. of the sample schools. This method was of assistance to me when interpreting sections of the Constitution, legislation, the events that took place in the case law, and the common law principles. Apart from legal content, I interpreted internet material, articles relevant to the research topic, and the results of the schools that were used as a sample of the study.

The act of interpretation follows the procedures and process depicted in Figure 4.2. Before the act of interpretation commenced, a plan thereof was carefully made. For example, the procedure that I planned to follow was to first start with the official documents kept by principals. I then perused the official documents that are kept by SMTs. This was followed by the official documents kept by the SGBs. This I did at the time I planned to meet with them. Lastly, I interpreted the documents pertaining to the affairs of the RCLs. The interpretation of all these documents was a process because it did not happen in one day (cf. figure 4.2).

Lastly and more importantly, the comprehensive account of the interpretation of the aforementioned documents will be given in Paragraph 5.5 in which it will seek to find the meaning of the contents of the aforementioned documents. When interpreting the contents of the said documents, I carefully identified the theme of my research in

¹⁹⁴ <https://www.slideshare.net/FeliceAddeo/hermeneutic-as-a-research-method-draft>.

¹⁹⁵ <http://www.sfu.ca/educ867/htm/hermeneutics.htm>.

the documents in order to find relevant issues pertaining to the problem statement, research questions, and the aim as well as the objectives of this research.

The understanding of language is important when interpreting legal documents. It is against this background that the meanings of words such as “*must*”, “*may*”, and “*should*” must be understood. It is for this reason that in the process of interpreting legal prescripts I considered language very seriously (cf. paragraphs 3.2, 3.3, 3.4 & 3.5). For example, in section 2(2) of SASA there is a difference between the words “*must*” and “*should*”. What I mean by this is that this section clearly states that the MEC and the HoD “*must*”. When interpreting this section, the word “*must*” cannot be changed to “*may*” or “*should*”.

There are many examples in the SASA in this regard. For instance, there is a situation whereby many educators make a mistake by interpreting section 8 of the SASA incorrectly. Most of them claim that the SGBs formulate the code of conduct for the learners. This assertion is wrong, because the SGBs only adopt a code of conduct for learners after consultation with the stakeholders. This means that the code of conduct for the learners may be drafted by law experts, or anyone who knows the law. Subsequent to this, the SGBs adopt it.

4.3.3 Phenomenological method

The word phenomenology is derived from the Greek word *phainomeno* which in English means “appearance”. As such, phenomenology is the study of appearances i.e. things that manifest themselves or appear in our life-world. The use of the concept of phenomenology dates back to the time of Plato, who used phenomenology in platonic realism. Later on, the concept phenomenology was used by contemporary philosophers such as Kant, Fichte, and Hegel¹⁹⁶.

The two German philosophers who developed phenomenology into a method of inquiry in philosophy are Edmund Husserl and Martin Heidegger, who based their argument on the premise that in our immediate environment, reality consists of objects and events that human beings perceive, understand and assign meaning to. In other words, all these are what human beings experience in their ‘real’ situation or

¹⁹⁶ http://www.philosophybasics.com/branch_phenomenology.html.

environment. Phenomenology is therefore a study of experience or how human beings experience life in their life-world¹⁹⁷.

In terms of phenomenological sense, human beings experience objects and events in their immediate environment by observing and engaging themselves with other things in their life-world. These human beings may do by interacting with the members of the society such as the teachers, learners, politicians, religious people etc. The engagement of this nature makes them aware of how things occur, happen or take place in their natural setting. This engagement affords an individual to attach meaning to objects and events that appear in his/her life-world¹⁹⁸.

Qualitative researchers borrowed this philosophical method and referred to it as the phenomenological method of inquiry. The reason why they adopted this method was to discover the existing problems in a given social environment as well as how the problems could be tackled¹⁹⁹. In concurring with this inference, another scholar points out that phenomenological method enables individuals to attach meaning to the experience they derived from their environment. For examples, individuals derive meaning from the objects, events and other things that arise and which they experience in their life-world²⁰⁰.

In this research project, I used the phenomenological method to observe real events and ideal objects at some of the township secondary schools in the Free State Province. The ideal objects that I observed were the state of the toilets, the libraries, the laboratories, the physical state of school buildings, and the appearance of the school premises. In this way a realistic phenomenology or logical investigation was carried out, in that I analysed every object that was relevant to this study that I came across in the premises of the sample township secondary schools²⁰¹.

As has already been mentioned elsewhere in the exposition of phenomenology as a method of research, the objective of this method is to observe what is happening in the life-world of an individual. Observation does not happen haphazardly. I first and foremost planned as to which procedure and process I was going to follow (cf. figure

¹⁹⁷ <https://plato.stanford.edu/entries/phenomenology/>

¹⁹⁸ http://www.philosophybasics.com/branch_phenomenology.html.

¹⁹⁹ http://www.philosophybasics.com/branch_phenomenology.html.

²⁰⁰ <https://plato.stanford.edu/entries/phenomenology/>

²⁰¹ <https://plato.stanford.edu/entries/phenomenology/>

4.2). For example, I planned to first start by going to the toilets of the sample schools to observe what state they were in, since there was a bad smell coming from them. I then proceeded to the laboratories, libraries, ordinary classrooms and the buildings as well as the school grounds.

It is also important to mention that I applied existential phenomenology, which means that as an action researcher I did not separate myself from the schools I visited. This enabled me to study the behaviour of both educators and learners in their existential world. This means that I was able to observe teachers and learners' punctuality in the morning and when honouring their teaching/class periods. Lastly, the use of existential phenomenology afforded me the opportunity to observe how the learners and educators conducted themselves during breaks/play-time²⁰².

4.4 The sampling of the study

In Paragraph 1.2 I indicated that purposeful sampling for data collection and analysis was employed in this research project. I have chosen to use purposeful sampling because I believed that it would help me identify and select rich information related to the study. It must, however, be mentioned up front that I have taken a decision to use purposeful sampling because I held the views that the participants that were drawn from the selected township secondary schools in the Free State Province knew the issues that I investigated into, since they are directly involved with these issues²⁰³.

Purposeful sampling was used to identify and unearth rich information from the participants who I believed to be knowledgeable since they experienced phenomena of interest in their field. The participants were the principals, the SGBs, the LRCs, the teaching personnel, and the clear I selected constituted a sample of this research project. Another criterion that I considered when selecting purposive sample was the ability of the participants to communicate their experiences and opinions²⁰⁴. When I selected purposive sampling, I took into consideration the aims, the problem statement and the assumptions of this research as mentioned in paragraph 1.13.

²⁰² <http://www.staff.vu.edu.au/syed/alrnnv/papers/bev.html>.

²⁰³ <https://www.thoughtco.com/purposeive-sampling-3026727>.

²⁰⁴ <http://www.qualres.org/HomeSamo-3702.html>.

Secondly, I held a strong view that the sample which was constituted by different groups would furnish me with the desired data because the questions were based on their day-to-day activities. This fact convinced me that they were knowledgeable in their fields. The members of groups that were selected were few as I did not want to generalise the findings of this study because the study is qualitative in nature. With regards to the findings of this research project, they are transferable, to schools that are similar to the ones where I conducted this research (cf. paragraphs 1.12 & 6.6).

Thirdly, I looked for the collaborative groups that were interested in participating in this study since I believed that they would help me in responding to my research questions. In this way, my sampling showed strong characteristics of purposive sampling. This is more so because my research project interested selected groups of selected township secondary schools in the Free State Province. The groups that I selected were to a large degree, sharing the same characteristics²⁰⁵.

The reason why I purposely selected my sample from the township secondary schools in the Free State Province is because they are highly politicised (cf. paragraph 1.2). Besides the politicisation of these schools, their organisational climate and their culture differ from that of the schools formerly designated as white schools which were less politicised. The work ethics of learners and educators, the political belief of educators and the moral conduct of the learners and educators as well as the poverty stricken areas in which these schools are situated, are the criteria that prompted me to purposely draw my sample from them.

At this juncture, I find it fit and proper to mention that each of the seven groups of each of the six schools as depicted in figure 1.2 responded and discussed questions meant for each group i.e. the SGBs responded to their questions, the SMTs responded to theirs etc. In this way, I hoped to unearth or elicit rich information pertaining to the aim of my investigation. Before they were drawn as a sample of this research, their qualification in terms of their belonging to the groups was considered. As such, they responded to what they experienced and what actually affected them directly²⁰⁶.

²⁰⁵ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4012002/>

²⁰⁶ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4012002/>

4.5 Working assumption

Jayesh Patidar²⁰⁷ explains the term 'assumption' as a realistic expectation that a qualitative researcher believes to be true. The assumption of qualitative research is not true and it is not supported by any evidence. However, the research assumption is found to be essential because it helps a qualitative researcher develop theory in her/his research. In this way, a research assumption assists in influencing a qualitative researcher to follow a certain process of conducting qualitative research²⁰⁸.

It is very important to note that the working assumption is used only when a researcher conducts qualitative research (post-positivism) like I did in this research project. Similarly, those researchers who conduct quantitative (positivism) use hypothesis which is the belief or idea that a quantitative researcher holds to be true, and (s)he regards it as prediction, when on the other hand the working assumption does not predict the outcomes of qualitative research. The quantitative researcher statistically tests the prediction which can be accepted or rejected²⁰⁹.

In addition to this, a quantitative researcher manipulates variables to find out the relationship between the subjects (s)he studies, or to find out whether her/his prediction is true or false. Secondly, by so doing a quantitative researcher wants to find out whether there is a correlation or relationship between the variables or the statistically tested hypothesis (s)he formulated in order to conclude her/his belief or idea that (s)he holds²¹⁰.

So far as qualitative methodology is concerned, the research is built on assumption to enable the researcher to carry on with her/his research (cf. Paragraphs 1.13.1 & 1.13.2). This is more so because a qualitative researcher believes that (s)he must assume something in order to discover something that is not known. Assumption in qualitative research is acceptable because it provides grounds or basis for the researcher to conduct the research (s)he envisages to embark on²¹¹.

²⁰⁷ <https://www.slideshare.net/drjayshpaditar/research-assumption>.

²⁰⁸ <https://www.slideshare.net/drjayshpaditar/research-assumption>.

²⁰⁹ <https://www.slideshare.net/drjayshpatidar/research-assumption>.

²¹⁰ <http://teachingcommons.cdl.edu/cdip/facultyresearch/QualitativeResearch.html>.

²¹¹ http://researchbasics.education.uconn.edu/qualitative_research_paradigm.

It is important to note that there are many types of assumptions such as *universal assumption*, *warranted assumption*, and *unwarranted assumption*. In this research project I used *warranted assumption* which is stated along with evidence that support it. For instance, a *warranted assumption* could be “a school, whose principal frequently reports for duty being under the influence of stupefying beverage, does not attain desirable academic results”. This assumption may be supported by the fact that, a principal who is indeed always intoxicated has a school that does not do well at the end of the year²¹².

Lastly, there are philosophical assumptions for qualitative methodology which I alluded to in Paragraph 1.13.1 & 1.13.2 of this research project. The reason why I used qualitative methodology is because I believed in the underlying philosophical assumptions of this study namely *ontology* and *epistemology* which directed me to shape this research. The significance of *ontological* assumption is that it assisted me to consider multiple realities in my immediate environment and various reports which helped me to secure the findings of this study²¹³.

Similarly, *epistemology* as another philosophical assumption for qualitative research afforded me the opportunity to get closer to the groups that were used as a sample of the study (cf. Paragraphs 1.12 & 4.4). The different groups made it possible for me to know what I wanted to know from them by sharing their experiences and their perceptions with me²¹⁴. This was very important because it enabled me to construct epistemological knowledge.

4.6 Research paradigms

There are different approaches with different standards that are applied in qualitative methodology. This is done basing discussions on qualitative research theories. The exponents of qualitative methodology believe that applying different approaches with different standards promotes the understanding of the way a particular qualitative research is carried out. For example, in this research I used paradigms as a

²¹² <https://www.slideshare.net/drjayeshpatidar/research-assumption>.

²¹³ <https://www.slideshare.net/drjayeshpatidar/research-assumption>.

²¹⁴ <https://www.slideshare.net/drjayeshpatidar/research-assumption>.

theoretical approach which guided me to conduct this research, and also to enable the reader to understand how this study was conducted²¹⁵.

The term paradigm is explained differently by different qualitative researchers. As a result of this there are similarities and differences in their explanations of the concept 'paradigm'. For instance, Tomas Kuhn²¹⁶ defines paradigm as "the understanding assumptions and intellectual structure upon which research and development in a field of inquiry is based". On the other hand Guba²¹⁷ defines the concept 'paradigm' as an interpretive framework, which is guided by "a set of beliefs and feelings" about the world and how it should be understood and studied.

From the two definitions of the concept 'paradigm' mentioned above, the deduction I make is that a research paradigm is a framework within which a researcher operates when conducting research. Furthermore, my understanding is that when a qualitative researcher is involved in fieldwork where (s)he comes into contact with participants, setting and the site of the study, (s)he must be guided by an axiological paradigm. This means that (s)he must operate within the parameters of axiology. There are a few qualitative paradigms that must be considered when conducting research. I however chose to use the following four qualitative research paradigms which guided me to conduct this research: axiology, authenticity, credibility and transferability.

4.6.1 Axiology

The term axiology is derived from the Greek noun *aksēāleje*²¹⁸. In Greek, *axios* means worthy in English, while the suffix *-logy* means science. The combination of the prefix *axio-* and *-logy* gives rise to the word axiology which scientifically means the theory of values²¹⁹. Philosophically, the term axiology refers to the observation and recognition of things that are good for the society as well as the societal values. By this I mean all things that are cherished and valued by society must be observed and recognised. For example, economy, moral, aesthetic and the basic principles of the society are observed and recognised because they are valued by the society²²⁰.

²¹⁵ http://researchbasics.education.uconn.edu/qualitative_research_paradigm/.

²¹⁶ <http://www.personal.psu.edu/wxh139/paradigm.htm>.

²¹⁷ <http://www.personal.psu.edu/wxh139/paradigm.htm>.

²¹⁸ <https://www.merriam-webster.com/dictionary/axiology>.

²¹⁹ https://blogs.warwick.ac.uk/cesphod/entry/what_is_axiology_1.

²²⁰ <https://www.collinsdictionary.com/dictionary/english/axiology>.

Axiology as the science of the study of societal values and principles is highly relevant to qualitative research. I can't imagine a qualitative researcher conducting social or human science research without taking into consideration of the concept of axiology. When a qualitative researcher conducts research, (s)he must first consider her/his values and principles. (S)he must not only consider her/his values and principles, but, (s)he must also consider that of the respondents or participants as well as that of the environment (the setting) in which (s)he conducts research²²¹.

It must further be noted that axiology is embedded in other elements of research paradigms such as ontology and epistemology. For instance, a qualitative researcher values ontological and epistemological knowledge that (s)he created or constructed. In the context of this research project the knowledge I referred to in the foregoing explanation was cooperatively and cognitively unearthed (cf. Paragraph 5.3). As such I regard the collaborative findings of this research project as valuable. It is of vital importance to note that it is not only the findings that must be regarded as valuable in qualitative research, but many aspects of research²²².

Among others, I was guided by my religious belief i.e. the inherent dignity that manifests itself in all societies when conducting this research. Since I was sensitive of my religious belief, I also respected the religious belief of the groups of individuals who participated in this research project (figure 1.2). In addition to this, I respected the feelings, the political belief and wellbeing of the participants who collaborated with me in this study. For example, when I first came into contact with the parents – members of the SGBs, I greeted them in their mother tongue the normal way we greet each other in our/their culture (cf. paragraph 5.3).

Lastly and more importantly, I considered some of the sections of the Bill of Rights espoused in our Constitution because they have elements of axiology. For example, equality and unfair discrimination as set out in section 9 was considered, in that I did not discriminate against any respondent. Instead, I treated them equally. Human dignity as contemplated in section 10 of the Constitution namely freedom and security of the person was also considered. For instance, before the commencement of discussions and interviews, I explained to the participants that they were free to keep quiet where they deemed fit to do so.

²²¹ <http://research-methodology.net/research-philosophy/axiology-2/>

²²² https://blogs.warwick.ac.uk/cesphd/entry/what_is_axiology_1.

4.6.2 Authenticity

In this research project I used only three research paradigms namely *authenticity*, *credibility* and *transferability* as criteria for judging the quality of the findings of my research project (cf. paragraphs 6.4, 6.5 & 6.6). The paradigm authenticity was used in Paragraph 6.4 to find out whether the findings of my research project were authentic. The findings of this study were influenced by internal factors whereas the quantitative research findings are influenced by external reality i.e. external validity²²³. Due to this, the quantitative research findings are not regarded as authentic as is the case with the qualitative research findings²²⁴.

The term 'authentic' means something that is true or genuine, while on the other hand the term 'authenticity' means the quality of being true or genuine. An example of what is said in the foregoing explanation is the situation where a qualitative researcher interacts with the participants and the site of the research, to collect data in the natural setting where and when events or activities are occurring. When a qualitative researcher interacts with participants and the site, (s)he observes, reads documents or (s)he interviews or holds discussions with the participants in order to illicit first-hand information which is regarded as authentic.

In terms of philosophical perspective, authenticity is a research paradigm within which qualitative researchers operate when conducting social or human science research. This means that qualitative researchers conduct research within the framework of authenticity as a research paradigm in order to judge the quality of the findings of qualitative research. A mention must be made that there are many qualitative research paradigms such as credibility, transferability, dependability, trustworthiness and confirmability through which researchers operate²²⁵.

In this study, I guaranteed authenticity by availing myself at the township secondary schools under study (cf. paragraph 1.12) in order to observe the behaviour of the groups, and the site I directly interacted with. This was followed by the recording of the results emanating from the observation of the behaviour of the participants and the physical setting of the participating schools (cf. figure 1.2).

²²³ <http://www.socialresearchmethods.net/kb/qualval.php>

²²⁴ <http://www.qualityresearchinternational.com/socialresearch/authentic.htm>.

²²⁵ <http://www.socialresearchmethods.net/kb/qualval.php>

In this way, I was able to record authentic data regarding events, activities and the situation such as the state of the toilets, libraries, laboratories, classroom facilities etc. Lastly, I was able to learn from the participants' experiences, beliefs, attitudes and perceptions. This was done by way of asking structured and unstructured open-ended questions to illicit data (cf. paragraphs 5.2 & 5.4).

4.6.3 Credibility

The term 'credibility' is used by Lincoln, Guba and other exponents of qualitative research methodology to replace *reliability* and *validity* which are used by quantitative researchers or that are used in quantitative research methodology. In order to ensure that quality in research is *accurate* or *correct*, qualitative researchers gauge this by means of credibility which is sometimes referred to as trustworthiness by some of the exponents of qualitative research methodology²²⁶.

As has already been mentioned above, a qualitative researcher must test the believability of the findings or the results of her/his research by involving credibility to establish this. By so doing a qualitative researcher wants to ensure whether there is quality in her/his research findings, whereas a quantitative researcher is concerned with quantity. Furthermore, a qualitative researcher aims at gathering rich or believable information or data, unlike a quantitative researcher who gathers a lot of data laden with statistics²²⁷.

In this regard, John Marsden²²⁸ maintains that qualitative research findings or research results are made credible by well-defined research questions, a well-defined aim as well as a systematic and comprehensive literature review, the objectives of research, appropriate data collection and analysis tools, environment based discussion, observed evidence and the reading of evidence recorded in the official documents of the sample schools. To differentiate between the terms 'credibility' and 'validity' it is important to note that credibility – used by qualitative researchers, refers to trustworthy whereas validity – used by quantitative researchers refers to the research design capable of answering questions²²⁹.

²²⁶ <http://credibility-rsmet.blogspot.co.za/2011/11/ensuring-credibility-of-qualitative.html>

²²⁷ <http://credibility-rsmet.blogspot.co.za/2011/11/ensuring-credibility-of-qualitative.html>

²²⁸ <https://www.slideshare.net/MarsdenTherapy/credibility-validity-reliability-and-transferability>

²²⁹ <https://www.slideshare.net/MarsdenTherapy/credibility-validity-reliability-and-transferability>

So far as the findings of this research project are concerned, I think they are credible since I ensured their integrity by employing purposive sampling (cf. paragraph 1.12 & figure 1.2). The feelings, experiences and the perceptions expressed by the groups with whom I have discussions and interviews are deemed to be authentic or credible because they were expressed or articulated by persons who experienced what I wanted to know from them.

By availing myself at the six selected township secondary schools, I was able to ensure credibility by collecting data by way of observing in the natural setting. As such I collected first-hand information/data where events and activities were occurring. The information I collected is therefore regarded as credible, believable or trustworthy, because I did not rely on people's willingness or ability to provide me with data. Instead, I personally saw the state of the toilets, the laboratories etc.²³⁰.

Lastly, and more importantly, I personally discovered the recorded first-hand information which constituted credible information in the official documents of the participating schools. In other words, credibility was ensured in that I was directly involved rather than relying on what I was being told by other people²³¹.

4.6.4 Transferability

Transferability implies that the findings or results of qualitative research can only be transferred or be applicable to similar situation or setting²³². In the case of this research project, I chose a small sample i.e. six township secondary schools in the Free State Province that are the same or similar in terms of the work ethics of the educators, political belief of both educators and learners, organisational culture, ethos and climate of schools, behaviour of educators and learners, and schools situated in poverty stricken areas (cf. paragraph 1.12 & figure 1.2). The results of this research project can therefore be transferred to schools which are similar in terms of the features mentioned above.

In light of the discussion in the foregoing paragraph, it becomes clear that a small group or the small number/few schools is referred to as a sample. A larger group about which a quantitative researcher makes generalisations is called the population.

²³⁰ <http://www.cdc.gov/healthyyouth/evaluation/index.htm>

²³¹ <http://www.cdc.gov/healthyyouth/evaluation/index.htm>

²³² <http://universalteacher.com/1/transferability-in-qualitative-research/>.

For example, a quantitative researcher may chose or select all the secondary schools in the Free State Province as a sample at which (s)he distributes questionnaires. On the receipt of questionnaires from all the Free State secondary schools, (s)he interprets the statistics to arrive at the findings or results which are generalised to all the secondary schools in South Africa.

Unlike generalisation which makes broad claims, transferability applies to a smaller group or a smaller size of situation as mentioned earlier on. The reason for doing so is to ensure quality of the research which I alluded to in Paragraphs 4.6.2 & 4.6.3. The findings or the results of qualitative research are regarded as the objective of greater depth, richness, detail and the creation/construction of knowledge that can be transferred to similar situation. However, the findings of this research project can be transferred to the township secondary schools in South Africa which are similar to the ones I conducted research at²³³.

4.7 Data collection tools

The concept data collection as used in research is defined or explained differently by different exponents of qualitative research methodology. One scholar defines data collection as “the process of gathering and measuring information on variables of interest in an established systemic fashion that enable one to answer stated research questions, [verify working assumption]²³⁴ and evaluate outcomes”²³⁵.

Similarly, Margaret Rouse²³⁶ defines this concept as “the systemic approach to gathering and measuring information from a variety of sources to get a complete and accurate picture of an area of interest. It enables a person to answer relevant questions, and evaluate outcomes”.

In the foregoing definitions there are clear discernible differences and similarities. In one of the definitions, the collection of data is referred to as a process. This is compatible with what I explained in paragraph 4.3 and depicted in figure 4.2. The data collection tools that I have chosen (designed) to use, enabled me to address the problem statement I identified in paragraph 1.6 of this research project. The data

²³³ <http://jan.ucc.nau.edu/~mid/edr725/class/makingsense/credibility/reading5-3-1.html>.

²³⁴ []. This symbol denotes or indicates that I substituted *test* with *verify* and that *hypothesis* was substituted with *working assumption*, because these concepts are used in *Qualitative methodology*.

²³⁵ https://ori.hhs.gov/education/products/n_illinois_u/datamanagement/dctopic.html.

²³⁶ <http://searchcio.techtarget.com/definition/data-collection>.

collection tools also assisted me to answer the fundamental research questions I posed in paragraph 1.7.2.

It is furthermore important to note that in one of the definitions I have substituted the term hypothesis with the concept working assumption. The reason for doing this is because I employed qualitative methodology which uses a working assumption instead of a hypothesis. The data collection tools that I used were suitable in that they verified the two assumptions I made in paragraphs 1.3.1 & 1.3.2. In using the data collection tools that I opted for, I did not do things haphazardly. Instead, I was systemic in eliciting data or information that was needed for this research project. As such, it was very easy for me to evaluate it and its outcomes.

When collecting data I ensured that it was accurate in order to authenticate the findings of this research project²³⁷. The accuracy of collecting data was ensured in that I used purposive sampling that consisted of the participants who were believed to be knowledgeable in the field I researched (cf. paragraph 1.12).

Similarly I authenticated the findings of this research project by availing myself at the participating schools in order to observe phenomena, discussions and interview stakeholders as well as the reading of official documents so that I could record first-hand information, rather than to be told by someone as to what happens at these schools.

I was also careful in selecting data I thought would be of assistance to me for the shaping of this research project²³⁸. This I did by employing effective data collection tools, namely group discussions and interviews, the reading of official documents and observation of phenomena at schools under study which are diagrammatically represented in Figure 4.3. These data collection techniques were found to be suitable and effective for this research project because of their effectiveness.

²³⁷ https://ori.hhs.gov/education/products/n_illinois_u/datamanagement/dctopic.html.

²³⁸ <https://www.slideshare.net/ludymae/chapter-9methods-of-data-collection>.

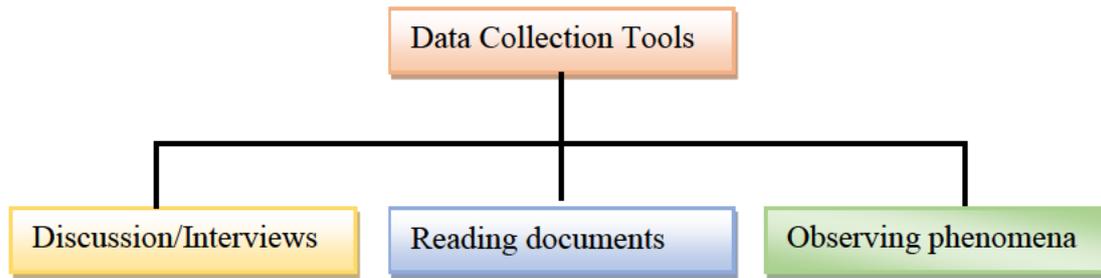


Figure 4.3: The depiction of data collection techniques in qualitative research

The selected data tools as depicted in figure 4.3 were based on the fundamental research questions and the working assumptions I made in paragraphs 1.7.2, 1.13.1 & 1.13.2.

4.7.1 Group discussions and interviews

It must be recalled that in this research project I employed action research in which I collaborated with different stakeholders/individuals who engaged in different group discussions with me (cf. paragraph 1.12). The discussions in question were an on-going process which aimed at investigating and understanding the phenomena related to the practice of the different groups in order to improve it.

For example, in paragraph 5.3.1 I engaged the members of the different SGBs in discussions for us to collaboratively construct epistemological knowledge. The engagement with the other stakeholders was also done in the subsequent paragraphs 5.3.3 – 5.3.7. The purpose of this collaborative action was to identify the challenges and dilemmas that are facing the township secondary schools in the Free State Province and also to come up with solution to the problems we identified (cf. figure 4.1).

Prior to the engagement with the stakeholders, I prepared group discussions and interviews thoroughly. This I did by gathering backgrounds on the interviewees and groups of individuals I interacted with. In this way, I learned beforehand about the stakeholders of the selected township schools I visited. The different structured and open-ended questions for different persons depicted in figure 1.2 were pre-prepared. Before the group discussions and the interview sessions commenced, I investigated sensitivity issues such as the relationship between the principals and their educators.

The purpose of the group discussions and the interviews were discussed with the principals of the participating schools beforehand. Among others, they were informed about how long the group discussions and the interview sessions would approximately take. I also requested the principals of participating schools to arrange for the venue and time where the group discussions and interviews would take place, and to afford us enough time for this purpose.

Before the kick-off of the different sessions, on the first day of discussing with the different groups and interviewing the different principals (cf. figure 1.2), I introduced myself as well as the purpose of my research. It was at this stage where I assured the groups and the principals about the anonymity and confidentiality of the participants. I allayed the fear or the anxiety of the participants by talking about common phenomena that society in general is not happy with. When I realised that they were at ease, I started with the real business of the day.

The purpose of the discussions and interviews was to elicit data that would help me to construct collaborative knowledge. In collecting collaborative information, I guarded against the role that intersubjective discourse plays in the process of discussions. The main objective of the groups that collaborated with me as depicted in Figure 1.2 was to address the problem statement, the aim, the objectives and the fundamental research questions of this research project.

The conversations I had with the different groups as depicted in Figure 1.2 were formal. The questions were in simple English or language that could be understood by all groups (cf. paragraph 5.3). The SGBs' questions were translated into vernacular or in their mother tongue²³⁹.

I planned to transcribe or record the conversation of the different groups that collaborated with me in order to have a record of each of the selected township secondary schools in the Free State Province. After the discussion sessions, I immediately read what I recorded to make sure that I rectified mistakes and that I also added my own inside.

In the process of discussions, I made doubly sure that I was friendly towards the members of the groups. Where they did not understand the question, I clarified it

²³⁹ http://content.wow.com/wiki/Participatory_action_research

without looking down upon them. At the same time I considered the values of our Constitution, such as human dignity, respect, freedom of expression and the exercise of other rights as enshrined in our Constitution (cf. sections 10, 12, 14, 16).

For example, I allowed the members of the different groups to freely express their perceptions, feelings, experiences, and opinions. At the same time, I sifted chaff from the grain. Their opinions were put aside because opinions are not facts. I hold a strong belief that by so doing, I gathered rich qualitative data which was gathered in the natural setting.

As may be seen from figure 1.2, the six township secondary schools' principals are depicted outside the diagram. This is so because I interviewed them individually as it was difficult to have them at one place at the same time where they could form a group. Before the interviews, I thoroughly planned their face to face interviews. For example, I formulated pre-planned open-ended interview questions which would enable me to elicit the necessary information from them (cf. paragraph 5.3.4).

The prepared questions aimed at ensuring that essential information would be unearthed from the selected six township secondary schools' principals in the Free State Province. The pre-planned questions were used as a guideline. Where I felt that I should add a question in perspective, I did so in order to avoid rigidity. Likewise, the selected six principal were afforded the opportunity to freely share their experiences, attitudes, and beliefs with me in their own words²⁴⁰.

Lastly, it must be noted that the selected six principals of the six township secondary schools in the Free State responded to structured and unstructured questions as I have already alluded to elsewhere in this discussion. I carefully controlled these types of questions before the kick-off of the interviews²⁴¹. The questions were of vital importance because they enabled me to unearth needed information from the principals (cf. paragraph 6.8.2.1). The questions directed to the principals also assisted me to socially construct accurate and authentic epistemological knowledge as envisaged in Paragraph 1.13.1.

²⁴⁰ <http://studentresearch.ucsd.edu/files/assessment/Assessment-methods.pdf>.

²⁴¹ <http://studentresearch.ucsd.edu/files/assessment/Assessment-methods.pdf>.

4.7.2 The reading of official documents

Data can be collected by way of reading official documents of schools under study with a view of gleaning information related to the research topic. The official school documents that contained valuable information and that I strived to obtain were financial reports on school funds, minutes of SGBs, logbooks of schools, official ratings of schools, staff meeting minutes of schools, LRCs meeting minutes of schools, time books of schools and instruction books²⁴².

The collection of data by reviewing existing documents is very important because it enables a researcher to gather background information, such as the history of the schools, philosophy of the schools as well as the grades (phases) of schools under study. The official documents shed light as to which learning areas are offered, the number of educators, the number of Head of Departments and learners of the schools under study. The reading of official documents also informs a researcher whether the natural persons constituting the secondary schools as depicted in Figure 1.2 do their work effectively and efficiently²⁴³.

Similarly, the reading of existing official documents assists with the information which helps researchers to develop a range of aspects of the schools under study. For example, the documents enabled me to have a clear understanding of how these schools were managed, and it also revealed that there were indeed challenges and dilemmas facing township secondary schools in the Free State Province (cf. paragraph 5.5). Lastly, the reading of official documents of schools under study enabled me to be aware of issues that must be given serious attention and with which issues the stakeholders must start²⁴⁴.

Researchers who use the document reviews as a data collection tool should always ensure anonymity and confidentiality of schools under study, more especially when reviewing documents in which information concerns individuals at the schools under study. For instance, if it is recorded that a certain educator was caught red-handed in

²⁴² <http://studentresearch.ucsd.edu/files/assessment/Assessment-Methods.pdf>.

²⁴³ <https://cyfar.org/data-collection-techniques>.

²⁴⁴ <http://www.odc.gov/healthyouth/evaluation/index.htm>.

the school storeroom, having sex with a learner, both the names of the educator and the learner must not be disclosed²⁴⁵.

The official documents I accessed at the six township secondary schools in the Free State Province did not assist me in that I were not furnished with documents that enabled me to answer the fundamental research questions of this research project, and also solve the research problem I identified in Paragraph 1.6. Some documents contained contents that were ambiguous..

In using document reviews in research, a researcher is able to find out the purpose of the information recorded in official documents. The stakeholders depicted in figure 1.2 assisted me in alerting me as to how and why the information was recorded in the official documents²⁴⁶. They, for instance, informed me about the reasons of recording the information in the official documents (cf. paragraph 5.4). The accuracy of the contents of the different documents of the different six secondary schools were compared with the data emanating from the group discussions/interviews and the observation of phenomena.

I found the review of official documents very advantageous for the qualitative researchers because they provide researchers with the background information as mentioned elsewhere in this discussion. Secondly, documentary review is important because it informs researchers about the first-hand information which is uncovered by her/him. Lastly, it is also advantageous to use documentary review as a data collection tool because in most cases the recorded information is obtrusive²⁴⁷.

4.7.3 Observation of phenomena at schools

Having dealt with two qualitative data collection tools or techniques, namely discussions/interviews and the reading of documents, this brings us to the third and last technique, namely the observation of phenomena at the six selected secondary schools²⁴⁸. Observation as a data collection tool is defined as “a way of gathering data by watching behaviour, events or noting physical characteristics in their natural setting”²⁴⁹. When observation is done at schools under study the observed may

²⁴⁵ <https://www.american.edu/upload/Qualitative-Research-Introduction.pdf>.

²⁴⁶ <https://www.american.edu/upload/Qualitative-Research-Introduction.pdf>.

²⁴⁷ <http://www.cdc.gov/healthyouth/evaluation/index.htm>.

²⁴⁸ <https://cyfar.org/data-collection-techniques>.

²⁴⁹ <http://www.cdc.gov/healthyouth/evaluation/index.htm>.

know about this (overt observation) or may not know about this (covert observation)²⁵⁰.

In the events of observing occurrences such as tardiness, noise in the classrooms, untidy school environment, etc. I preferred to covertly observed phenomena at the six selected township secondary schools under study, though it is ethically not acceptable to do so. The reason for me to do this was because the observed participants behave naturally if they are not aware that they are being observed.

Those who are being told beforehand are likely to change their natural behaviour for the duration that the researcher is at the schools under study²⁵¹. Secondly, they may even clean the school environment, or hide the broken desks, chairs etc. By so doing, valuable phenomena of interest may be hidden from a researcher.

In this research project I used direct observation in that I availed myself at the six selected township schools under study in order to observe the behaviour of participants as it occurred in the natural setting. For instance, I observed how the SGBs conducted meetings, how both the learners and educators conducted themselves in the classrooms and on the school premises, the punctuality of the learners and the educators in the morning, and also for the honouring of the teaching periods. Lastly, I directly observed the state of the toilets, school buildings, classrooms, more especially libraries, and laboratories (cf. paragraph 5.4).

The observation at the six selected township secondary schools in the Free State Province was done in order to have knowledge about what takes place on the premises of these schools. For example, I wanted to understand the activities and events that take place on the premises of the secondary schools under study. Subsequent to observing this, my understanding regarding the schools already mentioned was increased (cf. paragraph 5.4).

A mention must be made that before engaging in what has been said in the foregoing discussion, a thorough preparation was made. For example, I decided beforehand as to what to observe in order to collect relevant data that would assist me to address the following: the fundamental research questions, the aim and objectives as well as the problem statement stated in paragraph 1.6. I recorded the

²⁵⁰ <https://www.cdc.gov/healthyyouth/evaluation/pdf/brief16.pdf>.

²⁵¹ <https://www.cdc.gov/healthyyouth/evaluation/pdf/brief16.pdf>.

observed phenomena in the notebook meant for this purpose. I also took photos of what I observed, as evidence to support my argument; analysis, debate, and comparison (cf. paragraph 5.4).

The observation I embarked on at the selected township secondary schools (cf. figure 1.2) was an on-going process. I found observation as a data collection technique very effective and advantageous in that I was able to see for myself rather than to rely on the willingness of people to tell what they observed²⁵². In most cases when people are used as informants, they are likely to distort information. Secondly, the person who is being informed, namely a researcher, is also likely to misconstrue what the informants tell her/him. I therefore regard the collecting of data by means of observation as authentic, reliable, credible and trustworthy.

Observation as a data collection technique appears to be a good technique of collecting data. However, a researcher using this tool may use it subjectively, more especially if (s)he went to the schools under study with preconceived ideas. If the people who are being studied are informed beforehand that they are going to be observed they are likely to perform better, since they will prepare themselves prior to the observation sessions.

Another disadvantage of the observation as a data collection tool is that it is expensive for a researcher to use. In the case of this research I had to travel a long distance which incurred a lot of expenses. Coupled with this, observation took a long period of time to conduct. Lastly, observation as a data collection tool does not provide reasons as to why learners are always late for school²⁵³.

4.8 Data analysis

Qualitative data differs with that of quantitative data in many respects. For example, quantitative data is characterised by numbers or statistics, whereas qualitative data is in words and sentences²⁵⁴. Owing to this fact, the data analysis of both quantitative and qualitative methodologies differs significantly. Even the manner in which qualitative data is collected differs with that of quantitative methodology. To refresh our memories, let me indicate that qualitative data is collected by

²⁵² <http://www.cdc.gov/healthyyouth/evaluation/index.htm>.

²⁵³ <http://www.cdc.gov/healthyyouth/evaluation/index.htm>.

²⁵⁴ <http://www.indieskriflig.or.za>

discussions/interviews; observation and the reading of official documents (cf. paragraph 5.3).

The data collected by discussions/interviews was expressed in words and sentences which I analysed and interpreted in order to find out whether they solve the problem statement of this research project as set out in Paragraph 1.6. Likewise, each and every sentence I read in the official documents was analysed in order to find out whether they answered the fundamental research questions I posed in paragraph 1.7.2. Lastly and more importantly, the data collected by means of observation was also analysed to find out whether they contribute to the solution of the problem statement of this research project (cf. paragraph 5.4).

A qualitative researcher must be aware of the qualitative data analysis framework and also guard against subjectivity when analysing data. Before an attempt is made at giving a comprehensive explanation of qualitative data analysis, it is important to define it as follows:

Data analysis is a systematic search for meaning. It is a way to process qualitative data so that what has been learned can be communicated to others. Analysis means organising and interrogating data in ways that allow researchers to see patterns, identify themes, discover relationship, develop explanations, make interpretations, mount critiques or generate theory²⁵⁵.

By operating within the framework of data analysis I mean that a researcher must consider steps or stages of qualitative data analysis, namely familiarisation, transcription and coding²⁵⁶ which constitute a framework within which qualitative data is analysed. The framework within which a qualitative researcher must operate when analysing data is depicted in figure 4.4 below.

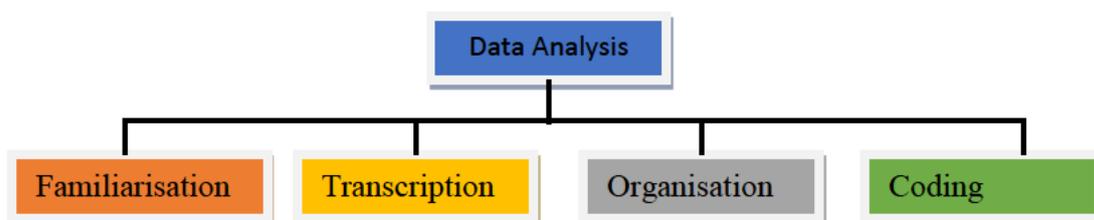


Figure 4.4: The framework within which qualitative data is analysed

²⁵⁵ <http://led500.trubox.ca/2016/244>.

²⁵⁶ <http://wlderdom.com?course=surveyresearch/assessment/labreport/QualitativeAnalysis.html>

In the discoursing of how data in qualitative research is analysed, I wish to indicate that besides operating within the parameters of the stages mentioned earlier on, I will also consider or give attention to the definition of qualitative data stated in the aforementioned Paragraphs.

4.8.1 Familiarisation

In both qualitative and quantitative methodologies, researchers must first familiarise themselves with the data that has been collected in order to be able to analyse it. The familiarisation of data is defined as an “immersion in the raw data by listening to tapes, reading transcripts, studying notes and so on, in order to list key ideas and recurrent source”. Before we proceed, I would like to reiterate that the data of this research project was collected by means of three data collection techniques namely the discussions/interviews, the reading of official documents and by observation (cf. figure 4.3).

Before the discussions/interviews began at schools under study, I requested the respondents to allow me to tape-record their responses. In addition to this, I recorded their responses in a notebook meant for this purpose. I then familiarised myself with the tape recorded responses by listening to my cell phone on which I recorded the responses in my study at home in order to find out whether what I recorded on my cell phone reconciled with what I recorded in the notebook meant for this purpose. This I did after carefully reading the notes in which I had recorded the respondents’ responses.

Having done this, I sifted chaff from the grain. This I did by making a list of facts that assisted me to identify themes such as education law themes and management themes. The familiarisation of data collected by means of discussions/interviews enabled me to interpret it in order to find out whether the respondents’ responses were answering the fundamental research questions of this research project. With regards to the data collected by reading the official documents, I familiarised myself with it by trying to discover the relationship of the contents I read with the problem statement of this research project.

Similarly, the data collected by observation was also acquainted with. This I did by reading the fields notes which were recorded during the observation. This was followed by actual analysis of data. For example, from what I observed, I constructed

or developed education law concepts²⁵⁷. This was done following the observation of the damaged electric plug sockets in many classrooms of some of the schools under study.

The conclusion I drew subsequent to observing this was that the principle of common law namely *bonus paterfamilias* at the schools in questions was not taken into consideration by the principals of these schools. That is, they did not act like reasonable persons who put the safety of both the learners and the educators first. The unreasonable principals also put the school building in danger in that the school buildings could be set on fire should there be electrical short at those schools.

From the dirty toilets that I observed, a similar concept was developed, namely that dirty toilets are a health hazard for both learners and educators. As such, persons who must be held accountable are principals whose schools' toilets are dirty. This is more so because they failed to protect the learners and the educators from the possibility of being electrocuted by the damaged electricity plug sockets or even the possibility of burning the whole school buildings. Likewise, by not taking precaution measures in ensuring that the toilets are cleaned, the principals must bear the damage should anything happen to the school buildings, the learners and the educators.

4.8.2 Transcription

In the process of collection and analysis of data, transcription of data takes place. The concept transcription of data is defined²⁵⁸ as “the process of converting audio or video-recorded data obtained from interviews and [collaborative]²⁵⁹ groups as well as handwritten field notes into verbatim form (i.e. written or printed) for easy reading”. There are many reasons as to why qualitative researchers should or must embark on data transcription. Among others, is that when analysing directly from the audio, there is a possibility that some important issues may be left out.

As has already been mentioned in the definition of data analysis, the analysis of qualitative data is a series of processes and procedures which are followed by qualitative researchers in their endeavour to analyse the collected data. This they do

²⁵⁷ <https://www.slideshare.net/tilahunigatu/qualitative-data-analysis-11895136>.

²⁵⁸ http://www.tankonyvtar.hu/en/tartalom/tamop412A/2011-0021_22_research_methodology/topic_8_qualitative_research_methods.html.

²⁵⁹ I have substituted the term “focus” with the term “collaborative” since my methodology is action research.

by explaining, trying to understand and to interpret what people say about their experiences, feelings and attitudes. In analysing data a researcher also considers the phenomena that occur in their natural setting as well as what is written in the memoirs of the participating schools²⁶⁰.

A qualitative researcher gets a vivid picture if (s)he transcribes data collected from discussions/interviews, observation and the reading of official documents in the process of analysing it. In the definition of the transcription of data mentioned earlier on, a reference has been made to the effect that qualitative researchers must transcribe each word, sentence, and paragraph that is written in the field-notes.

In addition to this, a researcher must also take into consideration the non-verbal expressions as this may assist her or him not to leave out the core themes of her or his research project. Though it sounds beneficial, this process is time consuming²⁶¹. Be that as it may, a mention must be made that I exercised my patience because I knew that to conduct research is a laborious task.

In the process of transcribing relevant words and phrases I considered the fundamental research questions of this research project. This was done by grouping data that were alike and by also looking for similarities and differences in data collected from the three data collection tools (cf. paragraph 1.15).

The transcription of data assisted me tremendously in that it enabled me to understand all the data I collected from the three data collection tools depicted in Figure 4.3. Having understood it, I then attached a meaning to it. The transcription of data also enabled me to explain and interpret the responses of the participants; the observed phenomena and the content of official documents of the schools under study (cf. paragraphs 5.3, 5.4 & 5.5).

4.8.3 Organisation

This brings us to the third concept, namely the organisation of data which must be considered in the process of analysing qualitative data. One scholar maintains that qualitative data organisation “refers to the method of classifying and organising data

²⁶⁰ <http://led500.trubox.ca/2016/244>.

²⁶¹ <https://www.slideshare.net/tilahunigatu/qualitative-data-analysis-11895136>.

sets to make them more useful”²⁶². Elsewhere in this chapter, it was mentioned that qualitative data differs from quantitative data in many respects. Another fact that must be highlighted is that though the sample of qualitative methodology is smaller than that of quantitative methodology, its data is far more enormous than that of quantitative methodology²⁶³.

It is for this reason that the qualitative data must be cautiously organised in order to prevent confusion when a qualitative researcher interprets the data. In other words, the analyst/researcher needs to be organised so that (s)he can logically and systematically deal with enormous amounts of qualitative data. In a simple term, a researcher must, as much as (s)he can, try by all means to avoid a situation where (s)he is overwhelmed and confused by the sheer amount of data and analytical writing. This can only be possible if a researcher organises data into manageable units²⁶⁴.

Another procedure to follow in organising data is to synthesise it in order to come up with patterns that manifest themselves in the responses of the respondents, or that emanate from observation and the reading of the official documents. Having accomplished this, a researcher must then find out what is important in the data that have been collected and recorded.

Likewise, the data that is not important for a researcher’s research project must be left out²⁶⁵. In organising data, a researcher must also look for what is to be learned in the data (s)he has collected while bearing in mind as to what (s)he intends to communicate to others about her/his research findings (cf. paragraphs 6.3 & 6.8).

There are, however, challenges facing a qualitative researcher in the process of organising data. The first challenge is the placement of huge raw data into logic. This is found to be problematic because it is time consuming, more especially when one conducts action research as was the case here. Another challenge that I was faced with was to organise data of this research project into meaningful categories.

²⁶² <https://www.thechopedia.com/definition/30624/data-organisation>.

²⁶³ <https://www.slideshare.net/tilahunigatu/qualitative-data-analysis-11895136>.

²⁶⁴ http://www.tankonyvtar.hu/en/tartalom/tamop412A/2011-0021_22_research_methodology/topic_8_qualitative_research_methods.html.

²⁶⁵ <https://www.slideshare.net/tilahunigatu/qualitative-data-analysis-11895136>.

For example, it took me some time to search for the data that would answer the fundamental research questions mentioned in paragraph 1.7.1, and to solve the criteria of the statement of the problem stated in paragraph 1.6. In addition to this, it was a challenge for me to examine data in a holistic fashion. Lastly and more importantly, I think to communicate the findings of this research project to others will be a challenge²⁶⁶.

4.8.4 Coding

The last concept which constitutes the framework within which a qualitative researcher analyses data is coding. Before an attempt is made at unpacking this concept, a mention must be made that the four concepts, namely familiarisation, transcription, organisation and coding, are interrelated. Fortunately, this relationship does not confuse in any way. The term 'coding' is defined as "the process of examining the raw qualitative data in the transcripts and extracting sections of text units (words, phrases, sentences or paragraphs) and assigning different codes"²⁶⁷.

If one takes a look at the foregoing definition of the term 'coding', one comes to the conclusion that coding means the marking of important concepts, themes, ideas, and perceptions in the process of analysing data. When a researcher is busy following this procedure (s)he must aim at solving the problem statement of this research and answering the fundamental research questions of a research project.

Secondly, in the definition of coding, it is deduced that a researcher must carefully examine the raw data that is recorded in the scripts and in the relevant text units in order to code important, useful issues related to the research project. With regard to this research project, I attached labels to the text units in the process of coding. This means that the text units were classified in accordance with the schools under study. For instance, they were coded and placed under the symbols that I allocated to the schools i.e. text units and extracting section for School A, School B, School C etc. (cf. paragraph 1.6).

In the process of analysing data, I identified themes that emerged from the raw data. This was followed by the tentative naming of the conceptual categories into which

²⁶⁶ <https://www.slideshare.net/senthivel982/qualitative-data-analysis-69722386>.

²⁶⁷ http://www.tankonyvtar.hu/en/tartalom/tamop412A/2011-0021_22_research_methodology/topic_8_qualitative_research_methods.html.

phenomenon observed would be grouped. For example, phenomena observed in the toilets of the participating schools were grouped together and phenomena observed in the laboratories were also grouped together.

So was the case with phenomena observed in the libraries, classrooms, school premises etc. A mention must be made that I also created descriptive multi-dimensional categories which formed a preliminary framework for analysis. I then broke them down into manageable chunks. This was then followed by examination of all the actions I have undertaken in order to find out whether I have not omitted important issues.

4.9 Conclusion

This chapter informed that it is important to design research before a researcher commences with it. The choice of methodology, namely action research which I used, was indeed relevant in that all the natural persons constituting the secondary school as an organisation collaborated in this research project. The challenges are that this methodology needs to be used throughout the year, when on the other hand it is tedious and laborious to use. As such, it is time consuming. With regard to this research project, I was (we were) able to go through the first round as shown in Figure 4.1. If this methodology was utilised to the fullest, we were supposed to have followed all the steps that are depicted in figure 4.1.

The methods of qualitative research I used in this chapter to collect data were very effective though they consumed a lot of time as well as being financially taxing for me. The results of this research ought to be credible and authentic because the qualitative methods of research that I used, namely dialectic, phenomenological and hermeneutic enabled me to collect the first-hand data in the natural setting of the groups that participated in this research project.

CHAPTER 5

5. THE INTERPRETATION OF DATA COLLECTED DURING THE FIELDWORK

5.1 Introduction

In this chapter the interpretation of the responses from the respondents (cf. paragraphs 5.3.1 – 5.3.7) is given attention to, while keeping in mind the assertion made in paragraph 4.8. Interpretation cannot take place without considering interpretivism and constructivism research paradigms which constitute a framework through which I dealt in this chapter. In fact, these two paradigms played a pivotal role for me in tackling the groups' responses emanating from discussions and interviews (cf. paragraphs 5.3.1 – 5.3.7).

Nguyen Cao Thanh and Tran Thi Le Thanh²⁶⁸ maintain that *interpretivism supports [sinc] scholars in terms of exploring their world by interpreting the understanding of individuals*. To understand individuals a researcher interprets what they say during discussions and interviews through interpretivism. Due to this reason, one can safely say that interpretivism enables a researcher to be part of her/his research project.²⁶⁹

Being part of research makes it easier for a researcher to analyse and synthesise every word and sentence of respondents during the data collection and analysis process.²⁷⁰ The reason for doing this is to try to understand the meaning in the spoken language of respondents. In this way, interpretation takes place in the form of hermeneutic approach.²⁷¹

Another concept which is related to interpretivism is constructivism which is defined as a: *philosophical and scientific position that knowledge arises through a process of active construction*.²⁷² In the situation where individuals have a dialogue and where questions are asked, construction of epistemological knowledge takes place (cf. paragraph 5.3). In other words, construction of knowledge occurs in a social setting. Secondly, ontological knowledge is constructed when an individual comes into contact with an object in the natural setting (cf. paragraph 5.4).

²⁶⁸ <http://files.aiscience.org/journal/article/pdf/70380008.pdf>.

²⁶⁹ <http://13d.cs.colorado.edu/~ostwald/thesis/section4-2.html>

²⁷⁰ <http://files.aiscience.org/journal/article/pdf/70380008.pdf>.

²⁷¹ http://www.ucdoer.ie/index.php/Education_Theory/Construction_and_Social_Constructionism

²⁷² <http://13d.cs.colorado.edu/~ostwald/thesis/section4-2.html>

From the foregoing explanation, it is deduced that the process of constructing knowledge starts with the understanding of responses and phenomena occurring in their natural setting. This is then followed by interpretation which results in construction of knowledge.²⁷³ In this research project, the researcher interacted with the groups depicted on figure 1.2. In the process of interacting with them, I interpreted their responses, and then constructed social knowledge as explained in paragraphs 5.3.1 – 5.3.7.

5.2 Research ethics

As has been mentioned in paragraphs 1.14 and 4.6, I interacted with individuals whose ethical dilemmas must be considered; not only by me, but also by masters and doctoral students, as well as academicians who conduct qualitative research.²⁷⁴ The Central University of Technology, Free State at which I was enrolled as a doctoral student for the academic year 2017, instructed masters and doctoral students to strictly observe and adhere to the research ethics when conducting research (cf. Appendix A).

The concept research ethics is defined by Nancy Walton²⁷⁵ as: *a research that involves human subjects or participants raises unique and complex ethical, legal, social and political issues*. The foregoing definition of research ethics suggests that qualitative researchers must handle participants who are by nature emotional human beings with care and also consider sensitive issues such as the human values espoused in the Bill of Rights of the Republic of South Africa (cf. Chapter 2 of the Constitution).

In addition to this, qualitative researchers must be sensitive of cultural values, including political and religious beliefs of participants when interacting with them. It is for this reason that the qualitative researchers must adhere to the following research ethical issues.²⁷⁶

The first research ethical issue is *plagiarism* against which the qualitative researchers must guard.²⁷⁷ This researcher can safely aver that I have not copied the work of any author; where the ideas or definitions of other authors' sources were used, such sources were acknowledged. Similarly, the groups who participated in this study did

²⁷³ <http://study.com/academy/lesson/social-constructionism-definition-and-theory.html>

²⁷⁴ <http://www.apa.org/monitor/jan03/principles.aspx>

²⁷⁵ <https://researchethics.ca/what-is-research-ethics/>.

²⁷⁶ <http://www.socialresearchmethods.net/kb/ethics.php>.

²⁷⁷ http://ori.dhhs.gov/misconduct/definition_misconduct.shtml

this *voluntarily* as required by the *informed consent* principle of research ethics. To avoid exposing the members of the groups that participated in this research to possible risk of danger by them travelling home at night, I involved them in discussions and interviews during the afternoons instead. ²⁷⁸

I also found it ethical to guarantee the *confidentiality* of the information that the participants provided me with. In addition to this, I guaranteed the *anonymity* of the members of the groups who were involved in this research by assuring them that they would remain anonymous throughout this research.²⁷⁹ The participants and the research have signed a declaration of secrecy. This was done in order to ascertain that information gathered will be kept confidential.

A few days, before I started with this research, I informed the selected schools and the members of the groups with whom I had discussions and interviews that their participation was *voluntary* and that in the process of conducting action research, they may *withdraw from participating* if they so wished. Lastly, I considered the *understanding* of the participants as to why they are involved in the study very important; therefore I explained to them the purpose and the significance of this study.²⁸⁰

5.3 Group discussions and interviews

In paragraph 1.12 the six secondary schools that have been purposely selected from six townships in the Free State province were said to constitute the sample of this study. The groups that took part in the discussions and interviews were drawn from the schools mentioned in the foregoing explanation in order to enable me to construct cooperative and cognitive knowledge. Questions which they responded to are written below under each group. The interpretation of their responses which enabled me to construct social knowledge is written under each question of each group below.

5.3.1 School governing bodies

- **Explain factors that negatively impact on the performance of learners at your school**

²⁷⁸ <http://www.socialresearchmethods.net/kb/ethics.php>.

²⁷⁹ <http://www.apa.org/monitor/jan03/principles.aspx>.

²⁸⁰ <https://depts.washington.edu/bioethx/topics/researc.html>.

The SGB members from schools A, B, C, D, E, and F who participated have singled out high absenteeism as the most contributing factor to poor performance. They raised the concern that many learners are over aged, and lack commitment. They said that they receive reports from principals and teachers during their meetings about learners who walk up and down outside their classrooms whilst other learners are being taught.

Due to what they claim is happening at schools, learners bunk periods without any consequences. The SGBs are failing to apply the code of conduct for learners to discipline wrongdoers, which means that there is no code of conduct at these schools. Or alternatively, the code of conduct they have is not being implemented. Principals are in trouble because their learners do not stay in class, and they cannot take disciplinary measures against them.

At schools A, C, D, E and F, the respondents said that poor performance comes about as result of absenteeism by learners who have to attend court cases, especially boys. Girls who have fallen pregnant have to pay visits to the local clinics during school time. The problem here is that the affected schools do not have clear policies or procedures on how to handle cases of pregnant girls.

The only instance when a pregnant learner has permission to be absent from school is when they are booked off by medical practitioners to give birth. Therefore, SGBs and SMTs have to ensure that pregnant learners attend school regularly. These learners are failing to fulfil their responsibilities to attend school (cf. sections 13 (c) and 16 of the NEPA: Policy on learner attendance).

In school D, it was reported that learners have alleged that certain teachers and their subjects are of no interest to them. These learners have claimed that subjects such as accounting, mathematics, physical sciences and mathematical literacy are difficult for them. They maintained that learners have said that they do not see any reason to attend or stay in classes for these subjects.

At this school, the SGB members have claimed that absenteeism is exacerbated by overcrowded classrooms. They said that teachers do not realise that many of their learners are continually absent. One female member said the following in her vernacular: *“Matitjhere a bona a nahana hore bana ba felletse, hobane tlelase e dula e tletse. A ke re ditulo di a shota, jwale bana ba se nang ditulo ha ba bonahale”* (Teachers

who take their periods in big classes always come to a full class. There is a shortage of chairs, so even if learners are absent, the class will look like it is still full).

The challenge for these learners is that the subjects mentioned are offered in English. It is also suspected that they have chosen these subjects without considering their ability to learn them. Overcrowded classrooms are a serious problem for many black schools. Teachers do not have the time for one-on-one sessions with struggling learners.

The SGBs of schools A and E have indicated that they reported to the officials that their schools are infested with gangsters who have a tendency of attacking the members of a rival group within their schools. Sometimes they leave their school to go and attack gangs from another school. Lessons are often disrupted. Learners lose valuable time when these fights occur. It was also revealed that the gang members carry weapons to school. Other learners who are forced to join these thugs are afraid to attend school.

The members of the SGBs alluded that the problems are complicated by the presence of drugs on the school premises. It emerged that most of these boys either peddle or smoke marijuana within the school premises. Another problem was that older learners come to school reeking of alcohol.

At school F, the participants said that there are many orphans. Some of these learners report at school at 10:00 a.m., the time at which learners are fed. Thereafter they disappear from school. They will only resurface the following morning. It is difficult for the school to deal with them because there are no parents or guardians who could come to school to listen to their cases. It emerged that sometimes former learners who are now delinquents visit the school to eat. They are so violent that it becomes risky for anyone to confront them.

Schools C, D, and E responded that there are learners who stay home to care for sick parents. When there is no food, these learners have to fend for the entire family, both the sick parent and younger children. Due to these circumstances they cannot attend school.

At school C, the SGB responded that at their school certain learners have reported that their grant money is taken by relatives who stay in Gauteng and that they do not send them anything. These learners are traumatised by the fact that they know that

they are supposed to be receiving their money but someone is taking it and there is nothing they can do. As a result of this learners do not perform well in their examinations.

At school F, it emerged that many learners fail because they go to the initiation schools at any time of the year. One male has put it like this: “*Ba ya lebollong. Ha ba kgutla moo e se e le banna. Ba tla be ba qala group ya bona ya gangsters. Morusu wa bona ha o na mothijo*”. (They go to initiation school. When they come back they see themselves as fully grown men. They then start their gang that terrorises people. They are so rowdy that no one can stop them).

From the discussions with the SGBs of schools A, B, E, and F it was disclosed that many teachers are incompetent. They said that the majority of these teachers are highly unionised. Some of them hide behind the name of SADTU to destabilise their schools. When the principals analyse results, these teachers do not attend the meetings. They do not care whether parents are there or not.

The SGB of this school is aware that many teachers are incompetent. This presupposes that they should budget for the development of the underperforming teachers. This calls for the principals to come on board by reporting to the SGB the areas of concern in different subjects. Take for example, the personal growth plan that each teacher should fill in annually. These plans could inform the School Improvement Plan and funding could be sourced from NGOs and the DBE.

The principal should also take disciplinary steps against teachers who fail to attend scheduled meetings for teachers and parents which are aimed at addressing learner performance.

The majority of these schools have raised the lack of parental involvement as another cause for high failure rate. At school F, the participants said that parents do not involve themselves in school activities. This school is labelled as a heaven for gangsters and wrongdoing by the majority of the community. As a result, many learners are not keen to study because of the bad attitude of their community towards them. This is confirmed by what the researcher has witnessed during his third visit at this school. The researcher came across a group of boys who were fighting around the school gate.

After enquiring from the teachers, the researcher was informed that there is a grade 12 boy who started the fight. The boy is new at this school and was from Gauteng. What made them furious was that the boy had run away from gangsters at his home in Gauteng but had started his own gang in this area.

The responses from schools A, B, and C were that the SMT members do not cooperate with the principal about school activities. The SGB members said that these people do not play their managerial role efficiently to ensure effective running of the school. One male member from school B, alluded to the fact that their school is big with more than 10 SMT members, but they cannot curb a simple problem such as late-coming by both learners and teachers. He said that the school loses the first period every day. You will find teachers and learners still strolling to school when they are supposed to be attending the first period.

Some schools have a 45-minute period. If the first period is lost daily, it means that each class is losing about 225 minutes of teaching time per week. The hours lost could increase if they are calculated according to man-hours. For example, in a school of 37 classrooms, man-hour's lost when the first period is not attended add up to 1 665 minutes. This is the reason why many learners will continue failing in large numbers.

The SGB members from school E indicated that the non-compliance of the SMT members is a serious factor. They said that they always have ambitious plans which are not implemented and they do not support the vulnerable principal. They said that the SMT members leave him in the lurch only to complain when things go wrong.

What is deduced from the response of this SGB is that the problem of this school is the lack of teamwork. It seems as if everybody is going in his or her own direction. The principal who is also a member of the SMT is not supposed to be ostracised by them. In the scenario where the members of the SMT do not cooperate, learners suffer the most.

At school B, the participating members have claimed that there is a lack of control at their school, and that this impacts negatively on the performance of learners. They furthermore revealed that food is not prepared on time. Learners will go for their break but not eat because food is not ready during break time. Then after break they are called again to come and eat. This is a complete waste of time by the school because lessons have to be suspended to make time for them to eat.

The SGBs from schools A, D, and F have complained about teachers who do not take their periods. One parent from school A said that she always asks for feedback from her son about what happened in their classroom on that particular day. The response reflects that learners usually see teachers in that class for three out of seven periods.

It was also revealed that most of the learners at these schools fail because they do not have textbooks, and the laboratories are empty. Teachers struggle to have access to the photocopier machines because of the shortage of paper to print their work.

Another problem that emerged was that teachers, who are supposed to assist parents with the explanation of DBE documents, are the ones who frustrate them with big English words. This happens at schools B and F. The SGBs reported that when they ask teacher representatives to account for poor results, they become impossible when they use big English words to explain their problems.

From the foregoing responses of the SGBs, it is deduced that both the SGBs and the SMTs cannot manage the school as an organisation. As a result, learners are failing in large numbers.

- **What steps are you taking in order to implement your code of conduct?**

The SGBs of schools B, D, E and F said that all stakeholders take part in the development of the code of conduct. The interaction with these SGBs revealed that this process takes place in the form of principals or his deputies reading the code of conduct at the beginning of the year at the first assembly. Thereafter it will be read to the parents who are present at the first general parents' meeting. The SGBs revealed that their policies were already there when they were elected. This refutes their statement that they involve all the stakeholders when they deal with their code of conduct.

What these SGBs are doing is in contravention of 8(1) of SASA which requires that the code of conduct must first be adopted by the SGB before it can be read to the learners or to the parent body. These schools do not fulfil their mandate because they do not know the legal aspects of how to go about dealing with the learner code of conduct.

It emerged that at school C there was no code of conduct for learners. Because of this, the participants are of the opinion that this contributes to high levels of late-coming, learners who do not wear school uniform, and learners who are generally ill-disciplined. As a remedial work, learners who misbehave are marched to the principal's office for verbal warnings.

According to the participants at school D, the code of conduct is given to new learners at the beginning of each year. These parents were not certain about how the parents and guardians receive the copies or how they sign for their children's learner code of conduct.

In the light of the above, I think the failure of the SGBs to develop, adopt, and implement the learner code of conduct, poses a serious problem. This prompts one to say that they are not aware of their powers as persons who are legally empowered by section 16(1)(2) of SASA to govern the school and to stand in the position of trust towards their school.

- **How do you develop the policy for norms and standards for school infrastructure?**

The participants from school A were not aware of the policy of this nature. They said that they have an environment committee which is constituted by the educators and factotums.

As a result of the response above, one is inclined to say this SGB is not in custody of the physical properties of its school. The functions of the SGB of school A are performed by the teachers and factotums.

The SGB of school C said that they have this policy. It instructs parents of learners who have broken the school's properties to defray the costs for repairs and replacements. When the researcher asked a follow-up question about any evidence in the form of receipts, there was silence. One of them said that it is because parents do not want to pay for damages caused by their children.

This means that this SGB cannot enforce the implementation of its policies. It does not receive support from the same parents who elected it.

Schools B, E, and F said that they were not certain about the availability of this policy. They reported to the researcher that they lack knowledge about the management and maintenance of school infrastructure. At school B, they said that

they cannot learn anything from the principal because their SGB meetings are often postponed by the principal. This means that they were not trained about their responsibilities except after their elections. Most of the parents who were trained by the DBE for three days have left the school.

- **What steps do you follow when you budget?**

The SGBs from schools E and F have expressed serious concerns about their non-involvement in the processes of budgeting. At school E they were told that their budget was already sent to the DBE. They claim that their principal did not prepare the budget with them. Parents were not called to their meeting to vote for the budget.

A good governing body should make rules and regulations for governance. They include budgeting which should be adopted through a vote by the majority of the parents present before it is implemented by the principal, the SMT and his teachers (cf. section 38 of SASA).

At school B, the budget is prepared by the finance committee. Thereafter it is cascaded to the teachers. Nothing was mentioned about the parents' involvement in this process. Therefore whoever is taking the budget process to the finance committee and the teachers is breaking the law. In terms of section 38(2) of SASA, before any money is spent by the school, that expenditure should get the approval of the majority of the parents.

The governing body of any school in South Africa must prepare an annual budget which outlines the plan on how the SGB intends on spending its allocated budget. This process must begin with the SGB and then it should be taken to the general parents' meeting for voting (cf. section 38 (1) (2) & (3) of SASA).

At school C they have reported that they meet with the SGB committees first. Thereafter, the financial committee forwards their budget proposals to the SGB with estimated costs. The budget proposals are then discussed with the finance committee. Subsequent to this, activities, purchases and payments for services are prioritised. Then the proposed document is taken to the general parents' meeting for approval.

The SGB of school D responded by saying that they prepare their budget with the finance committee. Thereafter it is taken to the parents for approval. Their main concern was that their money goes to transport. They are a small school in a very

poor township. Unfortunately for them their conditions warrant that they should receive services for the school from Welkom or Bloemfontein.

As a follow-up, I posed a question to the SGBs of participating schools about the involvement of learners in this process. They answered by saying that there is no need for the RCL members to be involved in monetary issues of the school.

It is true that minors cannot be involved in any agreements about financial obligations, but these are ordinary members of the SGB. By closing the door on them on financial decisions, learners are denied their Constitutional rights to participate in the democratic processes of the school as it is their responsibility to make suggestions on how the school can use the money allocated for learners.

- **What strategies do you exactly follow that enable both the principal and the SGB to manage the school funds?**

The SGBs have raised several concerns about the management of funds at the participating schools. At schools A and D, it has emerged that teachers disturb the smooth running of the school by making the principal account for the usage of the school funds in the morning briefings. The argument is that principals are not involving the SGB in as far as the funds are spent. They do not convene proper meetings for this purpose. But they also said that when such meetings are convened by the SGB, the teacher component does not attend.

The parent, learner and support staff components of these SGBs are caught in the middle because of the failure of the principal and SGB chairperson to ensure that correct measures to use the school funds are taken (cf. section 16 (2) (h) of SASA). This implies that some principals spent the school funds without the mandate from the SGB. Such a practice may be viewed by the employer as financial maladministration or mismanagement.

At school B, the participating SGB members have blamed the principal for not being transparent with the school finances. They emphasized their point by reporting that they are always in conflict with the headmaster for using the school funds without their endorsement.

Budgeting is a very important function of the SGB. It provides the school with the resources it needs in order to fulfil its obligation to ensure quality education to all learners.

At school E, it emerged that the principal and the finance committee are tasked with the responsibility of identifying projects for the SGB. When I asked them to mention an example of a project that was currently running; they became totally silent. They then said that they could not respond because there were no projects but money was spent elsewhere without the consent of the SGB. One female member said the following: “*Ha re di tlohele tseo ntate; o a bona le wena hore ha re kgone ho bua*”. (Let us leave them as they are. You can see for yourself that we are unable to disclose what happens at our school).

The conclusion that one can make here is that the SGB could not speak about their suspicion of corruption by their principal.

The SGB members who participated in this study from school F said that they are not involved in the usage of school funds. Instead, the principal has co-opted a certain post level 1 educator to whom he refers as the “project manager”. They are not sure for which project except that this fellow ferries grade 12 learners with his vehicle to and from school during extra classes.

They have reported that their principal has the last word. Therefore what he says is final. He is not open to suggestions. The most frustrating thing is that if anyone, be it a parent or a teacher, tries to point out his mistakes, he becomes very angry and begins to use threatening language.

It is clear from the responses of the SGBs that all schools are not adhering to the code of conduct of governing bodies which intends to ensure that the SGB members, including the principal, adhere to a disciplined and purposeful school environment that is dedicated to the improvement and maintenance of a quality governance structure of any public school (cf. section 18A (2) of SASA).

- **Explain how you ensure that your school provides a healthy, safe and secure environment for learners, teachers, parents, principals and others.**

At schools B and F, it emerged that the SGB and other stakeholders resolved to close the gates in the morning in order to curb late-coming. They said that this was stopped after an incident where learners who were late were attacked by thugs at the school gate.

From the legal point of view, it is against the law to lock learners or anyone else outside. This is tantamount to an unjust administration action because the principal as an administrator is supposed to act wisely (cf. section 33 of the Constitution).

On the other hand, late-comers prejudice the smooth running of the school. They make it difficult for the SGB to ensure that the school is managed efficiently. The researcher has asked the participants a follow-up question about who is responsible for setting school times. They said that it was the principal. This means that they do not know that it is their fundamental task to set times when the school should begin (cf. section 20 (f) of SASA).

Gangsterism is rife at schools B, C, E and F. It was revealed from our discussions that most of the learners, who are gang members, carry dangerous weapons to school. For instance, it was mentioned that in their school bags one will find knives, pangas, and knobkerries. The situation at school B is unfathomable because the participants have complained about parents who are afraid to visit this school. They say that their fears are as a result of the school being known for having children who mug, rob and do drugs.

At school A the SGB said that their children could contract contagious diseases due to the state of the learners' toilets. They complained about the puddles of faeces which litter the girls' toilets. Coupled with this, are the used sanitary towels which are littered on the toilets' floor. It emerged that girls at this school, do not use the bins provided for this purpose. When they visited the boys' toilets, they have seen that they use water basins as urinals. One of them said that his son is complaining about the stale smell that comes from the toilets into his classroom. The smell is unbearable because their classrooms have no windows.

The response of the SGB of school C was that their classrooms are not safe due to an increased number of uncovered electric cables. Some of them still have power. They have blamed this danger on theft and vandalism. According to them, copper wires, switches and plugs are stolen during teaching time. The vandals have stripped the toilets. There are no water pipes in the older school buildings. They have also raised the issue of broken classroom windows.

Parents participating in this research from school D have reported that their school gates remain open during the day. This has led to an incident where a stranger intruded on the school premises and attacked a learner inside the classroom.

Nobody had seen the intruder except that teachers were alerted by the commotion that ensued. After a follow-up question, it came to light that the intruder was actually the parent of a child who was bullied by the victim.

The situations at schools E and F have positive reports. The participating parents reported that the Adopt-a-Cop campaign assists them. When they need the SAPS they make a swift call directly to the SAPS member who adopted them. In most cases they respond quickly. The SAPS members mentioned here help these schools with random body searches for dangerous weapons and drugs.

What this school is doing is in line with the stipulations of the laws of education (cf. section 8A (2) and (3) of SASA).

Lastly, I would like to point out that the SGBs' role in ensuring school safety is on the application of corporal punishment. This was asked as an informal question as we deliberated on the school safety. Parents from schools A and D said that there was nothing wrong with teachers applying corporal punishment. They argued that many learners are stubborn because they know that it has been outlawed.

Schools B, C, and E were in agreement when they reported that their teachers are disciplinarians because they help them with the discipline of their children. They said that their children report at home about the level of discipline in the classes of teachers who apply corporal punishment. These findings will be corroborated when the researcher reports about the use of corporal punishment later.

5.3.2 The school management teams

- **What could be the reason that some of the educators do not cooperate with the school management team?**

In responding to this question, the SMT's of schools A, B, C, D, E and F agreed that teachers accuse their managers of imposing decisions on them. They claim that teachers complain about decisions that come from both the DBE and their principals. Therefore when they enforce those decisions, they are labelled as dictators.

As a result, most of the teachers do not cooperate because they believe that they were not consulted when a specific decision was made. The member from school A said that certain colleagues shun meetings. They run their departments by consulting individual teachers.

They have also alluded to the various factors as causes for non-cooperation. Firstly, some of the applicants who were not successful when applying for a promotional post are still bitter about it. They influence others to reject management's decisions. Secondly, they said that teachers are complaining about overcrowded classrooms. They have a lot of work to mark. This causes late submission of marked scripts for control. They elaborated that teachers have serious issues about the capacity of their classrooms. They are too small to accommodate more than 30 learners.

Lastly, they said that teachers are complaining about many marked schedules that they have to prepare for a single class. Over and above, teachers are frustrated about too many recording sheets for every aspect of their work and complain about all the paper work involved. It often consumes their teaching time.

This is an indication that teachers at the participating schools are not willing to adhere to their responsibilities. They deliberately refuse to perform their duties. Therefore the SMTs should begin to make them aware of the consequences of this behaviour. The principal should support the SMT members by invoking the appropriate legislation (cf. section 18 (1) (a) of the EEA, 76 of 1998).

It has emerged from the discussions that teachers from schools E and D do not cooperate because they believe that they have superior knowledge about subject content as compared to that of their managers. For example, in subjects like accounting and physical sciences, an educator may be managed by someone who does not have either of these subjects as their speciality. As a result this teacher may refuse to submit his work to this person arguing that their supervisor knows nothing about the subjects in question.

This calibre of teachers is hampering unduly with the administration and discipline of the school. Therefore disciplinary measures should be taken against them. It is the prerogative of principals to train SMTs about the prescripts of EEA (cf. section 18 (1) (f) of EEA). The SMT members should also play their role by ensuring that subject policy matters are discussed in their meetings.

It was revealed by schools A and D that they are in remote areas. It is difficult for them to keep qualified teachers. They are forced to allocate to certain teachers, subjects that are not their majors. Couple this with the ever changing curriculum, one could end up with stubborn teachers.

Continuous curriculum changes are seen as contributing factors to teacher frustrations. Curriculum that changes frequently, leads to lack of understanding by both managers and teachers because they are still trying to understand the current document. It leads to lack of capacity and inability by all SMTs and teachers.

In school F, the SMT members pointed out that teachers complained about lack of discipline and respect by learners. Their teachers claim that there are no effective disciplinary measures; hence they take out their frustrations from the classroom on teachers. Some teachers deal with their frustrating situations by dodging their periods in troublesome classrooms. Fights also occur in unmanned classrooms. They said that school management team members also do nothing if teachers have not taken their periods.

The conclusion drawn here is that teachers, who do not honour their periods, disregard the legitimate order by the principal to carry out a routine instruction. By failing to attend a class, a teacher is putting the lives of learners in danger. It was mentioned elsewhere in this discussion that many schools have gangsters. Therefore the law must take its course (cf. section 18 (1) (i) of EEA).

- **How do you formulate and implement your school policies?**

Participants from school B said that they have never formulated policies. They do not know which policies their school have. They were not aware of the education legislation except SASA and the SA Constitution.

The conclusion which is drawn from the responses of school B's participants is that this school is being run haphazardly by the principal and his SMT. The SGB of this school is also lost. It is a well-known procedure that all SGBs should formulate and adopt their policies.

The SMT of school E has expressed their concern about how the code of conduct for learners should be developed. They have an old one which got into usage ages ago. According to them their code of conduct for learners is so ineffective because petty misconducts such as common theft and late-coming are still rife.

At school F, it emerged that the only person who knows about the school policies is their principal. They said that the school operates according to his personal experiences. Therefore, as SMT members they have decided to just come to school,

push papers and go home when the bell rings. The situation has worsened to such an extent that they do not participate in any meeting. The principal talks alone.

Furthermore the SMT at school C claimed that the school policies are developed by the SGB without consulting them. This makes it difficult for them to implement those policies. One female member said that in her tenure as an SGB member, their principal used to come to the SGB with already made policies. The names of the original schools were deleted and replaced with the name of their school. Therefore she felt that it was not right to implement policies which they did not develop.

Another female member added by saying that, that is the reason why the policies in their school were kept in files. The main reason is to show them to the DBE officials when they visit their school. The visiting officials do not bother to read them; they just append their signatures as an indication that this school has the policies. This indicative of the fact that the SMT and the principal do not cooperate with the SGB in view of developing management and governance school policies.

The schools A, D and E responded by saying that they are guided by SASA, Constitution and EEA when they formulate policies. Moreover, they work together with the SGBs, teachers, and RCLs. After adopting the policies, they send copies to the DBE for verification. But they are stored there without any feedback from the authorities. This is a point for concern because in most cases, the code of conduct for learners happens to be demanded by the courts of law if the parents are aggrieved about certain procedures. If it is found that the code of conduct is not aligned to the Constitution, both the school and the DBE will lose the court case. The integrity of the school and the image of the DBE will be tainted.

- **‘Unions, for example, SADTU, and NATU, play a prominent role in your school’. What exactly do they do to influence the decisions of the SMT members of this school?**

At school F, the participating SMT members said that unions do not have any influence on their decisions. They claim that their principal is proSADTU. And this union has a hundred percent membership at their school. This has resulted in other members committing serious offences knowing that their comrades will protect them at all costs.

It was revealed from schools B and D that members who belong to SADTU have instructed their principal and SMTs to expel DBE officials who came to their school unannounced. The site structures of these schools will check with the managers if the official visiting has made prior arrangements. If it is found that there were no plans, the unfortunate DBE official will be physically removed. This person will be followed by “comrades” until they reach the school gate.

There are a couple of violations of the education legislation. Firstly, it is unprocedural and unlawful by anyone to chase another from doing their work (cf. section 18 (1) (s) of EEA. Lastly, chasing away DBE officials and subject advisors is a sign of disrespect towards others in the workplace or an act that demonstrates abusive and insolent behaviour (cf. section 18 (1) (t) of EEA).

At school A, it was reported by the participating SMT members that their unions tend to run the school. They demand that every decision must get their blessings before it is implemented. When they don't like something, there will be long and unnecessary arguments between them and the principal. In most of the cases they hear from them if there are policy changes. This makes SMT members appear stupid because union members expose them right there in the presence of other teachers.

At school C, the SMT members said that the involvement of unions such as SADTU hampers the progress of the school. They overstepped their mandate by defending teachers who continuously fail to submit their work for control. They are influential and successfully defend teachers who have slept with young school girls. It is so inappropriate for them to always question the decisions of the principal.

Therefore rogue elements in SADTU at this school allow their members to sexually molest children. They are defended and win cases that could have resulted in them losing their jobs. The SGB of this school should come in and assist the principal by reporting their disapproval of such behaviour to the MEC. The principal on the other hand should refer such cases to the DBE for formal disciplinary hearings.

The report from school E was a positive one. Their unions encourage them to teach and complete their work. Teachers are discouraged from engaging themselves in illegal activities like the application of corporal punishment; although it is still used by some staff members who have decided to do things against this regulation. They are said to apply corporal punishment clandestinely.

- **Why is it that you find yourselves resorting to illegal corporal punishment to maintain good discipline in your school?**

It emerged from the participants from schools A and E that learners are beaten for not completing their school work because the majority of them are ill-disciplined. They swear at others in the presence of their teachers while some bully weaker ones. But when teachers apply corporal punishment, such behaviours stop.

School corporal punishment can be defined as an action taken by teachers that is deliberate to cause pain or discomfort to the learners. It happens when learners have misbehaved in the classroom or outside on the school premises. They can be punished for not completing their school work or for petty theft. Although it is abolished in South African schools, it is still regarded by many teachers as a major means of bringing order in many classrooms (cf. section 10 (1) and (2) of SASA).

In our deliberations, it came to the fore that some of the teachers are alleged to use corporal punishment as a means to force young girls to fall in love with them. Therefore such teachers intimidate girls with various deplorable intentions.

This behaviour by bad teachers can be equated to statutory rape. This is a criminal offence which must be dealt with by courts of law. Principals must develop mechanisms which will make it easier for girls to report rape without any fear.

Some teachers apply corporal punishment as a cover-up to their lack of effective teaching in the classrooms. When asked why, they claim that learners cause commotion whilst managers try to teach. One male said the following: "*Bana bana ba sele. Ha re ba shapa ka moya o motle ha ba na dicomplain*". (These children are out of hand, when we apply corporal punishment without being emotional, they do not complain). These were the responses from schools E and F.

In the responses from schools B and D it was revealed from their articulations that SMT members from the two schools apply corporal punishment because most of the learners know that they can misbehave and there will be no consequences for their actions. At school D, they were in agreement that the so-called alternatives to corporal punishment take too long to be effective.

The conclusion which is drawn is that teachers and their managers at these schools apply corporal punishment because they lack training, skills and awareness of how to deal with ill-discipline. They are quick to use various instruments as tools or

weapons to assault learners. Some of them use sticks, brooms, hose pipes, and dusters to hit learners.

Teachers at this school claim that they have never seen any documents or guidelines about other methods of discipline. Their problem is that corporal punishment is rooted deep in their school systems. They said that it is the only method they know that will result in good behaviour. According to them, this crime happens automatically when they deal with difficult learners in their classrooms.

SMT members at schools C and E apply it to deal with drug addicts. They argued that these learners perform poorly because of their addiction. On the other hand the DBE exerts pressure on them to pass as many learners as possible.

The ostensible truth of their practice is that SMT members commit criminal offences by beating up drug addicts. They should be charged with misconduct because they are violating section 18 (r) of EEA for assaulting learners who are “sick”.

These findings confirm that the assault of learners in these schools and in South Africa at large is a big problem. Schools have turned out to be places where violence is brewed. It has led to children seeing violence as means to solve problems. No wonder there are so many gangs both from the schools and their local communities.

It was mentioned elsewhere in this study that SMT members who apply corporal punishment are guilty of contravening section 10 of the SASA. Added to this is that they violate the Constitutional rights of learners to be free from all forms of violence from either public or private sources (cf. section 28 of the Constitution). Teachers, including SMT members are public figures. They may therefore not cause physical harm to learners (cf. section 12 (1) (c) of the Constitution).

- **What are your personal or group concerns with regard to the safety and security measures in your school?**

The SMTs of schools A, B, C, D, E and F said that their schools are not safe at all. There are gangs within their schools who attack each other as well as innocent learners. Sometimes male teachers have to get between boys who stab each other with knives. It has also emerged from our discussions that learners who are not gang members have to carry weapons to school. These learners claim that they are mugged by thugs on their way to school and within the school premises.

Effective self-managing schools provide their teachers and learners with a positive climate for safe interactions. This means that teachers and learners, learners among themselves, and their outside communities, have positive social relationships which promote peace and tranquillity. In an ideal situation such as this, there is no teasing, bullying, and aggressive behaviour by one to another. Therefore, all stakeholders feel very safe.

In some cases thugs come into the school premises looking for their victims. They are informed by their friends about the location of their enemies. Teachers will just see a group of heavily armed boys who will gate-crash the classrooms. When they cannot find their person, they will begin to assault others who are innocent. The managers believe that there are dangerous weapons within their school premises.

Another area of concern to the SMTs is that in their respective schools, there are no fire extinguishers. For instance, teachers at schools F and C said that they are afraid that uncovered electric wires can spark and cause a fire in the school. This means that their safety as well as that of the learners is not guaranteed.

At school E, SMT members reported that there are boys who are over aged. They are not supposed to be at school. Some of them have attempted to assault teachers. This was discussed in the staffroom they have asked the principal to get rid of them. He cannot because they run to the DBE and the unfortunate principal will be given a letter instructing him to readmit them.

At school D, the response was about the school gate which is left open throughout the course of the day. The problem is that the community also needs help from the school. However the uninvited guests exploit this situation. They come into the school premises under the pretext of accessing the services at school, but only to pounce on their enemy.

At school F, teachers' toilets are not working. There is a serious blockage. This matter is worsened by regular stoppage of water supply by the municipality. They are afraid that they will contract contagious diseases if they continue using such toilets. Their principal is not helpful. He insists that they must stay at school for seven hours. On hot days the smell hovering over the school is very bad.

- **Explain how the allocated budget assists you in the enhancement of academic performance in your school.**

Schools C and F participants said that they budget money for their departments and that the exercise is tedious, but it is never implemented. They do not know where their money is going or what it is used for. They claim that they are never informed when the school has received its allocation. When they make out requisitions for education materials, they are shocked when they hear that their schools do not have any money.

They have also revealed that a lot of money is diverted to the extra classes for grade 12. This has been going on for many years. They said that it is used for food for both teachers and learners who are engaged in extra classes. And a huge portion goes to the salaries of teachers who provide special classes.

Budgeting is the responsibility of the SGB and the principal. The SMT members make inputs by suggesting activities, materials and services that the school may need in order to secure the success of learners. SASA provides the basis for a financial system that devolves powers to schools to decide about their financial expenditures on an annual basis (cf. section 37 of SASA).

This makes it clear that the SMT members have the legitimate power to use the allocated funds for their school to be academically effective. But most of the SMT members who participated in this research know nothing about budgeting.

At school F, the SMT members were divided on how the money was used. One of them changed her story when she said their principal is the only person at school who knows everything about how their allocation is spent. Others refuted her statement by saying both the principal and the SGB make final decisions about the budget. But they all agreed that their money does not help them to improve results, especially in classes from grade 8 to 11.

There is a conflict of interest in terms of the extra salaries. The SASA is clear on this matter. It provides that the SGB of the school must apply to the MEC if it wants to pay state employees such a salary. The reports from the SMT members reflect that this has not happened; hence they did not include this activity in their budget proposals (cf. section 38A (2) of SASA).

Participants from schools B, D, and E lament that their schools cannot procure enough equipment for laboratories, sports and their libraries. Some subjects at these schools demand that there should be consumable materials. Others such as Life

Orientation need balls and bats. But these materials are not available even though they have budgeted for them.

At school D, the participants have disclosed that their budget does not help them to achieve good performance in their departments. Instead, they use their own money and resources to run the school. A lot of their allocation is taken by transport to Bloemfontein or Welkom. They have to attend workshops there.

The challenge is that they are in a small town, with few learners. The money allocated to each school is calculated according to the number of learners. The more learners the school has, the more money they receive. So, they belong to the category of very poor schools because they have a lesser number of learners.

The situation as reported by school E participants is dire. Their money is spent on food for all learners. They said that the allocation for National Schools Nutrition Programme is too little. Things are made expensive by the distance between the suppliers and the school. Most of the learners depend on this food for the day. The school has to come in to help, because their parents are unemployed. Most of the parents who are employed work at faraway places. It takes them too long to send money home. They also feel that it is not necessary to budget because the DBE deposits money very late resulting in that cash paid to their accumulated debts.

It is only at school A where the SMT members have declared that their budget helps them to achieve well academically. Firstly, it allows them to attend workshops. Therefore their teachers are always empowered. Secondly, they are able to buy necessary LTSM and laboratory equipment. Thirdly, budgeting allows them to source expert teachers. They are paid from this money in order to provide extra lessons for grade 12 learners. Lastly, they also budget a portion of this money to provide food for both learners and teachers during winter and weekend classes.

The findings of the researcher reflect that there is a myriad of problems. But the most unpalatable one is that the continued violation of the SASA leads to travesty of justice to learners by the school authorities. This sentiment is echoed by the DBE when they report that the education system is weakened in the classroom due to lack of discipline, poor learner standards and results, as well as insufficient resources.²⁸¹

²⁸¹ <http://www.cepd.or.za>

5.3.3 Principals of six schools

- **What strategies do you exactly follow, as the principal together with your SGB, to manage your school funds efficiently?**

The principal of school A responded to this question in this way: “I meet the SGB and introduce them to SASA. The principal and the financial clerk are on our financial committee. The cheque is authorised by financial committee members who also have signing powers. Monthly reports are made to the SGB and financial committee”.

The problem here is that the financial committee members have more say in the school finances than the SGB of the school. This is a violation of section 16 of SASA. It provides that both the principal and the SGB of a school should work together when they use the school funds, not the financial committee.

The principal of school B responded differently by saying: “We use the financial committee, receipt books and cheque books”.

This explanation is very brief. The principal of this school seems to be lost with regard to what the law says about him being the accounting officer of the school. On the other hand the principal of school C responded to this question as follows:

“We have effective financial committee meetings in which we discuss the school’s financial issues. The financial clerk is good at recording financial matters. We use South African Schools Administration System to record all transactions. And the financial committee policy is followed”.

The principal of this school is also failing to follow the law by deciding with the finance clerk about how the money should be used. No budget procedure is followed at this school.

When answering this question the principal of school D said: “The transport consumes all of our money/budget. We have to travel to Welkom and Bloemfontein for services. We have the quotation committee. Before any payment, we discuss and agree on the cheaper quotation”.

It is not clear from the principal’s response if the quotation committee has the SGB members who are delegated by other members. Because of this, the conclusion I drew is that the school’s finances are spent illegally at this school.

As regards the principal of school E the response was: “The budgeting is drawn up and there *are no* fees incurred for this exercise. We rely on the DBE grant which comes late. For example, in June 2017, we have received a grant for 2016, term 4. All the money is consumed by debts within days. Parents are reluctant to assist because when we inform them that the money is finished, they think that I have used the money for my own personal gains”.

According to me, parents are reluctant to assist because he uses the money without the consent of the SGB. Even if the money is received late, he still has to follow the regulations before using the school money.

In responding to this question the principal of school F said: “The school is supposed to follow the policies that are put in place in order to workshop the SGB on how to manage the funds. The SGB must follow the regulations regarding the school funds, and follow the directives from the DBE; they must put the financial committee in place to manage funds. The financial committee should report to the SGB to advise them to raise school funds. This is then followed by the budgeting process which must then be communicated to everybody, including parents, teachers, and learners”.

The principal of this school seems to know what is to be done with finances at his school. Therefore he has a little knowledge but he has decided to ignore the due process that must be followed in order to spend the school’s finances. This makes him prone to be suspected of enriching himself with the school’s funds.

The responses above indicate that principals neglect the dictates of legislation when they use public funds. They do not budget with the SGB and the parents. They just decide on their own about what must be done with the school’s finances. As such, the SGBs are replaced by the financial clerks. Section 16A (1) (j) of SASA provides that the principal must be a member of the finance committee or a delegate of the governing body in order to manage any matter that has financial implications for the school.

- **How do you promote good management of learner teacher support materials?**

Principals from schools A, B, C, D, E, and F, said that their retrieval systems for textbooks have serious shortcomings. They are worried that only 50 to 70 percent of

loaned textbooks are returned at the end of each year. This forces them to purchase textbooks every year. Learners and their parents are not aware that the money allocated is not for textbooks only. As a result their schools have a serious shortage of learners' furniture as well as having empty laboratories.

One of the responsibilities of the principal is to ensure that both teachers and learners have good materials which will enhance learning and teaching. Schools use public funds to purchase learner and teacher support materials (LTSM). Therefore it remains the responsibility of the principals to provide accurate information about what is available at their schools.

At school A, it was revealed that class teachers are not willing to check if learners are still in possession of the textbooks loaned to them. There is a textbook control form which must be used at the beginning of each term.

It emerged from school B that both parents and learners who have lost textbooks are not willing to pay the school for that loss. Added to this dilemma is the fact that learners who withdraw from school during the course of the year do not return the school's property.

The principal of school C has alleged that there is corruption within the ranks of the SGB. This emanates from his suspicion that some SGB members inform their friends about the decisions of the SGB. For instance, when it is time to procure textbooks from service providers, there are those who put in tenders which show exactly what the SGB has planned to pay for a particular number of textbooks.

The principal of school E said that they use a credit card system. They withhold the results of the learners who did not return the textbooks at the end of the year. He went on to say that this method works for them. The problem is with parents who are unwilling to defray costs for lost textbooks. They argue that their school is a no fee school. So, how can the principal expect them to pay?

- **What are your personal safety and security concerns on a day-to-day basis at this school?**

Principals of schools A, E, and F said that their schools are infested with gangs. These boys fight each other every night and day. They feel that their efforts to curb violence were not fruitful. The principal of school A has also relocated from his hometown in fear of being attacked at home. He said that he has to come to school

amid his fears of being attacked by these thugs within the school premises. He concluded by saying that there are teachers who become very aggressive when he approaches them to collect their school work for control and monitoring.

The principal of school B responded to this question with teary eyes. He said that he is exposed to danger on a daily basis. It is as if he is fighting alone. According to him it seems as if he is exposed to danger on behalf of the DBE. Parents who employed him are not supportive. They shout when they have consultations with him. It is worse when he has to face both learners and teachers. He laments that there is no one to support him; it's lonely for him at that school.

The response from the principal of school D was that his school is in the remote area of Free State. It is the biggest government building in that town. Community members visit this school for photocopies and it is therefore difficult to keep the school gate closed. Thugs also access their school under that pretext. Some of them pounce on their enemies who happen to be learners without them being aware. He said that he was afraid that something similar may happen to him or to any other teacher.

To add to these reports, the principal of school F expressed his thoughts by saying that he feels safe when he is not at school. His mind becomes clearer when he is away. That is the reason why he would come to school in the morning and make plans to leave immediately when other people began to arrive. He emphasized that he attends each and every meeting outside the school premises. He is safe for as long as he is not in the school yard.

He also said that they had a security guard at the gate. This person suffers from verbal abuse when gangs want to attack others on the school premises. According to his reports, some learners bring alcohol and drugs to school. They are consumed whilst lessons are continuing. He has claimed that a few days prior to the researcher's visit, he was alerted to a situation where a boy had given a bottle of hard alcohol to his girlfriend and when learners exchanged periods, the boy would quickly approach this girl for a **sip**.

When answering this question, the principal of school C said that learners at his school carry dangerous weapons. Teachers do not take their periods. He described an incident when food for NSNP was stolen during the day. As if nothing had happened, 16 laptops were also stolen during the day. The modus operandi was the

same, no breaking of the doors to the rooms where these items were kept. They do not know what happened to those items even after serious investigations. He went on to say that it is not a secret that his school is harbouring dangerous people, but did not mention their names.

- **What actions do you take in ensuring that the Constitution as well as education legislation and policies are implemented in your school?**

The principal of school A said that he has tried to align the school's policies with that of the DBE. He quotes the Constitution when he disciplines learners.

This response indicates that the principal of this school does not know the significance of the code of conduct for learners. It is imperative for the principal to assist the SGB with the development and implementation of the code of conduct for learners. When they formulate the code of conduct, they should align it with the Constitution, not to use it as a frame of reference when learners are disciplined.

The principal of school B said that he was clueless about education legislation. He went further to claim that this question is an eye opener to him. The principal of this school is honest. He must therefore request development from his supervisor.

At school C, the principal said that he was new at that school. He has begun processes to train teachers about education legislation. According to him he has realised that parents have signed the code of conduct for learners without understanding it.

What was interesting to me was that at school D, the response was that they have aligned all their policies to both the Constitution and other education legislation. However, it came to the fore that teachers, as per the report, still lack understanding. The administering of corporal punishment attests to this. There was no evidence provided by the principal in connection with steps he has taken to apply the law to discipline teachers who assault learners and those who bunk their periods. This shows that the principal too, does not follow the laws to ensure that he is organised and manages his school's systems well.

It emerged from the responses of the principal of school E that their school policies are aligned to both the Constitution and other education acts. He said that they are able to attend to educator problems as well as issues about learner attendances. As regards to the school F, I requested the principal to provide an example of any

school policy. Unfortunately, there was nothing readily available. He then promised to get them ready for me on my next site visit. The conclusion I drew was that there were no policies used on a daily basis for decision making at this school.

Secondly, it came to the fore that at school F the SMT members are assigned the responsibility and the teachers handle cases of misconduct without involving the principal. They apply corporal punishment when it suits them. Some of the teachers call parents to school to come and assist them when their children are disciplined. It emerged from the responses of the principal that some parents will begin to assault their children right there in the presence of other people, insult the child and use strong language.

The principals of six schools appeared to be ignorant of the education laws, policies, Acts, as well as the Constitution. I regard this as serious because there is no way that in the new educational dispensation principals and teachers can carry out their duties. It is disgraceful and expensive for education practitioners not to know the laws governing them.

- **Why does it happen that principals tend to ignore RCLs on the day-to-day running of their schools?**

From the response of the principal of school A, both teachers, parents and even the principal himself, do not involve these leaders. It was said that they undermine the level of thinking of RCL members. They do not believe that these learners have the leadership qualities desired by the educators of this school. The principal has qualified their stance by claiming that during the elections, learners were irresponsible hence they nominated troublemakers in this position. According to the principal, some of the RCL members are gang members.

Principals of schools B and E said that they do not involve their RCLs because they are in grade 12, therefore they will be disturbing their learning. It was revealed by the principal of school B that his RCL members who serve in the SGB are not involved in financial decisions. The problem here is that money allocated to any school is for learners. It is unfitting for principals and SGBs to ignore these learners. If they are involved, they may come up with good suggestions for the school about what learners want their money to be used for.

At school E, the principal said that sometimes they have to discuss confidential matters. It has happened at this school that the SGB was acting on rumours that a certain teacher was romantically involved with a young school girl. They had to ask the learners to go out of that meeting. Their aim was to protect the image of the teacher.

The principal of school C said that he was not prepared to engage them because chaotic situations emanate from their involvement in serious school matters. He said that they are known to spread SGB confidential matters to teachers and learners. That is why they are not regarded as important stakeholders in this school. Their position is that of children.

This means that the SGB of this school is continuing to act unlawfully because it is not always fully complemented in that learners are left out; as a result they deliberately do not invite the RCL to the SGB meetings. Because of this the researcher thinks they should be dissolved, or alternatively, they must be trained on their responsibilities.

Following the discussions with the principal of school D, it came to light that the principal uses the RCL to control late-coming in the morning. They also assist with the general discipline of the school. He said that they are not included when the teachers discuss sports matters. They are also excluded when the school decides if there should be extra classes. They receive letters which inform parents about many activities for all the learners. Their main concern is that as the RCL, they are not involved when the school leaders plan their extra mural activities.

The response of the principal of school F was that he does not ignore them. He has organised workshops for the RCL of his school. The RCL chairperson gives him feedback about what is happening at this school. He cannot overlook them because he knows that the MEC for education always summon them to a meeting when he visits the school.

This principal must be aware of section 11 (1) of SASA which provides that a representative council of learners at the school must be established at every public school enrolling learners in the eighth grade or higher. It is for this reason that they must work with leaders of learners in their schools. Their participation in decision making is important. Furthermore, the RCL members who are in grade eight or higher can be elected to serve on the SGB (cf. section 23 (2) (d) of SASA). The aim

of this piece of legislation is to promote democratic decision making processes in any organisation in South Africa.

- **How do you manage learner and teacher attendance at your school?**

The time registers of schools C and D are ignored by some teachers when they arrive and when they leave the school. The two principals blamed high absenteeism of teachers on the failure of the assigned deputy principals to control the time registers every morning and afternoon.

Deputy Principals cannot refuse to act lawfully. By so doing, they unjustifiably prejudice the administration, discipline or efficiency of their schools. This means that principals of schools C and D should train them again about education acts. The purpose is to empower them. If it is realised that there are no improvements, then disciplinary actions against them should be invoked (cf. section 18 (1) (f) of EEA).

It also emerged from the reports by principals that teachers at these two schools are not keen to control learner attendance. They said that their teachers are complaining about big classes which make them lose their first periods in other classes. Sometimes teachers delegate this important duty to ordinary learners when they ask them to mark learner attendance registers.

These teachers should be charged for failing to carry out a lawful instruction. It is the work of any teacher to control and monitor the attendances of learners in their register classes or in the classrooms where they offer certain subjects (cf. section 18 (1) (i) of EEA).

At school B, they have a system that they use when a learner has to leave school early. The principal of this school said that most of the teachers do not issue out the permission letter when there are such learners. He said that they always struggle with the weekly submission of the South African Schools Administration and Management Systems' reports because both the time register and the attendance registers are not up to date at the time of preparing the report on attendance to the DBE.

At school E, teachers who were absent do not want to fill in leave application forms. In most cases the problem arises from habitual loafers. They become absent on Mondays, Fridays, and around the days of month-end. They argue that they are

being ill-treated by the principal because teachers who are 'friends' with him do not fill in leave forms when they were absent.

The principal of this school should initiate processes to find professional intervention for the teachers affected. They could have social problems, including alcohol abuse. The point of departure should be to get their consent before any help can be initiated. If they agree, they can be referred to the employee wellness section of the DBE.

It has also emerged that this school uses the weekly attendance register for learners. The administration clerks print it out every Monday morning. At the time of submitting on Friday, it is then that some teachers flock to the administration block for new copies. The principal said that he doubts the accuracy of those reports. This is why the absenteeism rate is still high at his school.

The principal of school F has revealed that he uses the time register to control teachers' attendance. Sometimes he also forgets to append his signature next to his name. That is the reason why he has assigned a certain post level 1 teacher to sign for him. A follow-up question about the reaction of other teachers was asked by the researcher. The principal responded by saying that it is within his rights as the headmaster to do so.

Both the principal of school F and the delegated teacher should be charged with fraud. The time register is a tool that serves as evidence that an employee was present at work. Signing on behalf of each other puts the DBE at the risk of losing money because it will pay teachers who were never at work (cf. section 17 of the EEA).

He said that his time register is not always up to date. Sometimes it is difficult to track down late-comers because when he checks the time register, he discovers that there are people who have already signed for their friends. He said that his learners become absent on the days when young mothers have to go and collect grants for their infants. But the learners' attendance registers are not accurate. Some of them are marked present when they were absent.

At school A, the response from the principal was that they curb late-coming by taking daily statistics for both learners and teachers. The deputy principal assigned this duty knows the importance of attendance. The principal said that the lady concerned

saved the school from misery when she started this system. The positive spin-offs are that learners know that their attendance records are also captured by the DBE in Bloemfontein. Teachers are afraid to lose money due to them abusing their leave.

Common sense tells us that learners cannot learn when they are absent from school. Equally so, teachers cannot teach when they are not at school and attending to their periods. Both learners and teachers should be present at schools, in class, and doing their work for successful learning and teaching processes.

5.3.4 Teaching personnel

- **How do you maintain good discipline in your classroom?**

In their responses, schools B, C, & D pointed out that they have classroom rules. However they do not follow them when they discipline their learners. They send troublemakers out to calm down. To their disappointment, these learners enjoy this kind of punishment. They have seen an increase in the number of learners who misbehave. Out of frustration they find themselves resorting to corporal punishment. Sometimes they use obscene language. They claim that some learners prefer to be beaten up as opposed to have insults hurled at them.

A certain female teacher from school C responded that she has heard another female teacher saying “*Voertsek, nkgono towe*” to a learner who is suspected of being over-age (*Keep quiet; you lousy old lady*). She said that some teachers at this school couple corporal punishment with insults when they attempt to discipline learners. A male teacher went further to say that when you use corporal punishment to discipline older boys, one must be careful because they can retaliate aggressively. They do not care whether they will be expelled from school for assaulting a teacher.

School D teachers said that they do not know what to do when their learners need to be disciplined for various reasons. They pointed out that their school does not have a code of conduct. This is the reason why they apply corporal punishment though they are aware that it has been abolished. They reported that a female teacher from the neighbouring primary school was disciplined by the DBE, but the majority of teachers in their township still apply it.

The respondents from school E said that when they refer to the code of conduct to see what discipline measures to apply, they cannot get help because they themselves do not understand the due process that is outlined there. They said that

their classrooms are dirty, disorganised and very noisy. When learners see teachers with a stick, they do not hesitate to clean up their mess. Corporal punishment helps them to maintain order in overcrowded classrooms.

Many parents encourage them to apply corporal punishment. They said that if any of their children take the teachers to court, they will tell powers that be that it is them (parents) who gave the teachers permission to whip their children". These claims were made by one male teacher from school A. Other participants agreed by saying that even the HODs do not control their blocks. Learners do as they wish. Ill-discipline is a serious concern to an extent that HODs cannot control their blocks because they do not know what to do.

Unfortunately, teachers from the six participating secondary schools were found to be ignorant in terms of effective classroom management. For instance, they use sticks or hosepipes to beat learners when they have not completed their school work. This is a sorry state of affairs because teachers and any other person on the school premises are forbidden by law to apply corporal punishment.

- **How does your principal's leadership style affect you?**

The teachers from schools A and C feel that their principals are too soft. They allow wrong things to happen on their watch. For example, both learners and teachers at these schools come late or are absent without any repercussions. Teachers from school A said that their principal is too accommodating to his teachers and the SGB members.

One male teacher from school A said that his principal's *laissez faire* attitude makes him feel like throttling his neck when he sees parents of troublemakers speaking to him as if he is a small child. He said that when he approaches him about this situation, he will respond that he is afraid of standing his ground, because they will report him to the authorities. Thereafter politicians will be on his neck.

The principal of school C was portrayed as a forgetful person by teachers who participated in this study. They said that he is guilty of favouritism. He only implements suggestions from people who are seen to be his close friends.

A male participant who was clad in SADTU regalia said that when they bring learners who were found with dagga or weapons, the principal will give them a pep-talk and the case will end there. Other teachers said that there was an incident where one

learner had stabbed another with a knife at the assembly. They said that there is no order at their assembly.

The victim was taken to hospital and the parents of the perpetrator were called to school. These teachers said that they were saddened by the failure of the principal to call the SAPS. They are worried about this kind of leadership, because their safety is forever compromised. To make matters worse, both the victim and the culprit are still coming to school as if nothing happened.

The principal of this school has committed serious offences. He has failed to establish the culture of routine body searches because learners at his school are said to carry dangerous weapons. After the incident, he was supposed to have hauled the perpetrator to a disciplinary hearing (cf. sections 8 and 8A of SASA).

Another problem is that the school may not have a good code of conduct for learners. This document could help many schools in the townships. Parents and learners have to sign for it as an indication that they know its presence and its importance to the school.

Collaborators from school D said that they are negatively affected by what their principal does at school. He is too lenient with both troublesome teachers and learners. This is because the case of a teacher who used to share dagga with some boys within the school premises was swept under the carpet when SADTU intervened. The participators said that they too are SADTU members, but they are worried that their principal is afraid of rogue elements in this union.

At school B, teachers who participated said that their principal does everything himself. They feel that this behaviour resembles that of an autocratic leader. His communication is very poor. He even decides for them what textbooks to buy for both subject teachers and learners. Teachers hear from learners when the school day will end earlier than the normal school time. This means that when they go and take their periods, they appear foolish when learners are getting ready to go home.

Teachers from school E lamented that their principal does not convene staff meetings. He has a habit of turning morning briefings into general staff meetings. Some teachers, who are not ready for teaching, use this as an opportunity to prolong the morning briefing for up to two hours. By that time learners are already walking outside and about the school premises aimlessly. They said that some of the

learners do not complete their homework because they know that by the time the subject teacher comes to class they shall have already copied from others. Or his/her period will have already passed.

The principal of school F was said to be a supportive leader who collects learners who are truant from the location. The participants said that he is also guilty of nepotism and favouritism. He is accused of appointing his favoured teacher as a project manager. It is not clear which projects this person is managing, except that he sits in both SMT and SGB meetings. When they ask the principal to introduce a rotation system in this project management exercise, he becomes furious.

In the light of the foregoing revelations, the systems of the six participating schools are not working harmoniously. Teachers are going their own way. They are not supported, to an extent that they use corporal punishment to try to get their schools orderly. On the other hand principals are working in isolation. This problem has opened up the schools to abuse by thugs, vandals and bad teachers.

It is unacceptable for any teacher to develop a habit of arriving late at school. This practice jeopardises the smooth running of the school. The principal should invoke section 18 of the EEA to discipline teachers who are ill mannered. If not the DBE should intervene by retraining principals with the intention of making them more accountable.

- **What are the difficulties you experience in the subjects that you offer?**

Teachers from schools A, B, and F said that English as a medium of instruction is a major impediment to their learners and themselves. When things get tough, they have to resort to the use of vernacular to explain concepts. Sometimes learners show an understanding. They went on to say that one only realises when they write their examinations that they did not understand anything, especially in subjects like mathematics, physical sciences, accounting and mathematical literacy and economics.

The claim that is made by this teacher suggests that there is no thorough preparation by teachers. Another factor is definitely English proficiency in the case of the teachers as it is mentioned in the responses of the teachers above. This is unfortunate, because to deliver lessons, and being in line with the work schedule, are some of the characteristics of effective teachers. Furthermore, good and

influential teachers are those who think hard about what they want their learners to learn.

A shortage of the current subject policies makes work difficult for teachers at schools C and D. For example, work schedules for different subjects cover the entire term. But they are forced to go over difficult work hurriedly because the examination starts about midterm. By that time they are not on par with the work that should be covered. They said that this practice by the DBE also adds to a high failure rate in the township secondary schools in the Free State province.

At school D, a female teacher said that in her case, the subject advisor for mathematics instructed her to approach her lessons by using previous question papers. This makes it difficult for learners to understand a new concept. She said that she is not given freedom to work with learners the way she knows best. They have also said that the continued shortage of both textbooks and other learning material creates a high failure rate.

The deduction which is made from the foregoing responses is that the SGB of this school is not supportive to its teachers. The main business of the school is the provision of quality education to its learners. They have the powers to procure quality LTSM. Section 16A (1) (b) of SASA provides that the principal must prepare and submit to the HOD, an annual report in respect of the academic performance of their schools.

At schools C, E, and F teachers complained about the shortage of basic apparatus in the laboratories. For example, they indicated that their school is running short of a Petri dish, test tube, and other consumable materials for learners to perform experiments. When the researcher asked a follow-up question about the use of videos, TVs and other electronics to cover up for the shortages, they said that many school items were stolen.

The assertion made by the teachers in the foregoing paragraph, calls for the responsibility of the SGB because they are the ones who must see to it that the issue of the security of school properties is given crucial attention. It is the responsibility of the SGBs to secure their equipment. They can stretch their budgets by hiring professional security companies for this purpose.

At school F, teachers have raised concerns about the DBE policy that promotes learners who have failed, to progress to the next grade so that they do not stay in a phase for more than four years. They claim that many learners are aware of it. What they do is that they are playful for a year. They would fail once and thereafter they pass. A male teacher made an example of one girl who was promoted despite the fact that she failed six subjects, except Life Orientation, and who is now in grade 12.

These discussions are an eye opener to the plight of both teachers and learners in the South African township schools. The most important issue emanating from the discussion is the use of English as a medium of instruction which is not understood by both teachers and learners. As a result of this, most learners fail their subjects at the end of the year because teachers and learners struggle in the classroom with English as a language of instruction. If one has to compare learners at the private schools one comes to the conclusion that they do better because they are taught by teachers whose mother tongue is English. As such, they have an advantage of being taught by experts in the English language.

To overcome this problem, the DBE should train their SGBs about their rights to determine the language of teaching and learning at their schools (cf. section 6 (1) of SASA) so that they will be able to appropriately choose a language of teaching and learning. If they chose English as medium of instruction, they must make sure that the teachers are very fluent in English.

- **Why is it that many teachers resort to illegal corporal punishment although it has been abolished?**

Teachers at school A said that they apply corporal punishment in order to force learners to pass. They are put under pressure by both their principal and subject advisors to perform. They have argued that with the use of sticks or hosepipes to inflict some pain on learners, they have seen performance improving in various subjects. They have realized that learners who are taught by teachers who assault them never come to school without completing the work of those teachers.

Participants from schools B and F responded by saying that according to them, there is no substitute for corporal punishment. Their argument is that in their heydays, they were beaten up for not knowing their school work. Today they are teachers and they attribute their success to corporal punishment. They said that their teachers and

parents used to give them a good hiding when things were not right, they did not die, but they were able to achieve the desired results when they were still young.

Teachers at school B were not aware that the banning of corporal punishment came into effect in 1997. Female teachers at this school call their male counterparts to come and beat misbehaving learners on their behalf. On the other hand participating teachers said that it is difficult to detain learners because of safety issues both at school and on their way home.

Participants from school D had qualms about progressed learners. Their problem is that they are forced to ensure that these learners perform well. But it is difficult to push them to their limits without the use of a whip then and there.

A similar response was made by teachers from school E. They said that their learners in general become obedient when teachers apply some force to coerce them to behave and to perform their duties. Some teachers at this school would spend the whole day beating learners from one class to another. When the researcher enquired what the reaction of their principal is in this mess, they said that he too, uses a hosepipe which is hidden somewhere in his office.

The method of punishment was reported as detention at school C. Teachers complained about the fact that when they keep learners from going home for wrongdoing, they too become prisoners. So they balance the equilibrium by applying corporal punishment. They said that it is quick and effective. They have avoided detention because it comes with risks that are higher than assaulting children. They reported that when a teacher detains learners after school, there is a risk that they may be attacked by gangs when they go home after detention.

These revelations are scary and horrendous. Schools have been turned into a place of assault by teachers, SMTs, parents who permit teachers to apply maximum force on their children, and by principals who keep weapons in their offices. Such principals turn a blind eye when they are supposed to protect the weak in their institutions. Principals and other teachers who perpetuate the use of corporal punishment are promoters of violence in the society and could be charged in terms of sections 17 and 18 of EEA.

- **Why would you agree with the newspaper reports that alleged that some teachers are having sexual relationships with learners?**

Respondents from schools B, C, and F said that it is true that some of their teachers have love affairs with young girls. Teachers from school B, blame it on the availability of many young teachers on their staff. They allege that the age gap between these teachers and many school girls is not vast. Some of the school girls are quite mature and they know how to seduce men.

Owing to this fact, they come to school without wearing their panties. It was said that this behaviour is referred to as a *free flow*. On the other hand another group of girls wore very short skirts, which are called *skuta*. These dresses are similar to miniskirts, but shorter than the miniskirts. According to the respondents, the aim of these skirts is to lure teachers who are known as *blessers* (the provider of expensive gifts including money to young women).

At school C, teachers referred to an incident where one male teacher gave a young girl keys to go and clean his house. This incident occurred during the examination time. The innocent girl took the keys without suspecting any foul play by the teacher. To the young girl's surprise, the teacher was already at his house when she arrived. This teacher tried to force himself on top of the girl, but the girl refused.

According to the respondents the case was reported to the principal who did nothing about it. The deduction which is made here is that the principal has either protected the teacher or the teacher has paid a bribe to both the mother and the child to silence them.

Teachers from school F blamed the behaviour of some teachers and some learners on the demise of religion within the schools. They have expressed their feelings about lack of morals in schools. They said that teachers and young girls who are involved in these devilish acts see nothing wrong.

One of their major concerns was that teachers are seen as financial providers. Their school is in a small town which is ravaged by extreme poverty. Parents of molested girls hide these atrocities because they can afford to eat when their daughter brings home money from her teacher lover.

The testimony of participants from school D revealed that some teachers, while they were still school boys, have had love affairs with girls. When they came back from universities as teachers, they found their previous girlfriends still trapped in the schooling system. That is when the affair took off again.

One female teacher lamented by saying that when they try to discourage these affairs, they are accused of being jealous by both perpetrators. Girls would say that they are very old and young teachers have got no interest in them. It was revealed in the discussions that a young girl who has an affair with a teacher is envied by other girls. The society is giving both the teacher and her lover a certain high status in their community.

At school A it was reported by the participants that older male teachers have love affairs with schoolgirls. One lady said that she was going through a painful divorce process because she had found her husband who is also a teacher, sleeping with a young girl in their house.

- **To what extent do safety and security issues affect you in your school environment?**

The teachers from school F have complained about the lack of safety and security committees at their school. They said that there are no fire extinguishers. Their factotums are also working as security guards. These unfortunate people are often insulted by bad learners when they enter and leave the school premises.

One lady teacher said that whenever there are gang fights, she becomes hysterical. Her hands sweat whilst she is trembling with fear. Her colleagues said that she had not been like this until the day she witnessed a bad fight that ensued on their school premises.

This teacher requested me to have a one-on-one session with her. She was seeking advice on what to do in her situation. I then made several suggestions to her, which may not be disclosed in this report.

The response of teachers at school B has revealed that their safety cannot be guaranteed by anyone. They said that there are some boys who are suspected of being gang members, who were found to have removed a door from the boys' toilets. They had decided to burn it in another toilet block. When confronted by the principal, they defended their behaviour by saying that it was cold and they were warming themselves.

Nobody dared to discipline them because they are notorious. These teachers also said that the very same boys are suspected drugs peddlers and dagga sellers, both at home and within the school premises.

The fence of school C was reported to have holes. Nobody is prepared to mend them because that becomes a fruitless exercise. The holes will stay closed for a few days only. One male teacher said that one day a boy took out a panga whilst he was teaching. The teacher furthermore indicated that the boy was preparing himself for a fight after hearing noises and ululations by some of the girls. They have agreed that when girls ululate, they know that a certain gang is on the attack.

Male teachers who participated also alerted us to the plight of female teachers who have classrooms at the far back of the school and are in close proximity with the old toilets that are used as a hiding place by troublemakers. This area is notorious for reeking of dagga all day long. Nobody knows what could happen to the female teachers who have classes in that block.

Teachers at school D said that there is no control at the school gate. One male teacher then asked me whether I was stopped at the gate for a security check. The answer was no. These teachers have stressed a point that lack of control at the gate puts their lives at risk.

Lastly, it came to the fore that intruders disturb lessons by peeping through the classroom doors looking for their friends. One female teacher said that the intruders may attack teachers because thugs have easy access to their school premises.

It is evident from the responses that teachers from the six participating secondary schools are not safe at all. There is no protection for learners from the six secondary schools who participated in this research. This means that both the SGBs and the DBE are not able to provide a safe environment. Teachers and learners, who live in fear, are in the grip of high levels of stress. Their thinking patterns are negatively affected.

5.3.5 The representative council of learners

- **What is the role of the Representative Council of Learners in curbing violence, assault, bullying and sexual harassment?**

All six schools responded that there are gang members on their school premises. These learners said that they are afraid of these thugs both at their schools and outside the school premises. According to them the gang members are so dangerous that other learners are afraid to report them to the elders.

It was revealed by learners from school F that their principal had one day called their Adopt-a-Cop member to their school. The intention was to assist a girl who reported that a certain gang member from the same school was bullying her. To their astonishment the girl refused to open the case. She said that she was more afraid of the thugs than the SAPS. Her problem was that the culprit will send his friends to her home to harass her family members as revenge for getting their gang member arrested.

The lesson to be learned here is that society has gotten so used to the harassment of the citizens by gangsters. That is why they can follow girls to school and continue making their lives difficult. The SAPS are not helpful either. This is where the principal of the school must assume his role of '*pater familias*' to protect the rights of that girl.

It also emerged from the RCL of school A that some girls have joined the local gangsters in order to secure protection from any attack. Their role is to ululate when the gangs attack each other or when they rob and mug their innocent victims.

Bullying is rife at school C. Some girls are forced to have sex with thugs. They are taken to the houses of these bad guys whilst lessons are still on. Sometimes it happens on the school premises when there is no one looking. Most of the willing girls are already members. But there are those who are forced to make love to these hooligans.

At this school the RCL members claimed that they have reported some of these cases to their teacher liaison officer. Nothing happened because she said that there is a need to disclose the source when such cases are investigated further.

Rape and forced sexual encounters are also happening at school D. The RCL reported that gang members have a tendency of threatening girls who refuse to sleep with them. The problem is that when their principal intervenes, the gang members tell him that their victims are their girlfriends.

It was discovered from the reports at school E that some boys go to class reeking of dagga. This phenomenon happens mostly in the morning and after break. Sometimes teachers refuse to take their periods in such a class. The problem is that no steps are taken against these people. A female RCL member said that there is a boy who smokes dagga in their class. One day it happened that when they were

writing an examination, this boy heavily smelt of dagga. The girl said that she could not stand it, but there was nothing she could do because she too is afraid of reporting dagga smokers. At the end of the paper she said that she had had a terrible headache.

At school B, the RCL members who participated in the study reported that they have tried to use the assembly as a platform to make other learners aware of the problems of bullying and sexual harassment. They engaged in *Operation Hleka dibodu* whose intention was to identify rapists and gang members. They were not successful because they suspect that some of the teachers have used money to silence their victims. And thugs have somehow threatened their victims.

The biggest challenge for schools and education authorities is the epidemic of violence. It has de-humanising influences to an extent that girls are raped within the school premises. Some learners are hacked to death with pangas by others and teachers are frustrated because they do not know what to do (Sharma, 2009:4).

- **What negatively affects the behaviour of learners at your school?**

In all the schools, the RCLs have reported that their schools are negatively affected by the high numbers of boys and girls who take dagga and certain drugs. Theft of cellular phones and branded school bags is a regular occurrence. At school F, some learners come to school in the morning, very intoxicated. They said that the behaviour of their learners is adversely affected by teachers who also arrive late. When the gates are closed as measures to manage late coming, these teachers threaten the RCL members with assault.

Theft is reported to be a problem at school E. Some learners steal food that is meant to feed all learners during break time. When the food handlers are about to dish out food, there is a lot of commotion. They said that their teachers are not willing to help. If the principal would come, there would be order. They said that what makes them mostly unhappy is when they see young school children disrespecting women who feed them. The women in question are also parents at this school.

The RCL members at school D said that they become very angry when they are told by their principal that their food for the school nutrition programme is finished. They know that for many of them food is only accessible at school. They said that they also lose many teachers because of their school being in a rural place. When they

are about to understand their teachers, they suddenly disappear. Their principal will then inform them that their teachers have found employment in another school in the city.

Learners from school B said that they are annoyed by teachers who fail to take their periods. They have informed their principal about certain teachers who bunk their periods. This problem is still there because there are learners who walk outside their classrooms during teaching time. Some of them keep themselves busy by opening and closing classroom doors whilst teachers are busy with lessons.

The RCL members who participated at school C said that some of the teachers use vulgar language against them when something is wrong. They have alleged that there are male teachers who come to school under the influence of alcohol. Learners know that when a certain teacher is like that, he will use bad language against them. Sometimes he would slap other learners. There were complaints made about this behaviour to the principal. Nothing was done to those teachers.

In addition to this, learners at this school are negatively affected by dirty toilets. Some of the boys have developed a habit of relieving themselves on the walls outside the school buildings. They said that culprits are complaining about toilets which are flooded with the mixture of urine and water. This problem is worsened by urinals which overflow with urine. That area has a stale smell.

Another problem raised by the participant as an unfair practice by their principal; when the gates are locked for latecomers, he instructs the RCL members to open the gate for teachers who are late. That is why late learners will push and force their way into the school.

The RCL members at school A said that they have received numerous complaints from girls who claim that certain teachers are proposing love to them. On the other hand some boys also come to report teachers who have taken their girlfriends, who are also their class mates, from the location over the weekend. They claim that these are the teachers who are lazy to do what they are paid for.

The reluctance of the principal of school A to take disciplinary action against drug users, latecomers and teachers who have affairs with schoolgirls was reported as a stumbling block by the RCL members who participated in the study.

The revelations above bear testimony to the problems engulfing the participating schools. Teachers are supposed to be supportive to their learners. But they are seen by many learners as people who cannot be trusted. It is despicable for an adult to propose love to an innocent girl. It is a serious crime to humanity to have educated people like teachers, seeing possible wives when they look at school-girls.

- **Why does it happen that the Representative Council for Learners is accused of not following the code of conduct?**

The members of the RCL from schools A, C, D and F, responded that their schools do not have a code of conduct for learners. Instead, they use the documents they received from the DBE as their guide. They think that that document is the code of conduct. I followed this up by requesting them to bring the document. Unfortunately it could not be brought to the group discussions by any of these schools.

At school B, RCL members are concerned that they are insulted by the latecomers at the gate. They allege that culprits are both teachers and learners. Some teachers take the matter to the classrooms. They say that these teachers will spend the entire period on their case, mocking them in front of other learners. Therefore the conduct of these teachers is discouraging them.

It has been for a long time that their principal has promised to provide them with a code of conduct. But they have not received anything of that nature. Many learners come to school without wearing proper school uniform. Others have dreadlocks which are poorly maintained.

It has been reported by the RCL president of school E that she was made to sign for a certain document on behalf of other learners. She learnt later that it was a copy of the code of conduct. But she has never seen that document again. A code of conduct is a form of legislation developed and adopted by the SGBs. Its implementation is entirely the responsibility of the learners, teachers, SMTs and principals. Moreover, these are the people who interact with each other daily.

- **How do you ensure that the school funds are utilised by the school management for the benefit of all learners?**

RCLs from schools A, D, E and F, have indicated that they know nothing about school finances. At school A, they said that those who represent them in the SGB do

not give them feedback about what was discussed. Sometimes they hear teachers passing negative remarks about their principal and his use of school funds.

At school D, they responded by saying that they often learned from their principal that their money was used for food. Therefore their guess is that when all learners eat at school, they all benefit from that allocation.

The sentiment above was also echoed by the RCL members at school B. But they went on to say that even though learners eat, there is big shortage of textbooks, in all the classes, including grade 12.

The answer from school E was that they have the RCL treasurer. This person has never been given a cent to organise anything for both the RCL and other learners. Their principal only talks about money in the SGB meetings. The discussion is centred on payments for grade 12 learners only.

Learners from school F said that they cannot ascertain if the money is used for all the learners. Their major problems are that their school is dirty, the security fence has holes and the majority of learners do not have textbooks. They have seen new textbooks for grade 12 learners only. This happens every year.

Learners from school C could not give an answer either. They said that there are no sports at their school. They added by saying that this is also the case at other schools in their area. One of the female leaders asked the researcher what they should do in order to ensure that the money their school receives is used for all the learners. The response was that they should first talk among themselves about what they think, and then take their inputs to the teacher liaison officer.

- **As RCL members, what measures do you employ to protect the schools' properties including toilets?**

The leaders from schools A, B, and E said that there is nothing they do for their schools. A female learner from school A said that she knows it is against the law for children to work at school. Other RCL members from this school continued and indicated that they always wanted to help their school by fixing broken furniture, but they were afraid to do so due to what they were told were their rights.

RCL members from school B said that they were troubled by the accumulation of debris in their school. They cannot assist because certain learners refuse to even

sweep their classrooms. The only time when they would sweep is when a teacher refuses to teach in a filthy classroom.

At school C, the learners who participated said that they cannot do this function on their own. This is because after agreeing with other learners to clean the school premises, the project was easily aborted by the absence of teachers to help with supervision. Sometimes they volunteer their services when the country celebrates the lives of its icons. Within days the school is dirty again.

The leaders have also revealed that there are boys who would deliberately bring bricks into the toilets. They throw them into the toilet bowl in order to block it. Others remove copper cables from the toilets and classrooms. This has resulted in other toilet facilities being so damaged that they are locked indefinitely.

At school E, the RCL members said that their school is still new, but their toilets have doors removed, plugs and sockets laid bare when the vandals within the school stole copper cables. They look so bad because some parts of the ceiling are removed and other sections have holes. They cannot help it because they said maintenance was not their duty.

It emerged from the discussions at school D, that the RCL members have engaged other learners in a cleaning campaign. It happened just once and it was successful. They said that the general workers at their school also get help from a certain group of boys. They do not go home immediately when the bell rings. They help the workers to remove rubbish after school.

This is a window of opportunity that could be used by the school to encourage other children. But the teachers and their principal act as if they do not see this good gesture by volunteers.

The RCL from school F responded by saying that they do nothing to improve their school. They are afraid of boys who stall at the toilets throughout the school day. Some of them are known to vandalise the school. They steal chairs and other things from the school to sell in the nearby informal settlement.

One of the most important responsibilities of the RCLs is to encourage learners to render voluntary services for the benefit of the school. This may include campaigns to clean the school premises, to renovate the school and to do minor repairs.²⁸²

- **What steps are taken by the principal, teachers, and the school governing body to enable you to perform your duties?**

The members from schools B and F, claim that they are not assisted by their principals to perform their functions. They are called to meetings when learners are involved in cases of misconduct such as common assault and theft. It emerged from school F, that once a learner is elected into the RCL, he or she becomes the target of teachers.

They said that when they attend to consultations with troublemakers, they are not allowed to participate or to ask culprits and witnesses questions. They said that they feel abandoned because their principal will not even ask them about their performance after examinations.

The RCLs from schools C and D said that they were taken to training by the DBE officials. They have never implemented their gains from that workshop. Their principals refuse to give them the platform at assembly so that they can give other learners feedback about what the government expects from all the learners.

Some teachers at school D are reported to cause problems for the RCL. They smoke in the vicinity of classrooms. At the same time the RCL members are trying their best to discourage boys from smoking in the toilets. A female RCL member reported that she was punished by her mathematics teacher after arriving late for that period. She was not given an opportunity to explain her lateness.

RCL members from school E said that they were happy with their TLO. She also teaches them how to behave or to respond to teachers who seem to be aggressive towards them.

At school A, they said that their principal and his deputy stand with them at the gate to monitor latecomers. Their contribution is valuable because there is a remarkable decrease of this offence.

²⁸² <http://www.gmsouthafricafoundation.com>

Schools which are supportive to their learners and teachers benefit from the cost-effectiveness of training teams rather than individuals. Moreover they can also achieve if they train RCL members about their responsibilities. It is a norm that RCLs in different schools are trained once after they were elected. Sometimes there is no development arranged for them. They have to toil on their own without any support from their elders on the school premises.

5.3.6 Interviewing panels

- **What causes a dispute after you have recommended an educator for a promotional and ordinary level 1 teacher's post?**

The panel members at school A said that their problems are caused by the issue of conflict of interest. It happens when unions such as SADTU and NATU advise their members, who were not successful, to lodge disputes with the DBE. This means that such unions have broken a code of secrecy that is signed by all panellists and observers.

The interviewing panels are formed when there is an advertised vacant post at the school. Their role is to go through the processes of shortlisting and interviews with the aim of finding a suitable candidate to fill the vacant post. Thereafter they submit their recommendation for appointment to the head office. Unfortunately, they find themselves being subjected to undue influences to recommend certain people who may not meet the requirements of that post.

Sometimes the problem is with the SGB members themselves because they are influenced by their principal to score a certain candidate higher marks. Another factor is that a teacher who is born in the township where the post is vacant is given high marks despite the fact that (s)he is weaker than the other candidates. This unfair practice is revealed to the public and as a result other candidates lodge disputes. They said that the information given by complainants have details of exactly what happened in the interviews.

This situation was confirmed by participants from school D. They said that some of the SGB members do not understand the importance of the declarations of secrecy. They are cornered by scheming applicants to speak about what has happened in the interviews.

It came to light at school B that the panellists come to the interviews without fully understanding their roles in the selection of teachers. According to them, this vacuum creates an opportunity for observers to exploit them. They said that the union which always has its way is SADTU. If they realise that the chairperson of the panel is not strong enough, they will have their comrade recommended for appointment.

Participants from school F said that their SGB has instructed their panel members to use a certain criteria which fit their “horse”. This happens when they discuss their candidate even before the shortlisting process commences. Therefore the entire school comes to know who is going to be appointed in that post before the interview takes place. Other applicants will wait to see if this will happen. Then they will immediately inform their unions about this saga, and a dispute will be lodged with the DBE.

The response from school C was initially that they have never experienced this problem. Until a certain female who introduced herself as a teacher serving in the SGB, reported that she has witnessed instances where certain interviewees would come to the session with notes. What surprised her was that those applicants will respond with answers which are similar to their memorandum. They were suspicious that the interview questions were set days before the interviews.

These allegations undermine the efforts made by the DBE to train the SGBs about the placement of teachers in a vacant post. It also provides proof that some posts are sold to certain candidates either by unions, SGBs or principals. If this turns out to be true, the corruptor and the corrupted will continue with their unethical behaviour in the school.

Participants from school E decided against answering this question.

The last response to this question was from school F. The female SGB members were in unison when they said that their principal instructs them about how to do their job. They claimed that what he says goes.

They are not happy to serve in the SGB because their rights and powers were violated by the principal. For example, they had a vacant post. There was somebody acting in that post. She was not shortlisted even though she was in this post for almost three years. This teacher learned from others that interviews were going to be

held on a specific day. She ran to her union to lodge a dispute asking for reasons why she was not shortlisted.

In the light of the foregoing discussions, it becomes clear that the intention of SASA to decentralise powers to schools does not work at some of the secondary township schools. I am of the opinion that both the society and government have overlooked the academic nature of the processes involved in the governance of schools, namely the problems of corruption, which could be minimised if the SGBs at township secondary schools could be beefed up with academics such as lawyers and financial managers.

- **“Departmental officials, including unions and principals, are allocated observer status within the interviewing panels”. How does it happen that they end up asking questions to the candidates?**

Participants from schools B and C said that they work together with the observers from SADTU. They get their help because their representatives seem to have a lot of experience about the processes of short listing and interviews. A parent from school B reported that it is the majority of teachers who conduct interviews.

She said that some of them are panellists delegated by their SGB and others will be union representatives. If you go deeper you will find that teachers are the ones who employ other teachers. That is why the union representatives end up asking questions when they are supposed to observe. They claimed that they were of the opinion that there was nothing wrong if they are assisted by unions.

The response from school F was that teachers help them to set questions minutes before the interviews commence. As parents they know nothing about the type of questions that should be asked and the answers to those questions. They said that these questions are set in English. They end up relinquishing that responsibility to set and ask questions to the teachers who are panel members.

The responses from school A revealed that observers end up asking questions because they come to the interview sessions knowing who they want appointed. They said that it has happened in their school that an observer from SADTU was a teacher from their school. They were not surprised when this teacher and their principal began to assume the role of asking questions. They argued that parent

members could not pronounce English words well and they were also not audible enough to the interviewees.

The panel members at school D, said that their panel chairperson was pressurised by a union member to allow her to ask questions. They claim that she wanted to play this role because she has also helped them with the setting of questions for the interviews.

At school E, the participants said that they were new in the SGB. They are not sure of what happened in the past when their school was to appoint teachers. But a female participant, who introduced herself as a parent responsible for the feeding scheme, said that they have been working together with unions and their principal during the previous interviews sessions.

She reported that at that time they could not see anything wrong with the participation of all panel members. She now realizes from this question that they were not supposed to have allowed observers to also ask questions.

Considering the answers from the interviewing panels, many township schools still lack the capacity to serve on the interviewing panels. This is the reason why many wrong people are placed at the helm of schools. Corruption and lack of skill can be blamed on this situation. The DBE trains the newly elected SGBs for about three to five days on their work. This happens after the national elections of the SGBs. After training, which does not come with any proof of competence by the attendees, the SGBs are assumed to be knowledgeable, competitive and ready to engage in processes of recruiting, selecting and placing teachers.

Promotions, transfers, and appointments of educators to any school, may only be made at the recommendations of the SGBs (cf. section 6 (3) (a) of EEA). This means that the SGBs should also consider the stipulations of the Labour Relations Act when they make such recommendations.

The law states that the SGB should complete the processes of hiring teachers, neither the unions nor the DBE officials (cf. section 6 (2) of EEA). But it happens in the township schools that the latter structures are inclined to usurp the powers of the SGBs of the township schools when recommendations to appoint teachers are made.

- **What are the factors negatively affecting your role of being trusted with the selection and placement of educators in your school?**

At school A they said that they have recently appointed two new HODs from their ranks. There was some dissatisfaction because other applicants felt that the new managers were appointed through corrupt means. Their main reason was that those appointed were seen to be the principal's friends. But the panellists maintain that they have done their job according to the regulations.

The SGB members from schools B and C said that they are not trusted by their teachers because they are accused of having chosen their favourite before the interviews begin. They said that other panel members cannot keep it a secret who is recommended until the final appointment is made.

It emerged from school D that the chairperson of the panel was not as confident. He was easily swayed by the observer from SADTU to allow everyone to participate when the SGB members had to discuss candidates after all were interviewed. Their resolutions were somehow leaked. Thereafter, there were disputes lodged with the DBE. They went on to say that it was the first time heard that their principal was not supposed to participate in the discussions of candidates for recommendations.

At school E they said that they are not trusted to make sound appointments. They believe that this problem comes as a result of the SGB appointing a person with lesser qualifications and a few years of experience. It has happened at their school that someone who acted in a vacant post for more than two years was not appointed. Many problems and accusations were made against them.

At school F, a male teacher who was a panellist some time ago, said that many teachers at their school do not bother to apply for vacant posts because they believe that their principal will not consider them. Therefore they do not trust the SGB because they say it is not operating according to its legal mandate, but instead it pleases the principal.

Due to lack of knowledge by the SGBs in as far as employment procedures are concerned, principals of the participating schools exploit this situation to their advantage. Remember that the SGB have put all their trust in the principal. So, if he says that he wants a certain teacher in a particular post, he will not be challenged by

the parents. It is mostly the unions who may raise their concerns. That is why bad principals will go out of their way to have the unions in their corner.

- **How does it happen that you are accused of bringing your own "horse" to the table during the interviews?**

At school A, they responded by saying that they have never being accused of this kind of corruption. They look for talented teachers and recruit them for their school. They said that teachers from their school know that they always look at best performers. This is the reason why they promote from within their school ranks.

The responses by participants from school C revealed that there was a subtle arrangement by the panel members to score a certain candidate very high marks, even though he had some of the answers wrong. Other candidates were scored very low marks. This was done in order to make way for their 'horse' to win the post.

At school E, the participants said that these kinds of allegations come from candidates who have lost the battle. The rumours will start circulating from the applicants who may not have received invitations to the interviews. They said that the rumour will point at the direction of the principal as a bad person who dislikes certain individuals. One female respondent said that their principal will be blamed for things that he did not do. They claim that teachers accuse them of taking instructions from their principal.

At school D, the panel members blamed this on their social situation. They claim that they live in a small township. Everyone is somehow related to somebody in the SGB. They said that when a post is advertised, its requirements are easily matched to a particular teacher. They said that relatives of prospective appointees who are SGB members have a tendency of encouraging them to apply. When other people hear about it, they jump to conclusions that this particular person is their "horse".

It was reported by participants from school B, that their principal had once coerced them to recommend a certain male teacher. They said that when they were discussing candidates after the interviews, the teacher concerned had half of the requirements of that post. They said that they were troubled by the fact that they do not know who told teachers about that incident. Hence teachers at that school accused them of having their relatives and friends appointed in the promotional posts.

The last response to this question was from school F. The SGB members who have served as panellists said that it is true that they go to the interview sessions with their own “horse”. According to them the blame should be laid on the doorstep of their principal. They accused him of influencing their decisions about who should be appointed.

They alleged that their principal tells them that they should consider the fact that he is the one who is going to work with that teacher. So, he should also be listened to. This makes his word final when the recommendations for an appointment are made to the DBE.

Most of the respondents to this question blamed their principals. It should be noted that if these revelations are true, then principals are referees and players at the same time. They have not recused themselves from the proceedings because they have had vested interests in the vacant posts. The DBE too, should be blamed for failing to ensure that its employees play the game of hiring of teachers according to the set rules.

- **How were you chosen to represent the SGB in the interviewing panel of your school?**

Respondents from all schools said that they were delegated by their SGB members to serve as panellists. At school F, they have agreed to have representatives from parents, teachers, and support staff member components.

At school D they said that the panel is formed by the parents’ component only.

The participants from school B, said that they nominate five members during their ordinary meeting. They encourage teachers to be part of the panel as they have more information about the duties of teachers.

Panellists from school A said that they were chosen because of their experience in the SGB.

Respondents from school C said that a secret ballot was followed for them to be in the latest panel.

At school E they said that their principal is the one who has put their names forward. He was supported by other parents to the participants serving as panellists.

There is no problem when the SGBs follow regulations prescribed when they form their own panels. The challenge is that most of the parents, without belittling them,

in the township schools are not educated. It becomes unfair for them to make recommendations for the hiring of teachers who have advanced levels of qualifications. This process is very academic. It requires people who are competent in the fields of labour and education laws.

- **Why would you agree with the newspaper reports that alleged that some SGB members sell promotional posts?**

It has emerged from schools A, C, and D that there are teachers who come from stronger unions and occupy the vacuum left by weaker SGBs. They said that they suspect that some of their members are visited by interested applicants to ask them for favours to appoint them in the vacant posts. A female participant from school D, said that she has witnessed an incident at a social gathering in their community where a teacher who is an SGB member was boasting about how he can influence the SGB to appoint a certain teacher.

The respondents from school B, said that they are also visited by teachers who want promotion at their homes. Some of them come with livestock upfront, such as a sheep. Their intention is to bribe them with the animals because in that community many people like to own sheep and cows. They said that the newspapers do not report lies. Although the participants have claimed that they have not committed this offence, they are not sure if their SGB is generally innocent.

The participants from school F have agreed with the newspaper reports. They said that when there is a vacant promotional post at their school, there will be unnecessary tensions among teachers. They maintain that this state of affairs comes as a result of gossip about a certain teacher who is alleged to have bought a post from one of the SGB members. But when they go deeper into investigating, they cannot find any hard evidence.

It was discovered from the responses of school E that some parents have been in the SGB of the school for many years. They end up being friends with teachers at this school. They said that they experience serious problems when such teachers are promoted. To many teachers a bribe was paid by the incumbent.

5.3.5 Cleaners and factotums

- **What are the contents of your job description?**

It emerged from the group discussions with cleaners and factotums of the six participating schools that they do not have a job description.

Participants from schools A, B, and D said that they know that their female counterparts should clean offices, staffrooms, and teachers' toilets, whereas male workers work outside in the garden. They also open classrooms in the morning and lock them after school.

At school D, they said that they are made to work as electricians and they know nothing about electricity. Each time they report faulty cables, their principal will instruct them to do something about that problem.

The problem is that the principal of this school does not know anything about safety and security measures at the workplace. He is failing to be in the forefront of making sure that his school upholds and implements the Occupational Health and Safety Act. It is very irresponsible of him to make ordinary workers fix electrical problems.

Therefore, the SGB as the employer did not agree with the principal about the job descriptions of the general workers. It is important to know that there are critical activities that should be outsourced because they need specialised skills.

Participants from school B said that they do not know what their responsibilities are. Sometimes teachers instruct them to look after learners when they (teachers) fulfil their personal errands. They have alleged that they also cook food for grade 12 learners during the weekends and when there are extra classes during school holidays.

The responses from school C were that they have signed for the job descriptions a long time ago. They cannot remember the contents of those documents. They feel exploited because they have been asked to make photocopies for examinations. Some teachers also make them staple the question papers. Another negative factor from participants at this school is that certain teachers have a tendency of sending them on private errands in the location. They will be asked to go and collect money or food, such as whole chickens from local vendors, and to buy airtime.

At school E, the factotums said that they do know what a job description is. They were asked to append their signatures on certain papers by their deputy principal. She said that those papers were their performance plans.

Participants from school F said that they assist the food handlers by setting up cooking materials. They have to move the gas bottles outside the kitchen before and after cooking.

If one considers the responses above the conclusion reached is that there are grounds which suggest that cleaners and factotums were not provided with their job descriptions. The reason could be that their principals do not know how to develop them, or they do not see it as important for employees of their schools.

- **What factors hamper you from cleaning and maintaining learners' toilets?**

The general workers from school F said that they not clean the toilets of learners because it is not their duty to do so. They have reported that learners are not appreciative of what they have. Some of them destroy toilets deliberately. Others use them as hiding places for their drugs and weapons. They cannot report them because the culprits are known to be dangerous in the location.

It was said by participants from school E that the learners' toilets have been blocked for a long time. When they try to clean them, they do not know where to start. Urinals are blocked with cigarettes butts, the water basins overflow with urine because some boys urinate in them. They have not been asked to clean the toilets, except when the DBE officials visit their school.

Our discussions with workers at this school also uncovered some criminal activities being committed allegedly by learners. They have removed all copper materials. This has left the learners' toilets with water flowing uncontrolled. They said that there are no door handles and all taps are gone.

At school D, the workers revealed that they there were not tasked to perform this duty. Besides, there are only two of them and the school is too big. They said that previously they cleaned them on a voluntary basis when the schools were closed. Now that the schools never close, it has become a futile exercise because learners use them during extra classes. They have alleged that some of the learners do not flush toilets even if they are clean. They soil them deliberately. It is their concern that

the behaviour of these learners makes them feel as if they are being punished just because they are not educated.

Factotums from school B said that they know their duties to be those of general workers. But it is difficult for them to go and clean learners' toilets because they are forced to double-up as security guards. Their female colleague has also raised concerns with the ways in which girls handle themselves. They leave their used sanitation towels on the floors. What frustrates her is that there are bins put in their toilets specifically for that purpose.

A factotum from this school said that it is not unusual for him to remove bricks and other objects which were put in the urinals. Sometimes it is food, bottles or cans of cold-drink or beer. He also reported that there is graffiti made out of human faeces on the toilet walls.

At school A, the cleaners said that learners throw away unwanted food such as samp and beans in the toilet bowls. They become blocked. There are no tools and cleaning materials to do away with that mess. It was revealed that girls at this school do not use buckets set aside by the cleaners for sanitation towels. They were told to do so when female teachers had motivational sessions with them. There is still no improvement, hence their toilets are blocked from time to time.

The responses from school C were that both boys and girls smoke in the toilets. They also hide themselves there when they bunk periods. Their teachers are reluctant to enter the learners' toilets due to the faeces that litter the floors. They said that as factotums there is nothing they can do. Their school does not have cleaning materials. Even though cleaning of toilets is not their duty, they could offer their services because there is a bad smell coming from the toilets.

The responses from the participating schools indicate that most of the learners and their teachers do not view their schools as their secondary homes. There is a huge gap when the schools in townships are compared with their counterparts in the former white areas. The issue here is not about money, but about how learners and other stakeholders take care of their facilities. This means that many learners do not respect their school environment.

- **Why is it difficult for you to clean classrooms?**

Cleaners from schools A and B said that it is not their duty to clean classrooms. They only clean them for the grade 12 extra classes because they also host learners from other schools. Both schools were in agreement when they said that there are no brooms because their learners steal cleaning materials and other equipment.

At school A, they said that the situation is so bad that lessons are disrupted every morning because some teachers demand learners to sweep before they can start teaching. Classrooms are only cleaned at school B by workers on a daily basis during the examination time. It is easier because learners leave earlier after writing their papers.

At school C the response was that many learners lack respect for the cleaners and factotums. When they see them picking up papers or sweeping the open places they deliberately throw papers through classroom windows. Therefore cleaning becomes a worthless exercise.

This is another indication that most of the classrooms at this school are left unattended by teachers. Learners are not taught and encouraged to respect adults.

It also emerged from respondents at this school that a week before the arrival of the researcher, doors were fixed by the SGB. But they claimed that some have already lost their handles. According to the participants, teachers are careless about this situation. When the bell rings for school out, no teacher goes to check if their classes are swept. They (cleaners and factotums) maintain that cleaning classrooms is not their responsibility.

The participants from school D said that it is impossible for the two of them to clean 37 classrooms immediately after school. They knock off at four o'clock. It is dangerous for them to leave the school premises later than that. Another problem is that learners do not respect them. They get a raw deal from them every time when they try to call them to order. For instance, when they rebuke them for smoking in the toilets, some boys are quick to tell them that they are neither their teachers nor their parents.

At school E, they said that there are only four of them. Their school is too big. Sometimes they are told just before school out that they should prepare the school hall for visitors from the DBE and other schools. There is no time for them to clean classrooms. They said that they used to clean their own classes when they were

children. They do not know what is wrong with learners being expected to clean their own school.

The participants from school F said that teachers have arranged with their learners to sweep classrooms daily after school. Most of the learners at this school refuse to carry out this simple task. Teachers are frustrated because they do not know what to do. Another worker said that the situation is so bad, to an extent that some classrooms do not have doors. Sometimes when they report for duty in the morning they will find that there were people who made fire in the classrooms the previous night.

Vandalism, theft, carelessness, and lack of proper maintenance of the school properties are areas of concern in the participating schools. Learners are the largest number of people who access the school premises. If their class teachers fail to encourage them to take care of their classrooms, the entire school will remain filthy.

The responses in the foregoing paragraphs indicate that cleaners as adults at these schools are not keen to ensure that their facilities are ready for learning and teaching processes. In return, learners will not learn because they would have developed a bad attitude towards their school environment.

- **Why do cleaners and factotums generally become suspects when there is a burglary or theft at this school?**

In responding to this question, participants from schools B, C, E and F said that they become suspects because they keep all the keys for their schools. They arrive at school earlier than everybody else. At school C they said that when their computers were stolen, they were questioned by the investigators from the SAPS because somebody from the school said that the burglary was an inside job.

At school B, the male participant said that he is not bothered by this question. He revealed that he has experienced burglary at school. It happened that one early morning when he arrived to open the kitchen for food handlers, he was alerted by the screams from the women. They came across a young man carrying bags and crowbars. They realized that he had already broken the doors. The factotum said that he chased the thug until he caught him.

The problem is that after opening the case of burglary, he can no longer walk freely in the township because he is afraid of the suspect and his gangster friends. He also

indicated that if the food handlers were not there to witness that incident, and if the police van did not appear, all the fingers were going to point at him as a suspect.

Participants from school E said that their houses were visited by the SAPS to be searched for stolen computers and their parts. They are worried that the school principal knows that they do not keep the keys for the computer laboratory, but teachers do. They have alleged that some teachers are known as people who repair computers. This is their private business; but their houses were never searched.

At school A, they said that they become suspects because when there is a burglary at this school, there are no signs of forced entry. Suspects take the most important items like computers. They said these people seem to know where valuable items are stored. Their problem is caused by a bad practice at their school; teachers take keys from clerks whenever they wish. They alleged that there are no policies for access into the centres. As a result any teacher could take a key without signing for it. When they return them, they just put them on the clerk's desk and leave.

According to the participants, some of them are friends to learners who have been at this school for a long time. Sometimes they help the factotums with their duties. This is the reason they are viewed as perpetrators.

- **Explain why you are not accepted by teachers, learners, school management teams and the principal?**

The participants from school B said that there are many learners who do not respect them. They do not value the work that they do in the school. They are aware of teachers who disregard them because they do not have the same level of education as those teachers. But they have reported that they enjoy much support from their principal.

At school A, most of them said that they are welcomed by the school community. But one male participant said that his principal does not like him. He revealed that in a few days after the researcher's visit they will be going for an intervention session with the DBE officials. He believes that their impasse was caused by his refusal to do other jobs which were not normally allocated to him. For example, he said that he was asked to work on the electric wires which were protruding in one class. When he tried to explain to the principal that he knew nothing about electricity, he was labelled as a stubborn employee.

The response from school C was that some teachers are disrespectful to them. Others eat peanuts and leave the tables in the staffroom in a mess. When the cleaners confront them they just tell them that they must clean up because that is their duty. They say that this behaviour of teachers has strained their relationships. Some of the learners have copied this bad practice. They litter everywhere.

It was also revealed by participants that some of the female teachers would use the school cutlery but fail to return it in its original condition. They allege that the educators concerned are arrogant when they engage with them for whatever reason.

At school D, the respondents said that they are ostracised by most of the teachers because of their inferior level of education. Sometimes teachers put more pressure on them when they have their own issues with the school principal. They want to give them instructions when they know that it is the work of the principal.

The participants from school F said that learners disrespect them because they are not teachers. One male participant said that he is younger than most of the learners. Sometimes girls would attempt to seduce him. Furthermore, they said that they are viewed by many teachers as the informants for their principal. This comes up every time when their principal has discovered wrongdoing by the teachers.

The response from school E was that they are instructed by too many people. Every morning there will be demands made on them by SMT members. For instance, one manager would give them keys to go and clean their office, and another would want them to go and prepare the school hall because there is going to be a meeting within an hour's time. These statements are ambiguous because they do not know where to start.

- **Explain how you report on places which pose health and safety hazards on the school premises?**

At school D, the participants said that they report the hazardous places in their school to the principal. Sometimes they take him to the place where they foresee danger. The dangerous places are found in the classrooms. There are broken windows. If left unattended, they may cause serious injuries to learners. The respondents have reported that some of the children bully others inside the classrooms when teachers are not there. They do not care if they are seen by the factotums, but they stop their behaviour when teachers are around.

The collaborators/respondents from school F said that there are classrooms without doors. There are many uncovered electric cables. Live wires are left protruded whilst learners and teachers come in and go out of these rooms. They may be electrocuted at any time because some learners also hide themselves in unmanned classrooms. The factotums said that they reported these places to their principal. His response was that he was waiting for the DBE to deposit money before the SGB can start to repair and fix dangerous places.

Participants from school E, said that they discuss the dangerous places in their school. Then they try to fix them. Where money is needed, they inform the principal. The participants were concerned about the toilets which have both running water and uncovered electric wires. Their fear is that there could be a fatal electrocution if someone came into contact with the wires. These places were reported to the principal.

One male worker said that he has once taken the SGB chairperson on tour within the school. They discovered classrooms with holes in the ceiling, broken windows, and heaps of rubbish thrown around the sports grounds. She has promised to raise what they discovered to the SGB. However, nothing has been done up to the time of the visit by the researcher.

According to the respondents from school A, there is broken furniture in their classrooms. Big shortages of learners' furniture make it difficult for them to remove broken chairs from the classrooms. They do not have tools and appropriate materials to fix the learners' furniture. Their main problem is that there are holes in the ceilings of learners' toilets. They said that live electric wires are left open because vandals have caused this problem. The doors to the toilet cubicles have big holes too. There is no privacy for learners who would want to use them. These matters were reported to the principal.

Participants from school B, said that they report to their principal about many dangerous things. They claim that some learners fight others at the school gate. These attacks happen mostly after school. Their wish is that the principal can deploy teachers at the main gate after school.

Toilets were reported by workers at this school, as another dangerous area. Muggings and robberies happen in these places. It was also alleged that when suspects see them (workers), they behave as if they were playing with their victims.

They in turn will follow suit because they are afraid that if they report bullies to authorities, the attacks will continue in the streets after school.

The physical facilities were also reported as hazardous areas. They said that blocked toilets take too long to be unblocked. Theft of copper wires results in short circuits and electricity trips. It also emerged that vandals at school B, also remove window handles made out of brass. They are recycled at the local scrapyards for a fee.

At school C, it was revealed that there are no toilet systems, especially bowls. This makes it difficult for learners to use them. Girls in particular face serious challenges when they visit their toilets. This problem was reported to the principal by the factotums.

Another area that was reported to the principal was a certain room that is used by some teachers as a detention centre. They said that learners get beaten for wrongdoing by rogue teachers. There is no help for these learners. They have alleged that perpetrators use this room as a hiding place. The intention is that they do not want any witnesses if it happens that their victims report them to the principal.

The conduct of principals of the six participating schools suggests that there are serious managerial challenges at the secondary schools in the townships. They are waiting for accidents to happen before they can take steps to safeguard the lives of all the people in their schools.

There are no areas that were reported as being safe and healthy for habitation. These schools are traps for people to accidentally lose their lives. Learners are attacked in the school toilets. Yet principals do not delegate teachers to monitor those areas during break times. Bare electric cables in the classrooms are reported by workers, yet there is no indication of them being recorded and reported to the DBE.

The other worrying factor is that the factotums report dangerous areas by word of mouth. Appropriate action is not taken because the principal or his delegate may have forgotten about that report.

The most important point is their failure to contain gangsters. These are ordinary children who cannot be left to turn into hard-core criminals. Therefore teachers cannot afford to have their work of moulding children being done for them in prisons.

Their continuous reluctance to engage learners in extramural activities could be blamed for the mushrooming of gangsters in their communities.

Generally speaking, maintenance and general workers on the school premises can handle minor repairs. They should fix broken doors, replace broken windows, and fix burst water pipes. There are serious violations of the Occupational Health and Safety Act in many schools at townships in the Free State. This is showcased by the regular sightings of broken windows at various schools by passers-by.

5.4 Observable phenomena at the six schools

There were many areas the researcher observed while at schools' understudy. I was shocked to the marrow to see the horrendous and appalling situation in which education takes place. For instance, the learners of the six secondary schools visited are forced to relieve themselves in filthy toilets that resemble a pigsty. The principals and the SGBs who have allowed this situation to go on contravene section 24(a) of the Constitution.

In some instances I observed overcrowded classes and learners who are taught in the libraries and laboratories because of the shortage of classes and furniture. The fences at some of these schools are torn. As a result of this, the security measures outlined in regulations 7 and 8 of the Regulations for Safety Measures at the Public Schools are compromised (No. 1040 of 12/10/2001). The other areas of concern are outlined in the paragraphs that will follow.

The first school the researcher visited was school A. At this school the fence is made out of razor wire. There were no security personnel at the entrance on my arrival. There were young people standing at the gate. They were not in school uniform. I was not certain if they belonged to the school and I noticed that the gate was not closed.

I arrived at this school at about 8 o'clock in the morning. What was worrying was that there were many learners who were still streaming into the school. This is an indication that they were very late. However, I realised that the late-coming was a problem affecting many schools in this area.

I was given factotums who walked me through the school premises. There was a lot of noise from other classrooms while lessons were also going on in other

classrooms. Both learners and teachers were walking up and down. There were no teachers in some of the classrooms.

At the back of the school, near the toilets, there was an accumulation of water coming from the toilets as may be seen from picture 5.1 below. There were a lot of papers covering the area between two blocks of the school. Papers were also thrown down to the ground from the second floor and this suggested that it was a culture of learners of this school because it happened continually while I was at that school. This was confirmed by the factotum who said that learners throw papers through their classroom windows when they saw the cleaners sweeping the school grounds.



Picture 5.1: The filthy environment of school A

Old furniture such as desks and chairs were left lying around at the back of the school. The open field was also covered by dry and brown weeds. They were very tall. There were patches of burnt grass. Surprisingly this school does not have sports grounds. The factotum said that learners did not play sports there. The only time it happens was when there were visitors from another town.

There was a heap of dirt at the far end corner of the school. Both factotums and learners use this place to throw away rubbish. Smoke was slowly coming out of the rubbish. It was said that the factotums have to burn papers and other substances in order to decrease the ever accumulating dirt.

The building at the back of the school is used as a tuck-shop. There was a visible lack of maintenance because the drain was blocked. The pipes are joined to those of the toilets. By merely looking at the mess, one could see that there were faeces in the mixture of excrements from the tuck-shop and the toilets.

At school B the gate was locked on my arrival. When the factotum saw me he walked from a distance to open the gate for me. On the left hand side of the gate were construction workers who were excavating soil. The factotum said that they were going to have additional classes built.

The construction site was not cordoned off from the entire area. No security measures were visible. This suggested that bonus *paterfamilias* principle of common law was not considered by the principal. I went to the principal's office to make him aware of my presence. He welcomed me and left for the meeting with the DBE in their district.

The factotum accompanied me to various areas in the school yard. There were groups of boys stalling at the corners of classroom blocks. When a teacher appeared, they would run to the back of the classrooms causing further disruptions.

Some of the learners were seen at the toilets situated at the far end of the school. They were busy smoking. There was a heap of rubble at an area adjacent to the toilets which stretched to the school's fence. Some of the old furniture was left there to rot.

Tall and dry weeds were obscuring the fence at the back of the school where I went to investigate. Upon arriving, I found broken chairs and old tins of paint. This old furniture was used as seats where truant learners hide themselves from the teachers. This place is also used as a hiding place by learners who smoke dagga. The factotum said that teachers and the principal know about this hiding place; but they never go there to find out as to what the learners are actually doing there.

The school's perimeter fence had holes as may be seen from picture 5.2 below. It was reported that late-comers and unauthorised early leavers use them to access and exit the school. The researcher has also realised that these holes lead directly into the busy street. It leaves much to be desired if the community itself cannot assist the school in this regard. There were no visible playing fields for learners at this school.



Picture 5.2: Torn fence of school B

When arriving at school C the gate was locked. There was a factotum who said that he was waiting for my arrival. The area leading to the administration block was very clean. It had a well-maintained lawn and watered flowerbeds. Outside the school's fence were papers stuck on it. They were blown by wind from the nearby rubble outside the school yard.

At the far right side of the school's office block was a teacher with a large group of learners. I went to inquire what was happening there. The teacher said that he was addressing a large number of late-comers that day.

The appearance of the back of the school was far different from the front. It was very dirty and littered with old furniture as may be seen on picture 5.3 below. Old and broken photocopy machines were left there. It looked like a scrapyard of some sort. Old boxes of machines were thrown on these materials. The teacher said that there is an elderly person who collects them for recycling.



Picture 5.3: Abandoned broken furniture at school C

The open space behind the workshops at the back of the school was large. It was also covered in tall and dry grass. Although it is huge, there were no sports grounds at this school. The teacher said that many learners are not keen to play sports, and on the other hand focus is on the grade 12 classes. Certain teachers who are coaches have grade 12 classes.

At the far end of the schoolyard there was visible and unsightly heaps of rubbish. They were overflowing from the big garbage bin provided by the municipality. The teacher assistant said that it has been several years that the municipality has not been coming to remove rubbish from the school premises. They survive by having it burnt.

At school D, on my arrival, the gate of this school was wide open and there was nobody controlling the movement of people in and out of the school premises. The area leading to the administration block was tidy. At the office I was requested to wait for the principal.

Whilst I was waiting, I had a bird's eye view of the schoolyard. Classrooms were located almost 50 metres away from the new administration block. A group of learners could be spotted. They were just standing outside the classrooms. Suddenly they disappeared back into the classrooms. Thereafter the principal appeared. Maybe it was because they had seen the principal's car approaching.

After a few minutes the principal walked with me to inspect the school premises. There were old and new buildings. The older buildings were still being used. Some of the classrooms here had very old doors which were no longer lockable.

At school E when I arrived, learners were still strolling to the school. There were teachers who had sticks at the gate. A few learners attempted to run to the school when their teacher ordered them to do so. One teacher shouted at them and said that the first period had already started. I then asked the teachers at the gate about the magnitude of this problem. They said that a large number of learners are always late because they know that there are no consequences for late-coming in their school.

The administration block of this school is located far from the school gate. There was a lady who ushered me to the principal's office. She was introduced to the

researcher as the security personnel during the first visit. As with the previous visit, I was not made to sign the visitors' register.

The administration personnel were not warm and welcoming to me. One of them said that the principal was busy and the deputy principal was the only available person. I was then allocated the factotum to accompany me through the school premises.

It was then observed that the learners' toilets had broken windows as depicted on picture 5.4 below. However, the broken windows could also be seen in some of the classes. Be that as it may, the most affected area was the toilets both inside and outside. This means that the toilets were also dirty on the inside.



Picture 5.4: Broken toilets windows at school E

At school F, the schoolyard was untidy. There were big drums used as rubbish bins. They also have a big open space which could be used for sports. Unfortunately the factotum said that there were no sports at this school. According to him most of the sports activities are reserved for grade 12 classes.

There is a very big gate at this school. It was not closed when I arrived. There were women hawkers inside the school premises. A group of younger males was also spotted just outside the school gate. All of them were selling fruits and sweets by the look of their stock. This group of males was of great concern to the researcher. They are suspected of being suppliers of drugs to young learners.

The corridors were very dirty. I then visited the kitchen where I found cooking pots covered in soot. The ladies there said that the gas stoves are not working properly. This puts them at risk because if the gas stove leaks, there can be an explosion. Inside the kitchen there were teachers who were already eating even though it was

not break yet. The deputy principal did not make any comments to them. These ladies were not wearing any protective gear for their duties, a phenomenon that was in contravention of section 14 of the Occupational Health and Safety Act (hereafter OHSA).

This situation at this school is similar to that at school B. In both schools learners use holes on the school fence to unlawfully get in and out of the school premises in contravention of the Regulations for Safety Measures at Public Schools. Late-comers are said to use these entrances to come into the school. When teachers are around they throw their books over the fence. Their friends who are already inside the school will fetch these books. Then late-comers will go to the gate and pretend that they were early but had to go back home to fetch a homework book or something. The communities are not helping the schools as they are not discouraging these activities.

At break time, the researcher observed that learners did not form lines to get their share of food. Instead, there was shoving and pushing. Teachers at this school do not help. They were nowhere to be seen; as such, they were not acting *in loco parentis*. The kitchen is situated next to the toilets on the ground floor. Many learners went into the toilets which were found lacking water basins. After coming out from there they come straight to queue for their food. They cannot wash their hands because the water basins do not have taps. Some of them are used as urinals.

At the back of the school there is a large field. It is covered in dry grass. Parts of this field were burnt, as depicted on picture 5.5 below. There is an obscured corner on the eastern side of the school. It is used by the factotums, cleaners and learners as a dumping site. The general workers are accustomed to burn rubbish when it has piled up. They said that the municipality does not come to collect rubbish.



Picture 5.5: Burnt rubbish at the illegal dumping site of school F

At school A the principal's office is situated next to the general office of the school. Upon arriving, there were teachers and office staff in the general office. The principal had chased away teachers who were having casual discussions with support staff members. I observed that discussions were the centre of many activities within the school.

The office of the principal was disorganised. There were files on his table. Others were left on top of the shelves. Most of these files were not labelled. The principal's table was littered with loads of papers to be read. There were circulars and notices from the DBE. Some of the envelopes were not opened.

I noted that visitors wanted to talk only to the principal even if they could be helped by someone else. There were insurance brokers who wanted to make appointments to sell their products to staff. One parent also wanted to talk to the principal about a situation between a teacher and her child. The deduction which I made at this school was that the principal was mismanaging the school.

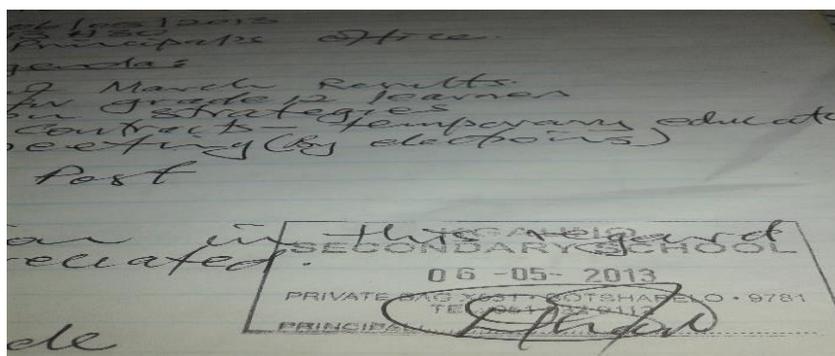
In one of the rooms there was a CCTV which enables the principal to see what is happening in any class by just pressing the button. I was shown evidence of drugs and cigarettes confiscated from a learner by the principal as shown on picture 5.6 below. There was a plastic bag containing dagga. There was also a box of matches and cigarettes which are mixed with dagga for a joint (*zolo*). The principal suspects that there are learners who sell drugs within the school. He said that it was not the first time they confiscated dagga packed in this manner by certain boys.



Picture 5.6: Stupefying drugs confiscated from a learner of school A

When I enquired about the school timetable and the year plan, the principal said that they rely on technology. They just press a key on the computer and the timetable will show up. This suggests that the principal is not aware of where his teachers are at any given time.

The principle's office in school B was untidy. The office furniture was very old. Different chairs were assembled there to make up for the office furniture. The bulletin board still had notices dating five years back from the date of my visit. The notice of the meeting depicted on the copy below attests to this assertion by the researcher.



Picture 5.7: Notice of the meeting convened five years ago at school B

While I was in the office, the deputy principal just walked in without knocking. He spoke to the researcher without greeting him first. He did not even show any courtesy despite the fact that I greeted him.

As mentioned earlier on, all the toilets at all schools under study are in a bad state, one dirty toilet resembles all the toilets in these schools. The discussions that follow attempt to paint a picture about these situations.

Owing to my second visit to school A, I was allocated a factotum who walked me through the school. The first area I visited was the teachers' toilets. They were clean. Notes were taken whilst walking to the learners' toilets. They (learners' toilets) are attached to the classrooms on the eastern side of the building. In each block, there are about 30 toilet seats for boys and girls and three urinals. At the entrance of each room are the water basins. The water basins are meant for learners to wash their hands after relieving themselves. But they were used as urinals by learners at this school, as shown below on picture 5.8.



Picture 5.8: A washing basin at school A used by learners as urinals

In the learners' toilets there was a toilet with a broken bowl as depicted on picture 5.9 below. It was still being used because of the urine which was found in it. The factotum said that the bowl was deliberately broken down by a certain boy whose parents had promised to pay for it a long time ago. He went further by saying that the parents of the boy have never paid for it or shown up at the school.



Picture 5.9: A toilet at school A which was deliberately broken by a learner

By comparison, teachers' toilets were clean and the learners' toilets were very dirty. The reason provided was that the general workers have the responsibility to clean the teachers' toilets daily. There is nobody assigned the duty of cleaning the learners' toilets. But they were both not in good working condition. It was reported that the learners' toilets are cleaned only once in a while and voluntarily by learners themselves.

When I arrived at school C, it was towards the end of the last period. The factotums had to unlock the classrooms. There were no signs of sweeping after school. The rubbish bins were not emptied before learners could go home.

In one classroom, the learners' furniture was left upside-down. It looked as if someone had been playing games in this classroom. The walls of many classrooms had profane language written on them. In one classroom there was an education cliché written. It reads: *Education is the key to success*. This could also be witnessed on the corridors.

A few classrooms had broken windows. The factotum said that it was because the new principal has already rolled out the process of renovating the school. Some of the bulletin boards did not have any charts. Classroom timetables were also missing in most of the classrooms at this school. One of the classrooms housed the main switch for all classrooms and laboratories in that block. When I took a closer look, I discovered that the circuit breakers were stolen by vandals as may be seen from the picture 5.10 below.



Picture 5.10: Circuit breakers removed from the main switch at school C

At school D, I observed that many classrooms were fitted with new doors. But the new handles in some classes were already broken. The factotum said that learners are the ones to be blamed. They play inside the classrooms. At the end of break, many boys are accused of closing the door from inside so that learners who are still outside had to force them open. This causes a strain on both the new doors and the handles which are made of weak and cheap materials.

Over and above these problems, many classrooms were overcrowded as may be seen from picture 5.11 below. The large numbers were in grades 9 and 10 classes. When these classes are compared with those in grade 12, it was found that the classroom subjects' statistics in grade 12 were very low. There were classes of 12 learners in grade 12 as compared to more than 50 learners in other grades. This has a negative impact on the number of learners in junior classes. Therefore teachers in junior classes teach more learners as compared to the situation in senior classes.



Picture 5.11: Overcrowded class at school D

The school F was very dirty from the outside to the inside of the classrooms. Many learners were walking up and down outside the classrooms. When I asked one teacher about this, he said that they were still going to their respective teachers for different subjects. But the movement went on for a very long time.

Some of the learners were locked outside by the teacher who could not be traced within the school premises. Most of the learners did not wear their school uniform. One researcher and I witnessed a girl walking on the corridor with a towel around her waist, something which suggested that the learner was pregnant.

There were many classrooms without doors; picture 5.12 below attests to this notion. The electric cables were left uncovered. In one class the whole circuit breaker box

had its elements removed. In another classroom that did not have a door, there were remnants of fire, and stubs of joint from dagga smokers.



Picture 5.12: A classroom without a door at school F

The deduction which I make from my visit to the schools under study is that the SGBs, teachers, principals, cleaners and factotums, RLCs and the SMTs are ignorant of their responsibilities. The most important duty the SGBs did not report to the Minister of Education is the situations which put the lives of children and teachers at risk at their schools. Section 5A (2) (a) of SASA provides that the Minister may prescribe minimum uniform norms and standards for, among others, the availability of water and sanitation. This means that they should have informed the DBE about the bad state of their toilets.

Principals as members of the SGBs, and as the representatives of the Minister in the SGBs, are also guilty of contravening section 18 (1) (e) of EEA because by not making sure that the school facilities, especially high risk areas like toilets are clean, they have endangered their health and that of others within the school premises.

In conclusion I am of the opinion that SMTs, SGBs, teachers and principals who do not see to it that school toilets are clean, violate the rights of learners as set out in section 27 (1) of the Constitution which provides that everyone has the right to health care, food, water and social security. As may be seen from the responses of the respondents, this right is infringed on. Likewise, section 24(1) of the Constitution is also infringed on in that both learners and educators are exposed to an environment that is a health hazard.

5.5. Documentary analysis of six secondary schools

In paragraph 4.7.2, the official documents the researcher had intended to read in order to find out whether they would solve the problem were mentioned. These were identified in paragraph 1.6 as well as the fundamental research questions of this research project. Most of the principals attached to the schools under study did not have most of the official documents I had intended to read in view of finding out whether they would be of assistance to me.

Surprisingly, some principals did not report for duty on the day I was going to request official documents from their schools. This was very disturbing because this is tantamount to a situation whereby a Grade 8 boy will play truant on the day he is supposed to submit his Geography project or any work that he is supposed to submit. Some principals, who were present during my visit, did not show any concern whatsoever despite the fact that I had outlined the purpose of my visit beforehand.

At certain schools, both the principals and the deputy principals were very negative. They did not bother to greet me on my arrival at their school or even dare to produce the documents I had previously had requested to go through. In some instances, the documents at certain schools that were handed over to me were irrelevant. Nevertheless, I was able to read the documents which are analysed below.

	2016			2015			2014			2013			2012		
	%P	%B	%F												
SCHOOLS															
A	93	39	7	68	17	32	83	26	17	76	27	24	66	18	34
B	78	30	22	55	15	45	79	17	21	77	25	23	70	20	30
C	74	31	26	61	19	39	64	15	36	85	27	15	83	17	17
D	92	35	8	45	9	55	87	25	13	94	11	6	74	14	26
E	89	32	11	91	37	9	88	25	12	78	19	22	89	31	11
F	65	8	35	79	10	21	82	13	18	86	7	14	69	13	31

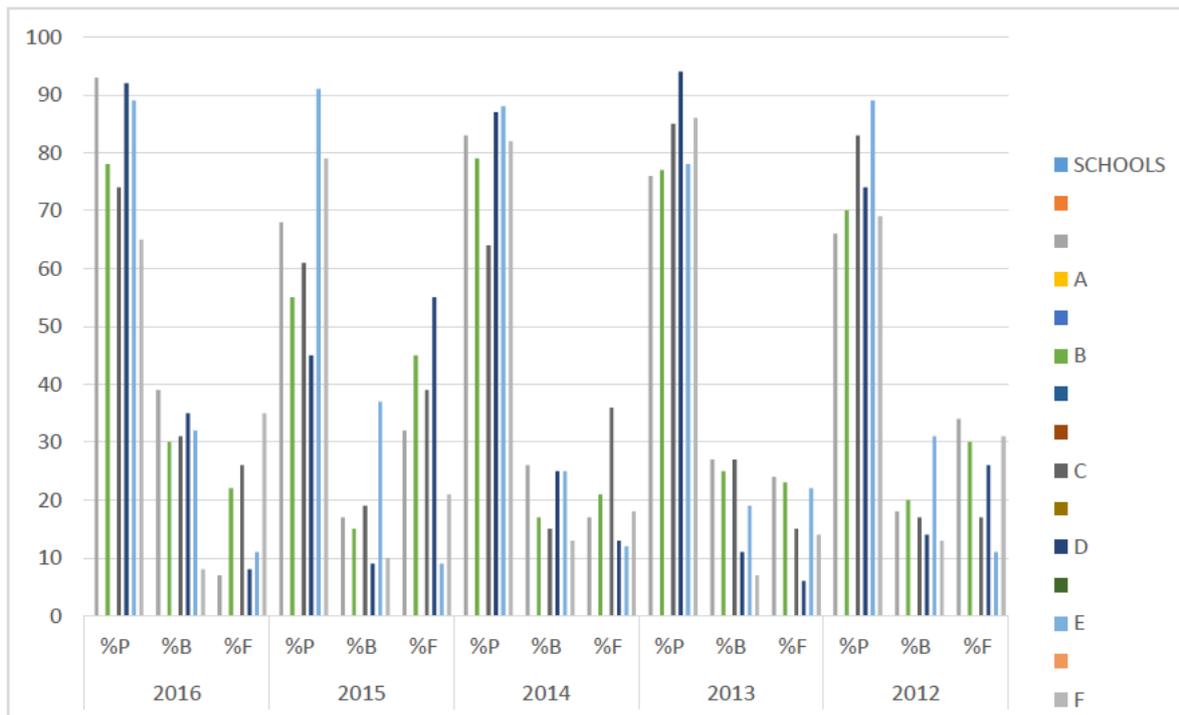
Table 5.1: Grade 12 Pass, Failure rate and Bachelors for the six schools in percentages

P: Pass
B: Bachelor
F: Fail

From the above Table 5.1 analysis of the grade 12 results for the past five years, it was clear that even if the pass percentage in the six participating schools may have gone up in the year 2016, the performance is deceiving the nation. The problem is that most of the learners in these schools did not manage to obtain university entrance, as their percentage to qualify for university entrance is below 40 percent. The Graph 5.1 below attests to this assertion.

Even the pass percentage of those who are said to have managed to go to university is not accepted at most universities, since they have their point system that determines who may be admitted at their university, subsequent to the scrapping the Standard Higher Grades pass. In fact, those who decided to scrap the SG and HG

pass in Matric/Grade 12 committed a serious error. The present government is interested in a number (quantity) of learners who pass Grade 12, and not knowledgeable (quality) learners who pass this grade. This poses a serious problem because those who are not supposed to be at universities cause problems such as #feesmustfall and so forth.



Graph 5.1: Grade 12 Pass, Failure rate and Bachelors of six secondary schools for consecutive 5 years

Poor management of organisational systems in the six participating schools is reflected on the quality of results they produce. In South Africa the general outcome of the grade 12 results is used as a yardstick to measure the success of the present government. That is why after the grade 12 results have been released at the end of each year, both print and electronic media report about them in order to appeal to the public to support the government in that it will be said that the number of learners who pass this grade has dramatically increased, whereas the converse is true.

It is more so because the number of learners who gain university entrance is still low. This can be attributed to the poor quality of teaching and learning at the majority of

schools in this country which are mostly found in black areas. The Graph 5.1 shows that there was an increase in the number of learners who passed Grade 12 in 2016.

The challenge for the six participating schools is the quality of the results which reflect a percentage lower than 40. In fact the majority of schools obtain a percentage below 30. The irony of these results is that the participants have reported through their responses that most of their budget is spent on the grade 12 learners, but the quality does not reflect positively on these expenditures. Pumping a lot of money to the grade 12 classes does not yield the results that were envisaged by both the DBE and the school community.

Another area investigated was the availability of important documents and the processes followed when decisions are made.

This the researcher did by reading the minutes of the SGB and the staff of school A. I realised that the minutes of the SMT were kept in a notebook which has been in use since 2012. The deputy principal who assisted me said that he is the one who convenes SMT meetings. He writes the agenda in this notebook and circulates it among the SMT members.

The first meeting took place in January 2017. They have talked about the performance targets, assessment plans, work schedules, and pace setters. No resolutions were reflected on these items. They were just listed as agenda items. It also came out that minutes are not typed for future reference.

When reading the minutes, it was revealed that the deputy principal convenes the meetings and acts as the chairperson. Surprisingly, this man also takes minutes for the meetings. Their principal does not attend any meeting with the SMT, but he gets feedback from his deputies in their special meeting. I then requested the minutes of the meeting in question, but they were nowhere to be found.

Furthermore, there was evidence that the meetings were not convened in accordance with normal procedures. There is no programme for SMT meetings. The attendees do not sign any attendance register. The signatures on the invitation notebook are regarded as proof that the members have attended a meeting.

As regards the meetings of the SGB of school A, there were out-dated minutes which were held on 16 October 2016 available. This file is also used as a resource file for the SGB. It had various policies and only one Act, namely SASA. They also

have the code of conduct for learners that was adopted in January 2015. This is because the code of conduct was signed for by both the principal and the SGB chairperson. Other policies were kept as drafts because they were not adopted or implemented.

There were no minutes submitted to me for reading. This suggests that there is no proper keeping of minutes at this school. The deduction which I make is that the school is not keeping records as proof that the different structures at schools are taking decisions on issues that affect the school.

At school B the minutes of the meetings of the SMT and staff are recorded in a notebook which was left on the table in the principal's office for my attention. The minutes recorded were undated. There was also a notice inviting staff members to their meeting. This notice too, did not have the date of the invitation nor the date when the meeting would be held.

I was surprised to see a copy of the bereavement policy in the minute's notebook. This made me believe that the staff meeting was about a funeral not about teaching and learning or about the subjects (learning areas) at that school. This suggests that the aims and objectives of the school do not take centre stage.

If that be the case, this means that teaching and learning do not matter; as such this constitutes serious problems at this school and the situation furthermore dictates that there is no proper consultation among the stakeholders. This scenario may result in teachers finding themselves in a rudderless ship as there was nothing submitted in as far as the staff meetings are concerned.

As far as the SGB of this school is concerned the document that I came upon was the code of conduct for learners. Actually, this was a draft copy from the DBE. There was nothing about it other than this, and even the SGB policies in this file were not found. There was a record of one meeting which has two conflicting dates. It reflected that the meeting took place on 9 September 2016 and was signed off or adopted on 23 March 2017.

Other meetings did not reflect dates on which they took place. In one of the meetings the SGB talked about learner performance. It was recorded that the pass percentage for grade 10 was 46.8 percent and the failure rate was 55.2 percent. It was also reflected on the minutes that the grade 11 class in that year had 79 learners and the

pass percentage was at 83 percent. If these records are authentic, then it means that many learners fail at this school.

At school C it came to the fore that the SMT and staff meetings are not conducted accordingly. The researcher saw only the copy of the staff minutes which did not have dates and were not signed and adopted. Teachers have also appended their signatures on the attendance register which did not reflect any date. Very old minutes of the meeting which took place more than four years ago were also kept in this notebook.

The SMT minutes were signed by the secretary. As I was perusing the documents, I discovered that it was the culture at this school to keep very old minutes; something that is not acceptable. The deduction that I make is that this structure failed to keep records of their minutes. When the attendance registers were requested, I was not provided with one. This suggests that there were no meetings, or records are not well kept at this school.

In the file of the SGB of school C there was the 2012 SGB constitution. The minutes in this file showed that the pass rate of the grade 12s, which was 65.66 percent, had gone down from 79.52 percent. In this report the dates were not reflected. Furthermore there was the roll of grade 12 learners which reflected that they had 86 learners that year.

While I was going through the file I realised that it contained the code of conduct which was neither adopted nor signed for by persons in authority. Because of this, it cannot be used to discipline learners. In the file of the RCL there is a document accusing the principal of making empty promises that he would provide them with their code of conduct.

I furthermore found the copies of assessment, homework, and examination policies in that file. Only the copy of the homework policy was signed by the principal in 2016. There were out-dated policies such as the 2008 admission policy, the 2012 policy on alcohol and drug abuse as well as the 2012 pregnancy policy. Following what was said above, I come to the conclusion that School C is managed ineffectively and inefficiently because there were no Acts that the principal and his staff can refer to if they are in disagreement about something.

Similar to the previous schools, the minutes for the staff and SMT meetings at school D were not typed. There were no dates on which the meetings took place. Only one set of minutes which was written in illegible handwriting was recorded for staff at this school. The minutes for the SMT were not dated either. But they were signed by both the secretary and the chairperson. The records reflected that the SMT was talking about allocation of subjects when they last met.

The minutes of meeting of the SGB of school D held on 20 February 2014, were handwritten in a notebook and unsigned. In the minutes, they were talking about the school budget. The last meeting recorded took place on 25 October 2015. In this meeting the SGB also talked about budgeting for the following year. It was embarrassing for me to see that the DBE official had appended his signature on the minutes of the SGB. No comment was made about how they should improve their running of the SGB's affairs.

It also came to the fore that the minutes of this SGB were not accompanied by any attendance registers. No invitations could be located. This confirms the remarks by one of the SGB members in another school that their SGB meetings are always postponed by the principal.

5.6 Conclusion

This chapter has dealt with the issues that pertain to fieldwork that was undertaken by the researcher when visiting the six participating schools. The aim was to involve the schools and those who are attached to them in view of collecting data that would assist both the participants and me to identify problems and to arrive at possible solutions for their schools. Most of the participants were cooperative, excluding most of the principals.

From the observance at all schools under study, it came to the fore that all their toilets and school surroundings are dirty and dangerous for both teachers and learners. The chapter also revealed that, SGBs lack governance knowledge, and that SMTs and teachers are not cooperating with each other because all the stakeholders do not feel safe on their school premises. Lastly, I discovered that principals who are supposed to be responsible and accountable for what happens at their schools do not have knowledge of legal aspects such as the code of conduct for learners, and so forth.

CHAPTER 6

6 THE FINDINGS, RECOMMENDATIONS AND CONCLUDING ARGUMENTS

6.1 Introduction

This chapter deals with the findings and the recommendations of the research about the problems of “Management of organisational systems at township secondary schools in the Free State Province”. I have visited the six participating secondary schools in order to have group discussions with the SGBs, SMTs, RCLs, teachers, cleaners and factotums, as well as the Interviewing Panels. Principals of these schools were also interviewed. The purpose was to identify problems experienced by participants and their schools.

By reading school documents, it was discovered that there were serious problems with regard to the decision making processes. And by observing the school environment, it was discovered that these schools were very dirty. Furthermore, participants were involved to make recommendations and to find possible solutions to the identified problems (cf. paragraph 6.5).

6.2 The findings of this research

The results of this study are anchored on my encounter with different structures at the six participating schools. By meeting the principals, I gained knowledge about their personalities and qualities as leaders. Most of these principals were oblivious to the laws of education.

The interaction with the groups and the six schools which formed a sample of this study makes me conclude that the findings of this study are authentic (true) in that I uncovered reality for myself; and that they are also credible (believable) because evidence was available.

I have realised that they make decisions without consulting with other stakeholders. For example, principals who were found not to have involved the parents for the budget vote. This means that they are using the school funds without a full mandate from the parents of their respective schools’ learners.

On the other hand, the SGBs were found wanting when they were made to report about how they maintain order and discipline in their schools. Some schools do not have the code of conduct for learners. Others have secrets which were revealed

when the school documents were read. This discovery provides reasons why learners are unruly.

This problem is serious to an extent that some principals use the SA Constitution in the place of the code of conduct for learners, in order to maintain order and discipline.

In most of the participating schools there were no SGB constitutions, SGB policies, Acts governing education, as well as systems and procedures outlining how things are done at the selected organisations. To make matters worse, there were no records of minutes kept by the respective SGBs. Therefore, it was difficult to check how they arrive at decisions.

All the RCL structures were in shambles. They were elected on the basis of their notoriety on the school premises. Learners are accustomed to put troublemakers and disruptive individuals into the RCL echelons. This was also cited as a reason by both the SGBs and principals for not involving them in decision making processes of the school.

Teachers and learners arrive late in the mornings. They are not punctual for taking their periods during the course of the day. There are teachers who loathe their principals so much that they do not want to be seen with them in one room. For example, there is a female teacher from one of the participating schools who declared that she will work hard to ensure that the grade 12 results remain low until their principal is removed from that particular school. The futures of innocent learners are at stake because of teachers who have personal vendettas against their authorities.

During interviews for placement of teachers, observers such as union representatives and principals wrongfully assume the responsibility to question the applicants. They actively manipulate the innocence of unsuspecting parents. The result is that they appoint their friends in the vacant posts. Therefore the suspicion that a number of them receive bribes for teaching posts will forever linger. This is why there is a high failure rate and poor quality of results in various subjects, both internally and externally.

Principals of the selected schools were never present for the entire school day during the visits by the researcher. They always had somewhere to go. Therefore

their schools are being run remotely. There are no “captains of the ships”, and that is why they are sinking.

The school management teams of these schools are indolent and reckless about their responsibilities. Take for instance, the principal who has delegated a junior teacher to sign the time register on his behalf, and the head of departments who never convened a single meeting for the whole year.

A junior teacher signs the time register when the principal has forgotten to do so when he arrived in the morning. This is a bad practice because it opens up opportunities for teachers to also sign the time register on behalf of their absent colleagues. It will also be difficult for him to track down late-comers. This principal will never have concrete evidence about the patterns of absenteeism and late-coming of staff members.

Learners in many townships arrive late for school. Most of them lose the first period. This was observed when the researcher was driving in the townships on the days of visits to schools in different areas. There were too many learners in different school uniforms still walking to their respective schools after 8 a.m.. From the researcher’s perspective, both the primary and secondary school learners are culprits.

Some teachers try to correct this behaviour by applying corporal punishment. The researcher has witnessed an incident where learners were queuing to be beaten up for arriving late. The perpetrators were male teachers. Schools have been turned into war zones. Violence is perpetuated through the use of corporal punishment by teachers. Learners push it by engaging in gang warfares. All these incidents take place on the school premises.

In other schools, male teachers and RCL members control late-coming by taking the names of culprits. This practice does not bring good results. Learners continue to arrive late because they know that nothing will happen to them. The situation is so bad that some learners cross paths with teachers at the classroom door. That is, when a teacher they dislike enters their class to teach, they leave, they neither like the subject, nor the teacher.

Factotums and cleaners were not provided with protective clothing. They wash and clean toilets without putting on masks to cover their faces. In most of the schools visited, cleaning materials were not available. It was difficult for them to do their job

properly. They have reported that they improvise by bringing their own soaps, brooms and buckets. Imagine their salaries and think of what is left if they have to buy their own soaps to clean teachers' and learners' toilets.

In some schools they are asked to look after learners when teachers run their own errands. They also staple question papers for both tests and examinations. Sometimes they are sent to the location by teachers to buy airtime, to collect chicken and other foods from street vendors. I have observed an incident in one of the schools visited where a factotum was selling loose cigarettes to boys. All of them quickly disappeared when they realised that the researcher had seen what was happening.

The schoolyards were not looking good. Many classrooms were dirty with numerous broken windows. In some of the classrooms, learners were up to mischief because there were no teachers attending. The learners' restrooms were not in good working condition either. There were no visible sports facilities and no designated playing spaces for learners.

The findings mentioned above and the knowledge gathered about the situation at the six participating schools was gained from the visits by me to these schools. Data collected is therefore credible because the researcher has delved in a systematic and in-depth fieldwork. This information is of high quality because the researcher provided each participant or groups with the same set of questions.

Their responses were recorded and notes were taken. Thereafter the findings from each school were compared. The aim was to gain more understanding about the problems experienced by the participants in their natural setting (cf.paragraph4.6.3).

Credibility is regarded as the interpretation of truth. It is true that the participating schools were visited and the findings were compared in order to elicit the truth about the problems experienced by these schools. Take for instance the issue of safety. All schools responded similarly that there are gangsters who are masquerading as learners. Therefore secondary schools in the townships are unorganised because they lack safety and security systems.

Furthermore, the findings of this research study are authentic. They are a true reflection of what is happening in terms of the poor management of organisational systems. Data was collected during the school visits from the same groups. For

instance, information gathered about the principals was received from them. No deputy principal was interviewed in the place of the principal. Therefore the conclusion arrived at that principals do not know the education legislation, is proven true.

The authenticity of these research findings is also proven by the fact that the researcher has read the school documents. The same list of documents was requested by the researcher from each participating school. The code of conduct for learners, minutes of different stakeholders, SGB policies and education Acts such as SASA, for example, were requested by the researcher. It was recorded as findings that many schools do not keep minutes, and they could not submit school policies. The deduction made was that their SGBs did not have policies and they do not know how to develop them (cf. section 16A of SASA).

The findings of this research project are applicable to other schools with similar situations. Unlike in quantitative research where the findings are generalised, in action research they are transferred to other schools which are similar to the schools under study and which may not have participated in the study but are found in any township across South Africa. Transferability in qualitative research refers to the degree to which the findings can be passed or transferred from the six schools which participated in the study to other schools with similar experiences (cf. paragraph 4.6.4).

Therefore knowledge constructed from this research project and solutions created by participants can be transferred to schools in similar situations. This means that secondary schools in townships in South Africa, which are similar to those who participated, have problems of management of organisational systems. They are engulfed in gang fights; their teachers maintain order and discipline by applying corporal punishment. Principals have problems of financial management. They cannot give adequate advice to the SGBs about how the school funds should be used (cf. section 16 of SASA).

Many schools are community structures. The parents send their children to learn. They expect schools to look good on the inside and outside.

6.2.1 Outlook of the township secondary schools

The general appearance of township secondary schools in South Africa is not attractive. Passers-by can see from a distance that windows are broken. They can also see that some classes have broken doors and others have no doors. The gutters have overgrown weeds due to lack of maintenance. Moreover, birds build their nests in these channels. Rainwater cannot flow freely.

The main gates need to be renewed with paint. The entrance from the street or main road has potholes. Some parts of the perimeter fence, especially when it is a palisade or devil's fork, have been removed. Wild animals and thugs have easy access into the school premises.

There is old furniture and debris lying around. Brown weeds have covered certain areas. This is an indication that the school grounds are not properly maintained. Watering of the school garden seldom happens. There is no mowing of grass in these schools.

From a distance, the onlookers can see that learners spent a lot of time outside the classrooms. During break time or before, citizens can see cars belonging to teachers and the principal leaving the school premises. In some schools the street vendors sell their products right inside the school premises, others have their business operating along the school fence but outside the school premises. Money and items bought by learners exchange hands through the holes in the fence.

These businesses are lucrative because hawkers assemble their products from morning until school is out. Learners go and buy whenever they wish. Sometimes they are sent by their teachers to get them something. This is where the drug lords have an opportunity to sell their drugs too.

In schools where there are gangs, the scene is always of learners running, screaming and running in and out of the school when there are attacks. This is a very bad picture because schools are supposed to resemble places of peace, sanctity and tranquillity.

The outlooks portrayed here originate from the poor work ethics of teachers and learners.

6.2.2 Work ethics of educators and learners

Teachers at the township secondary schools are not at the required level of readiness to teach their learners. They do not accept them as unique individuals with unique problems and aspirations. Troubled learners are left to fend for themselves. These learners end up dropping out of school because of lack of support from their teachers.

The situation in these schools is also that overcrowding is a consistent factor. Teachers still present it as a reason when their learners do not perform well. This is because their morale is always on low ebb and they are not keen to come up with possible solutions and procedures when a classroom is overcrowded. There are plenty of methods which could be accessed through the internet.

Many teachers do not want to carry out instructions from the SMTs. The syllabi are not completed when the term or the year ends. Learners' books are not marked and returned to them on time. Some teachers go to classes being unprepared for the lessons. They are pushed like wheelbarrows into the classrooms.

When teachers are not ready to teach, they find it very easy to dodge their classes. Such teachers visit others and disturb them by engaging in nonsensical topics such as talking about the soccer match that took place over the weekend. They are at school when the time register is checked but are absent from their classes. This is fraud. They are being paid for work they are not doing.

The failure of teachers to work with outside societal agencies is also unethical. They are reluctant to work with law enforcement agencies such as the South African Police Services. Crime is perennial because drugs are peddled within the school premises and the perpetrators are not reported to the police. Girls continue to fall pregnant and drop out of school because nurses and social workers are not invited to school. Teachers have a "don't care attitude" towards the reality of the situation learners find themselves in.

In some cases high standards are dropped by the SMT members. Their failure to convene meetings results in many teachers being lost in as far as the delivery of curriculum is concerned. Mentoring and monitoring of subordinates do not take place any longer. Teachers do not get any support when their learners misbehave. When

teachers submit work for control, there is no follow-up made of learners who have not achieved or those who did not complete their school work.

The SMT members are reluctant to invite teachers to their classes in order to demonstrate how a good lesson is delivered. That is why teachers also refuse to allow them into their classrooms. It becomes difficult for any manager to control work that s/he cannot see as it unfolds. The best thing to do is to start with demonstrations and then team efforts can begin.

Lack of teamwork and support to the colleagues by principals hamper the school's progress. In most cases they disappear in the morning leaving the school in the hands of the deputy principal. Chaos erupts immediately when teachers and learners realize that their principal has gone out. They fail to ensure that there is collaboration of work among all the stakeholders. The people who stand to lose the most are learners.

Their work ethics are also impacted negatively by adults who cannot work together. Most of them are not inclined to the notion that the early bird catches the worm. They arrive late for school. They do not submit their work to be marked. Their moral compass is very low. There are learners who are in various grades at secondary schools in the townships who cannot read and write. The question to be asked is how they got to that level.

Some of them are very frustrated because they cannot fit in with the mainstream education system. They respond by doing immoral things on the school premises; for instance, problems emanating from smoking in the school toilets, drug and alcohol abuse, and acts of violence on teachers and other learners.

They stoop as low as to attack both principals and teachers in full view of other learners and community members. When their victims retaliate, other learners would then capture videos of the assaults. Those standing nearby do not attempt to stop the violence. They fuel it by laughing and encouraging the fighters to keep assaulting each other. The video clip will go viral and be broadcast on national television.

A vicious cycle is created. It begins at any stage. For instance, some teachers will be accustomed to the habit of not teaching without any repercussions. Their learners will obviously fail. When learners continue to fail, they become over aged and leave

school without any prospects of success in life. They cannot be employed because of their poor education background.

The economy of the country becomes negatively affected. Government has to pay more grants due to high unemployment. The business world needs skilled people. The South Africans, more especially black people lack skills in manufacturing cars and repairing them; in manufacturing refrigerators and repairing them; in manufacturing big machineries like excavators and repairing them, and so forth. Due to the lack of these skills most South Africans are unemployed.

6.2.3 The culture, ethos and climate of the secondary schools

School culture can be described as the procedures followed by that organisation or the school to get things done. This makes it the principal's sole responsibility to develop, promote and influence the school culture in a given direction. There are ominous characteristics in the township secondary schools in South Africa.

In most cases, township secondary schools have very negative and toxic cultures. Firstly, they allow both teachers and learners to arrive late. The first period is not attended by all learners and teachers who are supposed to be there. This leads to the habit of not completing their work schedules on time.

Secondly, many learners fail unnecessarily. Both teachers and learners see nothing wrong with this outcome because they are used to it. The community too, does not bother to make the principals and teachers account for a high failure rate. They do not care about their tax money going to waste.

Thirdly, there are hostile relationships among staff, among learners, and among each and every stakeholder group. Teachers cannot plan lessons together even if they may share a subject in the same grade. This leads to a situation where there will be two question papers set for the same grade because teachers could not synergise their work.

Fourthly, teachers with good stories to share, especially if it is about the success of their learners are debarred by others. They end up being ostracised because of the positive sentiments they get from the principal or the department. At these schools, negativity prevails over good. There is a culture of discouragement.

Lastly, there is a bad habit of planned sexual molestation of young girls by male teachers at these schools. Some of them engage in sexual encounters with young

school girls during teaching time in old centres or laboratories. In a way the affected school is turned into a brothel. Therefore rape has been factored in as a culture of that school.

The school climate is not conducive for learning and teaching. Teachers and learners lack respect. For example, late arrival by teachers shows lack of self-respect, and no respect to both learners and the principal. Learning and teaching take place in violent atmospheres. Bullying contributes towards a negative school environment. The weaker ones go to school with feelings of fear from attack by gangs. Therefore many learners at these secondary schools have negative perceptions about schooling. Both female teachers and girls have constant fears of being sexually assaulted.

The township secondary schools do not have charismatic leaders who can influence positive changes. Those present lack the momentum to influence positive school values because they themselves are somehow compromised by skeletons in their closets. They are afraid that if they advocate for best practices, someone else may reveal their own weaknesses. Therefore they cannot take disciplinary steps against teachers who misbehave.

This is the reason why these schools are characterised by violence, rape, dilapidated buildings, and killings of principals and teachers. Another problem is the imposing of acts, and policies by the principals on the school communities. Some of them threaten others with these documents instead of using them as guides to set common goals. Therefore principals have created spaces in which they are able to abuse their powers through the erroneous application of education legislation and school policies.

6.2.4 Social ills in the neighbourhood of the secondary schools

Learners come to school with a baggage of good and bad experiences from their families and communities. After the demise of apartheid, many people started to smoke dagga and to take alcohol openly in the streets. They do not hide themselves anymore because they feel that such practices are the fruits of freedom.

The results are clear. Many learners smoke dagga in the school toilets. When the lessons are on, thugs leave their classrooms to go and have a smoke. Added to this is that they also consume alcohol on the school premises. These bad practices have

been copied from the members of the society. Culprits are surprised when the school tries to take corrective measures against them. They have never witnessed situations where the police have arrested a person they know for smoking dagga.

Drug lords have seized this opportunity. They have hired some learners to sell their drugs. The moles have a lot of money. They use it to lure more learners into using drugs. Just like in the streets, there is no one prepared to inform the principal about learners who are drug moles.

The international drug syndicates have targeted South Africa as a new market. It is also used as a corridor to reach other countries. Therefore there is an onslaught of this problem on our doorstep. Schools and families alike are feeling the impact of drugs. Learners steal materials made of brass, copper and other metals for recycling. The money they get is used to buy drugs. Others accumulate their pocket money until it is enough to buy drugs or alcohol.

In some towns and cities, secondary school learners are seen on Fridays consuming alcohol after school. For example, in Welkom, some secondary school learners assemble at the central park after school. Some of them change their school uniform to civilian clothing. Here the competition is about which school has bought excessive alcohol. Business owners do not care. They just want profit. In the modern societies, people who buy a lot of alcohol are revered and seen as tycoons. No wonder these children want to emulate them.

When they are drunk, they engage in sexual orgies. Obviously, they do not use any protection against diseases and unwanted pregnancies. Others end up being raped because they went there for alcohol consumption and not for sex. Alcohol abuse is also taking place in their homes. Even there, irresponsible sexual encounters take place.

Girls fall into the trap of sexual activities in exchange of financial favours. When they fall pregnant, fathers disappear. Married men who have impregnated the young girls would sometimes force them to go for illegal abortions. This is one of the social ills which culminate into single parenthood. Young girls become mothers, and fathers refuse to take responsibility.

High rates of unemployment, poverty, and lack of sports in the community have given birth to loitering among youth after school. This phenomenon is carried into the

school premises because many learners also loiter when classes are on at their respective secondary schools. As it is well known that the devil finds work for idle hands, some learners form gangs.

The purpose is to rob people of their money and other belongings. They also take money from other learners. If a learner does not belong to any gang, s/he becomes an easy target. For protection sake, some of them would join any gang.

Rogue pastors visit secondary schools in the pretext of spreading the Word. The aim is to recruit as many learners as possible. When the membership grows, they move to taxi ranks. These people who masquerade as pastors are actually drug lords. Some of them are guilty of money laundering. They use the name of the church to bank their ill-gotten profits as if it is Sunday collection.

These “churches” are also used by illegal immigrants to lure girls into prostitution. They promise them that they have work for them. Unfortunately these girls are kidnapped and sold into sex slavery. Whilst in captivity, slaves are forced to take drugs so that they may not feel the pain of being sexually assaulted.

Some of the pastors alternate as *isangomas* or traditional healers. They use *muthi* to be able to achieve their goals. Young children disappear only to be found dead with some of their body parts missing. Portions of *muthi* are used by thugs to protect themselves against arrest.

Sometimes *muthi* is used by learners as part of their preparations for the final examinations. Learners have copied these false beliefs from parents. They do not study, thinking that by applying *muthi* they will automatically pass their examinations.

There is another problem which is cannibalism. A secondary schoolboy in KwaZulu-Natal was pointed out as one of the people who exhume dead bodies for eating. They cut off heads and limbs. Some body parts are sold to traditional healers. In the Eastern Cape, a man was recently found pulling out the body of a dead woman. Police found out that the woman was killed by this man when he slit her throat with a sharp object.

All these social ills impact negatively on the school children. Those who are directly affected would want to avenge on behalf of their families or relatives. The fights that may occur there may spill over to the schools. On the other hand when people hear

about cannibalism, they will take drastic steps to protect their children. They may instruct their children not to go to school until their safety is guaranteed.

6.3 Solutions to the challenges facing the secondary schools

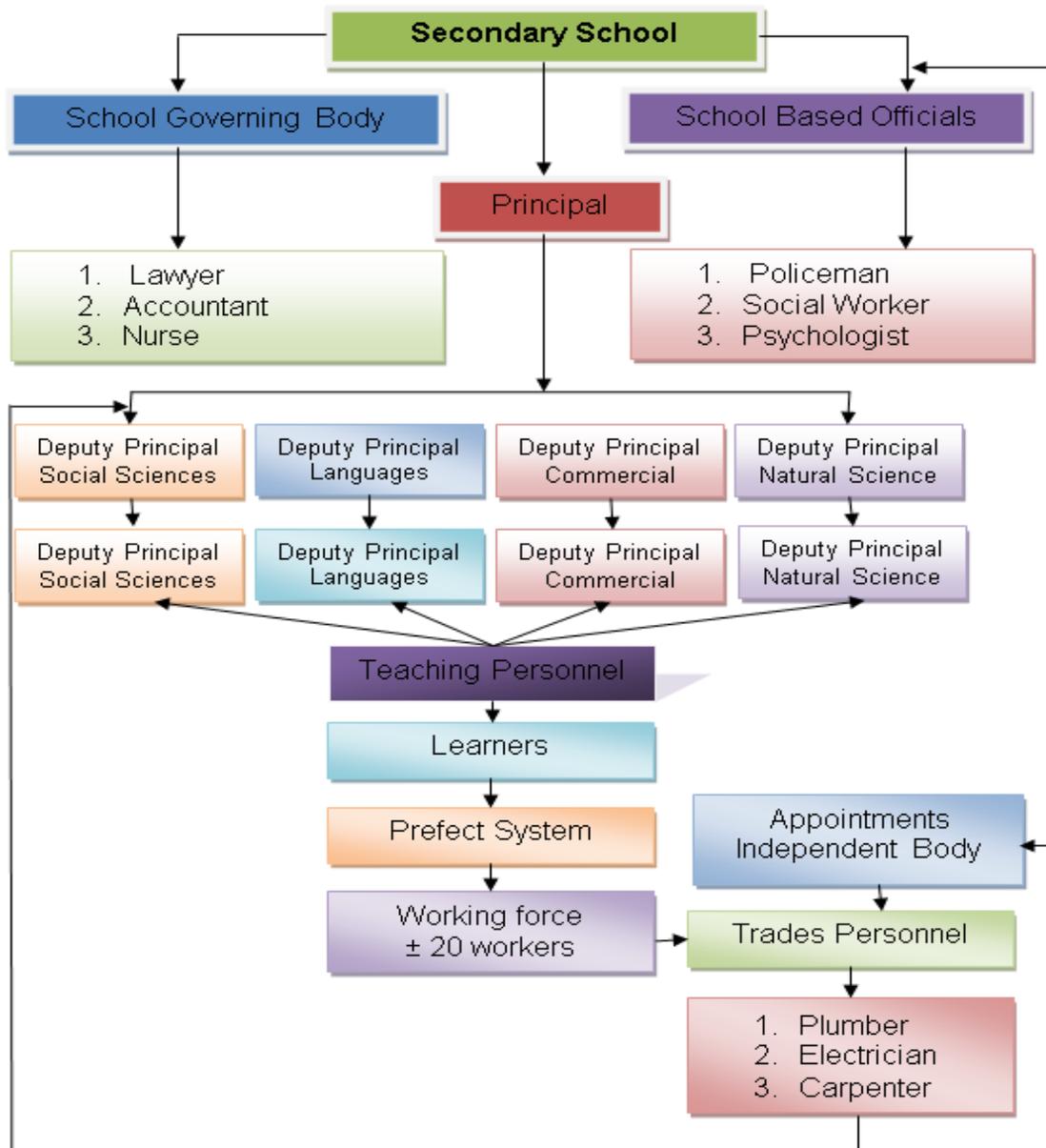


Diagram 6.1: Khauoetic model of secondary school structure

The township secondary schools have the ability to grow towards reaching their full potential. This is because there are possible solutions to address the problems identified by participants and the researcher. These solutions can be transferred to other secondary schools with similar problems to the schools which have not participated in this research project. The first thing to do is to change the

organogram of the secondary schools as discussed in chapter 2 (cf. Diagram 2.1) to the one depicted on Diagram 6.1 above, on which the discussion that will follow is based.

The principal is the centre of all activities at any school. There are many changes and new demands put on the responsibilities and duties of secondary schools' principals. This calls for the review of the procedures that are followed when a person has to occupy this position.

I suggest that the qualifications required for a person to be considered for principalship should be a master's degree in education management and school leadership. I reckon that there will be an outcry from unions and politicians that this requirement may favour formerly advantaged people. This cannot be an acceptable reason because both the government and businesses have put money aside for bursaries targeting previously disadvantaged people. Bursaries have been there for victims of apartheid for more than 20 years. Therefore this argument falls away.

The second thing to amend is the body that conducts selection processes. It has been proven beyond reasonable doubt that both the SGBs and the unions at these schools have their credibility and integrity compromised by the suspicions that they are putting teaching posts up for sale. Thus, I suggest that the selection and interview processes should be done by independent organisations that specialise in human resources.

The above model which is depicted on Diagram 6.1 suggests that the SGBs should be retained. I also recommend that section 20 (1) (i) of SASA, which provides that the SGBs should recommend to the Head of Department that the appointment of teachers, and principals, should be repealed and allocate this duty to the independent bodies as shown on Diagram 6.1. The SGBs and district officials will provide this body with the requirements of the post. They can also be invited as observers when appointments are made.

I think that the independent panel should recommend three candidates who have the potential to occupy this position. The recommended candidates will then be put in a rigorous management and leadership programme for a certain period. In actual fact, the prospective candidates will be competing for the available position. Thereafter they must be assessed and be ranked according to their performance. The best

candidate should be appointed. In this way it will be very difficult for anyone to disclose what happened and to attempt to sell a post.

Big businesses across the world use consultants to hire their chief executives. That is why many of them are prosperous. The same benefits could be gained by the education department and the society at large because schools will be run by effective people. If my suggestion is accepted, schools will not have problems of unnecessary killings of teachers and principals for promotional posts.

This model suggests that the SGBs should be retained. They should be beefed up by lawyers. For example, qualified lawyers should be hired by the state to serve in the school governing bodies. Their role will be to formulate school policies in line with legislation. They will interpret education laws and any relevant acts for the schools so that schools do not transgress. In this manner, the SGBs will be protected from being sued by both civil society groups and most probably by the parents.

I suggest that accountants should also be employed by the Department of Education. Township secondary schools deal with millions of rands on an annual basis. The unfortunate thing is that schools do not have people with the necessary knowledge of financial management. Most of the SGB members and the school personnel do not have skills necessary to handle large amounts of cash for their schools.

They depend on the principal who may not have requisite financial management skills. Remember that principals are promoted for ordinary teachers' posts. That is why the researcher insists that schools should have qualified accountants. They will work with financial committees to buy items and to procure relevant services for their schools. Principals and teachers would have the time to ensure that learners are properly taught and that they pass, instead of being on each other's throat over the school's monies.

Nurses should also be employed by the Department of Education. They are needed by schools because many learners become sick when they are at school. They do not attend school regularly because of less serious ailments. When they know that there are nurses at school, they will attend school and get help there. The other contributing factor to this suggestion is the rate at which secondary schoolgirls at townships fall pregnant.

They need the services of qualified nurses to manage this condition. Sometimes pregnant girls become sick whilst at school. If they are sent home by teachers, they risk being labelled merciless for failing to provide proper care to sick learners. But when they take care of them, they also risk the possibility of being sued by learners who may lose their unborn babies, should something go wrong. Besides this, teachers are trained to teach and not to be midwives.

On the other hand the schools can be used as centres for community life. Some residents live far from the local clinics, but near the schools. Moving forward the school can partner with clinics and provide classrooms which could be converted into consultation rooms.

Schools also need social workers and psychologists. They must also be employed by the Department of Education. These people can have different time slots and specific days to visit each school. They could come to school once a week. Social workers will help learners with many things. Some of the learners stay with sick parents. Therefore social workers would know about these problems. They will be able to arrange temporary foster care for affected learners.

In dire situations, foster care arrangements could be permanent, maybe with a relative of the learner or another person known to the family. The purpose here is to assist the child to attend school without difficulty and to assist the sick person to access necessary help. This could also result in the reduction of absenteeism rates. Psychologists could help learners with the identification of scholastic problems.

I also suggest that the school based officials should include a resident policeman or woman. Serious crime is taking place at various schools every day. Their presence will help curb the scourge of crime. For example, teachers will not be tempted to assault learners because they will know that there is police personnel who can take a statement from the victim and open a case of assault against a teacher or any violent person.

Cases of rape, assault, dagga smoking and alcohol abuse on the school premises will cease immediately. No-one wants to be arrested. It will also be beneficial to the community to have the police because learners will be able to open or report crimes that take place at home without being noticed by the perpetrators.

Principals should be given the opportunity to appoint their own deputies. In terms of this model, there will be no heads of departments, but deputies. The benefit is that when people know that they are second in command, they will work hard because they know that they cannot blame the head of department or the principal when learners had not performed in their sections.

The Khauoetic model suggests that there should be a deputy principal for languages, social sciences, commerce, and natural sciences' departments. In bigger schools there could be two deputy principals in one department. For example, in the languages department, one deputy could manage and control teachers and learners from grades 8 to 9. Another one could do this job from grades 10 to 12.

One of the fundamental duties of the deputy principal should be to control and monitor learners' performances. Therefore each deputy principal should be allocated a grade to manage. They will convene meetings with all parents throughout the year. These meetings should focus on what roles should be played and by whom in order to enhance performance.

With the current model, the red tape of accountability is too much. It becomes easy for poor performers to get away with it. But if this model is adopted, accountability will be shared by two people only, namely the principal and his/her deputy. Currently the existing model of hiring teachers is unfair. It does not allow the principal to decide about the team s/he wants, but the panel which is also not selected by the principal decides for him or her.

When the results are bad, the principal is expected to account. Headmasters will ensure that they hire persons who have knowledge, and have majored in the subjects they manage. With this arrangement, the principal will also have no excuses if performance is bad. Soccer clubs are doing the same. A new coach is allowed to choose which players he needs for him to deliver good results.

Teachers, like principals, should be interviewed by the independent panels. The biggest challenge is that posts are sold to the highest bidder. When the losers get a hint about results, they appeal that decision. In some instances they are informed about the ranking order. This prompts them to hire killers to get rid of the first choice knowing that they were ranked second. The belief is that they will automatically qualify because the first choice is no more.

The schools will benefit because the independent panels will stick to the requirements. They will not recommend a person who is qualified to teach a language when the school needs a mathematics teacher. If this model is accepted, bribes, unfair advantages to friends and relatives, and disclosures of sensitive information will be things of the past. There will be peace in the secondary schools at townships.

I suggest that the secondary schools can use peer counsellors in order to bring about positive changes among misbehaving learners. These are upper-class learners in terms of their performance and good mannerisms. There are learners who are willing to donate their time to help others with their academic work. The current RCL structures are highly politicised. They do not have time for others because they also have to attend to political activities convened by structures such as COSAS. Most of them are notorious underperformers who have no business on the school premises.

Therefore the prefect system will be perfect for addressing the problems experienced by schools. It was proven that learners are misbehaving because the current RCLs were selected by default. Mostly, troublemakers and poor performers make it in this structure.

This model suggests that the principal and deputies should be the ones who chose leaders for other learners. For example, people younger than 18 years are regarded as minors by legislation. That is why they do not have voting rights in the national elections. The same principle should be followed if the situation in these schools is to be corrected.

There are schools in this country which are still using the prefect system. These schools are very clean and learners perform very well. The RCL system in its current form is a sham. Their status in the school communities are compromised by their negative personal conducts.

The school-imposed hierarchies for learners will be good for the township secondary schools. Unlike the RCLs who think that they are there to fight principals and teachers, the prefects will promote the culture of fairness. They will assist the school with duties such as maintenance of order and discipline. This will be in opposition to what the president of COSAS has encouraged learners to do.

She has advocated for retaliation by learners on teachers when they assault them. This is the same as pouring paraffin onto fire. There are other ways of dealing with teachers who are guilty of beating learners rather than encouraging more violence.

Furthermore, the prefects will be assigned the duties of maintaining clean school environments. Their roles will be to ensure that learners pick up papers when it is necessary to do so. Some may view this as child labour, but this country still has to train learners to be responsible for their actions.

Learners cannot be allowed to litter the school grounds and expect the workers to pick up papers after them. The current situation has left the school premises being very dirty. Learners mess up toilets deliberately, so they must clean it up. I believe that the current state of school premises, dirty as they are, is influenced by the situation in the homes and in the communities. Some homes are very dirty. The municipalities are not picking up garbage. So homesteads end up throwing their rubbish in the open fields. Schools cannot escape this rampage.

Among employees, there should be trades personnel such as plumbers, electricians, carpenters, drivers and gardeners. Plumbers will be responsible for fixing water pipes, replacing worn-out taps and unblocking toilets. Electricians will be responsible for fixing minor electrical repairs which could result in serious consequences if left unattended.

This field requires people with specialised technical skills and knowledge. They should also be able to detect and identify electrical faults. Thereafter they should repair where necessary and also do electrical installations.

Carpenters are needed too. They will repair broken furniture, replace ceilings which were damaged by learners, refurbish old and worn-out furniture. Their role will ensure that there are no more shortages of furniture. The school grounds will be clean because there will be no more furniture lying around.

Drivers are needed by the schools in order to assist principals with the delivery and collection of post and circulars from the district office. Therefore principals will be able to stay in the school to manage daily activities. SGBs will therefore have to budget for school vehicles.

Gardeners will be responsible for the beautification of the school. They should plant flowers and do landscaping. All these people should be regarded as the workforce of

the school. Each school should have at least 20 persons. This will enable them to work as a group to sweep classrooms after schools. A larger number is needed because they have to move desks, chairs and tables in each classroom whilst others sweep.

Among them there should be the kitchen staff. Their role is to prepare food for learners on a daily basis. They should also dish it out in a respectable manner. As part of the workers, they will know that they must be on time for all learners to eat at the right time. The duty to monitor the school's workforce could be delegated to one of the deputy principals.

Lastly, I suggest that each school should have proper kitchens and dining halls built for learners. Currently many schools use makeshift kitchens which pose danger to both food handlers and learners. There is a high risk of learners becoming sick due to food poisoning because of the lack of proper facilities to handle food for so many people. Learners are also not enjoying their food in a decent manner. They are forced to eat everywhere due to lack of dining halls.

6.4 Recommendations of this research

6.4.1 Collaborative outputs

6.4.1.1 Principals

All principals have resolved that it will be beneficial to their schools if the DBE trains the SGBs in financial management. This training should be an annual activity which takes place during the third and the fourth terms. It should take place before the SGBs engage in the processes to develop and adopt the school budget (cf. section 38 of SASA).

The principals have suggested that learners should be made to pay a deposit to guarantee that they will return the loaned textbooks at the end of the year. Principals are aware that many parents are not working, but they are not assisting schools to ensure that their children look after the textbooks loaned to them.

Hence many textbooks are not returned at the end of the year. Schools find themselves having to purchase same textbooks annually. Money is wasted resulting in other things like desks not being purchased. Laboratories are empty because there is no money to purchase necessary equipment and consumables. So when

learners and parents know that they will have a refund, they will take care of textbooks.

Principals have agreed that the DBE should appoint security guards for each school. Although some SGBs have already started, the main challenge is the budget. They believe that security guards will help them to deal with gangs and to curb theft of school materials.

They acknowledge that RCLs are there by law, but advocate for the repeal of that law because of the manner in which they are selected. Their main concern is that bad apples tend to find their way into the RCL echelons. That is why they are suggesting that the prefect system should be brought back or an alternative solution should be found to empower the existing structures (cf.section11 of SASA).

Principals have agreed that the administrative clerks should take records of daily attendances. This will relieve teachers but expedite the processes of updating the attendance registers. Learners will be informed that the registers will be taken at a certain time. If a learner is not there, they will be regarded as being absent. Late arrivals will be decreased. Parents will be informed by e-mail or SMS that their child is not at school. They will be forced to ensure that their children are at school and on time (cf.section3 of SASA).

6.4.1.2 School management teams

The SMTs have recommended that there should be scheduled departmental meetings with all educators in each department. Both the principal and his deputy should attend these meetings in their capacities as seniors. The convener of the meeting should implement proper protocol for effective meetings. Two-way communications should be enforced by allowing educators to suggest items for discussions.

They have recommended that their principals should lead them in channelling the respective schools into using acts and school policies for the smooth running of their institutions. Each school should initiate that there should be workshops about education legislation which will include other schools in their area. They agree that there should be at least one workshop targeting a couple of acts per semester.

There should be scheduled meetings with the unions within the school premises. The aim is to iron out concerns from both partners before things get out of hand. The

unions should assist schools in the eradication of child abuse, and corporal punishment (cf.sections9 & 10 of SASA).

The SMT members have expressed the wish that there should be security guards posted at the school gates during teaching time and after hours. They were very concerned about their personal safety and that of others within and outside the school premises.

In most of these schools the managers have agreed that they should begin to work together. They believe that when teachers realise that they are a team, they will easily follow their example. Each member should be ready to accept or take blame if things did not go well because of their negligence.

It should be the responsibility of each member to have meetings with learners who do not pass their subjects. If these meetings are held with teachers only, learners will not understand the value of their contribution in making sure that their school achieves good results.

The SMT members from the participating schools have also agreed that the SGB and principals should ensure that the adopted budget is used and followed to the letter. There should be consultations if they have to deviate from the budget. The heads of departments must play their roles by ensuring that teachers receive their orders for teaching materials on time.

6.4.1.3 School governing bodies

The SGBs have recommended that there should be alternative placements for over aged learners. They believe that if they are taken to other places to further their studies, the problem of overcrowded classrooms will automatically go away. Learner discipline will also improve. They have agreed that their schools should ensure that all teachers face a maximum of 40 or less learners at any given time.

They have agreed to work with all the stakeholders towards the development of school policies. The researcher is ready to assist them if they need his expertise. Other experts could also be sourced depending on the wishes of the school. They have agreed that they will immediately start with the development of the code of conduct for learners.

Both the researcher and the participants have agreed that there should be an in-depth training of the SGBs about SASA. This training should target sections dealing

with the norms and standards for school infrastructure. The aim is to improve the safety and security aspects of each school (cf. section 5A of SASA).

It was also agreed that the budget processes within each school should begin from July annually. Stakeholders should have meetings where they discuss their needs and forward their inputs to the SGB. The SGB will prioritise the needs after studying the inputs and thereafter hold a staff meeting to go through the suggestions with teachers. Finally, parents must be called for the budget vote meeting.

The SGB members have resolved to set time aside to come and clean their schools. Parents and learners will also be encouraged to do the same. The SGB chairpersons were tasked to visit their local municipality for rubbish removal. They have agreed to close the holes on the school fence with immediate effect. They will use old pieces of fence they have at their homes in the interim.

The suggestion from the researcher that each SGB should convene meetings for both parents and learners per grade was accepted. In these meetings focus will be on issues which give the school a bad impression. Problems of gangsters, alcohol and drug abuse, as well as good performance should be discussed with learners. They must be allowed to suggest their own possible solutions.

6.4.1.4 Teaching Personnel

Teachers have recommended that their principals and deputies should handle matters involving discipline of both learners and teachers. When learners are to be disciplined, parents or guardians should attend the disciplinary hearings. It is their wish that if a child is not represented by an adult who stays with them, the hearing should be postponed and such a learner should not come to school until that matter is resolved.

Classrooms should have rules developed by the learners under the guidance of their class teachers. Each learner should be given a copy of these rules. Furthermore, these rules should form part of the code of conduct for learners. The participants have also agreed to stop the application of corporal punishment. This resolution will be cascaded to other teachers within their school and to the neighbouring schools.

Teachers have resolved to begin with the involvement of learners in sports activities. Although some of them do not stay in the townships, they are willing to discuss the

way forward with their fellow colleagues. They have common transport. There is a need to have common tasks and recreation after school.

Most of the teachers have singled out English as the main challenge in learning and teaching. Therefore there is a need to better equip them. They do not want to always resort to vernacular when learners cannot understand them. Even though English is a universal language, they maintained that if they could teach content subjects in home language, their learners will pass with good marks (cf. section 29(2) of the Constitution).

Teachers have recommended that there should be 40 or less learners who are taught by any teacher in one class. Overcrowded classrooms should be abolished as soon as possible. It is also their feeling that the DBE should involve them when new documents are developed which should be used by teachers to discipline learners.

Participants have also expressed their wish that learners, who have been sexually molested by anyone from schools or elsewhere, should come forward. The aim is to bring rapists to book. Victims should report their cases to their class teachers or any confidant. Thereafter the school should take steps to ensure that the allegations are investigated by relevant people.

They have recommended that each school should hire security guards. These people should patrol the school fence. They should search school bags and boots of cars that enter and leave the school premises. Now that they know that principals have the legal mandates to conduct body searches, this matter should be implemented immediately (cf. section (4) of SASA).

6.4.1.5 Representative council for learners

All RCLs from the participating schools have resolved that they should assist the victims of rape, bullying and victimisation to have their cases investigated. Persons found guilty should be removed from their schools. They will write to the local South African Police Services Commissioners requesting frequent patrols around the school premises.

They recommend that boys who went to the initiation schools during normal school days should not be allowed back. This should be taken as being absent for long periods without valid reasons. Their problem is that when they come back, they cause trouble in the schools. On the contrary, if their parents can prove that their

boys were kidnapped, then the police should be informed immediately (cf. section 10A (2) (a) & (b) of SASA).

Their schools should give them platforms to address the learners at the assembly. Other meetings should be called in the afternoons to address problems caused by learners. The first cohort of problems to be attended to should be late-coming, incomplete work, violence, and sexual assault by both boys and teachers.

They will ask their principals and SGBs to provide them with any existing codes of conduct for learners. It will be resuscitated whilst plans will unfold to develop a new and relevant document. They have agreed to use examples from the DBE as their points of departure.

The RCLs have agreed to volunteer their free time in order to clean their schools. There will be rosters showing who is in charge of what area. The representatives from each class should ensure that there is also a timetable for sweeping after school. It must be followed by all the learners.

These leaders have recommended that principals and senior managers should meet them regularly. They want to be given space to air their views about how things are done at their school. The challenge they have is that their schools do not have sports nor sports facilities. Principals should vouch for them in both the staff and SGB meetings to have sports facilities and to ensure that each learner plays sports.

6.4.1.6 Interviewing panels of schools

Both teachers and parents from the six schools have recommended that each SGB should go for independent panels as part of recruitment, selection and placement of teachers. This exercise will relieve all of them from being accused of accepting bribery from post applicants. Another challenge of setting questions before the interviews begin will be solved. This is in response to them having to rely on teachers to set relevant questions.

They have resolved to dismiss themselves from the interview panel when they realise that their relatives and friends have applied for the advertised post. They did not know this principle prior to this research project. SGB chairpersons or the DBE officials should be given powers to open cases of fraud when they suspect foul play from the selection and interview processes.

6.4.1.7 Cleaners and factotums

The participants have agreed that their principals should treat them the same way as they treat teachers. There should be meetings with them to discuss and agree about their job descriptions. Each worker should be given a copy signed by both the principal and the worker.

They recommend that there should be more than 10 workers looking after the school grounds and buildings. In the meantime they have agreed to help with the cleaning of learners' toilets. Each school should provide them with protective gear before they may work in the toilets. Learners have been asked to assist them by picking up papers after break. They must use available dustbins when they discard something.

In order to improve safety and security, factotums have agreed to show accountability by reporting dangerous areas in writing to the principal. There will be follow-ups if the situation does not improve.

6.5 Concluding arguments

Although there has been some progress in South African education, the government still has to up its ante in the township schools. Many principals are not aware of the importance of the South African Schools' Act. They are negligent to the roles that they should play in the enhancement of the provision of quality education and creation of safe schools (Naidoo & Perumal, 2014: 15).

Principals have failed to protect learners and teachers from thugs who disguise themselves as learners. They have not reported any incident to the SAPS or to the Department of Education. The worse thing is that girls are continuing to be raped on their watch in the school premises. Rape has thus turned into a toxic culture in these schools (Peterson, 2002:1).

Safety and security are not solely the responsibilities of the principal. The school governing bodies at township secondary schools are not able to use their powers to guarantee safety of learners, teachers and principals. This became evident when it was discovered that there are no policies in many schools. Therefore they do not have guiding principles to formulate policies. Their low levels of education continue to make them prone to be misused by rogue union members in the ranks of strong unions like SADTU. In order to address this problem, schools should co-opt professionals such as lawyers and accountants.

Take for example the selling of promotional posts from schools to the higher offices. This problem is so serious to an extent that the Minister of Education has established a task team to investigate these abuses.²⁸³ This shows that poor leadership starts from the government right to the lower levels at schools.

The school management team members are also oblivious to their duties. Many schools have more than 10 managers. But learners continue to fail because there is no control of work of both learners and teachers. Lack of control is signalled by the high incidents of late-coming by all and sundry, unexplained loss of textbooks by learners, and by teachers who go away without official leave. Teachers and learners are not time conscious. Therefore the completion of school work lags behind.

This assertion is supported by Equal Education when they report that late-comers disrupt lesson or they cause lessons to commence after the scheduled time.²⁸⁴ Late-coming is an epidemic that affects all schools nationwide. The school management teams should begin to address these problems from the level of their departments.

Teachers are not pulling their weight in as far as the school matters are concerned. They are unable to encourage their learners to perform and behave appropriately. Some of them are known as sex perverts who also apply corporal punishment to intimidate innocent girls.

This statement is supported by print media which reported that there are teachers who unashamedly demand sex from young girls in exchange of financial favours.²⁸⁵ This conduct is very immoral and unacceptable. Such teachers use their money to lure poor girls into sleeping with them. They perpetuate their plight by impoverishing them further because when their prey fall pregnant and drop out of school, the predators disappear.

The representative council of learners in its current form is problematic. It has failed dismally to support the school managers and learners. Take for instance, the attack on principals by other learners, and the high failure rate in schools where they operate. In comparison, schools that use the prefect system are performing better academically and in other areas than the ones who still use the RCL system.

²⁸³ <https://www.iol.co.za>

²⁸⁴ <http://www.equaleducation.org.za>

²⁸⁵ <http://www.dailysun.co.za>

School leaders across the country are failing to fulfil the prescripts of various laws in this country. By making children attend filthy schools where toilets are very dirty, is an infringement of section 28 (1) (f) (ii) of the Constitution. Dirty toilets result in many learners, especially girls, being absent from school because they have to sit on the toilets to relieve themselves. It is impossible for a normal person to use an already filled up toilet bowl; the user will contract deadly diseases.

In the light of the discussions above, it is evident that there are huge gaps dividing peoples and systems in many schools in South Africa. Principals, parents, teachers, support staff members, and learners, are dictated to by SASA to work together. They only sit together when there are meetings. Their resolutions are not followed by actions because after the meetings everyone goes back to their small corner. There will be no implementation of decisions.

Therefore the poor management of organisational systems is a reality in the township secondary schools. Take for example, the intentional failure to invite the RCL members to the SGB meetings. This has resulted in the demise of this important structure.

In conclusion, it is recommended that the change needed should begin by hiring of principals by independent panels. The Department of Education should find alternative placements for over-aged learners. Their over-stay at regular schools is a nightmare for teachers and young learners. Only SADTU and other union observers should do the interviews, but the independent panels could also do an efficient job.

Schools should learn to use their allocated budget according to the agreed plans. Teachers' and learners' support materials are not limited to textbooks only. Each school should provide a portion to buy furniture for learners.

REFERENCES

- Bagarette, N. (2011). Power Relations in School Governing Bodies: Implications for School Governance. *J Soc Sci*, 29 (3): 223-236.
- Bechuke, A.L., & Debeila, J.R. (2012). Applying Choice Theory in Fostering Discipline: Managing and Modifying Challenging Learners' Behaviours in South African Schools. *International Journal of Humanities and Social Sciences*, 2 (22): 240-255.
- Beckmann, J., & Prinsloo, I. (2009). Legislation on school governors' power to appoint educators: Friend or Foe? *South African Journal of Education*, 29: 1-9.
- Bester, S., & du Plessis, A. (2010). Exploring a secondary school educator's experience of violence: a case study. *South African Journal of Education*, 30: 1-10.
- Bush, T., Joubert, R., Kiggundu, E., & Van Rooyen, J. (2009). Managing Teaching and Learning in South African Schools. *International Journal of Education Development*. Elsevier.
- Bush, T., Kiggundu, E., & Moorosi, P. (2011). Preparing new principals in South Africa: the ACE: School Leadership Programme. *South African Journal of Education*, 31: 31-43.
- Capel, S., Leask, M., & Turner, T. (2013). Learning to teach in the Secondary Schools. A companion to School Experience. London: Routledge.
- Carr, I., & Williams, C. (2009). The Mediation of Representative Council for Learners' Policy in Western Cape Schools: 1997-2003: *South African Journal for Education*, 29: 2.
- Clarke, A. (2010). The Handbook of School Management. (2nd Ed.). Cape Town: Kate McCullum.
- Clase, P., Kok, J., & Van der Merwe, M. (2007). Tension between School Governing bodies and education authorities in South Africa and proposed resolutions thereof. *South African Journal of Education*, 27(2):243-263.

- Cole, G.A., and Kelly, P. (2011). *Management: Theory and Practice*. (7th Ed). South-Western Cengage Learning: Australia
- Denzin, N.K., & Lincoln, Y.S. (2013). *The Landscape of Qualitative Research*. (4th Ed.). Sage. London.
- Dlhamini, J.P. (2014). Behavioural Manifestations of Discipline: A Case Study in Secondary Schools in Heidelberg Gauteng Province. *Mediterranean Journal of Social Sciences*, 5: 839-846.
- Flick, U. (2014). *The Sage Handbook of Qualitative Data Analysis*. Sage. London.
- Gliner, J.A., Morgan, G.A., & Leech, N.L. (2009). *Research Methods in Applied Settings*. (2nd Ed.). Routledge. London.
- Govender, P. (2015). Textbooks lessons still not learnt. *Sunday Times*; 15 November.
- Grey, D.E. (2009). *Doing Research in the Real World*. (2nd Ed.). Sage. London.
- Henderson, R. (2015). Principals most Corrupt in Schools-report. *Sowetan*; 22 October.
- Jansen, J. (2015). Politicos get 'F' for their tests. *Sunday Times*; 15 October.
- Jika, T. (2015). Where kids still go to school in a mud cowshed. *Sunday Times*; 17 May.
- Joubert, R. (2008). Policy making by public school governing bodies. Law and practice in Gauteng Act. *Academia*, 41 (2): 230-255.
- Joubert, R., & Prinsloo, S. (2011). *The Law of Education in South Africa*. (2nd Ed.). Van Schaik. Pretoria.
- Karlsson, J. & Mbokazi, S. (2005). Exploring the Mutability of School Ethos during South Africa's First-Post Apartheid Decade. *CEPD*. Braamfontein.
- Louw, P. (2015). Schools in the toilet: *Sanitation is worse for children than for men in overcrowded prisons, survey finds*. *The Times*; 14 May.
- Macupe, B., & Mahopo, Z. (2015). Pupils endure daily stink in filthy loo. *Sowetan*; 5 March.

- Macupe, B. (2015). Principal is a thief, say pupils. *Sowetan*; 13 August.
- Macupe, B. (2015). Principals accused of looting schools. *Sowetan*; 5 August.
- Macupe, B. (2015). Teacher shames pregnant pupil: *Made to sit on cold floor, do frog jump*. *Sowetan*; 19 May.
- Macupe, B. (2016). Angry pupils hold teachers hostage, vandalise property. *Sowetan*; 26 April.
- Macupe, B. (2016). Teen suffers concussion after Beating. *Sowetan*; 26 April.
- Maree, K. (2012). *First Steps in Research*. Van Schaik. Pretoria.
- Masitsa, M.G. (2011). Exploring safety in township secondary schools in the Free State province. *South African Journal of Education*, 31: 1-9.
- Masondo, S., & Harper, P. (2015). Angie Clips SADTU wings. *City Press*; 6 December.
- Masondo, S. (2015). TEACHER CRISIS. *Sadtu still selling posts*. *City Press*; 17 May.
- Masondo, S. (2015). The language of learning: using mother tongues as mediums of instructions will end SA's high dropout and failure rates. *City Press*; 27 September.
- Mestry, R. & Khumalo, J. (2012). Governing bodies and learner discipline: managing rural schools in South Africa through a code of conduct. *South African Journal of Education*, 32: 97-110.
- Mestry, R. (2006). The functions of school governing bodies in managing school finances. *South African Journal of Education*, 26(1): 27-38.
- Mgijima, M. (2014). Violence in South African Schools: Perceptions of Communities about a Persistent Problem. *Mediterranean Journal of Social Science*, 5: 198-206.
- Milondzo, K., & Seema, P.J. (2015). The role of the school management team towards effective educational leadership in selected secondary schools in Waterberg Education district. Limpopo. *South Africa*. Research Gate.

- Modisaotsile, B.M. (2012). The failing Standard of Basic Education in South Africa. Africa Institute of South Africa, *Briefing 72*: 1-5.
- Moloi, K. (2007). An overview of education management in South Africa. *South African Journal of Education*, 27(3): 463-476.
- Mthethwa, B. (2015). Matric Cheats get second chance. *Sunday Times*; 22 November.
- Naicker, S.R., & Mestry, R. (2013). Teachers' reflection on distributive leadership in public primary schools in Soweto. *South African Journal of Education*, 33: 4.
- Naidoo, B., & Perumal, J. (2014). Education Management Administration and Leadership. *Female Principals leading at disadvantaged schools in Johannesburg, South Africa*. Sage; 2 October: 1-17.
- Odden, A.R., & Picus, L.O. (2008). SCHOOL FINANCE. Policy Perspective. (4th Ed.). McGraw Hill. Boston.
- Oosthuizen, I.J., Botha, J., Roos, M.C., Roussouw, J.P., Smit, M.H. (2014). Aspects of Education Law. (4th Ed.). Van Schaik. Pretoria
- Reader's Digest Dictionary (1993). COMPLETE WORDFINDER. Oxford. London.
- Savides, M. (2015). Family sue Motshekga over boy's latrine tragedy. *Sunday Times*; 22 November.
- South Africa (Republic). (1993). *Occupational Health and Safety Act No. 85*. Pretoria: Government Printers.
- South Africa (Republic). (1996). *Constitution of the Republic of South Africa Act No.108*. Pretoria: Government Printers.
- South Africa (Republic). (1996). *National Policy Education Act No. 27*. Pretoria: Government Printers.
- South Africa (Republic). (1996). *South African Schools Act No. 84*. Pretoria: Government Printers.
- South Africa (Republic). (2000). *South African Council for Educators Act No. 31*. Pretoria: Government Printers.

- South Africa (Republic). (2007). *Education Laws Amendment Act No. 31*. Pretoria: Government Printers.
- South Africa (Republic). (2011). *Basic Education Laws Amendment Act No. 15*. Pretoria: Government Printers.
- South Africa (Republic) (2005). *Children's Act No. 38*. Pretoria: Government Printers.
- South Africa (Republic). (2012). *Collective Agreement No. 1. Guidelines for advertising and filling of office based posts*. Chamber: Free State Province.
- South Africa (Republic) (1998) *Employment of Educators Act No. 76*. Pretoria: Government Printers.
- South Africa (Republic). (1995). *Labour Relations Act No. 66*. Pretoria: Government Printers.
- South Africa (Republic). (2001). *Regulations for Safety Measures at Public Schools*. Pretoria: Government Printers.
- South Africa (Republic). (2000). *Free State Education Act No. 2*. Chamber: Free State Province.
- Steyn, G.M. (2011). *The changing leadership in South African schools*. Pretoria: Department of further Teacher Education. Unisa.
- Taylor, N. (2008). What's wrong with South African Schools? What's working in School Development? *JET Education Services*.
- Taylor, N. (2009). The state of South African Schools. Part 1. Time and regulation of consciousness. *Journal of Education*, 46: 9-32.
- Van der Berg, S., Taylor, S., Gustafsson, M., Spaul, N., & Armstrong, P. (2011). IMPROVING EDUCATION QUALITY IN SOUTH AFRICA. *Report of the National Planning Commission*. Stellenbosch.
- Van Der Mescht, H., & Tyala, Z. (2008). School Principals 'perceptions of team management: a multiple case –study of secondary schools. *South African Journal of Education*, 28: 1-12.
- Van der Venter, I., & Kruger, A.G. (2003). *An Educator's Guide to School Management Skills*. Pretoria: Van Schaik.

Van Wyk, N. (2007). The rights and roles of parents on school governing bodies in South Africa. *International Journal about Parents in Education*, 1: 132-139

Van Wyk, C., & Marumuloa, M. (2012). The Role and Functioning of School Management Teams in Policy formulation and Implementation at School level. *J Soc Sci*, 32(1): 101-110.

Wilkinson, K. (2015). Checked: 80% of South African Schools indeed 'dysfunctional'. *Mail & Guardian*; 25 March.

Xaba, M.I.C. (2011). The possible cause of school governance challenges in South Africa. *South African Journal of Education*, 31: 201-211.

Court Case (Case Law)

MEC for Education: Mpumalanga v Skhosana (17 May 2012) ((523/11) SA ZSCA 63

APPENDIX A



Faculty of Humanities
Private Bag X 20359
Bloemfontein
9300
SOUTH AFRICA

6th September, 2016

STATEMENT OF ETHICAL APPROVAL

Applicant: *Khauoe, F.K*

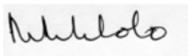
Department: *Education Management and leadership*

Title of Project: *Management of organisational systems at the township secondary schools in the Free State Province*

Supervisor: *Dr Chopo J. Teleki*

The Faculty Research & Innovation Committee (FRIC) herein called the committee, has reviewed and discussed your application to conduct the above mentioned research in the department of *Education Management and leadership* with yourself as the Principal investigator. This project has been considered and has been approved by this committee on 22 May 2016

In approving the research project the committee places the responsibility on the supervisor to monitor the research process and to ensure that the applicant abides by the standards of behaviour our society accepts as morally good. The committee also expects be informed about the progress of the study in terms of any revision in the protocol and respondents information/informed consent and may ask to be provided with a copy of the final report.

Signed for and on behalf of FRIC..... 



Prof. Mike Mhlolo (PhD) Mathematics Educ (Wits)
Faculty Research Manager & FRC Chairperson

Faculty of Humanities

Tel: +27 51 507 4027 | Cell: +27 82 696 0829 |

E-mail: mmhlolo@cut.ac.za or m.kemhlolo@yahoo.com

www.cut.ac.za



APPENDIX B

APPENDIX C

APPENDIX D

APPENDIX E

11515 Lesige Drive
Oppenheimer Park
Motsethabong
9459
13 September 2016
fkkhauoe@gmail.com
Cell: 0834656408

The Principal

.....
.....
.....

**REQUEST FOR PERMISSION TO CONDUCT RESEARCH IN
..... SECONDARY SCHOOL**

Dear Sir/Madam

My name is *Khauoe, K.F* and I am a registered PhD student at the Central University of Technology Free State – Welkom Campus. The research I wish to conduct for my Doctoral thesis involves *Management of organisational systems at secondary schools in the Free State Province*. This project will be conducted under the supervision of Dr *Chopo J. Teleki* (CUT).

I am asking for a permission to conduct this research at your school. Four participative groups which will be taken from the different stakeholders within your school to participate in the Action Research as follows: 1 principal, 4 SMTs, 4 members of RCL, and 4 members of SGBs, 4 teachers, cleaners and factotums as well as members of the interview panel.

I undertake to observe research ethics at all times. By this I mean that I will consider the rights of the participants/stakeholders mentioned above. For example their human dignity; their freedom and security; their privacy; their freedom of expression; their equal treatment; their cultural, religious and political belief; and their right to remain silent should they not want to respond to certain questions.

May I also inform you that the information that will be gathered, challenges that may be identified and any new discoveries will be treated as challenges facing all of us in the teaching fraternity. This will enable all of us to come up with innovative ways to deal with problems experienced by different stakeholders within schools.

Your permission is highly anticipated.

Yours sincerely;

Promoter: (PhD; MEd; BEd; BA (Hons); HPT)

Khauoe, K.F:

Dr Chopo J. Teleki:

CONSENT FORM TO BE FILLED BY THE PARTICIPANTS

I.....am the principal ofschool.

I agree/do not agree to be involved in this research.

I understand that I have the right to stop my participation at any given time.

Signature:

.....

Date:

.....

11515 Lesige Drive
Oppenheimer Park
Motsethabong, 9459
13 September 2016
fkkhauoe@gmail.com
Cell: 0834656408

The SMT

.....
.....
.....

**REQUEST FOR PERMISSION TO CONDUCT RESEARCH IN
..... SECONDARY SCHOOL**

Dear Sir/Madam

My name is *Khauoe, K.F* and I am a registered PhD student at the Central University of Technology Free State – Welkom Campus. The research I wish to conduct for my Doctoral thesis involves *Management of organisational systems at secondary schools in the Free State Province*. This project will be conducted under the supervision of Dr *Chopo J. Teleki* (CUT).

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I undertake to observe research ethics at all times. By this I mean that I will consider the rights of the participants/stakeholders mentioned above. For example their human dignity; their freedom and security; their privacy; their freedom of expression; their equal treatment; their cultural, religious and political belief; and their right to remain silent should they not want to respond to certain questions.

May I also inform you that the information that will be gathered, challenges that may be identified and any new discoveries will be treated as challenges facing all of us in the teaching fraternity. This will enable all of us to come up with innovative ways to deal with problems experienced by different stakeholders within schools.

Your permission is highly anticipated.

Yours sincerely;
Khauoe, K.F:

Promoter: (PhD; MEd; BEd; BA (Hons); HPT)
Dr Chopo J. Teleki:

P.T.O

CONSENT FORM TO BE FILLED BY THE PARTICIPANTS

I,am the SMT member atschool.

I agree /do not agree to be involved in this research project. Delete the words which are not applicable

I understand that I can stop participating in this research project at any given time.

Signature:

.....

Date:

.....

11515 Lesige Drive
Oppenheimer Park
Motsethabong, 9459
13 September 2016
fkkhauoe@gmail.com
Cell: 0834656408

The Staff Members (Teachers)

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.....

**REQUEST FOR PERMISSION TO CONDUCT RESEARCH IN
..... SECONDARY SCHOOL**

Dear Sir/Madam

My name is *Khauoe, K.F* and I am a registered PhD student at the Central University of Technology Free State – Welkom Campus. The research I wish to conduct for my Doctoral thesis involves *Management of organisational systems at secondary schools in the Free State Province*. This project will be conducted under the supervision of Dr *Chopo J. Teleki* (CUT).

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May I also inform you that the information that will be gathered, challenges that may be identified and any new discoveries will be treated as challenges facing all of us in the teaching fraternity. This will enable all of us to come up with innovative ways to deal with problems experienced by different stakeholders within schools.

Your permission is highly anticipated.

Yours sincerely;
Khauoe, K.F:

Promoter: (PhD; MEd; BEd; BA (Hons); HPT)
Dr Chopo J. Teleki:

P.T.O

CONSENT FORM TO BE FILLED BY THE PARTICIPANTS

I,am the teacher atschool.

I agree /do not agree to be involved in this research project. Delete the words which are not applicable.

I understand that I can stop participating in this research project at any given time.

Signature:

.....

Date:

.....

APPENDIX F

11515 Lesige Drive
Oppenheimer Park
Motsethabong, 9459
13 September 2016
fkkhauoe@gmail.com
Cell: 0834656408

The SGB Members

.....
.....

REQUEST FOR PERMISSION TO CONDUCT RESEARCH IN SECONDARY SCHOOL

Dear Sir/Madam

My name is *Khauoe, K.F* and I am a registered PhD student at the Central University of Technology Free State – Welkom Campus. The research I wish to conduct for my Doctoral thesis involves *Management of organisational systems at secondary schools in the Free State Province*. This project will be conducted under the supervision of Dr *Chopo J. Teleki* (CUT).

I am asking for a permission to conduct this research at your school. Four participative groups which will be taken from the different stakeholders within your school to participate in the Action Research as follows: 1 principal, 4 SMTs, 4 members of RCL, and 4 members of SGBs, 4 teachers, cleaners and factotums as well as members of the interview panel.

I undertake to observe research ethics at all times. By this I mean that I will consider the rights of the participants/stakeholders mentioned above. For example their human dignity; their freedom and security; their privacy; their freedom of expression; their equal treatment; their cultural, religious and political belief; and their right to remain silent should they not want to respond to certain questions.

May I also inform you that the information that will be gathered, challenges that may be identified and any new discoveries will be treated as challenges facing all of us in the teaching fraternity. This will enable all of us to come up with innovative ways to deal with problems experienced by different stakeholders within schools.

Your permission is highly anticipated.

Yours sincerely;

Khauoe, K.F:

Promoter: (PhD; MEd; BEd; BA (Hons); HPT)

Dr Chopo J. Teleki:

P.T.O

CONSENT FORM TO BE FILLED BY THE PARTICIPANTS

I,am the SGB member atschool.

I *agree /do not agree* to be involved in this research project. Delete the words which are not applicable.

I understand that I can stop participating in this research project at any given time.

Signature:

.....

Date:

.....

11515 Lesige Drive
Oppenheimer Park
Motsethabong, 9459
13 September 2016
fkkhauoe@gmail.com
Cell: 0834656408

The Interview Panel Members

.....
.....

**REQUEST FOR PERMISSION TO CONDUCT RESEARCH IN
..... SECONDARY SCHOOL**

Dear Sir/Madam

My name is *Khauoe, K.F* and I am a registered PhD student at the Central University of Technology Free State – Welkom Campus. The research I wish to conduct for my Doctoral thesis involves *Management of organisational systems at secondary schools in the Free State Province*. This project will be conducted under the supervision of Dr *Chopo J. Teleki* (CUT).

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I undertake to observe research ethics at all times. By this I mean that I will consider the rights of the participants/stakeholders mentioned above. For example their human dignity; their freedom and security; their privacy; their freedom of expression; their equal treatment; their cultural, religious and political belief; and their right to remain silent should they not want to respond to certain questions.

May I also inform you that the information that will be gathered, challenges that may be identified and any new discoveries will be treated as challenges facing all of us in the teaching fraternity. This will enable all of us to come up with innovative ways to deal with problems experienced by different stakeholders within schools.

Your permission is highly anticipated.

Yours sincerely;
Khauoe, K.F:

Promoter: (PhD; MEd; BEd; BA (Hons); HPT)
Dr Chopo J. Teleki:

CONSENT FORM TO BE FILLED BY THE PARTICIPANTS

I,have been a panel member for interviews at
.....school.

I agree /do not agree to be involved in this research project. Delete the words which are not applicable.

I understand that I can stop participating in this research project at any given time.

Signature:

.....

Date:

.....

11515 Lesige Drive
Oppenheimer Park
Motsethabong, 9459
13 September 2016
fkkhauoe@gmail.com
Cell: 0834656408

The Support Staff (Cleaners and factotums)

.....
.....

**REQUEST FOR PERMISSION TO CONDUCT RESEARCH IN
..... SECONDARY SCHOOL**

Dear Sir/Madam

My name is *Khauoe, K.F* and I am a registered PhD student at the Central University of Technology Free State – Welkom Campus. The research I wish to conduct for my Doctoral thesis involves *Management of organisational systems at secondary schools in the Free State Province*. This project will be conducted under the supervision of Dr *Chopo J. Teleki* (CUT).

I am asking for a permission to conduct this research at your school. Four participative groups which will be taken from the different stakeholders within your school to participate in the Action Research as follows: 1 principal, 4 SMTs, 4 members of RCL, and 4 members of SGBs, 4 teachers, cleaners and factotums as well as members of the interview panel.

I undertake to observe research ethics at all times. By this I mean that I will consider the rights of the participants/stakeholders mentioned above. For example their human dignity; their freedom and security; their privacy; their freedom of expression; their equal treatment; their cultural, religious and political belief; and their right to remain silent should they not want to respond to certain questions.

May I also inform you that the information that will be gathered, challenges that may be identified and any new discoveries will be treated as challenges facing all of us in the teaching fraternity. This will enable all of us to come up with innovative ways to deal with problems experienced by different stakeholders within schools.

Your permission is highly anticipated.

Yours sincerely;

Promoter: (PhD; MEd; BEd; BA (Hons); HPT)

Khauoe, K.F:

Dr Chopo J. Teleki:

P.T.O

CONSENT FORM TO BE FILLED BY THE PARTICIPANTS

I,am cleaner atschool.

I agree /do not agree to be involved in this research project. Delete the words which are not applicable.

I understand that I can stop participating in this research project at any given time.

Signature:

.....

Date:

.....

APPENDIX G

11515 LESIGE DRIVE
OPPENHEIMER PARK
MOTSETHABONG
9459

fkkhauoe@gmail.com

CELL: 0834656408

Mr/Ms/Mrs _____

Dear Parent

My name is Khauoe , KF and I am a registered PHD student at the Central University of Technology Free State-Welkom Campus.

The research I wish to conduct at the school where your child is a learner and a member of Representative Council of Learners involves *Management of Organisational systems at secondary schools in the Free State Province*.

I am asking you to allow me to ask your son/daughter questions about his/her roles in the school as a leader of other learners.

I undertake to observe research ethics at all times. The responses and findings from your child will remain confidential at all times. Your child's rights will be protected at all times. He/she may decide not respond to any question if they so feel.

Below please find a set of questions that your child will be asked to respond to as a leader of other learners:

1 REPRESENTATIVE COUNCIL FOR LEARNERS

- a) What is the role of the RCL in curbing violence, assault, bullying and sexual harassment?
- b) What negatively affects the behaviour of learners at your school?
- c) Why is it that the RCL is accused of not following the code of conduct?
- d) How do you ensure that the school funds are utilised by the school management for the benefit of all the learners?
- e) As RCL members, what measures do you employ to protect the school's properties, including toilets?
- f) What steps are implemented by the principal, teachers and SGB that enable you to perform your duties?

I hope that you will find this request in order

All the 4 RCL members taking part in this research project will be interviewed after school. This is to ensure that their tuition is not disturbed.

P.T.O

Thank you

Khauoe, K.F

NB: Please indicate your preference on spaces provided in the next page.

CONSENT FORM TO BE FILLED BY THE PARENT/GUARDIAN

I,am the parent/guardian of(name of the child) who is in gradeand is also the RCL member. I *agree/do not agree* that my child should participate in the research project. Delete the words which are not applicable

Signature:

.....

Date:

.....