THE ROLE OF THE SCHOOL GOVERNING BODY IN IMPLEMENTING A CODE OF CONDUCT FOR LEARNERS IN SECONDARY SCHOOLS IN NORTH WEST PROVINCE

by

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Submitted in partial fulfilment of the requirements for the degree of

MASTER OF EDUCATION

in the subject

EDUCATION MANAGEMENT

at the

UNIVERSITY OF SOUTH AFRICA

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DECEMBER 2007

DECLARATION

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I declare that THE ROLE OF THE SCHOOL GOVERNING BODY IN IMPLEMENTING A CODE OF CONDUCT FOR LEARNERS IN SECONDARY SCHOOLS IN NORTH-WEST PROVINCE is my own work and that all sources that I have used or quoted have been indicated and acknowledged by means of complete references.

_____   December 2007
MR P S LEKALAKALA

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ACKNOWLEDGEMENT

DEDICATION

I would like to dedicate my work to the Lekalakala and Rakau families for the support they gave to me, especially after I suffered a car accident.

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ABSTRACT

The South African Schools Act of 1996 mandates the establishment of School Governing Bodies (SGBs) in all schools with grade eight and higher. Amongst others, the SGB has the authority to develop a Code of Conduct for learners in a school. This study includes a literature review of discipline in schools, the functions of SGBs, the development and implementation of a Code of Conduct by the SGB. A qualitative investigation of the perceptions of parents, educators and learners, of discipline and dealing with misbehaviour was conducted in three secondary schools in the North-West Province. It was established that role-players differed in their understanding of coming to a common understanding of what to include in a Code of Conduct. It seems as if measures to deal with misbehaviour are often in violation of the Bill of Rights in the Constitution. Based on the findings, recommendations for addressing discipline by means of a Code of Conduct were proposed.

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KEYWORDS

Role

School Governing Body

Code of Conduct

Learners

Secondary schools

Discipline

Qualitative research

Governance

Reviewing

Revising

Offences

Disciplinary hearing

Human rights

Misbehaviour

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Statement of consent:

- Principal
- SGB – School Governing Bodies
- LRC – Learner Representative Council

- Interview schedules

- Interview transcripts

Codes of Conduct:

- School A
- School B
- School C

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CHAPTER 1

BACKGROUND, PROBLEM FORMULATION AND AIMS

1.1   INTRODUCTION

Discipline is essential for effective teaching and learning. It is not
possible to teach or learn in an environment that is disorderly,
disruptive and unsafe. Creating and maintaining a safe, disciplined
school environment is one of the important challenges facing
principals, educators and parents in schools (Squelch 2000: i). Many
principals and educators are finding it increasingly difficult to maintain
discipline in schools in the wake of the new education legislation and
regulations that regulate discipline and punishment in schools (Squelch
2000: i). The banning of corporal punishment in schools demands that
new methods of discipline be employed to protect the rights of learners
(Squelch 2000: i). These new laws, which include the South African
Constitution, Act 108 of 1996 (Republic of South Africa 1996b) protect
the rights of learners from the abuse and the misuse of punishment –
especially corporal punishment, in school and classes (Squelch 2000:
i).

Corporal punishment and the use of other punitive measures are often
regarded as synonymous with 'good discipline'. In spite of prohibitive
legislation, such measures are still being used in schools in South
Africa (Van Wyk 2001: 1). Corporal punishment as a social practice
has existed in South Africa for centuries. It has been defended in the
name of discipline, parental and teacher duty, as well as character
forming and religious precepts (Vally 1996: 45). The ban on corporal
punishment has been met with mixed reactions from educators and
parents. The educators who used this form of punishment decry the
banning of what they perceived as a handy educational aid and a
cultural means of discipline (Van Wyk 2001: 5). These educators are

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not properly addressing the issue of bad behaviour with seriousness (Geffner, Loring, Robert & Young 2001: 159). A problem is caused by the fact that educators are not trained to deal with severe levels of anti-social behaviour occurring in schools (Walker, Colvin & Ramsey 1995: 2). This argument is supported by Johnson & Johnson (1995: vii) when they point out that educators received little training in how to use conflict for instructional purposes.

The South African Schools Act, Act 84 of 1996 (SASA), Section 8, (RSA 1996a), stipulates that a Code of Conduct for schools should be drafted specifically to deal with disciplinary issues in schools. Subject to any applicable provincial law, a governing body of a public school must adopt this Code of Conduct for the learners after consultation with the learners, parents and educators (RSA 1996a). This Code of Conduct forms part of a school's domestic legislation and must be drafted within the legal framework of SASA (RSA 1996a).

In the light of the poor discipline in schools, specifically in the Temba district, this researcher has decided to embark on this research. Further observation indicates that many parents serving on the School Governing Bodies are poorly educated which could impact on their ability to draw up or implement a Code of Conduct for learners within the framework of the South African Schools Act - SASA (RSA 1996a) and the provision of the Constitution of the Republic of South Africa of 1996 (RSA 1996b).

1.2 SCHOOL GOVERNING BODIES IN PUBLIC SCHOOLS IN SOUTH AFRICA

The SASA (RSA 1996a) requires education to be transformed and democratised (De Villiers, Van der Bank & Vethmar 2000: 101). The process of transformation would require a shift in attitudes in the way people relate to each other and their environment and in the way

resources are deployed to achieve the aims of education (RSA Department of Education 1996c: 11). The participation of stakeholders such as parents, educators and learners in education is formed to achieve better education for all learners (De Villiers 2000: 101). Representation of the mentioned stakeholders on the School Governing Body is a positive effort to achieve the aims of the democratisation, which includes participation (De Villiers 2000: 101).

To achieve effective teaching and learning, good discipline should be maintained through participation by the above-mentioned stakeholders (Squelch 2000: 1). Good behaviour is a necessary condition for effective teaching and learning to take place, and an important outcome of education which the society rightly expects (Squelch 2000: 1).

The SASA (RSA 1996a), section 23(1)) prescribes three categories of membership to qualify to serve on the public School Governing Bodies. These are: elected members, co-opted members and the principal of the school as an official member SASA (RSA 1996a). In addition, section 23(2) of the SASA (RSA 1996a) prescribes that the elected members of the School Governing Bodies should be chosen from the following groups: parents of learners of the school, educators at that school, non-educator staff and learners in the eighth or higher grade at the school.

There is also a provision set by Section 23(a) of SASA (RSA 1996a) which stipulates that the number of parent members should comprise one more than the combined total of other members of a governing body who have voting rights. Thus, it can be argued that parents play an important role in school governance and issues of discipline.

1.3   THE SCHOOL GOVERNING BODIES AND THE CODE OF CONDUCT FOR LEARNERS

Section 20 of the SASA outlines the functions and tasks of the School Governing Body (RSA 1996a). One of the functions is to create a school culture based on democratic values contained in the Constitution of the Republic of South Africa (RSA 1996b). This may be achieved by means of developing a mission statement for the school and the adoption of the Code of Conduct. This Code of Conduct needs to be effectively implemented, adhered to and frequently reviewed to meet the ever-changing needs of the school community. Specific community norms and values should be taken into consideration when the Code of Conduct is drawn up. It is of paramount importance that the School Governing Body should be conversant with the values contained in the Bill of Rights as embodied in the South African Constitution, namely,"… *respect of human dignity, equality, the right to life, non-discrimination on the ground of race, gender, sex, ethnic or social origin, age, religion, conscience, belief, culture or even language"* (De Villiers *et al.* 2000: 103 – 105).

It is furthermore emphasised that the School Governing Body should consult the Department of Education notice 776 of 1998 (RSA 1998b) which contains guidelines for the consideration of Governing Bodies in adopting a Code of Conduct for learners. Thus, after their (the school governing body members') familiarisation with the above-named departmental notice, the entire spectrum of the School Governing Body's activities should be undertaken in the light of such legislation (De Villiers *et al.* 2000: 103 – 104).

The SASA requires the Code of Conduct to include appropriate disciplinary procedures, that is, the steps that one should follow when disciplining learners (RSA 1996a). Procedures must operate fairly to ensure that learners are treated fairly and justly, that they are punished

for offences they committed. In other words, the Code of Conduct must provide for 'due process' in order to safeguard against unfair and arbitrary treatment (Squelch 2000: 24).

1.4   THE NORTH-WEST PROVINCE OF SOUTH AFRICA

The North-West Province of South Africa is bordered by the provinces of Gauteng, Limpopo (formerly Northern Province), the Northern Cape, the Free State Province and the Republic of Botswana. It is the sixth largest of the nine provinces in South Africa, covering a total area of 16320 km^2 – approximately 9,5% of the Republic of South Africa (The Environment Report Overview 2002: 1).

It was formally one of the so-called 'independent states' or Bantustans within the borders of the Republic of South Africa and was known as the Republic of Bophuthatswana (Kgaffe 2001: 5).

The province has a total population of approximately 3,4 million people (8% of the nation total) with some 65% of the population living in rural areas. The more populated industrial centres include Rustenburg, Brits and Ga-Rankuwa in the eastern region of the province. Mafikeng is the provincial capital and was the administrative centre of the Bophuthatswana homeland from 1978 to 1994. It was also the governing centre of the British Bechuanaland Protectorate before 1960. Other major towns include Potchefstroom, Klerksdorp, Lichtenburg, Ventersdorp and Vryburg (The Environment Report Overview 2002: 1).

The North-West Province is one of the poorest provinces in South Africa with a provincial gross geographical product (GGP) of R3964 per person, which is well below the national average of R6498. The Gini coefficient, a measure of income in equality, is above 0,6 in the province placing it amongst the most unequal regions in the world. Rural poverty and rural-urban income differences exacerbate social

problems such as violence, crime and HIV infection (22.9% infection rate of HIV) (The Environmental Report Overview 2002: 2).

The estimated unemployment rate is 38% in the province which is slightly higher than the average in South Africa. The unemployment rate amongst women is above 50%. Some 30% of the adult population is illiterate, the highest figure among all provinces in South Africa (The Environmental Report Overview 2002: 2; HRSC Report 1998: 1).

Mining forms the backbone of the provincial economy contributing 42% to the GGP and 39% to employment. Large platinum mines and smelters in the Rustenburg area, as well as the gold mines of the Orkney and Klerksdorp areas dominate the mining sector. Agriculture is the second most important sector, with 13% of the GGP and 18% of employment. Maize and sunflower are the most important crops grown, while cattle and game farming are well established (The Environment Report Overview 2002: 2).

The present status of land tenure is complex, with the majority of land being privately owned. Approximately 10% is state-owned, and large areas are under tribal administration, particularly in the former Bophuthatswana homeland areas of Eastern, Central and Bophirima regions (The Environment Report Overview 2002: 2).

Village and farm settlement clarify the common sense assumption of what a rural settlement is. In South Africa, issues relating to the role of local chiefs and farmers often significantly influence such settlements. For example, the establishment of schools is largely dependent on the discretion of the landowner, if it is a farm school, on the chief 'kgotla', if it is a rural school (Kgaffe 2001: 4 –5). Likewise, communication between educators and parents is more complex than one would imagine, as the intervention of the farm owner and headman forms a hierarchical structure that parents and educators have to overcome,

even on matters relating to the education of the learners (Kgaffe 2001: 5).

The education system of the North-West Province is still struggling to overcome problems inherited from the former regime. These include insufficient numbers of classrooms, poorly resourced schools and generally poor provision of education in schools (Kgaffe 2001: 5).

The rural areas of the province are still struggling to establish governance structures for schools. Problems that make education and parent involvement difficult include factors such as the following: the rural nature of the communities, poverty and the high illiteracy rate of the communities (Kgaffe 2001: 63).

Since 1994, parents in schools in the North West Province are represented in schools by virtue of School Governing Bodies (SGBs). However, there exists a lack of training of SGBs in the province and most SGBs are unable to fulfil their roles in schools. Some SGB members have lost interest and many schools are compelled to co-opt interested parent members in the governance structures of the schools (Kgaffe 2001: 132).

1.5   THE RESEARCH PROBLEM

Discipline is an issue affecting many schools in the country. In an effort to address this, the SASA (RSA 1996a) makes provision for representative School Governing Bodies, and the drawing up and the implementation of a Code of Conduct in all schools by such bodies.

In the light of this, a need exists to determine the current role of the School Governing Body in implementing a Code of Conduct for learners in secondary schools in the North-West Province.

1.5.1   SUB-PROBLEMS RELATED TO THE MAIN RESEARCH PROBLEM

- ♦ What are the prevailing theories on the management of the discipline of learners?
- ♦ What roles have been assigned to the School Governing Bodies relative to the Code of Conduct in South Africa?
- ♦ What roles have members of the School Governing Bodies in secondary schools in North-West Province played in drawing up, reviewing and implementing the Code of Conduct for learners?
- ♦ How can the findings be used to provide guidelines to improve the implementation of a Code of Conduct for learners in the North-West Province?

1.6   AIMS OF THE RESEARCH

- o To describe the prevailing theories on the management of the discipline of learners.
- o To identify and describe the roles of the School Governing Body in implementing a Code of Conduct for learners in secondary schools in the North-West Province.
- o To identify the roles of members of the School Governing Bodies in secondary schools in the North-West Province in the drawing up, reviewing and implementation of a Code of Conduct for learners in schools.
- o To describe how the findings can be used to provide guidelines to improve the implementation of a Code of Conduct for learners in schools in the North-West Province.

1.7   METHODOLOGY

1.7.1   LITERATURE REVIEW

Local and international literature on school discipline and the role of the representative governing structure will be reviewed. The review also includes using official government documents related to the subject.

1.7.2   QUALITATIVE RESEARCH

The researcher will use the qualitative research method. The reasons for using this research method are: it is a field research-based approach on naturalistic inquiry where multi-method strategies to gather data are employed (De Vos, Strydom, Fouché & Delport 2002:285). This approach focuses on an individual's social actions, beliefs, thoughts and perceptions that are the observable behaviour of reality of an individual during interactive field practices (McMillan & Schumacher 2001: 395). The researcher will directly receive in-depth responses from the interviewee by tracking the true information on what is actually happening (McMillan & Schumacher 2001: 395). Observation of human reaction such as feelings and behaviour, may reveal the truth to the researcher (De Vos, *et al.* 2002: 285).

In this research study method, the researcher collects data in face-to-face situations that involve the interaction with selected persons in their settings (McMillan & Schumacher 2001: 395).   The researcher interprets phenomena in terms of the meanings during the interview (McMillan & Schumacher 2001: 395).

Qualitative research is based on a constructivist philosophy that assumes reality as multilayered, interactive and a shared social experience interpreted by individuals (McMillan & Schumacher 2001: 396).   Qualitative researchers believe that reality is a social

construction, that is, individuals or groups derive or ascribe meanings to specific entities, such as events, persons, processes or objects (McMillan & Schumacher 2001: 396). People form construction to make sense of these entities and recognise these constructions and belief systems. In other words, people's perceptions are what they consider 'real' to them and what directs their actions, thoughts and feelings (McMillan & Schumacher 2001: 396).

Qualitative research is concerned with understanding the social phenomena from the participant's perspective. Understanding is acquired by analysing the context of the participants and by narrating participants' meanings for the actions, events, feelings, beliefs, ideas, thoughts and actions (McMillan & Schumacher 2001: 396).

Qualitative researchers become 'immersed' in the situation and the phenomena studied (McMillan & Schumacher 2001: 396). Researchers assume interactive social roles in which they record observations and interactions with participants (McMillan & Schumacher 2001: 396). The researcher's role varies during data collection which forms the more traditional neutral stance to an active participatory role, depending on the selected research approach (McMillan & Schumacher 2001: 396).

Qualitative research is derived from the belief that human actions are strongly influenced by the settings in which they occur. The researcher collects data over a prolonged time at a site or from individuals (McMillan & Schumacher 2001: 396).

Qualitative research emphasises thick, description of real rich and deep data collections (Sanders & Worthen 1987: 50). To obtain rich quality data, validity must be addressed through honesty, depth, richness and scope of the data achieved, the participants' approached,

extent of triangulation and the objectivity of the researcher (Cohen, Manion & Morrison 2000: 105).

This validity should include reliability which can be regarded as a 'fit' between what researchers record as data and what actually occurs in the natural setting that is being researched, that is, a degree of accuracy and comprehensiveness of coverage (Cohen, *et al.* 2000: 119).

1.8   DESIGN OF THE STUDY

The researcher selected three schools around Temba District (North-West). The selected schools are from an urban area or township, a semi-rural area and from a rural area. The researcher considered well-established schools when making the selection. In other words schools which were established a long time ago and which have had the opportunity to draw up a code of conduct. From each school, one focus group interview was held with members of the SGB (which consists of parents and educators – but with parents in the majority); one focus group interview with the LRC, and an individual interview with the principal. This meant three interviews per school – or nine in total. This meant that four parent members plus one educator member in a focus group were interviewed. Another focus group interview was with four learner representatives who were separately interviewed. Furthermore, the principal of each school was individually interviewed.

Principals are considered to be particularly information rich; may have unique problems and experiences and may be reluctant to share this information in the presence of other principals (Mazibuko 2003: 9). Individual interviews enable the subjects to feel free to express themselves fully and truthfully (Mazibuko 2003: 9). It is a fact that when educators assemble in a group to talk about a particular topic or problem, they stimulate each other, thus exploring the topic fully

(Mazibuko 2003: 9). These participants interact with each other as well as with the interviewer in a manner such that the views of the participants can emerge (Cohen, *et al.* 2000: 288).

The researcher used individual interviews and focus group interviews to gather information. The researcher further held individual interviews with principals of three different schools selected in order to gather information.   From each school, the interviewer interviewed 10 participants in total, which meant that in three schools 30 participants were interviewed.

1.9   CHAPTER DIVISION

CHAPTER ONE

This chapter provides an orientation to the problem, problem formulation, aims and methodology to be followed.

CHAPTER TWO

In this chapter, theories on discipline and punishment are discussed. The difference between discipline and punishment is outlined. The importance of partners in education is also discussed.

The chapter also gives a review of literature based on the role of the School Governing Body in implementing the Code of Conduct for learners. This includes the drawing up and reviewing of the Code of Conduct for learners.   Issues of discipline and procedures when disciplining the learner, including punishment will be outlined.   The expectation with regards to the mentioned issues of discipline and the Code of Conduct by the South African Schools Act, Act 84 of 1996 (RSA 1996a) will be discussed.   This will include issues such as the

legal juristic positions of the School Governing Body in the eyes of the law and suspension procedures.

CHAPTER THREE

This chapter contains the research design. The selection procedures of schools and the number of schools selected will be explained. The participants chosen and issues relating to data collection is set out.

CHAPTER FOUR

The chapter contains a discussion of the results obtained regarding the role of the School Governing Body in implementing the Code of Conduct for learners. This will also include the role of the governing body in drawing up and reviewing the Code of Conduct for learners.

CHAPTER FIVE

This chapter contains the summary and the recommendations regarding the role of the School Governing Body in implementing the Code of Conduct for learners. This will also include the recommendations regarding the role of the School Governing Body regarding the drawing up and reviewing of the school's Code of Conduct.

1.10   SUMMARY

This study has been initiated by an awareness of the problems that are experienced in the Temba District (North-West Province) as far as the implementation of the school's Code of Conduct for learners is concerned. This includes the role of the School Governing Body regarding the drawing up and reviewing of the school Code of Conduct as well as the role of the School Governing Body in implementing the

school's Code of Conduct for learners in the Temba District (North-West province of South Africa).

An attempt is made in the study to investigate a number of questions that relates to the role of the School Governing Body in implementing the school's Code of Conduct for learners. The researcher has opted for the qualitative study approach using interviews and observations as the instruments for gathering data.

It is therefore proper that relevant literature should be reviewed in order to establish the role of the School Governing Body in implementing the school's Code of Conduct for learners, as well as the drawing up and reviewing of the school's Code of Conduct for learners by the School Governing Body. This literature review is done in the next chapter, chapter two.

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CHAPTER 2

DISCIPLINE, THE CODE OF CONDUCT AND SCHOOL GOVERNANCE

2.1   INTRODUCTION

Since 1994, the South African education system has been profoundly affected by the social, political and economic changes that have taken place in the wider society (Squelch 1999: iii). The radical restructuring and transformation of the education system into a single, non-racial system has brought about fundamental changes to education law and policy aimed at ensuring the realisation of the Constitutional principles of democracy, freedom, equity and equality in all education institutions (Squelch 1999: iii). In the light of the above-mentioned statements, a good discipline practice is required in schools. Good discipline is one of the key characteristics of an effective school. Without discipline, effective teaching and learning cannot take place (Squelch 2000: 1). In recent years parents in schools in South Africa, together with other stakeholders such as educators and learners, have been afforded a significant role to play in schools (The South African Schools Act, Act 84 of 1996 (SASA)(RSA 1996a)). Roles such as the drawing up of the Code of Conduct for learners, reviewing the Code of Conduct and the implementation of the Code of Conduct for learners (RSA 1996a) have become important.

2.2   DISCIPLINE IN SCHOOLS

Student discipline is a growing concern among classroom teachers and administrators. The traditional problem of yesteryear such as playing hooky or sneaking cigarettes in toilets have given way to the more

serious infractions of gang violence and the possession of a wide range of weapons, the assault of staff, hatred, crimes, theft, vandalism and gross disrespect for adult authority (Coleman & Bergin 2001: 113). Discipline in education is a complex phenomenon, difficult to define and often incorrectly equated with punishment (Van Wyk 2001: 2). Although punishment serves the purpose of identifying behaviour which is unacceptable, and this approach could lead to the over-emphasis of the punitive nature of discipline by the School Governing Body (SGB), while neglecting the growth orientated aspect thereof (Van Wyk 2001: 4). Generally, discipline is viewed narrowly by many stakeholders (parents, educators and learners) and equated with obeying school rules; thus, making most parents and educators to rely on external measures to curb the misconduct of learners (Van Wyk 2001: 8).

To maintain a safe and secure environment, the right to education of all learners must be protected by providing an orderly school environment for them (learners) to learn (Joubert & Prinsloo 1999: 53). The school's Code of Conduct, which sets out what is expected of learners, is an accepted way of encouraging good behaviour in schools (Joubert & Prinsloo 1999: 53). To maintain good discipline, the SGB must adopt a Code of Conduct for learners and ensure that all learners abide by the rules and regulations contained in the school Code of Conduct (Van Wyk 2004: 52). The main purpose of the Code of Conduct is to articulate acceptable behaviour for all learners in the everyday life of the school (Van Wyk 2004: 52) and (Harding 1987: 141).

Where transgression does occur, the SGB is empowered to suspend a learner after he/she has been given a fair hearing (Van Wyk 2004: 52). The SGB must report the suspension to the Head of Department of the Province (RSA 1996a).

2.3   SCHOOL GOVERNANCE IN SOUTH AFRICA

♦   *Decentralisation of control*

The concept of decentralisation originates from the belief that the
State alone cannot control schools, but should share its power with
other stakeholders, particularly those close to the school on a
partnership basis (Marishane 1999: 78).   It is furthermore
emphasised that good behaviour can be achieved in schools if
parents can be encouraged to be active consumers and to exercise
their rights in education though the SGB (Riley 1998: 7). Parents
should take the responsibility for their children's behaviour; grow
assertions about their [children's] rights (Riley 1998: 131). These
parents should be given a legitimate say in the management of the
school through representation on SGBs (Riley 1998: 131), so that
these parents can be helpers in schools by taking the
responsibilities for their children's actions. This may be achieved if
schools start assuming that parents are co-educators and that
parents can assist educators in joining hands to find ways of
shaping the school's 'priority', and also setting the standards of
behaviour expected by the school (Riley 1998: 135). The inclusion
of all members of the school community in the SGB can make them
feel the 'ownership' of the school if they are allowed to participate
in the governance of the school (Department of Education 2000:
20).

The devolution of authority will lead to a healthier and stronger
relationship between schools and communities (Van Wyk 2004:
49). This argument is based on the premise that when educators
and communities collaborate in making important decisions about

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educational alternatives, a true mutual responsibility will grow (Van Wyk 2004: 49). Thus, advocates of decentralisation base their reforms on the assumption that to ensure improvement in schools, those closest to the learners should be offered the authority to make key decisions (Van Wyk 2004: 49). On the other hand, Carter & O'Neill (1995: 41) claim that decentralising power to the school does not ensure that it will be used to improve instruction, such as improving teaching and learning, since the power to make decisions independent of the competence to understand the issues involved in improving the situation. Thus, empowerment does not by itself ensure virtue or expertise because involvement and improvement are not synonymous in education reform. The issue of whether power and greater involvement of parents in the life of schools could influence positively on learner discipline was doubted by local education authority respondents in Wales (Salisbury & Riddell 2000: 70) which could be the same in South Africa. In South Africa, neither parents nor educators have had much experience of participatory decision-making since, in the past, principals were generally considered to be the only people with the knowledge and authority to make decisions (Heystek & Paquette 1999: 191).

Against this background there is now considerable interest in the way SGBs establish working relationships with all stakeholders in schools to enable them to function according to community and national needs (Van Wyk 2004: 49).

It is therefore important to determine what effect SGBs have on the functioning of schools and those who teach in them, as well as the extent to which educators accept the role and legal status of the SGBs as required by SASA (RSA 1996a &Van Wyk 2004: 49).

♦ The establishment of SGBs

The introduction of a democratic government in South Africa in 1994 resulted in the promulgation of the South African Constitution (De Villiers, *et al.* 2000: 101). This legislation, which embodies the principles, *inter alia,* of democracy and social justice, has impacted on subsequent legislation in education and brought about changes in education policy and practice (De Villiers, *et al.* 2000: 101). The introduction of a new system for public school governance and management is one of the examples of such change which was mandated in the South African Schools Act, Act 84 of 1996 (RSA 1996a). The new system for public school governance aimed at phasing in new education legislation, a new system of education and training has been created in South Africa based on the fundamental principles of democracy, unity, non-discrimination, equity and equality (Van Wyk 2004: 49). This means, *inter alia*, that Government is committed to the development of a democratic system that provides for participation of all stakeholders with a vested interest in education (Van Wyk 2004: 49). Thus, the SASA (RSA 1996a) mandates the establishment of democratic structures of school governance in schools (Van Wyk 2004: 49). The democratisation of education includes the notion that stakeholders, such as parents, educators, learners and other interested role-players must participate in the activities of the school (De Villiers, *et al.* 2000: 101). The participation of these stakeholders on the SGB is a positive effort to achieve the aims of democratisation with a view to provide a better teaching and learning environment (Van Wyk 2004: 49).

♦   The composition of SGBs

A governing body is a body established by law, and consists of people who are elected to govern, *inter alia*, a school (De Villiers,

et al. 2000: 102). The governors are the people who are serving on a governing body and who are representing the school community (De Villiers, *et al.* 2000: 102).

The SASA, section 23(1), prescribes three categories of membership to qualify to serve in the public school governing bodies (RSA 1996a). These categories are: elected members, co-opted members and the principal of the school as an ex-officio member (SASA RSA 1996a). In addition, SASA section 23(2), prescribes that the elected members of the SGB should be chosen from the following groups: parents of learners of the school, educators at that school, non-educator staff and learners in the eighth or higher grade at the school (RSA 1996a). A parent who is employed at the school may not represent parents on the SGB (Joubert & Prinsloo 1999: 24). Parents must form the majority on the SGB (SASA RSA 1996a). This majority is restricted to "*one more than the combined total of other members of a governing body who have voting rights*" (RSA 1996a Section 23(a)). Should a governing body need assistance in fulfilling its functions, a member or members of the community may be co-opted to the governing body (SASA RSA 1996a).

The governing body of a public school which provides education to learners with special needs must, where practically possible, co-opt a person or persons with special expertise regarding the special education needs of such learners (Joubert & Prinsloo 1999: 24). The governing body of a public school on private property may co-opt the owner of the property occupied by the school or the nominated representative of such owner (Joubert & Prinsloo 1999: 24). Co-opted members do not have voting rights on the governing body (Joubert & Prinsloo 1999: 24).

In terms of SASA, Section 29, a governing body must elect office bearers who must include at least a chairperson, a treasurer and a secretary. Only a parent member of a governing body who is not employed at the public school may serve as the chairperson of the governing body (RSA 1996a). In terms of SASA, Section 31, the term of office of a member of the SGB other than a learner may not exceed three years. The term of office of a member of the SGB who is a learner may not exceed one year. A member or office bearer of a SGB may be re-elected or co-opted, as the case may be, after the expiry of his/her term of office (RSA 1996a).

Generally, only two to three educators serve on the governing body (Van Wyk 2004: 49). The implication is that educators frequently have to rely on the SGB as a whole (and not specifically on their own educator representatives) to meet their needs, because research shows that educators on SGBs are reluctant to engage in direct confrontation with principals during meetings (Van Wyk 2004: 49).

♦ The functions and tasks of SGBs

The SASA, Section 20, stipulates the compulsory functions of the SGB (RSA 1996a) and Section 21 of SASA lists the tasks that may be given to the governing bodies that have means to fulfil these tasks, and are therefore termed allocated functions (RSA 1996a). The SGB functions as a unit, although individual members may have individual responsibilities (De Villiers, *et al.* 2000: 103).

Subject to the SASA (RSA 1996a) Section 20 and 21, the SGB of a public school must, *inter alia*, develop the mission statement of the school. This developed mission statement should aim at creating

an ethos based on democratic values contained in the South African Constitution (De Villiers, *et al.* 2000: 103).

The SGB must adopt a Code of Conduct for learners of the school after consultation with the learners, parents and educators of the school (Van Wyk 2004: 49). In adopting the Code of Conduct for learners, it ensures that the democratic values of the Constitution, as well as specific community values become part of the school's ethos (De Villiers, *et al.* 2004: 103). In order to develop a Code of Conduct and mission statement that are underpinned by the democratic values of the South African Constitution, it is of paramount importance that the SGBs are conversant with the values contained in the Bill of Rights as embodied in the Constitution, namely, respect for human dignity, equality, the right to life, non-discrimination on the ground of race, gender, sex, ethnicity or social origin, age, religion, conscience, belief, culture or language (De Villiers, *et al.* 2000: 103). Furthermore, governing bodies should consult the Department of Education, notice 776 of 1998 which contains guidelines for the consideration of governing bodies in adopting a Code of Conduct for learners (De Villiers, *et al.* 2000: 103 – 104). As these values, rights, freedoms and responsibilities have been embodied in education legislation (e.g. the National Education Policy Act 27 of 1996d and RSA 1996a), it is essential that members of the governing bodies familiarise themselves with the contents of such legislation in order that the entire spectrum of their activities is undertaken in the light of such legislation (De Villiers, *et al.* 2000: 104).

The SGB must determine the language policy of the school within the framework laid down in the Constitution (RSA 1996b) and the South African Schools Act (RSA 1996a) and any other applicable provincial law (Van Wyk 2004: 49).

The SGB must also determine the admission policy and religious observance in the school and ensures democratic values of the (RSA 1996a) (De Villiers, *et al.* 2000: 107).

The SGB is tasked with the maintenance and improvement of the school property such as buildings, grounds and, if applicable, hostels (De Villiers, *et al.* 2000: 109). Consequently, the SGB must ensure that the school buildings and grounds are well maintained to prevent anyone from being injured at the school (De Villiers, *et al.* 2000: 109). These SGBs are furthermore tasked with supplementing the resources supplied by the state in order to improve the quality of education provided by school (Van Wyk 2004: 49). In this regard, parents may be asked to pay school fees. Such funds are administered by the SGB (Van Wyk 2004: 49). The Governing Body must also prepare a budget each year which shows the school's estimated income and expenditure (Van Wyk 2004: 49).

The SASA, Section 20(3), allows all public schools to employ additional educators to supplement the members of those allocated and paid for by the Provincial Department of Education as long as the school raises funds for the remuneration of these additional educators (Van Wyk 2004: 49 – 50) and (RSA 1996a).

The SGB must be accountable to the various stakeholders (parents, educators, learners and non-educator staff) in the community they represent (De Villiers, *et al.* 2004: 104). All members of the SGB have the moral responsibility to be accountable to the mentioned stakeholders, and keep them up to date on their activities within the governing body (De Villiers, *et al.* 2000: 104). They must also be conversant with the legal implications of having been elected to represent the stakeholders (De Villiers, *et al.* 2000: 104).

The SGB is tasked with encouraging parents, learners, educators and other staff members at the school to render voluntary services to the school (De Villiers, *et al.* 2000: 108). In terms of SASA (RSA 1996a), education is viewed in terms of a partnership between all the stakeholders (parents, educators, learners and non-educator staff) who have an interest in education. Therefore, the parents, learners, educators and other staff members at the school are morally obliged, as partners, to voluntarily render a service in order to ensure that school functions effectively. Hereby they will ensure that the school provides quality education and will be promoting a culture of learning (De Villiers, *et al.* 2000: 108 – 109).

Parents are in the majority on the SGB. This indicates the importance that is attached to their partnership in education (RSA 1996a Section 23(a)). However, recent research, for example by Heystek and Louw (1999: 27), reveals that in some areas, especially in urban primary schools in disadvantaged socio-economic areas, parental involvement in school activities is low. The most important reason why parents are not actively involved in school activities is their negative attitude towards the school (De Villiers, *et al.* 2000: 109). Therefore, for these parents to become effective partners in education there must be a change of attitude from parents and educators (De Villiers, *et al.* 2000: 109). To this end SGBs could, on the one hand, promote better relations with parents by informing them regularly of their activities and encouraging them to attend governing body meetings and, on the other hand, endeavour to promote better interpersonal relations with the staff members through participation in the school governance (De Villiers, *et al.* 2000: 109).

Although these do not include the full range of responsibilities of governing bodies, they serve to illustrate the pivotal role of the SGB

and the indispensable link it forms between the schools and the community it serves (De Villiers, *et al.* 2000: 50). It also shows that SGBs have the potential to contribute to whole school development (Van Wyk 2004: 50).   In this study, the researcher aimed at determining the role currently played by the School Governing Body in implementing the Code of Conduct for learners.

2.4   THE CODE OF CONDUCT FOR LEARNERS

A '*code*' means a collection or number of binding rules and principles reflecting certain moral standards and values at the school (Visser 1999: 147).   The word '*conduct*' refers to the behaviour, acts and omissions including perhaps attitudes, of learners (Visser 1999: 147). In general, a code of conduct is an acceptable moral standard behaviour (Joubert & Prinsloo 1999: 17).

According to SASA Section 8, the school Code of Conduct for learners must be aimed at establishing a disciplined and purposeful school environment, dedicated to the improvement and maintenance of the quality of the learning process (RSA 1996a).   The school's Code of Conduct must inform learners of the way in which they should conduct themselves (Squelch 2000: 19).   The focus is therefore, on positive discipline, self-discipline and inculcating a standard of behaviour that is recognised and accepted by civil society.   This means that the Code of Conduct should be written and developed in such a way that it achieves this basic aim of discipline for learning and teaching (Squelch 2000: 19), thus creating an accelerated harmonious environment for learning and teaching (Joubert & Prinsloo 2001: 133).

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 the learners, parents and educators (RSA 1996a). The Minister may, after consultation with the Council of Education

Ministers, determine the guidelines for consideration by the Governing Bodies in adopting a Code of Conduct for learners (Squelch 2000: 18). The school Code of Conduct contains a legal obligation; binding learners to comply with the conduct of the school which the learner is attending (Squelch 2000: 18).

Therefore, this Code of Conduct should not conflict with the existing laws and legislations. This includes the applicable legislation, instructions, policies and directives of the Head of the Department of Education (Joubert & Prinsloo 2001: 130). The Code of Conduct cannot be an arbitrary creation of the principal and the educators (Joubert & Prinsloo 2001: 130). Section 8 of (RSA 1996a) determines the following with regard to the establishment of a Code of Conduct for learners: that, after consultation with the parents, learners and educators of the school, the School Governing Body must adopt a Code of Conduct (Joubert & Prinsloo 2001: 130).

The reason to involve other stakeholders is the fact that the Schools Act recognises the importance of involving the entire school community in developing the Code of Conduct for learners (Squelch 2000: 19). Furthermore, Section 8(1) clearly states that parents and learners must be consulted. Squelch (2000: 19) claims that a discipline policy is the one that is developed by a consensus of the school community and is more likely to work effectively than the one that is imposed from above by the principal or governing body. It is claimed by Squelch (2000; 19) that a participatory decision-making process is likely to ensure a genuine commitment on the part of educators, parents and learners to successfully implement the school Code of Conduct. An open discussion regarding school Code of Conduct with educators, parents and learners will help to bring about a better understanding of their perceptions of and problems with discipline in the school.

In developing a school Code of Conduct, it is recommended that special disciplined working groups be established to organise and co-ordinate the whole process, because involving the whole school community can be a lengthy process (Squelch 2000: 19).

The following process ensures that parents, educators and learners are included from the outset and given the opportunity to take part in discussions, deliberate and review discipline in the school. Awareness raising state can be used to inform the various parties of the need to develop and/or revise the school Code of Conduct, and to explain how the Governing Body plans to involve various groups and individuals in the process (Squelch 2000: 20). The second process may be the 'information' gathering and consultation. The Code of Conduct should be based on the shared values and beliefs of educators, parents, governors and learners, on what appropriate behaviour should exist in the school (Squelch 2000: 20). Various strategies can be used to consult educators, parents and learners (e.g. workshops and survey questionnaires can be used to gather valuable information on people's attitudes towards and expectation of discipline) (Squelch 2000: 20).

Drafting the school Code of Conduct should be based on sufficient information gathered. The discipline committee should draft a code of conduct as a consensus document incorporating the educators', learners' and parents' suggestions, which is then circulated amongst the interested parties for open discussion, comment and evaluation (Squelch 2000: 20 – 21); (Joubert & Prinsloo 1999: 83).

The school Code of Conduct remains applicable unless it is abrogated, declared void, amended or substituted in a prescribed or legal manner. When amending the school Code of Conduct, the amended rules should naturally conform to the above-mentioned requirements (Joubert & Prinsloo 2001: 133).

The school's Code of Conduct should be revised based on the comments and suggestions of the school community, and a final draft written and presented for final approval by the parents and educators (Squelch 2000: 21).   This Code of Conduct must be clearly communicated to all learners, educators and parents before it can be implemented (Squelch 2000: 21).   Besides, the Code of Conduct should be reviewed and revised on an ongoing basis because it is not a static document (Squelch 2000: 21).   As new discipline issues, rules, regulations and procedures arise, these must be communicated to the school and included in the code of conduct (Squelch 2000: 21).

This school's Code of Conduct should contain a preamble in which the principles, values and ethos of the school are set out.   The Code of Conduct should also be in keeping with the spirit of the Constitution (RSA 1996b) and the South African Schools Act (Squelch 2000: 22).   It should also contain the basic rules of conduct or behaviour, which clearly indicates what kind of behaviour is expected from all learners (Squelch 2000: 22) and (RSA 1996a).   It must also contain punishment clauses, because it is important for learners and parents to know what the consequence is of inappropriate behaviour or misconduct would be (Joubert & Prinsloo 1999: 85).   The sanctions or punishment for transgressing rules should be set out in detail in the Code of Conduct. Learners and parents should know what punishment will be imposed for certain offences (Squelch 2000: 23).   The extreme forms of punishment are suspension and expulsion, which are imposed for very serious offences.   Alternative sanctions to suspension and expulsion should be set out clearly.   Under no circumstances may corporal punishment be used as a form of punishment, no matter how tempting it might be at times (Squelch 2000: 24).

The SASA requires the Code of Conduct to include appropriate disciplinary procedures that is, the steps that will be followed when disciplining learners.   Procedures must operate fairly to ensure that

learners are treated fairly and justly, and not punished for offences they did not commit. In other words, the Code of Conduct must provide for 'due process' or safeguard against unfair and arbitrary treatment (Squelch 2000: 24). Disciplinary investigations and hearings must be conducted to collect evidence, which will determine whether or not there are sufficient grounds for a disciplinary hearing (enquiry) (Squelch 2000: 24). It must contain appeal process and recognise the right to appeal (RSA 1996a). Learners and parents may appeal against a disciplinary decision with which they are not satisfied. Therefore, the appeal procedures should be included in Code of Conduct for learners (Squelch 2000: 25).

The Code of Conduct should be equitable, fair and reasonable. Section 8 of (RSA 1996a) underlines the principles of lawfulness, reasonableness and fair procedures. One of the principles of law in general, and of Education Law in particular, is that the statutory authority to issue directives (as is the case with the Code of Conduct) should not be applied to establish in equitable, unfair or unreasonable rules. This principle is of particular interest to the learner who is required to obey the rules (Joubert & Prinsloo 2001: 131). One of the most general norms that serve as a measure for reasonable and fair action is the application of the rules of natural justice. The rules of natural justice play an important role in circumstances where a member of governance is competent to exercise his/her discretion to find out whether a particular school rule has been contravened, what the gravity of the contravention is and what steps should in fairness be taken against the offender (Joubert & Prinsloo 2001: 131). The rules of natural justice require that the educator devotes proper attention to the case by giving all interested parties (the learner and even the parent of the learner concerned, in the case of serious offences) an opportunity to present their case, and that the education steps subsequently taken should bear the hallmark of fairness. In other words, the application of

the school's Code of Conduct should always be just and fair (Joubert & Prinsloo 2001: 131).

The Code of Conduct should be as comprehensive as possible. If this is not the case, misunderstandings and misconceptions may arise. Conversely, one should not over-regulate by issuing too many rules (Joubert & Prinsloo 2001: 133).

One of the potential disadvantages of any rule (in this case, the school Code of Conduct) is that it does not provide for particular but only for general circumstances. It is therefore important, in the first instance, to allow the distinctive character and abilities of the school's learner to play a decisive role when compiling the school's Code of Conduct (Joubert & Prinsloo 2001: 133). For example, rules that are drafted for an industrial school would differ from the rules for a pre-primary, primary or secondary school. One should nevertheless bear in mind that the basic nature of the school Code of Conduct cannot be denied and every case should be dealt with according to its own merit (Joubert & Prinsloo 2001: 133).

2.5   THE ROLE OF THE SGB IN ISSUES RELATING TO DISCIPLINE

The SGBs form an important link in the system of democracy and accountability in the country. They are seen as a means through which the producer – the school in this case – is to be made responsive to the consumer – the parents and/or perhaps more correctly, the child (Docking & Fulton 1996: 155).

Legislation has made it possible for SGBs to become actively involved in assisting the professional management teams of schools to handle cases of discipline (Van Wyk 2004: 53). The SGB is involved in transgressions of the school Code of Conduct in the sense that learners who regularly transgress are referred to the SGB for a

disciplinary hearing (Van Wyk 2004: 52). The SGB may exclude (or punish) learners from the school, if the conduct of learners habitually defies school rules, interferes with or threatens other learners or educators and/or whose conduct is wilfully insubordinate (RSA 1996a).

Expulsion can only take place in exceptional circumstances. These suspension and expulsion have to take place after 'due process' to safeguard the interests of the learners and any other party involved in the disciplinary proceedings (Joubert & Prinsloo 1999: 55). The disciplinary process must be expeditious, fair, just, corrective, consistent and educative (Joubert & Prinsloo 1999: 89). The SGB must inform parents and be involved in the correction of the learner's behaviour (Department of Education notice 776 of 1998b).

Squelch (2000: 23) points out that it is important for learners, parents and educators to know what the consequences are of inappropriate behaviour or misconduct. The author further continues to point out that the sanctions or punishment for transgressing rules should be set out in detail in the Code of Conduct.

The basic legal requirements pertaining to suspension and expulsion from public schools are as follows: subject to SASA Section 9, and any applicable provincial law, the SGB of a public school may, after a fair hearing, suspend a learner from attending the school as a correctional measure for a period not longer than one week, or pending a decision as to whether the learner is to be expelled from the school by the Head of the Department of Education in the province (RSA 1996a).

Offences that may lead to suspension include, but are not limited to the following: conduct which endangers the safety and violates the rights of others; the possession, threat or use of a dangerous weapon; the possession, use, transmission or visible evidence of narcotic or unauthorised drugs, alcohol or intoxicants of any kind; fighting, assault

or battery; immoral behaviour or profanity; falsely, identifying oneself; harmful graffiti; hate speech; sexism; racism; theft or possession of stolen property, including test or examination test papers prior to the writing of the tests or examinations; unlawful action, vandalism, or destroying or defacing the school property; disrespect; objectionable behaviour and verbal abuse directed at educators or other school employees or learners; repeated violations of school rules or the Code of Conduct; criminal and oppressive behaviour such as rape and gender based harassment; victimisation, bullying and the intimidation of other learners; infringement of examination rules; and knowingly and wilfully supplying false information or falsifying documentation to gain an unfair advantage at school (Joubert & Prinsloo 1999: 90 –91).

2.6   POWER AND INVOLVEMENT OF THE SCHOOL GOVERNING BODY

Even though power was given to school councils in the United State of America in the past, most school councils failed to deal with instruction issues such as school improvement plans and/or school discipline. These school councils were concerned with dress code, rules and procedures and climates (Carter & O'Neill 1995: 33).   The school improvement plans submitted by each school council were not powerful tools for improving instruction in the school.   It did not appear that school reform would impact on student learning (Carter & O'Neill 1995: 33).

Decentralising power to the schools does not ensure that it will be used to improve instruction, such as improving teaching and learning, since the power to make decisions is independent of the competence to understand the issues involved in improving the situation.   This includes empowerment which does not by itself ensure virtue or expertise because involvement and improvement are not synonymous in education reform (Carter & O'Neill 1995: 41).   The issue of whether power and the greater involvement of parents in the life of schools

could impact positively on learner discipline was doubted by local education authority respondents in Wales (Salisbury & Riddell 2000: 70).

Salisbury and Riddell (2000: 71) further outline that school governance remains a voluntary activity with the expertise in the process or activities of governance, which is subject to inspection and regulations, as well as being held accountable for school failures, but without being paid for the job performed. The teacher component of the School Governing Body, in the USA, dominated the School Governing Body's decisions (Docking & Fulton 1996: 153). Most of these Schools Governing Bodies rubber stamp every decision and are still being held responsible for the failure of the school activities (Docking 1996: 154).

The School Governing Bodies are legal juristic persons who can be sued in the court of law (Bray 2000(b): 13). The reason to be sued is that the School Governing Body is a body established by law and consist of people who are elected to govern a school. This means that a School Governing Body is set up by an act of parliament, in this instance, the South African Schools Act, Act 84 of 1996 (RSA 1996b) De Villiers, *et al.* 2000: 102). These school governors, who only govern the school and are engaged in surveillance or regulation of those who work in schools, do not usually act as managers like the principals who are responsible for the day-to-day running of schools. They (Salisbury & Riddell 2000: 199).

Participation in school policy making and decision-making is crucial to the success of a discipline policy. The school's Code of Conduct should be based on the shared values and beliefs of educators, parents, governors and learners on what appropriate behaviour should exist in the school (Squelch 2000: 20). On the other hand, not all parents are able to participate equally on school issues (Henry 1996: 6). Parental representation on School Governing Bodies and their

presence do not mean that parents and educators are necessarily working well together or equally share decision-making (Henry 1996: 7). Some parent representatives have traditionally rather adopted the role of supporters or representatives than full and equal partners in the governing body role of the school (Henry 1996: 7). Traditionally, parent involvement in the school occurs through parent participation in a number of school activities that are managed by the school on school territory and the school's terms – without a transfer of significant power (Henry 1996: 7). These parent representatives including the learner representatives are involved in the School Governing Body in a supportive role for the school personnel – helping with issues such as fundraising, teacher recognition, banquets, events such as farewells, concerts, science fairs and open-house evenings, but educational issues such as curriculum and proper disciplining of children are not part of the joint ventures (Henry 1996: 8). This was evident when educators pointed out the demand that teachers should teach and parents should parent (Henry 1996: 44).

The preceding argument emphasises the need for teachers to do their share of the responsibility (teaching) and, likewise for the parents to do their own share as well as parenting. One may assume, therefore, that teachers do not want parent representatives on the school councils or in any other decision making body (Henry 1996: 50). The negative attitude of teachers towards parent representatives and learner representatives was perhaps because of teachers having had a long history of working in isolation with children, and not with parents and other learners intruding on their educational turf (Henry 1996: 52).

Henry (1996: 55) added that the long service of working in isolation without the involvement of other stakeholders such as parents and learners, created a conservative culture of resistance to change on the side of teachers especially towards other stakeholders such as parents and learners in the School Governing Body. On the other hand, parent

representatives argue that they are caught up in the rhetoric as partners with the public schools, yet many parents are unable to participate in the plans that are proposed, and their voices are not really heard in shaping new directions for education (Henry 1996: 57). Those parents, who are invited to participate in the School Governing Bodies or to volunteer, are those parents who have the time and resources to be involved in schools (Henry 1996: 57). The parents who are working do not have enough time to be involved in school matters, and cannot simply afford to lose wages or possibly even employment to do the kind of volunteering and participation that schools expect or desire (Henry 1996: 57).

The parent representatives in the School Governing Body pointed out that parent involvement frequently overlooks the diversity of family situations and considerations of class, race and gender (Henry 1996: 57). Parent representatives in the School Governing Body varied in their interests and that created divisions of their voices (Henry 1996: 59). Parents who are alienated from the parent groups feel powerless to participate in school activities and powerless to influence school policy or practices (Henry 1996: 70).

2.7 FACTORS CONTRIBUTING TOWARDS THE POOR IMPLEMENTATION OF THE SCHOOL CODE OF CONDUCT BY THE SCHOOL GOVERNING BODY

Davies (2001: 75) outlines that the education system is administered in three principal spheres (i.e. national, provincial and local – local at this stage, is the school). Original powers to govern the school lie in both the national and provincial spheres. The SASA (RSA 1996a) outlines clearly the functions of the School Governing Bodies and their area of operation, which indicate clearly that the School Governing Body does not have original functions, as functions have been derived by national sphere of governance, and the provincial sphere. These School

Governing Bodies have to operate within the framework of the Constitution (RSA 1996b) and the SASA (RSA 1996a) (Davies 2001: 75).

The Department of Education does not have clear guidelines on what constitutes a well disciplined school and tends to rely on external factors such as academic achievement, the wearing of school uniforms, punctuality of learners and staff and the speed with which the school responds to departmental requests (Van Wyk 2001: 8). Discipline in education is a complex phenomenon, difficult to define and often incorrectly equated with punishment (Van Wyk 2001: 2).

The problems with the implementation of the school's Code of Conduct are compounded by the fact that the School Governing Bodies are not fully equipped to deal with misconduct in schools (Van Wyk 2001: 17). Most members of the School Governing Bodies lack the experience of drawing up a Code of Conduct, as some members are illiterate or semi-literate, thus compounding the problem (Van Wyk 2001: 18).

The training of School Governing Body members, which should be provided by the Provincial Department of Education, often does not take place due to lack of funds (Van Wyk 2001: 18). The poor training these people receive creates a lack of proper insight and the inability to distinguish between major and minor transgressions of learners by the School Governing Bodies. The end-results may be inadequate involvement in schools and not contributing to the addressing of poor learner behaviour (Van Wyk 2001: 18).

These end-results of inadequate involvement by the School Governing Bodies may encourage the teacher component of the Governing Body to dominate the School Governing Body's decisions (Docking & Fulton 1996: 152), thereby encouraging the rest of the members of the School

Governing Body (especially parents and learners) to rubber stamp every decision brought by the educators (Docking & Fulton 1996: 154).

Looking closely at the members forming the School Governing Body, one will realise that the majority of representatives are parents, as compared to the representation of educators, non-educators and learners. It may therefore be argued that it is in the interests of parents rather than any other person to decide the fate of the school (Davies 2001: 69). Other role-players such as learners may view the imbalances negatively, and educators, who must be represented as full partners in decision-making processes of the school as equal role players in governance of the school (De Villiers, *et al.* 2000: 57).

The fact that the School Governing Body is established by law and may only be dissolved under prescribed circumstances, and that these Governing Bodies act on behalf of the school which is an organ of the state, may be viewed as functioning as the State's functionary and not that of the school and the school community (Davies 2001: 61) and thereby viewed negatively by other stakeholders.

2.8   CONCLUSION

The administration of education is a complex matter, and it is more complex because of the social and other issues which it raises. The Constitutional dispensation within the country together with the structures which have been created or which have yet to be brought into being still have to be tested (Davies 2001: 18). It is apparent that SGBs in South Africa have a statutory responsibility for many critical functions within the school which could make a valuable contribution towards ensuring a school's effectiveness and continuing improvement (Van Wyk 2004: 54).

The SASA offers only sketchy assistance in the division of authority and the tasks of the school management and the SGBs. A legalistic approach to dividing responsibilities and functions may therefore not be useful (Van Wyk 2004: 54). While it may be necessary to distinguish between the role of the SGB and that of the principal, the school management team, and other educators, the distinction should not detract from the constitutional principles for co-operative governance (Van Wyk 2004: 54).

The reason for co-operative governance may be that the local manifestation of governance in the school system is at the level of the school, and not in the sphere of municipal government (Davies 2001: 73). This co-operative governance is thus best described as an interactive approach to education in which all stakeholders are represented and take co-responsibility for the effective and efficient operation of their schools (Van Wyk 2004: 54). One may conclude by saying that educators, together with their partners in education, have a mammoth task to guide learners to become morally responsible citizens and to play a role in creating a society that is free of violence, crime and/or hatred (De Villiers *et al.* 2000: 87).

To achieve such morally responsible citizens, the SGB should execute its functions in a morally responsible manner. Where the SGB has failed to perform its functions, for whatever reasons, the Head of Department in the Province will intervene according to the stipulations of SASA document Act 84 of 1996, Section 25 (De Villiers, *et al.* 2000: 11).

To obviate the occurrence of such a problem and to ensure that the SGB functions optimally and in terms of the requirements of the South African Schools Act, attention must be given to capacity building. Hereby the governors receive guidance and instruction regarding the performance of their functions in terms of the South African Schools

Act (De Villiers, *et al*. 2000: 111). The aim is to empower the SGB to perform its tasks better so that quality education can be provided more effectively in public schools (De Villiers, *et al*. 2000: 111).

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CHAPTER 3

QUALITATIVE METHODOLOGY AND RESEARCH DESIGN

3.1   INTRODUCTION

This chapter presents a literature review of qualitative research methodology as the method to be used to gather data concerning the role of the School Governing Body (SGB) in implementing a Code of Conduct for learners in secondary schools in the North-West Province. It also presents the design of the present study which includes the choice of schools and participants, data gathering techniques and data analysis.

3.2   RESEARCH DESIGN

Understanding of qualitative research is acquired by analysing the context of the participants and by narrating participants' meanings for the actions and events. Thus, qualitative research is concerned with understanding the social phenomena from the participant's perspective, feelings, beliefs, ideas, thoughts and actions (McMillan & Schumacher 2001: 396) or (cf.1.7.2 iv).

Qualitative researchers become 'immersed' in the situation and the phenomena studied. Researchers assume interactive social roles where they record observations and interaction with participants. The researcher's role varies during data collection depending on the selected research approach (McMillan & Schumacher 2001: 396).

 To obtain rich quality data, validity must be addressed through honesty, depth, richness, scope of the data achieved, the participants approached, the extent of triangulation and the objectivity of the

researcher. The researcher collects data in a face-to-face situation that involves the interaction with selected persons.

The researcher used individual and focus group interviews to gather information. He involved all three principals of selected schools to gather information. Individual interviews enabled the subjects to feel free to express themselves fully and truthfully. The researcher used focus group interviews for members of the School Governing Bodies (SGBs) of the three selected schools. Furthermore, the researcher uses focus group interviews to elicit information from Learner Representative Council (LRC) members of the three selected schools.

3.2.1 FOCUS GROUP INTERVIEW

Focus group interviewing can be defined as a group discussion in which a small number of participants talk about a topic of special relevance to a study, under guidance (Ferreira & Puth, 1988: 167). During interviews participants tend to feel more comfortable and secure in the company of people who share similar opinions, views and behaviour than during an individual interview (Ferreira & Puth, 1988: 167). The participants interact with one another rather than with the interviewer, in such way that the views of the participants can emerge – the participants rather than the researcher's agenda predominates (Cohen, *et al.* 2000: 288).

Focus groups interviews are contrived settings, bringing together a specifically chosen sector of the population to discuss a particular given theme or topic, where the interaction with the group leads to data and outcomes (Cohen, *et al.* 2000: 288). Their contrived nature is both their strength and weakness: they are unnatural settings, yet they are very focused on a particular issue and, therefore, will yield insights that might not otherwise have been available in a straightforward interview;

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they are economical on time, producing a large amount of data in a short period of time (Morgan, 1988: 9).

Focus group interviews can be distinguished in terms of the research purpose they serve, the types of information and knowledge. For example, exploratory interviews differ from both clinical and experimental interviews in terms of the research purpose. Creating, collecting, identifying, discovering, explaining and generating thoughts, feelings and behaviours are all purposes of exploratory research (Fern, 2001: 5).

As group size increases, the role of the interviewer becomes more critical. There are fewer opportunities for participants to speak in large groups then in small groups. Reticent group members may be likely to hide in the crowd and withhold their participation in the discussion. Moreover, the larger the group, the more individuals will concentrate on information that is shared among the group members (Fern, 2001: 11). Another factor affecting the focus group interview is the research setting. The setting in which focus group interviews are conducted affects an individual participant's personal space and privacy (Fern, 2001: 49). People use personal space and various types of territorial behaviour in their attempt to seek ideal levels of privacy and personal space. People also react differently to threats against their personal space and privacy (Fern, 2001: 49).

Listening, observing and interpreting non-verbal communications is neglected in the focus group literature. Handling dominant, shy, disruptive and deceptive respondents is very important for the best outcomes (Fern, 2001: 95). There is much speculation about factors that affect the group dynamics in focus group research. Various authors talk about the effect of social comparisons, peer group pressure and influence of individual group members' responses in the context of the focus group (Fern, 2001: 97).

In this study, the researcher observed non-verbal communication in order to capture actions *versus* responses from the interviewee. The researcher engaged all the members of the focus group when interviewing participants in order to handle dominance, shyness, disruptive and deceptive responses.

3.2.2   IN-DEPTH INTERVIEWS

In-depth interviewing, also referred to as 'a conversation with a purpose' is a data-collection method on which qualitative researchers rely quite extensively (Hoberg, 1999: 29).   Interviews can be categorised into three general types: the informal conservational interview, the general interview guide approach and the standardised open-ended interview.   Typically, qualitative in-depth interviews are much more like conversations than formal events with predetermined response categories (Hoberg, 1999: 29).   The researcher explores a few participants' meaning perspective, but otherwise structures the responses.   The most important aspect of the interviewer's approach is an attitude of acceptance – that the participant's information is valuable and useful.   Interviewers should have superb listening skills and be skilful at personal interaction, question framing and gentle probing for elaboration (Hoberg, 1999: 29).

3.3   TRANSCRIBING THE DATA

The data were transcribed immediately after conducting the interviews. The hand written data were typed, and details such as dates and the location of the interviews were included.   If some participants used African languages during interviews, the researcher translated all such contributions to English.

3.3.1 DATA REDUCTION

Data reduction refers to the process of selecting, focusing, simplifying, abstracting and transforming the data that appear in written-up or transcriptions. Data reduction occurs continuously throughout the life of any qualitative oriented project (Smit, 2003: 83).

Once the audio interview recordings are transcribed into text, the reduction and analysis begin. In essence, the researcher reads the transcriptions while listening again, edited where necessary (Smit, 2003: 83). This data is classified, a process that involved breaking up data into bits and bringing it together again in a new way. This is a process of assigning data to categories or classes and identifying formal connections between them (Smit, 2003: 83). It is an important step in the analysis, for without the classification of data there is no way of knowing what are actually analysed and no meaningful comparisons can be made. Classifying data is an integral part of the analysis, which lays the conceptual foundations upon which interpretations – which make action meaningful to others – and explanations are based (Smit, 2003: 83). Classification is not neutral and it is done for a purpose, guided by the research objectives. Once the data is classified, irregularities, variations and peculiarities are examined and patterns are identified (Smit, 2003: 83).

Before data can be interpreted, it needs to be analysed. To do this, categories must be created from the data itself, despite the fact that the researcher enters the research with prior conceptions. Categories are also created from the implicit data – that is, data that is not recognised by the respondents themselves. To classify means to sort into 'belonging' to a particular group (Dey, 1993: 57).

To sum up, the core of qualitative analysis is a two-fold task – firstly, to elect a bit of data and, secondly, to assign it to a category, a process

called 'coding' (Dey, 1993: 57). Once the data collection process is under way, the next task in the analytic procedure is coding. Coding entails bringing a measure of organisation to the data and identifying conceptual categories (Noaks & Wincup, 2004: 129). At this point, the researcher will work with the data to produce categories in line with areas of interest (Noaks & Wincup, 2004: 129). Such activity is achieved by reviewing the data and attaching, what has variously been referred to as, tags or labels. Such activity should not merely be seen as a mechanical process, but as an opportunity for further reflection and thought on the part of the researcher regarding the messages that are emerging from the data (Noaks & Wincup, 2004: 129).

3.3.2 DATA ANALYSIS

Data analysis is the process of bringing order, structure and meaning to the mass of collected data (Nemutandani, 2004: 40). Nemutandani (2004: 40) adds that the most fundamental operation in the analysis of qualitative data is that of discovering significant classes of things, persons, events and the properties that characterise them.

This process of qualitative data analysis is described by Dey (1993: 10), in terms of meanings, which are mediated through language and action and tied to a particular context. Smit (2003: 82) says that to analyse literally means to break down the data; and Dey (1993: 30) asserts that analysis is referred to as a process of resolving data into its constituent components, to reveal its characteristic elements and structure.

Analysis of qualitative data includes the following issues: making sense, interpreting and theorising the data. This is done by organising, reducing and describing the data (Smit, 2003: 80). Smit (2003: 80) further maintains that data analysis in qualitative research refers to "reasoning and argumentation that is not based simply on statistical

relations between 'variable', by which certain objects or observation units are described." In other words, when using qualitative analysis as a means to explain or make sense of the enquiry, one does not use as evidence the frequencies or the quantities with which something occurs, but rather elicits meaning from the data (Smit, 2003: 80).

Qualitative data analysis is an ongoing and emerging process; it does not happen only at the end of the study, as is the case in quantitative research (Smit, 2003: 81).

Smit (2003: 81) outlines the following principles appropriate for most types of qualitative research analysis:

o Qualitative analysis takes place throughout the data collection process. As such, the research will reflect continuously on impressions, relationships and connections while collecting the data. The search for similarities, differences, categories, themes, concepts and ideas forms part of the continuous process.

o Analysis commences with reading all the data and then dividing the data into smaller more meaningful units.

o Data segments or units are organised into a system that is predominantly derived from the data, which implies that the analysis is inductive.

o The researcher uses comparison to build and refine categories, to define conceptual similarities and to discover patterns.

o Categories are flexible and may be modified during the analysis.

o Importantly, the analysis should truly reflect the respondents' perceptions.

o The result of an analysis is a kind of higher-order synthesis in the form of a descriptive picture, patterns or themes or emerging or substantive theory.

The researcher will interpret the findings in the light of the theoretical framework and within the context of a literature review.

3.4   VALIDITY IN QUALITATIVE RESEARCH

Validity is the confidence placed on the fact that the researcher's analysis and data accurately represent the social world in the field. Validity is divided into two categories: internal and external (Nemutandani 2004: 42). Internal validity refers to the degree to which the explanations and the phenomena match the realities of the world (McMillan & Schumacher 1993: 391). Internal validity of qualitative design is the degree to which interpretations and concepts have mutual meaning between the participants and the research (McMillan & Schumacher 1993: 391). Seale (1999: 40) adds that internal validity concerns the extent to which causal proposition is supported in a study of a particular setting, and is likely to hold true in other settings, an aspect of the generalizability of findings.

Nemutandani (2004: 42), as well as Cohen, *et al*. (2000: 109) in support of the foregone argument, maintains that external validity refers to the degree to which the result can be generalised to the wider population or situations. This includes the degree to which interpretations and concepts have mutual meanings between the participants and the researcher. Generally, validity means whether the data represent what everyone thinks it represents. The issue here is whether respondents answer honestly and conscientiously.   This depends partly on the respondent's frame of mind and attitude. It also

involves whether the respondents are able to answer the questions asked (Punch 2003: 42).

Denscombe (2002: 99) says that the matter of accuracy is often linked to the notion of validity. This notion carries a lot of weight as far as social research is concerned. 'Validity' is a word that has a definite positive connotation. For anything to be characterised as valid, it has to be described in positive terms. If it is valid, then it has gone a long way towards gaining scientific acceptance.

When one looks at the discussion of validity, one does not find a clear set of definitions, but a confusing diversity of ideas. There are substantial divergences among different authors' definitions, and there is even some overlap between definitions of the concepts (Denscombe, 2002: 100). Validity concerns the accuracy of the questions asked, the data collected and the explanations offered. Generally, it relates to the data and analysis used in the research. It refers to the quality of data and explanations, as well as the confidence people might have, that they accord with what is true or what is real. Claims to validity involve some demonstration that the researcher's data and analysis are firmly rooted in the realms of things that are relevant, genuine and real. Researchers act to reassure the reader that the research is not based on poor data and erroneous interpretations (Denscombe, 2002: 100).

The researcher must check each of the following: group composition, group size and the number of interviews, the appropriateness of the interview location, moderator characteristics and style, including data coding, as well as analysis (Fern, 2001: 95). Validity depends on good craftsmanship in investigation, which includes continually checking, questioning and theoretically interpreting the findings (Henning, Van Rensburg & Smit, 2004: 6). Henning, *et al.* (2004: 149) and Atkins, Coffey & Delamon (2003: 121) say that another way of finding out

whether an observation is 'valid' is to ask other people – especially the research participants.

3.5   RELIABILITY IN QUALITATIVE RESEARCH

Reliability is the degree to which the findings are independent of the accidental circumstances of the research (Cohen, *et al.* 2000: 117).   In other words, the respondents should answer the same questions in the same way if they were to be asked again (Punch 2003: 42). Denscombe (2002: 100) maintains that reliability refers to the ability of a research process to provide results that do not vary from occasion to the particular person's understanding the research.   Seale (1999: 147) asserts that reliability can be divided into two categories:

- *Internal reliability*:   This   means   the   degree   to   which   other researchers would match given constructs to data in the same way as the original researcher has done.

- *External reliability*: This concerns the reliability of the entire study. The researcher's task is to consider and try to overcome a variety of threats to reliability.

Generally, reliability means stability of response.   It is also related to the frame of mind, or attitude of the respondent when answering (Punch, 2003: 42).   Denscombe (2002: 100), says 'reliability' relates to the methods of data collection and the concern that they should be consistent and not distort the findings.   Denscombe (2002: 100) further says 'reliability' generally entails an evaluation of the methods and techniques used to collect the data.   It also refers to the ability of a research process to provide results that do not vary from occasion to occasion and that do not vary according to the particular persons undertaking the research (Denscombe, 2002: 100).   Fern (2001: 95) says that 'reliability' requires the conduction of a systematic analysis of

the transcripts or tapes to check for the consistency, reliability and equivalence of moderating procedures across groups. The coding scheme is also critical for evidence of reliability (Fern, 2001: 95).

The importance of reliability is obvious. Researchers need to feel confident that the results they obtain are not being affected by a research instrument which throws up different results each time it is used. They want reassurance that their results reflect differences in the thing being measured, not vagaries of the research process, the methods or the tools employed. The research process, for this reason, needs to be assessed for consistency (Denscombe, 2002: 101).

The value of any research will depend on whether or not it looks at the right thing. This, in itself, sounds logical enough. Of course, research which asks the wrong questions will be 'off-target' and will end up producing worthless results (Denscombe, 2002: 101). Interim consistency checks reliability, in terms of the way responses to individual questions or items exhibit a pattern of consistency. Specific questions or items might be expected to produce results which fit a pattern that is consistent with other items geared to the same concept, or they might be expected to match the overall results.

The qualitative researcher shares this concern for consistency, but in the researcher's case, there is an interesting twist to the situation. In qualitative research, the researcher tends to assume much greater significances as an instrument of data collection and, in the case of methods like participants' observation, can be regarded as a research tool in its own right. Consistency, in this instance, requires that the same person would find the same thing in a very similar situation and, more challengingly, that another participant observer would record the same events and emotions if investigating the same situation (Denscombe, 2002: 110). Denscombe (2002: 111) maintains it is no good producing results which are reliable, but wrong; the data need to

be reliable and right. Only if they are right can the data be deemed valid.

3.6 CREDIBILITY IN QUALITATIVE RESEARCH

Credibility refers to the state to which the results approximate reality and are judged to be trustworthy and reasonable (Cohen *et al.* 2000: 108). Credibility is enhanced when the research design takes into account potential sources of bias that may distort the findings. Bias can be referred to as a form of systematic error, a factor that influences the result or the outcomes and undermines the quality of the research (Cohen, *et al.* 2000: 129). The goal of a research design is to provide a credible answer to a question, and bias reduces the credibility of the results. By carefully designing the study, the researcher can eradicate or reduce biasness (Cohen, *et al.* 2000: 152).

3.7 ETHICAL ISSUES IN QUALITATIVE RESEARCH

Cohen, *et al.* (2000: 50) explains that ethics has to do with the application of a system of moral principles to prevent harming others, to promote the good, to be respectful and to be fair. Being ethical is essential when seeking to conduct sensitive issues. Research that harms or offends others, that appears to be conducted incompletely or invalidly without due regard for consequences, is likely to result in someone questioning the prerogative of the scientist to conduct such research. Cohen, *et al.* (2000: 50), maintain that qualitative researchers need to be sensitive to ethical principles because some practices and decisions may have ethical implications. The qualitative researcher must take into account the effects of the research on participation in order to preserve interviewees' human rights, such as human dignity and privacy (Cohen, *et al.* 2000: 50).

3.8   ACCESS AND PERMISSION

Permission must be obtained prior to any data collection. In obtaining permission, the researcher should have an agreement that permits access to any part of the site and all individuals (McMillan & Shumacher 2000, in Makhado 2002: 120). The procedures for gaining access are based on the enduring expectation that permission is needed. In the request to the district, schools, educators, School Governing Bodies and learners, the nature of the case study, the activity it is intended for, and the primary issues must be known to all people affected (Makhado, 2002: 121).

3.8.1   INFORMED CONSENT

Cohen, *et al.* (2000: 51), define 'informed consent' as the procedure in which individuals choose whether to participate in an investigation after being informed of facts that would be likely to influence their decisions. Participants should know that their involvement is voluntary at all times, and they should receive a thorough explanation before-hand of the benefits, rights, risks and dangers involved as a consequence of their participation in the research project (Cohen, *et al.* 2000: 50). Participants must be legally and psychologically competent to give consent, and they must be aware that they would be at liberty to withdraw from the investigation at any time (Bailey, 1996, in Makhado 2002: 121). To get informed consent, the researcher must make those being interviewed aware of the following:

- o   that they are participating in a research project;
- o   the purpose of the research;
- o   the procedures of the research;
- o   the risks and benefits of the research;
- o   the voluntary nature of research participation;
- o   the participants' right to stop the research at any time;

o the procedures used to protect confidentiality (Bailey, 1996, in Makhado, 2002: 121).

Informed participation is done in this manner to encourage free choice of participation. Only after the subjects have understood each of the above-mentioned aspects and have agreed to participate can the research continue (Cohen, *et al.* 2000: 51). Sometimes, for valid reasons, subjects are not informed that they are part of a research project. At times, it becomes difficult to inform them or, if informed before-hand, such information would make the subjects to act unnaturally, which can influence the results. For whatever reason, when subjects are involved without their consent, their right to self-determination is impaired. Informed consent remains necessary even if the subjects do not listen to explanations or even if they are not really interested in knowing (Makhado, 2002: 122). The researcher remains obligated at all times to give a complete explanation of the total investigation, without pressure, in clear and understandable language. Informed consent ensures the full knowledge and co-operation of subjects, while also resolving any possible tension, aggression, resistance or insecurity of the subjects (Makhado, 2002: 122).

3.8.2 CONFIDENTIALITY AND ANONYMITY

Cohen, *et al.* (2000: 62), maintain that confidentiality implies that only the researcher and possibly a few others should be aware of the identity of the participants, and should also have made a commitment with regard to confidentiality. Anonymity means that no one, including the researcher, should be able to identify any subject afterwards. The participant or subject is therefore considered anonymous when the researcher or another person cannot identify the participant or subjects from the information provided. The privacy of subjects can be ensured when proper scientific sampling is used. Researchers must inform those in the study whether the research is anonymous, confidential, or

neither (Bailey, 1996, in Makhado, 2002: 122). In a confidential study, the researcher knows the identity of the participants, but does not reveal who they are. It is unethical to identify an individual respondent. A researcher needs to ensure that the information provided by the respondents is kept anonymous and cannot be known (Cohen, *et al.* 2000: 62). The researcher has a dual responsibility – protection of the participant's confidentiality from other actors in the setting. Breaking confidentiality can result in serious ethical violation (Cohen, *et al.* 2000: 62).

3.9   THE RESEARCHER AS 'RESEARCH INSTRUMENT'

Qualitative methods sit more comfortable than quantitative methods with the notion of the human being as instrument (Flick, 2000, in Makhado, 2002: 124). The researcher is the 'measuring instrument' form measuring data; therefore, the researcher should be alert and sensitive to what happens in the research-field (Neuman, 1997: 354). Hammersly, Gomm & Woods (1994: 59) maintain that in qualitative studies the researcher is the 'instrument': much depends on what the researcher sees and hears and much rests on his powers of observation and listening. The kinds of skills that are involved are those of social management, interpersonal skills that facilitate the negotiation of access both into private places and private thoughts, that develop the kind of trust and rapport that encourage people to relax to be 'natural', to go about their everyday business in the researcher's presence in their usual way, and to hold nothing back in an interview (Hammersly, Gomm & Woods, 1994: 59).

Flick (2000, in Makhado, 2002: 124), says that the researcher as the research 'instrument' talks with people in the setting, observes their activities and reads their documents and written records. Qualitative inquiry relies on methods such as interview and observation as the

principal means of collecting data. The data collected take the form of words rather than numbers (Makhado, 2002: 100).

Qualitative researchers become immersed in the situation and phenomena being studied. The researcher chooses a research role during observation and interaction with participants in social situations. Five possible roles which the researcher chooses are those of observer, participant, observer participant, participant observer and interviewer. These roles vary in terms of the way the researcher's presence affects the social system or persons under study (Makhado, 2002: 124).

3.10   RESEARCH DESIGN

Research design refers to the plan and structure of the investigation used to obtain evidence to answer research questions. Data collected to investigate the research question is the most economical manner (Huysamen 1994: 10). The research design describes the procedures to be followed for conducting the study, including when, from whom and under what conditions the data will be obtained (McMillan & Schumacher 1993: 31). It determines what methods are to be followed for data collection as to elicit accurate answers to possible research questions (McMillan & Schumacher 1993: 31).

Booth, Colomb & Williams (1995: 1) maintain that research is more likely to 'come together' if researchers have a plan no matter how rudimentary. Before they start, the researchers should know precisely what they are looking for, what kind of material they will need, how to find it and how to use it.

3.11   SELECTING SITES AND PARTICIPANTS

The researcher selected three schools around the Temba District (North-West Province).   The selected schools are from township, a semi-rural area and from a rural area. The researcher considered well-established schools when making a selection. In other words schools which were established a long time ago and which have had the opportunity to draw up a code of conduct.

Details of the schools included are summarised in table 1 below:

Table 1: CHARACTERISTICS OF SCHOOLS SELECTED

	SCHOOL A	SCHOOL B	SCHOOL C
No. of learners	1 300	840	641
No. of classes	24	15	11
No. of educators	31	20	15
No. of LRC	24	16	12
No. of SGB	8	7	7
No. of non-academic staff	1	-	-
Locations	Township	Semi-rural area	Rural area
School Fees/2006	R250.00	R150.00	R100.00

SCHOOL A: is located in the mixed-income township and the majority of learners live nearby the school. Most learners walk to school. The school uses English as the language of learning.   However, the majority of learners are Tswana, North Sotho and Ndebele speaking.

SCHOOL B: is located in the middle-class income semi-rural area. Approximately 70% of learners live in the vicinity of the school, while approximately 30% of these learners travel by bus to and from school. The school uses English as the medium of instruction. The community, including learners, use mixed languages to communicate (that is, Setswana, Northern Sotho and isiNdeble). The Ndebeles who were taught Setswana at school dominate the area in which School B is

located. Most of their parents use Northern Sotho as a means of communication because they were taught Northern Sotho when they were learners, long before the independence of Bophuthatswana as a homeland.

SCHOOL C: is located in the lower middle-income rural area. Approximately 90% of learners live in the vicinity of the school. The school also uses English as the medium of instruction. However, some learners use Setswana to communicate, others use xiTsonga, Northern Sotho, while a few use isiNdebele and xiTsonga. The community also makes use of the above-mentioned languages. The majority of the parents work far from their homes, and as a result they come home at the end of the month.

PARTICIPANTS FROM SCHOOLS

The information about the principals and the SGB members of the schools selected were obtained. These include the age of the participants, their highest qualifications, employment and number of years in school governance.

SCHOOL A

PARTICIPANTS	AGE	HIGHEST QUALIFICATIONS	EMPLOYMENT	NO. OF YEARS ON SGB
Principal	55	B A Degree	Employed	7
Parent 1	51	Grade 10	Unemployed	2
Parent 2	43	Grade 12	Employed	1
Parent 3	49	Grade 8	Self-employed	1
Parent 4	35	Grade 12	Taxi Driver	1
Educator	37	UDES	Employed	2

SCHOOL B

PARTICIPANTS	AGE	HIGHEST QUALIFICATIONS	EMPLOYMENT	NO. OF YEARS ON SGB
Principal	49	B A Degree	Employed	8
Parent 1	57	Grade 9	Unemployed	2
Parent 2	48	Grade 12	Employed	4
Parent 3	36	Grade 12	Employed	1
Parent 4	60	Grade 7	Pensioner	5
Educator	33	FDE	Employed	1

SCHOOL C

PARTICIPANTS	AGE	HIGHEST QUALIFICATIONS	EMPLOYMENT	NO. OF YEARS ON SGB
Principal	54	SED	Employed	10
Parent 1	61	Grade 8	Pensioner	2
Parent 2	46	Grade 12	Employed	2
Parent 3	34	Grade 12	Unemployed	1
Parent 4	35	STD Dip.	Unemployed	1
Educator	38	ACE	Employed	1

In all schools selected principals pointed out that some members of the SGB were co-opted. In school A, the principal said that members chosen stopped serving on the SGB because they got jobs in Johannesburg. The principal said that they co-opted new members to replace members who resigned from the SGB.

In school B, the principal said that two members were replaced because they were always unavailable when they were expected to attend meetings or to perform certain duties in the school.

In school C, the principal said that one member withdrew from the SGB without disclosing the reasons for doing so. A second member was replaced when he took up a position in Pretoria. The third person

replaced was an unemployed educator who got a temporary teaching post in Rustenburg.

3.12   DATA COLLECTION

During the interviews with the participants mentioned above, a tape recorder was used to capture all discussions and field notes were made to record any additional information.   Tape recordings supplement the research by providing a permanent record of all the communication.   Nemutandani (2004: 38) maintains that through tape recording devices, the total interview process can be captured, and the interviewer is free to observe the respondents.   However, McMillan & Schumacher (1997: 433) maintain that the use of a tape recorder does not eliminate the need for taking notes to help reformulate questions and probes.

3.13   INTERVIEWS WITH PRINCIPALS

The principals of each school were individually interviewed.   Individual interview enables the subject to feel free to express themselves fully and truthfully (Mazibuko, 2003: 9).

In this study, each focus group interview with the SGB members of each school were conducted separately at the home of one of the SGB members of each school.   The settings of each focus group interview appeared to be conducive to the members being interviewed. Members interviewed also appeared to be more comfortable and secure.   The focus group interviews with LRC members of each school were also conducted at their homes.   Individual interviews with principals were also conducted after school hours.

One focus group interview with the LRC was conducted from each of the three selected schools.   In this focus group interview, four members of the LRC were interviewed.   Thus, 30 participants were included in

the research. Three individual interviews were conducted with principals, three focus group interviews with SGB members and three focus group interviews with the LRC members.

3.14 RANSCRIBING DATA

Data were transcribed immediately after the interviews. The transcriptions were hand written first and later typed. Details such as dates and the location of the interviews were included. Nemutandani (2004: 40) says that the final form includes the date, place and participants' identity or code. McMillan (1999: 433) adds that the final record contains accurate verbatim data as well as the interviewer's notation of non-verbal communication with initial insights for meaning. All contributions in African languages were translated to English.

3.14.1 DATA ANALYSIS

In this study, data were analysed according to the following eight steps, as described by Schulze (2000: 49):

- Read through all transcripts to get a sense of the whole. In support of this, Nemutandani (2004: 41) adds that when analysing data the researcher reads and re-reads the data in order to become familiar with it in an intimate way.

- Select one interview and think about the underlying meaning in the information.

- Do this for several interviews and then make a list of all topics. Cluster similar topics together in categories.

- Return to the data. Topics are abbreviated as codes and written next to the appropriate text. Check and see if new categories or codes emerge.

- Try to reduce the number of categories. Show interrelationships between categories.

- Make the final decision on the abbreviation of categories and alphabetic codes.

- Assemble the material for each category together.

The researcher interpreted the findings in the light of the theoretical framework and within context of the literature review.

3.15   VALIDITY OF THIS STUDY

In this study, the researcher ensured validity according to the following strategies determined by McMillan & Schumacher (1993: 391):

- *Length of data and collection period*

    The researcher took the whole year (i.e. twelve months). This included transcribing the data, data reduction and data analysis. These were done to provide opportunities for continual data analysis, comparison and corroboration to refine ideas and to ensure the match between research-based categories and participant reliability.

- *Participants' language*

    Simple and understandable language was used during the interviews. The researcher used English because it is used as

medium of instruction in the schools and is known by the majority of the people around Temba (North-West Province).

- *Disciplined subjectivity*

  The researcher wrote notes about his feelings regarding the topic in order to keep a reflex journal to guard against his personal perception about the topic researched.

3.16 ELIABILITY IN QUALITATIVE RESEARCH

In this study, the researcher used McMillan & Schumacher (1993: 386 – 388) approach to minimise the threat to reliability.

➢ *Researcher's role*

  In this study, the researcher chose a site where participants felt comfortable.

➢ *Informant selection*

  This was handled by careful description of the informants and the decision process used in the selection.

➢ *Social context*

  Physical description of people, the time and the place of the events or of the interviews is given.

➢ *Analytical premises*

The researcher made clear to participants the conceptual framework, which informed the study, and from which findings from prior research could be integrated.

➤ *Data analysis strategies*

The researcher provided retrospective accounts of how data would be synthesised. This included general strategies of data interpretation.

➤ *Data collection strategies*

Different methods of collecting data were used (i.e., interviews and observation).

3.17   ETHICAL CONSIDERATIONS IN THE STUDY

To gain access and permission to the subjects for the study, face-to-face verbal agreements were conducted to all three selected schools, and later a written agreement was entered into.   Arrangements to conduct the interviews were made after school to avoid interference with the running of the school activities.   The participants were informed about the purpose of the research, the voluntary participation and the withdrawal should anyone feel uncomfortable to participate. To ensure anonymity and confidentiality, the names and surnames of the interviewees, schools from where participants come and the locations of these schools were not published.   The audio cassettes and transcripts were destroyed after the entire process of documentation and evaluation of the research was completed.   The participants chose time and location for the interview, in order not to inconvenience them.

3.18   SUMMARY

This chapter provided a further discussion of the qualitative research methodology that the researcher would use to investigate the role of the School Governing Body in implementing a Code of Conduct for learners in secondary schools in the North-West Province. Furthermore, interviews as the data collection strategy and how these interviews were to be used were also included in this chapter.   The chapter described how data analysis was conducted; and the issues of reliability and validity were also outlined in this chapter.

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CHAPTER 4

PRESENTATION AND DISCUSSION OF KEY FINDINGS

4.1   INTRODUCTION

In this study, the results obtained from the analysis of transcripts pertaining to the role of the School Governing Body in implementing a Code of Conduct for learners in secondary schools are discussed. The data derived from the transcribed interviews were coded and labelled and then categorised. The relationships and links with common themes are discussed.

4.2   PERCEPTION OF DISCIPINE IN SCHOOLS

Perceptions are powerful determinants of behaviour. The perception discipline of all stakeholders in schools is therefore of great importance.

The principal of School A says, "Okay, … *generally the majority of learners behave well… except for a few learners. These learners usually come to school late, and do not wear the proper uniform and then … they sometimes fight with … other learners.*" However, the SGB of this school disagree with the view of the principal and contends that most learners at School A misbehave. The SGB of School A claims that the learners do not respect the educators and this view is confirmed by the learners' late coming to school, lack of respect for authority, lack of commitment and dedication to their schoolwork and

poor class attendance. The LRC members of the same school seem to support the opinion of the SGB, and point out that fifty percent of the learners are behaving themselves, while the other fifty percent does not.

When interviewing the principal of School B, he pointed out that the conduct of learners was 'average'. He further says, "*Plus minus sixty percent of learners display good behaviour.*" Once more, the SGB members of the school hold a different view on this issue saying that, generally speaking, learners behaved well. However, the members of the SGB emphasised that some learners do not respect their educators. The SGB claims that learners do not do their homework and other tasks given to them by the educators.

The principal of School C says, "*The conduct of learners in my school is very bad. They commit offences such as truancy, theft, vandalism, bullying, dodging and gambling.*" The SGB of the school agrees with the principal that learners do not behave well at the school and they point out that many learners come to school late. They are regularly absent from school, show a gross lack of respect for their educators, are reluctant to wear their school uniforms while some learners come to school drunk. The Learners' Representative Council of the school agrees with both the principal and the SGB that most learners do not behave well. The LRC supports its statement, "*The majority of learners do not listen to the educators and further provoke educators by making a noise during school hours.*"

The participants perceive learner discipline differently in schools. In School A for instance, the principal claims that the majority of learners behave well except for a few learners. Contrary to the principal's statement, the SGB says that most learners misbehave. On the other hand the LRC of the school claims that plus minus fifty percent (which is more or less half of the whole school) of the learners misbehave.

In School C, the principal says that the conduct of learners is serious in that offences committed by learners range from truancy, theft, vandalism, bullying, dodging and gambling. The principal and the members of the SGB are in agreement about the seriousness of misconduct in the school, point out late coming to school and general misbehaviour of learners – to which the LRC also agree – as a matter of concern. The LRC members supported their statement by saying that the majority of learners do not listen to their educators and make a lot of noise during contact hours.

From the interview sessions the researcher had with the principals, it is evident that their most common concern is that discipline means more than just observance of school rules. They emphasise that learners must be self-disciplined rather than simply obeying school rules. On the contrary, the LRC members of the sampling schools hold the belief that learners' observance of the school rules purports to discipline, while the SGB members of these sampling schools hold a different view, especially with regard to the lack of respect for educators.

It is against this background, therefore, that one may infer that various stakeholders (principals, SGBs as well as LRCs) perceive discipline and behaviour differently. This perception of discipline in schools further suggests that these stakeholders do not agree on what constitutes good and/or bad behaviour. The conclusion one may come to, therefore, is that people who have such different views of discipline are unlikely to agree on what should be included in the Code of Conduct for learners.

DISCUSSION

Discipline in education is a complex phenomenon and as such difficult to define (Mabeba & Prinsloo 2000: 34). Rodgers (1994: 151) defines

the concept 'discipline problems' as disruptive behaviour that 'significantly' affects the fundamental rights to be safe, to be treated with respect and to learn. Discipline problems refer to the manifestation of behaviour which interferes with the teaching process and/or seriously upsets the normal running of the school (Lawrence, Stell & Young 1989: 45). Mole (1990: 3) in addition, claims that discipline includes behaviour which obstructs successful learning, including teacher incompetence. Wiseman (1993: 3) contends that discipline, including violence in schools, should be defined to include 'anything' that affronts a child or teacher or staff members' ability to function in a safe conducive learning environment. Examples of poor learner behaviour range in severity, from not concentrating in the classroom and neglecting to do homework, not adhering to the dress code of the school, theft and an act of violence and vandalism (MacDonald 1997: 1440. Myers, Milne, Baker & Ginsburg (1987: 18 – 19) argue that discipline problems in schools lead to a drop in achievement that in turn creates greater discipline problems.

4.2.1 EXPERIENCES OF LEARNER MISBEHAVIOUR

During interviews, participants cited examples of misbehaviour found in their schools.

During the interview session the researcher had with the principal of School A, he mentioned that the majority of learners behaved well, except for a few learners. However, his statement on the generally unsatisfying behaviour of learners was not consistent with his claim that learners in general were well behaved. For example, he pointed out: "*Learners usually come to school late, fought one another over petty issues, showed gross reluctance to do schoolwork such as homework, carried dangerous weapons and illegal drugs onto the school premises, bullied other learners and stole other learners'*

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possessions." The SGB listed similar examples of misbehaviour as did the Learner Representative Council members of school A.

In School B the principal further claimed the conduct of learners is average. However, he gave similar examples to those mentioned by the principal of School A, and so did his SGB members. The Learner Representative Council members of the school were initially reluctant to discuss the issues, especially when it came to giving examples of learner misbehaviour and/or conduct. Finally, when they did discuss the issues, it became evident that they (issues) were similar to those of School A.

In School C the principal, unlike the principals of Schools A and B who respectively claim that their learners display good conduct. He did, however, acknowledge that these offences occurred occasionally. Examples mentioned by the principal of School C were somewhat similar to those mentioned by the principals of Schools A and B the only difference being where cases of glue sniffing and gambling were not mentioned by the other schools. Over and above, there existed commonality in the mentioning of cases which were similar, by the School Governing Body and the Learners' Representative Council of School C with those mentioned by the other two schools.

DISCUSSION

Examples of learner misconduct cited are not unique to these schools. Christie (1998: 283) claims that these schools in South Africa share common problems such as: poor attendance of students, conflicts, vandalism, gangsterism, rape and substance abuse in and around schools. Butchart & Mc Evan (1998: 38) argue that the long-term social objectives of school discipline have been ignored while the immediate control of learners is stressed. This means that rather than developing philosophies of discipline linked to a vision of a preferred

social order, academics have developed models' whose models only criterion for success is their short-term goal of classroom order. This is true of many schools in South Africa.

It is hoped that the guidelines with alternative strategies to corporal punishment will enable educators in their classes to deal with discipline more constructively (Department of Education 2000).

4.3   SAFETY AND SECURITY OF LEARNERS IN SCHOOLS

Regarding the issues of safety and security in schools, the principal of School A said, "*Generally, most learners are safe and secure except here and there.*" The principal of the school contradicts himself when he says that learners fight each other, they bully other learners and carry drugs onto the school premises. He further adds, "*There are gangsters in the community and some learners are members of such groups of gangsters. The unfinished or unresolved squabbles from the community overlap onto the school premises thereby causing gross indiscipline in schools.*" The members of the Learner Representative Council of School A did not want to comment about their safety and security in the school. They said they were not sure if they are safe and secure in their school. They, however, acknowledged that there exists bullying, intake of alcohol, the use of illegal drugs such as dagga, fighting and the carrying of dangerous weapons.

The School Governing Body of School A did not want to commit itself on the issues of the safety and security of learners. They said that they sometimes convince themselves that learners are safe and secure in the school, only to find that learners carry dangerous weapons that may endanger their lives or those of others. At the same time they acknowledged that some learners came to school drunk, while others trafficked drugs onto the school premises.

In School B, the principal pointed out, "*There is absolutely no safety at our school as strangers get in and out as they please because the fence at the back was stolen and there is no money to buy another fence.*" The principal pointed out that some learners smoked dagga and cocaine in the schoolyard. The School Governing Body added, "*This is something which is a problem at school. Learners get in and out as they wish and also strangers get in and out as they please. If you ask teachers who the stranger is, they also allege that they do not know him/her.*"

The School Governing Body alleged that whenever they demanded an answer from the management of the school about the free access onto the school premises, the management indicated that it also was as baffled by the free access onto the premises as the SGB was.

In School C, the principal said, "*We do not have a safety and security policy in place in our school. Sometimes learners come to school with dangerous weapons such as knives without being noticed. We rely on those brave learners who inform us about any drugs or weapon smuggling onto the school premises. In short, safety and security measures are poor at our school.*" He alleged that some learners assaulted others. They also came to school drunk or having sniffed glue and started bullying other learners.

The School Governing Body of School C agreed adding,"*Learners are not safe. The only way to save them is to put up proper fences and burglar proofs. If it is possible, there must be security within the school premises to secure and take care of learners and educators at the school.*" The SGB of School C further raised its concern about the hole which had been cut through the school fence making it easier for a person to get through unnoticed. The Learner Representative Council of School C claimed that there was no safety and security in the schoolyard.

DISCUSSION

In the light of the above-mentioned information, it is questionable whether the School Governing Bodies of schools serve their purpose as stipulated in SASA (RSA 1996a Section 20 – 21). One of the tasks is the maintenance and improvement of the school grounds (De Villiers, *et al.* 2000: 109) to protect learners against strangers and any other person who may enter the schoolyard and endanger the lives of the learners in the school. It is against this background that it becomes evident that some areas of major concern such as the safety and security of learners are still wanting in many schools. It is further against this background that the conclusion can be reached that SGBs of schools need to be seriously involved in executing their functions, lest this uncertainty of whether learners are safe or not remains prevalent in schools. Once this is taken care of, the issues of indiscipline in schools could be addressed, thus creating an environment conducive to teaching and learning .

The uncertainty of the safety and security of learners in school is supported in literature. Jewkes & Abrahams (2000: 16) cited that 30,8% of the girls are reported to have been raped by their educators. They further add that the girls interviewees stated that they had been either 'forced' to have sexual intercourse or were persuaded to do so, often in return for favours from their educators. Van Wyk (2001: 14) adds that some girls also stated that fellow learners at the school had raped them. Van Wyk (2001: 13) further points out that educators sent learners to buy liquor for them during school hours and drank alcohol with learners. The above statement suggests, therefore, that some learners are not safe in school because even educators who are

expected to care for them and make them feel secure can molest and/or seduce them, apart from sharing with them a bottle of beer.

Van Wyk (2001: 8) supports this by saying that examples of misconduct include late coming, theft, being not committed to studies, going on strike, vandalism, treating educators with disrespect, leaving the school premises during the day to buy liquor, drug abuse, gangsterism, bullying fellow learners, carrying dangerous weapons and rape. Moles (1990: 3) adds to this by mentioning the following learner misbehaviour: not adhering to the dress code of the school, theft, violence and vandalism.

Butchart and Mc Ewan (1998: 39) argue that the long-term social objectives of school discipline in the United States of America have been ignored while the immediate control of learners is stressed. This means that rather than developing philosophies of discipline linked to a vision of a preferred social order, academics have developed models whose only criterion for success is their short-term goal of classroom order.

4.4 CAUSES OF LEARNER MISCONDUCT

During the interviews there were a number of factors raised as causes of learner misbehaviour. The following have been mentioned as some of these factors:

4.4.1 PEER GROUP PRESSURE

Participants interviewed indicated that peer group pressure was one of the factors that caused learners' misconduct. The principal of School A further asserted that there were gangsters from the community in which learners are members and often unresolved gang disputes resulted in fighting among these groups during school hours, thereby causing

serious indiscipline in schools. Both the School Governing Body members and the Learner Representative Council members of School A also agreed that peer group pressure was the cause of learner misconduct.

In School B, the principal, the SGB members and the LRC members also agreed that peer group pressure was the cause of learner misconduct. In School C, the principal and the SGB members cited peer group pressure as one of the factors causing learner misbehaviour. The LRC members of the school were silent on the issue of peer group pressure.

DISCUSSION

Coleman & Bergin (2001: 113) assert that peer group pressure and gang violence are some of the factors causing learner misconduct in schools. Peer group pressure is an important factor in children's behaviour. The pressure may be extremely strong and hard to resist.

Peer group pressure is a major problem for teenagers, caused by influences imposed by others on the group and their wanting to fit into certain groups. Peer pressure may influence an individual to do something he/she would not normally do. Teens want to be in with people of their own age – their peers. During their teen years, teens spend more time with their peers and without parental supervision. With peers, teens can be both connected and independent, as they break away from their parents' images of them and develop identities of their own.

The need for acceptance, approval and belonging is vital during the teen years. Teens who feel isolated or rejected by their peers may engage in risky behaviour in order to fit in with a group. In such situations, peer pressure can impair good judgement and fuel risk

taking behaviour. Consequently, drawing a teen away from the family and positive influences and luring him/her into dangerous activities may enhance bad behaviour.

A powerful negative peer influence may motivate a teen to make choices and engage in behaviour that his/her values might otherwise reject. Some teens may risk being grounded, losing their parents' trust, or even facing a jail term, just to try and fit into or feel like they have a group they can identify with and which accepts and idolises them.

If teens associate with people who use drugs or display self-destructive behaviour, then they may also do the same as the group does. Peer group pressure is traditionally seen as negative pressure. For many young people, it is their peer group that influences their values and behaviour.

4.4.2 SOCIO-ECONOMIC FACTORS

Another factor mentioned was the family home background of learners. One of the comments made by the principal of School C, "*The main cause of learners' misconduct is the background*" attests to the importance with which the family background of a learner is associated with his/her conduct. The principal further pointed out that learners (especially female learners) have stepfathers who sometimes abuse them sexually. The principal further pointed out that because of stepfathers some homes experience conflicts which end up traumatising young learners (both girls and boys) who finally exhibit unacceptable behaviour – either by bullying other children, or by being reserved and/or by poor academic performance. The LRC members of the school attested that the family backgrounds of learners play an important or negative role in the manner learners conduct themselves. The LRC further agreed that, more often than not, lifestyles lived can be judged in children, whether good or bad , while the SGB members

unanimously agreed that some learners behaved badly because they wanted to please their friends.

In School B, the SGB members said that some learners did not have food at home and when they arrive at school started to provoke educators and other learners. The SGB members further pointed out that the manner in which a child was brought up also has a bearing on his/her general behaviour. The SGB members of School B indicated that parental conduct also influences the child's behaviour. The SGB of School B is of the opinion that, "*Kids behave badly or better because of their parents at home. Some parents perceive the school negatively thus influencing learners negatively towards the school.*" The LRC members of School B did not say much about the socio-economic factors. They did admit, however, that there were problems at the homes which impacted negatively on the children's behaviour, but did not reveal what these problems were. The principal of the same school also agreed that problems emanating from learners' homes had a negative impact on learners.

In School A, the LRC members said that the home background of a learner may encourage learner behaviour. The principal and the SGB members also concurred that the home background may have both a positive and a negative impact on learners. The principal said that the school might be viewed by a learner as a place where things he/she believed in are done in a way that he/she was not used to. For instance, the school may try to instil the notion of respect towards others in the child while respect may be something unheard of in the life of the child whose parents normally resolve their differences by using obscene language. The school's attempt to inculcate such moral values in the learner might meet with a serious rebuff.

DISCUSSION

Compelling evidence indicates that parents and communities contribute to the development of problem behaviour by failing to provide the necessary social skills and support and by modelling inappropriate behaviour at home (Lewis, Sugai & Colvin, 1998: 446). Lewis, *et al.* (1998: 447) continue to assert that children may enter school with a learning history that sets the up for further behavioural problems.

External factors are generally blamed for the behavioural problems of learners. Educators attributed learner misconduct to factors outside the school (Van Wyk 2001: 10). Parents forget that they are the primary educators and thus, do not do their duty as is expected. Involvement in school disciplinary problems is often difficult for many parents who are struggling to survive and have almost no energy left for school obligations. Moreover, some educators claim that poverty at times compels parents to engage in criminal activities to survive. This may set a poor example to the children in the home, thus modelling bad behaviour (Van Wyk 2001: 10 – 11). Lewis, *et al.* (1998: 446) in addition point out that poor socio-economic conditions and the country's turbulent history may negatively influence school discipline.

4.4.3 DRUGS AND ALCOHOL

The use of drugs and alcohol in schools is one of the factors that the participants raised as the cause of misconduct. The principal of School C pointed out that learners misbehave and cause disciplinary problems after using alcohol or sniffing glue. This is a major problem in boys. The SGB pointed out, "*Learners deliberately come to school drunk or sometimes carrying dagga and disrespect educators.*" The LRC members of the school agree with the forgoing statement and add that learners misbehave after drinking beer or doing drugs.

In School A, the SGB members pointed out that beer drinking influenced the bad behaviour of learners. The principal of School A alleged that the use of drugs such as dagga and/or cocaine is the cause of learner misconduct in the school. The LRC members of the same school held a different view namely that the use of drugs and alcohol cannot be the cause of learners' misconduct.

In School B, the principal said that most learners, especially boys, misbehave because of alcohol and drug abuse. The principal further asserted that the use of drugs and alcohol influences the behaviour of a learner negatively, resulting in the exhibition of unacceptable behaviour. Consequent to the use of these drugs, a learner's concentration and the ability to reason properly become impaired, thereby retarding the learner's competency to perform academically. Besides, a learner's ability to reason rationally may be permanently corroded if the learner is not rehabilitated, and it may even lead to the learner's inability to control him-/herself, thereby becoming a threat to other learners in the school. The Learner Representative Council members of School B preferred not to make any comment on the issue of drugs and alcohol abuse. However, they acknowledged that there were some boys who smoked dagga and misbehaved as a result. SGB members also agreed that the cause of misconduct is the use of alcohol and drugs and this ultimately leads to disrespectful behaviour by learners, who are under the influence of these intoxicating substances.

DISCUSSION

The presence of drugs in schools poses a serious threat to the physical wellbeing of learners and as a result there is a need to curb this bad habit on school premises. However, it must be mentioned that making our schools the 'drugs free zones' is a mammoth task that needs major effort. Another worrying factor with regard to drugs in schools is the

easy access learners have to these substances. Our schools have become fertile grounds for drug trafficking, and drug dealers are using our unsuspecting innocent children to expand their drug markets and to remunerate these learners for these killing substances. Often educators have a very good idea that learners are using or selling drugs, but simply lack the evidence (Squelch 2000: 57).

Crime and violence are on the increase in schools and educators have to deal with a wide range of criminal acts perpetrated by intoxicated learners. One of the more prevalent crimes includes drug abuse (Squelch 2000: 55). Van Wyk (2001: 8) adds that learners abuse alcohol and drugs and there have been incidents of theft and vandalism in schools. Learners leave the school premises during the day to buy liquor and drugs which are easily accessible to them in the streets of our townships and villages.

With the increasing problem of drugs in schools, officials are turning to the police for their trained drug 'sniffer' dogs to sniff out drugs in schools (Squelch 2000: 47). Snyman (1995: 145) argues that a person, in legal terms, has the capacity to stand trial, if he or she has the mental abilities required by the law to be held responsible and liable for his/her conduct.

4.5 CODE OF CONDUCT FOR LEARNERS

A Code of Conduct is a collection of a number of binding rules and principles reflecting certain moral standards and values at the school. The word 'conduct' refers to the behaviour, acts and omissions, (and perhaps attitudes) of learners (Visser 1999: 147).

4.5.1 DEVELOPING A CODE OF CONDUCT FOR LEARNERS

When interviewing the principal of School A on how they developed a Code of Conduct for learners, he pointed out, "*The task team was chosen to draw up the Code of Conduct for learners. In fact, the task team, comprising of teachers and other members of the school management tea, drew up a draft Code of Conduct and brought it to the SGB for approval.*"

The principal of the school further asserted that the task team used SASA (RSA 1996a) as reference and guidelines to draw up the Code of Conduct. When asked about the role of the SGB members in drawing up the Code of Conduct, the principal further pointed out that the SGB members were excluded on the basis that some of them had received little education and would not understand certain policy requirements. He further pointed out that the SGB members were used to approve and ratify the final draft of the policy document.

During the interview session with the SGB members it became evident that the SGB members knew nothing about the drafting of the Code of Conduct for learners. One of them said, "*We do not know anything regarding the drawing up of the school's Code of Conduct for learners because we were shown papers by the educators and they told us that they have made rules for learners. The truth is that we were never involved at all. They only told us after they had completed everything regarding those rules. We were given the opportunity to amend the school Code of Conduct.*"

The SGB members of School A pointed out that they were not allowed to make any comments on the contents of the school Code of Conduct even when they had queries, but to take things as they were. The LRC members of the same school also pointed out that they were not involved. One of the members pointed out, "*We do not have any idea*

concerning the drafting or drawing up of the school's Code of Conduct because we found it ready when were elected." They all indicated that they only knew that the Code of Conduct existed but they had never seen it.

In school B, the principal pointed out that a group of four educators and SGB members drafted the Code of Conduct, and later presented it to the staff and the student body for ratification. The principal further added that 80% of the SGB members do not have matriculation and they would not know what is expected from them in the drawing up of the Code of Conduct. The principal further pointed out that the SGB members were not informed about policy matters as their level of education was very low, while emphasising the importance of their presence in drafting such a document.

On the other hand, the SGB members of School B indicated that they were not involved in drafting the Code of Conduct. This was contrary to what the principal of the same school said when he indicated that a group of about four educators and the SGB members were involved. The SGB members of School B pointed out that the educators drafted the school Code of Conduct and brought it to the SGB meeting to be discussed. The SGB members further claimed that during discussions leading to the drafting of the Code of Conduct, two Learner Representative Council members were present. The LRC members contended that learners were not involved in the drafting of the Code of Conduct.

In School C, the principal said, "*To tell the honest truth the SGB members were not involved in drafting the Code of Conduct for learners.*" The principal further asserted that educators who served in the Disciplinary Committee only drafted the Code of Conduct for learners. The principal added that the Disciplinary Committee thought that it was not necessary to involve the SGB members because they

regarded them to be illiterate and they do not always attend meetings. The SGB members of School C admitted that they did not draft the Code of Conduct. They said, "*They did not include us when they drew up the school Code of Conduct.*" The SGB members added that the principal and his close friend did the drafting of the Code of Conduct.

The SGB members pointed out that the principal and other educators brought the document to the meeting where they explained a number of clauses in the document, dealing with late-coming, prohibition of the use of drugs and alcohol, etc. The SGB members said that the principal of the school instructed them to sign the Code of Conduct. The LRC members said that they were not involved in drawing up the draft Code of Conduct.

During the interviews participants indicated that the School Governing Body members were not included during the drafting of the school Code of Conduct for learners. Educators drafted the Code of Conduct for learners. This is contrary to the rules of SASA (RSA 1996a) Section 8 in which the involvement of SGB in drafting the Code of Conduct for learners is emphasised. The three principals of the three schools all pointed out that members of their SGBs are not educated, and the exclusion of these members from participating in the formulation of the Code of Conduct for their schools was on that basis.

Statistical evidence as to their level of education was given as less than 80% having reached matric. Besides, all three the principals alleged that educators view SGB members as illiterate and uninformed as far as policy matters were concerned. The question raised by the three principals of the three schools then was, "*How can these stakeholders (the SGB members) with such little or no education be able to understand simple policy matters, needless to say draft the Code of Conduct for learners?*" SGB members could use the SASA (RSA 1996a) to draw up the Code of Conduct for learners. The

perceptions, with which these principals and educators view SGB members, frustrated and made any attempt impossible to inclusively involve all in drafting the Code of Conduct for learners of these schools.

DISCUSSION

In South Africa the purpose of the SASA (RSA 1996a) is to develop an accountable and democratically governed school system based on a partnership between Government Schools and local communities (Harber 2001: 18).

Subject to the SASA (RSA 1996a Section 20 & 21), the governing body of a public school in South Africa must, among others, develop the mission statement of the school, adopt a Code of Conduct for learners of the school after consultation with the learners, parents and educators of the school [SASA (RSA 1996a)].

If lay persons on governing bodies are to fulfil the tasks with which they are charged, they need to acquire some professional knowledge themselves, otherwise the bureaucratic professionals will not only retain their power but extended it (Deem, Brehoney & Heath 1995: 73).

The drawing up of the school Code of Conduct should be based on sufficient information gathered by all members. In other words, a school Code of Conduct should incorporate suggestions and consensus from educators, learners, parents and non-educator staff members (Squelch 2000: 21). The Code of Conduct may not conflict with the existing laws. This includes the applicable legislation, instructions, policies and directives of the Head of the Department of Education (Joubert & Prinsloo 2001: 130). Jourbert and Prinsloo (2001: 130) further attest that the Code of Conduct cannot be an arbitrary creation of the principal and educators alone.

The SASA (RSA 1996a Section 19) obliges provincial governments in South Africa to provide training for governing bodies workshops. In this way, the state aims to build a framework for school governance, which is characterised by a sharing of power among parents, educators and the community in a way that will support the core values of democracy. However, most provincial departments do not have the resources to do so, which makes it extremely difficult for the provinces to provide adequate training for School Governing Body members. This threatens to defeat the aim of Governing Bodies as it is unlikely that the Governing Body members can make informed judgements without adequate training (Mahoney 1994: 191).

It is not surprising to have the untrained members of School Governing Bodies in South Africa because this was found to be the case in countries such as the United States of America where most of the School Councils/School Governing Body members failed to deal with the instruction issues such as the school improvement plans and/or discipline (Carter & O' Neill 1995: 33).

4.5.2   REVIEWING AND REVISING THE SCHOOL CODE OF CONDUCT

When interviewing the principal of School A about review and revising the Code of Conduct for learners, he immediately said, "*The school Code of Conduct is revised when the need arises, in other words, if there are changes or amendments from SASA and other legislatures. The task team then revises or reviews the Code of Conduct for learners.*" On the other hand, the SGB members of the school said that they did not have any idea regarding how to review or revise the school Code of Conduct for learners. The LRC members of the school pointed out that they did not know anything about the school Code of Conduct.

In school B, the principal of the school claimed that the school Code of Conduct was revised and reviewed every year. The SGB members on the other hand, said that they did not know anything about the reviewing or revising of the school Code of Conduct. The SGB further pointed out, "*The truth is that we as SGB members are never being called to school to talk about anything regarding the Code of Conduct for learners.*" The SGB members pointed out that they are normally not called to come and make inputs on reviewing and/or revising the Code of Conduct for learners. The LRC members of the same school argued that the Code of Conduct for learners was never revised or reviewed. The LRC based their argument on the letterhead that the Code of Conduct still bears the letterhead that was used the previous year, which they regard as being an 'old letterhead' and was supposed to have been changed.

In School C, the principal of the school admitted that the school Code of Conduct for learners was never revised or reviewed since it was drafted five years ago. The SGB members of School C agreed with the principal in that the school Code of Conduct for learners was never revised or reviewed. They pointed out that the school manager or any other members of the SMT (School Management Team) did not call them when they drafted the Code of Conduct. They further alleged that the Code of Conduct for learners has being the same for years. The LRC members of the school had mixed feelings about the issue; some members pointed out that they had only heard educators talk about review and revision of the Code of Conduct for learners review and revision, but had never seen it happen, while others asserted that they only get the information from educators especially when meting out disciplinary measures that certain rules have been introduced in the school Code of Conduct for learners.

From the interviews, it was evident that the school Code of Conduct was never revised or reviewed yearly, as it was to be case. The

question therefore is, if the government changes or amends legislatures and schools do not amend, revise or review their Code of Conduct, what impact does the practice have on the human rights of learners? This may create a problem between school and the learners who are affected because of conflicting information from the not revised or reviewed Code of Conduct and the amended legislature.

It seems as if, even if the school Code of Conduct is revised, the principals and the educators do not include the SGB members (parent component) and the LRC members. The reason is that members of the LRC and the SGB claimed that they do not know anything regarding the reviewing or revising of the school Code of Conduct. The issue may be that members are not aware of the changes in the Code of Conduct. The result may be that learners may do certain things that are not allowed by the newly revised or reviewed Code of Conduct. This may create disciplinary problems in the school because learners may consistently be doing prohibited things unaware that they were violating the Code of Conduct.

4.5.3 DOUBTING THE CODE OF CONDUCT

The researcher requested three Codes of Conduct for learners of the selected schools from the principals. In School A, there was no stamp or signature to indicate the authenticity of the document; needless to say the date to indicate when the document was amended, revised or reviewed was not apparent. The principal of School A refused to the give the researcher the alleged old Code of Conduct or the new one.

In School B, the principal claimed that they reviewed and revised the school Code of Conduct every year, but when the Liaison Officer (TLO), Mr X, gave the researcher a copy of the school's Code of Conduct it became obvious that the copy was an old Code of Conduct and not a new one as alleged. For instance, the date and signature

confirmed it was signed in 2004 but Mr Y, who was then an educator at School B had since been promoted to another school. In other words, the Code of Conduct had obviously not been revised since 2004.

In School C, the principal gave the researcher a copy of the Code of Conduct containing the school stamp indicating it was stamped on the 20th January 2000. The stamp on the copy of the Code of Conduct suggested that the policy document was never revised or reviewed for a period of five years. The principal of School C further admitted that the Code of Conduct had not been revised nor reviewed for some years.

Looking at the Code of Conduct for the three schools, it became clear the three documents were never revised and reviewed for some time. The information on these documents further suggested that the schools may be having disciplinary problems because of the legislature changes which may affect learners negatively if the Code of Conduct for learners were not in line with departmental documents dealing with how people within the school should interact.

DISCUSSIONS

The SASA Section 20 outlines the functions and tasks of the SGB members (RSA 1996a) one of which emphasises the need to develop a Code of Conduct for a school (RSA 1996a). The Code of Conduct needs to be effectively implemented and frequently reviewed and revised to meet the ever-changing needs of the school community (De Villiers *et al*. 2000: 103 −104). Joubert & Prinsloo (2001: 130) argue that the Code of Conduct remains applicable unless it is abrogated or amended. Their reviewing of the school Code of Conduct should be based on comments and suggestions of the school community and a final draft should be written and presented for the approval by the parents and educators (Squelch 2000: 21). Joubert & Prinsloo (2001:

130) point out that it is important to know that the Code of Conduct should not be in conflict with the applicable legislation, instructions, policies and directives of the Head of Department of Education. When amending the Code of Conduct, the amended rules should naturally conform to the above-mentioned requirements (Joubert & Prinsloo 2001: 133).

4.5.4 COMMUNICATION OF THE CODE OF CONDUCT TO LEARNERS AND PARENTS

The principal of School A, when asked about the awareness of the learners about the Code of Conduct, said that the task team gave the Learner Representative Council copies and allowed the LRC members to discuss with the student body. The discussion of the document was done under the supervision of the TLO. When asking the principal of School A how the document was communicated to parents, the principal pointed out that he, together with the SMT, read out the document to the parents who had been invited to attend a meeting scheduled for the purpose. Copies of the Code of Conduct were given to learners to acquaint themselves with what was expected of them as in far as the Code of Conduct was concerned.

When the SGB members were asked as to how they ensured that the learners understood everything about the Code of Conduct, they retorted that unfortunately they did not have the time to question learners as to whether they understood the document. When the SGB members of School A were asked how they communicated the Code of Conduct to parents, they indicated that they held parents meetings with parents where they read out the Code of Conduct to them.

In School B the principal claimed that each learner received a copy of the Code of Conduct and read it him-/herself. He further pointed out that parents are called to school and the document is read out to them.

However, when asked about those parents who did not attend meeting, the principal reported that they could not go to individuals to their respective homes to read it out to them. On the other hand, the SGB members of School B argued that they were not involved at all in communicating the school Code of Conduct. The SGB claimed that they did not discuss the Code of Conduct at all. The SGB further said that they were excluded when communicating the Code of Conduct. The SGB further said that they also did not discuss the Code of Conduct with anybody. The SGB members claimed that the school gave parents copies of the Code of Conduct to read at home. However, SGB indicated the reluctance of parents to read it thoroughly and further pointed out parents' tendency to simply sign a document without carefully reading its contents.

In School C the principal admitted that the Code of Conduct for learners was never communicated to learners. The principal said, "*The school disciplinary committee indicated that it was not necessary to communicate the Code of Conduct to learners, as they do not understand what it entails.*" When asked how the document was communicated to parents, the principal was quick to say, "*The Code of Conduct was never communicated to parents, the reason being it was a document specifically meant for learners and not for parents.*" The principal concluded by saying that he did not see the reason to communicate the Code of Conduct to parents.

The SGB members of the school pointed out that they did not know anything about the communication of the school Code of Conduct to learners and parents. The LRC said that the educators issued papers containing the Code of Conduct to read and to give to parents.

Comparing the *modus operandi* of the three schools, it is clear that the principal of School A gave LRC members of School A copies of the Code of Conduct to read and discussed it with the entire student body.

However, it is questionable whether learners understood what the Code of Conduct entails, firstly, because of their level of understanding English, and secondly, because they alleged educators did not explain the contents fully to them. This further suggests a high probability that learners did not really understand what the Code of Conduct expected of them. It was further pointed out that the SGB members of School A read out the Code of Conduct to parents, an action which further raises a question as to whether the parents who did not attend the meeting should not also be informed.

In School B, the principal said that each learner received a copy of the Code of Conduct and read it. LRC members of the school admitted that they were given a copy of the Code of Conduct to read. Questioning how the Code of Conduct was communicated to parents, the principal of School B indicated that the school sent copies to parents. The SGB, however, pointed out that they were not involved in the process of communicating the school Code of Conduct, a statement that contradicted the principal's.

This may suggest that the Code of Conduct for learners is not communicated to parents. In the light of the above-mentioned statement, the parents' body and the SGB of School B may not have knowledge of what the school Code of Conduct entails and the repercussions of violating the code. The LRC, on the other hand, indicated that there was no meeting held to discuss the Code of Conduct between both the SGB members and the educators. The LRC members of the school further alleged that the school management gave them the Code of Conduct to give to their parents at home who signed the copies of the Code of Conduct without even bothering to read the contents thereof. This is understandable given the level of literacy of parents and the fact that the Code of Conduct is only available in English, a language most parents do not understand.

In School C, the principal of the school indicated that the Code of Conduct for learners was never communicated to parents and learners. This was reiterated by the SGB members. On the other hand, the LRC claimed that the school issued papers containing the contents of the school Code of Conduct to read by parents at their homes. It is evident from the preceding statement that both parents and learners may not be aware that they may be violating the regulations of the Code of Conduct. This may enhance disciplinary actions against learners and result in the creation of an unhealthy environment which is not conducive for learning and teaching.

DISCUSSION

The SGBs have, by virtue of the SASA, been assigned considerable power and responsibility and can, among other things, capture the schools character and identity in the wording of the school's policy, as well as determine the way in which the school should achieve its purpose 'systematically and consistently' (Gallagher 1992: 28). This calls for a sound knowledge of schooling, acceptable writing skills and the ability to verbalise the content of the policy to others in an effective manner (Joubert & Prinsloo 2001: 133).

Members of the School Governing Body represent various stakeholders in the community, such as the parents, educators, learners, non-professional staff members and other groups of stakeholders who have elected them as governors (De Villiers, *et al*. 2000: 104). As such, all members of the governing body have the moral responsibility to be accountable to the stakeholders (parents, learners, educators, non-academic staff, etc) for the execution of their tasks. They must report to their stakeholders, and keep them up to date abut their activities within the governing body (Beckmann & Visser 1999: 154).

4.5.5 DIFFERENTIATION BETWEEN MINOR AND SERIOUS OFFENCES

When interviewing the three principals (of Schools A, B and C) about what they considered as minor and serious offences, it was evident that they understood the difference. A number of examples were given with regard to minor offences such as not wearing the school uniform, coming to school late, absenteeism, dodging or bunking classes, truancy, etc., to mention but just a few. Coming to serious offences the following were mentioned: using dagga, bullying, carrying dangerous weapons, intake of alcohol, glue sniffing, vandalism and gambling.

Contrary to what the principals saw as minor and serious offences, the LRCs shed some conflicting views as far as the concepts (minor and serious) offences are concerned. For instance, the LRC of School A argued that bullying is one of the examples of minor offences. The LRC of School B, on the other hand, viewed excessive intake of alcohol as one example of minor offences, while the LRC members of School C also had their own version of what minor offences meant: fighting. The SGB of School A said, "The *carrying of drugs such as dagga is one of the examples of minor offences.*" The SGB of School B and that of School C both agreed that fighting constituted an example of a minor offence.

From the interviews, it became evident that learners commit offences without the knowing whether the offence is minor or serious. This is understandable, in the sense that the adults in their lives (educators and SGB members) are also unable to agree on what constitutes a minor or major offence. It is from the above assumptions that one formulates the hypothesis that learners do not know what constitutes a minor or a serious offence. Furthermore, one may assert that not enough was done to equip the learners with the knowledge of the contents of the schools Code of Conduct: they were not clear as to

what is prohibited and regarded as a minor or a serious offence, the result of which may be indiscipline in the schools.

Learners, especially LRC members, need workshops to equip them with the knowledge of what a school Code of Conduct expects of them. After the researcher had read the Code of Conduct for School A, it was apparent that the categorisation of these offences was quite clear. There is a distinction between minor and serious offences, as required by SASA; penalties to offenders were clearly outlined in the Code of Conduct.

In Schools B and C there was no clear distinction between minor and serious offences. In School B, for instance, it was indicated that learners would be suspended by the SGB if they commit offences such as bullying, fighting, carrying of dangerous weapons, etc, while in School C were tabulated and clearly categorised. There were, however, no penalties outlined for the commitment of other offences and obviously learners would not be able to differentiate between minor and serious offences.

The above information may suggest that schools experience disciplinary problems because their Codes of Conduct do not outline punishment concomitant to offences committed. Learners and their leaders (LRCs) are not aware that certain behaviour is not acceptable in schools. Once there is such a notion among learners of a school, the implementation of a Code of Conduct in a school may be deemed for frustration and be perceived as a form of oppression by learners. Consequently, this may lead to the tendency by educators to use their own discretion in categorising offences, thereby making serious mistakes when meting out punishment for the same offence committed by different learners.

4.5.6   DEALING WITH MINOR OFFENCES

When interviewing the principal of School A about how to deal with minor offences, the principal said that they gave offenders minor labour work such as cleaning the school surroundings.   The SGB of the school pointed out that they were not always at the school so they did not know how educators punished learners.   The LRC of the school argued and said, "*They beat us or give us work of like pulling out weeds.*"

In School B, the principal of the school claimed that learners who committed minor offences were reprimanded. The principal further said that learners were called and questioned and sometimes that would lead to a learner being seriously reprimanded or given a written warning.   The SGB said that learners were given labour work to perform as a form of punishment.   However, learners reiterated that they were beaten if they misbehaved.

In School C, the principal of the school said that they punished learners by giving them extra work such as scrubbing the floors, cleaning the campus, picking up papers or watering flowers in cases of minor offences.   The SGB of the same school indicated that they did not punish learners. They further claimed that the principal and his staff members are the ones who normally punish learners.   Learners said that they normally clean the school surroundings as a form of punishment.

The researcher, furthermore, perused the Code of Conduct for the three selected schools and observed that in School A one of the clauses in the Code of Conduct reads that a learner shall be guilty of misconduct if he/she commits any offence prohibited by the school Code of Conduct.   The following steps would be used in cases where a minor offence is committed by a learner:

- recorded warning;
- counselling;
- punishment/detention;
- calling a parent/guardian on a repeated offence;
- referring the matter to the SGB.

It appears as if educators are not adhering to the above-mentioned steps to deal with learners who transgress the prescripts of the school Code of Conduct. The practices claimed by learners are in contrast with what the Code of Conduct of the school requires. Learners further claimed that educators did not listen to them and they did not talk to them; instead they beat them without following the corrective measures outlined in the Code of Conduct.

In Schools B and C, the Codes of Conduct of the two schools did not explain how learners are punished when they commit an offence. This may suggest that educators may use their own discretion to punish learners whereby creating a negative perception, to learners as a result of the varying treatment for similar offences.

During the interviews it was mentioned that educators still regard corporal punishment as the only method to bring about discipline in schools. It, therefore, is evident from the foregoing argument that educators in schools have limited knowledge in so far as disciplinary strategies are concerned, and this calls for more work on the part of Government to workshop stakeholders on how to implement disciplinary measures. As in other countries where the dawn of change in schools brought with it many uncertainties in educators, our schools are not exceptions when it comes to these uncertainties. The transition from the old order to the new one is prone to resistance from certain quarters of the society, and our schools are such quarters wherein resistance to change can be found, hence the undying conviction held

by many of our educators that corporal punishment is the solution to indiscipline in schools.

DISCUSSION

Discipline in education is complex, difficult to define often incorrectly equated with punishment (Mabeba & Prinsloo 2000: 34). According to Section 12(12) of the South African Constitution (RSA 1996b), "No person shall be subjected to torture of any kind, nor shall any person be treated or punished in a cruel, inhuman or degrading way." Thus, both physical and psychological abuse of learners are outlawed (RSA 1996a) paragraph 10 stipulates, "N*o person may administer corporal punishment at a school to a learner. Any person doing so will be guilty of an offence and liable on conviction to a sentence.*" From the interviews, one could deduce that educators were using corporal punishment despite the laws that prohibit it. Van Wyk (2001: 5) argues that educators are used to this culture of punishment and perceive this form of punishment as a handy educational aid and culturally approved means of discipline. This argument is again aggravated by the fact that many parents still demand that educators cane their children (Benson 1995: 19). This view is also evident in this study as one of the parent component interviewed asserted that during their time learners' behaviour was controlled by educators' constant use of corporal punishment. Many educators caned learners both frequently and excessively, often with the tacit or explicit support of the parents (Van Wyk 2001: 5).

Among the familiar problems are lingering adverse psychological effects on people subjected to corporal punishment as children and discrimination in the administration of such punishment within schools (Bryan & Freed 1982: 36). Corporal punishment as a social practice has existed in South Africa for centuries. It has been defended in the name of discipline, parental and educator duty, as well as character

formation and religious precepts (Vally 1996: 45). It has been administered in schools, the home and in the justice system (McKendrif & Hoffman 1990: 78). These offenders and others who received similar treatment are now adults and it could be argued that they are using similar measures to discipline their children as people replicate behaviour to which they were exposed (McKendrik & Hoffmann 1990: 344).

4.5.7 DEALING WITH SERIOUS OFFENCES

When interviewing the principals of the three schools on how they deal with serious offences at their schools, the principal of School A pointed out that they sometimes sent learners home to call their parents and if learners are found to be guilty, they are suspended from the school. On the other hand, the principal of School B said, "*The school refers the matter to the police.*" The principal of School C pointed out that serious offences are referred to the School Governing Body to resolve.

The LRC members of the three schools stated that both their educators and principals suspended them without listening to their side of the story and would normally not even call in their parents to be present during disciplinary hearings. The LRC members alleged that even the SGB members of their schools did as the educators wanted them to do and not as they (SGB members) ought to in accordance with SASA.

The SGB members of the three selected schools pointed out that the principals of their schools decided the fate of the learners without involving SGB members. The SGB members of School A further pointed out that the principal told them that some cases, once they have been reported to the school, are immediately referred to the police. This, according to the SGB members, would be done without first informing them as a Governing Body. The SGB of School C also indicated that decisions were taken on their behalf by the principal.

The SGB members further alleged, "*We as the SGB are not involved in such cases. The principal and his school management team (SMT) do not involve us but, instead, they only tell us about the decisions taken in our absence. Always we are called after the principal and his educators have concluded the case, the only thing for us to do is to rubberstamp the decisions.*"

Similarly, the SGB of School B also claimed that they normally heard from educators of the school that certain learners were dismissed or suspended by the management of the school after committing serious offences. They further pointed out that most parents complained to the SGB about learners who have been suspended without conducting the due process. They further claimed that the school decided unilaterally on almost everything and thereafter told them that certain things did not concern them, but the school.

It was pointed out by the SGB members of the three schools that certain cases were directly referred to the police by their principals without first attempting to resolve them or informing the parents of the learners. This practice of calling the police into the schoolyard before making any attempt to resolve the cases may create unnecessary unrest in the school because the police may arrest the learners while parents expect their learners to be safely at school. This may create a negative attitude in the case of the parents towards the school, which may bear unnecessary conflicts between parents and educators whereby bringing about polarisation between the two stakeholders.

It is against this background that one may conclude that the SGB members do not play any role in as in far as disciplining learners are concerned, instead, it is the principals and the educators who see to it learners who transgress are disciplined.

DISCUSSION

The tribunal or disciplinary committee must follow due process in conducting a hearing (Department of Education 2000: 27). The SGB members may suspend the learner from attending the school, as a correctional measure, for a period not exceeding one week (RSA 1996a). As pointed out during the interviews the three selected principals and the educators, suspended learners from their schools without involving the parents. This is in contradiction to the expectation of SASA (RSA 1996a), because the SGB members must recommend the suspension only after listening to both side of the story.

Suspension and expulsion should be the final end after a fair hearing process has taken place. The School Governing Body may recommend the suspension of a learner to the Head of Department (H.O.D). The learner may be expelled from a public school by only the Head of the Department and only if found guilty of a serious misconduct after a fair hearing has taken place. The learner at a public school or his/her parent(s) may appeal against expulsion to the Provincial MEC for Education. If the learner is expelled, the H.O.D must find an alternative school for him or her (Department of Education 2000: 27).

The responsible persons administering sanctions and punishment must strive, as far as is humanly possible with regard to the individual learner, the nature and the degree of gravity of the misconduct in question and the interests of the school community in the manner in which misconduct is dealt with at the school (Du Preez 1997: 22 – 23).

4.5.8 DISCIPLINARY HEARINGS OF LEARNERS

When interviewing the principal of School A on how they conduct their disciplinary procedures, the principal said that they first send learners

who has committed a offence home to call his/her parents to come and help them resolve the matter. The principal further pointed out that the class teacher is normally called as well as the learner who committed the misconduct. In addition, the disciplinary committee is called. The committee questions the learner in order to afford him/her the opportunity to tell his/her side of the story. On the other hand, the SGB members of the school said, "*Normally, the principal tells us that the learner should be punished in this manner.*" The LRC members of the school argued that educators instruct them as to what to do and they do not negotiate with them. They said, "*They do not give us a chance to explain our side of the story.*" The LRC members further added that educators do not listen to their opinions, saying that they cannot listen to learners, and that their (educators') words are final.

In School B, the principal claimed that letters of invitation are sent to parents of offending learners to attend the hearing. The principal added, "*We give learners a chance to give their side of the story.*" On the other hand, the SGB members of the school said that they did not know anything about the disciplinary hearing of learners. They said, "*In many instances they exclude us and say that these are professional matters.*" The LRC members of the school claimed that they know nothing about the disciplinary hearing of learners.

In School C the principal admitted that they did not involve parents and learners who were serving on the SGB. The principal claimed that they called the offended and the offender and afforded each the opportunity to tell his/her side of the story and make a decision on the evidence at their disposal whether to charge or not. The principal further contradicted himself when he said that the child should be punished and not given the due process. On the other hand, both the SGB of the school and the LRC members confirmed that they were not involved in disciplinary hearings. The SGB of the school further questioned, "*How can we be active in disciplinary hearings if we do not*

know anything about the SASA?" The LRC members of the school further alleged that they were never invited to attend any disciplinary hearing.

From the interviews with the SGB and the LRC members of the three schools, one may conclude that decisions are perhaps taken before the meetings can take place. Besides, the SGB members claimed that they were neither told what to do nor given the opportunity to air their views because the educators' words were final.

The above information suggests that both the SGB and the LRC members do not work together with educators to assist in maintaining discipline in schools. The reason is that the SGB and the LRC members are excluded in many important decision-making, and as a result both the SGB and the LRC members perceive educators as people who have the final say as to what should be done.

DISCUSSION

The rule of natural justice requires that the educator devotes proper attention to the case by giving all interested parties an opportunity to present their case, so that the steps subsequently taken should bear the hallmark of fairness (Joubert & Prinsloo 2001: 131).

According to Squelch (2000: 32), due process encompasses the rules of natural justice, and all the principles of procedural fairness that are indicated in Section 33 of the Bill of Rights, in order to give individuals the full benefit of their rights.

Fairness requires the opportunity to be heard as well as adequate notice of the hearing. A learner charged with an offence for which a hearing is to be held, is entitled to be informed of the details of the alleged offence, and given notice of the time, date and place of the

hearing in writing and in good time. A party to a hearing must be given the opportunity to state his/her case (Squelch 2000: 33). The principal has to refer the problem to the SGB members without mentioning the name of the offender. The SGB must arrange for a disciplinary hearing. It has to guarantee the learner a fair hearing (Department of Education 2000: 27).

Subject to the SASA (RSA 1996a) Section 8(1), the School Governing Body may, after a fair hearing, discipline the learner. From the interviews with the SGB members of the three selected schools, the SGB claimed that they were not involved in the disciplinary hearing of learners, which contradicts with the expectation of Section 9(1) of SASA (RSA 1996a) in which the section expects the SGB to be part of the disciplinary hearing. Furthermore, the principals of all three of the selected schools claimed to be giving the accused learner(s) the opportunity to say their side of the story. The learners of all three of the schools pointed out that they were not given the opportunity to explain their side of the story in case of an offence committed. This contradicts everything the principals of the three schools interviewed said.

4.5.9 ISSUES OF HUMAN RIGHTS

When asking the principal of School A about learners' Human Rights, the principal claimed that all the rights of learners are respected. He added that corporal punishment is prohibited to respect the right of all learners. On the other hand, the SGB of the school said that they were never told about the Constitutional rights of learners. The SGB added that they do not understand the Constitutional rights of the learners. They further said they were not clear about the rights of learners. When asking the SGB about how they conducted their disciplinary hearing, the reply was, "*The learner is called and then we ask him questions, we insist to search the learner.*"   On the other hand, the

LRC members claimed that they were not given a chance to explain their side of the story whenever a disciplinary hearing was held. They further said educators, the beat learners and the educators' words were final.

In School B, the principal of the school said, "*The so-called Constitutional Rights have completely destroyed discipline in our schools.*" The SGB of the school said they did not know the Constitutional rights of learners. The LRC members also reiterated that they did not know what Constitutional rights are.

In School C the principal of the school said that learners are out of hand, and sometimes educators resort to intimidation whereby learners are forced to admit their offences. The principal of the school added, "*Innocent learners are sometimes punished because of wrong methods employed by educators in investigating cases.*" On the other hand, the SGB members of the school pointed out the Rights are nothing but the power to allow learners to misbehave, while the LRC members argued that educators sometimes made jokes that embarrassed or humiliated learners' human dignity.

It is against this background that one may say that learners' Rights are not respected, because the learners alleged that educators beat them up regularly. Besides, they pointed out that at times educators made silly jokes about them, which affected their dignity, since they would be laughed at by their classmates. Learners further pointed out that some educators locked them out of their classrooms during teaching and learning, which action denied learners the opportunity to learn. This is against the learners' right to education because the SASA (RSA 1996a) Section 6(b) emphasises compulsory education. It further says that any person who, without just cause, prevents a learner, who is subject to compulsory attendance, from attending a school, is guilty of an offence and liable on conviction to a fine or to imprisonment for a

period not exceeding six months. On the other hand, the SGB members of the three schools and the LRC members pointed out that the educators searched learners if they suspected them of having drugs/dangerous weapons at school.

The situation above suggests that the SGB members cannot work with educators and learners to implement the Code of Conduct for learners. The reason is that the SGB members claimed that they did not know the Human Rights of learners, and educators disregard the learners' Rights by intimidating them, searching them and/or making jokes that lower the learners' human dignity.

DISCUSSION

According to the SASA (RSA 1996a) Section 10(1), "*No person may administer corporal punishment at a school to a learner.*" Any person who contravenes the Act is guilty of an office and liable on conviction to a sentence, which could be imposed for assault (RSA 1996a). Section 12(1) of the Constitution of the Republic of South Africa (RSA 1996b), outlines that no person shall be subjected to torture of any kind, nor be punished in a cruel, inhumane or degrading way.

The principal, educators and the SGB members are partners in education. Together they must cooperate with and support one another in order to provide quality education for the learners and to promote a culture of teaching and learning in the school (De Villiers *et al.* 2000: 105 –106).

The SGB members have to be aware of its general and basic functions which are embodied in the South African Schools Act 84 of 1996. Only when members of the SGB have a clear conception of their function, will they be able to perform their tasks in a morally responsible and

accountable manner and will they be able to improve their skills (De Villiers *et al* 2000: 106).

In terms of Section 14 of the Constitution of the Republic of South Africa, everyone has the right to privacy, which includes the right not to have their person searched, property, their possessions seized (RSA 1996b).

At first glance it would appear that principals and educators did not search learners and their property, or confiscate items belonging to the learners, as this would be contrary to the spirit and content of Section 14. However, in terms of Section 36 (limitation of Rights), this right may be limited by reasonable and justifiable limitations imposed by law of general application. Therefore, where it might be necessary, in certain circumstances, for school officials to conduct searches of persons and property, for example, when searching for illegal drugs, alcohol or dangerous weapons, this right might be limited (Squelch 2000: 44).

4.5.10 THE ROLE OF SGB's IN DISCIPLINARY ISSUES

When asking the principal of School A about the role that the SGB members play in disciplinary issues in the school, he pointed out that the SGB members decide the punishment of the child. On the other hand there was an element of contradiction in what the principal said, "*The truth is that the majority of the SGB members do not clearly understand some of the issues involved in discipline.*" The principal of the school added and said that SGB members do not know when to give a warning or to suspend. On the other hand, the LRC members of the school pointed out that they did not play any role in disciplinary issues in the school.

In School B, the principal claimed that the SGB members did not know what SASA (RSA 1996a) expects of them when disciplining a learner. The SGB members of the school retorted, "*The truth is that discipline in schools is conducted by the educators and not the SGB members.*" The SGB further admitted that they did not know what to do when faced with a disciplinary hearing because they were not equipped to deal with issues of discipline. The principal of the school further pointed out, "*The SGB members have limited powers because less than 80% of them do not have matric.*"

The principal added by saying that the SGB members' level of education was low and that had a limiting effect on the role they could play in disciplinary issues. He further pointed out that the truth was that the SGB members depended on the information delivered by the educators and they mostly depended on what the school recommended. He further said, "*Not even the teacher component can be regarded as an equipped member of the SGB who can deal efficiently with issues of discipline. All parent members of the SGB cannot deal properly with issues of discipline. They depend on the SMT members.*"

On the other hand, the SGB members of the same school argued and said that in many instances the principal of the school and other educators excluded them and claimed that certain issues such as discipline belong to professional matters and could therefore not be handled by the SGB.

The SGB members of School B stated that they as parent members on the SGB, were not involved but they were only told about the decisions taken by the school on such matters. The SGB members of the school said, "*We as the SGB members do not play any role regarding the school Code of Conduct because the school calls us after they had done everything.*" The SGB members of the school added that they

were not equipped to deal with issues of discipline in the school, hence their not being active at all in matters of discipline. The LRC members of the school pointed out that they were not involved in issues of discipline and they could comment or claim to have any role in matters pertaining to discipline.

In School C, the principal said that it was only the disciplinary committee that comprised of educators that was responsible for discipline in the school. The principal of the school further added that the SGB members of the school would not understand how to discipline learners. In defending his statement he said, "*A disciplining hearing is regarded as the educators' duty and responsibility and not the duty of the SGB.*" The principal said that the reason behind all this is because the SGB members were not equipped, as they were illiterate.

On the other hand, the SGB members claimed that they were not called upon to discuss cases of the misconduct of learners, but were given reports as to the decision taken. They further said, "*Issues of the discipline of learners in the school are not done by us. We are only called in to be told about the cases resolved and their outcomes, if any.*" The LRC members of the same school said that they did not have the power to discipline learners. The LRC further added that the SGB members did not play any role in matters of discipline in the school because disciplinary hearings are conducted in their absence.

From the foregone arguments, it became evident that the SGB members are not involved in issues of discipline in the schools. The three selected principals of schools indicated that the majority of the SGB members were not educated. The illiteracy level of these SGB members limited the role these members could play in matters of discipline in the schools. Contrary to the claims made by the three selected principals, the SGB members pointed out that they were

excluded when cases of the misconduct of learners were handled in the schools. They said that the principals decided the fate of offenders and would inform the SGB members about the outcomes only after the cases had been heard. The SGB members further pointed out that because of their exclusion it renders them incapable of dealing with misconduct in their schools.

It is in the light of the above discussion that one may conclude that the educators do not have confidence in the SGB members of their schools, especially regarding matters of discipline. It seems as though their level of education limits their supposed involvement in matters of discipline in the schools and, conversely, these members are not given their rightful places and roles in the SGB's to perform their functions. For as long as these members of the SGB are not involved and exposed what is supposed to be their functions, they will remain novices in their responsibilities and educators would continue not to have any confidence in them.

It is obvious that educators do not want to work hand-in-hand with the SGB members for reasons outlined in the preceding argument – that they are illiterate and cannot handle disciplinary issues effectively. That being the case, it is questionable if members of the SGB can wield power over principals and educators who are more literate and knowledgeable in educational matters than they are.

DISCUSSIONS

Decentralised control inevitably results in a redistribution of power and authority. Similarly, the political structure of schools has changed, as has the nature of decision-making. This means that principals are supposedly no longer in a dominant position whereby they can manage schools in an autocratic, top-down manner. However, in practice principals are sometimes reluctant to relinquish or even share their

power and authority. In South Africa school principals traditionally control schools, with little or no educator-parent participation (Looyen 2000: 67).

Karlsson *et al* (2002: 332) adds that principals still play a dominant role in meetings and decision-making. The principal's leadership style and frame of reference mainly drive the school's ethos and culture. Educators, parents and learners contribute very little to policy and decision-making, for the most part their role was supportive in nature (Heystek & Paquette 1999: 191). Mambane (2000: 16) contends that school governors are seldom encouraged to make policies thereby excluding them from the main business of the school and depriving educators of valuable support in the field of teaching and learning.

Lindle (1996: 20) reports that school governing bodies often 'delegate' authority back to the principal, thus preserving the *status quo.* A common problem experienced by many School Governing Bodies is the lack of adequate or even inadequate expertise of its members (Adams 2002: 6). Marishane (1999: 59) contends that it is the state's responsibility in partnership with other stakeholders (parents, educators, learners, non-academic staff and the community) to develop the capacity for the Governing Bodies.

4.6 SUMMARY

From the interviews with participants, it appears as if many schools are faced with disciplinary challenges. Educators are finding it difficult to maintain discipline in schools. Even if the legislation, including the South African Constitution, especially the Bill of Rights and the South African Schools Act 84 of 1996 protect learners from the abuse and misuse of punishment, some educators are still applying corporal punishment to learners as a form of discipline. It appears as if many principals and educators are unable to cope with the expectation of

legislations named above. It also appears as if educators have not been exposed to or trained to use alternative strategies to discipline learners.

On the other hand, the SGB members are expected to develop a school Code of Conduct for learners as expected by the SASA (RSA 1996a). From the interviews it is further evident that educators developed Code of Conduct for learners without involving members of the School Governing Bodies; this further means including these SGB members even in the drafting of the Code of Conduct for learners. It further shows that these Codes of Conduct of learners are neither revised nor reviewed by the committees, and furthermore, that learners, parents and educators do not know what their Codes of Conduct entail. This is so, because learners commit criminal acts such as drug abuse, vandalism, assault, theft, sexual offences, the use of obscene language and other unacceptable behaviour prohibited by the contents of the school Code of Conduct such as for instance, the possessing and use of dangerous weapons. The issue of safety and security of learners and educators is still questionable in schools.

Participants pointed out that causes of learner misconduct are, among others, the following: peer group pressure, socio-economic factors, educator misconduct – whereby learners copy educators' bad behaviour, whereby educators do not respect learners' human rights and other influences from the community.

From the interviews with participants, if further became evident that School Governing Bodies do not execute their expected functions in a responsible manner, especially where they fail to implement the Code of Conduct for learners. Different reasons were advanced by stakeholders (parents, educators and learners) as to why the School Governing Bodies were not performing as expected. Some of the reasons advanced were, *inter alia*, the SGB members' inability to

understand issues involved in disciplining learners, lack of knowledge as to when to issue a warning to an offending learner, the lack of education on the part of the SGB members, the dependability of the SGB members on information provided by educators, SGB members' tendency to be spectators in issues pertaining to the discipline of learners in schools and the deliberate exclusion of SGB members from participating in the decision-making by some principals together with their educators.

In short, this chapter provided the discussion of the interviews with participants regarding the role of the School Governing Body in implementing a Code of Conduct for learners in secondary schools. The chapter further tried to establish the challenges faced by educators of secondary schools in implementing the school Code of Conduct for learners.

Thus, the next chapter will provide recommendation and suggestions for further studies.

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CHAPTER 5

SUMMARY, FINDINGS AND RECOMMENDATIONS

5.1   INTRODUCTION

The focus of this chapter is on a general overview of the study in order to show that the aims expressed in 1.6 have been addressed and achieved. Findings, recommendations, summary and possible future research areas in the role of the SGB members in implementing a Code of Conduct are also included in this chapter.

5.2   OVERVIEW OF THE INVESTIGATION

The South African Schools Act, Act 84 of 1996 (SASA), Section 8, (RSA 1996a) stipulates that a Code of Conduct for schools should be drafted to deal with disciplinary issues in schools. Subject to any applicable provincial law, a Governing Body of a public school must adopt this Code of Conduct for the learners after consultation with the learners, parents and educators (RSA 1996a). This Code of Conduct forms part of a school's domestic legislation and must be drafted within the legal framework of SASA (cf: 1.1.iii).

In the light of the poor discipline in schools in the North-West Province, the researcher decided to embark on this research. Initial observations indicated that many parents serving on the School Governing Bodies are poorly educated which could impact badly on their ability to draw up or implement a Code of Conduct for learners within the framework of the South African Schools Act and the provision of the Constitution of the Republic of South Africa (cf: 1.1.iv).

A need was, however, identified to investigate this and other factors which could impact on the successful adoption and implementation of a Code of Conduct.

5.3   THE ROLE OF THE SGB RELATING TO DISCIPLINE IN SCHOOLS

The SASA, Section 20, outlines the functions and tasks of the School Governing Body. One of the functions is to create a school culture based on democratic values contained in the South African Constitution. This may be achieved by means of developing a mission statement for the school and the adoption of the Code of Conduct. This Code of Conduct needs to be effectively implemented, adhered to and frequently reviewed to meet the ever-changing needs of the community within which the school is located. Specific community norms and values should be taken into consideration when this Code of Conduct is drawn up. It is of paramount importance that the public School Governing Body should be conversant with the values contained in the Bill of Rights as embodied in the South African Constitution (cf: 1.3.i).

It is furthermore emphasised that the School Governing Body should consult the Department of Education notice 776 of 1998 which contains guidelines for the consideration of governing bodies in adopting a Code of Coduct for learners (cf: 1.3.ii).

The SASA requires the Code of Conduct to include appropriate disciplinary procedures, that is, the steps that one would follow when disciplining learners. Procedures must operate fairly to ensure that learners are treated fairly and justly, that they are punished for offences they committed (cf: 1.3.iii).

5.4   FINDINGS AND RECOMMENDATIONS

The following are the findings and recommendations by different stakeholders (parents, educators, learners and non-educator staff) in ensuring the prevalence of a culture of teaching and learning in schools.

5.4.1 THE PERCEPTION OF DISCIPLINE IN SCHOOLS DIFFERS

All stakeholders (learners, parents, educators and non-educator staff) should attempt to come to a common understanding of what constitutes acceptable and unacceptable behaviour. Approaches to discipline are often based on the person's perceptions of what constitutes 'good behaviour' as well as various assumptions about human beings and how they behave (Van Wyk 2001: 7). Participants interviewed had different perceptions and feelings about discipline in their schools (cf. 4.2). However, the majority of the participants noted that learners in schools are not disciplined.

RECOMMENDATIONS

Discipline in education is a complex phenomenon, difficult to define and often incorrectly equated with punishment (Van Wyk 2001: 2). Mabeba & Prinsloo (2000: 34) claim that discipline in a positive sense refers to learning, regulated scholarship, guidance and orderliness. In the light of the above discussion, it is recommended that schools should write their own Codes of Conduct and school policies, clearly stating what constitutes bad behaviour, which can be referred to as bad discipline. Policies should be made available to all learners.

Simple language or mother tongue language should be used to allow every child to understand the contents of the Code of Conduct easily. These rules should be distributed to all stakeholders (parents,

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educators and learners). This practice can be an attempt to create an appropriate learning environment for learners. Rodgers (1994: 151) further defines discipline problems as disruptive behaviour that significantly affects one's fundamental rights to be safe, to be treated with respect and to learn.

5.4.2 LEARNER MISBEHAVIOUR VARIES IN SEVERITY

The participants interviewed pointed out that, generally speaking, learners did not conduct themselves well. It was also mentioned by participants in the interview that learners came to school late, did not wear proper uniforms, they fought each other, came to school drunk and committed unacceptable acts such as truancy, thieving, vandalism, bullying, dodging, gambling, and at times they even carried illegal drugs to school.

It is against the background of such behaviour that one may conclude that educators are faced with challenges with regard to behaviour and the general conduct of learners in schools. Geffner, Loring, Robert & Young (2001: 159) point out that educators are not properly addressing the issues of bad behaviour with the seriousness it deserves. It was further pointed out that learners listen to what they want to hear and disregard what they dislike, especially that which seeks to address their behaviour and conduct.

RECOMMENDATIONS

Derived from the above discussion it is recommended that the Code of Conduct should differentiate between types of misbehaviours and punishment should be meted out in accordance with the misconduct.

Consequent to the above, it is also recommended that educators should be trained to deal with severe levels of anti-social behaviour

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occurring in schools. The training should include theories on the behaviour of learners in order to empower educators to have a broader understanding of the different types of behaviours. If educators understand the different types of behaviour they may be able to deal with them. Educators should again be workshopped on how to deal with conflicts for instructional purposes. This should include co-operation and teamwork strategies towards the creation of a good learning environment.

5.4.3 SAFETY AND SECURITY OF LEARNERS IN SCHOOLS

When interviewing participants on issues related to the safety and security of learners in schools, they pointed out that learners were often not safe at all. They further pointed out that learners themselves put their own lives in danger by carrying dangerous weapons such as knives, and they sometimes fought among themselves.

Besides, it was mentioned that strangers managed to get in and out of the schoolyard as they pleased without even obtaining permission to do so. Holes are cut through the school fence and that left the school vulnerable to all sorts of threats. By of means of these holes the learners managed to dodge or bunk their lessons because they could leave without being noticed (cf: 4.4.3).

The SASA (RSA 1996a) stipulates that educators are legal guardians of the learners in schools. The educators should see to it that learners are safe and secure at all times. Similarly, the SGB members should maintain the school buildings, including the fence and the environment by providing funds [SASA (RSA 1996a)].

RECOMMENDATIONS

Policy on safety and security should be drawn up and adhered to. The policy should contain issues such as the prohibition of dangerous weapons. It should also contain methods to be used in case a need arises to search learners for dangerous weapons. For instance, it should be clearly indicated that in case of a need to search learners and their belongings, male educators must search boys and female educators should do the same with girls, not forgetting to have somebody around who could act as a witness while the search is in process.

In the case of strangers entering the school premises, they should be requested to produce an identity before allowed in the school grounds. School fences should be repaired and constantly checked for new openings that might have been cut during the school recess or overnight. Once this has been fixed, both learners and strangers would be forced to use the school entrance to move in and out of the schoolyard.

This may indirectly prevent the trafficking of dangerous weapons as well as illegal substances. If possible, gates must be locked as soon as lessons commence and should be unlocked after school. Learners should be taught or educated on issues negatively affecting teaching and learning.

Issues such as bullying, fighting and the carrying of dangerous weapons disturb and frustrate the objective of teaching and learning in a school and should be discouraged. Educators' visibility would also play an important role in curbing misdemeanours among learners within the schoolyard.

Besides, educators should be punctual and be present at all lessons to avoid learners sitting without educators in classrooms since these situations breed misconduct.

5.4.4 CAUSES OF LEARNER MISCONDUCT

From the interviews the following factors were identified as factors causing learner misconduct:

a) PEER GROUP PRESSURE

It was pointed out that one of the causes of learner misbehaviour is peer group pressure. It was further mentioned that gangsters operated in schools. The notion of gangsterism, to which some learners belong, emanates from the community outside the school and is carried into the schoolyard, in order to settle issues that could not be settled in the community, and this causes a serious disruption of teaching and learning in schools.

RECOMMENDATIONS

Learners should be taught to be independent in addressing their problems. They should be taught to differentiate between school issues and community issues. They should further be made aware that school is governed by a Code of Conduct which must be adhered to by everyone. Learners should be taught the difference between the positive and the negative issues that affect them in the schoolyard. They should further be taught to be critical thinkers and independent persons who can conduct themselves well.

b) SOCIO-ECONOMIC FACTORS

From the interview findings, the issues of family background were identified as one of the issues that cause learner misconduct. It was pointed out that learners are often abused. Besides, poverty and hunger contribute to learner behaviour. It was further mentioned that some learners come to school hungry and this affects them negatively, especially because a learner is expected to concentrate in the classroom.

Involvement in school disciplinary problems is thus often difficult for many parents who are struggling to survive and have almost no energy left for school obligations. Moreover, poverty at times compels parents to engage in criminal activities in order to survive and to put food on the tables for their families. Such activities set a poor example to children in the home (Van Wyk 2001: 11 – 12). It is therefore recommended that parents should model good behaviour for their children at home so that they can copy acceptable behaviour among friends at school.

Educators should report cases of bad behaviour to the local Social Welfare or social workers who are trained to deal with bad behaviour which are caused by socio-economic factors. However, it depends on the seriousness of the case(s), some of which may end up in the hands of the law enforcement agencies whereby perpetrators may be prosecuted.

Educators should be informed about the background of learners who misbehave and the circumstances under which these learners live. Workshops on how to deal with emotionally traumatised learners and those who come from disadvantaged families should be conducted to equip educators with knowledge on how to handle these children.

c) DRUGS AND ALCOHOL ABUSE

Participants pointed out that the abuse of drugs and alcohol intake contribute to misconduct in schools. It was mentioned that learners sometimes use drugs and alcohol during school hours. Some learners come to school drunk and cause a disturbance. Conversely, some educators send learners to buy liquor for them while others even go as far as to drink beer with learners after school hours.

RECOMMENDATIONS

Disciplinary action must be taken against any educator who is found to be drinking liquor with learners, whether during or after school hours. Parents, or whoever sees such a misconduct being committed by a teacher, must report such misconduct to the education officials and severe steps must be taken against such an educator. The school should sometimes search learners for the sake of the safety of other innocent learners whose objective is to learn at school. The police can also be involved in an attempt to discourage drug trafficking in schools and, if possible, 'sniffer' dogs may be used to detect these illegal substances on the schoolyard. It must be emphasised by the School Governing Body that drugs are prohibited at school.

Learners must be encouraged to reveal the names of people who supply them with drugs and alcohol in order to curb the problem at its roots.

Learners should be educated and workshopped on the negative impact drugs may have on their lives and especially regarding their schoolwork. Workshops should be conducted where educators can learn on how to identify a learner who is using drugs. Once identified, such learners must be sent for rehabilitation to receive tuition on how best they can restart their lives without being addicted to drugs.

Another serious factor is where educators send learners out of school to do errands. Disciplinary action must be taken against such educators.

Educators spend more of their time with learners than parents do (7 hours a day), so they (educators) should be good role models to learners in order for learners to copy good behaviour from them. Modelling good behaviour may change certain bad behaviour patterns of learners and thereby reduce poor conduct of learners.

It is prohibited by the SASA (RSA 1996a) for educators and learners to come to school drunk. Thus, any person who is drunk during school hours should be reported to the Department immediately. If possible, the service of the educator should be terminated (RSA 1998a). The Employment of Educators Act (76 of 1998) stipulates the conditions of employment of educators and makes provision for the termination of service should this be deemed necessary. The educator may be dismissed should he or she be found in possession of an intoxicating substance (RSA 2000a: 6).

Education Laws Amendment Bill in support, the South African Council of Educators (SACE) (RSA 2000a) maintains and protects the ethical and professional standard for educators. This being so, it is envisaged that this body will in future deal more severely with educators found guilty of misconduct (Van Wyk 2001: 16).

5.5   DRAWING UP A CODE OF CONDUCT FOR LEARNERS

Subject to the SASA (RSA 1996a) Sections 20 and 21, the SGB of a public school must develop a mission statement for the school and adopt a Code of Conduct for learners of the school after consultation with parents, educators and learners. From the interviews with participants, it was claimed that generally educators drew up the Code

of Conduct for learners without consultation with other stakeholders – especially the School Governing Body members. The SGB members claimed that they were only called in after the drawing up process was completed to sign the Code of Conduct without adding or deleting anything from the drawn document. The reasons given by the educators were the following: that the SGB members are not educated, they are illiterate, they do not know anything about the drawing up of a Code of Conduct and do not know anything about the Schools Act and the Constitution of the Republic of South Africa, and therefore cannot draw up the school Code of Conduct.

RECOMMENDATIONS

It is recommended that principals of schools should involve SGB members when drawing up a Code of Conduct for learners. The South African Schools Act and the Constitution of the Republic of South Africa including the Bill of Rights, should be used as a guiding document when drawing up the Code of Conduct.

Mambane (2000: 21) adds that the inclusion of parents in developing a Code of Conduct for schools will help the schools to adopt more positive procedures for dealing with the transgression of the rules. Earley (1999: 37) suggests that school governors should familiarise themselves with all issues related to education by reading the appropriate documents, receiving reports from the school principals and familiarising themselves also with the contents thereof.

The SASA (RSA 1996a) Section 19 obliges provincial government in South Africa to provide training for SGB members. These SGB members need to acquire professional knowledge in order to fulfil the tasks with which they are charged (Deem, Brehony & Heath 1995: 73). It is therefore important that the members of the School Governing Body be trained. Training should be done in the language (mother

tongue) understood by all members for effective participation in all debates leading to the formulation of the school Code of Conduct.

Literacy classes offered by ABET should be extended so that the literacy levels in the community can be uplifted. Material used to educate the SGB members, especially parents, should be written in mother tongue language to enhance the proper understanding of the contents.

Workshops should be conducted in the language that would be understood by all these members to facilitate participation on their part, and especially to exchange knowledge among the members of the Governing Bodies, educators and officials of the Department of Education. Seminars should also be conducted to help the SGB members to cope with their envisaged tasks of governing the schools. Follow-ups should be made to evaluate the progress of these members and, where there is a need, support should be given.
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5.6   REVIEWING AND REVISING THE SCHOOL CODE OF CONDUCT

When interviewing the participants about reviewing and revising the Code of Conduct for learners, most of them pointed out that they did not review nor revise the Code of Conduct for learners.

RECOMMENDATIONS

It is therefore recommended that the school Code of Conduct should be reviewed and/or revised yearly. All stakeholders (parents, educators and learners) must be involved in reviewing and/or revising the Code of Conduct for learners. The Code of Conduct should be revised based on the comments and suggestions advanced by the school community and a final draft should be written and presented for approval by the parents and educators (Squelch 2000: 21).

The Code of Conduct is not a static document; it should be reviewed and revised on an ongoing basis. As new discipline issues, rules and regulations and procedures arise, these must be communicated to the school to be included in the Code of Conduct for learners.

5.7 COMMUNICATING THE CODE OF CONDUCT TO ALL STAKEHOLDERS

Most participants interviewed pointed out that the school never communicates the Code of Conduct to learners and parents. Some members, especially learners, pointed out that they never saw the Code of Conduct.

RECOMMENDATIONS

All the stakeholders (parents, educators and learners) should be aware of the Code of Conduct and its contents. They should be aware of the consequences of violating the Code of Conduct. During the initial stage, newsletters can be used to inform the various parties (parents, educators and learners) of the need to know how the Governing Body plans to involve various groups and individuals in the process (Squelch 2000: 20).

Workshops and survey questionnaires can be used to get the views of the school community (parents, educators and learners) regarding the Code of Conduct. By so doing, people can be encouraged to read the Code of Conduct in order to give their own views and hence empower themselves on issues of the Code of Conduct. Workshops, discussions and seminars should be conducted to evaluate the extent of knowledge regarding the awareness of the Code of Conduct.

During parent meetings, issues relating to the contents of the school Code of Conduct should be discussed to inform parents about the

Code of Conduct if possible, copies of the Code of Conduct should be made available to parents, learners and educators. These copies should be translated into the language understood by all – in this case the mother tongue.

5.7.1 DEALING WITH DIFFERENT TYPES OF MISBEHAVIOUR

Discipline should be reasonable and should be interpreted as such by learners. It should respect individuals and should never humiliate or degrade individuals. Punishment should be congruent to the offence committed.

From the interviews, it was pointed out that the educators still use corporal punishment to deal with offenders. Parents still demand that educators cane their children (cf. 4.4.9). Learners claimed that they were still not allowed to defend themselves when they were accused by the school.

RECOMMENDATIONS

Section 12(1) of the Constitution of the Republic of South Africa (RSA 1996b) reads: "*No person shall be subjected to torture of any kind, nor shall any person be treated or punished in a cruel, inhuman or degrading way.*" Furthermore, the South African Schools Act, paragraph 10, stipulates that no person may administer corporal punishment at a school to a learner. Any person doing so will be guilty of an offence and liable, on conviction, to a sentence of … [SASA (RSA 1996a)].

In the light of the above, it is recommended that educators should stop using corporal punishment when dealing with offenders. Other methods such as giving learners minor work to do may be used. Workshops on alternatives to corporal punishment should be

conducted to empower educators in order to enhance their strategies to discipline without administering corporal punishment.

Learners should be given a chance to give their side of a story before they can be punished. The practice of giving learners a chance to tell their side of the story may reduce the risk of summarily assuming that the learner is wrong, and therefore should be punished.

5.7.2   DEALING WITH SERIOUS OFFENCES

From the interviews with participants, many learners claimed that the school sent them home to call their parents during when they were accused of misconduct. Sometimes learners were suspended without following the correct disciplinary procedures. When disciplining learners, the SGB members were more often than not excluded and they were only called in to sign or rubberstamp the decision taken.

The school makes decisions such as expulsion and suspension in the absence of the SGB members. The learner suspended or expelled attended a disciplinary hearing without legal representation. It was further claimed that the police were sometimes called in to arrest the alleged offender (learner) without the school first establishing the facts about the alleged misconduct by the learner.

RECOMMENDATIONS

Different stakeholders (parents, educators and learners) serving in the SGB should join hands in resolving learner problems in school. The accused learner should be given the opportunity to tell his/her side of the story. The school should not send learners home without first conducting its own investigation. Likewise, the school should not exclude members of the SGB and the Learner Representative Council members when organising disciplinary hearings.

Educators should stop suspending learners from school. Educators are not allowed to implement suspension and expulsion sentences without involving the SGB members of the school and the parents of the learner. The SGB members should implement suspension sentences only after a fair disciplinary hearing. The suspension should not be more than a week (SASA (RSA 1996a).

Expulsion is done by the Head of Department (H.O.D) of the Province and not by any other person (SASA (RSA 1996a). Therefore, schools should not expel learners without involving the SGB members. It may be noted that only the H.O.D of the Department of Education of the Province could suspend a learner, and not educators or the SGB members.

The school should stop calling in the police without first investigating the matter. It is also suggested that the school should call the parents first before calling the police to arrest a learner. The Governing Body of a public school should render their services voluntarily without payment and at the same time be held responsible for action and/or duties performed [SASA (RSA 1996a)].

This means that the Governing Body can be sued if the action taken violates the Rights of certain individuals. Notwithstanding, it is recommended that the School Governing Body should be compensated for the duties they perform. The compensation may not only be in any other form. For instance, parents who serve on the SGB committee may be exempted from paying school fees.

5.8 THE ROLE THE SGBs PLAY IN DEALING WITH DISCIPLINE

From the interviews it was found that principals and educators decide the fate of learners accused of misconduct without involving the SGB members. Secondly, the educators drew up the school Code of

Conduct without involving the parent members of the SGB. Furthermore, educators claimed that the SGB members are illiterate and do not know the policies concerning the running of a school in general.

RECOMMENDATIONS

Members of the SGBs are empowered by the provisions of the SASA (cf.4.4.). Besides, parent governors are given the power and status from other contexts (RSA 1996a). A governing body is established by law and consists of people who are elected to govern a school (De Villiers *et al.* 2000: 102).

In the light of the above information, it is recommended that educators should involve the SGB members when solving cases of learners in the school. The SGB members should know the contents of the Code of Conduct in order to be able to participate in disciplining learners.

If the SGB members do not know something related to the Code of Conduct they will not be able to implement the contents of the document. Workshops should be conducted to empower the SGB and educators on the tasks and responsibilities facing them in the implementation of the school Code of Conduct. Mambane (2000: 21) adds that the inclusion of the parents in issues related to the Code of Conduct will help the school to adopt more positive procedures for dealing with the transgression of rules.

5.9   RECOMMENDATIONS FOR FURTHER RESEARCH

The findings of this study on the role of the School Governing Body in implementing a Code of Conduct for learners in secondary schools suggest the following priority area in the research for further study: it is recommended, from a methodological point of view, that the use of

qualitative research methodology in the investigation of the role of the School Governing Body in implementing a Code of Conduct for learners in secondary schools be further explored.

The radical restructuring and transformation of the education system in a single non-racial system has brought about fundamental changes to education law and policy aimed at ensuring the realisation of the principles of democracy, freedom, equity and equality in all education institutions. Aspects thereof can form the basis of meaningful research.

Decentralisation of power and authority to different stakeholders (parents, educators and learners) to govern the school mandated by the South African Schools Act (SASA) (RSA 1996a), with the parents. Moreover, some members of the School Governing Bodies are semi-literate or illiterate and perhaps uninformed about issues of education. Many aspects relating to the role of the School Governing Bodies in implementing a Code of Conduct for learners in school still requires more detailed research such as the following:

- the effect of the devolution of power to the local level as regards learner discipline;
- strategies to involve SGB members in learner discipline;
- measures to ensure the safety of learners in schools;
- the incorporation of Constitutional rights in Code of Conduct for learners;
- the effect of illiteracy on school governance.

5.10 LIMITATIONS OF THE STUDY

The research of the role of the School Governing Body in implementing a Code of Conduct for learners in secondary schools demonstrates both the strength and the limitations.

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Some interview questions were translated to the vernacular to be understood by members of the School Governing Bodies, especially parents serving on the SGB. Some of these parents could not explain policy properly in English. However, a vernacular language was preferred and used to obtain the information on role of the SGB in implementing a school Code of Conduct.

The three selected schools may not represent all the schools in the North-West Province, but at least shed light on what is actually taking place in schools regarding the involvement of parent components in the SGB. Different communities and schools may disclose different findings in implementing a school Code of Conduct. However, the findings drawn represent the situation in the three selected schools. Over and above, the research is also limited to secondary schools and did not include primary schools. It could be that the situation at primary schools might be different from the situation in secondary schools – research still needs to be conducted to indicate possible differences. The schools selected in the research were from townships and villages of the North-West Province and did not include the White urban towns of the Province. Perhaps the situation and locality of schools and the community may yield different responses in the interviews.

In spite of these limitations, rich data was drawn from the research. The research only suggests that further research be done on the role of the School Governing Body in implementing a school Code of Conduct.

5.11   CONCLUSION

The findings regarding the role of the SGB in implementing a school Code of Conduct are in agreement with what was found in the literature. The idea of including parents in schools through the SGB is in principle good for partnership purposes. The inclusion of the parents

aimed at improving discipline in schools in which effective teaching and learning should take place. The inclusion of legislatures and other educational documents such as South African Schools Act prohibited certain practices such as the use of corporal punishment, and allowed learners to claim certain rights which educators feel uncomfortable with. The SASA (RSA 1996a) stipulates that the Code of Conduct for schools should be drafted to deal with disciplinary issues in schools. By doing so, it is hoped that discipline within South African schools can be improved.

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APPENDIX A

STATEMENT OF CONSENT:

- ➢ Principal
- ➢ School Governing Body (SGB)
- ➢ Learner Representative Council (LRC)

LETTER TO THE SCHOOL PRINCIPAL

Enq.: 082 595 4325

P O Box 2797
Renstown
HAMMANSKRAAL
0400

31 May 2005

Sir/Madam

REQUEST FOR PERMISSION TO CONDUCT A RESEARCH INTERVIEWS

I kindly request permission to conduct a research interview with you (individual interview).

Presently I am a registered student for Master of Education degree (Educational Management) at the University of South Africa (UNISA). In order to meet the requirements for this degree, I am expected to conduct research interviews and submit a dissertation of limited scope related to the study.

My topic is, "*The role of the School Governing Body in implementing a Code of Conduct for learners in secondary schools in the North-West Province."*

I am further expected to conduct two focus group interviews at your school: one with the School Governing Body (four parent members plus one educator) and another with the Learner Representative Council (four LRC members). I request that all these interviews be recorded on a tape recorder to save time and to ensure that I do not miss useful information during our conversation.

Kindly be further assured that the information shared during the interviews will receive the confidentiality and anonymity it deserves. Should you need further information about the process, please feel free to contact my supervisor, Professor J N van Wyk, at telephone number (012) 429 43346 (w) or (012) 348 0700 (h).

I hope that my request will receive your favourable considerations.

Yours faithfully

_____
LEKALAKALA P S
(Student No.: 3385-518-8)

LETTER TO THE SCHOOL GOVERNING BODY (SGB)

Enq.: 082 595 4325

P O Box 2797
Renstown
HAMMANSKRAAL
0400

31 May 2005

Sir/Madam

REQUEST FOR PERMISSION TO CONDUCT A RESEARCH INTERVIEWS

I kindly request permission to conduct a research interview with you (focus group).

Presently I am a registered student for Master of Education degree (Educational Management) at the University of South Africa (UNISA). In order to meet the requirements for this degree, I am expected to conduct research interviews and submit a dissertation of limited scope related to the study.

My topic is, "*The role of the School Governing Body in implementing a Code of Conduct for learners in secondary schools in the North-West Province.*"

I am further expected to conduct two focus group interviews at your school: one with the School Governing Body (four parent members plus one educator) and another with the Learner Representative Council (four LRC members). I request that all these interviews be recorded on a tape recorder to save time and to ensure that I do not miss useful information during our conversation.

Kindly be further assured that the information shared during the interviews will receive the confidentiality and anonymity it deserves. Should you need further information about the process, please feel free to contact my supervisor, Professor J N van Wyk, at telephone number (012) 429 43346 (w) or (012) 348 0700 (h).

I hope that my request will receive your favourable considerations.

Yours faithfully

_____
LEKALAKALA P S
(Student No.: 3385-518-8)

LETTER TO THE LEARNER REPRESENTATIVE COUNCIL (LRC)

Enq.: 082 595 4325

P O Box 2797
Renstown
HAMMANSKRAAL
0400

31 May 2005

Sir/Madam

REQUEST FOR PERMISSION TO CONDUCT A RESEARCH INTERVIEWS

I kindly request permission to conduct a research interview with you (focus group).

Presently I am a registered student for Master of Education degree (Educational Management) at the University of South Africa (UNISA). In order to meet the requirements for this degree, I am expected to conduct research interviews and submit a dissertation of limited scope related to the study.

My topic is, "*The role of the School Governing Body in implementing a Code of Conduct for learners in secondary schools in the North-West Province."*

I am further expected to conduct two focus group interviews at your school: one with the School Governing Body (four parent members plus one educator) and another with the Learner Representative Council (four LRC members). I request that all these interviews be recorded on a tape recorder to save time and to ensure that I do not miss useful information during our conversation.

Kindly be further assured that the information shared during the interviews will receive the confidentiality and anonymity it deserves. Should you need further information about the process, please feel free to contact my supervisor, Professor J N van Wyk, at telephone number (012) 429 43346 (w) or (012) 348 0700 (h).

I hope that my request will receive your favourable considerations.

Yours faithfully

_____
LEKALAKALA P S
(Student No.: 3385-518-8)

APPENDIX B

INTERVIEW SCHEDULES:

- ➤ Principal
- ➤ School Governing Body (SGB)
- ➤ Learner Representative Council (LRC)

INTERVIEW SCHEDULE
SCHOOL PRINCIPAL
_____
DISCIPLINE

1. How would you describe the conduct of learners in your school?
2. What is your opinion on the causes of learner misconduct?
3. How do you inform parents who need to attend disciplinary hearings?
4. What does the South African Schools Act say on the procedure that has to be followed regarding a disciplinary hearing?
5. How do you conduct your disciplinary hearing for learners?
6. How do you punish learners who commit minor offences?
7. How do you punish learners who commit serious offences?

SCHOOL CODE OF CONDUCT

8. How did you draw up your Code of Conduct for learners?
9. How would you describe the role of the SGB relative to the Code of Conduct for learners?
10. How often do you revise/review the school's Code of Conduct?
11. How do you communicate your school's Code of Conduct to learners?
12. How do you communicate your Code of Conduct to parents?

SAFETY AND SECURITY OF LEARNRES IN SCHOOL

13. How do you describe the safety and security of learners in your school?

LEVEL OF EDUCATO OF THE SGB

14. What is you opinion on the educational level of your SGB members?

POWERS OF THE SGB

15. How would you describe the power and influence of the SGB in your school relative to learner discipline?

HUMAN RIGHTS

16. How would you describe your feelings on the Constitutional Rights of learners in relation to discipline?
17. How do you conduct your investigations of serious suspected misconduct of learners?

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INTERVIEW SCHEDULE

SCHOOL GOVERNING BODY (SGB)

_____

DISCIPLINE

1. How would you describe the conduct of learners in your school?
2. What is your opinion on SGB members regarding the causes of learner misconduct?
3. How do you inform parents who need to attend disciplinary hearings?
4. What does the South African Schools Act say on the procedure that has to be followed regarding disciplinary hearings?
5. How do you conduct your disciplinary hearing for learners?
6. How do punish learners who commit minor offences?
7. How do you punish learners who commit serious offences?

SCHOOL CODE OF CONDUCT

8. How did you draw up your school Code of Conduct for learners?
9. How would you describe the role of the SGB relative to the school Code of Conduct for learners?
10. How often do you revise/review the school's Code of Conduct?
11. How do you communicate your school's Code of Conduct to learners?
12. How do you communicate your Code of Conduct to parents?

SAFETY AND SECURITY OF LEARNERS IN SCHOOL

13. How do you describe the safety and security of learners in your school?

LEVEL OF EDUCATION ON THE SGB

14. What is your opinion on the educational level of your SGB members?

POWERS OF THE SGB

15. How would you describe the power and influence of the SGB in your school relative to learner discipline?

HUMAN RIGHTS

16. How would you describe your feelings on the Constitutional Rights of learners in relation to discipline?
17. How do you conduct your investigations of serious suspected misconduct of learners?

«»

INTERVIEW SCHEDULE
LEARNER REPRESENTATIVE COUNCIL (LRC)

_____

DISCIPLINE

1. How would you describe the conduct of learners in your school?
2. What is your opinion, as learners, on the causes of learner misconduct?
3. How do your parents get informed when they need to attend disciplinary hearings?
4. What does the South African Schools Act say on the period given to a learner to attend a disciplinary hearing?
5. How does a school conduct a disciplinary hearing for learners?
6. How does the school punish you as learners after committing minor offences?
7. How does the school punish you as learners after committing serious offences?

SCHOOL CODE OF CONDUCT

8. How did you draw up you school's Code of Conduct?
9. How would you describe the role of the Learner Representative Council relative to the school's Code of Conduct?
10. How often does the school revise/review the school's Code of Conduct?
11. How does the school communicate the Code of Conduct for learners to you?
12. How does the school communicate the Code of Conduct for learners to your parents?

SAFETY AND SECURITY OF LEARNERS IN SCHOOL

13. How would you describe the safety and security of learners in your school?

LEVEL OF EDUCATION OF THE SGB

14. What are your opinions on the educational level of your SGB members?

POWERS OF THE SGB

15. How would you describe the power and the influence of the LRC in your school relative to learner discipline?

HUMAN RIGHTS

16. How would you describe your feelings as learners on your Constitutional Rights in relations to discipline?
17. How does the school conduct investigations of serious suspected misconduct committed by you as learners?

«»

APPENDIX C

INTERVIEW TRANSCRIPTS:

- ➢ Principal
- ➢ School Governing Body (SGB)
- ➢ Learner Representative Council (LRC)

INTERVIEW TRANSCRIPT WITH PRINCIPAL OF SCHOOL C

INTERVIEWER: How would you describe the conduct of learners in your school?

PRINCIPAL 'C': The conduct of learners in my school is very serious. They commit offences such as truancy, theft, vandalism, bullying, dodging and gambling. They commit such offences occasionally.

INTERVIEWER: What is your opinion on the most causes of learner misconduct?

PRINCIPAL 'C': The most causes of learners' misconduct are family background and intake of drugs. The learners have stepfathers who sometimes abuse these children, especially girls. As a result of stepfathers there are conflicts at home. The learners commit offences such as dodging, truancy, theft and bullying. Again the other cause is drugs and glue-sniffing, especially boys. Then they commit offences such as vandalism, bullying, theft and gambling.

INTERVIEWER: How do you inform parents who need to attend disciplinary hearings?

PRINCIPAL 'C': We make use of two methods: we write a letter to the parent and phone the parent inviting him/her to attend the disciplinary hearings.

INTERVIEWER: How do you conduct your disciplinary hearings for learners?

PRINCIPAL 'C': We normally call the two parties (learners) and hear their stories, i.e. both the parties (of learners) should present their cases. If possible the … witness is called to testify. Once the innocent learner is detected, usually the disciplinary hearing is conduct by the disciplinary committee consisting of educators only. No SGB and learners are involved.

INTERVIEWER: What do you consider as minor offences at the school?

PRINCIPAL 'C': We regard the following offences as minor offences: truancy, dodging and abuse of language.

INTERVIEWER: How do you punish learners who commit minor offences?

PRINCIPAL 'C': The disciplinary committee usually punish learners by using one of the following alternative measures for corporal punishment: scrubbing the floors, cleaning the campus by picking up papers, watering flowers.

INTERVIEWER: What do you consider as 'serious offences' at the school?

PRINCIPAL 'C': The serious offences according to our disciplinary committee are intake of alcohol, drugs, glue-sniffing, theft, assault, bullying, vandalism and gambling.

INTERVIEWER: How do you punish learners who commit serious offences?

PRINCIPAL 'C': To tell the honest truth we still apply corporal punishment, but we use it carefully for learners not sustain injuries because we can land in law suits. Parents and SGB are not always involved as they do not come if we summon them to come to the disciplinary hearings. They indicate that they are committed.

INTERVIEWER: How do you describe the safety and security of learners in your school?

PRINCIPAL 'C': We do not have safety and security policy in place. Sometimes learners come with dangerous weapons such as knives at school without noticing. We rely on other learners who are brave enough to inform us about such matter. In short, safety and security measures are poor at our school.

INTERVIEWER: How did … What does SASA say on the procedure which as to be followed regarding disciplinary hearing?

PRINCIPAL 'C': According to SASA 84 of 1996 Section (1), a governing body of a public school must adopt a Code of Conduct for learners after consultation. Again Section (5) A Code of Conduct must contain provisions of due process, safeguarding the interests

of the learner and any other party involved in disciplinary proceedings.

INTERVIEWER: Now let us come to the school Code of Conduct. How did you draw up your school Code of Conduct for learners?

PRINCIPAL 'C': The … school Code of Conduct, e … was drawn up by educators who are in the disciplinary committee. It was not drawn according to South African Schools Act 84 of 1996 Section (1). Learners, parents and SGB were not involved. This is because they do not understand what is a Code of Conduct.

INTERVIEWER: How would describe the role of the SGB relative to the school Code of Conduct for learners?

PRINCIPAL 'C': To tell the honest truth the SGB was not involved in drafting the Code of Conduct for learners. The drafting of Code of Conduct for learners was drafted by only educators who serve in the disciplinary committee. The disciplinary committee thought that it was not necessary to involve them as they regard them illiterate and always do not attend meetings.

INTERVIEWER: How often do you revise or review the school Code of Conduct?

PRINCIPAL 'C': As far as I know, our school Code of Conduct for learners was never revised or reviewed since it was drafted five years ago.

INTERVIEWER: How do you communicate your school Code of Conduct for learners?

PRINCIPAL 'C': The Code of Conduct for learners was never communicated to learners. The disciplinary committee indicated that it was, e … not necessary to communicate the Code of Conduct to learners as they do not understand what it entails.

INTERVIEWER: How you communicate your Code of Conduct to parents

then?

PRINCIPAL 'C': Again the Code of Conduct was never communicated to parents. The disciplinary committee indicated to me that it was … it concerns only learners not parents so hw can it be communicated to parents.

INTERVIEWER: What role does the SGB play in disciplinary hearings?

PRINCIPAL 'C': As far as I am concerned, the SGB was never involved in drafting the Code of Conduct for learners. The disciplinary committee indicated to me that the SGB won't understand what does it means. Again SGB have their duties and responsibilities like finance, buildings and other matters. They think that SGB are not always at school so as a result they won't be able to implement the Code of Conduct. How can SGB draft a Code of Conduct and not able to implement it because they are not always at school and have other responsibilities.

INTERVIEWER: To what extent was the SGB involved in drawing up the Code of Conduct?

PRINCIPAL 'C': As I already indicated earlier, the SGB was never involved in drafting the Code of Conduct. The reason is that some come once a month at school to a meeting and disciplinary committee think that it was not necessary to involve them. This indicates that SGB do not attend meetings.

INTERVIEWER: How active are parents on the SGB in disciplinary hearings?

PRINCIPAL 'C': SGB members are never involved in learners disciplinary hearings. Only the school disciplinary committee is involved. As indicated many a times they come to school for other issues. They take it as normal not being involved. They never talks about their involvement. They regard disciplinary hearings as educators' duty and responsibilities as they trust them.

INTERVIEWER: How well are the SGB members equipped to deal with issues of discipline?

PRINCIPAL 'C': According to my observation and opinion, our SGB members are not equipped as they are illiterate. Sometimes the disciplinary committee try to involve them. They indicate that they think that educators are equipped to handle matters of discipline. They still think of traditional methods of disciplinary hearing whereby the child should not be given due process; the only thing is both (learners) to be punished.

INTERVIEWER: Now let us come to the Human Rights of these learners. How would you describe your feelings on the Constitutional rights of learners in relation to discipline?

PRINCIPAL 'C': According to South African Schools Act 84 of 1996 Section (1) and (2) Section (1) no person may administer corporal punishment at school to a learner, Section (2) Any person who contravenes subsection (1) is guilty of an offence and liable on conviction to a sentence which could be imposed for assault. My feeling is that these sections have done a great damage to discipline at schools. Learners commit misconduct deliberately with the notion that they will not be punished corporally. They are out of hand. Since the inception of these sections, educators are in trouble of dealing with lot of offences. In short, to my opinion corporal punishment should be reinstated but be effectively controlled and used minimally with care.

INTERVIEWER: How do you conduct your investigations of serious suspected misconduct of learners?

PRINCIPAL 'C': Is a fact educators were never trained to investigate ca … cases at colleges. As a result, they experience problems in investigating offences. Sometimes they resort to intimidation whereby the learner is forced to admit the quit as they are

threatened. In most cases, innocent learners are punished because of educators using wrong methods of investigation. Generally, the investigation process is poor. We need to be workshopped in how to investigate the case or offences.

INTERVIEWER: E … we have come to the end of our discussion. Is … Do you have anything regarding the … Code of Conduct or disciplinary or any other issue related to the discussions earlier on?

PRINCIPAL 'C': Ja … according to my point of view, e … learners, SGB are not involved in drafting the Code of Conduct; only educators who serve in the disciplinary e … committee, but e … according to my observation learners and the parents are not in the know of what is happening at school.

INTERVIEWER: E … thank you very much for your time and your co-operation.

PRINCIPAL 'C': Thank you.

INTERVIEWER: Thanks.

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INTERVIEW TRANSCRIPT OF SGB OF SCHOOL 'C'

I: Now let us come to our questions. How would you describe the conduct of learners in your school? C4.

C4: Explain it in Sotho so that we must understand.

I: When I say conduct of learners in your school (repeated it in sotho). How would you describe the conduct of learners in your school.

C3: These learners do not behave well at the school. E … they usually come late to school, they absent themselves regularly and they do not respect teachers.

I: Any other input? Any other input, C1?

C1: They don't respect their time of coming to school, and again they do not wear their proper uniforms when they come to school. Some of them they deliberately come to school being drunk, or sometimes they carry dagga to school and disrespect educators.

I: Any other input, C4.

C4: I agree with the two speakers. The two speakers explained it well.

I: Ok … What is your opinion as SGB members regarding the causes of learner misconduct, C3?

C3: I … foresee problems of understanding English properly here. Could you please explain it in vernacular so that we must be able to respond relevantly.

I: E … they say … when they say what is your opinion as SGB members regarding the causes of learner misconduct they (repeated the question in sotho). What is your opinion as SGB members regarding the causes of learners misconduct? C5.

C5: E … during our time when we were learners behaviour was controlled by teachers using corporal punishment. Now if one can look at our children at our schools generally, our children are mislead by these things called the rights. They are given rights. These rights are the main causes of learner misconduct. They are no longer respecting elders and older

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people including their parents and teachers. They also do not respect themselves. They do as they wish. The only way to bring back order and respect is to limit these rights.

I: E … any other input. Ok … What does the South African Schools Act say on the procedure that has to be followed regarding disciplinary hearing, C4?

C4: We don't know anything about South African Schools Act. We actually don't know that thing, and we have never come came across it. By the way, you said it is what … school act?

I: (*Laughing*) E … C5.

C5: To tell you the truth, we once or twice heard the principal at the school talking about the South African Schools Act. He use to mention it when we talk to him but the truth we don't know anything about the school act. We were never oriented or workshopped about it. Again, we do not know the expectation of it, or its content in relation to school.

I: Ehe … C2, input?

C2: Yes we want to know exactly what is this South African Schools Act from you. Could you explain to us, please?

I: E … South African Schools Act is a document given by the Department of Education explaining rules and regulations governing the schools. That is South African Schools Act. Now let us continue with our questions. How do you inform parents who need to attend to attend disciplinary hearings? C3.

C3: We … we cannot inform parents to come to the disciplinary hearings. Most of the time, we are at home and not at school. Teachers and other members of the SMT are the ones who call the meetings and informing us to attend disciplinary hearing together with other parents who are not SGB members and/or learners to be disciplined.

I: Any other input? C5.

C5: This duty of informing parents is done by the principal and not us. We as parents on the SGB and also as old people we are only called to be informed or told about the finalized case on decisions taken by the school. We are not invited to discuss issues but to be told about the

decision taken.

I: (*Laughing*) Ja … any other input. Ok. How do you conduct your disciplinary hearing for learners? C4.

C4: As we have already explained before we as the SGB members we are not called to discuss the case but we are only told by the principal the decision taken which is final.

I: Any other input? Input.

C3: Thus my word.

I: Any thing C1.

C1: I also agree with the speaker.

I: What do you consider as 'minor offences' at the school? C5.

C5: 'Minor offences' can be small cases such as using vulgar words, fighting, stealing, and not writing schoolwork as it was reported. Such things are 'minor offences' are conducted by the principal and we are not involved but told about such cases.

I: Right, any other input? Right. How do you punish learners who commit minor offences? C4.

C4: How can we punish them because we are always at home? We do not punish learners. The principal and his staff are the people who normally punish learners.

I: Then, how do you punish learners who commit serious offences? Any other input?

C5: As we have already explained we as the SGB we are not involved in such cases. The principal and his SMT do not involve us but instead, they only tell us about the decisions taken in our absence. In many instances, such cases usually happens when they undertake school trips. Always we are called after the principal and his educators have concluded the case. The only things for us to do is to rubber-stamp the decision.

I: Ok. Any other input? Any other, C2.

C2: They are not safe, the only way to safe them is to put proper fences and burglar proofs. If it is possible, there must be security people around the

school to secure and care the learners and teachers at the school.

I: In other words, you they are not safe. So, can you say they are safe?

C1: No, they are not safe at all.

I: Any other input, C3?

C3: They are not safe at all because some strangers come as they please. In many instances these strangers enter the schoolyard unnoticed and get out without unnoticed. Some use the backyard to come in and get out using the front gate. There are also holes on the fences of the school whereby strangers use these holes to enter the school at any time.

I: Any other input?

C5: E … I think that if the government can see to it that our schools are cared And looked after like those in which many white attend, things will be better. Things that are happening in urban black schools and rural black schools are not happening in while schools. In white schools, strangers do not enter as they wish and go out as they like. There is time to enter or visit and not any time. Appointment are arranged before one can enter the schoolyard. So, let the government supply resources to school in order to uplift the standard of black school to be like that of whites, please.

I: E … any other input? Now let us come to the school Code of Conduct. How did you draw up your school Code of Conduct for learners? C4.

C4: Explain what is meant by school Code of Conduct in Sotho. We are not quite sure about the question.

I: E … School Code of Conduct is e … document containing school rules and regulations which learners must obey. The document also contains offences and their punishment should the learner commit such offences. This document should be drafted or drawn up by the SGB members in consultation with other stakeholders. So, my question is how did you draw up you school Code of Conduct for learners. Any other input, C5?

C5: In previous parents meeting, the principal and other educators brought the document in which they have explained certain claws of the document such as late coming, prohibition of intake of beer, etc. They drew up the

school Code of Conduct there without involving us. They also did not explain it in fully. But nevertheless, we understood that the document prohibit certain practices such as intake of beer, late coming, intake of drugs in the school.

I: Any other input, C4?

C4: I repeat myself. I still say that they drew the Code of Conduct without involving us. They only brought the document and explain rules and regulations of the document but still not fully.

I: Any other input? Ok. How would you describe the role of the SGB relative to the school Code of Conduct for learners? C4.

C4: They did not call us from the beginning when they drew up the Code of Conduct for learners. So, we cannot claim any role except that the document was brought to us completed and read the content to us.

I: Any other input? C1, something?

C1: No further comment.

I: Ok. E … how often do you revise or review the school Code of Conduct? C3.

C3: The school does not review or revise the school Code of Conduct. I have been in the SGB for the past two years but things are the same every year, including the Code of Conduct. Kids also do not change because they still come late to school and behave the same way. So, to me there is no change.

I: Ok. Any other input? So, how do you communicate your school Code of Conduct to learners? C4.

C4: Educators and the principal can tell better because we as the SGB do not know anything regarding the communication of the school Code of Conduct to learners. Again, they did not tell us anything regarding the communication of the Code of Conduct.

I: Any other input? C5?

C5: It is true. In our side as SGB members we are not involved in communicating the Code of Conduct to learners. Maybe the teacher

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component can explain it better than we can do.

I: Ok. How do you communicate your Code of Conduct to parents? C4.

C4: We are suppose to call the meeting and communicate the Code of Conduct to parents. But, we take a long time to call meetings and the principal is reluctant to call parents meetings also.

I: Ok … any other input? C5.

C5: In the last meeting held, the principal read important sections of the Code of Conduct to parents. Even if the principal read the Code of Conduct, parents had complain about it and the behaviour of learners. They expected that corporal punishment must be reinstated to bring order to school.

I: Any other input, C2 – C3?

C3: We as parents we are nothing in front of these learners because of the rights given to them. We cannot discipline them at home. We thought that the school will discipline them on our behalf as parents. We wonder what kind of our future generation we will have from these learners. We think that we will have no future generation at all.

I: Any other input? Now let us come to the role of the SGB in discipline. What role does the School Governing Body play in discipline? Any role play by the SGB? Played by you in discipline, C5?

C5: As we have already explain, issues of discipline of learners in the school is not done by us. We are only receiving report from the principal and the SMT members we are not involved. In many instances, we are only called and not disciplining but told about the cases solved and their outcomes.

I: Any other input, C1?

C1: I agree with the speaker. We are only called when they have decided about the case.

I: Ehe … any other input? Now let us continue. To what extent was the SGB involved in drawing up the Code of Conduct? C4.

C4: We were not involved, and we are not involved. We have already explain that they do not include us when they draw up the school Code of

Conduct. Everything is done by the principal and other teachers.

I: Any other input, C2?

C2: They normally call us only to sign papers that we don't understand them.

I: Ehe … any other input? Ok, C3?

C3: We have problems. Some of these issues are not explained to us well. We sign them because we are expected to do so as SGB member so that the school must run.

C5: Do not forget to tell him about the meetings.

C3: Ja … we do not held meetings properly here. I nearly forget to talk about the meeting issue. (*laughing and shaking his head*)

C4: (*Almost everybody laughing*) Yes. I don't have anything to explain; C3 explained everything. But these are problems that we normally facing.

I: How active are the parents on the SGB in disciplinary hearings? Are you active as members of the SGB in disciplinary hearings? C4.

C4: How can we be active if we don't know anything? Our activeness is when we are called and rush to the call by the school. They do not tell us properly the agenda. We can say that we are active in signing school cheque for them to buy whatever is needed for the school. We were taught to sing nothing else. This is our active role: to sign.

I: (*Laughing*) E … any other input, C2 – C3?

C3: Ja … you know what, the principal usually prefer to call the person who signs the cheques more often than other members of the SGB. We always hear from him that he was called by the principal to sign cheques. (*laughing*) Yes, they use the school money for their purposes and not for the school.

I: (*Laughing*) Ja … let us continue. How well are the SGB members equipped to deal with issues of discipline? How well are the SGB members equipped to deal with issues of discipline? C5.

C5: We have a problem here. The only thing to stop these problems is to be taught everything expected of us. We don't know anything about these issues. The only thing emphasized by the inspectors at the meetings is

that we must see to it that the principals must not use money as they wish. Every year we attend only the finance workshop so that principals must not spend school fees for their own benefit. That is where we excel but discipline issues are not part of our job.

C3: Ja … those are teachers' job. Principals and teachers. We cannot beat learners they will report you to the police.

I: Ok. Now let us come to the human rights of these learners. How would you describe your feelings on Constitutional rights of learners in relation to discipline? How would you describe your feelings in relation to discipline? C5?

C5: Those constitutions and human rights were not there during our time when we were learners. Teachers use to be us but showing us the way. Those rights given to learners are the causes of learner misconduct and bad behaviour. Presently, these learners do not respect older people, including teachers. So, I suggest that all parents must join hands and do away with these rights because these learners are belong to us but not the government.

C3: Those rights are nothing but powers to allow learners to misbehave.

C5: We even don't know anything about these rights.

C3: They are dying because of these rights. Look, we are old enough we have even grand-children.

C4: We don't want these rights. These rights do not belong to us but to the whites and the government.

I: E … any other input? Ok. How do you conduct your investigations of serious suspected misconduct of learners? How do you investigate serious suspected misconduct of learners? C5

C5: Investigations are done by the police, not us. This is for principals and the police. We are not taking any part here. These are police station issues. The police must be called and search them.

C4: Even those police men are afraid of the learners. They will not search them. They are also afraid of rights. And I don't know where are 'wrongs'

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because they only talk about 'rights'.

C3: They will kill you if you can try to search them. They will take your pension salary if you keep on giving them problems.

C5: It is true.

I: Now we have come to the end of our discussion. I would like to find out if there is any other input or anything you would like to say or would like to bring to us, or tell us in relation to discipline, school Code of Conduct or any other issue in your school. Any thing?

C4: I suggest that you go to the principal and tell him because we don't know anything. We don't do anything except to be called and sign cheques. I also have the mind of resigning because we don't play any part. I also suggest that you tell him to workshop us about these issues.

I: Any other input?

C3: This government created problems. There is n longer law and order. During the Paul Kruger government there were law and order even if the government belong to the whites. All kids presently will tell you that 'I will to the police'. We don't want these rights any longer.

C4: Those rights, they must be returned back to where they belong – to the whites and the government.

C1: Our culture as black people is to use corporal punishment to discipline kids.

C2: They don't respect older people; they only know the police and the rights. They even threaten their fathers about the police and the rights.

I: Any input, C5?

C5: I think that the discussion was an eye opener for us as SGB members and parents. We as parents we must know our duties and obligations. We must know exactly what is expected of us.
(*All talking*)

I: Input?

C4: Would you give us that paper of yours containing questions so that we must talk to the principal to clarify the issues to us?

I: (*Ignoring the request*) Input?

C3: Yes. We must go the principal and let him to explain to us because these issues are not known to us.

I: E … thanks for your contribution and your time.

C1: Thank you.

I: Thanks for your contribution and your time.

C2: E … dankie, chief.

I: Thank you for your contribution and your time.

C3: Thank you, sir.

I: Thank you for your contribution and your time.

C4: Thank you, sir.

I: Thank you for your contribution and your time.

C5: Thank you. We hop that this is not the end. You must come so that we must gain information.

I: Thank you.

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INTERVIEW TRANSCRIPT WITH LRC OF SCHOOL 'A'

I = INTERVIEWER

I: How would you describe the conduct of learners in your school?

A2: Ja … well I personally perceive them as being moderate regarding their conduct. I don't see any problem concerning them.

I: Any other person.

A: I think that there are problems that make them to be mischief.

I: Ok. A3!

A3: Fifty percent of them are Ok and fifty percent of them are not Ok.

I: E … what is your opinion as learners on the causes of learner misconducts, A2.

A2: I think that the causes of learner misconduct is their home backgrounds. Some bad misbehave actions are as a result of their personal issues emanating from their homes and brought to school.

I: A3?

A3: I think that bad behaviour is caused by educators.

I: Ok A4?

A4: I also think that the causes of misconduct is as a result of disrespect on the side of educators.

I: Ok. What does the South African Schools Act say on the period given to a learner to attend disciplinary hearing? A1.

A1: We do not know.

I: Any other, A2.

A2: This is news to me.

I: Ok. How do your parents get informed when they need to attend disciplinary hearings? A2!

A2: Sometimes letters are issues and we as learners deliver these letters to our parents.

I: A3.

A3: In other instances they send us back home to call our parents.

I: How does the school conduct a disciplinary hearing for learners. A3.

A3: Ah … there is nothing of such a thing. They beat us. It is like that.

I: (*laughing*) Eh … any other person? Ok. What do you consider as minor offences at the school? A2?

A2: Not wearing school uniform.

I: A3?

A3: Not writing homework.

I: A4?

A4: To be bully at the school.

I: Ok. How does the school punish you as learners after committing serious offences? A3?

A3: They beat us or give us work of eradicating weeds. A1.

A1: They send us home to call our parents.

I: A2?

A2: They expel us from the from

I: (*laughing*) What do you consider as "serious offences" at the school? A3.

A3: Carrying drugs in the school yard.

I: A1?

A1: Carrying dangerous weapons in the school yard.

I: Ok. How does the school punish you as learners after committing serious offences? A1?

A1: They call the police.

I: What is your opinion of the procedure followed in discipline? What is your opinion of the procedure followed in discipline? Any other person? A3.

A3: I think that the procedure followed is not Ok. To be beaten regularly is not Ok.

A4: They must talk to us before they can do anything related to discipline.

I: Now let us come to the school Code of Conduct. How did you draw up your school's Code of Conduct? How?

A1: It was already there when we were elected.

I: A3 … A2?

A2: I do not have any idea concerning drawing the school Code of Conduct because it was there when we were elected.

A3: I do not know if that document exist or not in the school.

I: (*laughing*) A4?

A4: I do not know anything concerning the school Code of Conduct.

I: Now would you describe the role of the Learners' Representative Council relative to the school's Code of Conduct?

A: It has no meaning to us.

I: Ok. Are you satisfied with these role? A3?

A3: No.

I: Why?

A3: It is the same because we d not know that school of conduct. We only know that there is a Code of Conduct but we have never seen it.

I: (*laughing*) How else would you like to be involved? A2?

A2: First of all, I would like them to explain clearly to us what is a school Code of Conduct, the expectation of the school Code of Conduct.

I: Ok. Any other? How often does the school revise or review the school's Code of Conduct? A3.

A3: They immediately tell us in January. They only tell us about certain things such as uniforms but they do not explain in fully the expectations.

I: Eh … A4?

A4: Schools around here like our school in winter does not allow our winter jersey. They do not explain it at the beginning and in winter they just decide that those clothes are not wanted.

I: How often does the school? Sorry … eh …, how does the school communicate the Code of Conduct for learners to your parents.

A1: They call a meeting.

I: Any other person? Ok. How does the school communicate the Code of Conduct to you?

A2: Eh … well, in January they explain certain clauses of the Code of

Conduct.

I: Are they reading the Code of Conduct to you and explain it to you?

A3: They only say it that it is like this even if we want certain clarity they don't care.

I: Ok. Do you think this is sufficient to make all learners aware of the Code of Conduct?

A2: No. I don't think so.

I: Why?

A2: As I have already explained that they must firstly include all stakeholders such as parents and learners when they start drawing it is then that we can accept it and understand it.

I: Ok … A3?

A3: Or they must give us pamphlets or documents drawn so that everybody must be aware and they must not only tell us about it.

I: Ok … A4?

A4: And then if they have drawn it, let them allow us to add certain things or to subtract certain things that we are not happy with.

I: Ok. What role as members of the SGB … what role – sorry wait. Do you think this is sufficient to make all learners aware of the Code of Conduct?

A3: No. I don't think is sufficient.

I: Any other person?

A5: No.

I: Does the Code of Conduct capture everything you would like it to or are there other issues which should be added?

A2: Yes. As indicated by A4 that they must involve also the parents and the LRC members.

I: Any other? Ok. Now let us come to the role of the SGB in school discipline. What role do you as members of the SGB play in discipline?

A5: We don't play any role.

I: Any other? To what extent were you as LRC members involved in drawing up the Code of Conduct? Were you involved?

A4: No. We were not involved. We don't have any idea.

I: How active are learners in disciplinary hearings?

A3: They are not active at all because only teachers who tells us what to do but not negotiating with us.

I: Do you feel that you are equipped to deal with disciplinary issues dealt with by the SGB?

A1: No.

A2: No. I don't think so.

I: How would you describe the power and the influence of the LRC in your school relative to learner discipline? A3?

A3: They don't have the power and influence in this matter.

I: A4?

A4: We only get orders from the principals and we do not have power because they give us instructions to obey with thinking about our feelings. That's all.

I: how would describe your feelings as learners on your constitutional rights in relation to discipline?

A2: They sometimes lock us outside the gate without thinking about our studies with no reasons.

I: A4?

A4: If they think that you have misbehave they do not give chance to explain our sides of the story, e.g. for an example, if a boy had beaten a girl they only punish a boy without investigating the matter. They don't want to listen who is wrong.

I: E … A3.

A3: E … the truth is, e.g. if you are late to school you are late. They give us spade to remove weeds and they only allow us to get in during break. We cannot argue or tell them anything. Their word is final.

I: How does the school conduct investigation of serious suspected misconduct committed by your as learners? A2?

A2: They don't even conduct investigations but instead they call the police.

The police take you to the police station.

I: Do they tell your parents before they go to the police? A3?

A3: No. They searcher us normally if they find drugs they immediately call the police without informing parents first; and send us to jail until Monday if it is on Friday.

I: We have come to the end of our interview. Do you have any other thing you would like to say in relation to the discussion? Ja … A3?

A3: I say that teachers must stop coming to school with hangovers and without teaching us. They sit without teaching us. They fall asleep in front of us. This is not something good because at the end, they give us tests and we fail these tests. If we obtain low marks 12, they punish us. So is bad.

I: So you are saying that teachers are coming being drunk and then they in turn decide to discipline you they sleep instead of teaching you? So any other person having a commend in relation to the topic that we discussed? A2?

A2: Ja … concerning the human rights, sometimes they must respect our human rights as students. In other instances such as break, you may find that maybe someone attend things such as counseling or consulting a doctor, when you come being few minutes late trying to explain to them, requesting extra help concerning studies, they refuse and even expel us.

I: Ok. Any other issues? A4?

A4: They must mind their language when they speak to a learner and select proper words that must respect the feelings of a learner or that may not hurt a learner.

I: Ok. E … thanks for your time. It has been wonderful. E …

A1: Thank you very much.

A3: Thank you.

A4: Thank you.

A5: It was wonderful to explain to you how things are running at the school.

I: E … A2.

A2: Please come again to our school and check what is happening to our school.

I: Thanks.

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APPENDIX D

CODES OF CONDUCTS:

- ➢ School A
- ➢ School B
- ➢ School C

CODE OF CONDUCT

OF

SCHOOL A

LEARNERS CODE OF CONDUCT

1.   **Preamble**: This document shall herein and therefore be referred to as the SCHOOL A Code of Conduct for learners.   This Code of Conduct for learners seeks to protect the rights of all registered learners in line with the South African School Act and the Provincial measures.   It further seeks to promote understanding and co-operation among learners, educators and parents.   It ensures the development of the learners in totality and paves way for the culture of teaching and learning service.   It will provide guideline for grievances and disciplinary procedure..

2.   **Categories of Misconduct**

2.1   Misconduct (Moderate Offences)

A learners shall be guilty of misconduct if he/she intentionally and without excuse:

2.1.1   Threatens, disrupts or frustrate teaching or learning in class.
2.1.2   Engages in a conspiracy to disrupt the proper functioning of the school through unconstitutional collective action.
2.1.3   Insults the dignity of or defames a staff member.
2.1.4   Is found smoking or having smoked.
2.1.5   Engages in any act of public indecency.
2.1.6   Disobeys or disregards any member of the LRC.
2.1.7   If found in possession of or distributes pornographic material.
2.1.8   Dodges classes.
2.1.9   Commits any other act prohibited by the Code of Conduct for learners.

Any misconduct listed above shall be correct by the School Disciplinary Committee (SDC) by:

- Recorded warning.

- Counselling.

- Punishment (detention or exclusion from trips and cultural functions.

- Calling parent/guardian on second occurrence.

- Referring the matter to SGB Disciplinary Committee after being a serious misconduct.

2.2   Serious Misconduct

A learner shall be guilty of a serious misconduct if he/she:

2.2.1 Is found guilty of misconduct as contemplated in 2.1 after having been found guilty of the same or similar misconduct on two previous occasions.

2.2.2 Fails to comply with a punishment as a correctional measure.

2.2.3 Intentionally and without just excuse:

2.2.3.1   Forges any document or signature to the potential or actual prejudice of the school.

2.2.3.2   Maliciously damages another person's property.

2.2.3.3   Engages in fraud.

2.2.3.4   Engages in theft.

2.2.3.5   Trades in any test or exam question paper or material.

2.2.3.6   Cheats in a test or exam.

2.2.3.7   Sexually harasses another person.

N.B: Committing any misconduct listed in 2.2 will result in a parent/guardian being called to school. On second commission of the same/similar offence, the matter will be referred to the SGBDC.

2.3   More serious misconduct

A learner will be guilty of a more serious misconduct if he/she intentionally and without just excuse:

2.3.1 is found in possession of, consumes or deals in any illegal substances (e.g. dagga).

2.3.2 is found in possess of any dangerous weapon (e.g. knife, fire-arm, etc.).

2.3.3 Assaults or seriously threatens to assault another person.

2.3.4 Holds a person hostage.

2.3.5 Commits murder.

2.3.6 Commits rape.

2.3.7 Commits another serious misconduct.

2.3.8 found gambling.

3.   School Rules

3.1   Starting, Knocking off times and Absenteeism

3.1.1 No learner shall arrive late (after the bell has rung) or depart before time (before the bell rings) and the learners shall always respond to the bell.

3.1.2 All learners shall be on campus by 07h45 until 14h15, except during break and when teachers rule otherwise to allow for extra lessons and extra curricular activities. Learners who arrive late in the morning or at break will find the gate locked. Record of late-comers shall be kept and on second appearance in a month parents will be called.

3.1.3 No learners will be allowed to leave the school premises during school hours without prior permission from the class teacher. Leaving without permission will amount to dodging.

3.1.4 Loitering of learners during periods or lessons is prohibited.

3.1.5 If a learner is absent from school due to illness, a letter of excuse must be handed to the register teacher upon return. If a learner does not give a satisfactory explanation for absence for the 3rd time in a month, a parent/guardian shall be called.

3.1.6 In case a learner is absent from school for a period of 3 days in succession, or 3 days in 10 days without a medical certificate, a parent/guardian will be called to school.

3.1.7 Cell phones in a classroom are strictly prohibited. No case regarding stolen cell phone will be entertained. Cell phones are to be switched off in class; otherwise they will be taken and kept in the strong room of the school until parents/guardians come to fetch them.

3.1.8 No selling in class – if found selling, written warning will be given – and if found the second time the stock will be taken and parents summoned to the school.

3.1.9 Register teachers must be notified of any scheduled medical appointment before hand.

3.1.10 Learners have the responsibility to catch up on any work missed whilst absent.

3.1.11 Leaving or forgetting of learning material at home will not amount to misconduct.

3.1.12 Afternoon study for Grade 12 learners is compulsory from Monday to Thursday (14h30 to 15h30).

4. Disciplinary Code

4.1 Learners are expected to read and understand the learner's Code of Conduct as well as prospectus for that year.

4.2 Learners who are sent home to call parent/guardian shall not be regarded as having been expelled or suspended. However, the learner shall not report for school if parent/guardian does not come.

4.3 A learner has the right to appeal for any decision taken against him/her.

4.4 All learners' problems shall be addressed through the class-reps, teacher liaison officer or class teachers before taken to the HODs or deputies. No problems shall be taken directly to the school manager by learners unless the above are all not on campus.

5. Behaviour outside school campus

5.1 Learners shall not lose their status even outside the school campus or when they are not in school uniform. Hence, poor behaviour under the above conditions shall constitute misconduct.

6. School Property (Furniture, books, etc)

6.1 No learner shall tear, deface or remove any poster or information on display without authorisation.

6.2 No furniture (desks and chairs) shall be removed from classrooms without permission.

6.3 Damage to property is a serious misconduct.

6.4 All learners belonging to a particular class are responsible for everything in their classroom.

6.5 Learners are encouraged to buy their own textbooks. However, books which may be borrowed to learners must be covered with transparent plastic cover and be well looked after. Lost and torn books must be replaced by learners (List of prescribed books will be provided).

6.6 School books must be returned at the right time at the end of the year, on the dates to be announced and displayed on campus. Otherwise, learners who fail to return books will not receive their end of year examination results. Learners are discouraged to return books when it is time to receive their progress reports).

7. School Uniform

7.1 All learners are expected to put on school uniform [on daily basis] as specified in the prospectus.

7.2 Failure to put on school uniform will result in learners sent home to dress properly.

7.3   Any problem that a learner may have with regard to uniform must be communicated to the school management by parent/guardian. Excuses from learners will not be taken/accepted.

7.4   Acceptable dress code

7.4.1 Boys:

Summer Wear

White shirt
Navy blue trouser
Black school shoes
Black belt (compulsory)
School tie (compulsory)
Ж No sporty or any other caps (except school cap - Navy blue in colour) will be permitted.

Winter Wear (boys)

Plain navy blue jersey and V-neck
School blazer

7.4.2 Girls

Summer Wear

White shirt
Black school shoes
White socks
Tie (compulsory

Scotch blue & white skirt (with original length)

Winter Wear (girls)

Navy blue, plain and V-neck Jersey
School blazer
Stockings (Navy blue)

8.   Appearance of Learners

8.1   Boys

8.1.1   Hair must be short and neat at all times.

8.1.2   No way-out hairdos and styles including steps, spikes or ponytails will be allowed.

8.1.3   The school maintains the right to decide whether the learner's hair is acceptable or not.

8.1.4   No artificial colouring or dying of hair is allowed.

8.1.5   Those who need to shave may do so regularly.

8.1.6   No earrings, bracelets and necklaces are allowed.

8.2   Girls

8.2.1   Hair must be neat and presentable.

8.2.2   Hair touching collars must be neatly tied back with bobbles (school colours only).

8.2.3   No artificial colouring or dying of hair is allowed.

8.2.4   Singles and braids are not allowed.

8.3   General Rules

8.3.1 No jewellery, except wrist watches and Medic Alert bracelets, are allowed.

8.3.2 Girls may wear one pair of earrings. (small plain sleepers or small gold/silver studs).

8.3.3 Girls may not wear makeup whatsoever when in school uniform.

8.3.4 Nails must be cut short and be kept clean. No nail polish is allowed.

8.3.5 A learner whose appearance does not meet the above standard and/or dress code will be sent home immediately.

9.   General Rules

9.1   No learner shall be allowed into the administration block without authorisation.

9.2   Learners are not allowed to carry big amount of money as pocket money. Money intended for fees and educational excursions must be paid immediately on arrival into the school campus.

9.3   Every learner registered at this school must ensure that he/she has this Code of Conduct and abides by it.

9.4   Learners must carry their identity cards to school.

9.5   All visitors, including former students, should report at the reception. Learners are not expected to be in the company of stranger on campus.

9.6   All learners shall take part in the daily and general cleaning processes of the school and its surroundings.

9.7   Learners must be proud of their school grounds, so littering is forbidden.

9.8   Unless otherwise specified, corrective measures dealing with Sections 3 to 9 shall be treated the same as in 2.1 above.

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CODE OF CONDUCT

OF

SCHOOL B

LEARNERS CODE OF CONDUCT

A. INTRODUCTION

Our learners' Code of Conduct shall be subject to the Constitution for the Republic of South Africa 1996, the South African School's Act 1996 and provincial provincial legislation. Our Code of Conduct shall prescribe behaviour that respects the rights of learners and educators.

B. AIMS AND OBJECTIVES

o   This Code of Conduct at establishing a disciplined and purposeful environment to facilitate effective education and learning in schools.
o   To ensure that there is order and discipline in our school.
o   To facilitate constructive learning and establishing moral values.
o   See moral standards of behaviour for learners and equip them with the expertise, knowledge and skills there will be expected to evince as worthy and responsible citizens.
o   To promote positive discipline, self discipline and exemplary conduct.

C. RULES AND REGULATIONS

COURTESY AND MANNERS

1. It is a well known saying that courtesy course nothing, yet how pleasant it is to the receiver.
2. Show good manners to your superior. Be refined, friendly, cheerful and courteous at all times.
3. Learners should not talk strangers, but remembers an adult who comes on to the school grounds during schools hours is probably a parent/guardian/guest. Greet this person politely.

4. Visiting sports teams should be met and greeted politely. All visitors should be made to feel at home and welcomed. Remember to thank umpires at the games and to say goodbyes to visitors.

5. Should you need to interrupt adult conversation, remember to always say "Excuse me".

6. Always says "Please" and "Thank you".

7. Bad language is definitely unacceptable – it is an insult to those around you and it reflects badly on your upbringing.

8. Respect people of other races – their culture and their language.

9. Disruption of classes should be avoided at all cost for it is a sign of no discipline.

10. Learners should always remember to learn and prepare for tests.

11. A don't care attitude towards the school and the teachers should be done away with.

12. Homeworks should under no circumstances be left undone.

13. Pupils with bad behaviour who will not accept authority both in and out of the classroom will without doubt be strongly reprimanded.

ADHERING TO THE ABOVE MENTIONED RULES AND REGULATIONS WILL ENSURE

- Maintenance of higher standard of teaching.
- Improvement in learners' academic progress.
- Improvement in learners' education standard.
- Minimising children's/learners' disciplinary problems.

D.   GENERAL CLASSROOM RULES

1. Any form of chewing or eating in class will not be tolerated.

2. Loitering on the field or about the school buildings after the bell has run.

3. Whilst in class, if the teacher visits your classroom, stay seated, greet them politely and get on quietly with your work.

4. No learner is allowed out of the school gate until the bell has rang.

E. GENERAL SCHOOL RULES

1. The staff-room and offices are out of bound to all learners at all times.
2. Learners are not allowed to leave the school premises during school hour without permission of the principal or his/her class-teacher.
3. Learners are not allowed to climb on chairs or seat on tables.
4. Learners should avoid staying at toilets during school hours.
5. Learners are not allowed t smoke or use any or use any intoxicating drugs or alcoholic drinks.

F. NAILS AND HAIR

1. Neatly cut.
2. Hair may not be rolled into dreadlocks.
3. Hair may not be coloured or bleached.
4. Nails may not vanished.

THE FOLLOWING ARE OFFENCES, WHICH MAY LEAD TO SUSPENSION OF LEARNER BY SGB

- Conduct which endangers the safety and violates the rights of others.
- Possession, threat or use of a dangerous weapon.
- Possession, use, transmission or visible evidence of narcotic or unauthorised drugs, alcohol of intoxicants of any kind.
- Fighting, assault or battery.
- Immoral behaviour or threats.
- Falsely identifying oneself.
- Harmful graffiti, e.g. hate speech, sexism and racism.

- Theft or possession of stolen property.
- Unlawful action, vandalism or destroying or defacing school property.
- Disrespect, objectionable behaviour and verbal abuse directed at educators or other school employees or learners.
- Repeated violation of school rules.
- Criminal and oppressive behaviour and verbal abuse directed at educators or other school employees or learners.
- Infringement of examination rules.
- Knowingly and wilfully supplying false information of falsifying documentation to gain an unfair advantage at school.

To maintain a high standard of education is the main aim of our school. Under no circumstances will the school allow a small group of un-cooperative pupils be the cause of other pupils not being able to develop to their full academic potential.

If learners contravene in any or some of the rules and offences mentioned hearing the procedure will as follows:

1st Offence: Parents will be notified in writing.
2nd Offence: Parents will be invited to the office for an interview
 (Counselling).
3rd Offence: Urgent meeting (further steps to be taken will be
 discussed).

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CODE OF CONDUCT

OF

SCHOOL C

CODE OF CONDUCT

The concept of respect is one of the principles of a civilised existence. If this concept is understood and practiced by all pupils (learners) there will be no need for long lists of rules or pages of "dos" and "don'ts".

The following areas should form part of an unwritten syllabus that should be incorporated into all the schools activities and lessons on a daily basis.

◊   Respect for God.

◊   Respect for your fellow man.

◊   Respect for your own body and the bodies of others.

◊   Respect for your own property and the property of others.

◊   Respect for staff members, parents and all adults.

◊   Respect for ladies and girls (and the reverse is of course as important).

◊   Respect for people with different beliefs, interests and priorities and respect for other people's privacy.

◊   Respect for people of all races, their language and their culture.

◊   Respect for all aspects of nature and the environment.

ALL PUPILS OF SCHOOL C ARE EXECTED TO UPHOLD THE NAME AND HONOUR OF THEIR SCHOOL AT ALL TIMES – NOT ONLY WHEN THEY

ARE ON THE SCHOOL GROUNDS OR WHEN THEY ARE IN SCHOOL UNIFORM

1. Pupils are expected to respond promptly to all bells, i.e. at the start of the school day, during periods change over and at the end of breaks.

2. Pupils are not allowed to leave the school premises during school hours without permission of the principal, deputy or HODs.

3. Pupils should stop talking, or moving around, when announcements are being made and should listen attentively.

4. Pupils should not litter in the toilets, should keep the noise level down and should keep the toilets clean and tidy at all times.

5. Pupils are not allowed to stay at school in the afternoons and should be off the premises within half after the final bell has rung or extra mural activities have ended.

6. All lost property should be taken to the principal's office, Deputy Principal's office or should be handed in.

7. Pupils should always be in their uniform (school affairs).

PLEDGE OF SUPPORT FOR THE CODE OF CONDUCT

As a learner/student:

◊ I am committed to the development of the full potential of myself and of all learners/students and teachers/educators and our community at large.

◊ I recognise the right to be taught without interference.

◊ I dissociate myself from and reject all forms of violence, vandalism and other inappropriate conduct in our school.

I also commit myself to:

◊ Look after and protect our school and school property.

◊ Be punctual for school, attend school and classes regularly.

◊ Do properly all work assigned by the teacher, i.e. do homework, classwork, tests and other academic tasks.

◊ Support and be subject to appropriate and fair school discipline and due process by the courts.

I also undertake **NOT** to:

◊ Destroy or steal school books.

◊ Bully, intimidate or victimise teachers and students (learners).

◊ Bring, distribute or consume drugs or alcohol on school premises.

◊ Bring weapons to school or anything else that may endanger the lives of educators and learners.

SIGNATURE OF THE 1. _____

2. _____

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