

## NAPTOSA North-West

### 7<sup>th</sup> Annual Conference

Friday 6 September 2013

**‘Making basic education happen: taking responsibility’**

#### ***ALL HANDS ON DECK TO SPEED UP RESPONSIBLE CONDUCT***

Standing in front of all the delegates at the 7<sup>th</sup> Annual NAPTOSA North-west Conference, I am deeply moved by the invitation to deliver a Keynote Address in Klerksdorp. Right now I am humbled by the multitude of eager faces that I trust cannot wait to go back to school on Monday and add value to young people’s lives, while remembering that our learners need honest, eager and well-trained teachers who will pick up the metaphoric labour rope and help ease our economy, welfare and responsible citizenry forward step-by-step. A friendly warning: do **not** make the mistake of waiting for the day when your work will become the most thrilling aspect of your life - you need to make it happen yourself.

#### **A South African dream [FIND A WAY – Diane Nayden – US swimmer]**

##### **Introduction**

Perhaps the much applauded directives in section 1 of our Constitution that point out the value of *human dignity, the advancement of human rights and freedoms, democratic government to ensure accountability, responsiveness and openness* sound reassuring, as if guaranteeing that we would experience a remarkably compassionate co-existence with our fellow men and women in South Africa. What we seem to forget is that section 3(2) reminds all citizens that they are ***evenly obliged to accept the duties and responsibilities of citizenship.***

Section 24 of the Constitution indicates the fundamental right to *an environment... not harmful to (one’s)... well-being*; therefore learners must be educated under safe conditions and teachers must be able to work safely. Moreover, my argument is that for teachers to teach and for principals to manage as professionally trained people, includes the right to *run* schools. For some people this might just fuel the controversy about managing learner discipline at public schools. Yet I stand firmly: running the school falls in the laps of the teachers; not the learners.

In the public sphere, we place much emphasis on the legal duties and liabilities of the national Department of Education, the provincial Department of Education, the District Offices, the respective School Governing Bodies, and all the parents/caregivers. Yet almost no solid emphasis is ever placed on the specific accountabilities of the teachers and the learners. This does not augur well for promoting the very constitutional rights and values that aim at advancing a sound democracy.

Sadly enough, the media often report on people who are taking others to task for having offended or impaired one or more of their rights. Hardly ever do we read of people complimenting others for being positive neighbours or congratulating others on individual accomplishments: we seem to take pleasure in the negative and miserable side of daily life. Today I challenge all of us to stop for a moment, refuse to be a victim, allow others the so-called *right of way* and **hold ourselves accountable for everything we think, say and do.**

Public school teachers and learners need to be held accountable – answerable/responsible – for instilling learner discipline through clear guidelines and limitations so that they can achieve excellence in teaching/learning activities at their schools. Two of the already identified education challenges are those of (1) maintaining well-disciplined education systems and (2) ensuring that teachers are aware of relevant legal parameters in dealing with discipline and making decisions.

I would like to add a significant third challenge: *convincing public school teachers and learners of their accountability or responsibility concerning establishing excellence in teaching/learning.* For the sake of today, I have chosen to scrutinize two education-relevant Acts and a few guideline and policy documents that are specifically relevant.

Three Ministers of Education have proclaimed a variety of guidelines, regulations and policies which aim at putting practical support strategies in place especially at public school level. These documents may well imply a heightened success rate at managing school discipline and safety in theory. Yet the following questions arise:

- To what extent can public school learners be held accountable to adapt their behaviour within the parameters set down by school authorities?

- To what extent can public school teachers and authorities be held accountable to create parameters wide enough to accommodate learners' need to grow?

## **Objective**

My aim is to explore two Acts and relevant guidelines/policies to determine how teachers and learners could be held responsible for quality teaching and learning.

## **Concept clarification**

### ***Discipline***

Discipline implies the existence of productive, remedial, rights-based educative practices, while *punishment* is seen as retaliatory, disparaging and unproductive practices (DoE, 2000:9). Moreover, parents/care-givers need to be held accountable for the discipline at home and for learners taking part in school activities (DoE, 2009:9-10).

### ***Instill***

Public school level discipline should not merely be *applied*: it should be instilled. According to the dictionary (Onions, 2001:1018), *instill* points to introducing something little by little or *infuse[ing] [something] gradually*. Teachers must lead by example here!

### ***Accountability***

The Constitution (1996) puts accountability right next to ***responsiveness*** and ***openness***: these three values need to be guaranteed by the multi-party system of the South African democracy. **Teachers must act responsibly and learners must be encouraged to be responsible for any harm or damage that they cause.**

As part of the Values in Education Initiative, the Ministry of Education published its Manifesto on Values, Education and Democracy (DoE, 2001), describing accountability as making responsibility an established custom *according to Codes of Conduct and... formal expectations* (DoE, 2001:17).

Today I am using the term *accountability* to refer to the extent to which each teachers and learners are held responsible for specific aspects in order to establish successful teaching and learning.

## **The Schools Act [legal octopus] and policy, guideline and regulation indicators**

The Preamble calls for not only upholding the rights of all teachers, learners and parents/caregivers, but also encouraging them to recognize **their own accountability** in partnership with government. While accountability for the compulsory school attendance of learners is allocated to parents/caregivers with penalties indicated,<sup>1</sup> the accountability of also learners of compulsory school-going age is implied<sup>2</sup> and learner accountability is supported by holding ‘any other person’ than a parent/caregiver – thus also a learner – accountable if he/she prevents compulsory school-going aged learners from attending school.<sup>3</sup>

Under the heading *Admission to public schools*, learner accountability is found in section 5(9) as it gives also the learners leave to appeal when a school refuses to admit them to a public school. Learner accountability concerning teaching and learning is confirmed in section 8: the purpose of a school’s Code of Conduct is to create a focused, disciplined setting that is committed to quality in the learning process.<sup>4</sup> The accountability of learners and teachers are addressed in section 8(1) where both of them must take part in the School Governing Body’s consultation process while developing a learner code.

Differently and more responsibly, section 8(4) reminds learners that the Schools Act does not contain anything to excuse them from observing their school’s Code of Conduct. Moreover, the accountability of the school, the School Governing Body and the teachers is indicated in the parts that point out that due process must safe-guard the interests of everyone who forms part of disciplinary proceedings.<sup>5</sup>

While sections 8A(1)-(3) and 8A(8) of the Schools Act call on learners to behave accountably, at the same time the sections imply parental/caregiver accountability concerning their children’s behaviour. These sections warn learners not to bring unauthorized dangerous objects/drugs to school and not to use illegal drugs. The penalties would be being subjected to fair and reasonable suspicion group searches of their persons and/or property; and being subjected to random group urine or non-

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<sup>1</sup> *Id* ss 3(1) & 6(a).

<sup>2</sup> *Id* s 3(1).

<sup>3</sup> *Id* s 6(b).

<sup>4</sup> *Id* s 8(2).

<sup>5</sup> *Id* s 8(6).

invasive tests. Parents/caregivers are therefore indirectly implored to take charge of the children in their care.

The accountability of schools in this regard is, among others, firstly pointed out in the **National Policy on Drug Abuse by Learners in Public and Independent Schools and Further Education and Training Institutions**.<sup>6</sup> A point of interest here is that this Policy on Drug Abuse was developed primarily to aid not only learners who abuse drugs, but also the bigger portion of the learner-school staff population who are, while not taking part in drugs actively,<sup>7</sup> subjected to other learners' illegal drug practices.<sup>8</sup> In the second instance, the accountability of schools is also pointed out in the **Devices to be used and Procedures to be Followed for Drug Testing**.<sup>9</sup>

The purpose of the **Guidelines for the Consideration of Governing Bodies in Adopting a Code of Conduct for Learners**<sup>10</sup> is to guide schools in order to produce consensus learner Codes of Conduct that include consulting teachers, learners and parents/caregivers.<sup>11</sup> School Governing Bodies are directed towards aiming for a 'disciplined... purposeful... order[ed]' school setting in their school's Code of Conduct.<sup>12</sup> Moreover, such a code must not only 'inform... learners of the way in which to conduct themselves,' but such a code must also endorse the school's public accountabilities and must advance leadership.<sup>13</sup> A successful Code of Conduct should lay down a standard of moral behaviour that aspires to guide learners' future behaviour in civic society where they need to become commendable, accountable citizens who have accomplished 'self-discipline and exemplary behaviour.'<sup>14</sup> With the Code of Conduct guidelines indicating learners' learning by experience and observation, it is implied that especially **teachers need to set truthful examples of conduct accountable**.<sup>15</sup>

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<sup>6</sup> GN 3427 in GG 24172 2002-12-13 (Policy on Drug Abuse).

<sup>7</sup> *Id* at item 11.1.

<sup>8</sup> *Id* at item 6.

<sup>9</sup> GN 1140 in GG 31417 2008-09-19 (Devices for Drug-testing).

<sup>10</sup> GN776 in GG 18900 1998-05-15 (Guidelines for Codes).

<sup>11</sup> *Id* item 1.5.

<sup>12</sup> *Id* items 1.1, 1.2, 1.4, 1.6, 7.1.

<sup>13</sup> *Id* item 1.4; see De Waal *SAJE article* 2011 at 180.

<sup>14</sup> See (n 10) items 1.4, 1.6 & 1.9.

<sup>15</sup> *Id* item 1.6.

In the first place, references to learner accountability occur in a number of occasions<sup>16</sup> and the occasions vary from equipping themselves to manifest as ‘worthy and responsible citizens,’ to being dedicated to ‘self-development... education and learning’ while developing their academic-sport-cultural possibilities.<sup>17</sup> Secondly, learner accountability is implied as Codes of Conduct must identify the roles of learners in advancing ‘a proper learning environment’ by being in class and not unsettling their teachers and/or other learners.<sup>18</sup> Implied accountability is additionally found in the list of wrongdoings that can result in suspension,<sup>19</sup> as the list can be regarded as signposting expected positive learner behaviour<sup>20</sup> in that it takes account of not showing behaviour that impinges on others’ rights, invasive conduct, debauched conduct, insolence and/or verbal abuse.<sup>21</sup>

Finally, the ideal situation, according to the Guidelines for Codes, is **to achieve an teacher-learner relationship that is founded not only on reciprocal respect and trust,**<sup>22</sup> but also on **both partners’ appreciating the weighty roles of collaboration and intervention.**<sup>23</sup> Such a relationship would point to the prospect of **‘a contact link being established between teachers and learners so that disagreements could be settled amicably.’**<sup>24</sup> As pointed out before, learners and teachers are then held partly accountable for settling disputes.<sup>25</sup>

### ***South African Council for Teachers Act 31 of 2000***

In the Code of Professional Ethics,<sup>26</sup> under the sub-heading *General*,<sup>27</sup> teacher accountability towards determining the quality of education in South Africa is noted as being mirrored by teachers’ attitude, commitment, self-control, principles, training and

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<sup>16</sup> *Id* items 1.4, 1.6, 2.2, 4.7.4, 5.1(b), 5.2, 5.3, 5.4 & 5.5; see De Waal *SAJE article* at 180.

<sup>17</sup> See De Waal *SAJE article* at 180.

<sup>18</sup> See (n 10) items 1.10 & 4.7.5.

<sup>19</sup> *Id* item 11.

<sup>20</sup> See De Waal *SAJE article* at 180.

<sup>21</sup> See (n 10) item 11(a), (e) & (j).

<sup>22</sup> *Id* item 5.6.

<sup>23</sup> *Id* item 4.4.1.

<sup>24</sup> *Id* items 5.8 & 9; see De Waal *SAJE article* at 180.

<sup>25</sup> See De Waal *SAJE article* at 180.

<sup>26</sup> South African Council for Educators Act 31 of 2000.

<sup>27</sup> *Id* at item 2.2.

behaviour. Furthermore, upholding and advancing fundamental rights,<sup>28</sup> fulfilling their professional obligations by acting accountably<sup>29</sup> and acting in such a manner that their conduct causes no dishonour to the teaching profession<sup>30</sup> are also mentioned.

In the second place, teacher accountability is addressed under the sub-heading *Conduct – the educator and the learner*.<sup>31</sup> Teachers who conduct themselves ethically correct are, among others, described as (1) respecting the views, dignity and fundamental rights of learners; (2) taking ‘reasonable steps’ to safeguard learners’ safety; and (3) not being negligent or lethargic when conducting professional duties. Thirdly, teacher accountability is reflected in the sub-heading *Conduct – the educator and the parent* where accountability for promoting pleasant relationships with parents/caregivers is indicated.<sup>32</sup> In the fourth place, the sub-heading *Conduct – the educator and the community* points to teachers conducting themselves so as not show contempt for the community’s norms, customs and values. Fifthly, under the sub-heading *Conduct – the educator and his or her colleagues*, to safeguard the smooth running of schools, teacher accountability includes not damaging colleagues’ authority and standing<sup>33</sup> and respecting the different responsibilities allocated to colleagues.<sup>34</sup>

Under the sub-heading *Conduct – the educator and the learner*, item 3.3 implies learner being held accountable for progressively cultivating a set of values ‘consistent with the fundamental rights contained in the Constitution.’ Backing learner participation that characterizes accountability, item 3.14 directs teachers to be aware of a partnership with learners in education in appropriate instances.

### **Closer to reality**

The current South African citizen-citizen relationship is a cause for concern since the parties involved are endowed with individual rights and freedoms. Unfortunately the

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<sup>28</sup> *Id* at item 2.3.

<sup>29</sup> *Id* at item 2.4.

<sup>30</sup> *Id* at item 2.5.

<sup>31</sup> *Id* at item 3.1.

<sup>32</sup> *Id* at item 4.1.

<sup>33</sup> *Id* at item 6.1.

<sup>34</sup> *Id* at item 6.2

focus often falls on the **freedoms** only, neglecting to prioritize holding ourselves accountable for the outcomes of our conduct.

### 1. **Stop for a moment**

It is discouraging to know that we let the spirit of the FIFA 2010 World Soccer Cup slip through our fingers: everyone waved and smiled at everyone else; we shared proudly during the spectacular opening ceremony; we yelled loudly and sounded our hooters as Bafana Bafana scored a goal; we wore our green/ gold shirts on Fridays; we were pleased about all flags waving everywhere... BUT: **Where did we send the marvellous spirit? Did I miss the going away party? Why did we let it go? My answer to these questions is this: WE LET THE UNMISTAKABLY SOUTH AFRICAN SPIRIT SLIP AWAY BECAUSE WE WERE WAITING FOR SOMEONE ELSE TO TAKE THE LEAD – FOR SOMEONE ELSE TO FORCE US TO KEEP IT ALIVE. Shame on all of us.**

Ladies and gentlemen, lads and lasses, **we** are South Africa; therefore I must take stock of **who I have become so that I can adjust my perspective positively.**

### 2. **Refuse to be a victim**

Let us not forget the well-known words of our own beloved Madiba, Nelson Mandela: *Education is the most powerful weapon which you can use to change the world.* Can you remember whose words these are? Our own beloved Madiba, Nelson Mandela!

Let us not feel sorry for ourselves; let us not to lie down and wait for better days to come... **Let us become achievers!**

### 3. **Allow others the *right-of-way***

Have you ever tried getting up in the morning and deciding to smile and nod your head **at everyone** you see that day? By the way, I mean **everyone...** including the learners or your principals. It could perhaps sound simple to decide not to become angry at your fellow man, HOWEVER, this could result in becoming aware of the true meaning of *ubuntu* – sharing in the essence of humanity; arriving at the destination that will liberate all of us from the arrogance and coldness that so often characterise being human; becoming worthy South Africans.

#### 4. Accept accountability

Allow me to refer to accountability on a very basic level here... Travelling, as I frequently do, to the Benoni, Honeydew and Pretoria areas I stand amazed by what some vehicles seem to think they are allowed to do: those transport systems that you call taxi's and which I refer to as *coffins on wheels*, apparently have no regard whatsoever for the traffic laws and do not hold the lives of their passengers in high esteem. Why then do we continue supporting such drivers? Why do we not get the message out there that so-and-so is an unsafe driver?

I urge all of us to take the directives of section 1 of our Constitution to heart: we need to look forward to being held accountable for our actions, since we have now, by the grace of God, become part of the privileged section of the population who have managed to further their education.



We need to be careful of our thoughts → they can become words → can become actions → can become habits → can become our character...



We need to model the sort of behaviour that we would want learners to imitate.



We must be able to play both sides... be able to get under each other's skins: see the world through their eyes... play life from the other viewpoint.



We must change the shape of the world one drop at a time... and it all depends on where the drops fall... These drops WILL bubble up in unexpected places; therefore we MUST ensure that they are as wholesome as they can be.

In the final analysis, if we look after our personal accountability, I firmly believe that we will start moving towards the remarkably compassionate co-existence that many of us dream about. **I know I do – do you?**

Be at your school with a positive frame of mind and change your environment one drop at a time... **May God bless and keep all of you for many, many years to come.**