

**SCHOOL GOVERNING BODIES IN THE FORMULATION AND
IMPLEMENTATION OF A CODE OF CONDUCT FOR LEARNERS: CASE
STUDIES OF TWO SCHOOLS IN DURBAN, KWAZULU-NATAL**

BY

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DECLARATION OF ORIGINALITY

I, Sindiswa SilindokuhleZondo, declare that: “**School governing bodies in the formulation and implementation of a code of conduct for learners: Case studies of two schools in Durban, KwaZulu-Natal**” is my original work and abides by the following guidelines:

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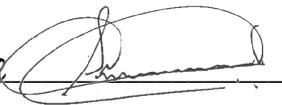
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STATEMENT BY THE SUPERVISOR

I, Professor V.S. Mncube,

as the candidate's supervisor, agree/do not agree to the submission of this thesis.

V.S Mncube 

20 December 2016

Supervisor's signature

Date

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God, my Father, my Daddy for the strength and ability to complete this study.

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DEDICATION

This thesis is especially dedicated to

My parents, Khonzaphi and Mkhombiseni who taught me the value of education and from whom I shall continue to draw inspiration.

My son, Divine, who had to miss his mother, and I know it was not easy. May this study serve as motivation on your academic journey, and remind you that nobody can succeed without hard work, sacrifice, determination and persistence.

My younger brother, Kwanda, who gave me his full support and helped me along the way.

ABSTRACT

This research project explores the role of the school governing body in the formulation and implementation of a code of conduct for learners. The study was conducted in Durban, in KwaZulu-Natal, where two schools were purposefully selected as research sites. Democratic school governance is still new in South Africa, therefore confusion and misinterpretation are bound to manifest. This study therefore aims to examine whether school governing bodies participate in the formulation and implementation of the code of conduct for learners, as well as how and why they participate.

This qualitative study, which is located within an interpretive paradigm, is underpinned by democratic theories. International and national scholarly literature was interrogated to glean further insight into the research topic. Ethical issues were observed prior to data generation. To ensure the trustworthiness of the findings, data were obtained using semi-structured interviews, observation and document review. The data collected during interviews were transcribed, evaluated and analysed in accordance with the phenomenological stages of an analytical framework, as set out in Marshall and Rossman's (1999) six stages.

The findings emanating from this study indicate that while members of school governing bodies do participate in the formulation and implementation of a code of conduct for learners, their participation is limited. Learner and parent stakeholders were found not to exercise the participative roles afforded to them under the South African Schools Act (1996). A variety of factors were found to infringe on the democratic participation of these stakeholders, including a lack of training for members to be able to perform their duties, a neglect of the code of conduct, unequal power relations, and limited time to attend meetings. The researcher's findings, and the conclusions drawn in this study, have informed specific recommendations aimed at translating the status quo of our schools and ensuring a good understanding of democratic school governance, so that members of school governing bodies can be transformed from mere passive participants to active participants who contribute meaningfully towards the smooth running of their school.

ACRONYMS AND ABBREVIATIONS

ANC	African National Congress
CAPS	Curriculum and Assessment Policy Statement
DC	disciplinary committee
DoE	Department of Education
HoD	Head of Department
MoE	Minister of Education
RCL	Representative Council of Learners
RSA	Republic of South Africa
SASA	South Africa Schools Act, no. 84 of 1996
SGB	school governing body
SMT	school management team
Unisa	University of South Africa

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C	Permission letter from the KZN Department of Education conduct the study
D	Permission letter to school principals
E	Permission letter to SGB/Disciplinary Committee chairpersons

- F Permission letter to teacher participants
- G Permission letter to learner participants
- H Permission letter to parents/guardians requesting informed consent for their child's participation in the study
- I Interview schedule (English)
- J Interview schedule (IsiZulu)
- K Observation schedule
- L Documents review schedule
- M Language clearance certificate

CHAPTER ONE: INTRODUCTION, KEY CONCEPTS AND EXPOSITION OF THE STUDY

1.1 Introduction and background information

This study aimed to explore the role of school governing bodies (SGBs) in the formulation and implementation of a code of conduct for the learners, in two case study schools in Durban, KwaZulu-Natal. This chapter contains introductory remarks and background information, a definition of concepts used in this study, the problem statement, rationale and motivation, details on the importance of the study, the research aims, the research questions and conclusion. Since the African National Congress (ANC) government's political victory which saw it come into power in South Africa, many things have changed as far as education is concerned. The way in which schools are governed has changed completely: for instance, new education-related legislation and policies have significantly changed the governance of schools. Amongst these changes is the introduction of SGBs, which aim to decentralise school management. This decentralisation of power from the government to schools was intended to significantly minimise the top-down management style, with the introduction of democratic school governance.

According to the South African Schools Act (84 of 1996) (hereafter SASA), SGBs are statutory bodies aimed at improving the quality of teaching and learning in schools; ensuring good governance; advancing the democratic transformation of society and establishing a position of trust in schools. Joubert (2008, p. 231) maintains that the introduction of SGBs is, amongst others, an attempt to minimise the autocratic management style of the authorities (government). Subject to this Act, SGBs constitute elected members (parents, learners, educators, non-teaching staff such as cleaners, for example) and the principal. SASA stipulates that SGBs are responsible for drafting certain school policies, including a code of conduct for learners. Such a code – referred to in subsection (1) – is aimed at establishing a disciplined and purposeful school environment, dedicated to improving and maintaining the quality of the learning process within a school. In addition, the Act further mentions that the SGB of any public school must adopt a code of conduct for learners after consultation with learners, parents and the educators/principal of the school, as they are all stakeholders in the SGB. The literature shows that the involvement of parents or stakeholders is always

associated with positive academic performance on the part of learners (Karlsson, 2002; Mncube, 2005).

Mncube (2005) and Tsotetsi, Van Wyk and Lemmer (2008) refer to the above as democratic school governance, which implies the transfer and sharing of power between the state and the school. Since schools are in the best position to know and understand their own needs, they should be primarily autonomous and self-governing (Johnson, 1994). Mncube (2005, 2008) contends that democratic school governance implies that all stakeholders, including parents, must decide on any school policies which affect the education of their children. This points to an authentic handing over and sharing of power, with joined liability and accountability, rather than a shifting of liability and accountability, as most commentators would appear to suggest (Heystek, 2004, pp. 31–32; Mncube, 2005).

According to the Department of Education (DoE), it is believed that every school is committed and keen to provide an atmosphere that is conducive to the delivery of teaching and learning. This includes ensuring the safety of learners while they are on the school premises, and can be ensured by

- promoting the rights and safety of all learners, educators and parents;
- ensuring that learners take responsibility for their own actions and behaviours;
- prohibiting all forms of unfair discrimination and intolerance; and
- eliminating disruptive and offensive conduct.

While the above is held true, the code of conduct for learners, as contained in SASA, spells out the rules regarding learner behaviour at school and illustrates which corrective systems schools should put into action to curb or punish misbehaviour on the part of learners (Mthiyane, 2013). The code of conduct applies to all learners while they are on the school premises, away from the school but representing it, or attending tournaments or extracurricular activities or any event that is school-related (McBride, 1991; Van Wyk & Lemmer 2004; Mncube, 2009a). The Nova Scotia Department of Education (2001, p. 1) states that a school code of conduct should spell out the principles, standards of behaviour, identification of disorderly or illicit behaviour and the consequences of disobedience, and should do so in an explicit manner. In this context, the purpose of a code of conduct is to

establish a harmless and dynamic learning environment by outlining what behaviour is expected in schools.

The aim of this study is to determine whether all members of SGBs are involved in the formulation and implementation of a code of conduct for learners in schools.

The orientation of the study is that it investigates the perspective of all stakeholders involved. In a nutshell, it looks at stakeholder involvement in the formulation and implementation of a code of conduct for learners. However, it must be noted that for the majority of schools in South Africa – especially public schools – the idea of stakeholders participating in matters related to governance is very new, therefore, stakeholders might not know what to do or how to do it. Heystek (2004) contends that the limited training of stakeholders, in terms of school governance, coupled with uncertainty (on their part!) regarding their functions and duties, sometimes makes it difficult to govern schools properly.

It is fundamentally important, however, to note that learners and parents may be reticent or may not feel free to air their views during meetings, i.e. those convened to update the code of conduct. The research has shown (Karlsson, 2002; Mncube, 2009a) that this is, in most cases, attributable to their level of education or their lack of knowledge or experience on certain topics. In some instances, their voices may be silent because they were not invited to attend the meetings in the first place.

The reviewed literature proves that a code of conduct for learners may be used to promote the rights and safety of all learners, educators and parents, while ensuring that learners take responsibility for their own actions and behaviours, by prohibiting all forms of unfair discrimination and intolerance, and eliminating disorderly and unpleasant behaviour within the school context. This means, however, that during the process of formulating a code of conduct for learners, all stakeholders must take part and give their input. It therefore requires their active engagement, undivided attention and a spirit of cooperation. Interaction between all stakeholders will help to improve and establish a disciplined, safe and purposeful school environment that is dedicated to the improvement, expansion and maintenance of a quality teaching and learning process.

In the light of this study, the code of conduct is proposed to be (amongst others) a tool that the SGB can use to maintain discipline amongst learners. All learners are required to comply with the code of conduct of the specific school they attend. Furthermore, a code of conduct must contain provisions of due process aimed at safeguarding the interests of the learner and any other parties involved in disciplinary proceedings – such as the disciplinary committee, for example. The code of conduct is an official instrument that should be used to promote discipline in a democratic way. For it to function effectively, the code should be formulated in such a way that it is consistent with the current laws of the country.

1.2 Definition of key concepts

It is fundamentally important to clearly explain and define the terms used, before proceeding with this work. The specific focus will be on terms used in the title of this study, as they pertain to the research undertaken: SGB, code of conduct, formulation, implementation, learners, participation and stakeholder.

SGB: This study will make frequent reference to SGBs. According to SASA, SGBs are statutory bodies aimed at improving the quality of teaching and learning in schools; ensuring good governance; advancing democratic transformation in society and establishing a climate of trust in schools. SGBs are mandatory when it comes to the governance of a school, i.e., as regards decision making and policy formulation (O’Hair et al., 2000) aimed at guiding and directing the work of schools, in line with the powers afforded them through SASA.

The code of conduct: For this study, a code of conduct refers to a tool that the governing body of a school uses to maintain and enforce discipline amongst all the learners who attend that a school. For their part, all learners are required to comply with their school’s code of conduct. Furthermore, the code is designed specifically to guide and regulate school discipline, while acting as a medium or tool for the democratisation of education. In general, the code of conduct for learners is based on disciplining learners by managing their behaviour so as to create an orderly school environment where effective teaching and learning can take place (DoE, 1996).

Code: a set of rules arranged in such a way as to minimise inconsistency

Conduct: the way someone behaves or treats another. In this case, the code would stipulate ideal or desired behaviour.

Formulation: ‘Formulation’ refers to the creation or compilation of a document. For the purposes of this study, the focus is on learner stakeholders’ involvement in the creation of the code of conduct. Heystek (2004, p. 217) mentions that learner involvement in an SGB and their cooperation in formulating such a code is always associated with positive and self-regulated behaviour, which strengthens discipline and improves the running of the school.

Implementation: This implies putting deeds into practice or taking action. For this study, it refers to the role of learners in making the code of conduct effective and relevant to the very people it is designed for. Learners are only vehicles who enable the putting into practice, in schools, of a code of conduct.

Learner: A learner is someone who obtains or learns knowledge, values, attitudes and skills within a school environment or from the community (keep in mind that learners are socially constructed) they hail from. In this study, the term ‘learner’ is used to refer to an individual who attends school.

Having clarified crucial terms used in this work and highlighted the reason for their use, it is also important to define words that will come in handy in the course of this dissertation.

Participation: Stakeholder involvement in making decisions, implies participation. The general definition of participation is the act of taking part or being practically involved in an activity. Naidoo (2012) notes that participation has a direct bearing on shared decision making – a concept which is central to democratic life. According to Naidoo (2012), participation occurs when all stakeholders work together and make decisions in pursuit of a common interest. SASA provides for the election of SGB members by learners, parents and teachers. In practice, this grants schools and their SGB members an important role in voicing their opinions when it comes to the decision-making process. The issue of learner participation, as always, remains crucial. For the purposes of this study, ‘participation’ will be taken to refer to

stakeholders' involvement in the formulation and implementation of a code of conduct.

Stakeholder: Here, the word is used to refer to those learners, parents, individuals from the community and teachers who were elected to represent the wider cohort of parents, learners and community members on the SGBs. According to Bush and Heystek (2003), the notion of a stakeholder originates from the assumption that certain groups of people or individuals have a stake or are interested in and curious about a school's activities and progress.

Democratic school governance: According to Naidoo (2004), this term refers to the formulation and implementation of school policies by the SGB. A school's policies determine the manner in which the school is governed and controlled, so as to ensure its smooth functioning. This can be better understood as democratic practices which are adhered to in the day-to-day running of a school. As the literature in this respect shows, and confirmed by Sithole (1998), Karlsson (2002), Maile (2002), Taylor (2004) and Mncube (2005, 2008 and 2009a), democratic school governance revolves around the idea of having your rights recognised and respected, being granted freedom of speech and expression, and equality and fairness being applied in a consistent manner.

School governance: According to Caldwell and Harris (1998, cited in O'Hair et al., 2000), school governance refers to decision-making and policy formulation that provides guidance and direction to the functioning of a school. SASA maintains that governance in schools refers to the transfer and sharing of power between the state and the school. Since schools are in the best position to know and understand their own needs, they should be fundamentally self-determining. In this way democracy is brought to schools, and SGB stake responsibility for the governance of their own schools.

1.3 Problem statement

The introduction of democracy signaled a new beginning, the use of new remedies to erase the legacy of apartheid from the South African education system. This is evident in the Constitution of the Republic of South Africa (RSA, 1996), where the emphasis is on

rectifying and transforming past inequalities through democratic shifts. In inculcating the democratic transition of the South African national education system, several reforms and initiatives were introduced. Amongst these was the notion of schools-based management or shared school governance through SGBs. In reference to the abovementioned education reform, SASA introduced a decentralised school management system, whereby the power of managing schools has been given to SGBs. The Act stipulates that learners need to be involved in their own education – research done in various countries has revealed the significance and benefits of involving all stakeholders in teaching and learning.

SASA stipulates that the governing body of a public school must adopt a “code of conduct for the learners”, after consultation with the learners, parents and educators of the school. This code must serve as a guide for learners in that it should assist the school in operating effectively in terms of how discipline is maintained. Subsection (1) of SASA (1996, p. 56) stipulates that a code of conduct

must be aimed at establishing a disciplined and purposeful school environment and dedicated to the improvement and maintenance of the quality of the learning process. The Schools Act further stipulates that a code of conduct must contain provisions of security due to the process of safeguarding the interest of the learners and any other party involved in disciplinary proceedings.

In terms of the Act, schools must also ensure that a representative council of learners (RCL) is elected as the statutory body of recognised leadership in each school, by virtue of the fact that they will be the democratic representatives of the other learners on the SGB.

In this field of study, scholars such as McBride (1991), Gutman and Midgley (2000), Chikoko (2001), Senechal and LeFevre (2002), Lemmer and Van Wyk (2004) and Mncube (2007) have shown that shutting out the voices of parents and learners, either completely or explicitly, means that issues of social justice and democracy are not taken into account by SGBs.

The literature reviewed in this study proposes that although parents and learners participate in school governance, most of them are not fully on board with the process (Mncube, 2009b). This means that any involvement by these two groups of stakeholders in matters concerning

school governance tends to be mere window dressing, because they do not participate fully in decision-making processes. Some parents and learners – particularly those in rural or township schools – are not given sufficient opportunity to help make vital decisions affecting the existence and functioning of their school.

This leads us to school governance. Democracy should not simply become the subject of a set of lessons, but should rather be the central aim of education at all levels, with the core aim being to liberate the school community in the school context. To anchor this, Mncube (2009a, pp. 84–85) and Sithole (1995) refer to school governance as the

institutional structure delegated with the duty or authority to formulate and adopt school policy on a range of issues which include school uniforms; school budgets and developmental priorities; endorsement of the code of conduct for learners, staff and parents; broad goals on the educational quality that the school should strive to achieve; school–community relations, and curriculum programme development. School governance structures create an opportunity for all stakeholders (including community representatives) to develop a sense of ownership of the school and thus take responsibility for what is happening at the school.

The aim of this study is to investigate the processes which go into the formulation and approval of a code of conduct for learners. In light of the above, most of the research on the democratisation of school governance (McBride, 1991; Gutman & Midgley, 2000; Van Wyk & Lemmer, 2004; Lewis & Naidoo, 2006; Mncube, 2008 and 2009b) shows that, in schools, formerly marginalised groups such as parents and learners are perhaps only included in decision making in areas that are comparatively non-essential to the ultimate functioning of the school (Lewis & Naidoo, 2006). Further, one study revealed that according to an interviewed parent, “the nature of the decision-making process serves to exclude some stakeholders”(Lewis & Naidoo, 2006, pp. 242–243). The parent in question stated that the principal’s decision was usually final. Moreover, in some cases teachers’ views appeared to carry more weight, while parents’ and learners’ views tended to be excluded. In a nutshell, the literature suggests that in certain schools the principles of democracy are respected, yet SGB members are to a certain extent not recognised or included in matters concerning the school (McBride, 1991; Gutman & Midgley, 2000; Van Wyk & Lemmer, 2004; Lewis & Naidoo, 2006; Mncube, 2008 and 2009b).

1.4 Rationale and motivation for the study

According to SASA (section no. 8 of 1996), the governing body of a public school must adopt a code of conduct for learners after consultation with the learners, parents and educators of the school. Such a code should be aimed at establishing a closely controlled school environment which is devoted to improving and maintaining the quality of the learning process, while adhering to the tenets of democracy. This is corroborated by Gore (2002), who argues that schools are relevant sites in educating young people to sustain and nurture democracy within already democratic societies. As the author of this thesis I have a personal interest in the democratisation of schools, which is what has driven me to conduct this study in governance.

Being a teacher at a school in Klaarwater, Durban, I felt a need to conduct a study into democratic school governance. I was inspired by a growing trend in the school where I teach, and where autocracy and dictatorship are still the norm. The school principal is autocratic, he runs a one-man show and follows an oppressive management style. On the other hand, as a Post Level One educator, I am always in contact with learners. This means we converse easily on a daily basis. In some cases we discuss their fears and aspirations as far as governance is concerned. Learners normally voice their views or wishes on how they would like to be treated to me, but being a junior educator I cannot help them. I am, however, always keen to see justice done to my learners, and therefore I decided to conduct a study that will help to clarify why and where management's and learners' interests clash. To corroborate my view that learners need greater input in issues of governance, one of the teachers who leads the learner's body in school has complained that the learners' demands to be taken into consideration in matters concerning them, fall on deaf ears. The learners do not want the principal to impose his will on them, but feel it would be good if all parties could exchange ideas via the relevant platforms and reach consensus collectively.

Given our history and experience, change tends to be gradual. Despite this, some find it difficult to adhere to change. Many school leaders and governors have yet to internalise the fact that schools are not solely governed by school principals and the chairpersons of the SGB: they are governed by *all* stakeholders, including learners. In many black African schools, the authority lies solely with the principal: it is a case of his/her way, or nothing. I have noticed, in particular at the school where I teach, that learners are not given a platform to exercise their participative role, as mandated by SASA. I normally see learners (RCL

members) checking school uniforms during assembly, monitoring late-comers or maintaining order in the classroom. They are not, however, involved in serious matters concerning their learning or their wellbeing, nor are they contributing to formal SGB meetings, when it comes to formulating or implementing a code of conduct.

In contrast, during my six years' experience as a teacher, I have observed a remarkable tolerance, on the part of learners, to classroom rules. These rules are formulated and implemented by learners themselves, together with their class teacher. The rules act as guidelines that learners should follow to ensure that they take responsibility for their own actions and behaviours, while eliminating or punishing disorderly and unpleasant conduct within the classroom. In some schools, however, it is important to note that learner participation – if it occurs – is minimal and restricted, despite the requirement of equal participation.

Corroborating this view, Mncube (2005, 2008) argues that, in practice, parents, learners and even teacher governors do not participate fully, for several reasons. In the majority of instances, the principal carries out duties which are believed to be the responsibility of the SGBs. This means that some stakeholders, despite serving on the SGB, are excluded. My aim with this study was to find out whether SGB members (learners in particular) participate in the formulation and implementation of a code of conduct for learners. If they participate, how do they do so? Why do they participate in the way they do?

In my Bachelor of Education Honours (BED Hons) degree, I conducted a study on school violence. In particular, the study explored the role of SGBs in managing violence in schools. The findings of that study revealed that a learners' code of conduct can be a helpful tool in reducing schools-based violence. That study, underpinned by school governance theories linked with social justice theories, found that SGBs formulate anti-violence policies (e.g., a learners' code of conduct, anti-bullying policies) in order to safeguard the interests of each learner. These policies include any other party who may be involved in disciplinary proceedings. Research shows that the active involvement of all stakeholders in SGBs is coupled with good academic achievement on the part of learners (Mncube, 2005). Furthermore, my Honours study found that learners were only partly involved in matters pertaining to their schools, which is what motivated me to pursue this research.

While the above findings held true for many schools, research done by different scholars into democratic school governance revealed that the code of conduct for learners may be helpful in promoting the rights and safety of all learners (Karlsson, 2002; Xaba, 2002; Mncube, 2005, 2008; Mthiyane, 2013). Being inclusive of the safety of educators and parents, such a code ensures that learners assume responsibility for their own actions and behaviour, while prohibiting all forms of unfair discrimination and intolerance, and eliminating disorderly and bad behaviour (Xaba, 2002).

1.5 The significance of the study

This study aims to determine whether learners who serve on SGBs participate in the formulation and implementation of a code of conduct for learners. Researchers in this field of study (Adams & Waghid, 2005; Tsotetsi et al. 2008; Mncube, 2009a, 2009b) highlight the fact that learners do not always play their part in school decision-making. This study will investigate why learners' voices are not heard, particularly in the formulation of a code of conduct aimed at regulating their own actions and behaviour.

Research done both nationally and internationally reveals a need for greater involvement on the part of all stakeholders: Gutman and Midgley (2000), Senechal and LeFevre (2002), Karlsson (2002), Lewis and Naidoo (2006) and Mncube (2008), amongst others, associate the active and effective involvement of all stakeholders – learners more especially – with a range of positive academic outcomes, including higher grade-point averages (Gutman & Midgley, 2000), lower dropout rates (Rumberger, 1995) and fewer retentions and special education placements (Miedel & Reynolds, 1999 in Senechal & LeFevre, 2002).

What can therefore be done to bring about greater participation? Mthiyane (2013) maintains that the code of conduct, as a legal entity, should be used to foster discipline in a more democratic way. In the same vein, however, this study views the code of conduct for learners as a valid tool for enforcing discipline in schools, which is why learners should be involved in the formulation thereof. Mthiyane's study revealed that for such a code to be valid and function effectively, it should be consistent with the laws of the country, i.e., it must comply with SASA and other institutional laws.

A number of studies have been conducted on the democratisation of education in school governance in South Africa (Bush & Heystek, 2003; Masheula, 2003; Heystek, 2004; Van

Wyk, 2004; Adams, 2005; Adams & Waghid, 2005; Singh, 2006; Tsotetsi et al., 2008; Mncube, 2009a and 2009b), and this work aims to add to the existing body of knowledge by examining the changing face of democracy in schools (see also Harber & Mncube 2012). This will be achieved through examining the responsibility, experiences and practices of learners in formulating and implementing the code of conduct that acts as a guide for them.

Since democracy in South Africa is still relatively new, it carries in it the remains of education systems of the past. According to Mariam (2010, cited in Naidoo, 2012), this is emblematic of democracy in Africa, which has its origins in an African culture and history which are largely paternalistic. Chikoko (2001), in his study, suggests that in spite of the presence of a decentralised structure in which parents form the majority, they do not have what it takes to function efficiently therein, and remain marginalised in school governance decision-making. Moreover, he maintains that decision-making supremacy is expected to lie with professionals, more especially the heads of schools or top management. This study, by contrast, will enter into discussions on how we can make our schools more democratic sites by adhering to democratic principles.

Lewis and Naidoo (2006), in their qualitative study, maintain that in practice in schools, shared decision-making processes commonly involve limited consultation which is managed by the principal, where all stakeholders are not equal participants, and consensus is often more apparent than real. In most schools, SGB meetings tend to be information-sharing forums rather than sites where key decisions are taken unanimously (Lewis & Naidoo, 2006). In contrast, however, according to SASA schools must be governed along democratic principles that entail that all stakeholders – including learners – decide on the policies which affect their education. This study advocates that democratic values and practices be instilled in all South African schools.

With the above aim in place, the qualitative approach has been used to get under the skin and into the lived experiences of the stakeholders involved in advancing this study, thus adding to the existing data that have been gathered in this knowledge area. More especially, the study will determine whether – as things now stand – all stakeholders do in fact participate in the formulation and implementation of a code of conduct for learners.

1.6 Research aims

This study seeks to examine how SGB members participate in the formulation and implementation of a code of conduct for learners.

The study aims to examine

- whether SGBs participate in the formulation and implementation of the code of conduct for learners;
- how SGBs participate in the formulation and implementation of the code of conduct for learners; and
- why SGBs participate the way they do in the formulation and implementation of the code of conduct for learners.

From the above research aims, the study will focus on a number of main research questions.

1.7 Research questions

- Do SGBs participate in the formulation and implementation of the code of conduct for learners?
- How do SGBs participate in the formulation and implementation of the code of conduct for learners?
- Why do SGBs participate in the formulation and implementation of the code of conduct for learners in the way they do?

1.8 Theoretical framework

The crux of this study is about democratic theories and the decentralisation of education in South African schools. At a glance, Cohen (1971, p. 3) delineates democracy as a system in which people govern themselves. De Vries (1993, p. 4) views democracy as a system whereby a group of people rule through democratically elected representatives. From the above, the common idea centres on specific people being afforded powers by those whom they represent. This means the people have the power to govern themselves. In light of the above, Pateman (1970), Carr and Hartnett (1997), Grugel (2002) and Held (2006) delineate two formal categories: the classical and the contemporary conception of democracy. Carr and Hartnett (1997) refer to the classical conception of democracy as a moral concept identifying a form of social and political life which gives expression to the values of self-fulfillment,

self-determination and equality – values which are constitutive of a society in which all individuals can attain self-fulfillment by freely and equally determining and working towards the common good of their society. On the other hand, as regards a contemporary conception of democracy, Carr and Hartnett (1997, p. 42) speak about political equality, meaning an equal opportunity to vote for leaders, as well as democratic participation, which means exercising that vote at periodic elections. (For more on these concepts, see chapter 3.)

This study seeks to examine the participation of learners, parents and teachers in policy (learner's code of conduct) formulation and implementation, therefore, democratic theory goes hand in glove with decentralisation. For the focus of this study, these theories refer to participation by all stakeholders in matters related to the governance of schooling issues, especially as they pertain to the power relations between adult school governors and learner governors.

1.9 Research design and methodology

The gist of this chapter is to outline how the study will progress, and to state which research methods and tools were used to collect data, in accordance with the aim of the study. This study, which is located in an interpretive paradigm, employs mixed research tools. In a qualitative study, where the emphasis is on qualitative research, the aim is to understand the lived experiences of participants (Bell, 2006). Here, it entails determining whether SGBs participate in the formulation and implementation of a code of conduct for learners. As researcher I opted to locate my work under the interpretive paradigm. The case study, as a research approach, was used to investigate two schools in Durban, in KwaZulu-Natal. Purposive sampling was used, and I thus had to be selective in terms of research sites, choosing schools which demonstrate democracy in their day-to-day running. Since the focus of the study is the code of conduct for learners, democratic schools acknowledge learners' voices and inputs under powers afforded them by SASA. Within the selected schools the main sources of data were learners, teachers, parents, the SGB chairperson and the principal.

For the triangulation of data, three research tools were employed. At both case study schools, interviews, observation and document review were used to collect data. In each case the interviewees included the principal, SGB chairperson, a parent stakeholder, a teacher stakeholder and a learner stakeholder (from the RCL). By using observation, i.e., observing disciplinary meetings, I obtained first-hand information from the participants. Using document

review, I gathered information that had not been revealed in interviews or through observation, thus ensuring triangulation. (For more on this, see chapter 4.)

To obtain ethical clearance, I submitted an application to the DoE and the Ethics Committee of the University of South Africa (Unisa) prior to embarking on the study. When I had received the ethical clearance certificate, I made contact with the principals of the schools I intended to use in this study, for official permission to visit their schools. I outlined the scope and nature of my study, whilst assuring them and the respondents/participants that their anonymity would be preserved and that confidentiality would be guaranteed. (For more on this, see chapter 4.)

1.10 Organisation of the dissertation

This study is ordered in such a way as to logically explore whether SGBs participate in the formulation and implementation of a code of conduct for learners in two schools in Durban, KwaZulu-Natal. With regard to the execution and design of this study, the focus was not on inflexible structuring, which would imply a fixed approach with no room for flexibility (thus going against the grain of qualitative research). This study consists of seven chapters, each of which is outlined below.

Chapter one: In chapter one I outline the introduction and background information to the study, define the key concepts used, and outline the problem statement, rationale and motivation for the study, its importance, its research aims, the critical or main research questions, as well as the research design and methodology, and the organisation of the dissertation.

Chapter two: Chapter two offers an evaluation of both national and international literature on school governance, more especially SGBs, in the formulation and implementation of a code of conduct for learners. The study discusses the functioning of SGBs in South Africa, the need for a code of conduct for learners in schools, and the abolition of corporal punishment in schools, as well as the link between corporal punishment and the code of conduct for learners. This chapter also focuses on learner participation in the formulation and shaping of a code of conduct for learners.

Chapter three: In this chapter, I present and discuss the theoretical framework and the theories underpinning this study, which are theories of democracy. The chapter elaborates on

the concept of democracy and the two conceptions thereof (classical and contemporary). The chapter also discusses the dynamics of representation as an aspect of democracy, learner participation and African democracy, collective decision-making and decentralisation, school governance (democratic vs. autocratic), before discussing the code of conduct for learners.

Chapter four: In this chapter I present and discuss the research design and methodology. This qualitative study is located within the interpretive paradigm and uses a case study as research approach. Here, the research question and research aims are discussed. The paradigm wars are discussed in-depth, as are the research design and sample. The qualitative research method employs interviews, observation and document review as research tools to collect data. Issues of quality and trustworthiness are discussed here. The data are analysed/interpreted and presented using themes emanating from the research findings. The limitations and ethical considerations are also touched on.

Chapter five: In chapter five the focus is on the presentation and discussion of data acquired through semi-structured interviews, document review and observation. This chapter is guided by the main research questions which inform the research schedule to be used in interviews aimed at obtaining information from interviewees. The data are presented using sub-questions informed by the interview schedule, and interviewees' responses to the interview questions address the three critical research questions. The data obtained from the observations and document reviews are also weaved into the discussion to substantiate data obtained from the interviews. The following broad headings are used to present and analyse the data collected: the code of conduct for learners, the participation of stakeholders in the formulation of the code of conduct, and the implementation of the code of conduct.

Chapter six: In chapter six, the focus is on a discussion of the key themes that emerged from the findings of the study – themes that are vital for answering the research questions. The following are the themes that emerged: stakeholder participation, a lack of training and orientation in the democratic participation of SGB members, the neglect of the code of conduct for learners, power relations, learner exclusion, time for attending meetings and lack of concern on the part of parents.

Chapter seven: Chapter seven is dedicated to the summary, and to drawing conclusions on the findings of the study's three main research questions. Detailed recommendations are

given regarding the role of SGBs in the formulation and implementation of a code of conduct based on the findings, literature review and theory. Recommendations for future research are considered before the study is concluded.

1.11 Conclusion

This chapter has offered an introduction which is designed to outline and give an overview of the complete study on the role of SGBs in the formulation and implementation of a code of conduct for learners, in two secondary schools in KwaZulu-Natal. The chapter has broadly given background information to the study, by discussing the problem statement, rationale and motivation for, as well as the importance of the study. The research aims and research questions were also delineated. Having provided definitions for terminology that is used in this study, and supplied the structure of the dissertation in this chapter, the next chapter focuses on the literature review.

CHAPTER TWO: THE CODE OF CONDUCT FOR LEARNERS AS A TOOL OF DEMOCRATIC GOVERNANCE IN SCHOOLS

2.1 Introductory remarks

Since 1994 there has been a paradigm shift in terms of how the policies of the education system are concretised in South African schools. School governance was part of the new structure introduced in democratising education. The governing of schools has been transformed and decentralised from government to schools' own SGBs. In public schools, SGBs have been awarded the power to govern, and this includes the responsibility and authority to formulate and adopt policy. In this chapter the focus is on why a code of conduct for learners is necessary, why corporal punishment needs to be banned from schools, the link between corporal punishment and the code of conduct for learners, democratic governance as opposed to autocracy, learner participation in shaping the code of conduct for learners, why learners participate (or do not participate) in the creation of such a code, and the functioning of SGBs in South Africa.

The research questions below determined the nature of the literature and data the study sought to interrogate:

- Do school SGBs participate in the formulation and implementation of the code of conduct for learners?
- How do SGBs participate in the formulation and implementation of the code of conduct for learners?
- Why do SGBs participate the way they do in the formulation and implementation of the code of conduct for learners?

2.2 The functioning of SGBs in South Africa

SASA created a framework which gives all stakeholders involved in education a greater role in the governance and development of their schools. Amongst these stakeholders are SGBs. Because government cannot do everything for every educational institution, it has afforded stakeholders in education the responsibility for helping to organise schools. SASA gives significant responsibilities and functions to SGBs to perform.

An SGB is guided by its constitution, which determines how the body acts and governs itself. SASA stipulates that SGBs must function in terms of a constitution that fulfils minimum requirements, as determined by the provincial minister of education (MoE). According to Calitz, Fuglestad and Lillejord (2002, p. 96, cited in Prinsloo, 2006), an SGB's constitution must provide for

- a meeting of the governing body at least once every school term;
- a separate meeting with parents, learners, educators and staff;
- the recording and keeping of minutes of SGB meetings;
- the availability of minutes for inspection by the provincial head of department; and
- the SGB to report to parents, learners, educators and other staff at least once a year.

From the above it must be noted that the functioning of the SGB is guided by the DoE.

SGBs have certain responsibilities, amongst these are included, in terms of SASA, the governance of every public school. An SGB assumes a position of trust in relation to the school; it must adopt a code of conduct for learners after consulting with learners, parents and educators; and at a public school it may, after a fair hearing, suspend a learner as a correctional measure for up to a week, pending a decision by the provincial head of department on whether the learner is to be expelled. The SGB must function in terms of a constitution that complies with requirements as determined by the provincial MoE, by notice in the provincial gazette. However, it must be noted that certain SGB responsibilities are not addressed here, only those that align with the present study.

There is clearly a close relationship between the SGB, the principal and the school management team (SMT). Calitz et al. (2002, cited in Mkhize, 2003) suggest that the functions of the SGB, principal and SMT cannot be separated. Thus, these stakeholders must work strategically to avoid conflicts that may arise, by promoting peace and harmony in their school. Calitz et al. (2002, cited in Mkhize, 2003) maintain that the relationship and partnership between the principal, the SGB and the SMT should be seen as an area of concern – if it is not managed properly, it will give rise to unnecessary disagreement and divergence. Moreover, the power vested in these groups must be used such that it benefits the school and serves the best interests of the learners. According to Calitz et al. (2002, cited in Mkhize, 2003), the power vested in these three entities should be viewed as specific functions to be exercised within the framework of the authority of the state, rather than as comprehensive

powers to be exercised over others. This does not imply that principals, SMTs and SGBs have no authority or power, for without it they would not be able to carry out their functions or duties.

Conradie (2000, p. 86) points out that some SGB functions are actually management tasks. For example, policy-making aims to promote the best interests of the school and the adoption of a constitution, the development of a mission statement and the acceptance of a code of conduct for learners. As mentioned earlier, the principal and SGB work together closely and thus they should commit themselves to cooperate, foster collegial relations and offer mutual support because they are interdependent. In the same vein, Calitz et al. (2002, pp. 88–89, cited in Mkhize, 2003) highlight the fact that the relationship between the principal and the SGB chairperson should be clarified through consultation, and communicated to all role-players. Adherence to these roles should be rigorously monitored. This simply means that the role of the principal should be regarded as that of chief executive officer (CEO) of the SGB, and as (ex-officio) departmental official working under the authority and supervision of the provincial head of department. SGBs are not involved in the day-to-day running of schools – this is the function of the principal, educators and authorities.

Heystek (2001, cited in Mkhize, 2003) draws our attention to the involvement of parents in SGBs. She maintains that there are primarily three parental roles in any school: parents as supporters (where they monitor children's homework and their academic achievements); parents as assistants and participants (where they voluntarily assist teachers in activities such as field trips and may serve as aides to teachers in the classroom); or parents as managers (highly skilled, involved and knowledgeable parents can become part of official governing structures, to initiate and implement change in schools).

For Mkhize (2003, p. 85), this is about promoting the best interests of the school and striving to ensure the development of learners and educators through the provision of quality education. Mkhize (2003) contend that this could open up the way for SGBs to claim that nothing in a public school is beyond their reach, in accordance with the provisos made in SASA, and that they are thus free to interfere in the professional management of the school. Bray (2005) contend that the functions of the SGB, principal and SMT cannot be separated, as they act as checks and balances for one another. For this reason the relationship and partnership should be based on cooperation, collegiality and mutual support.

2.3 Why a code of conduct for learners?

A learners' code of conduct in a school functions much like laws do within the broader community (Bray, 2005). Laws consist of a body of norms, values and rules which communities have accepted as legal ways to regulate life in general. Similarly, a code of conduct for learners comprises those laws or rules which set out which norms and values learners should abide by. In a nutshell, such a code operates to promote, maintain and enforce learner discipline in school, and to restore or maintain order within the learning community.

A code of conduct is a disciplinary document that needs to be drafted within specific legal parameters, whereby the very people for whom it is set up, shall form part of and have their say in the end product. This implies that learners must take ownership of and obey the law (code of conduct). If the code of conduct is not obeyed, legal measures must be enforced to restore the equilibrium – by 'legal measures' is meant punitive actions in keeping with the code of conduct for learners.

Mthiyane (2013, p. 9) aptly speaks about the code of conduct as a tool deliberately designed by the state for governing bodies to maintain discipline amongst learners in schools. It is a mandate that all learners should abide by (Section 8[4] of SASA no. 84 of 1996). The code of conduct is a legal entity that should be used to promote discipline in a more democratic way. For the code to be valid, legitimate and just, and to function efficiently, it should be consistent with the laws of the country, with directives issued by the DoE, and should be kept up to date. When a school thus formulates a code of conduct it must make sure that it is in line with code of conduct directives received from the DoE and that it falls within the parameters of the Schools Act.

SASA bans corporal punishment in all public and private schools, and makes provision for a fine or term of imprisonment to anyone found guilty of infringing this law (Myburgh, 1996). The banning of corporal punishment left schools in a dilemma, because there was no other physical alternative in place to discipline mischief-makers. The code of conduct for learners aims to replace or offer an alternative to corporal punishment. John (2003, citing Maphosa & Shumba, 2002), found that making corporal punishment illegal in schools created a sense of disempowerment amongst teachers, in terms of their ability to maintain discipline in learners as the use of alternative disciplinary methods proved to be ineffective. Nevertheless, there is

still a need to do away with corporal punishment, as required by policies emanating from the DoE.

Oosthuizen (2010, p. 44) talks about the Lovegrove model of learner ownership, which was intended to enforce classroom discipline and maintain it. It entails every learner in the class writing down five to ten rules that will result in the effective functioning of the classroom. The educator collects the rules and consolidates the learners' proposals. When the rules have been consolidated and implemented, learners feel a sense of ownership as regards their classroom and school. At the heart of this approach is the notion that learners have to experience the school as their own and have to accept responsibility for it. This was found to have a beneficial effect on discipline: learners behave well when they own the set of rules which will discipline them. From the aforementioned, it is evident that positive results are expected when learners take part in constructing disciplinary measures for themselves. From the literature reviewed, greater learner involvement delivers beautiful results.

Learner ownership involves a set of rules to discipline learners; likewise, here the quest is to determine reasons for the use of a learner code of conduct in schools. Such a code aims to replace or be used as an alternative to corporal punishment, which is why learner participation is vital in shaping the code. Learners form part of SGBs, and it is the role of the SGB to draft the code of conduct for learners. If learner stakeholders represent their peers in SGB meetings, all learners will have a say in the formulation of the code. That leads us to believe that the results will be good as well.

Oosthuizen (2010) confirms that the involvement of all stakeholders in the management of the school has numerous benefits. Making use of their expertise and inputs during planning sessions, when formulating aims and objectives and carrying out activities in the school, benefits the school as whole. In this way it leads to accountability towards the school being seated in stakeholders, which is conducive to collective action.

2.4 Banning corporal punishment in schools

When the South African democratic government came into power in 1994, it brought about changes in our society. Amongst the changes, as far as education is concerned, was the banning of corporal punishment in all schools, in accordance with section 10 of SASA. Although the banning of corporal punishment is new in South Africa, it has been forbidden

for a long time in countries in Europe and the United Kingdom. In South Africa, as in other countries, it is a criminal offence to use corporal punishment (physical violence) against learners. The Bill of Rights states clearly that everyone has a right not to be treated or punished in a cruel, inhumane or degrading way.

Historically, corporal punishment was used to maintain discipline (Morrell, 2001). Generally speaking, corporal punishment is seen as a form of discipline or as a corrective measure to 'manage' individuals in order to restore disciplined behaviour. Simiyu (2003, p. 6) defines corporal punishment as a "deliberate infliction of pain on an individual's body by a person who has more power and authority than the inflicted victim". This means that corporal punishment involves the deliberate infliction of pain, on a learner, by a teacher in school, with the aim of maintaining discipline.

A 2001 study conducted by Morrell aimed to find out why the use of corporal punishment continues in schools, even if the law expressly forbids it. His study found that the commonly held truth that there are no alternatives to replace corporal punishment is a "neglected explanation"; corporal punishment is inflicted because parents still use it in their homes and thus support its use in schools (Morrell, 2001). In short, according to Morrell, parents are a contributing factor in the continued use of corporal punishment in schools. Morrell (2001) concedes that there is a tension between the abolition of corporal punishment and parental involvement in matters concerning the school. SASA strongly advocates the involvement of parents in the education of their children. For example, in SGBs parents are in the majority, meaning that for an SGB to be legitimate and just, there have to be more parent stakeholders than any other stakeholders. It can be argued (in light of Morrell's "neglected explanation") that corporal punishment will not be abolished for as long as parents continue its use at home.

Corporal punishment in South African schools has been used to quieten and silence learners and promote authoritarianism, thus enabling teachers to maintain their status quo in schools. Mthiyane (2013) maintains that local schools are authoritarian institutions which stress compliance, conformity and passivity. Harber (2004, cited in Mthiyane 2013, p. 8) states that such authoritarianism is visible and prevails in the endemic use of corporal punishment in schools. As a learner at a school in KwaZulu-Natal, I experienced and witnessed such authoritarian management, having been a victim of violence in the form of corporal punishment. Corporal punishment can be traced back to cultural and apartheid practices.

Most teachers who are currently in the education system follow an approach based on education laws of the past, which left the deep scars and wounds of authoritarian discipline. Therefore, still there is an onus on teachers to try new remedies (within the limitations of the code of conduct) to discipline misbehaving learners. It must be noted that it is the past which makes us what we are today. In saying this, I mean there is a long way to go in liberating our learners, as teachers still have a sense of entitlement, believing that the modes of discipline of the past are right and just, and therefore they continue using corporal punishment. In support of this, Mposula (2000, cited in Morrell 2001) confirms that most African teachers have themselves been raised and nurtured in a tradition of strong corporal punishment – they are thus merely continuing a tradition which they learnt from their own parents.

Studies reveal that there is a fine line between punishment and discipline. In this respect, Alfonso et al. (1975, cited in Mdabe, 2005) assert that “punishment is a form of discipline”, that is used to enforce disciplined behaviour. Mdabe (2005, p. 9) maintains that discipline is, however, a much broader concept than mere punishment, which is simply an act or an application of punishment: punishment is the consequence of misbehaviour, whereas discipline deals with the prevention of a learner’s misbehaviour as the result of disruptive actions. From what has been alluded to about the abolition of corporal punishment, as per SASA’s directives, it has clearly become progressively harder to maintain discipline and control learners in schools. Vally (1999) adds that the transformation of the education system in South Africa has let down teachers, as they view corporal punishment as the only way of maintaining order and discipline in class.

As regards learner perceptions about the use of corporal punishment in schools, interestingly some still believe in and prefer to be punished in this way, rather than being disciplined using democratic ways (i.e., in keeping with the code of conduct for learners). Gilbert and Gilbert (1998, cited in Morrell, 2001), in a study conducted in Australian schools, found that learners consider corporal punishment to be acceptable and fair, if given after a warning of some sort. The study also found that many respondents deem corporal punishment to be just and fair if it is administered with love and care. I argue that there is still a need to deal with the mental state of mind and mindset of our learners. Psychologically, they need to be delivered from the chains of the past, in order to appreciate the liberty afforded them by the current education system.

Even if a lot can be said about the use of corporal punishment in schools, it must be noted that its use has more demerits which, in the end, jeopardise our children's education.

2.4.1 The positive consequences of corporal punishment

From the above, it is implied that punishment is a form of discipline. However, Engelbrecht and Lubbe (1979, cited in Mdabe, 2005, p. 9) distinguish discipline from punishment. Both maintain that the most fundamental function of punishment as a form of discipline is to teach the child to make correct use of his/her freedom. Thus, the aim is for the child to learn to become self-disciplined.

Mkhize (2003) maintains that corporal punishment must be seen in a positive way, considering that it helps the learner to realise his/her potential. She further maintains that it can help a child to learn right from wrong and grow a conscience. In the same line, Morrell (2001) concurs with Mkhize (2003) in maintaining that corporal punishment must be seen as positive in that it facilitates maturity and responsibility.

Morrell (1999) maintains that corporal punishment is commonly administered in many schools. Prinsloo (2006), however, notes that the consequences of corporal punishment are erratic, despite the fact that it is sometimes successful at restraining inappropriate behaviour. With regard to the above statement, in the *Sunday Tribune* (07/02/1999), the provincial MoE, Eileen KaNkosi-Shandu, openly called for a revisit and a return of corporal punishment to schools.

2.4.2 The negative consequences of corporal punishment

Simiyu (2003) outlines four negative aspects of corporal punishment: physical, sociological, educational and psychological.

As for the physical consequences, she maintains that it is constituted in the hurtful effects incurred on the physical body, including physical pain, bruises and tissue injury. The social consequences are that direct violence inculcates aggressive behaviour and leads to the cyclical generation of violence in society, through abuse, torture, harassment and degrading punishment. Psychological consequences mean that scars are left not only on the human body

but also on the mind and spirit. Simiyu (2003) argues that corporal punishment also decreases learners' motivation and may lead to low academic achievement.

Jennings (1979, cited in Mdabe, 2005, p. 10) agrees that corporal punishment is distasteful in itself and ineffective in changing behaviour. In fact, a learner may feel rejected and this may strengthen the disruptive behaviour.

Anderson (1993, cited in John, 2003, p. 18) confirms that the problem of violence in schools originates from the use of corporal punishment as the form of violent strategy used by educators to address poor learner discipline. She points to an ominous result where teachers' actions help generate violence, in that physical violence is deemed helpful in resolving problems with learners. In the same vein, Morrell (2001) maintains that studies by Cherian (1990) and Miller (1987) show that the use of corporal punishment negatively affects learners' academic achievement and results in low self-esteem and anti-social behaviour. Nevertheless Morrell (2001) contends that the abolition of corporal punishment may have the unintended effect of removing power from school authorities – most especially from teachers. He adds that the abolition of corporal punishment may incapacitate schools in terms of disciplining learners, but he does concede that in some schools its use is concomitant with an increasing ignorance of learners' rights.

From the aforementioned, it is clear more harm than good has been done in using corporal punishment in schools. Although some associate corporal punishment with positive results, it must be noted that it is illegal, in accordance with the Constitution of the Republic of South Africa (1996a), as a means of maintaining learner discipline. Moreover, legal measures can be taken against those who still believe in, and use, corporal punishment: perpetrators may be imprisoned.

2.4.3 Possible links between corporal punishment and the code of conduct for learners

To understand the connection between the code of conduct for learners and corporal punishment, it is fundamental to refer back to the main aim of the code. In the past, the use of corporal punishment in schools formed part of an autocratic approach in managing the school and enforcing discipline amongst learners. This was based on the bigger picture that learners needed to be controlled by those in power within the school, which included the principal and teachers. However, the use of corporal punishment has been found to instill and perpetrate

abusive behaviour within schools at large. To uproot this practice, SASA maintains that no one at school may use or administer corporal punishment to a learner. Anyone who disregards this subsection (1), is guilty and liable to be convicted or sentenced for assault. Further, this Act mandates SGBs to formulate a code of conduct for learners in their school. Aptly, according to SASA such a code should mainly focus on positive discipline to ensure the smooth progress of effective and constructive learning (Prinsloo, 2006). Therefore, the code of conduct must aim to replace corporal punishment, as there is only a negative link between the two.

Morrell (2001) maintains that the post-apartheid government in South Africa abolished corporal punishment through SASA and the Abolition of Corporal Punishment Act (1997), which together made the practice illegal. In his study, “Corporal punishment and masculinity in South African schools”, Morrell reveals that despite its abolition, corporal punishment is still the norm in many local schools attended by black learners. Its use denotes and secures the hierarchical supremacy of school managers and teachers over learners within the school, and even in their homes.

From the aforementioned it appears that teachers and parents tend to use and rely on their physical power to try to instill discipline in their learners and/or children. Since many of them were brought up in this manner, they have a strong belief that by using corporal punishment to instill discipline, they are bringing up those children in an accepted and acceptable way. The approach may have worked in the past, but what about now? Morrell (1999) cautions that it is vital that teachers understand diversity in terms of the culture of their learners, as culture may dependably affect disciplinary measures. Aptly, this means that the effectiveness of any punishment is dependent on cultural variables, rather than being uniform. Other disciplinary methods will have to be considered. In one cultural context punishment may succeed, whilst in another it may not. Practically speaking, the unpublished study of Zondo (2011), titled “School governing bodies in managing violence in South African schools” reveals that so-called ‘elite schools’ (which include white, coloured and Indian schools) are no longer using corporal punishment in disciplining learners, whereas schools attended by black African children still rely heavily on corporal punishment. This report concurs with Morrell’s findings.

In short, the success rate and the effectiveness of punishment mainly depend on the school as a whole and on the school management team, and vary from one school to the next. Consequently, to neutralise or equalise the situation, education must move away from an autocratic approach whereby it is only the teacher who dictates what happens and how. Rather, s/he should be a facilitator who leads learners to self-discipline, which is where the code of conduct fits in.

Proponents of corporal punishment may argue that its continued use is due to a failure to specify and put in place alternatives (Morrell, 2001). For argument's sake, SASA specifies that the code of conduct is a tool to be used in disciplining misbehaving learners. The code thus represents a liberation from past apartheid laws which were characterised by inequalities and authoritarianism. Morrell (2001) maintains that schools are meant to be vehicles of liberation and that SASA can help to bring about this change. The literature reviewed in this study reveals that the code of conduct is only partially used in schools, mainly as a corrective measure aimed at disciplining misdemeanors.

2.5 Learner participation in shaping the code of conduct for learners

Heystek (2001, p. 217) mentions that learner participation in SGBs and their cooperation in decision making can improve schools and ensure that they are better run. This means that if there is a positive relationship between learners and SGBs, learners' contributions can not only influence decisions, but can ensure that school going children abide by any decisions that are taken.

The involvement of learner stakeholders in SGBs is ideal. However, many learner stakeholders are reluctant to participate to the extent outlined by SASA. This is mainly because they do not understand their responsibilities as governing body members: some even infringe on the professional management of the school, believing they are mandated to do so by SASA. The research has shown that learners lack the necessary skills to play an active, participatory role at school, and that their acquaintance with, and awareness of, SASA remain problematic. Until such time as they fully understand the freedoms granted them by SASA, their involvement will amount to nothing more than window dressing (Grant Lewis & Motala, 2004; Mncube, 2009a).

Bush and Heystek (2001) maintain that SASA sees learners as important stakeholders in SGBs and, for the purpose of this study, they are central in the formulation of a code of conduct targeting them. This is because learners are vehicles for the formulation and implementation of the code. Phakoa and Bisschoff (2001, cited in Mncube, 2009a) regard the inclusion of learners in decision making as imperative in public secondary schools. They argue that if learners are excluded from SGBs this will compromise the hard work and democratic ethos that learners fought for in the early 90s. The recognition and representation of learners in SGBs may suggest that they are acknowledged and recognised for playing a major role in ensuring that South Africa became a truly democratic country.

Learners in public schools have long demonstrated leadership in matters pertaining to their education, as in the Soweto riots of 1976 where they protested against the use of Afrikaans as medium of instruction. They can continue to be meaningful tools in shaping their respective schools' codes of conduct.

According to Cockburn (2006), there are three levels of learner participation in the creation of a code of conduct: opportunity, where learners are afforded a chance to attend meetings; attendance, where learners make use of this opportunity; and engagement, where learners contribute meaningfully rather than merely attending the meetings as silent witnesses. If schools practise what Cockburn suggests, there will be fewer behavioural problems and conflicts within sites of education. Mncube (2005) suggests that in schools where Cockburn's levels of learner participation are the norm, there is a move away from authoritarianism or autocracy to democracy. Moreover, those schools not only acknowledge but also honour SASA. As the research has shown, learners' involvement in the code of code is always associated with positive academic and other outcomes (Sithole, 1995; Mncube, 2009a).

2.6 Learner participation in formulating a code of conduct

The term 'participation' appears to be appealing, on the surface of it, but in practice it is another matter altogether. Generally, learners are said to be active participants in the creation of a code of conduct in most public secondary schools. As a teacher in a South African school, I can testify that this is true because in terms of SASA learners form part of the SGBs as RCLs. However, whether they are active stakeholder in the creation of a code of conduct remains questionable. Mncube (2009, p. 95) maintains that learners are incapacitated or hindered in taking active roles in SGBs because other stakeholders (parents and teachers)

believe the learners are too young and immature, and thus unable to make good and sound decisions. On the other hand, Sithole (1995, p. 99) argues that although learners played an important role in South Africa's liberation struggle, they now tend to be marked with incapacity. Sithole (1995) argues that learners must be acknowledged and allowed to participate in matters concerning their education, for instance, in the creation of a code of conduct. Mncube (2008) concurs, suggesting that the voices of learners must be heard in SGBs, where they must be regarded as active participants.

Mncube (2009a) conducted a study entitled "The perceptions of parents of their role in the democratic governance of schools in South Africa: Are they on board?" His study suggests that parents and learners are often not involved in decision making – that is left to the principal and SMT, who make decisions on behalf of the other stakeholders. In the schools Mncube investigated, the research showed that not affording learners their participative rights resulted in many disciplinary problems. Learners tended to hold back from participating because they knew that the principal or SMT would take decisions for them, since they, as learners, were too 'immature'. Researchers like Phakoa and Bisschoff (2001) and McWayne, Hampton, Fantuzo, Cohen and Sekino (2004) assert that learner involvement in drawing up a learner's code of conduct is associated with positive behaviour or self-regulated behaviour, and lower levels of misdemeanor in schools.

Cockburn's 2006 study, "Mapping student involvement", suggests that in most instances the code of conduct for learners is created in the absence of learner stakeholders, in keeping with the idea that it is unnecessary for them to be involved or even present. This deviates from the belief that learners might not be just and fair, but rather too lenient in including solid (or sometimes harsh) rules in the code of conduct, as they are aware that it will become a tool to discipline them and their classmates if they transgress. Cockburn's study found that other stakeholders (excluding learners) believe that learners become lenient and compassionate if decisions are taken against their peers. As a result, the learners are excluded from the process and end up being informed and reported to by the SGB once a decision has been reached or a resolution arrived at.

Cockburn (2006) reports that in some schools the code of conduct for learners is created and formulated by teachers, without consulting learners – the next step is for the teachers to simply hand over the code of conduct. He confirms that learner participation can be repressed

and hindered by the leadership approach of the principal, together with his/her SMT, if there is a tendency to encroach on or take over the role of SGBs and take decisions on their behalf.

Sithole (1995), Carrim and Tshoane (2000) and McPherson (2000) note that neglecting and excluding learner stakeholders makes it difficult for children to see themselves as rightful members of the SGBs. As a result they still regard themselves as too young, as guests or observers. While the above is true, it is believed that the participation of learner stakeholders enhances the functioning of SGBs; if learners maintain a sense of ownership and accountability in terms of the code especially, they are accountable and liable for their own actions (Van Wyk, 1998; Cockburn, 2006; Mncube, 2009b).

2.7 Conclusion

This chapter has highlighted the findings of numerous scholars, as they relate to this field of study. Since the present work aims to explore how SGBs formulate and implement a code of conduct for learners, the literature investigated shows that learners do participate, having been afforded powers in terms of the Schools Act. However, in some instances they do not participate fully and are denied their right as active participants in matters related to school governance. It is evident that most SGB members – except learners – participate meaningfully in matters pertaining to the school. As the literature suggests, learners are regarded as minors, incapacitated and not to be exposed to issues concerning the school as a whole. However, it must be noted that there is a need for learners to participate efficiently in the compilation of a school's code of conduct, as they form part of the SGB. Because the code outlines disciplinary procedures and learners are often at the receiving end of those procedures, they must exercise their participative right and engage meaningfully in discussions about the governance of the school in general, and their (and their peers') behaviour in particular.

CHAPTER 3: THE THEORY OF DEMOCRACY

This study is underpinned by the theories of democracy. Although there are many definitions of democracy, all of them revolve around shifting power from the authorities/government to the people, allowing the people to govern themselves and granting them the freedom to voice their opinions.

3.1 Defining democracy

Democracy means different things to different people in different settings. According to Harber (2002, p. 271, citing Nyerere, 1998), democracy implies tolerance and a willingness to cooperate with others on equal terms. Harber argues that the skills and values of democracy are socially learned, rather than genetic. It is therefore important that African schools and education systems play their part in fostering the knowledge, skills and values necessary to promote and protect a democratic political culture in this country (Harber, 2002, p. 273).

Cohen (1971, p. 3) defines democracy as a system in which people govern themselves; De Vries (1993, p. 4) views democracy as a system where the majority of the people rule through democratically elected representatives, while Esterhuysen (1997, citing Rambiyana et al. 1996, p.191), defines democracy as a form of representative government (see also Mncube, 2005). From these definitions democracy can be defined as a structured approach or form of ruling whereby those who are governed have the right to be heard, are given a platform to voice their opinions and are represented by various structures, for as long as those structures are there to govern. It involves letting the voice of the voiceless be heard to speak through those who are elected to represent them. This right to be heard is entrenched in the Bill of Rights.

To better understand the notion of democracy, researchers like Pateman (1970), Carr and Hartnett (1997), Grugel (2002) and Held (2006) refer to two formal categories: the classical and the contemporary conceptions of democracy, which are discussed in more detail below.

3.1.1 The classical conception of democracy

In the view of Carr and Hartnett (1997, p. 41), the classical conception of democracy sees citizens as directly engaged in self-government, in a system where there is maximum direct participation of all citizens in the common life of the community. Carr and Hartnett (1997, p.

40) contend: “A central feature of classical conception of democracy is that it is a moral concept identifying a form of social and political life which gives expression to the values of self-fulfillment, self-determination and equality.” This means that values are constitutive of the kind of society in which all individuals can fulfill themselves by freely and equally determining the common good of their society. In this study, this is taken to mean that learners are mandated by SASA to be directly involved in the formulation and implementation of the code of conduct. In other words, they are meant to be involved. Naidoo (2012, p. 21) affirms that the classical conception of democracy can be traced back to Athenian democracy which emphasised the ideal of civic virtue (see also Held, 1995). On the other hand, Grugel (2002) notes that Athenian democracy was decidedly exclusive, since women, slaves and foreigners were excluded from obtaining citizenship and exercising related rights.

3.1.2 The contemporary conception of democracy

The contemporary conception of democracy is said to have developed in the 20th century after the classical conception of democracy was rejected (Carr & Hartnett, 1997, p. 41). It was argued that any interpretation of rule by the people (i.e., where people actually rule themselves) was not sustainable or practical in real life. In this conception of democracy, people have the right to choose between rival political leaders during regularly held elections. The role of the citizenry is thus more limited than in the classical conception of democracy. However, it is also argued that high levels of passivity and political apathy are important to maintain stability and guard against system overload. Emphasising the nature of this conception of democracy, Carr and Hartnett (1997, p. 42) state:

On the contemporary conception of democracy, political equality means an equal opportunity to vote for leaders, and democratic participation means exercising that vote at periodic elections. It thus takes competition between political elites – and not participation in decision-making – to be the essence of democracy and the criterion that allows democratic method to be distinguished from other methods of political decision-making.

However, according to Pateman (1970, p. 16), the contemporary conception offers two options: (1) a system where leaders are controlled by and liable to the electorate; and (2) one where the electorate has a choice between competing leaders. Carr and Hartnett (1997) explain that the contemporary theory is considered a value-free, descriptive concept.

Inversely, Steyn, De Klerk and Du Plessis (2007) maintain that the contemporary conception of democracy refers to a form of government which grants possibilities of social progress and happiness amongst citizenry. This interpretation of democracy is very constricted and minimalistic.

It should be noted that education systems will always be political. The contemporary conception of democracy in schools, as far as learner participation is concerned, entitles learners to vote for or against elected members. Maile concurs with Pateman (1970), in that both argue that

a democratic theory of education is concerned with the process of double democratisation, the simultaneous democratisation of both education and society. This suggests that without the democratic development of a society, a more democratic system of education cannot be promoted. (Davis, cited in Maile, 2002, p. 328)

The literature reviewed reveals that for education to be democratic, all stakeholders must coopt the principles of democracy (i.e., be the change they want to see in the world). In contrast, however, unfortunately (or fortunately) schools and learners are socially constructed entities, therefore as much as we as citizens need schools to be democratic, that will depend on the society in which the school is located. Corroborating this view, Steyn, De Klerk and Du Plessis (2007) argue that in most instances young citizens living in democratic societies ironically lack a democratic culture and way of life. Also, few advances are made in educating people for democracy and in living in a more democratic way. The authors further note that democracies value, respect and promote individuality amongst people and allow them to cherish their freedom.

Davies (2002, cited in Mncube & Harber, 2010, p. 610) talks about democracy being composed of four basic principles:

- Rights: a set of entitlements which are protected and common to all individuals;
- Participation: involvement of individuals in the decision-making process;
- Equity: fair and equal treatment of individuals and groups;
- Informed choice: the tools to make decisions which are based on relevant information and reasons.

Steyn, De Klerk and Du Plessis (2007) aptly highlight participation and transparency as crucial for a democratic way of life. In the literature thus reviewed, the emphasis is on democracy. Bastian, Fruchter and Gittell et al. (1986) and Wood (1992) state that schools must practise what they preach, i.e., the institutions must be democratic themselves and incorporate the abovementioned principles of democracy.

Mncube and Harber, in their 2010 study, explore the role of learners in SGBs in South Africa in relation to issues of democracy and social justice. Their study reveals that in spite of learners being given a full role in school governance, thanks to current educational policy, they do not always grasp the opportunity to make decisions which will impact their very own futures. Parents, who are also given a vital role to play in schools, are often absent from decision-making processes. Research studies focusing on this area found that in some cases these stakeholders lack information on how to perform their role to the full (Ngidi, 2004; Steyn, De Klerk & Du Plessis, 2007; Mncube, 2008). Moreover, these studies reveal that when all stakeholders work jointly for the common good of the school, within a culture that promotes democracy, a successful school is bound to emerge. However, challenges facing SGBs have been reported in the process of advancing democratic practices in this country. The power of principals, poor parental participation due to low levels of education and socioeconomic status, and poor learner involvement due to a lack of capacity and cultural influences sometimes serve as obstacles to the democratic operation of SGBs (Steyn, De Klerk & Du Plessis, 2007).

As regards teacher involvement, it has been claimed that they are also not afforded an opportunity to participate fully in decision-making process. However, to a certain extent they are regarded as stakeholders who should be urged to participate, because they are professional practitioners. Xaba (1997), in investigating the perceptions of educator-governors (teachers) regarding their roles in SGBs, provides guidelines for ensuring that those roles are aligned with the core functions of SGBs. He concludes that teachers often find themselves challenged to look after the interests of their colleagues – something which is not in line with these core duties: the aim should be to promote the best educational interests of the learners. Early and Creese (2000, p. 480) affirm that though the interests and views of staff may be imperative, these are indeed not paramount: schools exist primarily to serve the needs of learners, not staff. In this regard, Fox (2003, p. 2) proposes that a governing body is

not a club, which implies that school governors are not there to support or be supported by their constituencies, but to promote the welfare and academic achievement of the learners. In similar vein, Ngidi (2004) argues that educators who do not serve on the SGB are less biased than those who do, thus implying that they tend to deviate from the core functions of the SGB.

It is fundamentally important to note that few researchers have addressed teacher involvement in SGBs, keeping the focus on parents and learners. Both national and international research suggests that schools which acknowledge democratic principles function more efficiently than those governed along autocratic lines (Beane & Apple, 1999; Mncube, 2009a). However, the literature reviewed in this study points to the fact that democratic theory and theories of social justice cannot be separated, especially when deliberating on participation and representation (Gerwitz, Ball & Bowe, 1995; Mncube, 2007). Since this study examines the participation of learners, parents and teachers in formulating and implementing policy (learners' code of conduct), democratic theory goes hand in glove with decentralisation. Here, these theories refer to participation by all stakeholders in the governance of schooling issues, as they pertain to relations among adult school governors and learner governors. Mncube and Harber (2010, citing Beane & Apple, 1999) argue that at a democratic school all stakeholders who are involved in the school have the right to take a part in the decision-making process. They contend that there may be general involvement in addressing issues of governance and policy making on the part of committees, councils and other school-wide decision-making groups, including professional educators, young people (learners), their parents and other members of the school community (Mncube & Harber, 2010, p. 2).

Karlsson (2002, pp. 238–239) pin-points that the main aim of governance improvement is the democratisation of schooling. She maintains that the Education White Paper II clearly states that the governance policy of public schools is based on the core values of democracy (DoE, 1996, p. 16), identified as the following:

- Representation – of all stakeholder groups
- Participation – in active and responsible roles
- Tolerance
- Rational discussion

- Collective decision making.

For the purpose of this study, the emphasis is on only three core values: representation, participation and collective decision making. Castle, Munro and Osman (2006) argue that successful policy must overcome historically determined patterns of division, inequality and inefficiency. In the same vein, Bean and Apple (1999) argue that school governance structures create an opportunity for all stakeholders (including community representatives) to develop a sense of ownership of the school, thus prompting them to take responsibility for what happens at the school. By selecting only three of the aforementioned values, this study focuses on democracy as it contributes to both participatory skills and the values of a school (John & Osborne, 1992).

3.2 Representation as an aspect of democracy

‘Representation’ in a democracy entails the idea that citizens within a country elect representatives to make decisions for them. In other words, representation is a form of democracy whereby citizens allow others – usually elected officials – to represent them in decision-making processes. This means that not all citizens are directly involved in making decisions, but instead allow elected officials to handle responsibilities and tasks on their behalf. In short, representative democracy is an indirect democracy where groups of people participate indirectly, as opposed to directly.

According to SASA, this means that constituencies that elect representatives onto the governing body must include parents, educators and non-educator staff. In the case of secondary schools, learners form part of this cohort. Parents hold a majority at all times, and the chairperson must be a parent member. In a nutshell, this means that all stakeholder groups must be represented on SGBs.

Adams and Waghid (2005) warn that representatives must be responsible, since they, as stakeholders, are answerable to the electorate. Their study reveals that there is often a communication breakdown between elected members (of the SGB) and the constituency they represents and this leads to decisions being taken without due and proper consent. Due to a lack of communication between representatives and the electorate, the former do not have a mandate to represent the latter, and it becomes problematic if it leads to undemocratic practices.

According to Steyn, De Klerk and Du Plessis (2007), representativeness in school governance matters signified the first move towards a democratisation of education in South African schools. Rapcan (2013), an organisation that protects children's rights, conducted a 2013 study aimed at improving our understanding of the functioning of learner representatives in SGBs, and how elected learners are represented in discussions and decision-making processes. Rapcan's study found that, in practice, learner participation in governing bodies and attempts to make their voices heard are constrained by other stakeholders, frequently because those learner stakeholders are deemed incapable of performing their roles.

3.2.1 The dynamics of representation in South African schools

In this section the focus is not on the broad representation of all SGB members, but since the study speaks to a code of conduct for learners, the main focus is on the representation of learners in that body. SASA highlights the need to elect an RCL, in every public school, to also represent learners on the SGB. Such a learner council must be composed only at secondary/high school level, and may comprise only learners in grades 8–12, with two learners elected to sit on the SGB. Going forward, learner stakeholders at public schools are legitimate and recognisable representatives (according to SASA), accorded with vital responsibilities and duties to perform for the betterment and advancement of the school as a whole. If learner stakeholders are viewed as incapable, it infringes on their rights as representatives.

Rapcan (2013) maintains that adult stakeholders do not recognise learner stakeholders as active and competent members. Instead, they undermine learners by continuing to criticise and blame them for being ineffective within RCL structures. Many stakeholders believe that learners' participation in SGBs must be limited to information sharing and discussion, since their opinion means nothing and cannot be allowed to influence decisions. Similarly, the findings of this study suggest that learner stakeholders do not participate to the fullest extent: Mncube (2009) maintains that learners are often allowed to serve in SGBs for show. Rapcan's (2013) findings suggest that in the eyes of adult stakeholders, learner stakeholders do not demonstrate the ability to be active participants in decision making – this compromises their rights and the powers vested in them by SASA. As a consequence, the learners feel inferior, left out and without a platform for voicing their concerns. According to Mncube (2009), it is believed that SGBs in certain disadvantaged areas find it difficult to perform their

functions and do not demonstrate sufficient skills to be able execute their legal powers. There is thus a need for a turnaround strategy to circumvent the challenges mentioned here. SASA (RSA, 1996a, section 19) proposes training for SGB members. The hope is that the governance of schools will be marked by a sharing of power among all representative stakeholders involved, as well as the community at large, so as to promote and support the main values of democracy and thus elicit more effective contributions in schools.

3.3 Participation as an aspect of democracy

The general definition of participation entails taking part or being practically involved in any activity. Naidoo (2012), who highlights that participation has a direct bearing on shared decision making, deems both actions central to democratic life. In similar vein, democratic education sees learners not as passive recipients of knowledge, but as active participants in their own learning. Learners are not viewed as the products of an education system, but rather as valued participants in a vibrant learning community. Carr and Hartnett (1997, p. 42) maintain that participation is rooted in extending meaningful challenges to learners, which will allow them to develop into self-sufficient and responsible members of their community and the larger world. Such opportunities help individuals and communities to find their voice.

As regards participation, Steyn (2001) maintains that learner involvement or participation should unfold according to a hierarchy of seven steps (from optimal involvement to minimal participation):

- Participation in decision making, initiation of action
- Implementation of solutions and evaluation of outcomes
- Consultation on the definition of problems and the preparation of decision-making processes
- Cooperation with others in carrying out programmes
- Involvement in designing strategies or planning programmes
- Contribution through attendance at meetings
- Basic information and passive reception of decisions.

As highlighted in the above steps of participation, learners need to be involved, from the outset, in all matters concerning their learning.

Participation, like democracy, is a political principle (Sarason, 1995, cited in Stofile, 2005) which is easy to verbalise but difficult to put into action. Stofile (2005, p. 11) adds that the word ‘participation’, in its truest sense, should not be restricted to the top management of an organisation, but should apply more broadly throughout the organisation (Harber & Mncube, 2011, p. 9). Smith (2003, cited in Joorst, 2007, p. 9) argues that the significant ideology of a participative approach is that all those groups and individuals who are to be directly affected by the outcomes of a change process, or the implementation of decisions, should actively participate in that process from the start. Mncube and Harber’s 2009 study, entitled “Learners’ democratic involvement in school governing bodies in South Africa”, aimed to explore whether learners who are regarded as voiceless, can in fact make themselves be heard. His findings suggest that learners must be given a platform from which they can exercise their participative right to be heard in SGBs, to a degree where they can deliberately engage and flourish.

Rapcan (2013) maintains that there are numerous factors, broadly speaking, which concern the functioning of SGBs and can hinder the nature and extent of learners’ and parents’ participation and decision-making in schools. One example is an inflexible implementation of the rules. The argument is also made that the roles and responsibilities stipulated in the SASA may suppress cultural diversity, power relations in terms of gender, individual customs and values, variations in socioeconomic status and historical contexts that impact school communities and may prevent learners and parents from openly voicing their opinions and thoughts. In every democratic organisation, participation is the norm and must always prevail. However, practically speaking, in schools there is a lack of agreement as to what democratic decision-making entails. Therefore, learner and parent stakeholders tend to be unable to govern in accordance with the rights afforded them by SASA. Principals, in turn, are often reluctant to create a space for parents and learners – as stakeholders – to enter into debate and dialogue, so as to ensure broad-based participation. In Mncube (2009a), one of the learner respondents mentioned that learners do participate, but not in the way they are supposed to. He maintains that parents and learners are seldom given an opportunity to take meaningful decisions on matters pertaining to the school; that decisions are made by the school principal and teachers, rather than being made collectively by the SGB.

Rapcan (2013) cautions that learners are vulnerable in that they are faced with barriers which undermine their capabilities and hinder their meaningful participation. These barriers include

difficulties in challenging traditional procedures and power relations between adult stakeholders and learners (minors), as well as a lack of support and guidance in truly understanding the concepts of participation and participative democracy.

The scholarly literature (Furman & Starratt, 2002; Dürr, 2005) argues that participation can never be separated from democracy, which leads to the natural merging of the concepts as 'democratic participation'. In outlining this idea, Hart (1992, cited in Steyn et al., 2005) explains that it entails having a say in those decisions that influence your life, the life of your community and the society in which you live. This means, in the school context, that all stakeholders must participate and be effectively involved in the decision-making process. Moreover, engagement and freedom of speech mean that everyone can talk freely.

The South African education system pre-1994 was marked by the exclusion of learners from school governance. School management systems followed a top-down approach which resulted in rigid control mechanisms that more often than not alienated the learners, staff and communities from formal structures of authority. This left teachers and learners without any formal powers in terms of school governance (Mda & Montana, 2000, cited in Joost, 2007, p. 10). In contrast, however, after the political struggle South Africa became a truly democratic country, which meant that schools had to be run along democratic lines and previously silenced voices could now be heard. Everyone was now welcome to participate in school governance-related matters (and everyone was given space to do so).

How does participation link to a code of conduct for learners? Now that public schools have been given the authority to govern themselves through the implementation of SGBs, they are responsible for issues around governance. One of the functions of an SGB is to draft a code of conduct as a tool to discipline learners in the school. Moreover, as stated in SASA, an SGB must be representative of *all* stakeholders of the school, learners included. But according to Bray (2005), learners are not deemed sufficiently able and therefore cannot be regarded as intellectuals, given their limited intellectual ability. Having said this, however, it does not mean that learners must be excluded – they should participate and be involved at whatever level they can. The SGB must consult with the learners, parents and educators of the school before adopting a code of conduct. When such a code has been drafted and is finally adopted, it must represent the efforts of all stakeholders. This where participation fits into the equation: participation is indicative of democracy, transparency and inclusiveness, as is

reflected in democratic principles. Bray (2005) emphasises that if a code is ever amended, there must once again be wide consultation. Any code of conduct must be clear and unambiguous for the people (learners) whom it affects: the code must not only be understandable to learners, it must not exempt any learner in any way.

3.4 African democracy

Having discussed the concept of democracy from a Western perspective, we now shift the focus to African democracy. Much of what is written about democracy originates from the West. However, Held (2006, pp. 2–3) notes that democracy has largely developed through social struggles. Likewise, in South Africa, democracy was conceived through the political and social struggles experienced by those marginalised during the apartheid era. This required effort, struggle and sacrifice on the part of everyone who fought for democracy in this country. That is why our conception of democracy has inherited many Western values and principles, such as respect, accountability and equality. Fayemi (2009, p. 115) argues that democratic practices vary from cultural to culture, and from one political society to the next. In the same vein Naidoo (2012) cites Mariam (2010) who maintains that African democracy has its origins in African culture and history. The distinctiveness of African democracy lies in the fact that it reflects the socio-cultural realities of African society.

It must be noted, however, that as much as a society tries to be democratic, some wounds remain from past experiences of dictatorships. For example, in certain schools there is still a belief that learners cannot take the lead, especially when their elders are present. Interestingly enough, many of these elders believe they are practising democracy to the fullest by allowing the voices of the elders to take the lead. This begs the question: How does African democracy affect the decision-making process?

3.5 Collective decision making

Naidoo (2012) argues that in democratic schools or democratic settings, individuals participate in decisions which have an emotional impact on their lives. This draws attention to shared decision making. It is fundamentally important to note that shared decision making implies the inclusion of all stakeholders in the process, rather than simply taking and implementing decisions individually. Democratic schools endorse shared decision making, where the emphasis is on the school community collectively reaching consensus, as opposed

to hierarchical decision-making practices which impede the sharing of ideas and block communication.

Mncube and Harber (2010) assert that democracy implies that all members of an organisation must be included equally in the decision-making process, otherwise the resulting decisions will not be regarded as legitimate and just. Carr and Hartnett (1997, p. 42) argue that participation is the essence of democracy – this is the criterion that distinguishes a democratic method from all other methods of political decision making. Consensus is thus reached after subject discussions where every stakeholder is free to voice his/her opinion, before a decision is taken by the collective.

Bush and Heystek (2003, p. 136) maintain that the relationship between governing bodies and professional staff, headed by the principal, is one of the most significant variables in determining the success of both the SGB and the school. Keeping in mind that the main aim of SGBs is to create an environment that promotes effective teaching and learning in schools, the same can be said for teachers and the principal. This means that these parties must always be in partnership and avoid isolating or alienating each other, so as to conform to the principles of democracy and advance the democratisation of education.

3.6 Decentralisation

In the past, the education system was characterised by a non-participative, reserved ethos that was neither accountable nor democratic (Edge, 2001; Mncube, 2005). Bush and Heystek (2003, p. 127) point out that there has been a major shift to self-governance for schools in many countries, including England and Wales, Australia, Canada, Hong Kong, New Zealand, Portugal, Spain, parts of the USA and South Africa. The decentralisation of education proposes that power be classically devolved to the school level and to SGBs, making operational management the responsibility of the principal (Bush & Gamage, 2001, cited in Bush & Heystek, 2003, p. 127) (see also Taylor, 2004). The research has proved that establishing democratic processes implies challenging existing political and institutional arrangements (Steyn, 2007). This means that democracy in schools requires a strong and clear national policy framework to define functions and powers, areas and spaces of authority, as well as spaces for participation. In this study, the national policy framework is SASA, which mandates each SGB with all these prescribed functions (decentralisation of power from the government to a schools-based level). Edge (2000) maintains that democratic school

governance is a form of school management which speaks of educational decentralisation, involving the transfer and sharing of power or decision making to the school. For Steyn (2007), decentralisation in education is more about the redistribution of power, efficiency and stability. He aptly asserts that the effectiveness of a decentralised educational system devolves and empowers people at lower levels, whilst preventing education from becoming a political venture.

Edge (2000, p. 2) sees school-level governance as a form of decentralisation that recognises individual schools as the primary unit of improvement and relies on the devolution of decision-making authority to the school level as the primary means through which improvements are stimulated and sustained. As regards the above definition, 'school governance' involves the decentralisation, devolution or shifting of power from the powers-that-be to the level of the individual school. In the view of Tsotetsi et al. (2008), decentralised school governance presumes a devolution of power from central government down through the system to the local level (see also Squelch, 2000, p. 129) and is generally based on the premise that the state should share its power with other stakeholders, particularly those closer to the school, by forming partnerships. Bean and Apple (1999) contend that school governance structures create an opportunity for all stakeholders (including community representatives) to take ownership of the school – what happens at the school is thus also their responsibility. Conversely, it is believed that the implementation of democratic principles cannot be effective in schools due to a lack of well-informed human resources to back them (Mncube, 2005): this means, in effect, that schools 'talk democracy', but surprisingly enough do not know how to practise it. For example, in many schools, SGB meetings tend to be information-sharing forums rather than sites of key decision making, where active engagement and a sharing of ideas occur.

A decentralised education system thus aims to encourage learners to participate in the formulation and implementation of a code of conduct for learners. SASA spells out the requisite participation of learners in school governance, noting that the constitution of South Africa emphasises that ours is a participatory and representative democracy. This is why, according to Rapcan (2013), SASA allows democratic school governance based on decentralisation, participation, shared responsibility and democratic decision making through the election of SGBs. Through this process, the power to make decisions rests with each school, allowing school communities to determine how their school is governed. For this

study, this means that learner stakeholders in particular have a right to be part of, to represent and participate in the formulation of a code of conduct, since it is ultimately designed for them. They therefore need to understand exactly what is in the code they agree to, rather than having it imposed on them. Childline South Africa (2006) proposed that children be afforded the right to represent and participate in decisions affecting their lives. Their participation in a school's decentralised governance can help to identify problems or areas of interest which the code of conduct should focus on, and they may even propose solutions to circumvent such problems. According to Rapcan (2013), learners have unique insights into and perceptions of their schools, and about learning, teaching and schooling, as well as what their school should be like.

The next step in this study is to link decentralisation to the code of conduct. Decentralisation affords power to learners, so that they have a say in how they are governed. As discussed earlier, learners – as legitimate stakeholders – have to participate in and contribute towards the formulation of a code of conduct. That alone demonstrates a shift in and a devolution of power from the state and school principal to grassroots communities (of whom learners form part). Decentralisation brings change, while strong participation reflects the decentralisation of control (Bush & Heystek, 2003). It can also be argued that decentralisation is strengthened by a determination to promote equity and equality in a school community which was previously denied these qualities. The effect of decentralisation is maintained through a process by which a code of conduct is drawn up to reflect a negotiated product to which all stakeholders contributed.

In all schools, be they public or private, there are SGBs – however, the question is: Are they doing what they are supposed to do, and if they are, how do they function?

This study looks at policy formulation and implementation in respect of the code of conduct. The research shows that policies can be formulated easily once the relevant stakeholders have held discussions and done research on a particular policy. However, it is the implementation that seems to be the difficult part. Yin (2009, p. 199) summarises why implementation is so problematic:

Implementation is not a process that results from individuals or institution acting in isolation from one another. Rather, they are the result of the interrelation between and across all

stakeholders. This means to bring about effective implementation, better implementation plans and planners (stakeholders) to embark on the infinite regress that characterises the pursuit of a theory of change.

This implies the involvement and participation of all stakeholders. For the purpose of this study, the focus is on the formulation and implementation of a learners' code of conduct.

3.7 Democratic governance as opposed to autocracy

After the democratic elections in 1997, SGBs were elected to help govern schools in South Africa. This paradigm shift heralded a new era in governance and the democratisation of education. The move to introduce SGBs, according to Calitz, Fuglestad and Lillejord (2002, as cited in Mkhize, 2003), entailed allowing schools to become the centres and pillars of change, thus laying the foundations for future democracy in this country. Thus, the power to govern our schools has moved from the education authorities to the lower levels (schools and communities) who best understand the culture and needs of learners and local communities. To a certain degree, it must be noted that SGBs have many functions, including the responsibility and authority to formulate and adopt school policy on a range of issues, amongst which are the mission and ethos of the school, a code of conduct for learners, school–community relations and curriculum programme development (Sithole, 1998; Maile, 2002).

Autocratic forms of organisation are evident in most schools around the world. Maitles and Deuchar (2007) affirm that in countries like Scotland, and across much of Europe, schools are still deemed to be autocratic. Harber (2004) concurs, maintaining that the prevailing governing approach internationally is autocratic by nature. Davies (2002) explains that autocratic education can be best described in terms of negatives, such as little or no participation in discussion and a lack of critical enquiry. In similar vein, as far as participation is concerned, Harber (2004) maintains that learners have little say in how these schools should function or be governed, in what should be taught or how it must be taught, thus denying them any say in their own futures and development. An inclusive, democratic approach is deemed best suited to replace autocratic principles and practices in schools.

Smith and Lombard (1995, cited in Calitz, Fuglestad and Lillejord, 2002) refer to governance as a formal system established by democratic laws to control education through the exercise

of authority and influence. By authority, Calitz et al. (2002, cited in Mkhize 2003) mean the legal right to make a decision on a specific educational issue. However, influence means the legal right to participate in decision-making processes, without necessarily having the right to make a final decision. For Calitz et al. (2002, cited in Mkhize, 2003), governance generally refers to policy making, in as far as it conforms to the legislation or regulations contained in SASA or directives issued by the DoE.

Under apartheid, schooling was characterised by poor education, a shortage of classrooms and a lack of proper facilities, large classes and unqualified teachers (Sithole, 1995). In addition, the implementation of laws followed a top-down approach (autocracy). Mda and Montana (2000, p. 65) confirm that learners viewed schools as extensions of the apartheid regime:

The system of school management took a top-down approach, which gave rise to rigid control mechanisms that more often than not alienated the learners, staff and community from the formal authority figure i.e. the department of education and principal. Teachers and learners had no formal powers in governance of the school.

This suggests that the stakeholders had to be obedient, to conform to and abide by whatever was handed down to them, without asking questions. Not surprisingly, this served to exclude the majority of stakeholders.

Within the South African political scenario, the post-apartheid government saw a need to move away from the apartheid or traditional curriculum (Naicker, 2006), which was dogmatic, authoritarian and teacher-centred. The alternative was to devolve power to the people, so as to address issues of equity and quality education (Grant Lewis & Motala, 2004), where democracy prevails. Essentially, the decentralisation of education aims to promote democracy, participation and equity. Whatever the motive, the success of decentralisation is primarily dependent on what it aims to achieve (Pampallis, 2005).

Steyn et al. (2004) elaborate that decentralisation empowers individuals to deal with issues and bring about change at a local level, while McGinn and Welsh (1999) contend that people want to be part of the decision-making process, especially in issues that concern them directly.

3.8 Democratic school governance

Democratic governance, within a school context, is best understood as any inclusive practices which manifest in the day-to-day running of a school. Sithole (1995), Maile (2002), Karlsson (2002), Taylor (2004) and Mncube (2005, 2008 and 2009) note that on a concrete level this includes having one's rights recognised and respected, freedom of speech and expression, equality, and fairness.

3.8.1 School governance

According to Caldwell and Harris (2008, cited in O'Hair et al., 2000), school governance refers to decision-making and policy formulation that provides guidance and direction in respect of the work schools do. SASA maintains that governance in schools refers to the transfer and sharing of power between the state and the school.

In the South African context, Sithole (1996, cited in Mncube 2005) explains that schools are the institutional structures entrusted with the responsibility or authority to formulate and adopt policy on a range of issues which include school uniforms, school budgets and developmental priorities (and the endorsement of a code of conduct for learners). This means, according to Mncube (2005), that school governance revolves around any decisions made in or about the school. Such decisions should ideally be formulated on the basis of consultation, collaboration, cooperation, partnership, mutual trust and the participation of all affected parties in the school community. To corroborate, Maile (2002) maintains that in the governing of a school, the emphasis should be on accountability as it affects the school's development. He states that every stakeholder or member of the SGB must be prepared to play their part actively (Maile, 2002). Mncube (2009b) contends that where democratic school governance occurs, all stakeholders (parents, learners, teachers and community members) decide on the school policies which affect the education of their children.

Taylor (2004, p. 3), who affirms that school governance is a part of this country's new structure of overall democratic governance, differentiates between two forms of leadership: 1) professional management, which is the principal's responsibility and includes administrative work, as well as the contribution of the management team (see RSA, 1996b);

and 2) school governance/management, which is the political representation exercised by the SGB's elected stakeholders, who are entrusted with working towards the overall welfare of the school (Taylor, 2004). According to the Education Laws Amendment Act, 31 of 2007, the school principal is an official member of the SGB as representative of the DoE (RSA, 2007). This, in short, means that the power to formulate policy and direct the school is given by SASA to SGBs, while the administrative responsibility of overseeing the running of the school on a daily basis, and its management, is granted to principals by the DoE (Taylor, 2004).

For a school to be governed effectively and productively, Taylor (2004, pp. 5–6) highlights three areas, in accordance with SASA, which promote democratisation:

- SGBs model the democratic process: In terms of this process, SGB stakeholders begin to exercise power to maintain the balance of power between competing interests and are responsible to the school community.
- Learners model the democratic process: SASA mentions that schools must make sure that an RCL is elected, as the statutory body observed in school leadership.
- School discipline is supported by a democratic framework: Amongst the duties assigned by SASA, is that the SGB must facilitate the drawing up and adoption of a code of conduct for learners. The code must be designed exclusively to guide and regulate learner discipline, while functioning as a tool to entrench democratisation.

In South Africa, the characteristics of democratic states and institutions must translate to the schools context: this means that power must be shared by all stakeholders. However, Knight (1985, cited in Mncube, 2005) cautions that democratic school governance can be linked with dictatorship. For example, some stakeholders may not be granted a fully participative role, which will allow stakeholders with more power (principal, teachers) to take unilateral decisions, while claiming to be democratic. To prevent this from happening, it is vital that in democratic settings, leaders/school governors demonstrate fairness and firmness by remaining consistent: they have to treat everyone equally. That capacity is one of the qualities of a good leader.

3.9 The code of conduct for learners

In general, a code of conduct for learners is based on instilling discipline. This implies managing the behaviour of learners, so as to create an orderly school environment where effective teaching and learning can take place. A code of conduct is a statement of behavioural norms (Nova Scotia Department of Education, 2001), complied with in terms of legislation (in this country, SASA), to regulate the conduct of learners attending public schools.

SASA stipulates that the governing body of a public school must adopt a code of conduct for learners, after consultation with the learners, parents and educators of the school. In addition to serving as a guide for learners, such a code must ensure that the school operates effectively in terms of discipline. Taylor (2004, pp. 5–6) notes that a code of conduct is basically a document that attempts to formalise the relationship between duties and responsibilities, in a way that respect the rights and dignity of all the parties represented. In terms of SASA subsection (1), a code of conduct must aim to establish a disciplined and purposeful school environment which is dedicated to improving and maintaining the quality of the learning (and teaching) process. SASA further stipulates that a code of conduct must contain security provisions aimed at safeguarding the interest of the learners and any other parties involved in disciplinary proceedings, for instance. A disciplinary committee may be formed to deal with transgressors. To ensure that learners understand the laws and abide by them, the school must ensure that the code of conduct and disciplinary procedures are explicitly explained and adopted by all stakeholders. The research shows that learners are unlikely to break laws if they were involved in the process of formulating them (Nova Scotia Department of Education, 2001; Taylor, 2004).

For a broader understanding of codes of conduct, the Nova Scotia Student Services division will be used as an example. Nova Scotia Department of Education maintains that its code of conduct comprises expected standards of behaviour, the identification of disruptive behaviours and the consequences of non-compliance. The code aims to outline the context for a safe and productive learning environment by stipulating expected behaviours within safe, caring schools. It provides a framework for the development and implementation of provincial board and school-level disciplinary policies, by referring to regulatory guidelines outlined in the Education Act and safe schools initiatives.

Nova Scotia Department of Education's (2001) code of conduct is formulated under three principles (the three Rs):

- Respect: it is expected that school members will exhibit behaviour that shows respect for the rights, property and safety of themselves and others;
- Responsibility: school members will accept personal responsibility for their behaviour in order to maintain a safe and productive learning environment; and
- Rights: it is expected that a school member will honour the right of others through the process of learning and demonstrating appropriate behaviour in the context of social respect. (In this context, a school member includes students and all adults whose role or job places them in contact with students in a school setting or involves them in school activities.)

It is imperative to note that no set of rules can cover all possible angles or situations. There are times when students are expected to act sensibly, according to approved codes of conduct. In this case, what does the Nova Scotia Department of Education do? In the event of misconduct, remedial or disciplinary action may be taken against a student. To ensure the consistent application of such action, misconduct is categorised under various levels of seriousness. The nature of remedial or disciplinary action depends on the level of the misconduct.

Taylor (2004, p. 5) asks how one can ensure that a code of conduct continues to be relevant to the people to whom it applies, while remaining applicable, just and legitimate? In his view, for a code of conduct to remain effective, stakeholders must maintain ownership by reviewing that code on a regular basis. He maintains that this can be done by conducting thorough and widely participative reviews, and encouraging discussion and feedback from different groups in a school (Taylor, 2004). In a nutshell, from the literature reviewed it appears that a code of conduct aims to promote democratic relations in a way that builds primarily on an ethical basis, while enforcing discipline amongst learners.

3.10 Conclusion

In this chapter the focus was on clarifying the present study by explaining the underpinning theories. The term 'democracy' was explicitly defined with reference to Dewey's (1916)

theory of classical and contemporary conceptions. Representation and democracy, and participation and democracy, were also discussed. Subsequently, the chapter explored African democracy in relation to collective decision making. Thereafter, decentralisation and centralisation were discussed, before the issue of democratic school governance was interrogated as it pertains to defining a code of conduct for learners. The next chapter focuses on the research design and methodology.

CHAPTER FOUR: RESEARCH DESIGN AND METHODOLOGY

4.1 Introduction

The heart of this chapter focuses on research design and methodology. For the purpose of this study, methodology can be defined as the method followed in investigating a problem which has been formulated. Corbin and Strauss (2008) define methodology as a way of thinking about and studying social phenomena. The term thus entails seeing, understanding and knowing various perspectives, in order to gain a firmer grasp of the topic under discussion. As mentioned earlier, the world is socially constructed. It is therefore imperative to seek to understand by using an interpretive/constructivist paradigm, which reveals lived experiences and respondents' reality (what are learners' experiences when it comes to the formulation and implementation of a code of conduct?).

For the purposes of this study, a research question was clarified and the research design developed. Christiansen (2010) maintains that a research design is a plan of how the researcher will systematically collect and analyse the data needed to answer the research question(s). It is this designed and planned observation that distinguishes research from other forms of observation. LeCompte and Preissle (1993) concur, arguing that the research design focuses on the purpose of the research and the research questions, the information that addresses the specific research questions and the most appropriate strategies for obtaining the relevant information. The research design helps to uncover sets of responses which offer evidence or data to answer the research questions. It is thus imperative to explain how data will be collected, and through what methods. Any research design outlines a plan, but that plan should not be seen as fixed, since not all plans proceed in a very structured, concurrent, linear way. Durrheim (2006) argues that research is a flexible and non-linear process that is often influenced by practical considerations. The research design not only gives direction to the study, it also acts as a set of rules or guidelines for the researcher, so as not to shift focus. The aim is to address the research questions, while ensuring the trustworthiness and validity of the study. The next step involves analysing the data in order to make meaning of it.

This chapter thus speaks to the research aims and research questions, while also supplying lenses through which to view the research paradigm's ontology, epistemology and methodology. This study is located within the interpretive/constructivist paradigm, and uses mixed methods. To further this investigation, the following research methods were employed:

observations, interviews and document reviews. Also addressed will be the research population, research sites, analysis of data and the limitations of the study. There was a deliberate effort to bring quality to the study, by focusing on reliability and validity. Towards the end of this chapter, the focus will be on adherence to ethical issues, so as to safeguard the interests of the respondents.

4.2 Research objectives

The research objectives of this study were to examine

- whether SGBs participate in the formulation and implementation of the code of conduct for learners;
- how SGBs participate in the formulation and implementation of the code of conduct for learners; and
- why SGBs participate in the way they do, in the formulation and implementation of the code of conduct for learners.

4.3 Research questions

Based on the research aims, this study posed the following research questions:

- Do SGBs participate in the formulation and implementation of the code of conduct for learners?
- How do SGBs participate in the formulation and implementation of the code of conduct for learners?
- Why do SGBs participate in the way they do in the formulation and implementation of the code of conduct for learners?

4.4 Research paradigm

A paradigm is a way of doing and perceiving research. According to Clarke (1999) a research paradigm guides the process of inquiry and forms the basis for the practice of science, by directing the researcher towards appropriate research methods and methodologies, depending on the nature of the phenomenon being investigated. In the same vein, Terre Blanche and Durrheim (2006) affirm that “[p]aradigms are all-encompassing systems of interrelated practices and thinking that define for researchers the nature of their enquiry along three dimensions”: ontology, epistemology and methodology.

4.4.1 Ontology

Elaborating on the dimensions listed above, Christiansen (2010) maintains that ontology is subjective to reality. Corroborating this view, Durrheim (2006) agrees that ontology focuses on the nature of the reality under study, as well as what can be known about it. Basically, ontology focuses on the form and nature of the social world. Many social realities exist due to the vast variety of human experiences, which include people's knowledge, views and interpretations, as well as events they lived through. Berger and Luckmann (1967) believe that reality as we know it is constructed inter-subjectively through meanings and understandings which are developed socially and experientially. According to Wand and Weber (1993, p. 220, cited in Durrheim, 2006), ontology refers to a branch of philosophy concerned with articulating the nature and structure of the world. It specifies the form and nature of reality and what can be known about it.

The fact that reality is socially constructed implies that there are many ways of seeing the world. Through the course of any study, perceptions may not stay the same, but will most likely change. This suggests that ontological positions can be seen to exist independently of an individual's perceptions.

4.4.2 Epistemology

'Epistemology' centers on how what is assumed to exist can be known. As a result, knowledge can change as the researcher is influenced by interactions within different social contexts. According to Cantrell (2001, cited in Berger & Luckmann, 1967), the researcher and the researched are linked in an interactive process of talking and listening, reading and writing, about real-life experiences within natural settings. Durrheim (2006) asserts that epistemology arises where the values of the participants as well as the researcher become linked. Primarily, the theory of epistemology is that knowledge is socially constructed by those in the research process, and that it is the duty of the researcher to understand complex experiences from the point of view of the participants (Mertens, 1998). Naidoo (2012) contends that epistemology is concerned with the nature of the correlation between the researcher and that what can be known. The crux of this explanation is based on the nature of the relationship between the researcher, and human knowledge and understanding. It can stem from different types of inquiry and methods of exploration (Naidoo, 2012, citing Hirschheim, Klein & Lyytinen, 1995, p. 20).

4.4.3 Methodology

Arthur, Waring, Coe and Hedges (2012) maintain that methodology refers to the procedure or logic to be followed in the process of data collection, since methodological assumptions are a reflection of ontological and epistemological assumptions. Henning, Van Rensburg and Smit (2004) maintain that methodology delineates how the researcher comes to understand the phenomenon being studied, i.e., how the researcher practically investigates whatever s/he believes can be known.

Other researchers, like Bassey (1999) and Creswell and Clarke (2007), view a paradigm as a structure of logical information about the nature of the world and the position of researchers which, if adhered to by a group of researchers, influences the pattern of their thinking in a particular way and underpins their research actions. Drawing on these definitions, a paradigm can thus be understood as a way of seeing the world, interrogating what can be known about it, and exploring how we can come to know it. In conclusion, the researcher and the way s/he sees the world, can never be separated. Thus, the researcher's view of the world influences the way s/he researches the world.

To recap: the research paradigm guides the research method, and three paradigms are discussed here, namely positivism, critical theory and interpretivism.

4.5 Positivism

Henning et al. (2004, p. 17) maintain that positivism is more concerned with exposing the truth and presenting it by using practical instances. According to Walsham (1995, cited in Arthur et al., 2012), in terms of the pragmatic approach, observation and experimentation are the best means of evaluating individual behaviour. True knowledge is thus based on experience. Researchers using this paradigm avoid being biased by not allowing their own values and beliefs to meddle with their research. Christiansen (2010, p. 20) asserts that positivism works with the scientific method used in both the social sciences and sciences. Researchers who follow a positivist approach believe that the world is stable, and that there are patterns and a sense of order that can be discovered. They believe that relationships between things can easily be measured. Neuman (1997, pp. 69–70) argues that positivists believe individuals share the “same meaning system and that we all experience the world in the same way”. Thus, when positivists do research, they go about it in a scientific way. This

has been the dominant research approach for many centuries now, and remains the dominant method in the sciences, where observation, surveys, measurement and statistical analysis are prized.

4.5.1 Ontology

In positivism, ontology is based on knowledge of the way things are. It is conventionally summarised in the form of time and context-free generality. Berger and Luckmann (1967) assert that at an ontological level, positivists believe reality is objectively and impartially given and can be quantified using properties which are independent of the researcher and his/her instruments. While knowledge is objective and measurable, positivists regard human behaviour as passive, controlled and determined by the external environment.

4.5.2 Epistemology

For Keeney (1983, p.13, cited in Arthur et al., 2012), in positivism epistemology is referred to as the study of how people or systems come to know things, and how they think they know things. Thus, epistemology is concerned with the nature of knowledge, what constitutes suitable knowledge, what can be known and who a knower is. This means that knowledge is interpreted as something which is waiting to be revealed, and is not produced by human beings. For Arthur et al. (2012, p. 18), epistemology in positivism is concerned with the researcher; researched objects are seen to be independent entities or bodies, and enquiry takes place as if in a one-way mirror: the researcher does not influence or is not influenced by the object. In their view, replicable findings are true.

4.5.3 Methodology

This shared belief about methodology suggests that there is a reality that exists quite apart from anybody's perception of it. This means that reality can be understood by following certain procedures (i.e., a specific methodology). Arthur et al. (2012, p. 18) note that certain questions (that which is being hypothesised) are mentioned in comparative manner and subjected to practical verification tests.

4.6 Critical theory

Researchers in this paradigm deem that the world is characterised by imbalances in power relations. This causes certain groups of people to hold power, while others are exploited or oppressed (Kensler, 2010). According to Cohen, Manion and Morrison (2000), critical theory

perceives reality as shaped by social, political, cultural, economic and other dynamics. Guba and Lincoln (1994, p. 110) maintain that critical theory assumes that the researcher and the researched object (participants) are interactively correlated, with the values of the researcher unavoidably influencing what is being explored in the research study. Thus, what we claim to know about the world is always subjective, influenced by our own place in society and our values. For this reason, critical researchers do not believe it is possible to be an objective outsider and to collect objective/neutral knowledge. This paradigm focuses on bringing about some kind of social change that will benefit a group that wields little (if any) power. Wand and Weber (1993, p. 220) asserts that such powerlessness can, in this country, be traced back to the legacy of apartheid. As this study aims to examine the role of SGBs in the formulation and implementation of a code of conduct, the intention is not to address inequalities in organisations, thus this paradigm was not deemed suitable for the present research.

4.6.1 Ontology

Guba and Lincoln (1994) maintain that in critical theory the term ‘ontology’ is based on a perceived reality that is shaped by social, political, cultural and economic values, as well as history. Therefore, the focus is on bringing about some kind of social change that will benefit those with little power, and help them understand the ways in which power works in society. However, in more complex societal organisations, the way power plays out is not always easy to observe.

4.6.2 Epistemology

The theory of knowledge is based on the idea of uncovering and unpacking the structural, historical and political aspects of reality, to herald change of a liberatory and emancipatory nature (Guba & Lincoln, 1994; Cohen, Manion & Morrison, 2000). It values mediated insights that unpack and uncover deeper layers of a structural or historical nature (Christiansen, 2010). Given the belief that the world is characterised by unequal power relations, which leads to certain groups exerting power over others, critical researchers aim to critique and transform society so that it becomes more equal, just and fair.

4.6.3 Methodology

For critical theory, methodology deems it important that participants form part of the research, that they themselves become researchers who are involved in decision making in the research process. Dialectic, participatory methods are thus frequently used. According to

Christiansen (2010, p. 26), such engagement serves the double purpose of leading to transformation and making participants more conscious of the historical and political nature of society. She emphasises that participants needs to be assisted in working towards emancipation.

4.7 The interpretivist paradigm

This paradigm has been labeled differently by various authors: naturalistic (Guba & Lincoln, 1989), interpretive (Smith, 1989), constructivist (Guba & Lincoln, 1989) or post-positivist (Quantz, 1992), holistic-inductive and alternative (Patton, 1975). According to these authors, the research paradigm guides the process of inquiry and forms the basis for the practise of science by directing the researcher towards appropriate research methods and methodologies, depending on the nature of the phenomenon being investigated (Kuhn, 1970; Clarke, 1999). The purpose of any research in an academic field or discipline is to understand the meaning that informs human behaviour (Schutt, 2012). It is for this reason that interpretivists aim to understand and describe how people make sense of their world, inclusive of how they ascribe meaning to their particular actions.

4.7.1 Ontology

In the interpretivist paradigm, the assumption held is that there are multiple realities, with the mind playing a vital role by determining categories and shaping those realities (Warning, 2012). Arthur et al. (2012, p. 18) maintain that there is no separation of mind and objective, since they are inseparable and linked. This means that the ‘knower’ and the ‘process of knowing’ cannot be separated from what is known, and facts cannot be separated from values.

4.7.2 Epistemology

In general, epistemology refers to how what is assumed to exist, can be known. Berger and Luckmann (1967) assert that we cannot separate ourselves from what we know. The investigator and the object being investigated are correlated in such a way that who we are and how we understand the world are essential parts of how we understand ourselves and others. In the same vein, according to Arthur et al. (2012), for interpretivists it means that the investigator (researcher) and the object of the investigation (participants) are interrelated and interdependent, so that the research findings are literally created as the investigation (research) progresses. It is for this reason that the present study uses semi-structured

interviews, which allow the researcher to channel participation towards what he/she wants to know, and to ask questions which probe participants' views of the research questions.

4.7.3 Methodology

'Methodology' refers to the techniques that will be used to collect data. Arthur et al. (2012, p. 18) assert that the variable (participants being studied) and personal nature of constructions suggest that an individual's construction can be elicited and developed through interactions between and among investigator and investigated.

Since this study is underpinned by an interpretivist paradigm, Berger and Luckmann (1967) affirm that interpretive approaches are mostly based on naturalistic methods such as interviews, observation and an analysis of existing texts (document analysis). For this study, these methods were employed to guarantee an adequate interaction between the researchers and those with whom they interact, to collaboratively construct a meaningful reality, given that meaning develops during the research process.

Since this study aimed to examine the role of SGBs in the formulation and implementation of a code of conduct for learners, the interpretivist paradigm was deemed best suited. The reason for this is the ability to obtain more information from the stakeholders on what they view as the contribution of SGBs in the formulation and implementation of a code of conduct for learners. In sum, the study aimed to get 'under the skin' of the operation/functioning of SGBs.

The interpretivist paradigm is concerned with understanding the world from the experiences of individuals. Using this lens, the researcher is able to understand the world from the participants' point of view. In this instance, the researcher was also a participant, which meant first-hand information could be obtained. Carrim and Kemmis (1986, p. 88) affirm that in terms of the interpretive approach, the researcher forms part of the investigation and becomes a participant observer, engaging in activities and trying to make meaning as this is expressed in the research context, rather than sitting back and waiting to receive information. Arthur et al. (2012) note that the researcher participates and becomes wrapped up in the research setting of the participant, which links to the idea that the researcher and researched are inseparable and linked. In that way, as research participant I was able to see a true reflection of the experiences of my research participants.

For this study, interviews, observations and document reviews were used as tools for data collection. Interpretivists mainly make use of these tools for qualitative studies, thus the researcher understands what is being researched, in addition to gleaning the participants' perspectives. Schutt (2012) argues in support of this that interpretivists use oriented methodologies that rely on the subjective relationship between researcher and researched. However, Berger and Luckmann (1967) caution that sometimes the interest of an interpretivist is in generating new information and knowledge, but in gauging, judging or evaluating existing knowledge and improving what has been done by other researchers in that field of study.

4.8 Qualitative research

In this qualitative study, interviews, observations and document review were used, but Christiansen (2010) maintains that qualitative research can be based on textual or verbal data, or graphic data such as photographs. She adds that in qualitative research, data are collected when 'depth' is required. LeCompte and Preissle (1993), Marshall and Rossman (1999), Bell (2006) and Lichtman (2006) assert that the emphasis in qualitative research is on the lived experiences of participants, while Schutt (2012, p. 188) sees the focus as being on human subjectivity and the meaning which participants attach to events and to their lives. In this study, the crux of being a researcher-participant was to determine what the researched (stakeholders) have to say to say about their role in SGBs, more especially the formulation and implementation of a code of conduct for learners.

Qualitative methods were used to capture the reality as participants experience it, and to determine the participants' perceptions. Denscombe (1998), Mertens (1998) and Robson (2002) mention that in this kind of study, observations, interviews and document reviews are commonly used. It is, however, important to note that quantitative methods were also used, where necessary.

4.9 Research design

Research design, according to Christiansen (2010), refers to the researcher's plan regarding how to methodically collect and analyse the data needed to respond and speak to the research questions. In this study, case studies were also used, as provided for in the research design.

4.9.1 Case study

A case study is understood differently by different scientists. For example, Christiansen (2010) contends that a case study is an in-depth investigation into a particular case, where ‘the case’ may involve a person such as a teacher, learner, principal, parent or even a group of people such as family or a class of learners, a school, community or an organisation. Case studies aim to describe what it is like to be in a particular situation. Cohen, Manion and Morrison (2000, p.182) maintain that in case studies, the researcher seeks to capture the reality of the participants’ felt and lived experiences, and/or their thoughts about a particular situation. Yin (2009) views case studies as a research tool that can be used in various circumstances to add to the knowledge and understanding of an individual, group or organisation, as regards social, political and related phenomena. In line with the above, Mncube and Harber (2012) concur, noting that a case study is one of the approaches of qualitative research whereby the researcher seeks to capture the reality of the participants. For this dissertation, a case study was deemed to entail the rigorous study of an individual or group as an entity, using, amongst others, document reviews, interviews and observations (Cohen et al., 2002).

Yin (2009) argues that case studies can be used to investigate the ‘how’ and ‘why’ of research questions, i.e., to explain the present condition. Edwards and Talbot (1999) maintain that case studies can be utilised to explain, describe, explore and examine how processes operate. Hence, the present study sought to examine SGBs in terms of their approach to policy formulation and implementation, specifically as these factors pertain to a code of conduct.

4.9.1.1 Advantages

Edwards and Talbot (1999) summarise some of the merits of employing cases studies as follows: they allow the researcher to focus on the common understanding and sense making of the participants, while allowing for the voices of the participants to be heard; they capture difficulties; they allow for an in-depth focus on shifting relationships and they provide readable data that bring research to life and truth to the concerns which the participants and researcher may be grappling with. Therefore, by employing a case study in this instance, the researcher obtained all the above advantages.

4.9.1.2 Disadvantages

Certain demerits apply to case studies. Denscombe (1998, p. 40) lists the following: negotiating access to case study sites can be demanding and time consuming; access to documents, people and settings can generate ethical problems, particularly as regards confidentiality; and the presence of the researcher in a setting can affect the investigation. However, to circumvent these negatives, in the present study letters requesting permission and consent were written and sent to the relevant parties. Denscombe (1998, p. 40) further mentions that “the participant in a natural setting may alter their behaviour and act in an unnatural or unusual manner”, which may contradict or muddy the research findings. Finally, the boundaries of a case study are very difficult to define in an absolute and clear-cut fashion. This creates a problem in terms of deciding which sources of data to incorporate and which to exclude. To work around these difficulties, different tools of data collection were used in this study, which gave a true reflection and arrived at the truth of what was being observed, without participants interfering with or contaminating the data.

4.10 Research sample

Christiansen (2010) maintains that it is vital for any researcher to plan and design his/her research prior to commencing the process. Included is the imperative to make a decision on which research style, data collection methods and sampling will be the best and most suited to find answers to the research questions.

Sampling involves making decisions about which people, settings, events or behaviours to observe. Christiansen (2010) maintains that sampling involves specifying what precisely will be scrutinised in a particular study. Thus, the researcher needs to come to a decision about the number of individuals and research sites to observe. Flick (2008, p. 33, cited in Christiansen, 2010) mentions that sampling is a crucial phase in designing qualitative research, because through it the researcher minimises the enormous number of possible participants, materials and cases that may make the study extremely cumbersome. Being able to select a reasonable number of cases and materials to study makes the research more manageable. This study focused on examining how SGB members participate in the formulation and implementation of a code of conduct for learners. Since it was underpinned by democratic theories, the sample was selected on the basis of whether or not the participating schools were democratic in their approach to education. Two case studies were done at (public secondary) schools in KwaZulu-Natal, in Klaarwater in Durban, because these institutions reflect the characteristics

of being democratic. Using two schools meant that the sample could be extended. One school is referred to as Momentum Secondary, the other as Arch Secondary. These schools were selected for their accessibility (to me, as researcher) and also their willingness to participate.

4.10.1 Purposive sampling

Purposive sampling was used because it is an attribute of qualitative research. It allows researchers to identify characteristics prior to data collection (Hammersley & Atkinson, 1995). According to Patton (1990, cited in Lodico, Spaulding & Voegtler, 2010, p. 134), the logic and power of purposive sampling lie in the researcher selecting information-rich cases to study. This means that through purposive sampling definite choices were made about which group of people to include in the sample. A specific group of people was therefore targeted, despite knowing that the group does not represent the wider population. However, the group provided the richest and most detailed information available. Christiansen (2010) contends that purposive sampling is merely done by convenience sampling, which means the sample was easy to reach and access. Cohen et al. (2001) concur that purposive sampling is indeed done in a deliberately selective manner.

The sample schools under study were selected based on the core values of democracy which they espouse, as highlighted by Cohen, Manion and Morrison (2000), who relate it to improved governance and other important considerations such as the following:

- Shared decision-making involving all stakeholders;
- Representation of all stakeholder groups;
- Participation by taking on active and responsible roles;
- A functioning SGB, which is comprised of all stakeholders (in accordance with SASA);
- An active and existing RCL.

4.11 Description of the case study schools

4.11.1 Momentum Secondary

This school, which is situated in a township near Mariannhill, Pinetown, is attended by African learners, the majority of whom are Zulu speaking, with the minority being Xhosa-speaking learners. The school is somewhat disadvantaged, but not under-resourced. It offers academic subjects in accordance with the Curriculum and Assessment Policy Statement

(CAPS). However, at the moment the institution is transforming from being a combined school to a secondary school. Thus, there is shortage of classrooms and human resources. Classrooms are overcrowded; there are about 55–60 learners per class, especially in grades 8 and 9, which makes it difficult for teachers to reach out to every learner. The learners are overwhelmed by the demands of high school, yet some are starting to challenge the educators. Nevertheless, the educators try their level best to create an environment which is conducive to teaching and learning.

The school is situated in a poor and struggling community, and is therefore a no-fee school. There is also a feeding scheme which caters for learners who come to school on an empty stomach, some of whom even take care of their sick elders at home. At present the crime rate in the community is high. This community is dominated by dropouts who resort to a life of crime. The school enrolls about 1 300 learners a year. The pass rate is moderate for grades 8 to 11. As for grade 12, the pass rate was approximately 60–70 percent in 2015 (the first matric results).

4.11.2 Arch Secondary

Arch Secondary is a township school in KwaSanti (St. Wendolin's) near Pinetown. The school mainly enrolls African learners and a few of learners from other ethnic groups (except whites and Indians). Despite not being well resourced, it does have sufficient facilities to make teaching and learning possible.

The school offers academic learning areas in line with CAPS. Because facilities are overcrowded, teachers are unable to reach out to each and every learner. The situation is challenging for the teachers. According to the principal, some learners also seem discouraged to learn, for various reasons: one of these, according to the principal, is the lack of a feeding scheme at the school – the teachers find it difficult to teach hungry learners who cannot pay attention in class. The crime rate at the school is high. The teachers suspect that negative influences from the surrounding community are to blame – because learners are socially constructed, relations within the community are likely to spill over into and prevail in the school environment. The school's pass rate is moderate, thanks to the teachers' vigour and enthusiasm for teaching. They also sacrifice their time and come to school on weekends and during holidays, just to make more time to teach learners.

4.12 Research methods

The use of interviews, observation and document analysis as research methods is now described in greater detail.

4.12.1 Interviews

4.12.1.1 Defining interviews

Moser and Kalton (1971, cited in Bell, 1993, p. 91) define an interview as a conversation between an interviewer and a respondent, with the purpose of the former eliciting certain information from the latter. Christiansen (2010) defines an interview as a conversation between researcher and respondent, but cautions that it differs from an everyday conversation in that the researcher sets the agenda and asks pertinent questions. It is thus a structured conversation aimed at eliciting particular information from respondents. To this end, particular questions were compiled for this study. Anderson (1993) defines an interview as a form of communication between individuals for a particular reason related to subject matter which has been decided beforehand. From the preceding, it can be concluded that interviews have a purpose, with questioning forming an integral part of the process. Best and Khan (2003) point out that an interview resembles an oral questionnaire, because the interviewee gives an oral as opposed to a written response.

4.12.1.2 Describing semi-structured interviews

In this study, semi-structured interviews were used. Bell (2006) refers to different types of interviews, but to adhere to the aim of this study, only semi-structured interviews were addressed. In such interviews, the researcher uses an interview schedule consisting of a set of questions posed in a predetermined order. The researcher uses open-ended questions to elicit responses from the interviewee, i.e., the respondent can answer in any way s/he deems suitable. Christiansen (2010) maintains that an interview is the best data collection method, as it seeks to find out 1) what a person knows – in the context of this study, that pertained to knowledge and information about the learners' code of conduct; 2) what a person thinks – in this study, the interviews highlighted the attitudes and beliefs of interviewees as regards the learners' code of conduct, and 3) what a person likes or dislikes – this reflected the interviewees' values and preferences about the learners' code of conduct.

As this study is located in the interpretive paradigm, semi-structured interviews were used since probing and clarifying questions could be asked of the research participants. The

research proves that researchers who use this paradigm prefer the option of interviews, because as a tool they are best for exploring and describing people's perceptions, thus bringing to the table understandings that are unique to them.

Interviews were recorded using a voice or audio-recorder. Important information was also jotted down.

- **Advantages of using interviews**

As mentioned earlier in this chapter, interviews are a good method of data collection if the aim is to obtain in-depth data from a small number of people. Christiansen (2010, p. 68) explains that the researcher is present with the respondent, therefore s/he can ask additional questions to make sure that the respondent understood the question correctly, and can supply relevant information. In addition, further questions can be asked if the respondent fails to provide sufficient information. Interviews make it easier for respondents to talk to the interviewer – it saves them from having to write lengthy responses in a questionnaire. When using interviews, a researcher can probe answers given in direct response to a research question. Using a tape recorder while conducting interviews allows the researcher to collect data in a safer, more detailed and descriptive manner.

- **Disadvantages of using interviews**

There are demerits to using interviews. Christiansen (2010, p. 34) contends that interviewing is not simply a data-collection exercise, but is a social, interpersonal encounter. Power relations can influence the interview process, which means the researcher needs to be aware of how his/her position can influence the type of information the respondent volunteers. As noted by Christiansen (2010), interviews generate large amounts of textual data, which can be deemed self-reported data. One disadvantage of collecting data in this way, is that when transcribing information it can sometimes reflect what the researcher would have liked to hear, rather than what was actually said.

The following individuals were interviewed: The principal, the chairperson of the SGB, two parents, two learners and two teachers were interviewed in each of the case study schools. In this sample two parent representatives, two teacher representatives and two learner representatives from the SGB were included.

Table 1: Number of interviewees per school

Interviewees	Momentum	Arch	Total
School principal	1	1	2
SGB chairperson	1	1	2
Teacher representatives	2	2	4
Parent representatives	2	2	4
Learner representatives (RCLs)	2	2	4
Total			16

4.14 Observation

4.14.1 Defining observation

Best and Kahn (2003) state that observation involves documenting details of behaviours, events and their contexts, while Bell (1993) maintains that, in many ways, observations are more reliable and trustworthy than either interviews or spoken reports. The reason for this is that the researcher obtains first-hand information which enables him/her to discover whether people do what they say they do, or behave in a way they claim to behave (Bell, 1993, p. 109). Nisbet and Watt (1980, p. 13, cited in Bell, 1993) declare that interviews generate important data, but only as regards how people perceive the world and what happens around them. Therefore, observation is more feasible, as it verifies, to some extent, what people see.

4.14.2 Types of observation

Bell (1993) outlines two types of observation: participant and non-participant.

- **Non-participant observation**

In this type of observation the researcher sees the situation or comes to the research site for the first time. This type of observation was not used in the present study.

- **Participant observation**

Here, the researcher acts as participant observer. According to Lacey (1976, p. 65, cited in Bell, 1993) this entails the transfer of the whole person into an imaginative, emotional experience in which the researcher learns to live in, and understand, a new world. This means that the researcher lives and stays (“forms a family”) while in the research site and observing the respondents.

Participant observation was selected in order to obtain first-hand information, meaning that the researcher reported on events or matters as an eye-witness. For the purpose of this study, observations were conducted in a school and, in particular, during SGB meetings.

- **Unstructured observation**

Unstructured observation was used in the present study, i.e., no checklists or tick-boxes were used, nor were particular activities rated as they were seen to take place. However, in this instance a free explanation of what was observed, was written down for use as field notes.

Advantages of using observation: Observation is said to be advantageous as it is a powerful means of gaining insight into a situation. This means that the researcher does not have to rely on the opinions or perceptions expressed via other data collection methods. Using observation, it was possible to collect information on a wide range of features of the school, including the physical setting, the interaction between staff and learners, the management style, and who makes decisions at the school. As this study explored the participation of SGBs in the formulation and implementation of a code of conduct for learners, it was possible to observe the interactions taking place during SGB meetings – these included verbal and non-verbal interactions between the teachers, learners and parents who were present.

Disadvantages of using observation: Certain disadvantages must be acknowledged. Observations are said to be intrusive, even if the observer does not meddle with anything. Observation can change the dynamics of a situation: Christiansen (2010, p. 79) explains that the presence of a researcher can cause participants to behave differently, giving rise to the Hawthorne effect (fear of being interviewed). Cohen and Manion (1989, p. 125) maintain that the purpose of observation is to probe deeply and to analyse intensively the diverse phenomena that constitute the life cycle of a specific unit, with a view to establishing generalisations about the wider population to which the unit belongs. This implies that any observation must be selective, i.e., the researcher can make choices about which happenings to focus on. This is because it is impossible for any person to observe *everything* that takes place in a given situation – especially where different interactions occur amongst a number of people. To circumvent this and avoid meddling, the focus was on learners and on what I as the researcher wanted to observe, considering the purpose of the study.

4.15 Document review

Bell (1993, p. 68) explains that ‘document’ as a general term is used to describe an impression which is left by a human being on a physical object. In the same vein, Best and Khan (2003) view documents as records written and kept by individuals who participated in or observed an event. From the definitions, it must be concluded that documents are documented versions of a particular event.

In this study, to allow for triangulation, document review was used as another method of data collection, as it supplemented the information acquired by other methods. Johnson (1984, p. 23, cited in Bell, 1993), maintains that doing a documentary review of educational files and records is an extremely valuable source of data. This is because, given the purpose of the current study, documents offered another lens to enable a reading between the lines of what happens in official SGB meetings. Moreover, the documents represented a snapshot in time of events as they unfolded.

Advantages of document review: According to Fitzgerald (2007), documents can expose vital information with regard to the context and culture of institutions. Naidoo (2012) maintains that documents offer another lens through which the researcher can read between the lines what has been happening in official conversations. It is always advantageous to use documents, as they can usually be accessed at a time that is convenient to the researcher, and provide true information (Fitzgerald, 2007, p. 282). For this study, for example, looking at the minutes of SGB meetings revealed important insights into what happened during those gatherings.

Disadvantages of document review: Even though documents allow a researcher to acquire data from the worlds of the participants, Yin (2009) voices concerns about their use, stating that documents should not be accepted as literal recordings of events, as there is always the possibility of the documents being intentionally amended so as to serve the subjectivity of those in power (the elites). From the aforementioned, it is clear why triangulation is imperative to circumvent emerging problems and supplement the methods used, thus offering a true reflection of the situation within an organisation, while ensuring the trustworthiness of the study.

For the present study, it would pose a problem if the information gathered from the documents used, did not offer a true reflection of events and had been purposely manipulated.

Types of document reviewed: The learners' code of conduct, disciplinary records, incident books, agendas for meetings, letters and notices to parents, as well as the minutes of SGB meetings were reviewed. This was because the study aimed to determine whether all members had been involved in the policy formulation and implementation of a code of conduct for learners.

4.16 Data analysis

Themes that emerged from the data collected were used to analyse the findings. The themes were separated in sequence, i.e., as respondents answered each research question. The interviews were mainly conducted in English, however, in some cases Zulu was used for those who could not speak English fluently. This also allowed the participants freedom of expression, where they could say whatever they wanted to say openly, without worrying about their English. As mentioned before, the interviews were tape recorded.

Qualitative data from the documents were analysed according to themes. The documents, which included the learners' code of conduct, disciplinary records, incident books, the agendas of SGB meetings, SGB minutes, and letters and notices to parents, were scrutinised. Information derived from the observational data was also categorised according to themes.

4.17 Issues of quality in research (trustworthiness)

McMillan and Schumacher (2006) maintain that the validity and reliability of a qualitative study are largely defined by the data collection method and analysis technique used. Kvale (1996, p. 229) describes reliability and validity as the "holy trinity to be worshipped with respect by all true believers in research". This means that the aforementioned concepts have a strong hold over researchers, measuring as they do the extent to which conclusions drawn from a study may be applied beyond the sample population to a wider population.

4.17.1 Validity

According to McMillan and Schumacher (2006, p. 324), validity refers to the extent of congruency between explanations for a phenomenon and the realities of the world. For Bell (1993, p. 24), validity reveals whether an item measures or describes what it is supposed to

measure or describe. To verify whether an item is reliable, it must produce the same results or similar responses on all occasions. Thus, validity reveals and gauges the accuracy of the data being collected. Christiansen (2010, p. 46) talks about internal and external validity, where the former is a measure of how accurate research is, i.e., the research findings are an accurate mirror of what has been researched. External validity, on the other hand, refers to the degree to which the results can be generalised to a wider population (represented by the sample) and on all subsequent occasions. For this study two sample schools were selected, yet the findings of this study do not represent a wide range of schools all over the country. Some findings are, however, flexible enough to be transferable to similar settings which resemble a similar situation with comparable characteristics.

4.17.2 Reliability

Bell (1993) asserts that reliability is the extent to which a test or procedure produces similar results, under constant conditions, on all occasions. Christiansen (2010) affirms that reliability is the extent to which a test or instrument can be repeated and still produce the same results. Cohen et al. (2001, p. 119, citing Bogdan & Biklen, 1992) explain that “[i]n qualitative research, reliability can be observed as a robust link between what researchers record as data and what actually occurs in the natural setting that is being researched, i.e., the degree of accuracy and comprehensiveness of coverage”. From the above definitions, all the cited authors emphasise the accuracy of data, when put together despite different settings, and the need to obtain similar characteristics.

According to Bless and Higson-Smith (1995, p. 130), reliability is concerned with the uniformity of measure, which means that the scope of what is being tested will give consistent results, even if different research tools are used. To guarantee reliability in this study, interviews, observations and documents were used to ensure that these three research methods would help make the findings or results consistent.

In the interpretive paradigm, Guba and Lincoln (1994) make use of the term “trustworthiness” for qualitative studies. For them, in this paradigm the focus is on whether the findings reflect the reality and lived experiences of the participants (credibility), dependability and conformability. Bassey (1999) elaborates on the concept of trustworthiness, maintaining that in qualitative data, trustworthiness can be strengthened at

different stages: during data collection, analysis, interpretation and when writing up the findings.

4.18 Data collection stage

A variety of research tools were used to collect data in this study; McMillan and Schumacher (2006) refer to this as a multi-method strategy which improves the validity of a study itself, or of data generation. Christiansen (2010, p. 113) refers to this as triangulation, i.e., data which is collected from a number of different methods deters the researcher from ceding to personal bias (Denzin, 1989, cited in Christiansen, 2010, p. 113). It does happen that a researcher becomes biased or chooses to write down ‘data’ which correlates with his/her view of the world and what s/he expects to see. Again, in order to ensure that this does not happen, three different research methods were employed. In such a case, problems with one research method can be compensated for by the strengths of another.

Corroborating this view, Briggs and Coleman (2007, p. 100) mention that “triangulation means linking several sources of evidence in order to define the truthfulness and the correctness of information or phenomena”. Naidoo (2012, citing Bell, 2006) declares that triangulation encompasses seeing similar things from different perspectives, thus being able to validate or question the findings of one method by means of another. In this study, triangulation proved very useful.

4.19 Data analysis and interpretation stage

Qualitative data were analysed through thematic analysis. Since a voice recorder was used, the data were first transcribed. As indicated earlier, some interviews were conducted in the learners’ home language, before being translated after the transcriptions had been done. The study was cognisant of the fact that translating has a number of problems which may affect the validity or reliability of the data collected. However, care was taken to check the accuracy of the data which were transcribed and translated. For this study, the data were analysed according to the phenomenological stages as reflected in the analytical framework developed by Marshall and Rossman (1999). The six stages of this framework are the following:

- Stage one: organising the data so that they are retrievable and convenient to work with;

- Stage two: making groupings, themes and patterns. Marshall and Rossman (1999, p. 154) concur that this is a very difficult stage of the data analysis process;
- Stage three: data coding, which includes various types of coding systems for the categories and themes created. Codes may take on several forms that include the abbreviation of keywords or numbers/numbering;
- Stage four: testing developing understandings, where part of the stage involves eliminating redundancy;
- Stage five: searching for alternative explanations. Giorgi, Fisher and Murray et al. (1975) add that at this stage participants' language or vocabulary is transformed into the language of science, and that such language must reflect the participants' perceptions; and
- Stage six: this is where the researcher embarks on writing the report.

In terms of data interpretation, this was done according to Bassey's (1999) stages, which include the following:

- The use of mechanical means to record data, i.e., a voice recorder to record interviews word for word. This implies that the transcripts that were used were more accurate than if the researcher had taken notes during the interviews; and
- The researcher acknowledging bias and possible circumstances that may affect the data in any way. This implies a need to acknowledge that any account is a representation of reality.

Being clear about the theoretical lens or perspective the researcher used to interpret data meant there was sufficient evidence to back up interpretations, and no unsubstantiated claims were made (Bassey, 1999, pp. 222–223).

After the transcriptions and interpretation of data had been done, the responses were arranged in accordance with each question asked. The arranged responses were printed out and analysed using Marshall and Rossman's (1999) analytical framework. The transcriptions were read and re-read in order to obtain a deeper sense of what was contained in each interview, to make sense of the subsequent analysis. While doing the thorough reading, themes were identified on which the written-up report was based.

4.20 Limitations of the study

In general, studies have their strengths as well as weaknesses or constraints. The limitation of this study may be the fact that the participants might not have provided a true reflection of what is happening in their schools, where dictatorship and autocracy prevail. This implies that the participants might have tried to give the impression that their schools are run in a democratic way. As a consequence, they may have been trying to protect those who are in fact autocratic, which would have negatively impacted the research findings. That is why, in this case, I as the researcher opted to be the part of the research: to obtain first-hand information.

The information gathered in this study was based on the experiences of the participants, who – in the interviews – may not have understood certain questions or may have given the answers they thought the researcher wanted to hear. As a result, some answers arising from the interviews may be null and void, based on how the respondents perceived specific questions. To work around this, semi-structured interviews were used which enabled me as the researcher to dig deeper and direct the participants' responses towards answering the research questions without deviating from them.

In a school set-up, the researcher is not supposed to know the answers, but to seek answers from the research population. Interestingly enough, to the very people who are supplying the answers, the researcher may seem to be a Miss or Mr Know-it-all. This relationship may have a negative impact on a study, as the respondents may try to impress the researcher. Even worse, some may not wish to speak at all, perhaps due to concerns about their linguistic capabilities – as was the case in this study. The Bill of Rights clearly states that everyone has a right to freedom of speech, which implies that a respondent can speak in any language s/he feels comfortable with. A struggling interviewee, who is trying to express him/herself in English, might provide distorted information which will negatively impact the study. To avoid this, the issue of language was discussed and agreed upon prior to starting the interviews.

Advancing with this empirical study was largely dependent on the time frames available to the case study schools, i.e., when they could accommodate the researcher. Another factor to consider was related to participation: Would all the stakeholders (participants) be open to be

interviewed at a time that suited the researcher? That is why the time frames were negotiated beforehand with the relevant people.

4.21 Ethical considerations

In any research, it is imperative to consider ethics, more particularly in research involving human beings.

4.21.1 Defining ethics

According to Cavan (1977, cited in Cohen et al., 2001, p. 56), ethics can be defined as “a matter of principled sensitivity to the rights of others”. Bell (2006) describes research ethics as being explicitly about the nature of the agreement the researcher has entered into with the research subjects. Drawing from the above definitions, in this instance the dignity of all the participants in the research process had to be respected. That meant obtaining the consent of every respondent who participated in the study – they needed to do so voluntarily, and were told they were free to withdraw at any time. Durrheim and Wassenaar (2001, cited in Christiansen, 2010, p. 50) maintain that it is of paramount importance that researchers always act in line with ethical principles, amongst which are to maintain autonomy, non-maleficence and beneficence.

Autonomy, according to Christiansen (2010), means that a researcher must respect the independence of the research participants. The research should do no harm to the research participants or any other people. In instances where the researcher faces ethical issues, s/he needs to consider whether the study will inflict any physical, emotional or social harm on any person involved. To the participants, the research must be of benefit. However, the benefit must never be financial, but rather pertain to benefiting the body of research and society at large (beneficence).

4.21.2 Ethics for research

All respondents were guaranteed that they would remain anonymous. Research has shown that participants tend to speak honestly and freely if they know their opinions or views cannot be traced back to them when the researcher reports his/her findings. It is fundamentally important that schools and participants were not identified in the reports emerging from this study: pseudonyms were used.

The Bill of Rights (section 9, no. 3) states that no person may be discriminated against. Therefore, in this study throughout the research process there was a concerted effort to ensure that confidentiality, anonymity and privacy were respected. An exception was made that, in the event of information emerging which could harm an individual, it would be reported to the appropriate agency. Participants were guaranteed anonymity, regardless of the information they provided. This allowed the participants the freedom to share whatever information they wanted to.

Informed consent was required of all participants, therefore an information sheet was provided to them on the research aims, process and use of data. The consent forms were provided to and completed by staff, parents and learners (all participants). The documents specified the participants' right to withdraw from the research at any point, with the understanding that the data provided by that respondent would not subsequently be used.

4.22 Ethical clearance

Ethical clearance was applied for, through the relevant channels. First, an application was submitted to Unisa's College of Education Research Ethics Review Committee (CEDU REC), which considered the application and issued an ethical clearance certificate. Thereafter, permission was sought to conduct research from the KwaZulu-Natal Department of Education, i.e., to study schools situated in the province of KwaZulu-Natal. The application was directed to Dr Sishi in Pietermaritzburg, who granted me permission to conduct the research.

4.23 Conclusion

Outlined in this section were the research methodology and research design for the study. The research was located within an interpretive paradigm, where the emphasis is on qualitative research using a case study as a research approach. The research population (determined through sampling) was outlined, as were the research instruments used, the limitations of the study, ethical issues, the data collection procedure and data analysis. The fundamental importance of truth and validity, as well as how reliability and validity increase the trustworthiness of research, were outlined in this chapter.

CHAPTER FIVE: DATA PRESENTATION AND DISCUSSION

5.1 Introductory remarks

In chapter four the focus was on the research design and methodology, i.e., how the study would be conducted, and what methods and research tools would be used to collect data. This chapter summarises and discusses the findings of the present study. It explains how the researcher made sense of the data collected; using the mirrors of literature review and the theoretical frameworks outlined in chapters two and three.

The study aimed to explore whether SGB members participate in the formulation and implementation of a code of conduct for learners, how they do this, and why. From chapter one, the study has been guided by research questions which inform the common interview questions. In presenting the data, it is important to refer back to these questions:

1. Do SGBs participate in the formulation and implementation of the code of conduct for learners?
2. How do SGBs participate in the formulation and implementation of the code of conduct for learners?
3. Why do SGBs participate the way they do in the formulation and implementation of the code of conduct for learners?

The data collected through the three research tools of interviews, observations and document review, were analysed. The interview data were transcribed, evaluated and analysed following the phenomenological stages of Marshall and Rossman's (1999) analytical framework which entails six stages: 1) organising the data so that they are easily located to work with; 2) making groupings, themes and patterns; 3) coding the data using various coding systems; 4) testing developing understandings to eradicate repetition by creating units of meaning which can be related to one another; 5) searching for alternative meanings and explanations, and changing participants' language/vocabulary into the language of science; and 6) writing the report. Thereafter, data obtained through observation and document review were used to corroborate the data obtained from the interviews.

Using qualitative research allowed one-on-one conversations between me as the researcher and the participants – this meant their lived experiences could be captured. Using the three

main research questions, an interview schedule (see appendices C and D) was formulated to ask probing questions aimed at expanding on the information obtained from responses to the research questions.

The following broad headings were used to present and analyse the data collected: 1) the code of conduct for learners; 2) the participation of stakeholders in the formulation of the code of conduct; and 3) the implementation of the code of conduct. From these broad headings sub-headings were formulated, informed by the interview schedule.

5.2 Research questions and findings

5.2.1 Research question one: Do SGBs participate in the implementation of the code of conduct for learners?

From the research question one sub-question was formulated as regards the code of conduct for learners. From this question, participant stakeholders (principals, teachers, learners, parents and the SGB chairperson) were asked:

Does the school have a code of conduct for learners?

Participants in both schools under study responded that they do have a code of conduct for learners. From their responses it was evident that they know about the code. For example, teacher X from Arch Secondary answered:

Yes, we do have the code of conduct for the learner and we use it in dealing with matters concerning learners.

Teacher X, from Momentum Secondary, reluctantly answered that there is a so-called ‘code of conduct’ for learners in the school. He added, however,

I personally do not see it or believe it is really a code of conduct, but the school has a piece of paper referred to as a code of conduct.

This is because the school’s code does not address all the aspects it should address, as informed by SASA. From the data on documents reviewed, it became clear that the code of conduct that had been formulated by the school comprised only two pages. However, the

DoE's code of conduct is used to supplement that of the school. A copy of the learners' code of conduct was made available to me, for perusal. All interviewed teachers shared similar views with regard to the code in use in their schools. However, given the data collected during interviews with learners, it became clear that the findings did not validate what the teachers said about the code: neither school made the code available or issued it to learners. Learner X from Arch Secondary said:

Our teachers told us that there is a code but we have never had a code of conduct, they did not give us a code of conduct. As the SGB member I honestly did not see the code of conduct. The people who know about the code of conduct I can say are the teachers (this includes the principal and teachers who are in the disciplinary committee) because they are ones who told us about the code of conduct but I don't think parents know about code of conduct... I've never seen it [the code of conduct]. But from what I know whenever there is something wrong happening in the school, the teachers will always talk about the code of conduct and thus I assume they are aware of the code of conduct. Say for example, there has been a learner to be disciplined they will refer to it, saying this and that is not in the code of conduct...

Learner Y from the same school affirmed this:

We know that there is a code of conduct for the learners but we as RCL members and other learners have never seen it. I think it was going to be good to have the code of conduct maybe read for us from the beginning of the year and each learner be given a copy. Learners will know what is expected of them and will be aware of what punishment you get if you have done something that is not in line with the code of conduct for learners.

From the literature reviewed in this study, it is evident that the code of conduct was introduced in schools especially to replace corporal punishment, to guide and regulate discipline in schools, while acting as a medium or tool for the democratisation of education. While the above is laudable, it is important to note that a code of conduct is a set of rules primarily aimed at maintaining discipline. The learners' responses concur with my observations as researcher, namely that in neither schools was such a code at hand to keep reminding learners what is required of them. In my view, these schools are not doing right by individual learners or by the school at large: if learners do not know what *not* to do, as outlined by a code of conduct, what guides their actions? If learners are not disciplined, the school as a whole will be affected negatively. This leads me to conclude that if the school

management does not realise what the purpose of a code of conduct is, or who it is designed for, then there is a problem. Such schools are putting themselves in a precarious position – if things get out of hand, the DoE will question whether the learners had access to a copy of a code of conduct for learners. Supporting this view, the principal of Arch Secondary stated:

Your research came right in time, at present, few weeks back learners brought dangerous weapons within the school and fought. The matter was attended within the school by the SGB members, however, the matter escalated and the DoE had to come in. When they came in, they asked learners if they have the code of conduct for the learners. Learners answered we do not have the code of conduct and we do not know what is in there (in the code of conduct) and we have never seen it. You see, not giving learners the code of code came back to bite us.

From what the principal said, it can be concluded that the DoE sees schools as contributing to many of the problems currently being experienced, rather than helping to avoid such problems. Learners fought at school, despite the fact that fighting on the premises is forbidden in terms of the code of conduct (as per data collected during the document review process). Perhaps if the learners had the necessary knowledge of the code, this would not have been the case.

The findings of the study suggest that, at both schools, an old version of the code of conduct is used – one that was formulated years ago. According to SASA, SGBs should revisit their codes of conduct yearly, so as to speak to challenges and problems the school is experiencing at that moment. The literature reviewed in this study revealed that learners are socially constructed; they thus live in an ever-changing world which means that they are changing with the times, just as their communities are changing. Thus, at both schools dated codes of conduct were being used to address matters which were prevalent in the past, rather than catering for modern-day problems. If schools use outdated codes of conduct which do not deal with mischievous or problematic elements, those school will experience problems as far as discipline is concerned (Oosthuizen, 2010).

From my observations in general, learners' bad behaviour can often be traced back to their teachers. From the document review it transpired that in one of the cases minuted, the learner had been ill-treated by the teacher in class and subjected to corporal punishment. In one of

the SGB meetings I observed, I noticed that some teachers do not count their words when speaking to learners. Some even use vulgar language, dismissing it as nothing serious, not realising how big an impact this has on the learners. The fact is, even without using vulgar language, problems could have been resolved civilly by using the code of conduct. If a teacher's behaviour does more harm than good, it confirms that that educator condones or even instigates rebelliousness and behavioural problems in learners.

According to the Nova Scotia Department of Education (2001, p. 1), the code of conduct for learners comprises certain principles, standards of behaviour, the identification of disorderly conduct and the consequences of disobedience. In chapter three, the theories underpinning this study were identified as democratic in nature. According to Rambiyana et al. (1996, p. 19, cited in Oosthuizen, 2010), democracy is a form of representative government, thus it can be defined as a structured approach or form of rule whereby those being governed have the right to be heard, are given a platform to make their voices heard and are represented in different structures of government. The idea with implementing a code of conduct in schools is to make the voices of the voiceless heard, through those they have elected to represent them. There are two possibilities: either schools do not understand the need for a code of conduct, or they are being negligent. Pateman (1970), Carr and Hartnett (1997), Grugel (2002) and Held (2006) and in terms of the classical conceptualisation of democracy, maintain that learners are mandated by SASA to be directly involved in the formulation and implementation of such a code.

By rights, the code must be revised annually, and learners must be kept abreast of changes so as to avoid unnecessary problems and conflict between the parties involved – this applies to both teachers and learners. The literature reviewed (Karlsson, 2002; Xaba, 2002; Mncube, 2005, 2008; Mthiyane, 2013) maintains that using a code of conduct for learners may be one way of promoting the rights and safety of all learners within a school. This is inclusive of the safety of educators and parents. The code is aimed at ensuring that learners take responsibility for their own actions and behaviour. It also prohibits all forms of unfair discrimination and intolerance, and eliminates disorderly and bad behaviour (Msila, 2006). While the above is true, what is certain is that many schools create problems for themselves by bypassing the code of conduct for learners. The principal of Arch Secondary stated:

I can say, we use the code of conduct for selfish reasons. If the code of conduct is working on our favour (the school) we talk about it theoretical to the learners, i.e. from the code of conduct it is stipulated that... you refer to what the learner has done.

He made an example of learners who loiter outside the classroom: if he, as the principal, ventures out into the passages the learners hurry into their respective classrooms. He clarified that he is consistent in monitoring such behaviour, and follows up on what the learners are supposed to be doing. He mentioned that in their school, if a learner is caught outside the classroom during school hours, the learner's books are taken from him/her and a parent is summoned. The books are only returned to the learner after the matter has been resolved. This explains his statement about following up on transgressions of this nature.

Arch Secondary's code of conduct states that it is a form of misconduct for a learner not to be in class when s/he is supposed to be. As a result, the parent of a loiterer is summoned so that the matter can be addressed. From my experience as a teacher, learners do not want their parents to come to school to address misconduct: they prefer to be given detention. From the present study it can be concluded that fewer problems arise if the code of conduct is used appropriately. This is especially so if the overall opinions of learners were included in the initial formulation of the set of rules which is used to govern them, if it was formulated in their presence and they participated in the formulation process.

Learners from both schools attested that "it will be better if we are given a copy to read of the code of conduct during the beginning of the year, we would know what is required of us by the code of conduct".

The principal of Arch Secondary attested that

[L]earners fought and brought dangerous weapons in the school, if only we have gave learners the code of conduct none of this would have happened, as learners would have had knowledge of what is expected of them as per code of conduct in this regard.

- **Summary**

The findings show that both schools under study have a code of conduct and the learners and students have knowledge of the code, yet the emerging challenge is that schools fail use the

code in a correct and productive manner. Both case study schools were found to use the old code of conduct for learners. At neither school were learners issued with copies of the code, and thus they could not refer to it when necessary.

From the study it transpired that both the teachers and principals believed learners must receive the school's code of conduct documents on the first day of school. The findings showed that it is taken for granted that learners are new to the school, and therefore need to be informed of the code of conduct. In both schools, principals, educators and learners concurred that the learners have no idea of what the school's code of conduct requires of them. Acquainting learners with the code is the responsibility of the school – teachers especially have an obligation to educate learners about their school's code. The literature proved that a code of conduct may help to avoid unwanted learner behaviour such as absenteeism, poor academic performance, learner dropout and truancy (SAHRC, 2008). As the code is seen as a tool to eradicate antisocial conduct, no doubt good results will ensue if learners' behaviour becomes more respectful. In both case study schools, the document reviews showed that particular offenses are clearly outlined in the code, as is the fact that anyone contravening the code will be subjected to disciplinary measures, depending on the severity of the misconduct.

5.2.2 Research question two: Do SGBs participate in the formulation and implementation of the code of conduct?

This research question led to the formulation of a sub-question which was posed to all the stakeholder participants (principals, teachers, learners, parents and the SGB chairperson):

Do all stakeholders of the school participate in the formulation of the code of conduct for learners?

From the documents reviewed, the minutes of a meeting held on 23 February 2013, when a code of conduct was formulated for Arch Secondary, state that all stakeholders were involved and participated in formulating the code, yet data obtained during the interviews reflect the opposite. This brings into question how and what is viewed as 'stakeholder participation' in both case study schools. While all teacher stakeholders (principals included) agreed that learners did participate in the formulation of the code, the learners disputed that. Why would the teachers not confirm this? This alone reveals that the democratic principles outlined in

chapter one are not put into practice. Further, it suggests that there is still a long way to go towards establishing democracy in schools – more especially in black schools. Certainly, not all schools are undemocratic, but there are those which are more democratic than others. Schonfeld (2006) suggests that dishonesty, uncommunicativeness and reticence occur amongst stakeholders where those with more power and ‘voice’, or those who are deemed ‘intellectuals’ (such as teachers and principals), intimidate them. In both schools the learner stakeholders admitted that they do participate in SGB meetings, but not in the way they should be participating. As one of the learners of Momentum Secondary mentioned, it is only the teachers who know about the code of conduct for the learners, it has been never been given to them as pupils for endorsement or rejection. This is what Carr and Hartnett (1996, p. 42) contend, in the contemporary conception of democracy, eliminates competition between political elites (teachers in this case) and the ‘voiceless’ (learners). Here, democratic participation in decision making should be the essence and gist of democracy, and the criterion and measure that allows democratic methods to be distinguished from other means of decision making.

In terms of the formulation of a code of conduct, the findings of this study suggest that the SGB members participated, but not to the fullest extent. Both schools were found to still be using the previous year’s code. They were, however, planning to formulate a new version that would cater for all the problems they faced in their respective schools. As the principal of Arch Secondary mentioned:

When the code of conduct for learners was formulated all SGB members participated fully according to their capabilities, however, some of the current SGB members were newly elected and never sat for the formulation of code conduct for the learners.

Teacher Y from Arch Secondary noted:

All stakeholders do participate in the formulation part of the code of conduct for learners. However, teachers and the principal tend to be the ones who contribute and participate, moreover the principal is wearing a hat and thus in most of the times he/she tend to drive all members towards his own ideas. Learners and parents sometimes have nothing to say because they do not know what to say. It is evident that they are not aware of their rights as SGB members.

Still, at Arch Secondary, the SGB chairperson attested that all members participate when the code of conduct is formulated. He conceded, however, that he had not been there when that happened, because he had yet commenced his tenure at that time. He confirmed that the SGB minutes show that all stakeholders participated. The same scenario applies to Momentum Secondary where, from the documents reviewed, it is evident that the stakeholders indeed participated, although it is impossible to tell to what degree. Mncube (2009a) maintains that although parents and learner stakeholders participate in school governance, most of them are not fully on board – their presence is a mere formality. This means that the involvement of these two groups of stakeholders in matters concerning the governance of schools tends to amount to window dressing, to create the illusion of their participation. And again, this finding is supported by the document reviews. In the minutes the learners are not noted as having said anything, despite the fact that they signed the resulting document. The findings of McBride (1991), Gutman and Midgley (2000), Chikoko (2001), Senechal and LeFevre (2002), Van Wyk and Lemmer (2004) and Mncube (2007) and others prove that excluding the voices of parents and learners – either completely or on purpose – means that issues of social justice and democracy are not taken into account by SGBs. This omission can have a negative impact on the day-to-day running of the school and on school governance. It is disturbing, though, that schools are supposed to be sites which anchor democracy – something which many died for, and which was long fought for – but instead work towards instilling autocracy. Nevertheless, this is done in a ‘two-way’ manner, deliberately albeit reluctantly. Since African democracy grants a voice to those who are adults, rather than to children, young people believe their elders should always have the final say. Indeed, this situation must have prevailed during the SGB meetings studied here, where participants most likely allowed this kind of behaviour without giving it a second thought. The schools, which have the learners’ best interests at heart, firmly believe that it will make it easy to discipline and guide learners if they have their approval, rather than their input. Those who have a voice tend to capitalise on the fact that the voiceless lack knowledge of their participative roles and power, and as a result, they infringe on the democratic rights of the latter.

On the other hand, many who know that it is wrong and unethical to silence the voiceless or meek, do so to satisfy their egos and their arrogance. The Gulbenkian Foundation (1995, cited in Msila, 2006) maintains that voiceless stakeholders (such as learners) gradually become the victims of indirect oppression, rather than being ‘born-frees’. This infringement

can be traced back to the Bantu Education Act of 1953, which ensured that African children received a mediocre education, while white children did not (Reeves & Ralphs, 1994). This, according to Msila (2006), means Bantu Education aimed to impede the development of black learners, while enforcing control over both black learners and teachers. Moreover, it served to indoctrinate the learners, just as the findings of this study show that learners are being indoctrinated.

The present study found that in many instances learner and parent stakeholders were not always excluded intentionally – in fact, some of them participated, yet demonstrated incapacity. The principal of Momentum Secondary attested that teachers tend to be more involved and to contribute, whilst learners and parents do not. He attributed this to the fact that teachers are always at hand, and are trained to handle matters. They are thus exposed to learners and have experience in dealing with learners, which gives them the capacity to deal with matters related to the learners. On the parents' and learners' side, a lack of exposure and an inability to see the bigger picture are perhaps what exempts them from knowing what to include in a code of conduct, and what to exclude. The principal added that parents are frequently not forthcoming in respect of school activities and do not tend to participate in school events, so it takes longer for them to contribute and make their voices heard, when given a forum to do so. In terms of the old code of conduct, he mentioned that the parents had endorsed it, despite not participating in its creation or having a say in its formulation. By contrast, however, in his experience, if parent stakeholders were not involved, the school tended to face numerous challenges.

Unsurprisingly, both principals mentioned that at the time of the study they were still using the old code of conduct for learners. At Arch Secondary, the principal added that they were about to revise and make amendments to the existing code:

Teachers facilitated that the code of conduct must be revised to cater and talk to the current situation and deal with misdemeanors on a daily basis.

In the same vein, Momentum Secondary faces comparable challenges. Teacher X said:

On my point of view I believe there is a need for the code of conduct to be reformulated.

He added the code had indeed been revised in the past, but could not say precisely what that entailed, merely that it was done to take care of a matter that had arisen. The staff were informed of the change verbally. The teacher believed that it was not a formal amendment, as it was done in the reception area by the principal, a teacher who serves on the disciplinary committee and a parent. Thus, according to him several stakeholders played a role, but not in the way they should have. He affirmed that it is the principal who plays a leading role, which is understandable because he manages the school. He also attested that the parents' role was to listen to the principal – although they were not bullied into accepting his decision, in many instances they just had nothing to contribute. He added that there was no interrogation or critique from the parents' side – often, critique was seen as a personal vendetta and not related to the matter under discussion. This finding confirms that such a scenario is prevalent in schools, where voiceless stakeholders listen, swallow and stomach things as they come, whilst their rights are being violated.

From the above it is evident that there is a need for a code of conduct to be formulated properly and amended in the correct way. As the teacher noted, the code had been revised, yet this was not done according to protocol. If the code had been up to date and formulated timeously, in such a way that it speaks to matters of the day and current challenges facing the school, in keeping with the type of learners, the community and their experiences, there would be no need to amend the code on an ad hoc basis. Thus it can be argued that schools are largely ignorant when it comes to the formulation of this important document.

The principal of Arch Secondary said that in future, their school's SGB would assign a committee to deal with the drafting of a code of conduct, in line with SASA, and that the draft would be circulated to all stakeholders for amendment and contextualisation. He added that

this is because you will find that a school will have challenges that are peculiar to other environments. So the contribution of different stakeholders whom are experiencing what is happening and what they see around them, help to shape the code of conduct that is responsive to what they need as a school.

From the above it is clear that the formulation of the code is academic in nature, thus it is a good idea to involve all stakeholders (more especially teachers and people with expertise in

matters concerning learner discipline) so as to eliminate unnecessary conflict, which is forbidden in terms of SASA. Moreover, having a code that covers all angles is not only equitable and fair, but firmly addresses disciplinary issues within the school, thus preparing young people to become responsible citizens. O’Hair et al. (2000) suggest that learners are obliged and mandated to become involved in the governance of the school’s decision making and policy formulation, and that they are entitled to help guide and direct the work of the school, since they are afforded that power by SASA.

In practice, however, parents, learners and even the cohort of teachers do not participate fully (Mncube, 2005, 2008), for various reasons. In situations like these, the principal continues to perform duties which should be the responsibility of the SGB. The teacher from Momentum Secondary confirmed this:

The principal plays a leading role and it’s understandable because he is the one who is managing the place.

This finding is supported by Grant’s (2006, p. 525) study, which investigated 11 South African educators with a view to understanding the concept of teacher leadership, as characterised by the continued existence of a hierarchical school organisation controlled by dictatorial principals. The study found that authoritarianism and formality prevail in many schools.

As far as the formulation of a code of conduct for learners is concerned, the research findings suggest that all stakeholders are aware of their roles in the SGBs. However, some of them remain passive onlookers, as they are either not given a platform to air their views or do not know exactly how to contribute (Mncube, 2008). This might be because of the fear inculcated in them by the other stakeholders, such as (overbearing, pompous) principals. In addition, the study suggests that the principal’s voice is final. As a result, other stakeholders tend to withdraw, as was evident in observations of the SGB meetings. One of the parents from Momentum Secondary noted:

If the principal agrees then we are fine as well, because the principal is the one who is responsible in managing the school.

This suggests that the principal has ‘more voice’ or can make his voice heard as the head of the school. A similar situation obtained at Arch Secondary. As noted earlier, amongst African people it is tradition to acknowledge and take orders from a person deemed more important and educated than yourself.

It is natural for someone who cannot cope or who sees him/herself not fitting in with a particular group of people to grow more reserved, to lack confidence or feel shame, and to distance themselves. From data collected in this study, it is evident that parents and learner stakeholders mainly play a passive role in meetings – particularly as far as the formulation of the learners’ code of conduct is concerned. They tend to withdraw. The findings also suggest that as learners and parents are neither equipped nor trained and have insufficient knowledge of their respective roles in SGBs, they tend to play almost no role. They merely avail themselves to listen to others or in certain instances fail to attend SGB meetings (SGB minutes, October 2015, p. 45), in all likelihood because they do not want to be seen or exposed for not knowing enough. They prefer not to say or suggest anything, but merely accept whatever is tabled in front of them. The findings suggest that learners and parents in particular remain voiceless during meetings. Heystek (2004) believes their limited knowledge and lack of training in school governance, coupled with their insecurities regarding their functions and duties, makes it difficult for them to speak up, never mind help to help govern the school or contribute meaningfully.

These findings were confirmed by Learner X from Momentum Secondary, who attested that she once attended an RCL meeting but only to listen, as she had nothing to say or to work with:

I can say here at the school, some of the things we are not told about and also we have not received training yet as to equip us on being an RCL member.

From the aforementioned it is evident that learners have lost their self-esteem. Learners who serve on SGBs do not see themselves as valuable and important meeting attendees, which is why they keep their mouths shut – literally. In many cases they want to safeguard themselves from the embarrassment of saying things that may not make sense to adults or better-educated individuals.

On the other hand, parent X from Momentum Secondary mentioned that learners tend to absent or excuse themselves from meetings because they do not want to take part. According to her, RCL learners were invited to attend a meeting chaired by the Disciplinary Committee, to deal with a learner who had to be disciplined. The learners who excused themselves may have felt vulnerable, in that their schoolmates who were about to be disciplined may have turned against them or sought retribution. The DoE (1996) implemented the code precisely to circumvent this from happening, as a tool to manage the behaviour of learners and guarantee an orderly school environment where effective teaching and learning can take place.

Learners' reluctance to participate demonstrates that they do not feel safe at school. If the necessary disciplinary measures were put in place to deal with misbehaving learners, this scenario would not occur. However, if learners are ill disciplined and cannot be civil with one another, such cases will prevail.

- **Summary**

The findings of the present study suggest that learner participation in the formulation of the code of conduct for learners is minimal (if at all). This is a consequence of learners seeing themselves as unfit to be SGB members: they thus avoid assuming their roles or withdraw from doing their duty. A contributing factor is their lack of knowledge and training: as SGB members they are not sufficiently prepared to take on their respective roles. These findings are supported by Heystek (2004), who maintains that although parent and learner stakeholders are part of the school governance structure, most of them participate sub-optimally. Training is vital as it equips and prepares learners and parents to carry out their respective duties. Another angle emerged from the findings, which is that some SGB members – despite being invited to attend meetings – do not show up for lack of time or due to workplace constraints.

In both schools it emerged that intellectuals (i.e., teacher stakeholders) made their voices heard, while the learners tended to remain voiceless. More especially, the principal remained as the ultimate voice of authority and final decision maker. In addition, autocracy prevailed in both schools. This was evident during observations: when a specific matter was discussed, the headmaster overruled the decision and made a one-sided ruling. The behaviour of the principals, who tended to be autocratic, is foreseen to continue for some time unless they are challenged on this. Yes, sometimes so-called 'voiceless' stakeholders are given an opportunity

to speak, but their opinions do not count, for whatever reason. Any headmaster who unilaterally governs a school infringes on the right of everyone to be heard, as stated in the Bill of Rights. Children do have a right to articulate their views and to have their opinions considered, especially in decisions that directly affect them.

How does each stakeholder participate in the formulation of a code of conduct for learners?

All participants who participated in this study revealed that the various stakeholders indeed participated in the formulation of the code of conduct – however, not all of them participated meaningfully. The findings suggest that SGB members do participate in formulating the code, which is helpful, but while the teachers’ responses are indicative of active involvement, the learners’ responses suggest they are not given much time to participate in this task.

Earlier, from the discussion on democracy it became apparent that SGBs are a representative form of democracy that can become a way of life in a school. Democratic schools practise democracy and embody democratic principles. In this study, this relates to the ‘how’ of their participation in formulating a code of conduct: it has to reflect the principles of democracy (Kensler, 2010).

SGBs are a representative form of democracy, which suggests that all the stakeholders involved are required to work within the parameters of the constitution. By doing so, democratic principles are strengthened and democratic school governance is facilitated. Corroborating this view, Heystek (2001, p. 217) concedes that the inclusion of these stakeholders in school governance matters does not always happen the way it is supposed to. As an example, parent X from Momentum Secondary attested:

We as SGB members we are one body and one voice.

The parent stated that if one person has an opinion, that opinion is tabled, discussed and everybody has a right to participate so that consensus is reached. She attested that they participate the way they do in order for the school to be productive and prosperous. However, learner X from the same school confirmed that in terms of the participation of SGB members, there is no communication or participation at all. These findings are supported by Kensler

(2010), who maintains that adult stakeholders see the importance of learners' contributions, but believe their understanding to be too limited to contribute meaningfully to school governance, i.e., they question the learners' ability to participate. As mentioned before, learner stakeholder participation in school governance tends to be held back by traditional views and the cultural background of the community in question. This study has found that parent stakeholders participate only partly. This is supported by Mokoena (2011), who maintains that parent stakeholders do not always understand their role and function in SGBs. As a result, they are excluded from the decision-making process. Negating the role of the parent stakeholder hinders and impedes the efficiency of SGBs in schools, and does not promote representative and participatory democracy in decision-making processes.

At Arch Secondary there were contradictions between what the different respondents reported. For example, teacher X noted:

I can say all stakeholders' relevant ones had an input in the draft code of conduct. However, as I said that it is the teacher component who was involved in the drafting of the code of conduct.

Learner X from Arch Secondary attested that as an SGB member, he honestly had never laid eyes on the code of conduct, but that the teachers knew about it (this includes the principal and the disciplinary committee) because they told learners about the code:

...but I don't think parents know about code of conduct.

This study found that teachers were unanimous in declaring that all SGB members participated in and knew about the code of conduct for learners. The findings also suggest that they are aware that everyone must have a say in formulating and updating the code. However, it is important to note that even if all stakeholders participate, some challenges may remain, despite stakeholders attending workshops in this regard – such an intervention may not be sufficient to break down existing barriers. Many teachers have indeed attended related workshops. At Arch Secondary, parent X attested:

Previously, SGB members received some sort of training, even though it was not sufficient, not thorough and detailed and moreover, not all members attended the training for some reasons. I feel more training is required so as to be able to perform our duties.

Thus, in some instances certain members' participation is informed by knowledge they acquired during a workshop. Teacher Y from Momentum Secondary mentioned:

In terms of the guidelines that are provided for SGB is that it must sit together and discuss. The only problem that prevails is that the dominance in the SGB will be, most of the time the educators. This is because of the levels of understanding thereof they differ.

This is because teachers, as academics, are constantly in contact with learners. They observe and learn how learners behave in different situations. Therefore, they automatically understand their learners well and may have preconceived ideas about what each learner is capable of contributing. Such stereotyping can be harmful to both the child and the school.

If teachers are unsure about their roles, and principals dominate while learners mostly assume a passive role, it perpetrates the power relations which are reflected in society. Many parents remain passive because they are afraid of the principal who has his own vision of how the school should be run. An autocratic principal will channel everyone towards his idea, even if that idea is of no use. This finding is supported by Tse (2000, cited in Dworkin et al., 2003) who contends that even in democratic schools principals sometimes lapse and follow an authoritarian and bureaucratic management style.

At Momentum Secondary, both learners and teachers contributed to reviewing the code of conduct for learners, so in that way it can be concluded that all relevant stakeholders had an input in the drafting of the code. However, as the research shows, the teacher and learner component were included, not the parents, as a teacher from the school attested:

You have correctly stated that the SGB involve the parents as well, yet it is the teacher stakeholder who expedited the revision of the code of conduct.

This is because teachers are expected to deal with misdemeanors on a daily basis:

In our school in particular parents are not that much forthcoming to school activities, so that is why it takes longer, if parents are also needed to contribute and thus it takes a bit

longer. So the one that we are currently using, I would say parents endorsed it but they were not the ones who were championing it, so precisely maybe the amendment that we are currently making we will wait for parents, as it has been revealed that if we do not involve parents or if they are not the ones who are in the forefront we have challenges.

Responses from the learners followed a common trend, as indicated by learner X from Momentum Secondary:

We do participate but I do not see much that we do. From what I know whenever there is something wrong happening in the school, the teachers will always talk about the code of conduct and thus I assume they are aware of the code of conduct.

This implies that, if a learner is to be disciplined the teachers refer to the code of conduct, and determine what is or is not included in the code.

Learner X from Momentum Secondary attested that when the old code of conduct was formulated they were called on to participate; they all stated their opinions on what they believed would work. Teachers, parents and RCLs tabled their opinions about what was not happening and what they wanted to see happening in the school. As regards the formulation, he explained that they had participated in a good way:

You state your point and we would agree to it if it is fine and we look at the good and bad of the point posed so we can see how good it is and its bad, how bad it is.

He attested further that the parent stakeholders in most cases backed the points made by the RCLs. This finding was supported by the teacher stakeholder who admitted to looking at the points the learners made, although they did not always agree with their views. Thus, at times RCLs/learner stakeholders do not see eye to eye with teachers, then the teachers try to explain to the learners why they disagree with them, so that both parties understand why they differ on a particular issue.

Another learner from the same school attested that in terms of the participation of SGB members, there is no communication at all, not even between teachers and parents:

It happens sometimes that we do not discuss matters, on what should be done, how it will be done and when whatever should be done.

The learner requested that there must be more SGB meetings involving parents. This finding was supported by the research: during the observation, no meeting was called or scheduled with the parents.

- **Summary**

The findings suggest that there was (and continues to be) participation in the formulation of a code of conduct for learners, yet this process did not unfold as expected. In the main, teachers play a major role, more so than other stakeholders. That is understandable, though, as they are the ones who deal with learners on a daily basis. The reason behind the lack of participation on the part of parent and learner stakeholders is incapacity: they are not sufficiently empowered to perform their duties, as mandated by SASA. Remarkably, principals still followed an authoritarian and bureaucratic management style, and this suppressed democratic principles to the extent where they cannot flourish.

From data derived from observations and the documents under study, it became clear that in both schools the teachers dominate, and are more involved in formulating the code than the learners are. The other stakeholders do not participate significantly. Moreover, the parent stakeholders tend not to attend SGB meetings, perhaps because they do not see themselves as capable enough to exercise their participative rights. As a result, those stakeholders who are present take decision on their behalf, informed by the majority rule.

The learner stakeholder participants believed their views are acknowledged and taken into consideration. However, it was proven that teachers do capitalise on learners' inexperience. For example, RCLs feel welcomed and are allowed to participate, yet the principal in particular has the final decision. Learners are treated as minors, and because they are seen as children they have no say further and are forced to take decisions as they come.

The study found that parent stakeholders do not understand their participative roles or their function in SGBs. As a result, they are excluded from the decision-making process. Such exclusion hinders and impedes the efficiency of SGBs in schools, and does not encourage representative and participatory democracy.

5.3 Research question three: Why do SGBs participate the way they do in the formulation and implementation of the code of conduct for learners?

Here, sub-questions were formulated and discussed by principals, teachers, learners, parents and the chairperson of the SGB, who were asked:

Does the school follow the code of conduct when disciplinary measures are taken against misbehaving learners? (Explain how.)

The findings proved that a code of conduct for learners exists on paper. However, during the data collection stage, when engaging with the participants, questions arose about how to ensure that the code continues to be relevant to the very people to whom it applies, and how schools can make sure that the code does not lose its authenticity and remains effective. The findings suggest that if a code of conduct is to remain effective, it is fundamentally important to ensure that all stakeholders have a sense of ownership. The common problem in these schools is that the code is not reviewed – they continue to use the old code which was formulated years ago. Ideally, the code should be reviewed on a regular basis (yearly, mostly) as a standard procedure (Bray, 2005). This kind of review must be done in a proper, participative way, as stipulated in SASA. Furthermore, once the code has been revised, discussions must be encouraged and feedback must be given to different groups in the school, for further interrogation or endorsement.

As an experienced teacher, in my capacity as researcher I have learned that schools have to cater for so many policies, some from the DoE and others formulated internally. The interesting part, though, is that some (if not all) of them are kept for record purposes and are never implemented. This is supported by the data from interviews and observations in both schools. Learner stakeholders in both Arch Secondary and Momentum Secondary attested:

We do not have a copy of the code of conduct.

In many contexts, however, having numerous policies leads to well-mannered learners, functioning institutions and well-developed schools. It is impossible to deny that some black African schools in particular, lack discipline. This can be traced back to the apartheid era, where children had to fight for the right to be taught and treated humanely. Their experiences

have kept many ignorant and taught some of them to be arrogant. This especially seems to be a trend in rural and township schools. From the above it is clearly difficult to implement certain policies, which means they fail before even being implemented. The findings suggest that in both schools the old code of conduct for learners exists, but learners do not have a copy, nor have they ever seen it. How can a learner be expected to follow rules or behave in a certain way without guidelines? Learner Y at Arch Secondary affirmed that giving learners insight into the code of conduct will limit unnecessary wrongdoings on their part. They must not just be told about it – that is too superficial. They must know and understand the code.

Whose duty is it to implement the code of conduct for learners? Researchers like Miedel and Reynolds (1999), Gutman and Midgley (2000), Senechal and LeFevre (2002), Karlsson (2002), Lewis and Naidoo (2006) and Mncube (2008) link the active and effective involvement of all stakeholders (including learners) to an array of positive academic outcomes, including higher grade-point averages (Gutman & Midgley, 2000), lower dropout rates (Rumberger, 1995) and fewer retentions and special education placements (Miedel & Reynolds, 1999). Thus, it is the duty of all stakeholders to implement and enact the code of conduct for learners. If this can be done collegially and meaningfully there will be no finger-pointing if things do fall apart, for whatever reason. The data from the interviews show that the involvement of community structures/forums bears fruit. Why is it helpful to involve community members? The study suggests that they understand the cultural ethos and socioeconomic factors of the school's environment. Many teachers are new to the community, and thus do not understand the cultural background of the school.

The principal of Momentum Secondary confirmed:

Currently or in past few weeks we had learners who brought dangerous weapons within the school premises, we tried to catch them but they run away. Members of the community caught them and brought them back to school. If this structure was not there these learners would have escaped and the matter would have been not resolved.

In chapter one of this study, which defined the concepts used here, the code of conduct was explained as a set of rules designed to guide and regulate the discipline of the school, whilst acting as a tool to democratise education. This study also confirmed that as the code is

designed for learners, learners are the vehicles through whom to implement the code. As learner Y from Arch Secondary affirmed:

We know that there is a code of conduct for the learners but we as RLC members and other learners have never seen it. I think it was going to be good to have the code of conduct maybe read for us from the beginning of the year and each learner be given a copy. Learners would have known what is expected of them and will be aware of what punishment you get if you have done something that is not in line with the code of conduct for learners.

Based on my experience as a teacher and researcher, when learners are involved in anything, they tend to take responsibility and ownership. For example, when formulating classroom rules, learners say what they want to see happening in the classroom and agree to a set of rules. When consensus has been reached and the rules are implemented, they take responsibility and may even call their peers to order. This is done without the teacher even getting involved, thus learners use rules to instill discipline among themselves. If this were the case in SGB meetings, it would only improve their functioning.

As revealed by the study, the code of conduct is only used partially in schools, i.e., when it suits the teachers (without letting the learners know beforehand). Teacher Y from Arch Secondary confirmed this when he said: “I can say we use the code of conduct for selfish reasons.” Teacher Y from Momentum Secondary attested:

The code of conduct can be divided into two sections. Section one and section two. Section one deals with minor cases such as coming late to school, school uniform, making noise in class, etc.

Here, learners need not be told about infringements, it is common sense that coming late is not allowed. Learner Y from Arch Secondary argued that learners know the rules without constantly being told. But when it comes to section two of the code, which the learner referred to as applicable to major cases, he attested: “We deserve to be told.” This implies that learners must be informed about what they are required to do, and about the means of punishment meted out for transgressions. There is no point in being told after the fact that “what you did is against the code of conduct”. From the above, it is evident that it is unfair to

learners not to inform them what is expected of them. This finding is supported by the principal of Momentum Secondary:

Our learners know about the code of conduct, but it is good to take a fall if it is required to. They don't really really, know the contents of the code of conduct. We only spoke about the code of conduct and we did not give it to them.

It is disturbing to learn that the code of conduct is used as a tool to discipline learners, while, at the same time, the people it is designed for do not know much about it. In terms of using the code to discipline, both schools followed the code of conduct in taking punitive measures against misbehaving learners. This finding was supported by the teacher from Momentum Secondary:

Say for example, if the learner misbehaved you can simple expel him/her, no we do not do that, we follow procedures. In fact, the teacher should know how many times the learner misbehaved thereafter; the teacher should bring the child to HODs (Head of Department) the management team within the school. Now it is the HOD that will sit down with RCLs (representative council of learners) to talk about the matter. It is where we discuss that what measures are put in place to discipline the child.

The teacher also mentioned that

you can never expel a child; from minor cases, but the matter proceed to disciplinary committee, where the child will be disciplined before the matter goes to SGB, with the history of a learner, for example, offence 1, 2, 3 and 4.

During the document review these offences were clearly stated in the code of conduct for learners from both schools. At Arch Secondary they also used the code to discipline learners. Teacher X from the school attested that everything is written down in the code and, even though the school is still using last year's version, they plan to formulate a new version this year:

Recently our learners fought and we used the code of conduct so that they can be expelled or taken to other schools. Learners were carrying dangerous weapons in school, so we used the code of conduct to deal with them. We wrote a letter to the Head of Department, Dr Sishi,

then we used procedures highlighted in the code of conduct and those learners were expelled from school because they were interrupting teaching and learning. Moreover, the learners had other offences that were documented down before but bringing weapons into the school was huge and thus further steps were to be taken urgently. From the evidence that was produced and given to Dr Sishi, he then decided that these learners are to be expelled from school.

The findings were supported by my observation as researcher, in an SGB meeting and through document reviews, which listed the offences of misbehaving learners. I sat in on an SGB meeting where a learner was to be disciplined, and where the code of conduct was used for reference purposes and as a tool to discipline the learner. By contrast, learner X from Arch Secondary confirmed that the school does use the code to discipline learners:

But I can never be so sure because when there are disciplinary cases going on, I heard them (DC members, parent stakeholder, teacher stakeholder and the principal) talking about that they are following the code of conduct. In that case I was attending teachers (DC members and one SGB member) and parent had papers in front of them reading for parents but I could see what was it that in front of them but I suppose it was a code of conduct.

In conclusion, the learner confirmed that in the meeting she was there only to listen, she had nothing to say or background information to refer to. The other learner from the same school concurred as far as the use of the code of conduct was concerned.

Both schools had similar views about whether they used the code to discipline learners. From the findings it was evident that the code is a tangible measure aimed at preventing learners from committing disruptive acts. This is supported by Burton, Leoschut and Bonara (2009), who maintain that a code of conduct inhibits learners from performing disruptive behaviours that can lead to criminal activities.

The findings of this study, along with the literature, prove that it is difficult to implement and enforce a code of conduct for learners. It can complicate relations between the school and the learner involved: for example, if a learner is found guilty of theft or bringing dangerous weapons to school, and the punishment is that s/he must be expelled from school for one week until the matter is resolved, his/her right to be at school and receive an education is

violated by the punishment. On the other hand, it is in the best interests of the school and other learners who have a right to receive an education in a crime-free zone, where teaching and learning can take place. In this example, the rights and interests of both innocent and guilty learners are at stake, and those rights are negatively affected if a culprit cannot continue their education due to their expulsion. It is in this instance that those in authority (teachers, principals, HODs or the SGB) must act in the broader interest, without abusing their power. Meanwhile, if the learner is kept in school, the rights of the other learners are being infringed on. This finding is supported by Lin (2008), who maintains that acting lawfully in implementing a code of conduct or disciplinary measures will ensure that the risk of abuse or misuse of power is eliminated, and that the interests of both learners and the school are protected. In addition, maintaining a relationship of trust between the SGB and the school, community, parents, authorities and other stakeholders will reassure all parties that the school is being governed in an open and transparent way, through an SGB that is accountable for the actions entrusted to it by law (SASA).

- **Summary**

The findings reveal that there is still a lot to be done to facilitate the implementation of a code of conduct for learners in South African schools. Currently, there are numerous emerging changes within the education system, including the introduction of new policies which schools are trying their level best to implement. On the other hand, those who have to implement such changes are not always clear as to what is expected of them, and as a result there will be many contradictions in terms of the policies and their interpretation, which may create confusion between the implementers, those on the receiving end, and the policy-makers themselves.

The study has clearly shown that the active and effective involvement of all stakeholders—including learners – in the implementation of a code of conduct yields a range of positive academic outcomes. Learners are constitutionally protected, thus the use of physical means such as corporal punishment to discipline them can lead to teachers being found guilty of violence or abuse, and being dismissed. Yes, using the code of conduct to discipline misbehaving learners is an option, but at the same time the code must not be misused. There are certain terms and conditions under which to use the code, for instance, keeping a record of a learner's misconduct on file. Disciplining or even expelling a learner without following the relevant procedures might have serious repercussions for all parties involved.

The study advocates the effective use of a code of conduct which is based on stakeholder ownership. However, if the code works to the detriment of the learner, e.g., the final decision is that s/he must leave school, this infringes on the learner's right to be at school and be taught. To corroborate this, as a researcher I speak from experience when stating that learners prefer physical punishment to formal procedures being followed (like the use of a code of conduct), because at a later stage, as the seriousness of the offences increases, a parent will be called in. Once that happens, it reflects badly on the learner – the children do not want their parents to know about their misdeeds. In some instances, if parents do not come to the school, as requested, learners are barred from attending school and tend to drop out. However, those learners who attend the same school as a child charged with a misdemeanor may be exposed to violent behaviour on the part of that particular learner.

Is there a committee dealing with the discipline of learners? (What is this committee called and how does it operate?)

In both case study schools, the findings suggest that a disciplinary committee was operational. To clarify how this committee works, the participants felt it would be good for learners to receive a hard copy of the code of conduct on the very first day of registration, to allow parents insight into the school's rules and regulations. That would make it easier to implement a code of conduct for learners, and would help parents monitor their children's expected behaviour when on the school's premises or when representing the school elsewhere. Teachers, principals and learners in both schools advocated handing out the school code of conduct documents upon registration. The principal of Momentum Secondary argued:

It must not be taken lightly and assumed that learners are merely knowledgeable about the code of conduct. From what I have experienced this year, it surfaced that learners are not familiar of what the school code of conduct entails. It is then therefore, our duty as a school to educate learners about the code of conduct.

As noted earlier (see research question 2), the schools under study do follow the code of conduct when disciplinary measures are taken against misbehaving learners. The findings of the document review prove this: there are records of forms filled out to state the circumstances in which learners misbehaved or transgressed (disciplinary/misconduct forms).

If, for instance, a learner is absent from school three days in row that is deemed misconduct, in the absence of a letter from a parent or a doctor's note notifying the school of the learner's absence. Failing that, the learner is subject to disciplinary action. A file of misconduct is opened for that particular learner, who is made aware of the stipulations of the code of conduct, and how s/he transgressed.

It is important to note that the main aim in introducing a school code of conduct is to rectify the imbalances wrought by the apartheid education system. The paradigm shift from a system of apartheid to a democratic approach to education benefited everyone in this country. The move from centralised to decentralised education is also highlighted in SASA, which stipulates that SGBs must make sure that a code of conduct for learners is established and implemented.

SASA bans corporal punishment in all public and private schools, and provides for a fine or imprisonment for anyone found guilty of transgressing this law (Myburgh, 1996). Simiyu (2003, p. 6) defines corporal punishment as a "deliberate infliction of pain on an individual's body by a person who has more power and authority than the inflicted victim". Mdabe (2005) concurs, asserting that "punishment is a form of discipline" that is used to enforce disciplined behaviour. This means that corporal punishment is taken to imply the deliberate meting out of pain on a learner by a teacher, in school, with the aim of maintaining discipline.

This discussion is aimed at providing a wider lens on what is happening in schools, and to cast light on the role and function of disciplinary committees. During the interviews at both schools, learner stakeholders admitted to knowing of the existence of a disciplinary committee, yet they were surprised to learn that members of this committee sometimes resort to using a cane. A learner mentioned that

sometimes teachers use cane to discipline us, even though they know it is illegal ...

This statement is supported by my observations as a researcher: on one occasion I saw a teacher walking the corridors carrying a cane, and terrified learners running from him. From the learners responses it was clear that canning is still the norm in that school.

The introduction of a code of conduct for learners aims to replace corporal punishment or act as an alternative to corporal punishment. Again, power (that of the school/teachers) must be exercised legitimately, to foster democratic relationships between teachers and learners, and within the school as a whole. Eliminating imbalances within the school starts with eliminating schools-based violence, while fostering mutual respect and human rights, as guaranteed by the Bill of Rights. It is a mystery why corporal punishment is still used in schools. Yes, in general teachers continue to believe that the abolition of corporal punishment left them with no alternative means to discipline learners. Many also believe that the code of conduct takes longer to enforce or is not effective enough.

Besides what has been said about corporal punishment, it is vital to note that in most black African schools, disciplinary cases are associated with the use of corporal punishment. Teachers still believe in this form of punishment, so instead of following legal procedures (code of conduct) they opt to cane learners. The literature review confirmed that violence in schools can often be linked directly to the use of corporal punishment, since one form of violence (to address learners' behavioural problems) usually gives rise to further violence. Threatening learners merely engenders further violence, and this is not the way to resolve matters (Anderson, 1993, cited in John, 2003, p. 18).

From the findings it transpired that discipline can be instilled and maintained without resorting to corporal punishment. The principal of Momentum Secondary maintained that for the past six years he has not inflicted corporal punishment on learners:

I use policies put in place in order to discipline learners, for example, the code of conduct.

He added that learners were afraid of having their parents called in:

Even for small things I call a parent to report and talk about what the learner did, even if it means that a parent has to come to school days in a row or a week after week.

The principal of Arch Secondary noted:

We confiscate a learner's exercise books up until the matter is resolved. It also helps and is important to do follow up, whether the child came to school with a parent or not.

He explained that it is very easy to confiscate exercise books, which are only handed back to the learner after a talk with the parent(s). The study found that his strategy works, in addition to avoiding the use of violent strategies such as corporal punishment.

In my BED Hons degree I explored the role of SGBs in managing violence in schools. The findings suggested that the use of corporal punishment perpetrates violence in schools, rather than resolving problems. Mnguni (2015) concurs that corporal punishment is one of the influencing factors in schools-based violence. The South African constitution (1996) forbids the use of corporal punishment at school, since it infringes on the rights of learners. Teachers need to be cautioned about this, as they may get caught in the middle. When they use corporal punishment, in general their intentions are good; however, they might find themselves in a difficult situation if they violate constitutional provisions. Learners are constitutionally protected, therefore corporal punishment amounts to abuse. This means anyone (teachers and even parents) is subject to prosecution if found (or suspected of) using corporal punishment. Such teachers might be jeopardising their careers.

We can never run away from the fact that learners from an African culture in particular still believe corporal punishment is the only way of correcting antisocial behaviour. Moreover, this notion can be associated with African democracy, in that the study found that certain learners prefer being beaten, to having the matter handed over to a disciplinary committee or settling for detention. This implies that learners see corporal punishment as an easy way out. In both schools, in the documents reviewed, there was no indication of corporal punishment being meted out. At Momentum Secondary, besides the code of conduct, certain constructive strategies are used to address learners' misconduct:

Misconduct is kept by a class teacher as a learner's record and if a learner's misconduct form is full of misconducts a maximum of five misconducts, such form is forwarded to the principal's office to summon the learner's parents for written warning.

This alone shows that there is a move away from corporal punishment. The findings suggest that schools use disciplinary procedures such as recording offenses. For instance, a first offense involves a first warning, while a third offense sees the parents being called in so as to address the matter, and the final option is to proceed to suspension, if necessary.

From the interviews with the learner stakeholders, however, it transpired that corporal punishment is still administered at the schools. A learner from Momentum Secondary attested:

In the school there is a disciplinary committee, but in some instances you can be called in a staff room and be beaten and thereafter you are filed for misconduct.

This contradicts what the teachers reported, namely that corporal punishment is no longer used. This links with the idea that teachers, as adults, know that what they are doing is wrong, which is why these incidents are not recorded in documents or mentioned during interviews. The teachers want to paint a positive picture of their school, as do the parents who concur with them. As a teacher from Arch Secondary attested:

If the learner has done something wrong he/she will be called to disciplinary hearing and a learner will be given a letter to come to school on Friday with a parent then they will address a parent about the matter at hand and a learner will get punishment, maybe the learner pick the papers around the school and then will get back to the class.

Teacher Y from Momentum Secondary clarified that the code of conduct is classified into two categories: one formulated by the school (school's code of conduct) and one by the department. The understanding was that the code formulated by the school must be in line with that of the DoE. He maintained:

So I am saying as we are still having problems with the one that we currently have, then we follow the one that is from the DoE in order to discipline learners.

Teacher Y from Arch Secondary explained that misconduct – according to their code of conduct – is categorised into four levels: levels one and two signify minor infringements, while levels three and four transgressions are serious:

If a learner steals another learner's pen that's a minor misconduct, so that one is for an educator to deal with. S/he will talk to the learner face to face and give warning.

These findings were supported by data obtained during the document reviews; examples of these disciplinary forms were available at both schools, with learners' misconduct having been recorded on them. The findings suggest that disciplinary committees operate within the parameters of the code of conduct for learners. Each committee has a schedule of misconduct which states that even if a teacher has engaged with a learner in respect of a particular behaviour, if s/he repeats the offense, the learner's name will be jotted down. If level one misconduct is repeated, a second infringement means the learner will be at level two. Continued serious misconduct will see the learner ending up in the principal's office, and he will delegate the case to the committee (which deals with levels 1–3 infractions). Serious infringements go straight to the principal who communicates with the SGB. The SGB subsequently forms a tribunal, which is responsible for issuing a letter to the parents of the misbehaving learner. The tribunal is the prerogative of the SGB, it consists of three members, of whom the presiding officer should not be the SGB chairperson but an independent person. When learners commit serious misdemeanors the tribunal handles the matter. From the above it is evident that the tribunal differs from the disciplinary committee, which reports to the principal. If a learner committed a serious misdemeanor the committee will assist by maintaining a file (record keeping) to take to the tribunal so that the learner will be dealt with accordingly.

The study found that there is still a lot to be done to ensure discipline, safety and security in schools in South Africa. From the documents reviewed, while both schools used the code of conduct to discipline learners, its powers should and could be used more widely.

- **Summary**

The findings suggest that in both case study schools a disciplinary committee deals with matters related to discipline. The committee refers to the code of conduct, using it as a substantive measure to discourage learners from participating in disruptive behaviour by disciplining transgressors. By using policies that are already in place (i.e., code of conduct), the schools can eliminate unnecessary conflict – especially between learners and teachers, when physical force is used to discipline learners. By contrast, the study found that corporal punishment is still prevalent in schools. Many learners do not believe in democratic discipline, as one respondent revealed that it is better if a matter is resolved without involving a parent. Some learners see corporal punishment as a short-cut, preferring to be caned so that

they can put the matter behind them, despite the fact that this contravenes the legal parameters highlighted in the code of conduct for learners.

In both schools the disciplinary committee was found to be effective. There is, however, room for improvement in the form of training or assistance from experts in matters related to discipline, or even from the DoE, as it will advance the work this committee does in schools.

As became evident from the findings of this study, learners need to be issued with copies of the code of conduct – if not during the registration process, then on the first day of school. It is the duty of the teachers/principal to explain, educate or make clear the code to every learner. This will help to reinforce good behaviour, while curbing potential instances of misbehaviour, which the South African Human Rights Commission (SAHRC, 2008) associates with poor academic performance, learner dropout and absenteeism.

5.4 Conclusion

This chapter was dedicated to presenting the data and discussing the findings arrived at from analysing and making sense of the data. During the discussion, broad topics were developed in respect of the code of conduct for learners, the formulation of the code and the implementation thereof. A number of sub-topics were identified, and these highlighted the fact that schools are reckless when it comes to the formulation and implementation of a code of conduct for learners. The study revealed that both case study schools use outdated versions of the code, formulated years ago. At Momentum Secondary a code is used which was formulated when it was still a combined school, while at Arch Secondary they are in the process of making amendments to the existing code. In terms of participation, the study found that stakeholder involvement is limited (if it occurs at all). Seemingly, it is mainly the teachers who play a notable role. That is understandable, though, as they are the ones who deal with learners on a daily basis. Learners, in particular, see themselves as unfit to be SGB members and thus avoid their responsibilities or refrain from participating. In most cases, a lack of proper training has been identified as a stumbling block to stakeholder participation. Mncube (2009) maintains that parents and learner stakeholders form part of the school's governance structure, yet they are not fully on board. He proposes training stakeholders so as to acquaint them with their roles and what it takes to become active members. Time and a lack of concern were found to be constraining factors where parents are concerned. It is fundamentally important that learners are represented in SGBs, yet their participation must be

more meaningful when it comes to the formulation and implementation of a code of conduct which will apply to them and their schoolmates.

The study noted that the code of conduct is used only partially in schools, when it suits the teachers. They often fail to avail learners of the content of the code beforehand, and merely inform them when it can be used in a punitive way. The same situation obtains as regards the disciplinary committee: when disciplinary measures are taken against a learner, they keep referring to the code of conduct, yet learners are not informed of the stipulations beforehand, and often do not know that they have breached the code. This proves that such a code is difficult to implement. In conclusion, the code should completely and definitively replace the use of corporal punishment in schools, since that practice has been abolished under the constitution.

From the study, it transpired that in democratic school governance the focus is on participation, consultation and collaboration, to show the interrelatedness of all stakeholders involved in the SGBs. This relationship can even be extended from the school to the broader community. From the findings it emerged that the community plays a vital role in the smooth running of the school, therefore it is vital to encourage healthy and positive school–community relationships.

CHAPTER SIX: EMERGENT THEMES

6.1 Introductory statement

The preceding chapter was dedicated to the presentation of the data and a discussion of the findings. Chapter six now focuses on the emerging themes which arose from the research findings. A lot can be said about these themes, however for the purposes of this study, only those themes that correspond with answers to the research questions which inform the study, will be discussed. For each theme, reference will be made to the theoretical frameworks and literature review, so as to substantiate and relate the themes to the purpose of the study.

The emerging themes identified in this study were: 1) stakeholder participation, 2) lack of training and orientation in the democratic participation of SGB members, 3) the neglect of the code of conduct for learners, 4) power relations, 5) learner exclusion, 6) time to attend meetings, and 7) lack of concern on the part of parents.

6.1.1 Stakeholder participation

The research affirmed that stakeholder participation can appear to be effective on the surface, but ineffective at its roots. This situation calls for closer attention. In both case study schools SGB members (more especially learner and parent stakeholders) believed that they do in fact participate. However, it emerged from the findings that they only participate to a limited degree. In the literature reviewed in this study, Naidoo (2012) maintains that participation involves a situation whereby all stakeholders work together and make sound decisions with the same interests at heart. Participation is a process whereby people have to work hand in hand with each other, always pulling in the same direction. If we are to talk about (equitable) stakeholder participation, automatically issues of democracy are involved. It is believed that democracy within schools depends on a school's culture and the type of people within the school – especially the management team. Do they still believe in bureaucracy, or do they operate within democratic parameters? Within the school, democracy depends on people being guided by the notion of participative democracy, and for a school to be democratic it requires the participation of all stakeholders. Optimal participation suggests high communication levels amongst stakeholders.

From the study it emerged that the participation of the parent and learner stakeholder groups has suffered from a lack of knowledge and exposure, as well as the fear of appearing foolish

or disrespectful before others. As a result, the major roles are performed by the principal and teacher stakeholders, while the parents are isolated. Parents thus tend to play a passive role because they do not know exactly what their role is, or how to be productive in the positions they hold. Also, they face time constraints and therefore cannot regularly attend meetings. Transport problems and communication issues also curtail their participation. At both case study schools, learners from single-parent (working class) families were raised by their mothers who had difficulties availing themselves to attend meetings. The principal of Momentum Secondary confirmed that parents do not exercise their participative right, but are good at endorsing ideas which other stakeholders come up with.

This is corroborated by Mncube and Harber (2010), who attest that despite learners being given fully participative roles in school governance under the current educational policy, they do not always play their part in school decision making. Parents are also empowered, yet they fail to take full advantage of this. The study suggests that this is due to parents not always being prepared to discipline misbehaving learners. Teachers, on the other hand, seem to contribute a great deal because they grapple with learner-related issues on a daily basis. Even if a code has been formulated for a school, often it is the teachers who guide the direction they wanted that code to take, as this safeguards their interests and addresses challenges which they tend to experience as educators.

A lack of participation (i.e., imbalances in stakeholder participation) tends to manifest as problems in governance. Learners especially were found to be overshadowed by adults. It is thus up to the adult stakeholders of the SGB, and the teachers within the particular school, to take the role of learner stakeholders seriously. They must show learners respect, treat their views with dignity and value their inputs.

The idea of not being sufficiently competent to participate may link back to traditional African culture, where children are supposed to listen and take orders from adults, and questioning adults is forbidden. Much still needs to be done to erase the scars of the past, but in opening those doors, African children will be able to stand their ground and fight for their right to be respected and acknowledged.

Stakeholder participation on the part of learners leads to better governance and is always associated with good results: Heystek (2001, p. 217) mentions that learner participation in an

SGB, in addition to their input in decision making, can help improve the school as a whole and ensure that the school is run better. Mncube and Harber (2011) concur that when all stakeholders work jointly for the common good of the school, in a culture that promotes democracy, a successful school is bound to emerge.

Mabovula's (2009) study investigated learner participation in school governance in five secondary schools in the Eastern Cape. From the study it emerged that even though the democratisation of school governance had been given all stakeholders a powerful voice through the RCLs, these voices seemed to be silenced, rather than recognised or valued (Mabovula, 2009, p. 219). In the present study it emerged that learners are largely 'voiceless'. Rubin and Silva (2003, cited in Lin, 2008) attest that including learners in school governance requires giving them a platform and the necessary time to participate in decision-making processes. However, the findings of this study show that this ideal remains a challenge: on paper it can appear feasible and doable, but putting it into practice remains a problem.

In conclusion, both schools were aware of the issues of stakeholder participation and the need for democratic participation on the part of all members of the SGB. The schools attempted to implement this, but were largely unable to do so. Scholars in this field of study have revealed that the involvement of certain stakeholders (learners in particular) amounts to nothing more than window dressing. Similarly, this study revealed that learner participation in school governance is problematic in respect of how limited it is. From data sourced through interviews, the learners in both schools revealed that learner stakeholders do not fully exercise their participative rights, and neither do parents. Thus, their participation is still problematic.

6.1.2 Lack of training of SGB members

The findings of this study suggest that the incapacity, limited exposure and lack of training of SGB members hinder their attempts to be effective and productive in their roles. Here, the issue of training SGB members comes to the fore. From the themes, it became evident that stakeholder participation in SGBs requires urgent attention. Because stakeholders lack training they sit back and withhold their participation. This results in frustration and a level of dysfunctionality prevailing at schools. Learner Y from Momentum Secondary confirmed that they have become frustrated, not knowing what to do if they are called for a meeting, because they do not know what their role is. At Arch Secondary, stakeholders had attended workshops

on the formulation of the code of conduct, but this was clearly not enough for them to carry out their roles in a meaningful way. Moreover, since the work-shopping of SGB members does not take place on a regular basis, and members only serve for a particular period of time, if they are not reinstated, chances are current members will not have received training at all. Nevertheless, insufficient time is allocated to training and not all SGB members are able to avail themselves to attend. Thus, training remains an issue.

At Momentum Secondary there was no training for the current stakeholders, although existing SGB members (returning members) had undergone training. This confirms data gleaned from minuted documents of an SGB meeting which acknowledged a serious problem in terms of training. Much is expected of SGB members, yet they are not fully equipped to perform their duties as members of a governing body.

It is easy to understand the frustration of SGB members, since it is both annoying and embarrassing to be expected to deliver, without knowing the parameters of the expected performance. SGB members should receive training/attend refresher courses on a regular basis, to familiarise themselves with their responsibilities. The idea of having these members trained will, without doubt, yield good results and will take the school to higher levels. Having people with expertise and knowledge does have an influence on their contributions to discussions, as well as the productivity of the school as whole.

The issue of training for SGB member is of serious concern and requires immediate attention. It is recommended that the DoE train SGB members and offer more formal support, i.e., by making these important stakeholders aware of their responsibilities and roles. There is also a need for guidance on how to interact, as a collective, with the different stakeholders of the school, if the school is to achieve its goals and objectives.

Some sort of support should be made available to schools and to newly elected members of SGBs. This will prepare them for coping with the responsibility of serving on the SGB and having to contribute meaningfully to decision making within the school, or any other aspect related to the governance of the school. Corroborating this view, Frank and Huddleston (2009) state that democratic schools require SGB members to learn new skills and undergo training – something which is elementary, yet lacking in many countries. Duma (2011) adds that parent stakeholders lack the necessary skills to perform the duties assigned to them. In

the same vein, Bush and Heystek (2003) and Tsoetsi et al. (2008) suggest training or capacity building for SGB representatives. Training will indeed empower members by developing vital skills, in addition to enabling them to optimally execute their respective roles.

6.1.3 Neglecting the code of conduct

The findings of the study suggest that SGBs are negligent and careless when it comes to the formulation and implementation of a code of conduct for learners. After the democratic elections of 1997, SGBs were established to govern schools in South Africa. Calitz, Fuglestad and Lillejord (2002, cited in Mkhize, 2003) maintain that the move of introducing SGBs was aimed at allowing schools to become pillars of change, to lay the foundation for democratizing future generations of South Africans, by providing guidance and direction to the functioning of institutions of learning. Sadly, in both case study schools, the old code of conduct – formulated many years ago – was in use. This speaks of negligence. The schools take it for granted that it is the duty of the SGB in each and every year to formulate/update the code. At Momentum Secondary, from the interview data it was evident that although the school had been converted to a high school (having previously been a combined school), the old code of conduct, formulated prior to its conversion, was still in use. Observation revealed that the school experiences huge problems in terms of governance and learner discipline. This is because, as learners approach the Further Education and Training (FET) phase, biologically they move towards maturity and their thinking differs from that of learners in the senior phase (General Education and Training). They now begin to reason, they think differently, they start to explore and experiment. Some become violent or aggressive or indulge in bad behaviour (i.e., illicit romances, smoking, bunking class, etc.) and many learn objectionable habits which may, in some cases, be attributed to peer pressure. How do schools deal with such occurrences, if there is nothing at hand to guide and form learners? Arch Secondary also uses an outdated code of conduct, despite having elected new SGB members. Both schools revealed that they still intend to revisit their codes in the near future. The principal of Arch Secondary confirmed the existence and application of the old code of conduct for learners, but pointed out that they have a draft document which amends the existing code, as they realised that the old version no longer responds to current demands. Similarly, teacher Y from Momentum Secondary confessed that during his term in office the code had never been revisited. From what was observed, though, significant challenges remain in this respect. Teacher X from Momentum Secondary stated that the school has a piece of paper referred to

as a code of conduct for learners, yet he doubts that it functions in the way it is supposed to, when held up to the stipulations outlined in SASA.

Negligence has serious repercussions and can have a devastating effect: although the end of the year is upon us, the newly elected SGB members have not yet sat down to revise the code of conduct for the new intake of learners.

Schools and their SGBs know about the code of conduct and realise its importance, yet they do not see a need to formulate or revisit the code, or make it available to learners. Furthermore, the literature reviewed in this study revealed that the code was intended to replace (or act as an alternative to) corporal punishment. However, neither case study school has made provision for the abolition of the existing, outdated code. Anderson (1993, cited in John, 2003, p. 18) confirms that the problem of violence in schools originates from the use of corporal punishment, as violent strategies (disciplinary measures) beget more violence – they do not serve to address poor learner discipline. South African schools apparently have a long journey to freedom and the enjoyment of democracy for all.

6.1.4 Power relations

The findings suggest that power hierarchies still prevail in SGBs and within schools as a whole. In accordance with SASA policy regulations, SGBs were to be introduced in South African schools to promote participative and representative democracy. In addition to facilitating democracy in school governance (RSA, 1996b), the other functions of SGBs include developing the school's mission statement, adapting (i.e., amending) and adopting the learners' code of conduct, determining policies (e.g., the school's admissions and language policy), recommending appointments for teaching and non-teaching staff, managing the school's finances, determining the school fees and conducting fund-raising. The focus of this study was on the instruction to "adopt a learners' code of conduct". The findings suggest that SGB members are aware of their roles, but that the teacher stakeholders (principals mostly) exercise their authority and power over the other stakeholders (learners and parents). It also confirmed that devolving power to schools aimed at eradicating autocracy in schools. Squelch (1999) notes that, traditionally, in South Africa decision-making powers have rested solely with the principal, with minimal participation from teachers, parents and learners. We cannot avoid the fact that an effort has been made to move from an authoritarian way of running schools to democratic governance. However, the findings of this study suggest that

still there are indications of principals in particular playing the role of dictators in schools. November (2010) argues, in support of Squelch, that principals have customarily been trapped in a paradigm of power that made them authoritative and hence anti-democratic. The study found that, in most cases, the principal made unilateral decisions (whether by choice or because s/he was compelled to do so).

Further, the research proved that the principal dominates and that learners assume a passive role because they are limited by unequal power relations. So, in terms of participation they become subservient and allow the principal to dominate because he has his own vision of how the school should be run, even though his ideas might not be what is best for the school. This also applies to parent stakeholders in both schools: they are said not to participate in the way they are supposed to. Although a lack of awareness training is a contributing factor, all stakeholders can give their input if they are valued and treated with respect.

Despite power struggles or imbalances, little effort is being made in trying to be democratic. During the disciplinary meetings observed, one of the principals said: “We must try to resolve the matter without the learner being disturbed in his school work, what [do] you say?” From this statement, it is clear that the principal is trying to involve other stakeholders in discussions.

Given the unequal power relations between learners/parents and teachers, the former remain sidelined and are expected to submissively conform to whatever the teachers view as fair and just, since they are deemed to be figures of authority/intellectuals. Deem, Brehony and Heath (1995, cited in Mncube, 2009a) assert that power relations are essential to any practices and processes of school governance, despite the cultural context in which schools operate. Power relations are an ineradicable part of all school structures and organisations, and need to be handled with care.

6.1.5Lack of time to attend meetings

The findings of this study showed that lack of time is a factor that hinders participation, especially as regards parental involvement. In this study, time constraints were notable challenges which both case study schools faced. This resulted in parent stakeholders being absent from important meetings. Parents do not regularly attend SGB meetings, school activities or events, or they are late to arrive. Sometimes, even if they are present they do not

contribute at all. This compounds the problems experienced in terms of school governance. The study found that if parent stakeholders are not involved, schools tend to suffer for it. A teacher from Arch Secondary stated that many parents do not attend meetings because the school enrolls learners with working-class parents – being employees themselves, their employers are loath to give them time off work. Although some are not employed full time, they do not enjoy the same rights as ordinary workers. The teacher confirmed that not even a third of parents make it to meetings, which makes it difficult to say that the majority of the parent component participates in decision making. It is, by contrast, easy for teachers and learners to attend SGB meetings as they are already on the premises.

The study found that parental non-attendance of SGB meetings was mainly due to time constraints, but distance was also a factor: many parents have to travel great distances to get to the school. The study also found that most parents are working single mothers, who are dependent on their daily wages – they dread having to take time off for meetings, as the no work no pay rule is enforced.

Non-attendance hinders participation, which compromises this country's democratic principles. Kensler (2008) reminds us that it is vital to understand the distinctive contribution each stakeholder makes towards shared decision making with a view to achieving a shared purpose and shared vision. All parties want to work towards the betterment of the school, and the formulation and implementation of a code of conduct for learners is an excellent place to start. A lack of time cannot be allowed to hinder this process, as it will impact negatively on the functioning of the school as a whole.

6.1.6 Lack of concern on the part of parents

The findings of this study reveal that parental lack of concern thwarts democratic participation. Their incapacity and seeming lack of concern mainly originate from a lack of training, as well as transport and communication issues. Parents tend to believe they cannot contribute significantly to the running of the school, which leads to them withholding or withdrawing their participation. This is corroborated by Van Wyk (1998) and Mncube (2005), who attest that a lack of concern on the part of parents often originates from them being illiterate and thus failing to keep abreast of educational challenges. Van Wyk (1998) confirms that the inability of parents to read and write makes them lose interest in the work

and activities of the SGB. As a result, they opt to allot their responsibilities to the school principal, and thus assume more passive roles.

In terms of SASA, parent stakeholders are a vital component of SGBs and have a significant role to play in school governance. From the emerging themes discussed above, it is clear that democratic governance depends on the participation of all stakeholders, which is why democratic schools require participation across the board. Cooperation is a building-block of democracy, yet this research highlights the fact that although some effort is being made to put democracy into practice, this does not occur to the fullest extent (Apple & Beane, 2007).

6.2 Summary

In chapter six the focus was on the key themes which emerged from the findings of this study. The overall conclusion is that while there is some participation in the formulation and implementation of a code of conduct for learners, this does not happen in the way it is envisaged in accordance with SASA. In the main, teachers play a major role – more so than other stakeholders. A scrutiny of the emergent themes revealed that a number of factors hinder or affect the formulation and implementation of a code of conduct in both case study schools. It also emerged that issues of democracy require more attention. Yes, democratic principles are in evidence in these schools, but it is not complete democracy, as there are still traditional signs of autocracy within the SGBs especially.

Chapter seven offers a summary of the main findings of this study as a whole, provides a conclusion and outlines recommendations to book-end this research.

CHAPTER SEVEN: SUMMARY, CONCLUSION AND RECOMMENDATIONS

7.1 Introductory statement

The aim of the study was to explore the role of SGBs in relation to the formulation and implementation of a code of conduct for learners in schools. Case studies were conducted at two South African schools, and the findings are presented below in a summative format, while the conclusion refers back to the three main research questions of this study. Finally, specific recommendations are made based on the findings.

7.1.1 Summary

The purpose of the study was to explore the role of SGBs in formulating and implementing a code of conduct for learners. The study aimed to examine whether SGB members participate in this process, how they participate and why. The main research questions were the following:

Do school governing bodies participate in the formulation and implementation of the code of conduct for learners? From the aforementioned research question, participants were asked: Does the school have a code of conduct for learners?

Participants in both schools confirmed the existence of such a code, which acts as a tool to discipline misbehaving learners. However, it emerged that schools fail to use the code in a correct and productive manner. Negligence prevailed on the part of the SGBs, as both schools were found to still be using outdated codes of conduct. In addition, it appeared that learners do not have a copy of the code to guide their behaviour on a daily basis and inform them what is required of them. From interviews with the participants, it was evident that, having experienced problems with learners not having access to the code, there is a need to update the code annually, to curb novel forms of mischief before they manifest in schools. The unavailability and ‘invisibility’ of the code, especially in classrooms, was found to perpetrate ill-mannered and unbecoming behaviour amongst learners. Therefore, the participants advocated that learners receive the school’s code of conduct, in print form, on the first day of school. In their view, it is the duty of the school or the principal to educate and inform learners about the code. Staff are obliged to acquaint learners with, and educate them about, the stipulations of the code. Where the code is beneficial is in terms of discouraging negative learner behaviour, such as absence without cause, bad performance in school work and

learner dropout. In both case study schools, the findings suggested that through the code learners are made aware of offenses which are clearly spelled out. Those found to have breached the code are subjected to disciplinary procedures, depending on the seriousness of the misconduct.

How do SGBs participate in the formulation and implementation of a code of conduct for learners? The first sub-question to arise from this, was: Do all stakeholders of the school participate in the formulation of a code of conduct for learners?

Stakeholder participation in formulating the code was found to be negligible or non-existent. The code is designed for learners, and if they are not included and given ample opportunity to help formulate or update it, learners will consider themselves unfit to be SGB members and will avoid any responsibility or withhold their active participation. A paucity of training and a lack of knowledge of the duties members have to perform, clearly manifest in both schools. Such training must equip members or teach them the necessary skills which will help them become worthy SGB representatives. Insufficient training poses a threat since learners and other stakeholders need to be empowered to carry out their respective roles.

Another angle which emerged is that some SGB members, despite being invited to attend meetings, do not show up because of time or job constraints. The intellectuals (i.e., teacher stakeholders) continue to make their voices heard, while the voiceless (learners) do not. In most instances, the principal continues to be the final decision-maker. Therefore, signs of autocracy and dictatorship still prevail. Given the behaviour of the principals as vocal stakeholders, this scenario seems set to repeat itself for some time to come. Schools remain centres of dictatorship, instead of becoming centres of democracy. If 'voiceless' stakeholders are not given an opportunity to speak, this infringes on the right of everyone to be heard, as stated in the Bill of Rights. Remarkably, principals still adhere to a system of top-down management, and as such they hinder democratic principles from flourishing.

The study also found that parent stakeholders do not understand their participative roles or functions within SGBs. As a result they are excluded from decision-making processes. This further hinders and impedes the efficiency of SGBs and does not encourage representative and participatory democracy.

From the second main research question, a further question arose:

How does each stakeholder participate in the formulation of the code of conduct for learners?

The code of conduct is a vital document which outlines the behaviours expected of learners, by providing rules and regulations. The findings suggest that while some stakeholders do participate in formulating the code, practically speaking, their participation is lacking. Teacher stakeholders still play the most significant role, while the failure of parents and learner stakeholders to participate is often due to their perceived incapacity. Many simply believe they are not fully equipped to perform their duties as stipulated in SASA. Principals, on the other hand, can be quite domineering in the way they operate, allowing wide parameters for themselves.

Stakeholder participation remains a problem: learner stakeholders are acknowledged to a certain degree, yet teachers capitalise on their ignorance and play mind games with them. For example, RCLs feel welcomed and are allowed to participate in SGB meetings, yet the teachers and the principal in particular have the final say when a matter is put to the vote. Learners are treated as inconsequential, and decisions are made for them. The parent stakeholders, whom one would expect to have a voice in SGB matters and to make that voice count, do not always understand how they can present or effect the changes they envisage. As a result they are excluded or isolated from decision-making processes. Again, this impedes the effectiveness of SGBs and does not encourage representative or participatory democracy.

The third main research question was: Why do SGBs participate the way they do in the formulation and implementation of the code of conduct for learners? From this, the following question arose: Does the school follow the code of conduct when disciplinary measures are taken against misbehaving learners? (Explain how.)

The findings of the study suggest that the implementation of the code of conduct remains a problem. The ever-changing departmental policies make it more difficult to implement rules and regulations. As far as the code of conduct is concerned, the study proved that learners – as the very people who are impacted – are not even clear about what is expected of them. As a result, contradictions in terms of policies are bound to emerge, as are inadvertent

transgressions. How policy is interpreted creates confusion between those implementing the policy and those affected by the policy.

The study found that both case study schools follow the code of conduct when disciplinary measures are taken against misbehaving learners. The introduction and implementation of the code intends for it to function as a tool to be used in schools to discipline learners, instead of resorting to corporal punishment. Learners are constitutionally protected, thus physical means of discipline (like corporal punishment) are forbidden and can result in imprisonment for teachers or even their expulsion from the profession.

Referring to the code when disciplining misbehaving learners is a viable option for schools. Conversely, the implementation thereof must be done correctly. It must not be used to cater to the needs and selfish desires of teachers. Terms and conditions apply in respect of how the code is implemented. For instance, teachers can keep a learner's file detailing instances of misconduct for record purposes. Merely disciplining or expelling a learner without following the relevant procedures, might come back to haunt the school.

The efficiency of the code, it was found, rests on the fact that all stakeholders maintain a sense of ownership. In certain cases, it can be argued, the code poses a threat to learners – this is because if a final decision is made to expel a learner, this violates his/her right to attend school and be taught. Many learners stated that they would rather receive corporal punishment than follow formal procedures. This is because, as their list of offences grows, the learner is sent home and the parent is summoned. This is indicative of truly bad behaviour on the part of the learner. Learners do not want their parents to know about the mischief they get up to. In some instances, learners whose parent cannot come to school, automatically drop out. On the other hand, learners who go to the same school as the perpetrator may be exposed to violent behaviour, or may fall victim to his/her actions.

From research question three, the second question arose: Is there a committee dealing with the discipline of learners in the school? (What is this committee called and how does it operate?)

In both schools the findings noted the existence of a disciplinary committee dealing with disciplinary issues. The findings also reveal that the committee follows the code of conduct

as a guide which prevents learners from participating in disruptive behaviour or punishes transgressors. The use of the code eradicates any unnecessary conflict, especially between learners and teachers who use physical means to maintain discipline.

Conversely, the findings established that in some cases learners do not believe in a democratic way of meting out discipline. One learner mentioned that it is better if the matter is dealt with in the absence of a parent. Some learners see corporal punishment as an easy way out; they thus prefer to be caned, rather than dealing with issues by following the legal route highlighted in the code of conduct.

The disciplinary committee is believed to be effective and used fruitfully. However, there is room for improvement, and training or help from experts in the field (or the DoE) will be useful in improving the functioning of this committee.

7.1.2 Conclusion

This qualitative study investigated two case study schools selected as research sites. Both schools are located in townships in KwaZulu-Natal. Three research tools were employed to generate the data which legitimise the research findings.

The research found that, at both schools, members of the SGB participate in the formulation and implementation of a code of conduct for learners, but that the level and form of participation are far from ideal. Certain commonalities were found in both case study schools. At both Arch Secondary and Momentum Secondary the participants were aware of the existence of a code of conduct for learners, and knew of attempts to reformulate or revisit the code. However, using the 'old' code of conduct, which was formulated years ago, meant that the provisos were outdated, thus the code no longer meets the demands of the modern-day scenarios or challenges which schools are facing. Furthermore, there are no strategies in place to deal with situations provided for (or not provided for) in the code.

At Arch Secondary, the code they use aligns with the stipulations contained in SASA, despite it being dated. As revealed during the interviews, they are currently making amendments to that version. The current draft makes provision for punishing learners who fight on the school premises: previously, there was no policy framework for dealing with such a situation. At Momentum Secondary, the school has transformed from being a combined school to a

secondary school. Surprisingly enough, the school still uses the old code of conduct. During the interviews, teacher X mentioned that their code is supplemented by the DoE's code of conduct and referred to when disciplining misdemeanors. However, the DoE's code is broad and general; it is not focused on individual schools but offers an outline or a baseline for what a code of conduct for learners should look like.

In terms of the participation of stakeholders, commonalties were found. From the data in the minutes reviewed, it is evident that there is stakeholder participation, but not in accordance with the freedoms and powers granted by SASA. The findings revealed that it is mostly teachers/the principal who participates meaningfully in the formulation of a code of conduct for learners. Learners and parent stakeholders assume a more passive role, withdrawing or withholding their participation and allowing teachers to speak on their behalf. This has been found to thwart democratic participation amongst stakeholders. It can be concluded that schools should move from being undemocratic to being democratic by embracing inclusivity and participation.

The study suggests that incapacity and a lack of proper training of SGB members impact on their 'invisibility', frustration and the seeming lack of parental concern. Learner participation is currently limited: at Arch Secondary, the participants suggested that they knew nothing about the code of conduct; that it is the teachers who know and told them about it. In contrast, from documents reviewed it was found that the learners had made their voices heard at a meeting convened to formulate the code. Despite speaking out, however, they were overshadowed by the adult stakeholders (mainly teachers). At Momentum Secondary, the learners conceded that their participation was sub-standard. Learner Y confirmed that they normally take orders from the teachers: even if they put their ideas on the table, the teachers influenced them or channelled their ideas in a different direction. Many teachers, being intellectuals, play mind games with learners and parents to achieve their own goals. While both schools adhere to democratic principles, as highlighted in chapter two of this study, from the interviews it transpired that they truly encourage participation. However, it is fundamentally important to explain that a lack of 'know how' impedes participation. Unfortunately, neither school is sure how to obtain optimal participation.

In terms of implementing the code of conduct, at both case study schools much has been done. However, the correct measures are not always followed in the process. At Arch

Secondary, it transpired that the principal applies the code for selfish reasons, only calling on the code when it suits him to discipline a learner procedurally. Often the learner being disciplined has no knowledge of what the code entails. The study has found that, at one stage learners fought and the matter escalated to the point where weapons were brought onto the school premises. The matter was taken further and the DoE intervened. When the DoE authorities asked whether the learners had copies of the code of conduct, the answer was 'no'. At Momentum Secondary, teacher Y conceded that the code they use is outdated. He added that one day a learner had to be disciplined, so the principal made a judgement call based on his personal feelings and common sense. He did not refer to the code, and instead made amendments to it, so that he could use it when disciplining learners. Observations made during the study showed that people who implement change are not always clear on what is expected of them, and with many contradictions and differing interpretations, this creates confusion.

The study found that SGBs have a greater role to play in influencing the extent to which their schools are democratic. In both schools, the study found that there is a disciplinary committee to deal with misbehaving learners. In my opinion as researcher, this constitutes a move away from being undemocratic to more democratic. In both schools, each committee uses the code of conduct when disciplinary measures are taken. Both schools also recorded learners' misconduct on a form, to keep as a record. This way of documenting offences is outlined in the code of conduct. At both schools offences were graded from levels one to five. For a first offence, a learner is disciplined as per the code of conduct for learners. At Arch Secondary, a level one offence included coming to school late, or arriving late for lessons. Petty theft (i.e., of a ruler, rubber, etc.) is regarded as less serious and results in the miscreant being issued a warning which is recorded in his/her file. Level two offences are repeat offences of level one infringements where disciplinary steps were taken yet proved ineffective, thus that particular learner is guilty of a more serious offence. Level three offences involve learners committing level two offences two or more times. Level four offences involve serious violations of the code of conduct and school rules (e.g., gambling, possession of alcohol, pornography, etc.). If this transgression is repeated two or more times it becomes a serious offence and escalates to level five. Level five offences involve the repeated commission of level four offences. If disciplinary measures fail, it equates to serious misconduct which will result in suspension. The aforementioned was gleaned from the document review and it is the procedure for

disciplining learners at Arch Secondary. The code of conduct for learners is thus followed when disciplinary measures are taken against misbehaving learners.

At Momentum Secondary, the document review revealed that the school still uses a code which is relevant for a combined school. However, data from the interviews suggest that the school also uses the DoE's code of conduct to supplement the old/existing code.

In concluding this study, it is vital to note that the partial or sub-optimal participation of parent and learner stakeholders in particular, in the formulation and implementation of a code of conduct for learners, is worrying. Parents and learners are often not given a platform to exercise their rightful role in the governance of their schools. Learner must be the most important contributors in formulating any code of conduct, as the code will pertain to them and will have implications for them, first and foremost. Thus, an obvious shortcoming is their lack of participation in matters which have a direct bearing on them. The findings show that learners attend SGB meetings as a matter of formality. On the other hand, the findings suggest that several factors serve to further hamper their participation. Training programmes for SGB members can play a pivotal role in optimising school governance. The DoE must act to turn around the current situation and must make sure that schools move away from being less democratic to being more democratic, to align with the conception of democracy in this country.

7.1.3 Recommendations

The following recommendations can be made, based on the research findings and subsequent discussions:

1. The study found that there is very little participation on the part of learner and parent stakeholders in the formulation of a code of conduct for learners. As a result, these stakeholders see themselves as unfit to serve as SGB members. The recommendation is that they receive proper and continuous training to up-skill them for their respective duties as active members of the SGB. Ngidi (2004) argues in support of this, maintaining that training programmes or workshops can help to equip SGB members with the necessary skills to be able to perform their duties, as afforded them by SASA.

2. This study was guided by democratic theories and principles, therefore apart from the training proposed here, other facilitating mechanisms (i.e., school mentors, experts in the field of governance) need to be brought on board to encourage democratic participation on the part of SGB members (especially learners and parents) and to enhance change in the education system and governance. As noted, time management is a problem, and finding a suitable compromise (Saturdays/early evening) may lead to wider stakeholder participation.
3. Both case study schools still use ancient codes of conduct. The findings stemming from document reviews, interviews and observations show that both schools continue to encounter problems in disciplining learners. Therefore, the proposal is that the DoE should set an annual cut-off date by which schools have to submit their codes of conduct for learners, for verification.
4. Mncube's (2009a) study entitled "The perceptions of parents of their role in the democratic governance of schools in South Africa: Are they on board?" found that parents in rural schools in particular are hesitant to participate in SGBs because of their low educational levels and unequal power relations in schools. Therefore, the proposal is that when parents are elected to serve as SGB members, their level of education must be taken into consideration. This is because they will be better able to argue matters with teachers/principals who are regarded as intellectuals, until their argument is heard. In a nutshell, SGB members should be able to stand their ground and not be misled and mistreated by other stakeholders. In support of this argument, Bush and Heystek (2003) believe that SGBs are ideal sites for uniting concerned stakeholders.
5. From the preceding recommendation, it is suggested that teacher stakeholders be trained to listen to marginalised people, who would include learners and parents. This is because the teachers might lack the skills and 'know how' to involve and truly hear the voices of the voiceless who are not heard in everyday life.
6. The study was conducted at two township case study schools in Durban, thus the findings are limited to rural experiences. The recommendation made here, is that other studies should be based on rural/remote areas as well as urban regions, so as to capture a broad spectrum of information relating to the formulation and implementation of a code of conduct for learners. The findings might not be the same if informed by respondents from different geographical areas, with different cultural backgrounds and socioeconomic status.

7. During apartheid, the education system was run by the authorities, and was marked by egocentrism and authoritarianism. This has been replaced with democratic education which allows democratic governance to prevail in schools. A great deal has been done to familiarise schools with the tenets of democratic governance, which is a growing area of interest. As such, the DoE must raise awareness of the idea of governance in schools, to entrench democracy and improve governance in schools.

7.2 A final word

This qualitative study employed qualitative research methods: participants were interviewed to obtain their perceptions of SGBs in respect of the formulation and implementation of a code of conduct for learners. Such a code offers a means of disciplining misbehaving learners in schools, but certain factors still inhibit its implementation, such as a lack of stakeholder participation, insufficient training for SGB members, negligence regarding the implementation and dissemination of the code, an imbalance in power relations in SGBs, a lack of time to attend meetings and, finally, a seeming lack of concern on the part of parents. If the above factors are taken into consideration, and learners are placed at the centre of the envisaged formulation and implementation of a code of conduct, the end product will benefit not only the learners but all the stakeholders involved, as well as the governance of the school as a whole.

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Appendix B: Permission letter to the KZN Department of Education to conduct the study

The Head: Research Office

KZN Department of Education

Private Bag 9137

Pietermaritzburg

3200

10 March 2015

RE: PERMISSION TO CONDUCT RESEARCH IN TWO SCHOOLS IN DURBAN

My name is Sindiswa Zondo who is a teacher of Natural Sciences at [REDACTED] Secondary School. I am currently registered and working on a full research thesis with the University of South Africa. The title of the thesis is: *SCHOOL GOVERNING BODIES IN THE FORMULATION AND IMPLEMENTATION OF THE CODE OF CONDUCT FOR LEARNERS: CASE STUDIES OF TWO SCHOOLS IN DURBAN, KWAZULU-NATAL*

This research project will be conducted over six months to allow me to have enough time to visit and interact with the participants. The project will commence from 1 April 2015 to 30 September 2015 and the following schools will be used to conduct research: Phakathi Secondary School and Isizinda Secondary School.

The study will use interviews, observations and document reviews. Responses will be treated with confidentiality and pseudonyms will be used instead of the actual names. Participants will be contacted in time for interviews, and they will be randomly selected to participate in this study. Participation will always remain voluntary which means that participant have a choice to withdraw from the study for any reason, anytime if they so wish without any penalties.

In the light of the above I humbly request to be granted permission to conduct research in the two schools mentioned above.

Should you encounter any problems during this research project, please feel free to contact me using the following contact details: Sindiswa Zondo at 0712442886 or

divinempil@webmail.co.za. In addition, please feel free to contact my study supervisor Prof Vusi Mncube at mncubvs@unisa.ac.za or at 0765625104

Research tools are herewith attached

Thanking you in advance

Sindiswa Zondo, Miss

Appendix C: Permission letter from the KZN Department of Education conduct the study



education

Department:
Education
PROVINCE OF KWAZULU-NATAL

Enquiries: Nomangisi Ngubane

Tel: 033 392 1004

Ref.:2/4/8/411

Miss SS Zondo
PO Box 11289
ASHWOOD
3609

Dear Miss Zondo

PERMISSION TO CONDUCT RESEARCH IN THE KZN DoE INSTITUTIONS

Your application to conduct research entitled: **“SCHOOL GOVERNING BODIES IN THE FORMULATION AND IMPLEMENTATION OF THE CODE OF CONDUCT FOR LEARNERS: CASE STUDIES OF TWO SCHOOLS IN DURBAN, KWAZULU-NATAL”**, in the KwaZulu-Natal Department of Education Institutions has been approved. The conditions of the approval are as follows:

1. The researcher will make all the arrangements concerning the research and interviews.
2. The researcher must ensure that Educator and learning programmes are not interrupted.
3. Interviews are not conducted during the time of writing examinations in schools.
4. Learners, Educators, Schools and Institutions are not identifiable in any way from the results of the research.
5. A copy of this letter is submitted to District Managers, Principals and Heads of Institutions where the intended research and interviews are to be conducted.
6. The period of investigation is limited to the period from 15 May 2015 to 30 June 2016.
7. Your research and interviews will be limited to the schools you have proposed and approved by the Head of Department. Please note that Principals, Educators, Departmental Officials and Learners are under no obligation to participate or assist you in your investigation.
8. Should you wish to extend the period of your survey at the school(s), please contact Miss Connie Kehologile at the contact numbers below.
9. Upon completion of the research, a brief summary of the findings, recommendations or a full report / dissertation / thesis must be submitted to the research office of the Department. Please address it to The Office of the HOD, Private Bag X9137, Pietermaritzburg, 3200.
10. Please note that your research and interviews will be limited to schools and institutions in KwaZulu-Natal Department of Education.

Umlazi District

Pinetown District

Appendix D: Permission letter to school principals

The Principal

Appendix D: Permission letter to school principals

██████████ Secondary School

PO Box 09

Pinetown

3609

16 March 2015

RE: REQUEST FOR PERMISSION TO CONDUCT RESEARCH IN YOUR SCHOOL

My name is Sindiswa Zondo who is a teacher of Natural Sciences at ██████████ Secondary School. I am currently registered and working on a full research thesis with the University of South Africa. The title of the thesis is: *SCHOOL GOVERNING BODIES IN THE FORMULATION AND IMPLEMENTATION OF THE CODE OF CONDUCT FOR LEARNERS: CASE STUDIES OF TWO SCHOOLS IN DURBAN, KWAZULU-NATAL*

This research project will be conducted over six months to allow me to have enough time to visit and interact with the participants. The project will commence from 1 April 2015 to 30 September 2015 and I have identified your school as one of my target schools.

The study will use interviews, observations and document reviews, Responses will be treated with confidentiality and pseudonyms will be used instead of the actual names. Participants will be contacted in time for interviews, and they will be randomly selected to participate in this study. Participation will always remain voluntary which means that participant have a choice to withdraw from the study for any reason, anytime if they so wish without any penalties.

In the light of the above I humbly request to be granted permission to conduct research in your school.

Should you encounter any problems during this research project, please feel free to contact me using the following contact details: Sindiswa Zondo at 0712442886 or divinempil@webmail.co.za. In addition, please feel free to contact my study supervisor Prof Vusi Mncube at mncubvs@unisa.ac.za or at 0765625104

Research tools are herewith attached

Thanking you in advance

Sindiswa Zondo, Miss

Appendix E: Permission letter to school governing body/Disciplinary Committee chairpersons

The Principal

██████████ Secondary School

PO Box 09

Pinetown

3609

16 March 2015

RE: REQUEST FOR PERMISSION TO USE YOUIN CONDUCTING RESEARCH IN YOUR SCHOOL

My name is Sindiswa Zondo who is a teacher of Natural Sciences at ██████████ Secondary School. I am currently registered and working on a full research thesis with the University of South Africa. The title of the thesis is: *SCHOOL GOVERNING BODIES IN THE FORMULATION AND IMPLEMENTATION OF THE CODE OF CONDUCT FOR LEARNERS: CASE STUDIES OF TWO SCHOOLS IN DURBAN, KWAZULU-NATAL*

This research project will be conducted over six months to allow me to have enough time to visit and interact with the participants. The project will commence from 1 April 2015 to 30 September 2015 and I have identified your school as one of my target schools.

The study will use interviews, observations and document reviews, Responses will be treated with confidentiality and pseudonyms will be used instead of the actual names. Participants will be contacted in time for interviews, and they will be randomly selected to participate in this study. Participation will always remain voluntary which means that participant have a choice to withdraw from the study for any reason, anytime if they so wish without any penalties.

In the light of the above I humbly request to be granted permission to conduct research in your school.

Should you encounter any problems during this research project, please feel free to contact me using the following contact details: Sindiswa Zondo at 0712442886 or divinempil@webmail.co.za. In addition, please feel free to contact my study supervisor Prof Vusi Mncube at mncubvs@unisa.ac.za or at 0765625104

Research tools are herewith attached

Thanking you in advance

Sindiswa Zondo, Miss

Appendix F: Permission letter to teacher participants

The Principal

██████████ Secondary School

PO Box 09

Pinetown

3609

16 March 2015

RE: REQUEST FOR PERMISSION TO USE YOUIN CONDUCTING RESEARCH

My name is Sindiswa Zondo who is a teacher of Natural Sciences at ██████████ Secondary School. I am currently registered and working on a full research thesis with the University of South Africa. The title of the thesis is: *SCHOOL GOVERNING BODIES IN THE FORMULATION AND IMPLEMENTATION OF THE CODE OF CONDUCT FOR LEARNERS: CASE STUDIES OF TWO SCHOOLS IN DURBAN, KWAZULU-NATAL*

This research project will be conducted over six months to allow me to have enough time to visit and interact with the participants. The project will commence from 1 April 2015 to 30 September 2015 and I have identified your school as one of my target schools.

The study will use interviews, observations and document reviews, Responses will be treated with confidentiality and pseudonyms will be used instead of the actual names. Participants will be contacted in time for interviews, and they will be randomly selected to participate in this study. Participation will always remain voluntary which means that participant have a choice to withdraw from the study for any reason, anytime if they so wish without any penalties.

In the light of the above I humbly request to be granted permission to conduct research in your school.

Should you encounter any problems during this research project, please feel free to contact me using the following contact details: Sindiswa Zondo at 0712442886 or divinempil@webmail.co.za. In addition, please feel free to contact my study supervisor Prof Vusi Mncube at mncubvs@unisa.ac.za or at 0765625104

Research tools are herewith attached

Thanking you in advance

Sindiswa Zondo, Miss

Appendix G: Permission letter to learner participants

The Principal

██████████ Secondary School

PO Box 09

Pinetown

3609

16 March 2015

RE: REQUEST FOR PERMISSION TO USE YOUIN CONDUCTING RESEARCH

My name is Sindiswa Zondo who is a teacher of Natural Sciences at ██████████ Secondary School. I am currently registered and working on a full research thesis with the University of South Africa. The title of the thesis is: *SCHOOL GOVERNING BODIES IN THE FORMULATION AND IMPLEMENTATION OF THE CODE OF CONDUCT FOR LEARNERS: CASE STUDIES OF TWO SCHOOLS IN DURBAN, KWAZULU-NATAL*

This research project will be conducted over six months to allow me to have enough time to visit and interact with the participants. The project will commence from 1 April 2015 to 30 September 2015 and I have identified your school as one of my target schools.

The study will use interviews, observations and document reviews, Responses will be treated with confidentiality and pseudonyms will be used instead of the actual names. Participants will be contacted in time for interviews, and they will be randomly selected to participate in this study. Participation will always remain voluntary which means that participant have a choice to withdraw from the study for any reason, anytime if they so wish without any penalties.

In the light of the above I humbly request to be granted permission to conduct research in your school.

Should you encounter any problems during this research project, please feel free to contact me using the following contact details: Sindiswa Zondo at 0712442886 or divinempil@webmail.co.za. In addition, please feel free to contact my study supervisor Prof Vusi Mncube at mncubvs@unisa.ac.za or at 0765625104

Research tools are herewith attached

Thanking you in advance

Sindiswa Zondo, Miss

Appendix H: Permission letter to parents/guardians requesting informed consent for their child's participation in the study

Dear prospective parent/guardian

RE: REQUEST TO USE YOUR CHILD IN MY STUDY

My name is Sindiswa Zondo who is a teacher of Natural Sciences at [REDACTED] Secondary School. I am currently registered and working on a full research thesis with the University of South Africa. The title of the thesis is: *SCHOOL GOVERNING BODIES IN THE FORMULATION AND IMPLEMENTATION OF THE CODE OF CONDUCT FOR LEARNERS: CASE STUDIES OF TWO SCHOOLS IN DURBAN, KWAZULU-NATAL*

This research project will be conducted over six months to allow me to have enough time to visit and interact with the participants. The project will commence from 1 April 2015 to 30 September 2015 and the following schools will be used to conduct research: Phakathi Secondary School and Isizinda Secondary School

The study will use interviews, observations and document reviews, Responses will be treated with confidentiality and pseudonyms will be used instead of the actual names. Participants will be contacted in time for interviews, and they will be randomly selected to participate in this study. Participation will always remain voluntary which means that participant have a choice to withdraw from the study for any reason, anytime if they so wish without any penalties. These individual interviews will be are tape recorded and then transcribed. I give you my assurance that the information given me by your child will be confidential and anonymous. I cannot tell other people about the personal detail of our discussion and I cannot mention their names. I can however use their information and those of others in a way that is not recognized as information of one particular person.

In the light of the above I humbly request your child to take part in my study

Should you encounter any problems during this research project, please feel free to contact me using the following contact details: Sindiswa Zondo at 0712442886 or

divinempil@webmail.co.za. In addition, please feel free to contact my study supervisor Prof Vusi Mncube at mncubvs@unisa.ac.za or at 0765625104

Should you agree to allow your child to take part in this project, please complete, sign and return the attached declaration form back to me. Tear off the declaration form along the line below

Thanking you in advance

Miss Sindiswa Zondo,

Declaration

I (Full name of the parent/guardian) hereby confirm that I understand the contents of this letter and the nature of the research project. I allow my child to participate in the research project and I agree to the recording of the interviews. I understand that my child will be at liberty to withdraw from the project should he/she so desires.

Signature of parent/guardian: -----

Date-----

Appendix I: Interview schedule (English)

Interview schedule for members of school governing bodies

1. Does the school have the code of conduct for learners?
2. Do all stakeholders of the school participate in the formulation of the code of conduct? (Parents, learners and teachers)
3. How does each stakeholder participate in the formulation of the code of conduct for learners?
4. Why do school governing bodies participate the way they do in the formulation of the code of conduct for learners?
5. Does the school follow the code of conduct when disciplinary measures are taken against misbehaving learners? (Explain how.)
6. Is there any committee dealing with the discipline of learners in the school? (What is this committee called and how does it operate?)

Appendix J: Interview schedule (IsiZulu)

1. Ngakube isikole sinalo uhla lwemigomo noma imithetho yokuziphatha kwababafundi?
2. Ngakube wonke amalunga ebhodi yesikole ayalibamba yini iqhaza ekukwenziweni kohla lwemigomo yokuziphatha kwabafundi na? (Abazali, abafundi kanye nothisha kumbe nothishanhloko)?
3. Ilunga ngalinye lilibamba kanjani iqhaza ekwakhiweni kohla lwemigomo yokuziphatha kwabafundi nokuqinisekisa ukuthi iyalandelwa na?
4. Kungani ilunga ngalinye lebhodi yesikole libamba iqhaza ngalendlela abalibamba ngayo. ?
5. Ngabe isikole siyayilandela yini imigomo ebekiwe uma kuqhondiswa izigwegwe abafundi?
6. Likhona yini ikomidi elibhekene nokuqondiswa kwezigwegwe abafundi esikoleni, uma likhona libizwa ngokuthi lithini. Kanti futhi lisebenza kanjani?

Appendix K: Observation schedule

This observation schedule is aimed at observing the formal meetings of disciplinary committee of the school governing bodies

When attending the formal meetings of these committees I will focus on the following:

Listen to what participants say and watch what they do

I will take extensive notes - what will be included in the note-taking will be:

What was said?

The details of who was speaking

How long the discussion took

The seating plan of the members in the meeting

The speaking turns

Contribution by each member of the committee

Further, I will observe the following:

Participation by each stakeholder member

Representation of stakeholders in such meetings

Prevalence of issues of democracy in such meetings

Prevalence of issues of social justice there in such meetings, observing whether the following issues taken into consideration: gender, religion, diversity, rights of learners, freedom of expression, sexual orientation, etc.

The main observation to be made is whether schools follow the code of conduct when in disciplining learners in the school

Appendix L: Documents review schedule-Documents to be reviewed

Code of conduct for learners

Documents containing cases of disciplinary actions against learners

South African Schools Act 84, 1996

Appendix M: Language clearance certificate