

Education in the best interests of the child: a case study of rural schools in KwaZulu-Natal

by

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“There can be no keener revelation of a society’s soul than the way in which it treats its children.” Nelson Mandela



DEDICATION

This work is dedicated to all the vulnerable children in South Africa.

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DECLARATION

I, Anna Magrietha Truter (student number 80314873), declare that the thesis entitled: **Education in the best interests of the child: a case study of rural schools in KwaZulu-Natal**, is my own work and has not previously been submitted by me for a degree at this or any other university. Any sources that I have used or quoted have been properly acknowledged and indicated by means of complete references.

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To whom it may concern

EDITOR'S CONFIRMATION LETTER

This serves to confirm that Ms Anna Magrietha Truter submitted the following doctoral thesis for English language editing only: Education in the best interests of the child: a case study on rural schools in KwaZulu-Natal.

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ABSTRACT

The appropriate treatment of children is not only a moral issue, but an important investment in a country's future. No child should be excluded from quality education. Schools should therefore be managed in such a way that it ensures that all children can learn in a child-friendly, safe and stimulating environment in order for its learners to reach their full potential. Simply put, schools should operate with the "best interests of the child" in mind. In South Africa the "best interests of the child" gained prominence in section 28(2) of the Constitution of the Republic of South Africa in 1996. Section 28(2) of the Constitution states: "[a] child's best interests are of paramount importance in every matter concerning the child."

Quality education is one of the cornerstones of any society. It is therefore important for any country to develop a functional education system. Unfortunately this is not the case in South Africa. South Africa's education system performs poorly and lags behind much poorer countries which spend less on education. South Africa has experienced important political, legal and social changes since 1994, but in spite of many positive changes, the education system is characterised by great inequalities and considerable differences regarding learners' access to *quality* education. All families, including those in rural areas, would like to see their children attain success through formal and effective education. The majority of schools in KwaZulu-Natal are poor, dysfunctional and unable to equip learners with the necessary skills. Most of these schools are located in the rural areas and lag behind their urban counterparts. The reason for my research is to explore whether current educational practice is in the best interests of the child who attends a rural school. Too few policy-makers pay attention to what our legislation promises.

The purpose of this study was not to generalise, but to explore and understand how perceptions of education managers, with regard to the "best interests of the child" principle, may affect the quality of education in a rural setting. The study focused on education managers of under-performing rural schools, in the uThungulu District of KZN. The purpose is to understand why many public schools in disadvantaged areas (mostly rural areas) in KZN are under-performing. This multi-site case study aimed to make a case for education in the "best interests of the child". The multi-site case study also aimed to gain an in-depth understanding of the "best interests of

the child”, attending a rural school and how to improve the output and through-put (progression) of learners attending these under-performing rural schools. The research question driving the research was: *How may the perceptions of education managers, regarding the “best interests of the child”, affect the quality of education at rural schools in KwaZulu-Natal?*

The study adopted a qualitative research approach that was based on an interpretive paradigm. Data were collected by means of document analysis, semi-structured interviews and focus group interviews. Convenience and purposeful sampling was used to select under-performing rural schools from the uThungulu District of KwaZulu-Natal. The data which emerged from the thematic data analysis revealed that, education managers from these under-performing rural schools are well aware of what the “best interests of the child” should be, but challenges, circumstances and contextual factors prevent them from delivering quality education which will serve the “best interests of the child”.

Based on the findings, the following recommendations are suggested: Introduce a Basic Education Act that includes the “best interests of the child” principle. Findings revealed that education in the “best interests of the child” should include the fulfilment of the child’s emotional needs; physical needs and the ability to attend a school in a safe environment. Education in the “best interests of the child” should also include the availability of adequate human and physical resources. It is further recommended that school laws, policies and procedures should be reviewed to align with the well-being of children and with the “best interests of the child” in mind. Based on the findings it is suggested that the “best interests of the child” should become the leading principle in guiding all decisions affecting a child’s education. Furthermore, it is recommended that adequate and context specific management training needs to be put in place in order for education managers to manage a rural school with the “best interests of the child” in mind. All schools, including rural schools should offer at least three streams. Lastly, education managers need to establish a culture of teaching and learning in public rural schools.

Education in the “best interests of the child” will level the playing field between rural and urban learners and close the achievement gap which exists amongst them. Former President, Nelson Mandela believed that the soul of a society could be seen in the way it treats its children. Taking education in the “best interests of the child” seriously, may have a huge impact on vulnerable children in rural areas.

LIST OF KEY WORDS

“4-A’s Framework”

Accountability

Adequate and acceptable education

Best interests of the child

Capacity

Child-centred education

Human capital approach

Human rights-based approach

Leadership

Management

Multi-site case study

Quality education

Right to education

Rural education

Social justice approach

Socio-economic right

South African Constitution

LIST OF ACRONYMS

ABET	Adult Basic Education and Training
ACE	Advance Certificate in Education
ACE-SML	Advance Certificate in Education, School Management and Leadership
ANA	Annual National Assessment
CK	Content Knowledge
CRC	Convention on the Rights of the Child
DBE	Department of Basic Education
DHET	Department of Higher Education and Training
DoE	Department of Education
EFA	Education for All
FET	Further Education and Training
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome
HOD	Head of Department (applied to a school or a province)
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
KZN	KwaZulu-Natal
KZN DoE	KwaZulu-Natal Department of Education
LER	Learner to Educator Ratio
MCRE	Ministerial Committee on Rural Education
NED	National Department of Education

NEEDU	National Education Evaluation and Development Unit
NEPA	National Education Policy Act
NGO	Non-Governmental Organisation
NSC	National Senior Certificate
NSNP	National School Nutrition Programme
OECD	Organisation for Economic Co-operation and Development
PCK	Pedagogical Content Knowledge
PDA s	Professional Development Activities
PIRLS	Progress in International Reading Literacy Study
PMDP	Principal's Management Development Programme
PUPT s	Professionally Unqualified Practicing Teachers
RSA	Republic of South Africa
SACMEQ	Southern and Eastern African Consortium for Monitoring Education Quality
SASA	South African Schools Act, 1996
SER	School Effective Research
SES	Socio-economic status
SMS	Short Message Service
SMT	School Management Team
Stats SA	Statistics South Africa
TIMMS	Trends in International Mathematics and Science Study
TA	Traditional Authority
UDHR	Universal Declaration on Human Rights

UN United Nations

UNCESCR United Nations Committee on Economic, Social and Cultural Rights

UNESCO United Nations Educational, Scientific and Cultural Organisation

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MY RIGHT TO LEARN

By Robert Prouty

I do not have to earn

The right to learn.

It's mine.

And if because

Of faulty laws

And errors of design,

And far too many places where

Still far too many people do not care –

If because of all these things, and more,

For me, the classroom door,

With someone who can teach,

Is still beyond my reach,

Still out of sight,

Those wrongs do not remove my right.

So here I am. I too

Am one of you

And by God's grace,

And yours, I'll find my place.

We haven't met.

You do not know me yet

And so

You don't know

That there is much that I can give you in return.

The future is my name

And all I claim

Is this: my right to learn.

CHAPTER ONE

INTRODUCTION AND ORIENTATION

“Children are not the people of tomorrow, but are the people of today. They have a right to be taken seriously, and to be treated with tenderness and respect. They should be allowed to grow into whoever they were meant to be, the unknown person inside each of them is our hope for the future.” Janusz Korczak

1.1 INTRODUCTION

The appropriate treatment of children is not only a moral issue, but an important investment in a country’s future. No child should be excluded from quality education. Schools should therefore be managed in a way that ensures that all children can learn in a child-friendly, safe and stimulating environment, in order for the learners to reach their full potential. Simply put, schools should operate with the “best interests of the child” in mind. Internationally, the “best interests of the child”, is one of the basic principles of the United Nations Convention on the Rights of the Child¹ (UN CRC).

“In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration” (UN CRC, 1989, Article 3(1)).

In South Africa, the “best interests of the child” gained prominence in section 28(2) of the Constitution of the Republic of South Africa (the Constitution) in 1996. On 1 July 2007 the “best interests of the child” came into operation in the general provision of the Children’s Act 38 of 2005. Section 28(2) of the Constitution provides that: “[a] child’s best interests are of paramount importance in every matter concerning the child” (RSA, 1996a). Joubert (2009) argues that the child has a constitutional right to have his or her best interests given priority in every matter affecting that child. This means that children are afforded a specific right that

¹ Ratified by South Africa on 16 June 1995.

guarantees the child's best interests. Although the term "best interests" is frequently used, a lack of clarity exists as to what constitutes a child's best interests (Howe & Covell, 2013; Joubert, 2009; Stefkovich, 2014). Consequently, courts and school leaders often disagree on the best course of action or what is truly in the best interests of a student or a child (Stefkovich & O'Brien, 2004).

Is it a right or a standard or both in the context of education? Davel (2007) conceptualises the "best interests of the child" principle, in the context of education, by arguing that the new Children's Act makes it clear that the best interest is a standard² to be adhered to. Davel (2007) is of the opinion that if the best interest of the child is to be a standard in education law and policy, relevant factors that should be considered in that context need to be identified to provide greater consistency and clarity in the law. It can therefore be argued that the "best interests of the child", as a standard, can be measured and that the standard of measurement must be equal. This brings up the issue of inequality of education in South African schools.

Quality education is one of the cornerstones of any society. It is therefore important that every country develop a functional education system. The investment in a functional education system will ensure the supply of critical human capital that is required for a competitive, sustainable economy and sustainable human development. A functional education system is associated with high quality of teaching and learning (Adedeji & Olaniyan, 2011; Pretorius, 2014; Shadreck, 2012; Spaul 2013b; Spaul 2013c; Surty, 2011; RSA, 2013).

Unfortunately this is not seen in South Africa. South Africa's education system performs poorly and lags behind much poorer countries, which spend less on education (Van der Berg (2007, 2008). South Africa has experienced important political, legal and social changes since 1994, but in spite of many positive changes, the education system is characterised by great inequalities and considerable differences regarding learners' access to *quality* education (Van der Berg, Taylor, Gustafsson, Spaul & Armstrong, 2011). South Africa's education system is a disaster and so dysfunctional that the ideals in the Constitution seem nothing more than a pipedream (Letseka, 2014). Pretorius (2014, p. 52) supports this view: "Large numbers of schools are deemed justifiably dysfunctional".

Howe and Covell (2013) are of the opinion that if education were truly in the "best interests of the child", disadvantaged children would enjoy their right to education on the basis of equal

² RSA, 2005, s: 9 "In all matters concerning the care, protection and well-being of a child the *standard* that the child's best interests is of paramount importance, must be applied."

opportunity. Therefore, poor and disadvantaged learners should have the *same* opportunity to quality education, in order for them to reach their full potential (Howe & Covell, 2013; Shepherd, 2011; Spaul, 2013a; Spaul, 2013b). According to Leibbrandt, Wegner and Finn (2011), approximately 90 per cent of the South African poor, are Black and most poor learners live in rural areas.

A large body of research has established that poverty affects educational opportunity (Howe & Covell, 2013; Klasen, 1997; Msila, 2014; Mtswesi, 2013; Odeku & Nevondwe, 2014; Spaul, 2012; Spreen & Vally, 2006; Van der Berg, 2007). Klasen (1997) and Mtswesi (2013) explain the link between education and poverty. According to Klasen (1997), high poverty among Blacks is the result of their reduced access to quality education during the *apartheid* years. “Households whose heads have no education have a poverty rate of nearly 80 per cent, compared to only 7 per cent among those households where the head has at least completed secondary education” (Klasen, 1997, p. 68). The author suggests that secondary and tertiary education enrolment rates are closely associated with income and that, access to educational opportunities at these levels, is uneven. Van der Berg (2007) argues that the links between affluence and educational quality in South Africa can partially explain the differences in learners’ access to quality education, since the poor receive an inferior education compared to their wealthier counterparts. Msila (2014, p. 339) states, “The historically Black African schools have the lowest quality of education”. A further significant fact in this argument is proposed by Rotberg (2014), who points out that there is still education *apartheid* in South Africa and that opportunity to quality education is distributed on the basis of have and have-not. Against this backdrop, learners in rural areas, like their poor parents, are being denied the opportunity of quality education. Howe and Covell (2013) argue that equal opportunity means not only the absence of discrimination, but also positive action to remove barriers such as poverty. The authors suggest strong action is taken regarding education, in order to level the playing field and remove all social obstacles to education that are beyond the control of children.

Education can play a vital role in lifting people out of poverty (Howe & Covell, 2013; Klasen, 1997). Klasen (1997) argues that great differences in the quality of education available to different income groups and racial groups further exacerbates differences in future income earning opportunities. Klasen (1997, p. 51) points out: “South Africa is one of the countries with the highest level of income inequalities in the world and compares poorly in most social indicators to countries with similar income levels ... in addition, poverty is much higher in rural areas and particularly in the former homelands”. Klasen (1997) suggests that KwaZulu-Natal

(KZN) is home to about 24 per cent of the most severely deprived citizens of South Africa. According to the author (Klasen, 1997): 77 per cent of the total poverty gap is accounted for by poverty in rural households; 84 per cent of the poverty gap is accounted for by households whose heads have not completed primary education; poverty and unemployment is closely linked. Klasen (1997) concludes that poor education has not only been found to be a major cause of poverty, but that a consequence of poverty is lower access to quality education. This will result in reproducing poverty inter-generationally. A continuous cycle of illiteracy and poverty within the family and across generations becomes a culture (Olufemi, 2000). This finding was confirmed by Howe and Covell (2013), who point out that early inequality brings later inequality and, consequently, increases the achievement gap.

Approaches that currently dominate thinking on education quality are: the human capital approach, which derives from the discipline of economics; and the human rights-based approach, which is grounded in international legislation (Tikly, 2010). Education is the key to the development in every society. In order to make a contribution to economic growth and development, high quality education and training is required. Human capital suggests that individuals have certain capabilities or skills with which they can earn a living. The Human Capital Theory rests on the assumption that formal education is necessary to improve certain capabilities or skills. The provision of formal education and training is seen as an investment in human capital and will lead to greater economic outputs. To contribute to economic growth education must be of high quality and must meet the skill demand of the economy. The human capital approach, suggests that investment in education will contribute to economic growth and that quality, as measured by student achievement on standardised tests, correlates more strongly with economic growth, than does years spent in school (Tikly, 2010). Wils, Carrol and Barrow (2005) argue that countries that have the highest levels of inequality in education also have the slowest national growth rates.

The human rights-based approach focuses on the role of the state in ensuring basic rights and it sees human development as: "...multifaceted involving a spectrum of peace, human security and environmental sustainability" (Tikly & Barrett, 2011, p. 15). The human-rights based approach has also been critiqued by Robeyns (2006) as only being concerned with legal rights.

Fraser (2008), Sen (2009) and Tikly and Barrett (2011) demonstrate how the social justice approach incorporates both the human capital approach and the human rights approach. The social justice approach is a moral philosophical theory, which focuses on economic structures

that deny access to resources. Tikly and Barrett (2011) argue that it can provide a new way of thinking about education quality. This approach focuses on capabilities and what it might mean to be educated in the global era.

Katarina Tomasevski, a human rights activist, legal academic and United Nations (UN) Special Rapporteur on Human Rights, worked from a framework of international law, arguing that if education is a right, then denying and abusing it is a violation (Christie, 2010b). The “4-A’s Framework” of Tomasevski (2001) is based on the human-rights approach, of making education available, accessible, acceptable and adaptable. “The rights-based framework for quality, is also often concerned with moral rights, that is, with an understanding of rights that goes beyond the confines of international and national agreements, laws and policies” (Tikly & Barrett, 2011, p. 6). According to Tomasevski (2006), acceptability refers to the content of education which must be relevant, non-discriminatory and culturally appropriate, and of a satisfactory quality, and; the school itself must be safe and teachers must be professional. Joubert (2014) argues acceptability to be the minimum of what states should do to deliver on their core obligations related to the right to education.

Another approach to the provision of quality education is accountability and capacity. Spaul (2013c) defines accountability as the state of being answerable for something to someone. Spaul (2013c) argues that there is a need to improve both the accountability and capacity, (content knowledge) of educators. Spaul (2013c) is of the opinion that the lack of accountability for student learning outcomes in South Africa is one of the major impediments to quality education for the poor: “The sub-standard education offered to the poor in South Africa does not develop their capabilities or expand their economic opportunities; instead it denies them dignified employment and undermines their sense of self-worth” (Spaul, 2013c, p. 63). An analysis of the Southern and Eastern African Consortium for Monitoring Educational Quality (SACMEQ) III (2007) data reveals that many South African mathematics educators have a below-basic level of content knowledge (CK). “Teachers cannot teach what they do not know” (Spaul, 2013b, p. 27) and this has severe implications for the quality of education in South Africa. Therefore the CK of educators needs to improve, in order to improve learner results.

1.2 ORIENTATION TO THE STUDY

“To transform the luck of few into the right of all” (Tomasevski, 2006, p. 4).

This research was guided by the:

- Constitution of the Republic of South Africa, 1996 section 28(2) and section 29(1);
- Children’s Act 38 of 2005;
- United Nations Convention on the Rights of the Child (UN CRC), 1989;
- Universal Declaration of Human Rights (UDHR), 1948;
- International Covenant on Social, Economic and Cultural Rights (ICESCR), 1966;
- South African Schools Act 84 of 1996.

For the purpose of this study a child-centred approach was taken in developing the conceptual framework. What exactly is in the “best interests of the child” regarding the quality of education, particularly in a rural school setting? According to Stefkovich (2014), the best interest principle is rooted in legal jurisprudence and usually involves custody, child labour and compulsory education. A child-centred approach emerged from work done by Stefkovich (2014), Tikly and Barrett (2011), Tomasevski (2001) and Walker (1998). Walker (1998, p. 4) points out that school leaders see children as primary stakeholders in schools, but: “...sadly, adult-centricity may be one of the largest obstacles to securing the best interests of children.”

1.2.1 STATEMENT OF THE RESEARCH PROBLEM

All families, including those in rural areas, would like to see their children attain success through formal and effective education. The majority of public schools in KZN are poor and unable to equip learners with the necessary skills to progress to the next grade. Most of these schools are located in rural areas and lag behind their urban counterparts in terms of functionality. An overview of the quality of education in South Africa, and specifically in KZN, will now be discussed.

South Africa spends 20 per cent of its budget on education - more than any other emerging market economy – yet, it performs poorly in international comparisons. South Africa participates in three important international tests of educational achievement, i.e.: Trends in International Mathematics and Science Study (TIMSS); Progress in International Reading and Literacy Studies (PIRLS) and SACMEQ. These tests monitor the performance of South African learners and indicate that South African education lags far behind poorer countries in the world: “South

Africa has performed extremely poorly on national and comparative international tests” (Christie, 2010b, p. 9). An analysis done by Spaul (2013b, p. 6) on the 2011 TIMSS results reveals: “...the average Grade 9 pupil in KZN was 2.5 years’ worth of learning behind the average Grade 9 pupil in the Western Cape for Science.”

An analysis of pre-PIRLS data indicated that 29 per cent of Grade 4 learners in South Africa failed to reach a low international benchmark score of 400. The achievement results are reported on a PIRLS scale ranging from 0 – 1000. According to Howie and Van Staden (2012), these children were unable to locate and retrieve an explicitly stated detail in a text.

Inequalities between poverty and privilege still remain. Quality education is defined by Tikly and Barrett (2011, p. 9) as, “Education that provides all learners with the capabilities they require to become economically productive, develop sustainable livelihoods, contribute to peaceful and democratic societies and enhance individual well-being”. Is quality education reserved only for the privileged few?

The National Senior Certificate (NSC) pass rate is debatable. The NSC results do not take into account any information in terms of enrolment or dropping-out pre-Grade 12. According to Van der Berg (2008), education quality in historically Black schools has not improved since 1994: “The education quality in historically black schools – constituting 80 per cent of enrolment – has not improved since political transition despite large resource transfers to such schools.” It can be concluded that South Africa has made progress on equal treatment in terms of allocation of state resources and access to education, but not in terms of equal opportunity, because of the unequal access to good quality education. South Africa has not made progress in terms of educational adequacy, because many learners in rural schools have to repeat grades, drop-out rates are high and matriculation pass rates are low, with little improvement. The Organisation for Economic Co-operation and Development (OECD) (2013) states that, the pass rate in the NSC Examination in 2009, was 57 per cent for African learners; 80 per cent for Coloured learners; 89 per cent for Indian/Asian learners and 99 per cent for White learners. Returns to education, after drop-out, are also lower for Black Africans, relative to the national average, which according to the OECD survey of 2013 may be linked to differences in school quality and persistent discrimination. Van der Berg (2008) states that *more resources* did not necessarily improve school performance, but rather the *ability of schools* to convert resources into outcomes. Poor outcomes point directly to management issues, quality, capacity and capability of human resources in rural schools.

KZN is the third smallest South African province in terms of land area, but 21.3 per cent (10.6 million) of the country's population live in the province (Stats SA, 2010). The province has more than 6 000 schools and 87 255 educators and contains large tracts of rural areas. Principals and teachers at rural schools in KZN face circumstances which are both difficult and unique (Arnold, Newman, Gaddy, & Dean, 2005; Gardiner, 2008; Hugo, Jack, Wedekind, & Wilson, 2010; Modisaotsile, 2012; Pennefather, 2011; Wedekind, 2005). School principals, particularly at rural schools, are confronted with many challenges such as: a high rate of learner pregnancies; a high drop-out rate (Grant & Hallman, 2008); multi-grade teaching; under-qualified or unqualified educators; a shortage of educators in crucial subjects; under-resourced schools; a low morale and high absenteeism of many of the educators; the impact of HIV and AIDS on learners and educators; late-coming of teachers and learners and poor academic performance (Department of Basic Education, 2013b). In spite of these challenges, it is expected that rural school principals manage the schools and deliver adequate and sustainable education (Chikoko, 2008; Ebersöhn & Ferreira, 2012; Modisaotsile, 2012; Moletsane, 2012; Mukeredzi, 2013; Taole & Mncube, 2012).

Furthermore, rural schools in KZN do not have sufficient qualified educators (Gardiner, 2008; Msila, 2014). According to Draper and Hofmeyr, (2015), KZN has the lowest number of qualified educators in South Africa. Hugo et al. (2010), state that rural schools find it difficult to attract qualified educators which results in unqualified educators teaching in classrooms. The KZN Department of Education recently stated that there are nearly 8000 unqualified or under-qualified educators in the province (Jansen, 2012). Educators teaching at rural schools in KZN do not perceive the standard of education in the schools to be adequate or acceptable, because it was found in a report that 97 per cent of teachers teaching at rural schools in KZN do not send their own children to the same school where they teach (Human Science Research Council, 2005).

There is a severe shortage of high-quality teachers in South Africa. It is important to note that highly qualified educators are not necessarily high-quality educators (Goldhaber & Antony, 2007). According to Howe and Covell (2013), highly qualified educators are those with appropriate certifications, while high-quality educators are those who engage in evidence-based practices and have a positive attitude towards learners in their class. Poor teacher quality is a serious problem, particularly in the rural areas of KZN. A number of studies have reported on the poor CK of rural school educators, particularly in Mathematics and Science (Organisation for Economic Co-operation and Development, 2013; Taylor, 2009; Van der Sandt & Nieuwoudt,

2003). An analysis of the 2007 SACMEQ III tests showed that rural Mathematics educators in South Africa have significantly lower levels of CK than rural Mathematics educators in Swaziland, Tanzania, Uganda and Kenya (Spaull, 2013b). According to Spaull (2013b), South Africa has some of the least-knowledgeable primary school Mathematics teachers in sub-Saharan Africa and most of them are teaching in rural areas. Spaull (2013b, p. 27) concludes: "...teachers cannot teach what they do not know ... pupils cannot acquire a skill at school that their teachers do not possess."

South Africa is facing both teacher quantity and teacher quality issues. The shortage of high-quality educators is a challenge, as well as the shortage of highly-qualified educators. The OECD (2013) document points out: "...about a fourth of newly qualified teachers, especially white teachers, plan to leave the country to teach abroad, and about half of new teachers have recently considered leaving the profession" (OECD 2013, p. 68).

The introduction of the Annual National Assessments (ANA) in 2011 was an important step towards improving the availability of information about school and learner performance. According to the 2012 ANA, percentage scores by subject and province, Grade 9 learners of KZN performed poorly in Mathematics and Home Language (DBE, 2013b). The average score was 12 per cent of Grade 9 learners in Mathematics. Little improvement was shown in the following year. The 2013 external assessment results of the uThungulu District of KZN showed: 44 per cent of Grade 9 learners obtained below 30 per cent for Language and a shocking 90 per cent of learners obtained below 30 per cent in Mathematics (DBE, 2013b).

Furthermore, poor schools (mostly situated in rural areas) perform worse than more affluent schools. As already mentioned, historically Black African schools have the lowest quality education (Msila, 2014). The results of the 2013 ANA across the five quintiles were compared and there is a 20 per cent difference in results between quintile 1³ and quintile 5⁴ schools (DBE, 2013b). Learners of quintile 1 and quintile 2 schools are also more likely to repeat a grade than learners from quintile 5 schools. At least 45 per cent of quintile 1 and quintile 2 schools are situated in rural areas (Equal Education, 2010). Spaull (2013b, p. 437) concludes by stating:

"However one measures learner performance, and at whichever grade one chooses to test, the vast majority of South African primary school learners are significantly below

³ Quintile 1 includes the poorest schools and no-fee schools.

⁴ Quintile 5 includes the least poor schools and fee-paying schools.

where they should be in terms of the curriculum, and more generally, have not reached a host of normal literacy and numeracy milestones.”

It is therefore not surprising that South Africa was ranked: 143rd out of 144 countries worldwide for the quality of its Mathematics and Science education; and 140th out of 144 countries on the quality of the educational system (The World Economic Forum, 2013).

One problem is that the majority of school-age learners live in rural areas. Gardiner (2008), indicates that KZN province alone has 2 956 rural schools and 1 097 499 learners. One of the findings from the publication *Emerging Voices* (HSRC, 2005) was that learners from rural schools believe that their education is not relevant to equip them for the outside world. It is also important to note that over half of the school children in KZN do not pay school fees and that they receive a free meal (KwaZulu-Natal Treasury, 2010). The picture that emerges from literature is that the majority of learners at poor rural schools in KZN do not have access to acceptable and adequate education. Spreen and Vally (2006) argue that the quality of education, particularly in rural areas should be regarded as a human rights issue. Education as a human-right, does not serve the best interests of learners in poor rural areas. These rights co-exist with socio-economic rights that will enable learners from rural schools to compete with learners from urban areas, for job opportunities.

At 7 per cent of the country's GDP and 20 per cent of total state expenditure, the country's education spending rate is high by international standards (SAInfo, 2015). Delivering the 2015 National Budget speech in Parliament, the Finance Minister Nhlanhla Nene announced that 7.4 per cent had been awarded to the school infrastructure backlog programme for the replacement of over 500 unsafe or poorly structured schools, and to address water, sanitation and electricity needs. According to the Finance Minister, the education infrastructure grant of R29.6 billion would enable all schools to meet the minimum norms and standards for school infrastructure by 2016.⁵

However, the quality of education remains poor on average and uneven across regions and population groups in South-Africa. South African students perform weakly in comparison with other countries, despite current public expenditure on primary education being 49⁶ per cent higher in South Africa than in Columbia (United Nations Educational, Scientific and Cultural

⁵ National Budget speech delivered in Parliament on 25 February 2015 by South African Finance Minister Nhlanhla Nene.

⁶ 2010 figures.

Organisation, 2012). “South Africa has a high-cost, low performance education system that does not compare favourably with education systems in other African countries, or in similar developing countries” (Department of Education, 2009, par. 1).

Despite on-going efforts from all stakeholders, and a number of initiatives⁷ to improve the quality of schooling, thirty secondary schools in KZN obtained a matric pass rate of less than 50 per cent, with one school obtaining a zero per cent pass rate.⁸ Most of these under-performing schools are in the rural areas.

The provision of a safe school environment for learners and teachers, in which effective teaching and learning can take place, is important. The Department of Basic Education (DBE) struggles to provide all the essential infrastructure and services (clean water, sanitation and electricity) to poor rural schools (Gardiner, 2008). The physical and service infrastructure of many rural schools needs to be upgraded. Many of the learners at rural schools experience criminal activities to the extent that effective learning and teaching is negatively affected (Singh & Steyn, 2013). According to Sing and Steyn (2013), sexual abuse and aggression is widespread in schools in KZN. Many of these problems are linked to socio-economic factors such as unemployment and poverty.

Against the backdrop of a huge investment in education and improved access to education in South Africa, it is clear that the DBE has not yet realised an improvement in the quality of education received by millions of learners in the rural areas of KZN. Visser (2012) is of the opinion that the DBE does not have the ability, experience, competence or capacity to manage a massive education system. Letseka (2014) and Jansen (2003) have appealed for the DBE to be re-designed and re-engineered.

Section 28 of the Constitution (RSA, 1996a) offers an argument for adequate education to all learners. Section 28(2) states: “A child’s best interests are of paramount importance in every matter concerning the child” (RSA, 1996a). Is what legislation promises and what policy-makers and principals of rural schools perceived to be in the “best interests of the child”, really the case? Skelton (2013) is of the opinion that the provision of an adequate basic education for all

⁷ Initiatives such as: the National Development Plan 2030, Delivery Agreement with the Presidency, Action Plan to 2014: Towards the realisation of Schooling 2025; Review of the Curriculum; Text Books; The Workbook Project; Accelerated Schools Infrastructure Delivery Initiative (ASIDI) and the National School Nutrition Programme (NSNP).

⁸ Analysis of Grade 12 NSC Results, uThungulu District Examination and Assessment Services, The Class of 2014: hand-out from the KZN Department of Education to school principals in the uThungulu District.

children is the most important challenge facing South Africa. Despite new laws and policies, inequalities in education still remain and the failure of national education policies is most noticeable in rural areas (Harley & Wedekind, 2004; Balfour, Mitchell, & Moletsane, 2008).

Despite major inequalities, all schools are currently being treated as being the same by legislation and by education policy. It is also expected that principals of rural schools manage these schools in the same way as is done with urban, affluent schools and that they deliver the same outcomes as those schools.

“Schools are not the same, particularly in terms of social, economic and linguistic conditions. We need to accept that equal treatment of learners from unequal backgrounds may give the appearance of treating everyone fairly, but is likely to maintain inequality. Equal treatment cannot under such circumstances, bring equal opportunities, let alone equal outcomes” (Gardiner, 2008, p. 29).

Current educational approaches, policies and practices do not deliver quality education in rural schools in KZN. The problem is that despite all efforts, rural public schools are still receiving an inferior education and are still producing low levels of outcomes. It is expected of stakeholders in education that they provide acceptable education to all learners in South Africa and to act in the best interests of learners attending rural schools. These children are active participants in the educational process and their circumstances differ, yet minimal research attention has been directed towards the provision of acceptable education or the “best interests of the child” in a rural school setting. Existing studies regarding the state of education and the challenges facing rural schools in KZN do not focus on the “best interests of the child” principle (Hugo et al., 2010; Chikoko, 2008; Gabela, 2006).

Evidence shows that strong school principals can have a dramatically positive impact on school performance (Branch, Hanushek, & Rivkin, 2012; Taylor, Van der Berg, & Mabogoane, 2012). By exploring the challenges that exist amongst all stakeholders, and particularly principals of rural schools in KZN, with regard to the provision of acceptable education, the implementation of the curriculum and the safety of learners, policy-makers may implement strategies that will fit the unique circumstances that exist in rural schools and that will support the best interests of children in these schools. The purpose of this study is to explore and understand education managers’ perceptions with regard to the “best interests of the child” principle and how it may affect the quality of education in a rural setting. The purpose is to understand why many public

schools in disadvantaged areas (mostly rural) in KZN are under-performing. The purpose of the interviews is to 'hear' the voices of education managers with regard to their opinions and experiences. Furthermore, the purpose is to search for a better quality of education and to contribute new knowledge in order to improve practice in these areas.

The investigation was conducted in the rural setting of KwaZulu-Natal, because most ordinary public schools in this province are situated in disadvantaged areas (mostly rural). Most of these rural schools are quintile 1 or 2 schools (poor schools with no-fee status) and often experience context specific challenges. An improvement in the conditions and performances of these schools may have a positive impact on education in KZN overall. Schools in a disadvantaged urban setting do not share the same challenges as schools in a disadvantaged rural setting and was therefore not included in the selection of schools.

For the purpose of this study education managers include principals of schools, deputy principals, heads of department (HODs) and educators. Members of the School Management Team (SMT) include the Principal, the Deputy Principal and HODs.

1.2.2 RESEARCH QUESTIONS

The main research question is:

How may the perceptions of education managers, regarding the "best interests of the child", affect the quality of education at rural schools in KwaZulu-Natal?

The research sub-questions are:

- How do education managers in rural schools understand the "best interests of the child" principle?
- What are the perceptions of education managers with regard to the quality of the education received by learners in rural schools?
- What are the perceptions of school management team members with regard to the management of the school in order to act in "best interests of the child"?
- What are the challenges experienced by education managers in providing quality education in rural schools?

- What needs to be done to improve the academic performance of under-performing rural schools?

1.2.3 RATIONALE

“Rural people tend to live in their communities by choice, and their decision to live in a rural place should not affect the quality of their children’s education” (Hlalele, 2012, p. 113).

Being a Deputy Principal at a functional school in KZN, I attend meetings where I listen to the challenges that principals of rural schools have to face and I often wonder about our legislation and our “one size fits all” educational approach. The reason for my research is to explore whether current educational practice is in the “best interests of the child” who attends a rural school. I tend to agree with Bryant (2010), who suggests that one of the primary obstacles of rural education is wilful ignorance - particularly on the part of governments - of the conditions in rural areas and rural schools. Hlalele (2012, p. 111) is of the opinion that, “The failure of education policies and laws to ensure the attainment of education rights for the majority of South Africans, including rural inhabitants, is an immediate challenge.” Therefore, too few policy-makers pay attention to what our legislation promises.

The Constitution guarantees basic education *immediately* and further education *gradually*, but fail to answer to the understanding of adequate or quality education to all (RSA, 1996a). We need to understand the realities regarding the constitutionality of education provision, but we also need to illuminate the need to provide quality education to rural schools. Taking all the challenges and legislation into consideration, how should the “best interests of the child”, be addressed by stakeholders in rural education?

If the purpose of educational laws and policies includes the “best interests of the child” principle, it would put pressure on reformers, decision-makers and managers of schools to equalise the opportunity for quality education for all. Literature on rurality, rural education and rural schools in South Africa has been marginalised bodies of knowledge. Moreover, rural schools are associated with deficiencies and challenges (Arnold et al., 2005; Nkambule, Balfour, Pillay & Moletsane, 2011; Pennefather, 2011; Wedekind, 2005).

1.2.4 RESEARCH PURPOSE

South Africa's education system continues to produce poor outcomes, particularly in rural areas and it is clear that the DBE needs to focus on the quality of education that learners in rural areas receive. The purpose of this study was not to generalise the findings, but to understand how perceptions of education managers, with regard to the "best interests of the child" principle, may affect the quality of education in a rural setting. The study focused on education managers of under-performing rural schools, in the uThungulu District of KZN. This multi-site case study aimed to make a case for education in the "best interests of the child". The case study also aimed to gain an in-depth understanding of the "best interests of the child", for children attending a rural school, and how to improve the output and through-put (progression) of learners attending these under-performing rural schools.

Literature revealed that the majority of rural learners in KZN receive inadequate education by unqualified or under-qualified educators who lack the necessary CK to implement the curriculum fully (Hugo et al., 2010; KZN Treasury, 2010). "There is a strong correlation between educator qualification level and student performance" (KZN Treasury, 2010, p. 5).

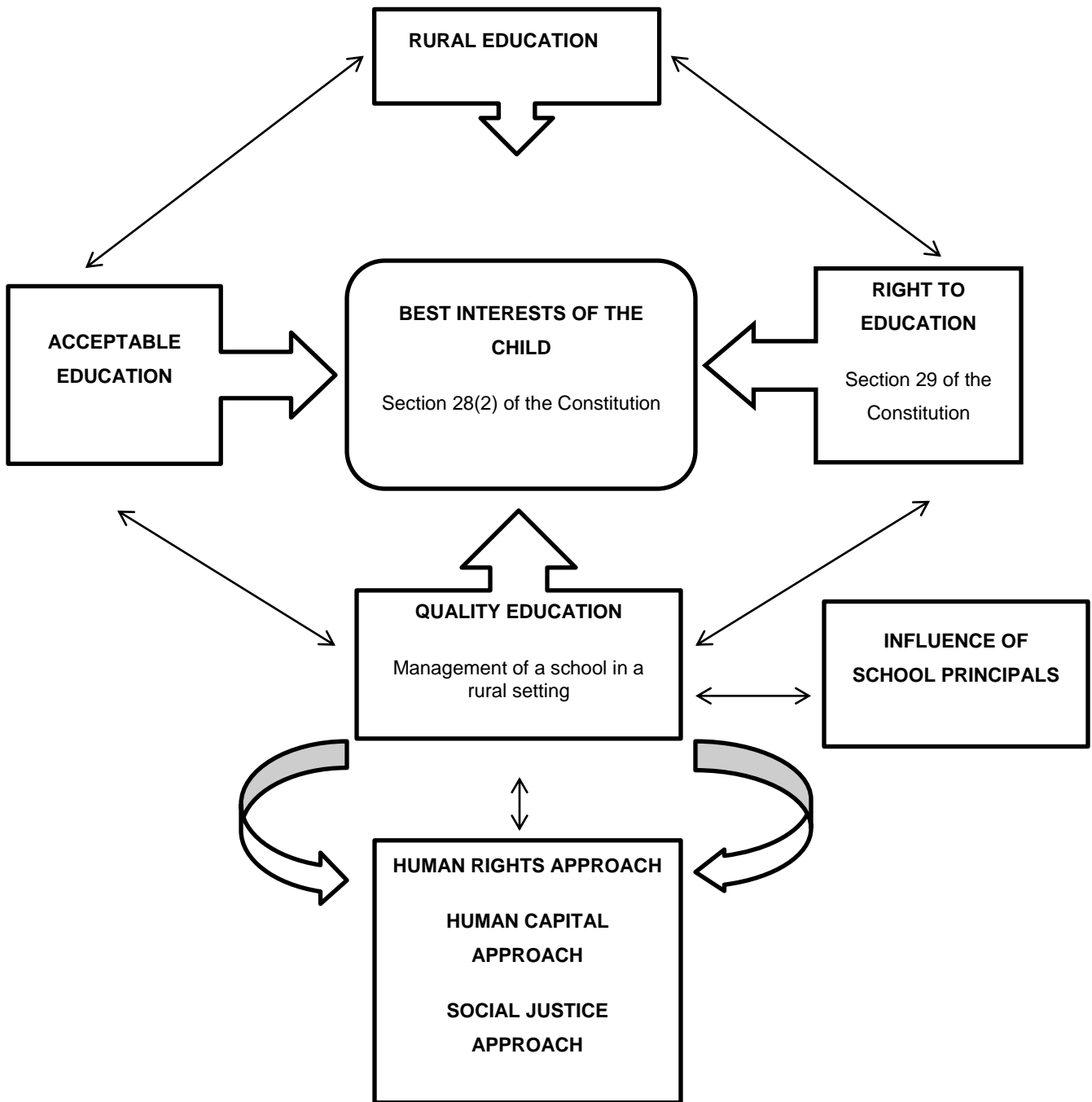
The through-put (progression) and output of the majority of rural learners is low, due to various factors, including factors concerning their safety. To be able to attend school in a safe environment and to be taught by high-quality, qualified educators is the basic right of every child. The well-being and best interests of children in these rural schools has been neglected. The golden thread that ran through this research was the principle of "best interests of the child". Surty (2011, p. 10) captures the essence by stating that: "If we could achieve quality education in rural areas, it would have a huge impact on the lives of millions of children and on the South African economy in general". An education system should serve the "best interests of the child" and provide an adequate education to all, including learners attending rural schools.

1.3 CONCEPTUAL FRAMEWORK

The conceptual framework for this study is based on work done by Stefkovich (2014, p. 16). Her book, *Best Interests of the Student*, presents a theoretical model for guiding educators as

they confront legal and ethical dilemmas in their schools. Her model has been adapted for this study in order to answer the research question: *How may the perceptions of education managers, regarding the “best interests of the child”, affect the quality of education at rural schools in KwaZulu-Natal?* The related concepts with regard to education in the best interests of the child, is set out in the conceptual framework. The Constitution binds everybody, including the state. The right to education as set out in section 29 of the Constitution makes education available to everyone. Acceptable or adequate education is education that provides all learners with the capabilities they require to become economic productive. Education is not adequate in disadvantage (mostly rural) areas, because repetition and drop-out rates among learners in these areas continue to be high and the matriculation pass rate in these areas show little improvement. It is expected of stakeholders to provide acceptable education to all learners in South Africa and to act in the best interests of all children, including children from rural schools. Taking all the challenges and legislation into consideration, how should the “best interests of the child” be addressed by stakeholders in rural education? The social justice approach incorporates the human capital and human rights approach and can provide a new way of thinking about education. Figure 1.1 indicates the conceptual framework that guided the literature review and empirical research.

FIGURE 1.1: CONCEPTUAL FRAMEWORK



Source: Adapted from Stefkovich, (2014)

1.4 PARADIGM OF THE STUDY

Philosophical assumptions in research consist of a basic set of beliefs and the role of philosophy in qualitative research is to understand phenomena (Bobbit, Wright, Herrin, Vaines, & Hultgren, 1990). According to the model suggested by Muhammad, Muhammad, Aijaz, Syeda, & Kamal (2011), a paradigm is made up of a philosophy, ontology, epistemology and methodology.

The study of the nature and form of reality is called ontology and to the researcher, the world is “...’real’ because that is how we have constructed it to be and how we experience it” (Nieuwenhuis, 2010a, p. 54). “The researcher cannot be separated from the research ... and asserts that research findings are created rather than discovered” (Nieuwenhuis, 2010a, p. 54).

Epistemology relates to ‘how we know’ and the researcher believes that the world is made up of people with their own assumptions and that the way of knowing is by exploring the experiences of others regarding a specific phenomenon (Nieuwenhuis, 2010a). According to Nieuwenhuis (2010a, p. 59), the interpretive perspective is based on the following assumptions:

- “Human life can only be understood from within.
- Social life is a distinctively human product.
- The human mind is the purposive source or origin of meaning.
- Human behaviour is affected by knowledge of the social world.
- The social world does not ‘exist’ independently of human knowledge.”

In education, interpretive researchers enter a school or a classroom and ask questions, to try to understand the perceptions of the participants. The purpose of this study is to explore and understand the perceptions of education managers at rural schools of education in the “best interests of the child”. An interpretive paradigm will therefore guide this study. Human activities must be investigated in terms of meaning and must be interpreted by linking them to other human events to enable greater understanding (Nieuwenhuis, 2010a). The voices of education managers are the mediums through which I will explore reality.

In conclusion, Sobh & Perry (2006, p. 1195) state: “...ontology is reality, epistemology is the relationship between that reality and the researcher and methodology is the technique used by

the researcher to discover that reality”. The research design and methodology will now be discussed.

1.5 RESEARCH DESIGN AND METHODOLOGY

The methodology in this study is a qualitative multi-site case study research approach. Creswell (2008, p. 46) describes qualitative research as follows:

“Qualitative research is a type of educational research in which the researcher relies on the views of the participants; asks broad, general questions; collects data consisting largely of words (or text) from participants; describes and analyses these words for themes; and conducts the inquiry in a subjective, biased manner.”

Qualitative research is justified, because the researcher explored the perceptions and views of education managers. The case study’s unique strength is the ability to deal with a wide variety of data collection methods (Yin, 1994). The researcher used document analysis, semi-structured interviews and focus group interviews as data collection instruments. The researcher began with document analysis. Firstly, existing data such as reports, documents, records, maps and statistics were analysed. Document analysis permitted the researcher to ask relevant questions to the research participants. Secondly, data were collected through in-depth semi-structured and focus group interviews done with education managers. Participants, who would best help the researcher to understand the phenomenon and the research questions, were identified by the principals of the selected schools.

This multi-site case study was conducted in three under-performing rural schools in the uThungulu District of KZN. Data were transcribed and analysed, and themes were identified. A case study was deemed to be the most appropriate methodology, to collect data from the participants, because it looks at a phenomenon holistically.

1.5.1 SELECTION OF PARTICIPANTS AND DATA COLLECTION INSTRUMENTS

The following criteria were used as a standard to select three under-performing secondary schools in the uThungulu District of KZN:

- Situated in a rural setting;
- Achieved below 30 per cent in Mathematics and Languages in the 2013 ANA;
- Achieved below a 50 per cent pass rate in the 2013 NSC results.

1.5.2 THEMATIC ANALYSIS OF THE DATA

Data collection, processing, analysis and reporting are intertwined. “Qualitative data analysis tends to be an on-going and iterative (non-linear) process” (Nieuwenhuis, 2010c, p. 99). The semi-structured interviews and focus group interviews were transcribed. After transcribing the interviews, segments were identified and general codes were formed, thereafter themes and patterns emerged (Nieuwenhuis, 2010c). Thematic analysis helped the researcher to identify patterns and themes in the data and thereby draw conclusions from it. The thematic analysis method was chosen because it complimented the research question and the emerging themes became the categories for analysis. The researcher cycled back and forth between the data collection and data analysis process.

1.6 LIMITATIONS AND CHALLENGES OF THE STUDY

The greatest limitation of this study is that the findings cannot be generalised, because this investigation confines itself to under-performing, rural schools in the uThungulu District of KZN. Although it is possible that the challenges and experiences of rural schools in other districts are similar, these possible relationships were not explored and the findings are therefore only applicable to that area and to the schools in the sample. There was a possibility of withdrawal from the study by the participants and the refusal of participants to give consent. There was also the possibility of interviewee and interviewer bias due to personal perceptions, interpretations and assumptions.

1.7 ETHICAL CONSIDERATIONS AND GAINING ACCESS TO THE RESEACH SITE

All due ethical considerations were honoured. Permission was obtained from the Research Ethics Committee of the University of Pretoria. Permission to conduct research in public

schools was obtained from the KwaZulu-Natal Department of Education (KZN DoE) and from the uThungulu District of KZN. Using data from the document analysis, the researcher was able to compile a list of under-performing public secondary schools in the rural area of the uThungulu District of KZN. The researcher then selected three schools in this area for purposes of convenience. Principals were contacted telephonically to obtain permission to conduct the research and to arrange a suitable date to conduct a semi-structured interview. Principals then identified suitable participants for the focus group interviews. Informed consent was obtained from the participants. Guarantees regarding voluntary participation, confidentiality and anonymity were given.

1.8 LAYOUT OF THE STUDY

It is important that the content of each chapter of the study report builds on the preceding one in order that it makes sense to the reader. The layout of this study report is as follows:

Chapter 1: Introduction and orientation

The opening chapter explains the background and orientation of the study. Furthermore, this chapter presents legislation issues and describes the current situation regarding the quality of education in rural schools. It states the research problem, explains the rationale and states the purpose of the study. The chapter also describes the conceptual framework that guides the research. The research design, methods and procedures of investigating the phenomenon are also discussed.

Chapter 2: Understanding the implementation of the right to education in rural areas

Chapter 2 and Chapter 3 provide a report on the literature review of the study. Chapter 2 focuses on a comprehensive thematic literature review that summarises the research around key principles such as the right to education, rural education, acceptable education, managing schools in a rural setting and the influence of the rural school Principal on the quality of education. Chapter 2 also focuses on global instruments with regard to the right to education under international law and provides a brief overview of the right to education at a national level.

Literature relating to the development of rural education in South Africa is also discussed in Chapter 2.

Chapter 3: The best interests of the child principle: an outline

Chapter 3 provides the second part of the literature review. In this chapter, the researcher discusses the development of the “best interests of the child” principle internationally and in the context of South Africa. This chapter also presents an overview of the “best interests of the child” in international law, in South African law and in the context of education. A brief literature review of education in the best interests of the child is also presented.

Chapter 4: Research methodology

This chapter focuses on the research design and the methodology applied to explore the main research question that guided the study: *How may the perceptions of education managers, regarding the “best interests of the child”, affect the quality of education at rural schools in KwaZulu-Natal?* Qualitative research methods and procedures were employed to explore the experiences and perceptions of education managers. Chapter 4 also provides information on the data collection processes. Coding of schools and participants is explained in this chapter. It also includes concerns about credibility, trustworthiness and ethical considerations.

Chapter 5: Thematic data analysis and research findings

Chapter 5 deals with the analysis and presentation of the research findings. This chapter also describes the process of thematic analysis that was followed and gives a description of the different research sites. The researcher also presents the themes and research findings that answer the research sub-questions in Chapter 5.

Chapter 6: Conclusions

Chapter 6 presents a summary of the research findings and draws conclusions from the findings.

Chapter 7: Significance of the study, recommendations and suggestions for further research

The significance of the study is noted in this chapter and recommendations are made. Suggestions for further research are also made in this final chapter of this thesis study report.

1.9 SUMMARY

Despite a huge investment in education, South Africa's education system continues to perform poorly. Many public schools in the rural areas of KZN are dysfunctional and current educational practices do not deliver quality education to many learners attending these schools. This research endeavours to explore how the perceptions of education managers, regarding the "best interests of the child" may affect the quality of education at rural schools in KZN. Chapter 2 and Chapter 3 will form the knowledge base of this study.

CHAPTER TWO

UNDERSTANDING AND IMPLEMENTATION OF THE RIGHT TO EDUCATION IN RURAL AREAS

2.1 INTRODUCTION

Chapter 2 and Chapter 3 report on the literature review done for this study. The main aim of the literature review is to assist the researcher to critically review the existing knowledge with regard to educational legislation, rural education and, especially the “best interests of the child” principle. Chapter 2 includes literature that provides an insight into understanding and implementation of the right to education in rural areas. Chapter 2 also reviews literature that focuses on the quality of education in rural schools in South Africa and especially on rural schools in KZN.

Reviewing literature assisted the researcher to identify applicable knowledge and existing research in the field of education in the “best interests of the child”. The “best interests of the child” principle formed an important part of this study therefore the literature review in Chapter 3 focusses specifically on the “best interests of the child” principle. Critically analysing existing sources and research findings assisted the researcher to identified gaps in the literature and provided an argument for conducting this study.

2.2 THEME 1: LEGISLATION

2.2.1 THE RIGHT TO EDUCATION

“Education ... it is one of the most powerful catalysts for poverty reduction” (Watkins, 2000).

It is widely accepted that education plays an important role in empowering people to lifting themselves out of poverty, especially in rural areas. In South Africa, and specifically in the rural areas, the majority of the poor have no access to quality education. Poverty is closely related to poor education, as the latter results in a lack of employment. “The poor suffer from lack of

access to education, quality health care, basic infrastructure- and, transport, and are heavily indebted, have little access to productive resources” (Klasen, 1997, p. 51). This section first sets out to explain the right to education that in line with international laws. The right to education is then discussed from a South African perspective. Various perspectives on the right to education, as well as the lack of a concrete definition of a “basic education”⁹ are then discussed.

2.2.2 THE RIGHT TO EDUCATION UNDER INTERNATIONAL LAW

The right to education is protected by international law and must be interpreted in line with international laws. For more than forty years (1948 – 1990) South Africa was in conflict with international law, but the new Constitution (1996), instructs courts of law to prefer an interpretation of legislation that is in consistent with international law therefore the Constitution must take international law into account (Van der Vyver, 2012). South Africa is a constitutional democracy and international law is a pillar of its democracy (Dugard, 1997). Section 233 of the 1996 Constitution states:

“When interpreting any legislation, every court must prefer any reasonable interpretation of the legislation that is in consistent with international law over any alternative interpretation that is inconsistent with international law.”

Education has come to be recognised in international law as a fundamental human right (Van der Vyver, 2012). International law has three sources, i.e. “customary international law, treaties and conventions and soft law” (Hassim, Heywood & Berger, 2007, p. 131). The above-mentioned sources are recognised instruments that provides guidance in interpreting section 29(1) (a) of the Constitution and the Bill of Rights (Arendse, 2011; Bekink, 2012; Simbo, 2012).

The following international instruments are relevant in defining the meaning of the right to basic education: The Universal Declaration on Human Rights (UDHR), 1948,¹⁰ the International Covenant on Civil and Political Rights (ICCPR), 1966,¹¹ the International Covenant on

⁹ The South African Schools Act (SASA) defines basic education as a level of education that covers a period of 10 years up to Grade 9, or the age of 15, whichever comes first.

¹⁰ Adopted and proclaimed by the United Nations General Assembly Resolution 217A (III) on 10 December 1948.

¹¹ Adopted by the United Nations’ General Assembly and opened for signature in December 1966. Signed by South Africa in 1994 and ratified by South Africa in 1998.

Economic, Social and Cultural Rights (ICESCR), 1966,¹² the General Comments of the ICESCR; the African Charter on the Rights and Welfare of the Child (ACRWC)¹³ and the Convention on the Rights of the Child (CRC), 1989.¹⁴ The UDHR, the ICCPR and the ICESCR constitute the International Bill of Rights (Van der Vyver, 2012). The International Bill of Rights provides for the right to education at a global level.

2.2.3 THE UNIVERSAL DECLARATION ON HUMAN RIGHTS

According to Arendse (2011) and Cürr (2012), the first international instrument to give expression to the right to education was the Universal Declaration of Human Rights (UDHR). The UDHR recognises that all human beings have inherent dignity and equal rights. It was adopted and proclaimed by the General Assembly of the UN on 10 December 1948. “As a member of the United Nations, South Africa is subject to the moral suasion of the Universal Declaration of Human Rights” (Du Plessis, Conley & Loock, 2007, p. 200). The UDHR set the principles for a worldwide acknowledgement of the significance of education for all and almost all governments throughout the world acknowledge this right (Du Plessis, et al., 2007). “The moral foundations of the right to education, are laid in the Universal Declaration on Human Rights” (Du Plessis et al., p. 200). Article 26 provides that:

- (1) “Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory.
- (2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

¹² Adopted and opened for signature, ratification and accession by General Assembly Resolution 2200AA (XX1) of 16 December 1966, and entered into force on 3 January 1976. The ICESCR was signed on 3 October 1994 by the government of South Africa. An announcement was made in October 2012 that the government would ratify the ICESCR, but according to the UN ratification status chart 2012, South Africa has not as yet ratified the ICESCR.

¹³ South Africa ratified the African Charter on the Rights and Welfare of the Child on 7 January 2000.

¹⁴ UN CRC, 1989, Article 3(1), adopted and opened for signature, ratification and accession by General Assembly Resolution 44/25 of November 1989, was entered into force on 2 December 1990. South Africa signed the CRC in 1993 and it was ratified in 1995.

- (3) Parents have a prior right to choose the kind of education that shall be given to their children.”

Education is important for children, because they can realise their full potential. Article 26(3) focuses on the right of parents regarding control of their child’s education.

2.2.4 THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

The ICESCR is an international legal instrument that affords protection to a range of social, economic and cultural rights. It was adopted by the UN on 16 December 1966 and entered into force on 3 January 1976 (Petherbridge, 2012). It is arguably the most important international convention and covers the right to education. South Africa has not yet ratified the ICESCR and as a result, this instrument is not yet legally binding upon South Africa (Petherbridge, 2012). Article 13 and 14 guarantee the right to education. Article 13 places a duty on States Parties to provide different levels and types of education and defines the “right to education” as follows:

The State Parties to the present Covenant recognise the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the UN for the maintenance of peace.

- (1) “The States Parties to the present Covenant recognize that, with a view to achieving the full realization of this right:
 - (a) Primary education shall be compulsory and available free to all (ICESCR, Article 13).”

General Comment 13 on the right to education entrenches the so-called “4-A’s Framework”, developed by the former UN Special Rapporteur on the Right to Education, Katarina Tomasevski¹⁵ and indicates that education must exhibit the following essential features:

- “Availability (functional educational institutions have to be available in sufficient quantities);
- Accessibility (education has to be accessible to everyone, without discrimination);
- Acceptability (the form and substance of education have to be acceptable) and
- Adaptability (education has to be flexible, so that it can adapt to the needs of changing societies and communities)” (Van der Merwe, 2012).

The “4-A’s Framework” is a useful device to analyse the content of the right to basic education in terms of section 29(1) (a) as well as the obligations deriving from this unqualified right (Du Plessis et al., 2007). Article 13(2)(d) of the ICESCR also refers to “fundamental education” and General Comment 13 notes that fundamental education corresponds with basic education, as set out in the World Declaration on Education for All (EFA) (Van der Merwe, 2012). Although South Africa signed the ICESCR on October 3, 1994, indicating its intention to become a party to, it is not yet been ratified by Parliament and, as a result, this instrument is not yet legally binding¹⁶ on South Africa (Zimmerman, 2008). Similarly, Alvarez and Widener (2001) argue that the fact that South Africa has not yet ratified the ICESCR is a major setback for South Africa, because this instrument is not legally binding. Hardowar (2009) supports this argument by stating that on ratifying the ICESCR, South Africa will bind itself to its obligations, goals and standards and will be bound in international law. Ratification of the ICESCR would align domestic legislation and policies with the obligations contained in the ICESCR. A further significant factor in this argument is proposed by Petherbridge (2012), who points out that this action would signal South Africa’s dedication to advancing socio-economic rights and that this may assist in improving its international credibility regarding its approach towards the protection of socio-economic rights, especially the right to basic education. However, the wording in the provisions on primary education is almost identical to the CRC, which has been ratified by all states, including South Africa. Article 13(2)(a) and (b) obliges state parties to make primary

¹⁵ Katarina Tomasevski was the United Nations Special Rapporteur on the Right to Education from 1998 to 2004. She developed the “4-A’s Framework” and the United Nations Committee on Social, Economic and Cultural Rights (CESCR) adopted it in their General Comment on the Right to Education in 1999.

¹⁶ According to section 231(2) of the South African Constitution, an international agreement must be approved by both Houses of Parliament (namely the National Assembly and the National Council of Provinces) by way of a resolution of ratification before it becomes legally binding upon the Republic (RSA, 1996a).

education compulsory and free, whereas secondary education “shall be made generally available and accessible” (Arendse, 2011).

Article 14 of the ICESCR states:

“Each State Party to the present Covenant which, at the time of becoming a Party, has not been able to secure in its territory or other territories under its jurisdiction compulsory primary education, free of charge, undertakes, within two years, to work out and adopt a detailed plan of action for the progressive implementation, within a reasonable number of years, to be fixed in the plan, of the principle of compulsory education free of charge for all.”

Article 14 of the ICESCR limits the period in which a State Party should draw up a plan of action for the provision of compulsory primary education.

2.2.5 THE AFRICAN CHARTER ON THE RIGHTS AND WELFARE OF THE CHILD

The ACRWC endorsed the principle of free and compulsory education. Article 11 of the ACRWC protects the right to education:

1. “Every child shall have the right to education.
2. The education of the child shall be directed to:
 - (a) The promotion and development of the child’s personality, talents and mental and physical abilities to their fullest potential;
 - (b) Fostering respect for human rights and fundamental freedoms with particular reference to those set out in the provisions of various African instruments on human and peoples’ rights and international human rights declarations and conventions;”

The ACRWC matches parts of the CRC. The ACRWC focuses on African morals, traditions and cultures, while the CRC refers to education whereby children develop respect for their parents and for their culture (Chürr, 2012).

2.2.6 DECLARATION OF THE RIGHTS OF THE CHILD AND THE CONVENTION ON THE RIGHTS OF THE CHILD

The UN adopted the Declaration of the Rights of the Child in 1959 and the CRC in 1989. The right to education is stipulated in both the Convention and the Declaration. Principle 7 of the Declaration of the Rights of the Child states:

“The child is entitled to receive education, which shall be free and compulsory, at least in the elementary stages. He shall be given an education which will promote his general culture, and enable him, on a basis of equal opportunity, to develop his abilities, his individual judgement, and his sense of moral and social responsibility, and become a useful member of society.

The best interests of the child shall be the guiding principle of those responsible for his education and guidance; that responsibility lies in the first place with his parents.

The child shall have full opportunity for play and recreation, which should be directed to the same purposes as education; society and the public authorities, shall endeavour to promote the enjoyment of this right” (UNICEF, 1989).

The CRC is the world’s first international legal instrument on children’s rights (Freeman, 1997, p. 53). South Africa ratified the CRC on 16 June 1995. Article 3 of the CRC states that in all actions concerning children, the best interest of the child shall be a primary consideration and article 28 of the Convention provides as follows:

1. “States Parties recognise the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular-
2.
 - (a) Make primary education compulsory and available free to all;
 - (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need” (UN CRC, 2010, p. 27).

Many countries have ratified and incorporated the CRC into their legal systems and South Africa also ratified the principal instrument on children's rights, the CRC. Van der Vyver (2012), however, states that it is rather surprising that the right to free basic education was not included in the 1996 Constitution.

2.2.7 SOUTH AFRICAN STATUTES ON EDUCATION

Apart from global instruments, the right to education is also guaranteed at national level. The Constitution and three other major pieces of national legislation, govern education in South Africa: The National Education Policy Act (NEPA) 27 of 1996 (RSA, 1996c), the South African Schools Act 84 of 1996 (RSA, 1996b) and the Employment of Educators Act 76 of 1998 (RSA, 1998). For the purpose of this study, the Constitution, 1996, White Paper on Education and Training, 1995, The NEPA, 1996, the South African Schools Act, 1996, and the Children's Act, 2005 will be discussed.

2.2.8 THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996

“The Constitution states that an interpretation of any right in the Bill of Rights must consider international law” (RSA, 1996a, s: 39).

A new era of human rights came into existence in 1994 and Section 28 of the Constitution aims to ensure that children receive special attention. Education is an important human right and section 29 of the Bill of Rights in the Constitution guarantees the right to education. The South African Constitution (RSA, 1996a) is the supreme law of the country and has been described as a “state of the art document” (Mattes, 2002) yet, the country's public education system is described a national disaster (Bloch, 2009), a crisis (Fleisch, 2008) and as essentially dysfunctional (Bloch, 2010; Pretorius, 2014).

The Constitution binds everybody, including the State. Any law that is inconsistent with the Constitution is invalid. The Bill of Rights is contained in Chapter 2 of the Constitution; it applies to all citizens and binds the legislature, the executive, the judiciary, and the all organs of State.¹⁷

¹⁷ 1996a, s: 8(1).

The drafters of the Constitution considered international law. Dugard (1997, p. 84) asserts: “Great care is taken to ensure that the Bill of Rights complies with international norms.” The Bill of Rights in the Constitution (RSA, 1996a) is seen as one of the most progressive in the world, because it contains all the categories of human rights that are contained in most international human rights instruments.

The most pertinent of these is section 29 of the Bill of Rights, which guarantees the right to “a basic education” and to further education. According to Woolman and Bishop (2010), the term “a basic education”, as described in education policies and South African legislation, has two meanings. Firstly, the term indicates a level of education achieved on the basis of a time period; secondly, the term refers to a certain content or standard of education. Woolman and Fleisch (2009) argue that a basic education should be about adequacy and define a basic education as “the minimum levels of literacy, numeracy and essential life skills necessary to do more work than menial work in a complex society.” “Everyone in South Africa has a right to education and this right is justiciable” (Pendlebury, Lake & Smith, 2008). This right imposes positive duties and obligations on the State and this study shall adopt the classification of this right to education as a socio-economic right. “The socio-economic rights of children are phrased as basic rights that are free from the limitations of “progressive realisation”” and “... the availability of resources” (Dutschke, 2006, p. 1). Thus, the Constitution makes the right to a basic education immediately realisable.

In the Northern Gauteng High Court judgement in the Limpopo textbook case has been handed down by Judge Neil Tuchten. In *Basic Education for All (Befa) and Others v Minister of Basic Education and Others*, the non-delivery of textbooks by the DBE to 39 schools in the Limpopo Province was a violation of learners’ right to ‘a basic education’. Textbooks are essential to all forms of education and it forms an important part of basic education. The judge referred to *Governing Body of the Juma Musjid Primary School and Others v Essay NO and Others*.¹⁸ Here, the court said the following about basic education, as guaranteed by section 29(1) of our Constitution: “Unlike some of the other socio-economic rights, this right is immediately realisable. There is no internal limitation requiring that the right be ‘progressively realised’ within ‘available resources’ subject to ‘reasonable legislative measures’”. According to Murungi (2015), this was the first time that the Constitutional Court considered the content of the right to education in the light of the principle of the “best interests of the child”.

¹⁸ *Governing Body of the Juma Musjid Primary School v Essay* (2011) 8 BCLR 761 (CC) par. 43.

The government can be held accountable, through the courts, for failing to meet its obligations regarding education (Pendlebury et al., 2008). Section 29 of the Constitution of South Africa reads as follows:

- (1) “Everyone has the right –
 - (a) To a basic education, including adult basic education; and
 - (b) To further education, which the state, through reasonable measures, must make progressively available and accessible.

- (2) Everyone has the right to receive education in the official language or languages of their choice in public educational institutions where that education is reasonably practicable. In order to ensure the effective access to, and implementation of, this right, the state must consider all reasonable educational alternatives, including single medium institutions, taking into account -
 - (a) Equality;
 - (b) Practicability; and
 - (c) The need to redress the results of past racially discriminatory laws and practices.

- (3) Everyone has the right to establish and maintain, at their own expense, independent educational institutions that -
 - (a) Do not discriminate on the basis of race;
 - (b) Are registered with the state; and
 - (c) Maintain standards that are not inferior to standards at comparable public educational institutions” (RSA, 1996a).

Section 29 of the South African Constitution (RSA, 1996a) provides a “hybrid” right because it consists of a cluster of education rights. Section 29(1) typifies the socio-economic nature of the right and section 29(2) and 29(3) reflect civil and political rights (Du Plessis et al., 2007; Arendse, 2011).

As mentioned, it is important to differentiate between the “right to education” and the “right to a *basic* education”. The right to education is broader than the right to a basic education. The

right to education refers to a tool that improves the quality of life. Government is required to “protect, respect, promote and fulfil” the right to education.

However, the right to a basic education refers to a person’s basic learning needs, such as problem solving, literacy, expression and numeracy. Van der Merwe (2012) is of the opinion that basic education, in the South African context, could refer to a standard of education that empowers people to break out of the poverty cycle and compete effectively in the labour market. Formal education of the same quality is a human right that is provided by section 29 of the Constitution (Simbo, 2012). Through the ratification of the CRC and as a signatory to the ICESCR, South Africa has committed itself to achieving basic education for its children (Arendse, 2011). Thus, the government is obligated to provide basic education of the same quality to every South African citizen. It also means that basic education must meet a certain level of availability, accessibility, acceptability and adaptability.

Section 29 (1) (a) is a socio-economic right and the government is obligated to make basic education available and accessible to everyone in South Africa. The right to education has been acknowledged as a ‘positive right’ and not merely a ‘negative right’. It is a positive right because “basic education must be provided for every person (Van der Vyver, 2012). Education plays an important role in the fulfilment of socio-economic rights, such as securing employment, access to food, water, access to land, housing and health care services (Arendse, 2011; Van der Merwe, 2012).

Article 1 of the World Declaration on EFA defines basic education as an education that provides:

“Essential learning tools (such as literacy, oral expression, numeracy, and problem solving) and the basic learning content (such as knowledge, skills, value and attitudes) required by human beings to be able to survive, to develop their full capacities, to live and work in dignity, to participate fully in development, to improve the quality of their lives, to make informed decisions, and to continue learning” (United Nations Committee on Economic, Social and Cultural Rights, 1999).¹⁹

It can therefore be concluded that South Africa commits itself to achieving a basic education for its children that is in line with international standards. Section 29 (1) (a) of the Constitution (RSA, 1996a) is also an unqualified right, unlike section 29 (1) (b) that does not place an

¹⁹ General Comment No. 13, 8 December 1999.

absolute obligation on the state to provide further education (RSA, 1996a). Section 29 (1) (a) refers to an education that, in South Africa, equals education to the end of the ninth grade or from the age of seven to 15, depending on what comes first (RSA, 1996b). Berger (2003, p. 638) states: “Whereas the state only has to make further education progressively available and accessible through reasonable measures, no such clause limits the obligation to provide basic education.” Berger (2003) argues that the Court should therefore hold that the government needs to provide better basic education immediately, regardless of its other budgetary concerns. Section 29 (1) (b) of the Constitution (RSA, 1996a) refers to Further Education and Training (FET) (Grades 10 – 12) and is described as post-compulsory education. The responsibility of the Government is to take “reasonable measures to make education progressively available and accessible. Van der Merwe (2012) argues that, according to the Schools Act (RSA, 1996b), school attendance is compulsory from Grade 1 to Grade 9 for all learners:

“Subject to this Act and any applicable provincial law, every parent must cause every learner for whom he or she is responsible to attend a school from the first school day of the year in which such learner reaches the age of seven years until the last school day of the year in which such learner reaches the age of fifteen years or the ninth grade, whichever occurs first” (RSA, 1996b, s.3).

The DBE, however, is responsible for education from Grade R (age 6) to Grade 12 (DBE, 2011). Thus, the Constitution does not define a basic education and there is no South African court or legislative document, such as the SASA (RSA, 1996b) or the NEPA (RSA, 1996c), that defines “a basic education”. Furthermore, the Schools Act does not even mention the word “basic education” (RSA, 1996b). On the other hand, the World Declaration on EFA²⁰ does define the term and states that it refers to basic learning needs (Simbo, 2012).

The rights of children are listed in section 28 of the Constitution. Section 28 (2) creates a right for the child to have his or her best interests given the fullest possible effect. This right will be discussed in more detail in Chapter 3.

²⁰ World Declaration on Education for All and Framework for Action to Meet Basic Learning Needs. Adopted by the World Conference on Education for All Meeting Basic Learning Needs Jomtien, Thailand (1990).

2.2.9 WHITE PAPER ON EDUCATION AND TRAINING, 1995

The Department of Education notes the following in regard to the White Paper on Education and Training:

“Basic education is a flexible principle which must be defined so as to meet the ‘learning needs appropriate to the age and experience of the learner, whether child, youth or adult” (DoE, 1995, par. 14).

The White Paper on Education and Training states:

“Appropriately designed education programmes to the level of the proposed General Education Certificate (GEC) (one year reception class plus 9 years of schooling), whether offered in school to children, or through other forms of delivery to young people and adults, would adequately define basic education for purposes of the constitutional requirement” (DoE, 1995, par. 15).

Basic education refers to knowledge, competencies, values and motivation that are necessary in order for people to become fully literate. Therefore it can be said that basic education is the foundation of lifelong learning.

2.2.10 THE NATIONAL EDUCATION POLICY ACT, 1996

“The National Education Policy Act 27 of 1996 was enacted to pave the way for bringing the country’s education policy in line with these constitutional decrees” (Van der Vyver, 2012, p. 330).

Section 4 (a) (ii) states:

The advancement and protection of the fundamental rights of every person guaranteed in terms of chapter 3 of the Constitution, and in terms of international conventions ratified by the parliament, and in particular the right to:

(ii) “...every person to basic education and equal access to education institutions.”

2.2.11 THE SOUTH AFRICAN SCHOOLS ACT, 1996

South Africa was organised into nine provinces after the 1994 democratic elections and from 1994 the democratic government of South Africa consolidated the fragmented school system into one department called the National Department of Education (NDE) (Simbo, 2012). Each of the nine provinces had its own Department of Education. It must be noted that the Department of Education changed to the DBE and the Department of Higher Education and Training (DHET) in 2009 (DoE, 2010). The two departments catered for different age groups. The DBE catered for Grade R – 12; the DHET catered for Further Education Training, Adult Educational Training and Universities.

The South African Schools Act 84 of 1996 (the Schools Act) was enacted to implement the constitutional principles pertaining to education (Van der Vyver, 2010). The Schools Act abolished the previous racially-based education system in South Africa. Section 3 of the Act states that the MEC of a Province is responsible for education in that specific province and must ensure that there are enough schools. The Schools Act embraces the constitutional rights to equal access. In terms of section 3 of the South African Schools Act 84 of 1996, school attendance is compulsory for every learner from the first school day of the year in which such a learner reaches the age of seven until the last school day in which such a learner reaches the age of fifteen or the ninth grade, whichever occurs first. Van der Merwe (2012) points out that the DBE has to clarify what it regards as a *basic education*, because the DBE is responsible for education from Grade R to Grade 12, but in terms of the South African Schools Act, schooling is only compulsory from the age of 7 to 15 or Grade 9. Van der Merwe (2012) asks the question: Do Grade R and Grades 10 to 12 constitute “a basic education?”

2.2.12 CHILDREN’S ACT, 2005

Our Constitution mirrors international and regional legal instruments. Section 6 (2) (a) of the Children’s Act states:

“...all proceedings, actions or decisions in a matter concerning a child must respect, promote and fulfil the child’s rights set out in the Bill of Rights” (RSA, 2005).

Section 9 of the Children’s Act provides that, in all matters concerning the care, protection and well-being of a child, the standard that the child’s best interest is of paramount importance must be applied (RSA, 2005). The right provides that whatever the school is doing, it must take the “best interests of the child” into consideration. When the conduct is not in the “best interests of the child” or contravenes any other of the rights afforded to the child in the Constitution, which is the supreme law of the Republic, such conduct is inconsistent with the principles of the Constitution²¹ and thus invalid to the extent of its inconsistency.

2.2.13 ACCEPTABLE EDUCATION

Pendlebury, Lake and Smith (2008) illustrate the rights to education, the rights in education and the rights through education protected in the Constitution:

Rights to education	Rights in education	Rights through education
<ul style="list-style-type: none"> Everyone has the right to a basic education (s: 29(1)(a)) 	<ul style="list-style-type: none"> Everyone has the right to dignity (s: 10) Everyone has the right to equality (s: 9) Everyone has the right to an environment that is not harmful to health (s: 24) Children have the right to protection from abuse and neglect (s: 28(a) (d)) Children have the right to basic nutrition (s: 28(1)(c)) 	<ul style="list-style-type: none"> The right to equality and dignity (s: 9 & 10) The right to further education (s: 29) The right to information (s: 32) The right to health care and social security (s: 27)

Source: Pendlebury, Lake and Smith, (2008)

According to Wilson (2003) the terms *acceptable* and *adaptable* refer to rights *in* education. Rights *in* education are primarily civil and political rights (Tomasevski, 2009). That being said, the right in education imposes a duty on the state to provide *acceptable* education, in order for the right to be enjoyed and fulfilled (Malherbe, 2008).

²¹ 1996a, s: 2 and 172.

Existing literature has shown that there is a crisis in the educational sector (Berger, 2003; Jansen, 2012; Mukeredzi, 2013; Nkambule et al., 2011; Spaul, 2013b; Surty, 2011). Berger (2003) mentions that although the Constitution provides for both basic and further education, section 29 does not clarify the quality of education that the state must provide. Berger (2003, p. 625) continues by asking the following question: “Does Section 29 promises merely a place to go to school, or does it provide for an “adequate” education?” Berger (2003) argues that despite the Constitution’s progressive values, many South African schools remain inadequate. The author argues that the current educational system is unconstitutional as applied to the worst schools.

2.2.14 DOES THE RIGHT TO A BASIC EDUCATION IMPLY ACCEPTABLE EDUCATION?

The Constitution promises to provide a basic education *immediately* and further education *gradually*, but fails to answer to the understanding of adequate or acceptable education to all (RSA, 1996a). Therefore, we need to define what is meant by basic education (Seleoane, 2002; Simbo 2012; McConnachie & McConnachie, 2012). In many of the international instruments, basic education is associated with reaching a specific standard or set of outcomes (Seleoane, 2002). Simbo (2012, p. 164) asks the question: “Why define the term basic education?” The author argues that the lack of a concrete and precise definition of basic education means that no one knows what exactly the term means in South Africa. The lack of a nationally accepted definition of section 29(1) (a) makes it difficult for the DBE to assess the quality of education delivered in South Africa (Simbo, 2012). Simbo (2012) states that basic education points to the quality education that has to be given to all learners and not merely the provision of schools by the government. Simbo (2012) suggests that there is a need for a Basic Education Act in South Africa and that the Act should define the term basic education and its objectives. The author states that policies are objectives that an organisation or government sets itself to achieve over a period of time, whilst laws are the standard rules and regulations that are compulsory and are to be followed by all the people of the country. Simbo (2012, p. 181) also argues that policies do not have the same legal force as the law.

“The difference between laws and policies mean that a Basic Education Act will bind the South African government as well as other bodies that might endeavour to offer basic education to South Africans ... whereas a certain policy binds either the government or

the body that chooses to be bound by it, but unlike law it does not bind everyone in the country.”

South African education also needs to set minimum standards for schools, in order to provide acceptable education. The author suggests that such an approach will ensure that children everywhere in South Africa will acquire the same basic education with the same intended outcomes. Similarly, Van der Vyver (2012) argues that the state must provide basic education to everyone and that it must ensure that it provides an equal educational standard in every region of the country. The author states that the facilities must be available to every community in the nation and that the state must see to it immediately. Van der Vyver (2012) is of the opinion that the public education system in South Africa has failed dismally.

McConnachie and McConnachie (2012, p. 566) address the simple question: “Does the s 29(1) (a) right to basic education in our Constitution afford a right to adequate school facilities?” The authors argue that Nkabinde J (Judgement in *Governing Body of the Juma Musjid Primary School & others v Essay NO & Others*) confirmed that the right to basic education is an unqualified right and that it is distinct from other socio-economic rights:

“Unlike some of the other socio-economic rights, this right is immediately realisable. There is no internal limitation requiring that the right be “progressively realised” within “available resources” subject to “reasonable legislative measures.”²²

The eviction order (a process of closing the school) had a huge impact on every learner’s right to a basic education (Section 29(1) of the Constitution) and on the best interests of the child (Section 28 of the Constitution). The right to basic education is immediately realisable. McConnachie and McConnachie (2012, p. 566) argue that Nkabinde J and the court expect more from this right: “If the right were interpreted as a mere entitlement to a place in a school for a defined period then it would have little or nothing to say about the inadequacy of that schooling.” The authors point out that the interpretation of the right to a basic education is further reinforced by the distinction between ‘primary education’ and ‘basic education’ in international law.²³ According to the authors the 1990 World Declaration on EFA was instrumental in introducing the principle of ‘basic education’ into international human rights

²² See note 19

²³ Section 39(1) (b) of the Constitution provides that when interpreting the Bill of Rights, a court, tribunal or forum ... must consider international law’. This requirement applies to both binding and non-binding international law.

discourse. The authors conclude that the essential difference between these principles is that ‘primary education’ is defined as a period of compulsory schooling while ‘basic education’ refers to an education with substantive content and includes ‘adult basic education’. Therefore ‘primary education’ and a ‘basic education’ are interrelated principles but they are not synonymous. McConnachie and McConnachie (2012, p. 567) state: “...s 29(1)(a) right is more than just a right to a period of schooling and that a basic education is an education capable of satisfying an individual’s basic learning needs” The authors explore some of the possibilities and challenges involved in judicial enforcement of the unqualified right to adequate facilities. McConnachie and McConnachie (2012) point out that this requires adequate school facilities. Therefore this unqualified right to a basic education and adequate school facilities requires courts to give content to the right.

Skelton (2013) investigated the role of the courts in ensuring the right to a basic education in a democratic South Africa. The author evaluated recent case law developments regarding delivery of the right to a basic education. The author used the “4-A’s Framework” as a framework for her analysis and concluded that there are problems in the delivery of basic education in South Africa in relation to each of the four interrelated features: availability, accessibility, acceptability and adaptability. Skelton (2013) concluded that the government’s performance is inadequate in a number of cases and points to another important “A” word: accountability.

Learners from rural areas must have equal opportunities to acceptable education (Christie, 2010b; Du Plessis et al., 2007; Dugger, 2007; Lake and Pendlebury, 2008; Malherbe, 2004; Okedu & Nevonde, 2014). Malherbe (2004) argues that the right requires that the state provide education of an ‘adequate’ standard, in order to fulfil its duty. Malherbe (2004) points out that despite the constitutional framework being in place, there is still a long way to go before education opportunities will have been created that enable learners with different backgrounds, needs, abilities and preferences, to achieve their potential within the complexities of modern society. Malherbe (2004) argues that there must be a balance between the constitutional values of dignity, equality and freedom. The author refers to *Brown v Board*²⁴ and points out that *that* is what democracy in South Africa should be about. Malherbe (2008, p. 274-275) clarifies the meaning of “adequate” education:

²⁴ *Brown v Board of Education* 347 US 483 (1954) 493 a landmark court decision against segregation in education in the United States of America.

“In the South African context ‘adequate’ education could refer to a standard of education that empowers people to rise above the poverty cycle and compete effectively in the labour market, enables people to understand and enjoy their newly acquired democratic values, rights and freedoms, encourages people to participate in and protect the fledgling democratic system, and enhances their dignity and feelings of self-worth as human beings.”

Similarly, Dugger (2007) points out that with regard to the right to education, the State is under constitutional obligation to provide for this right unconditionally, regardless of any challenges. Are rural children being denied their basic right to adequate and acceptable education? A further significant factor in this argument is proposed by Du Plessis, Conley and Looek (2007), who state that education is necessary for the enjoyment of the rights and freedoms provided in the Constitution and where policies do not facilitate full enjoyment, they must be revised. Du Plessis et al. (2007, p. 198) ask the question: “Is it in the best interests of the child if there are still many corrupt practices in the public school sector?” The authors set out the constitutional framework in South Africa with regard to the right to education and probe the extent to which provincial school acts and regulations provide a general right to education. Du Plessis et al. (2007, p. 207) concluded that we are caught up in the globalisation of rights and as the “rights culture” continues to manifest itself, teachers will find themselves drawn into education law so that they can act in the best interest of the child. “There are still too many corrupt practices in public schools as well as other irregular practices that make the right to education problematic” (Du Plessis et al., 2007, p. 207). The authors recommend that where policies do not facilitate full enjoyment they must be revised and that international law and treaties can provide guidance in this regard. Similarly, Lake and Pendlebury (2008, p. 23) state: “Children’s rights to basic education will only be realised when government meets the educational needs of all children in South Africa.” In addition, Christie (2010b) argues that education is a central socio-economic right, but that the right to education does not mean the same education for all and does not deliver what is promised. Regrettably, it means the right to education one can afford to pay for (Christie, 2010b).

The majority of learners from rural schools do not have access to quality basic education (Letseka, 2014; Odeku & Nevondwe, 2014; Van der Merwe, 2012). The 2013 ANA results point to the fact that the majority of learners in South Africa (specifically in rural areas) do not possess the literacy and numeracy skills of a child who has acquired a basic education. “The assessment has again highlighted the perennial challenges that face the larger and more rural

provinces, like Limpopo, Eastern Cape and KwaZulu-Natal” (DBE, 2013b, p. 82). Van der Merwe (2012) describes the meaning of basic education as seen by different countries across the world and tries to establish a benchmark for basic education. Van der Merwe (2012) states that Government is failing our children, but points out that parents, being crucial partners, must take ownership of their children’s education.

What needs to be done to improve the academic performance of under-performing rural schools? Odeku and Nevondwe (2014) look at the context and interpretation of the right to basic education, as entrenched in the South African Constitution, and the authors consider whether or not this right is being realised. The authors argue that the right to education should have brought about good education service delivery to the people, but that this is not the case, as basic education in South Africa still faces major challenges, which is evident in the recent Limpopo textbook saga and the lack of sanitation at schools in the Limpopo province. The authors indicate that some of the factors hampering the delivery and realisation of a basic education post 1994 are: the lack of teaching materials, the lack of accountability by officers at the DBE, dysfunctional governing bodies, poverty and illiteracy of parents. Odeku and Nevondwe (2014) conclude that, when compared to other African countries, South Africa has a good legislative framework and policies on basic education, but that there are great challenges with the enforcement and implementation of the right. The realisation of the right to standard basic education in South Africa is still far from being achieved. Odeku and Nevondwe (2014) recommend that for equal access to quality and high standard education, education should be considered as a unique socio-economic right and that the state should make it free at all levels.

In addition, Letseka (2014) appeals for the re-design and re-engineering of the DBE, in order for quality education to be delivered to the majority of previously disadvantaged African people. Letseka (2014) argues that dysfunctional schools impact negatively on the right to education. Letseka (2014) points out that research done from 1998 - 2002 on education in South Africa shows that “learners’ scores are far below what is expected at all levels of the schooling system, both in relation to other countries (including other developing countries) and in relation to the expectation of the South African curriculum” (Taylor, Muller & Vinjevold, 2003, p. 14). Letseka (2014) highlights that in both, international assessments (SACMEQ, PIRLS and TIMMS) and national assessments (ANA) all point to the predicament of extremely low primary education achievement levels. Letseka (2014) discusses the report titled *National School Monitoring Survey* (DBE, 2012). The survey considered factors that influence education quality and notes that coverage of the curriculum is uneven across schools. Letseka (2014) also refers to

research done by the HSRC (Chisholm et al., 2005; Makola, 2005) with regard to teaching time, textbooks, school libraries and school management documents. Letsaka (2014) concludes that schools cannot function well when their essential support structure is inadequate. Jansen (2003, p. 91) states: “The task of collapsing 19 education departments into a single, national department of education with nine different provincial departments was completely underestimated”. Similarly, Letseka (2014, p. 4867) states that the education system performs badly and needs to be redesigned, “... but what the Department lacks is the capacity to implement the recommendations of this body of research.” Letseka (2014) therefore suggests that a streamlined structure would not only deliver the education mandate, but would also be more accountable for its shortcomings.

South African education needs constitutional control of education rights (Joubert, 2012). Joubert (2012) gives examples of violation of education rights in South Africa and details the need for judicial enforcement of education rights. Examples of unconstitutional behaviour by education authorities include non-delivery of textbooks in the Limpopo Province and unlawful interference in school management and governance and I refer to *National Teachers Union v Department of Education and Culture KwaZulu-Natal and Others* (LD110/06)[2006]. Joubert (2012) gives examples of where the judiciary had to prevent education officials from acting unlawfully when misusing their powers: *Middelburg Laerskool en die Skoolbeheerliggaam van Middelburg Laerskool v Hoof van Departement, Departement van Onderwys, Mpumalanga*.²⁵ Joubert (2012) points out that the effect of this decision was that the “best interests of the children” was considered only from the point of view of the 26 learners that desired English education in an Afrikaans single medium school. The English speaking learners were admitted to the school. The court did not give reasons or consider the “long term best interests” of the children whose minority language, Afrikaans, is threatened. Another example of where the “best interests of the child” principle was applicable to education is in the court case, *Governing*

²⁵ *Middelburg Laerskool en die Skoolbeheerliggaam van Middelburg Laerskool v Hoof van Departement, Departement van Onderwys, Mpumalanga* 2003 (4) SA 160 (T). In November 2001, Laerskool Middelburg was the only public school in the Middelburg area (Mpumalanga) with Afrikaans as the exclusive teaching medium in terms of its valid language policy. It was instructed by the MEC of the Mpumalanga Department of Education to enrol 26 learners who wished to attend the school from 2002 and who wished to be taught in English. The school refused to comply as the school’s medium of instruction was Afrikaans. In January 2002 the Department acted unlawfully and the school’s power to admit learners was withdrawn. The learners were enrolled at the school. Judge Bertelsmann found that the actions of the Mpumalanga Education Department were in contravention of the SASA, however the fact that nine months had elapsed from the time of admission of the learners to the time the matter was taken to court, it was argued that the best interest of the child is of paramount importance and that the learners should stay at the school.

*Body of Mikro Primary School and Another v Western Cape Minister of Education and Others*²⁶. According to Joubert (2012), it was concluded that a school governing body has the sole authority to determine a school's language policy and that no official or politician is therefore able to instruct schools regarding their language policy. The English speaking learners were not admitted into the school. Joubert (2012) concludes by stating that education law in South Africa is always mixed with clashing views on transformation in education. Another example refers to the automatic exclusion of a learner from school, due to pregnancy, *Head of Department: Department of Education, Free State Province v Welkom High School and Others* (CCT 103/12) [2013]. The above-examples of relevant court cases indicate how section 28(2) of the Constitution creates a right for a child to have his or her best interests given the fullest possible effect, but that they can have clashing views on transformation.

Education operates as a multiplier; it is associated with stable employment, better income, job satisfaction and better health (Hlalele, 2012; Howe & Covell, 2013; Spreen & Vally, 2006). Hlalele (2012) worked from a distributive social justice paradigm when pointing out that there is a need for proper distribution of social benefits by members of society. Hlalele (2012) points out that rural people view quality education as essential to an effective rural economic development strategy, because good schools produce a quality local workforce that, in turn, builds upon already-present community capital.

Spreen and Vally (2006) explore education policy changes in South Africa through a rights-based framework and question the human rights in education. In their work, the authors argue for *collective human rights*, as opposed to the *liberal conception of rights*. According to the authors, liberal conception of rights is based on the notion that: those who succeed in society do so because of their own individual attributes; those who fail do so because of their deficits and weaknesses. Spreen and Vally (2006) argue that collective human rights better illuminates the structural and contextual conditions of poverty and inequality that remain in South Africa. They (Spreen & Vally 2006, p. 354) describe how education acts as a multiplier: where the right to education is guaranteed, it enhances enjoyment of all individual rights and freedoms; but on

²⁶ *Western Cape Minister of Education v The Governing Body of Mikro Primary School* 2005 (3) SA 436 (SCA). This case involved an Afrikaans-medium public school, whose governing body refused to change the school's language policy and, convert the Afrikaans-medium school to a parallel-medium school. Judge Thring decided that it would be in the best interests of the 21 English speaking children to move them to another suitable school. Section 29(2) indicates that everyone has a right to be educated in an official language of his or her choice at a public school, in general, to be provided by the State, if reasonably practicable, but not the right to be so instructed at each and every public educational institution.

the other hand, where the right is denied, it deprives people of this enjoyment. Spreen and Vally (2006, p. 361) warn that: "... one cannot rely solely on the Constitution, policies and laws to ensure equitable outcomes", as if this right to education exists for everyone. The authors argue that people's rights on paper do not translate into rights on the ground. The authors suggest that community engagement and participation are important aspects of holding to the government accountable for meeting basic human rights.

2.2.15 THE MINIMUM UNIFORM NORMS AND STANDARDS FOR PUBLIC SCHOOL INFRASTRUCTURE

Although the Constitution promises the right to "a basic education", it does not mention a specific standard of education. In terms of section 5A of the Schools Act (RSA, 1996b), the Minister "may" prescribe national minimum uniform norms and standards for school infrastructure. The Regulations Relating to Minimum Uniform Norms and Standards (DBE, 2013a) address the following: sufficient classrooms with furniture, electricity, running water, hygienic sanitation facilities; a library; laboratories for Science, Technology, Mathematics and Life Sciences; sport and recreational facilities; electronic connectivity at school; and perimeter security. Policies must include minimum standards that ensure that the best interests of the child are being promoted. They must serve as a benchmark for monitoring immediate implementation of these minimum standards, especially in rural schools.

Section 5A of the Schools Act (RSA, 1996b) was enacted through the Education Laws Amendment Act 31 of 2007 and came into effect on 31 December 2007. The Regulations on Minimum Uniform Norms was published in November 2013 in the Government Gazette (DBE, 2013a) and "... will be phased in over a period of 10 years but before 31 December 2030", "... as far as reasonably practicable" and "... is subject to the resources available and co-operation of other government agencies". According to Joubert (2014), the many provisions will make the regulations difficult to interpret and enforce. Joubert (2014) also suggests that the regulation contains many loop holes which may explain non-performance in terms of norms and standards.

As mentioned earlier, "adequate and acceptable education" will ensure that all learners have an equal opportunity to receive a high quality education that will prepare them to reach their full educational potential. Malherbe (2008, p. 274) cited in an article: "In the South African context, "adequate" education could refer to a standard of education that empowers people to rise above

the poverty cycle and compete effectively in the labour market, enables people to understand and enjoy their newly acquired democratic values, rights and freedoms...”

2.2.16 QUALIFICATIONS OF EDUCATORS

Together with the Regulations Relating to Minimum Uniform Norms and Standards for Public Schools (2013b), “acceptable and adequate” education may also imply providing skilled educators, effective school leaders, a safe and healthy school environment, reliable school transport, and adequate performance in external examinations that will serve the best interests of the child. Section27 is a non-governmental organisation that protects, promote and advance human rights, and according to a report from Section27 (n.d.), the Minimum Norms and Standards provision in the Schools Act is necessary and will establish legal standards which the DBE may be measured on, in order to ascertain whether or not these departments discharged their constitutional obligations.

Qualified and quality educators are necessary for delivery of effective education (Bertram, Mthiyane & Mukeredzi, 2013; Mukeredzi, 2013; Spaul, 2013b). Bertram et al. (2013) focus on teacher qualifications and the importance of giving unqualified teachers the opportunity to become professionally qualified through a flexibly delivered programme. Mukeredzi (2013) focuses on professionally unqualified practicing teachers (PUPTs) and how they developed their teaching roles in rural South Africa and Zimbabwe. It was found that supportive cultures shape professional development and is influenced directly by school management. Mentor training and positive teacher-parent relations are vital for PUPTs.

2.2.17 ACCOUNTABILITY IN EDUCATION

In South Africa, there is a perception that government is not held accountable for how it uses public resources and that the lack of accountability and service delivery is especially acute in the basic education sector (Spaul, 2013c; Van der Berg et al., 2011). Literature demonstrates that internal assessment practices and accountability for learner outcomes in many South African schools are weak (Lam, Ardington & Leibbrandt, 2010; Van der Berg & Shepherd, 2010; Van der Berg et al., 2011). Spaul (2013c) reviews of the international literature on accountability and then focuses on one particular capacity constraint, as an illustrative example:

– low Mathematics teacher content knowledge. Spaul (2013b, p. 27) states, “Teachers cannot teach what they do not know.” Spaul (2013c) points to the “new accountability’ movement” in education literature.

The key insight of the new accountability movement is that capacity (teachers’ content knowledge) precedes accountability. After explaining the two important problems identified in literature (accountability without capacity, and capacity without capability), Spaul (2013c) then focuses on what needs to be done in South Africa to improve accountability. The author defines accountability as the state of being answerable for something to someone. “It refers to having to account for one’s outcomes or performance and to accept responsibility for those outcomes ... it also implies that there are consequences for non-performance” (Spaul, 2013c, p. 52). Spaul (2013c) states that the South African schooling system is characterised by high rates of teacher absenteeism, low rates of curriculum coverage and an exceedingly weak correlation between increased expenditure and improved education outcomes. The author argues that these low levels of accountability reveal a lack of bureaucratic accountability, as well as a lack of professional accountability among teachers.

Spaul (2013c) outlines two dead-end possibilities to increase teacher performance: increasing accountability without increasing support; and increasing support without increasing accountability. The author states that both these scenarios will fail to improve performance. Spaul (2013c) is of the opinion that only when schools have both the incentive to respond to an accountability system and the capacity to do so, will there be an improvement in student outcomes. Spaul (2013c) states that, when faced with limited resources, prioritisation is inevitable. In conclusion, the findings of the study suggest, that the lack of accountability for student learning outcomes in South Africa is one of the major impediments to quality education for the poor and that the sub-standard education offered to the poor will not expand their economic opportunities.

As mentioned in the statement of the problem, rural schools in South Africa, and specifically in KZN, are dysfunctional and unable to equip learners with the necessary skills. Context specific needs have been neglected with regards to the implementation of legislation in rural schools. “How can the particular needs of rural communities and their learners be met with the overall state policy of a single education system” (Gardiner, 2008, p. 7). Gardiner (2008) are of the opinion that the present education policy tends to treat all schools as being the same and that the same outcomes are expected from schools that operate under very different circumstances.

It may be concluded that insufficient consideration has been given to the contextual realities in South African schools, particularly in rural areas. Legislation offers the right to basic education, but in the absence of a clear definition of what “a basic education” is and in the absence of clear minimum norms and standards for schools, many of the state’s constitutional obligations remain unclear.

2.3 THEME 2: RURAL EDUCATION

“... the raising of achievement levels and of average student achievement is in the interests of moving the economy forward ... putting into place measurements to increase skills and to reduce the achievement gap is in the best interests not only of the child but also the economy” (Howe & Covell, 2013, p. 204).

South Africa’s first years of democracy were marked by commitment to equality, in other words, to treat everyone in the same way, no matter their differences. Thus rural schools have been funded and managed on the same principals as urban schools. After twenty years of democracy, South Africa’s education system shows some improvement, such as: improved access to education; improved learner-educator ratios; the establishment of democratically elected governing bodies; and better distribution of resources. However, the DBE is well aware that it is not succeeding in providing quality education to all school children, especially those attending rural schools (Bloch, 2009; Fleisch, 2008; DoE, 2015b).

Approximately 80 per cent, of the population in the uThungulu District of KZN, live in rural areas (RSA Department of Cooperative Governance and Traditional Affairs, 2011). Rural schools are less fortunate than urban schools, because they are geographically and culturally isolated due to their locations. The term “rural” is derived from the Latin word *ruralis*, which means countryside or open land. There are multiple definitions of “rural”, but there is a lack of a *consistent* definition of “rural”, given that there are so many demographic factors to consider. (Hlalaele, 2011; Khau, 2012; Mahlomaholo, 2012; Mukeredzi, 2013).

According to the Rural Development Framework (Department of Land Affairs, 1997), historical complexities and cultural perceptions cannot easily be simplified into a definition that suits all purposes. The HSRC (2005) defines rural as TA land composed of community-owned portions and commercial farms in former White areas of South Africa as well as the former “homeland”

areas. According to Gabela (2006) and Msila (2010), the definition of 'rural', in the context of South Africa, presents a conceptual challenge, because of the multi-faceted, multi-layered and complex nature of rural South Africa. Mahlomaholo (2012, p. 103) asserts: "Depending on one's perspective, it seems that rural can represent a space of deprivation and exclusion, while, for others, it could be understood as a place full of untapped potential waiting to be explored and exploited."

2.3.1 BRIEF HISTORIC OVERVIEW OF THE DEVELOPMENT OF RURAL AREAS

Racial policies such as The Land Act (RSA, 1913)²⁷, the Group Areas' Act (RSA, 1950) and the Separate Development Act (RSA, 1953b) under the former *apartheid* system, insisted that native Black South Africans had to live in "homeland areas". The Bantu Authority Act (RSA, 1951) came into effect in 1951 and tribal authorities were set up. Positions were given to chiefs and headmen, who were responsible for allocating land. The keystone of apartheid legislation was the Promotion of Bantu Self Government Act that was passed in 1959 (RSA, 1959). Blacks were given a mandate to establish their own governments and rural development emerged. This had a negative impact on education within the Black communities. The following homeland governments were established: Bophuthatswana, Gazankulu, Ciskei, KZN, Lebowa, Qwaqwa, Transkei and Venda (RSA, 1959). Bantu education was controlled by the central government (RSA, 1953a). Rural occupation in South Africa is directly linked to apartheid and the colonial policies of dispossession, with more than 1.3 million households engaging in subsistence or small-scale farming. Furthermore, educational inequality was also evident in the funding of schools and ensured differences in access to higher education (Department of Education, 2005b). During the apartheid years, many areas in South Africa were defined as rural, but were in reality urban areas that did not receive services (Department of Land Affairs, 1997).

Provinces such as the Eastern Cape, Limpopo and KZN were most affected by apartheid, as they are predominantly rural areas (Kallaway, 2002). Inequalities in the provision of education and training between urban and rural increased.

²⁷ Also known as the Bantu Land Act of 1913 and the Black Land Act of 1913.

2.3.2 CLASSIFICATION OF MUNICIPALITIES

According to the South African Urban Agenda Municipal Infrastructure Finance Synthesis Report (World Bank, 2009, p. 10), municipalities can be classified as follows:

TABLE 2.1: CLASSIFICATION OF MUNICIPALITIES

CLASS	CHARACTERISTICS
Metro	Category A municipalities
Secondary cities (B1)	All local municipalities are referred to as secondary cities
Large Towns (B2)	All local municipalities with an urban core – large urban dwelling population
Small Towns (B3)	They are characterised by no large town as a core urban settlement. Typically these municipalities have a relatively small population, a significant proportion of which is urban and based in one or more small towns. Rural areas in this category are characterized by the presence of commercial farms, as these local communities are largely agricultural based. The existence of such important rural areas and agriculture sector explains its inclusion in the analysis of rural municipalities.
Mostly rural (B4)	These are characterized by the presence of at most one or two small towns in the area, communal land and tenure, villages or scattered groups of dwellings, and are typically located in former homelands.
Districts (C1)	District municipalities that are not water service providers.
Districts (C2)	District municipalities that are water service providers.

Source: Adapted from World Bank, (2009)

Rural municipalities are those classified as B3 (small towns) and B4 (mostly rural) municipalities. The geographic location of B3 and B4 municipalities largely corresponds with the definition of rural areas (Department of Land Affairs, 1997, Introduction) i.e. “...the sparsely populated areas in which people farm or depend on natural resources including the villages and small towns that are dispersed through these areas”. Rurality is therefore often associated with

isolated space, poverty, limited resources, and a high illiteracy rate, and they are poorly developed. According to Wedekind (2005), these areas are generally characterised either by dense or sparsely populated village-style settlements.

The biggest challenge that rural schools in South Africa face is to find a way to provide high quality education. Rural education in South Africa is described as one of inequalities (HSRC, 2005). This study gave voice to rural communities and their aspirations for improvement in rural schooling. The report points out that although integrated rural development policies are planned, rural learners are not accessing quality education (Gardiner, 2008).

2.3.3 THE DEVELOPMENT OF RURAL EDUCATION

The vast majority of poor rural learners receive an inferior quality education (Spaull, 2011). The *Ministerial Committee on Rural Education* (MCRE) was formally established by Government Gazette in March 2004 (MCRE, 2005). The committee developed a report that includes recommendations for rural schooling that will promote quality education for all learners in rural areas (DoE 2005b). The committee adopted the definition of 'rural' used by Statistics South Africa (StatsSA) in the 2001 Census. In order to capture the diversity of rural locations, the committee suggests further refinements be made to the StatsSA definition, as follows:

- “Distance to towns;
- Topography (the condition of bridges and roads to schools);
- Settlement patterns (dense/isolated homesteads/villages);
- Access to communications and information technologies (telephones, radio, television, computers);
- Transport infrastructure (roads, buses, taxis);
- Access to services and facilities (electricity, water, sanitation);
- The health, education and economic status of the community;
- Access to lifelong learning opportunities;
- Social conditions in the community;
- Activities of political, cultural and civil society organisations” (Report of the MCRE, 2005).

Another report on rural education was produced by the MCRE: – *A New Vision for Rural Schooling* in 2005. This report focuses on the urgent need for redress in rural schooling (Rural Education Newsletter, 2009). In the report, it is noted that the committee found wide support for the view that allows for state provision of rural schooling to be resourced and organised differently from urban schools: “Rural education and farm schools in particular are special cases warranting special policy attention” (MCRE, 2005, p. 12).

A New Vision for Rural Schooling resulted in the establishment of a Rural Education Directorate within the Department of Education in 2007 (Rural Education Newsletter, 2009). The Rural Education Directorate developed an *Implementation Plan for Rural Education* in 2007 and took into consideration the recommendations in both reports: Report of the MCRE; and Emerging Voices (Rural Education Newsletter, 2009). A second draft of the *Implementation Plan for Rural Education*, called *A National Framework for Quality Education in Rural Areas*, was formulated (Rural Education Newsletter, 2009). The report focuses on five key areas: improving quality of teaching and learning in rural and farm schools; attracting and retaining learners at rural schools; planning, restructuring and improving infrastructure at rural and farm schools; promoting advocacy and sustainable partnerships; and building effective school governance and management of rural and farm schools” (Rural Education Directorate of the Department of Education, 2009:3).

International literature states that relatively little research has been done on rural education (Barley, 2009; Eppley, 2009; Hardre, Sullivan & Crowson, 2009; Hellwege, O’Connor, Kunz & Sheridan, 2013). Similarly, rurality and rural education has not been adequately researched in South-Africa (Nkambule et al., 2011; Moletsane, 2012).

There were 25 826 public²⁸ and independent schools in South Africa in 2012, of which 13 192 are rural schools (RSA, 2013). “This accounts for half of the ordinary schools in the country and caters for around 30% of learners.” (RSA, 2013, p. 1). Rural education in South Africa is associated with unique challenges, such as poorly trained educators, few incentives and limited resources. Despite the efforts of stakeholders, rural people and rural education still lag far behind their urban counterparts. Recruitment and retention of educators in rural areas are two major challenges in rural education. Teachers may be unwilling to move to rural areas, because of poor working conditions, limited social and cultural opportunities, and poor salaries (Arnold et

²⁸ A public school may be an ordinary public school or a public school for learners with special education needs.

al., 2005; Mahlomaholo, 2012; Mollenkopf, 2009; Mukeredzi, 2013; Pennefather, 2011). Even when teachers are willing to work in rural areas, working conditions are likely to make them reluctant to stay for the long term (Mollenkopf, 2009). Hlalele (2012) is of the opinion that the key features of a rural profile in South Africa includes: long distances to towns; the poor condition of bridges and roads to schools; limited access to information; a lack of services such as running water, electricity, sanitation, health and educational facilities; low economic status; and little access to lifelong learning opportunities. Hlalele (2012) further notes that: rural communities are characterized by high illiteracy levels: the lack of qualified teachers, multi-grade teaching, unreasonable teacher-learner ratios, irrelevant curricula and competing priorities between accessing education and domestic chores adversely affects the quality of education. Hlalele (2012, p. 115) states: “Many schools in South Africa are situated in rural areas, which put learners at a disadvantage”. Sauvageot and Da Graca (2007) note that hunger, poverty and under-development holds back educational development. These deficiencies affect rural schools.

Another challenge is multi-grade schools.²⁹ Surty (2011) focuses on the strategies that the DBE is following to address the challenges of providing quality education to rural schools, and in particular, to multi-grade schools. Surty (2011) concludes that rural per se is not the problem: human resources and infrastructure are the challenges. Similarly, Toale and Mncube (2012) focus on the experiences of educators in multi-grade teaching in rural schools and conclude that there is no curriculum differentiation between multi-grade and mono-grade classes. Mahlomaholo (2012) asserts that early school leavers is one of the most serious problems in the South African education system and that the problem seems to be worse when learners reside in and attend schools in rural settings.

Rural contexts are diverse and there is a need for context specific solutions (Gardiner, 2008; Hlalele, 2012; Moletsane, 2012; Mahlomaholo, 2012). Mahlomaholo (2012) argues that rural learners do not enjoy the same privileges and resources as their urban counterparts. The author argues further that the educational policies and practices of the curriculum use the urban learner as the norm. Mahlomaholo (2012) argues that rural learners are ignored and he advocates for a rural education policy and curriculum practice, so that a sustainable learning environment can be created for the rural learner. The author concludes that:

²⁹ An educator teaching more than one grade at a time, in one classroom.

“To support rural educators, programmes with a specialisation in rural education could also be offered at faculties of education to empower students as they prepare to teach in rural schools where the needs are different and more specific” (Mahlomaholo, 2012, p.107).

A further significant factor in this argument is proposed by Gardiner (2008) who suggested that the meaning of the terms urban and rural need to be made clear. The author examines various aspects of education in rural areas, such as: the relationship between schools and their communities; the situation of schools in rural areas; questions of curriculum, language and teacher education. The author states that the poorest and least developed South African communities are those located in the former homelands of the Eastern Cape, Limpopo and KZN. Gardiner (2008, p. 29) further argues: “Education policy tends to treat all schools as being the ‘same’ and that the same outcomes are expected from schools that operate under different circumstances.” Similarly, Bryant (2010, p. 54) argues: “... a one-size-fits-all solution does not meet the needs of the ignored and the misunderstood rural schools.” Moletsane (2012, p. 4) adds another dimension when he asks: “What would it mean to study the often marginalised rural context, particularly schools, from the perspectives of those who live, work and learn in them?” The author focuses on the failure of education policies and laws to ensure the attainment of education rights for the majority of South Africans, including rural inhabitants, and recommends context-specific approaches in the provision and promotion of access to education. In addition, Ncube (2013) researched key barriers to secondary school effectiveness in rural Zimbabwe and supports this argument by stating that learner achievement in developing countries cannot be addressed by a one-size-fits-all approach.

In conclusion, South Africa’s rural communities remain disadvantaged compared to their urban counterparts. Many South African schools, and specifically those in KZN, are situated in rural areas. Rural education in South Africa is experiencing many challenges and rural research needs special attention. Furthermore, rural schools in South Africa have been managed and treated the same as urban schools. Poor rural schools are not the same as urban schools and context specific approaches are therefore recommended. Unsurprisingly, twenty years into democracy, rural education and rural schools, specifically in KZN, remain largely in a poor state of affairs: “Making rural schools effective will require high quality management and governance at district and local levels” (Department of Education, 2005b, p. 15).

2.3.4 MANAGING A SCHOOL IN A RURAL SETTING

“South Africa remains a tale of two schools: one which is wealthy, functional and able to educate students, while the other is poor dysfunctional and unable to equip students with the necessary numeracy and literacy skills they should be acquiring in primary schools” (Spaull, 2011).

Quality educators and effective school management is crucial in education. The way in which schools are managed largely determines the quality of education that learners receive. Principals of schools are therefore held responsible for the poor performance of learners. Effective management and leadership are often associated with quality education, therefore good management and leadership skills seem to be an important factor in improving the educational performance of children (Mestry & Singh, 2007; Joubert & Van Rooyen, 2008; Ngcobo & Tikly, 2010; Howe & Covell, 2013; Eacot & Asuga, 2014). Many rural schools in KZN are dysfunctional and unproductive because of poor management and leadership (Joubert & Van Rooyen, 2008; Pretorius, 2014). Providing Principals with the necessary skills and knowledge becomes increasingly important in order to act in the “best interests of the child” and to improve learner outcomes. It is therefore necessary to explore the perceptions of education managers of under-performing rural schools i.e.: *How do education managers in rural schools understand the “best interests of the child” principle?*

2.3.5 SOUTH AFRICA’S TWO SCHOOL SYSTEMS

School effectiveness research (SER) is a well-researched topic, but there is little coverage of ineffective, dysfunctional or low-performing schools in existing literature in South Africa (Pretorius, 2014). What make schools functional or dysfunctional? According to the report “Equality of Educational Opportunity” better known as the Coleman Report of the 1960’s, schools don’t matter: socio-economic status (SES) and the family setting over-ride the influence of the school (Pretorius, 2014). Contrarily, Sammons (2006) was convinced that schools do matter and that a school has a huge influence on a child’s life. A large number of rural schools in South Africa are dysfunctional or ineffective. According to Pretorius (2014, p. 54), dysfunctional schools are characterised by “... unstable management conditions, inappropriate

or lack of leadership, lack of vision, an unhealthy school climate, and culture and low staff and learner morale”.

Spaull (2012) and Spaull (2013) argue that South Africa presents two school systems: dysfunctional schools and functional schools. He argues that many of the dysfunctional schools are situated in townships, whilst functional schools are situated in former White areas. Spaull (2012) illustrates the two systems as follows:

TABLE 2.2: FUNCTIONAL AND DYSFUNCTIONAL SCHOOLS

Dysfunctional schools (75% of schools)	Functional schools (25% of schools)
<ul style="list-style-type: none"> • Weak accountability • Incompetent school management • Lack of a culture of learning; discipline • Inadequate LTSM • Weaker teacher content knowledge • Higher teacher absenteeism (1 month/year) • Slow curriculum coverage; little homework • High repetition & drop-out (Gr 10-12) • Extremely weak learning 	<ul style="list-style-type: none"> • Strong accountability • Good school management • A culture of learning; discipline • Adequate LTSM • Adequate teacher content knowledge • Low teacher absenteeism (2 weeks/year) • Cover the curriculum; weekly homework • Low repetition & drop-out (Gr 10-12) • Adequate learning performance

Source: Spaull, (2012)

Similarly, a report released by the DBE (2012) identified seven factors that influence education quality: curriculum coverage, access to textbooks and workbooks, school libraries, school management documents, school funding, physical infrastructure and the support district offices offer schools. Children in dysfunctional schools are exposed to unqualified- or under-qualified educators and to a lack of resources in these poor schools. Taylor (2008), however, points out that other countries (such as Mozambique, Kenya, Uganda and Tanzania), which are much poorer out-perform South Africa in international examinations. Taylor (2008) argues that schools in neighbouring countries can achieve higher outcomes with fewer resources. Quality

educators are very important, and more so in poor under-resourced schools and poor families (Msila, 2014). Taylor (2008, pp. 10-11) argues that: "... the quality of an education system cannot exceed the quality of its teachers and that the only way to improve this is to improve instruction." Msila (2014) concludes that children in rural areas have ill-prepared teachers and a lack of direction from school management.

It is difficult for quality education to take place in unsafe schools. Singh and Steyn (2013) illuminate safety in rural schools to provide quality education. The authors focussed on: learner aggression and found that learner aggression affects all stakeholders at the school; set out to determine the forms, causes and managing strategies for learner aggression in rural secondary schools. Some researchers argue that learners should learn in their mother tongue; however, Welch (2012) is of the opinion that mother tongue teaching does not solve pedagogical issues. The author argues that the problem with regard to the quality of teaching is teacher knowledge.

"The differences in parental involvement in their children's learning by socio-economic status are well documented" (Howe & Covell, 2013, p. 53). Schools and education systems can make a difference in teacher quality, recruitment, preparation and the retention of effective teachers. It is also well documented that the education levels of parents has been associated with children's school achievement consistently (Howe & Covell, 2013). Msila (2014) explored the challenges faced by many historically disadvantaged schools in South Africa and investigated the reasons why it became so difficult to improve learner achievement. Msila (2014) concludes that we need to focus on strategies that can improve learner achievement, such as enhancing school management, improving teacher education programs and developing poor and under-resourced schools. Msila (2014) and Spaul (2013b) are of the opinion that teacher preparation will have an impact on learner success. "When the teachers are not qualified or competent to teach them, the children in school will suffer ... the poor child would experience the social reproduction of education because education will fail to redeem them from the vicious cycle (Msila, 2014, p. 242). Msila (2014) suggests the reopening of teacher training colleges and is of the opinion that many learners fail tests such as ANA, because the learners are in schools with few resources, and because of no parent involvement, and no firm management structures.

2.3.6 MANAGEMENT, LEADERSHIP AND PROFESSIONAL DEVELOPMENT

Effective leadership and organisational performance is very important for schools to succeed (Bush, Kiggundu & Moorosi, 2011; Christie, 2010a; Leithwood, Day, Sammons, Harris & Hopkins, 2006; Msila, 2010; Moorosi, 2010; Ngcobo & Tikly, 2010; Prew, 2009). Eacott and Asuga (2014, p. 1) state: “School leadership preparation and development is one of the ‘hot topics’ in both the practice and scholarship of educational leadership, management and administration.” There is growing consensus in literature on professional development, and management and leadership skills of Principals of schools (Bush, Joubert, Kiggundu & Van Rooyen, 2010; Bush et al., 2011; Christie, 2010a; De Clercq & Shalem, 2014; DBE, 2014b; Hoadley, Christie & Ward, 2009; Mathibe, 2007; Mestry & Singh, 2007; Msila, 2010; Ncobo & Tikly, 2010). South African literature supports the view that effective leadership and management are important in developing good schools (Bush et al., 2010; Mathibe, 2007; Ncobo & Tikly, 2010). Leithwood et al. (2006, p. 5) argue: “There is not a single documented case of a school successfully turning around its pupil achievement trajectory in the absence of talented leadership.” Hoadley (2007, p. 3) states: “South African Principals have little experience of instructional leadership.”

A key point to note is that management, in contrast to leadership, relates to structures and processes by which organisations meet their goals and purposes (according to Buchanan and Huczynski (1997) and Joubert and Van Rooyen (2008)). Leadership, on the other hand, is described by Christie (2010a) as individual qualities or social relationships of power whereby some are able to influence others; this can take place outside of formal organisations as well as inside them. However, Joubert and Van Rooyen (2008) point out that too much emphasis is placed on leadership (sense of vision, culture and interpersonal relationships) and not on management (co-ordination, support and monitoring of organizational activities).

A range of studies highlight that effective schools ensure careful selection of school managers, who understand and fulfil their role as a leader (Bush et al., 2011; DBE, 2014b; Joubert & Van Rooyen, 2008; Msila, 2010; RSA, 2013; Van der Berg et al., 2011). The McKinsey Report (2007) points out that the quality of a school system cannot exceed the quality of its teaching force. Low teacher effort, weak teacher CK and poor school management are some of the key issues responsible for poor learner performance. Successful instructional management and leadership occur through ensuring curriculum coverage, good management of resources and

effective structuring of the school day (Bush et al., 2010; Van der Berg et al., 2011). The authors are of the opinion that essential tools for managing teaching and learning are modelling, monitoring and evaluation. Leaders should provide good role models in terms of lesson preparation, subject knowledge, pedagogic approaches, assessments and learner welfare. The authors examined the significance of leadership and management in enhancing classroom practice and improving learner outcomes. Importantly the research was conducted mostly in disadvantaged schools. The recommendation put forward in this report was that Principals need to give high priority to the management of teaching and learning and “not retreat into their offices to carry out routine administrative activities” (Bush et al., 2010, p. 167). This finding is confirmed by a report on the State of Education in KZN (KZN Treasury, 2010) and empirical studies of South African schools. The following four management variables show strong correlations with learner performance: “...regulation of time; overseeing curriculum coverage; ensuring that books and stationery are regularly available; and quality assuring assessment practices” (KZN Treasury, 2010). According to the State of Education (KZN Treasury, 2010) the Principals’ Management Development Programme (PMDP) was piloted in 50 schools. The schools were predominantly peri-rural and deep rural, from quintile 1 and quintile 2, and both primary schools and high schools. The report shows an immediate and dramatic improvement in Matric results with a 12.3 per cent improvement from 2008 to 2009. It is clear that the PMDP programme should be considered for the ACE (Advanced Certificate in Education) programme. Furthermore, Principals are responsible for maintaining efficient time management practices in their schools (RSA, 2013). The authors in the 2013 NEEDU report (RSA, 2013) also find that it is the responsibility of the Principal to lead curriculum delivery in a school.

A further significant factor is that schools vary (Bush et al., 2010; De Clercq & Shalem, 2014; Eacott & Sunga, 2014; Joubert & Van Rooyen, 2008). Bush et al. (2010) argue that managing teaching and learning is often inadequate and fails to compensate for the social and educational problems facing learning in their communities; much higher standards can be achieved just by developing the capability of leaders, especially in rural areas. Joubert and Van Rooyen (2008) are of the opinion that more research is needed to determine organisational and personal needs to construct the training process and learning outcomes. “Schools in South Africa vary enormously, with some being extremely well resourced and in others there is a total breakdown in the culture of teaching and learning” (Joubert & Van Rooyen, 2008, p. 5). According to the authors, education managers are required to make a mind shift, which is difficult because of the Principal’s own needs, habits and culture. Joubert and Van Rooyen (2008) conclude that

diversity regarding socio-economic status, attitudes, norms and values of educators and school Principals contributes to inequalities in education. The authors mentioned six things that a Principal should know and be able to do, i.e.:

1. “Articulate a clear vision that reflects the beliefs, values and commitment of the school community;
2. Demonstrate a balance between management and leadership;
3. Create a safe and secure school environment;
4. Manage teaching and learning to ensure learner achievement;
5. Develop a school culture conducive to teaching and learning;
6. Actively engage the community to create shared responsibility for learner and school success” (Joubert & Van Rooyen, 2008, p. 18-20).

Poverty has a profound effect on equal educational opportunities. Joubert and Van Rooyen (2008) argue that poverty, lack of facilities and resources, lack of management and leadership experience, and various other inequalities still pervade the education system. “Before schools can deliver a high quality curriculum, teaching and learning experience, we need to consider how principals could effectively overcome severe inequalities in the achievement of learners against the odds of poverty, illiteracy, unemployment and child-headed homes” (Joubert & Van Rooyen, 2008, p. 2). This finding is confirmed by Eacott and Sunga (2014), who state that without significant attention to the preparation and development of school leaders, government initiatives aimed at building world class education systems are unlikely to succeed. Significantly, the authors note that programmes and theories developed in Europe and the USA cannot merely be transferred to and adopted in the African context. “Constructing an African nation as a poor performing education system that needs to be saved from itself by external expertise does little productive work (Eacott & Sunga, 2014, p. 12). De Clercq and Shalem (2014) investigated Professional Development Activities (PDAs) to improve learners’ learning PCK and subject matter. De Clercq and Shalem (2014) argue that PDAs in South Africa failed to make a difference to teacher’ practice and to learner’ performance and the authors suggest that professional development interventions should be context-relevant and not be designed using a “one-size-fits-all” approach.

A content specific qualification is needed, in order for school Principals to make a difference in school management. Bush et al. (2011) and Bush and Oduro (2006) argue that, in many countries (including South Africa), a teaching qualification and teaching experience are the only

requirements for being a school Principal. Mestry and Singh (2007) propose the rationale for school managers in South Africa to enrol for a new practice based qualification. The authors determine how the Advanced Certificate in Education (ACE) course influences their management and leadership style. The ACE is being delivered by universities and includes policy implementation, improved relationships with educators, more delegation to other SMT members, enhanced financial management, and conflict management (Bush et al., 2011). Msila (2010) and Bush et al. (2011) suggest that the ACE-SML (Advance Certificate in Education, School Management and Leadership) programme become an entry-level qualification for new Principals, because the programme displays the potential to make leaders creative and effective. According to Msila (2010), the programme enhances critical thinking, which leads to alternative strategies in running schools. The ACE programme is positively received by most students: “Most candidates claim to have improved their management practice ...” (Bush et al., 2011, p. 38). Mestry and Singh (2007) are of the opinion that the ACE course can give effect to a sustainable approach to building leadership and management capacity throughout the educational system. The authors call for the ACE course to become an essential and mandatory part of the Principal’s continuing professional development in the area of school management.

The DBE released the *South African Standard for Principalship*. (DBE, 2014b) on 7 August 2014. This document fully defines the role of school principals and the key aspects of professionalism, image and competencies required.

“The core purpose of principalship is to provide leadership and management in all areas of the school to enable the creation and support of conditions under which high quality teaching and learning take place and which promote the highest possible standards of learner achievement” (Bush et al., 2010, p. 162).

The DBE, together with the Provincial Education Departments, identified different development needs for the professionalisation and development of the role of Principal and other school leaders. They are:

- “The enhancement of the skills and competencies of principals in posts;
- The improvement of the recruitment and selection procedures to principalship;
- The induction and mentoring for principals and the enhancement of the skills, attributes and competencies of deputies and middle managers; and

- The twinning of new appointees with experienced principals” (DBE, 2014b, p. 2).

The Standard in this document recognises diversity of the school contexts and suggests context-specific practical application within the key areas of principalship”. Good management skills are essential for the effective functioning of schools (Bush et al., 2010; Bush et al., 2011; Christie, 2010a; Fleisch & Christie, 2004; Hoadley et al., 2009; Msila, 2010). Christie (2010a, p. 696) states: “If schools are not competently managed, the primary task and central purpose of the school – teaching and learning – is likely to suffer.” Moreover, Msila (2010) and Bush et al. (2011) note that high quality leaders make a significant difference to school improvement and learning outcomes. According to Hoadley et al. (2009) and Bush et al. (2010), Principals of schools who take the management of teaching and learning seriously should:

- “Ensure that teaching and learning took place in lessons;
- Ensure the curriculum was being completed according to some plan;
- Plan the timetable effectively;
- Keep an eye on learner performance through exam and test results and respond to issues arising;
- Use HODs effectively to manage the details of teachers completing the curriculum within their learning areas and subjects;
- Arrange systematic class visits and feedback;
- Ensure that learning and teaching support materials are available and looked after.”

High quality teaching and learning are therefore necessary to ensure the highest possible learner achievement, but quality is difficult to define and can refer to both the inputs and the outputs of education (Heyneveld & Craig, 1996; De Clercq & Shalem, 2014; UNICEF, 2000). Heyneveld and Craig (1996, p. 13) refer to quality as: “... a principle comprising both changes in the environment in which education takes place and detectable gains in learners’ knowledge, skills and values.” Put differently, quality determines how well and how much children learn. According to the UNICEF 2000 report, quality education includes:

- “Quality learners, who are healthy, well-nourished and ready to participate and learn, and are supported in learning by their families and communities as well as support from their teachers;
- Quality environments that are healthy, safe, protective and gender-sensitive and provide adequate resources and facilities;

- Quality content that is reflected in relevant curricula and materials for the acquisition of basic skills;
- Quality processes through which trained teachers use child or learner-centred teaching approaches in well-managed classrooms and schools and skilful assessment to facilitate learning;
- Quality outcomes that encompass knowledge, skills and attitudes, and are linked to national goals and objectives for education and positive participation in society.

How can one measure quality? Quality can be measured by inputs and outputs in education. The quality of outputs can be measured by comparing the performance of South African learners in national and international assessments. The following international assessments are being used: SACMEQ, PIRLS and TIMSS (DBE, 2013b). Nationally, quality is measured using ANA and NSC results. Tikly (2010) analyses the quality of education in South Africa from a social justice perspective and focuses on the Education Roadmap (Development Bank of Southern Africa, 2008). The author points out that the danger of a model such as that presented in the Roadmap (Development Bank of Southern Africa, 2008) is that it presents a one-size-fits-all approach to quality.

The quality of inputs can be measured by analysing teacher qualifications, the Minimum Uniform Norms and Standards for Public School Infrastructure (DBE, 2013a), LER, basic learning materials, textbooks and class size (Moloi & Chetty, 2011). The National Development Plan 2030, places quality education at the centre of realising the dual national goals of reducing poverty and inequality (South African Human Resource Council, 2012). The plan targets to improve the quality of education and equalising educational opportunities for poor learners (SAHRC, 2012).

The National Education Evaluation and Development Unit (NEEDU)³⁰-report is an analytical and accurate account of the state of schools in South Africa, particularly the status of teaching and learning (RSA, 2009). Although the findings of the 2012 NEEDU-report were based on urban schools only, some of the recommendations made in the report can apply to urban and rural schools.

Watkins (2000) argues that the promise to provide quality basic education has been comprehensively broken and that no human right is more systematically or extensively violated

³⁰ This is a unit that is independent of that part of the civil service responsible for the administration of schools; it reports directly to the Minister of Basic Education.

by the government than the right of citizens to a basic education. A further significant factor in this argument is proposed by Joubert (2012, p 379), who points out: “The government may not use its power in such a way as to violate any of the rights guaranteed in the Bill of Rights and, moreover, the Constitution further limits government by imposing a duty to use its power to protect and promote those rights.” Van der Vyver (2012, p. 331) captures the essence when he states:

“This becomes even more evident if one considers the right to education in conjunction with the very basic directive of article 28(2) of the Constitution, which provides: ‘A child’s best interests are of paramount importance in every matter concerning the child’.”

2.3.7 THE INFLUENCE OF THE SCHOOL PRINCIPAL ON THE QUALITY OF EDUCATION

There is consensus in international literature (Leithwood et al., 2006; Robinson, 2007) that school principals have an important influence on the quality of education that the learners in their school receive. “The closer leaders are to the core business of teaching and learning, the more likely they are to make a difference to students” (Robinson, 2007, p. 21). Hoadley (2007, p. 1) also points out: “... there is a consensus around the importance of leadership to improved student outcomes.”

Nationally, there is also emerging evidence that effective management and leadership skills, makes a difference to school improvement and learner outcomes (Bush et al., 2010; Bush et al., 2011; Bush & Oduro, 2006; Christie, 2010a; Fleisch & Christie, 2004; Mestry & Singh, 2007). Importantly, Bush and Oduro (2006) note that, throughout Africa there are no formal requirements for principals to be trained as school managers. This finding is confirmed by Mestry and Singh (2007), who are of the opinion that the lack of criteria and the absence of a qualification needed for appointment as a Principal, has resulted in many Principals under-performing in their role as manager of a school. Mestry and Singh (2007) and Mathibe (2007) are of the opinion that the appointment as a Principal of those with poor leadership and management skills will create problems, making schools more difficult to lead. The authors propose that in-service training must become an essential and mandatory part of a Principal’s continuing professional development and that it is necessary if schools are to become more productive. Mathibe (2007) recommends that principalship should be professionalised, principals should be skilled in the development of appropriate professional development

programmes and principals should be capacitated to manage democratic processes in schools. Mathibe (2007) concludes that schools need specially trained professionals who can do the job right the first time around.

A common criticism of studies done on management and leadership in South Africa is that they need to be context specific (Christie, 2010a; Mestry & Singh, 2007; Msila, 2010; Ngcobo & Tikly). Educational changes have had an impact on school managers in South Africa and many rural schools in KZN are confronted with unique operational challenges (Msila, 2010). Mestry and Singh (2007, p. 478) point out that:

“...the expectations have moved from demands of management and control to the demands for an educational leader who can foster staff development, parent involvement, community support and student growth and succeed with major changes and expectations.”

This finding is confirmed by Christie (2010a) as well as Jansen (2003), who argue that the enormous inequalities that continue to exist between schools mean that the work of Principals is very different in different contexts. Christie (2010a) points out that a mismatch between the ideal and the actual may impede, rather than assist attempts to improve schools. Christie (2010a) states that a better understanding of the day-to-day experiences of principals is a necessary starting point for change. Jansen (2003) argues that South Africa inherited large inequalities between Black and White schooling systems in terms of material and human resources and this needs to be taken into consideration. Ngcobo and Tikly (2010) do research around the universal construct of ‘effective leadership’ and incorporate that with the unique context of rural schools in KZN, South Africa. The schools were selected on the basis of high academic achievement and success in implementing change. Ngcobo and Tikly (2010) identified key dimensions of effective leadership for change in rural schools in South Africa. Ngcobo and Tikly (2010) conclude that although many aspects of effective leadership are similar to those reported in international literature, leaders from rural schools focus on contextual and other factors to facilitate positive change.

“The values that leaders of township and rural schools must engage with in South Africa are unique and need to be understood at various levels. Leaders must learn to manage across the boundaries and to deal with the new values emanating from national and provincial policy that may or may not clash with the values of teachers, parents and pupils” (Ngcobo & Tikly, 2010).

Bush et al. (2010) argue that: principals blame factors such as weak inherited infrastructure, unqualified educators, poverty, parental illiteracy, language competence and educator capability for poor educational achievement; but they fail to use the scope they do have control over in order to improve learner achievement, i.e. effective classroom practice. “Principals need to focus more strongly on teaching and learning if schools and learner achievement are to improve” (Bush et al., 2010, p. 167). Bush et al. (2010) conclude by arguing: “... higher standards can be achieved only by developing the capability of leaders and educators ...”

Bush et al. (2010) provide a list of management and teaching requirements for Principals. These activities include:

- “Ensuring that teaching and learning took place in lessons;
- Ensuring the curriculum was being completed according to some plan;
- Plan the timetable effectively and ensure it is adhered to;
- Keep an eye on learner performance through exam and test results and respond to issues arising;
- Use HODs effectively to manage the details of teachers completing the curriculum within their learning areas and subjects;
- Arrange systematic class visits and feedback;
- Ensure that learning and teaching support materials are available and looked after”.

According to Joubert and Van Rooyen (2008), effective leadership is the central component in securing and sustaining school improvement. According to the authors, managers of schools can no longer wait for instructions or decisions from government. Managers need to develop new leadership styles and management skills.

Access to schools did improve in KZN, but in spite of numerous campaigns, the quality of education received by the majority of learners in KZN remains poor and ineffective. Campaigns launched include the following: *2015 KZN Early registration campaign, 2014 KZN School Safety campaign; 2011 My Life My Future Campaign; 2013 uThungulu Back to School Campaign; KZN Provincial Growth and Development Strategy Plan: 2012 to 2030; Schooling 2025; Foundation for Learning Campaign; 2007 Drop All and Read Campaign; Quality Learning and Teaching Campaign; Action Plan to 2014; Towards Schooling 2025; Millennium Development Goals; Education for All; Right2 Know; Getting Education Right, National Schools Nutrition Programme; No-fee School Policy, 2012 Strategy and Regulations for the Prevention*

and Management of Teenage Pregnancy; 2008 Kha Ri Gude Literacy Campaign, Dinaledi Schools Programme, the Principals Management Development Programme; 2014 Jika Nmfundo Programme” (rolled out in the uThungulu and Pinetown Districts).

The achievement gap between rural and urban still remain in the province. Given the national and provincial campaigns and programmes indicated above, one might think that education is in the “best interests of the child”, but poor national and international assessment results, a high drop-out rate, a high teenage pregnancy rate and poor content knowledge of educators, paints a different picture. Learners, especially learners from rural areas, still fail to achieve their potential. Schools should not be this way. Schools should provide all learners with high quality teachers and programmes and a safe, stimulating environment that will ensure equal opportunity, to achieve their potential. Poor, disadvantaged learners should have the same opportunity to achieve their potential. Simply put, education authorities should develop classroom and school practices that are consistent with the UN CRC as well as with the South African Constitution. Education should be in the best interests of all children.

In conclusion, researchers such as Bush et al. (2010, 2011); Joubert and Van Rooyen, (2008); Mestry and Singh (2007); Ngcobo and Tikly (2010) and Pretorius (2014) reinforce the importance of strong management and leadership on the quality of education, especially in rural schools. Pretorius (2014, p. 54) summarised unstable management conditions in dysfunctional schools: “... staff members have lost confidence and trust in school leadership”

From the literature review presented in this chapter, it is clear that rural school principals come from diverse backgrounds and that most lack management and leadership experience. Poor quality education in rural areas is linked to poor management issues, inadequate training of educators, poor infrastructure and a lack of resources. It is also clear that effective management of these schools will lead to quality learning and teaching.

2.4 SUMMARY

From this literature review it can be concluded that the application of the “best interests of the child” principle when applied to legislation and rural education may lead to better quality education, but that more research needs to be done. In the next chapter, the literature review

will focus on international and national development of the “best interests of the child” principle through international instruments as well as the development of the principle in South Africa’s legal system. The chapter then provides a discussion of relevant literature on the “best interest of the child” principle in the context of education.

CHAPTER 3

THE BEST INTERESTS OF THE CHILD PRINCIPLE: AN OUTLINE

“One might think that education already is in the best interests of the child or is at least moving in the direction of the best interests of the child. But this is not the case” (Howe & Covell, 2013, p. 4).

3.1 INTRODUCTION

The principle of the “best interests of the child” originated in the late 1800’s (Howe & Covell, 2013). The “best interests of the child” has developed as a common law principle in terms of which the “best interests of the child” should prevail in family law disputes³¹ over issues as custody of and access to children (Davel, 2007; Howe & Covell, 2013; Joubert, 2009; Malherbe, 2008). Since then, the principle has evolved to apply to a wide number of fields, beyond custody disputes in family law (Davel, 2007; Howe & Covell, 2013). “In ancient Roman times, under the harsh legal principle of *patria potestas* (power of the father), the father had the absolute power of life and death over his children” (Howe & Covell, 2013, p. 17). In the mid-1800’s to 1900’s, this principle gradually changed: it gave ground to a new understanding and developed into a child-saving moment (Howe & Covell, 2013). Consequently, Western governments established new laws and policies to protect children from abuse and neglect at home.

The legal doctrine of *parens patriae* (state as the father) was expanded to include children who were in need of protection (Howe & Covell, 2013; Rendleman, 1971; Thomlinson & Foote, 1987). The “best interests of the child” principle spread from domestic law to international law and it was incorporated by the UN General Assembly into the Declaration of the Rights of the Child in 1959; the UN Convention on the Elimination of All Forms of Discrimination against Women (adopted by the UN General Assembly in 1979) and the UN CRC in 1989 (Breen, 2002; Detrick, 1999; Howe & Covell, 2013).

³¹ *Fletcher v Fletcher* 1948 (1) SA 130(A) par: 145. The case was a divorce matter pled upon the basis of adultery by the wife. The trial court had awarded custody of the two children (aged five and seven) to the father. The children’s best interests were undoubtedly the main consideration.

3.2 THE “BEST INTERESTS OF THE CHILD” PRINCIPLE IN INTERNATIONAL LAW

“The international community has made several attempts to advance the interests of children and protect them from various forms of abuse and neglect” (Walsh, 2011, p. 220).

A brief overview of the “best interests of the child” principle in international law is provided in this section. As indicated, in Chapter 2, South Africa is a constitutional democracy that makes international law a pillar of its democracy (Dugard, 1997). Section 233 of the 1996 Constitution states:

“When interpreting any legislation, every court must prefer any reasonable interpretation of the legislation that is in consistent with international law over any alternative interpretation that is inconsistent with international law.”

Section 3a(1)(b) and (c) of the Constitution provide that international law *must* be considered, while foreign law *may* be considered in the interpretation of constitutional provision. South Africa was one of the original fifty-one founding members of the UN, which came into existence on October 24, 1945; but due to *apartheid*, the UN General Assembly decided on November 12, 1974 to suspend South Africa, due to its international opposition to the policy of apartheid (Walsh, 2011).

Since the democratic elections in South Africa held in April 1994, the relationship with the UN has been restored and South Africa has participated actively in all matters of the organisation (Walsh, 2011). The UN Declaration on the Rights of the Child of 1959 is the forerunner of the UN CRC and the first document to refer specifically to the “best interests of the child” (Freeman, 2007, p. 15). Principal 2 states:

“In the enactment of law for this purpose, the best interests of the child shall be the paramount consideration.”

Principal 7 refers to the “best interests of a child”:

“The best interests of the child shall be the guiding principle of those responsible for his education and guidance; that responsibility lies in the first place with his parents.”

“Binding international instruments such as the ICCPR of 1966 and the ICESCR of 1966 followed, but the best interest principle is not included in these instruments” (Freeman, 2007, pp. 15-16). The best interests principle is acknowledged in Article 3(1) of the CRC and since South Africa ratified the CRC on June 16, 1995, it is bound by its provisions. Thus, the South African government was undertaking a significant responsibility for its children (Van der Vyver, 2012; Walsh, 2011).

Article 3(1) of the CRC states:

“In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.”

As a point to note, the CRC is the single most ratified Convention globally and the most important international document that acknowledges the rights of children nationally and internationally. In a sense, this refers to the importance of children in international law. “Consideration of the best interests of the child required that a child be looked at as a human being who had his or her own interests” (Walsh, 2011, p. 226). The “best interests of the child” principle is also referred to in Article 4 of the ACRWC, which was ratified by South Africa on January 7, 2000 (Ngidi, 2009).

In conclusion, the impact of international agreements on the development of the South African Constitution of 1996, the South African Children’s Act, and specifically the development of the “best interests of the child” principle, cannot be over-emphasised. By examining the literature, I was able to construct a summary (see Table 3.1) of the best interest principle, as contained in the UN Declaration on the Rights of the Child, the UN CRC and the ACRWC, making these international instruments a gravitational force.

TABLE 3.1: A SUMMARY OF THE “BEST INTERESTS OF THE CHILD” PRINCIPLE IN INTERNATIONAL LAW

The United Nations Declaration on the Rights of the Child	United Nations Convention on the Rights of the Child	The African Charter on the Rights and Welfare of the Child
Adopted on 20 November 1959, this is the first international human rights document to refer specifically to the “best interests of the child.”	Adopted by the General Assembly of the UN on 20 November 1989 and entered into force on 2 September 1990.	Adopted by the Organisation of African Unity (OAU) - now the African Union (AU) - on 11 July 1990 and entered into force on 29 November 1999.
	South Africa ratified the Convention on 16 June 1995.	South Africa ratified the African Charter on 7 January 2000.
<p>Principal 2 provides: “The child shall enjoy special protection, and shall be given opportunities and facilities, by law and by other means, to enable him to develop physically, mentally, morally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity. In the enactment of law for this purpose, the best interests of the child shall be the <u>paramount</u> consideration.”</p> <p>Principal 7 states: “The best interests of the child shall be the guiding principle of those responsible for his education and guidance; that responsibility lies in the first place with his parents.”</p>	Article 3 of the Convention provides the following: “In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative bodies, the best interests of the child shall be a primary consideration. ”	“In all actions concerning children, the best interests of the child shall be <u>the</u> primary consideration. ”

<p>A very high standard is set in respect of the child’s best interests – it should be “the paramount consideration.”</p>	<p>A lower standard is set in respect of the child’s best interests – it should be “a primary consideration.”</p>	<p>A very high standard is set in respect of the child’s best interests – it should be “the primary consideration.”</p> <p>It was the opinion of the Assembly of the Head of State and the Government of the Organisation of African Unity, that the needs of Africa’s children were not addressed by the CRC; therefore the ACRWC (regional instrument) was adopted and ratified by South Africa.</p>
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Source: Adapted from Fottrell, (2000), Reyneke, (2013) and Walsh, (2011)

3.3 THE DEVELOPMENT OF THE BIC AS A CONSTITUTIONAL RIGHT

A new Constitution was written after the *apartheid* era and South Africa adopted “the best interests of the child” as the desirable standard for legal decisions regarding children. The standard is entrenched in the Constitution that was brought into effect after the 1994 election. South Africa is one of only six countries in the world to have included the “best interests of the child” principle in its Constitution (Reyneke, 2013). Section 28(2) of the Constitution protects the dignity of the child (a person under the age of 18) and advances the child’s equal worth and freedom by proclaiming: “[a] child’s best interests are of paramount importance in every matter concerning the child.”

In addition, the new Children’s Act, 38 of 2005 and the Child Justice Act, 75 of 2008 also focus on the “best interests of the child”. Thus, section 28(2) of the Constitution, article 3(1) of the CRC, and article 4 of the ACRWC, focus on the “best interests of the child” standard as being ‘paramount considering all matters concerning children’.

The “best interests of the child” principle has been subject to profound development. It is mostly used in custody disputes and was introduced in South Africa in *Fletcher v Fletcher* in 1948.³² Three months before the inception of the interim Constitution, King J provided an expansive list of factors to determine which parent would ensure the moral, physical and emotional welfare of

³² See note 32.

the child in the *McCall v McCall*³³ custody dispute (Reyneke, 2013). South Africa elevated the “best interests of the child” principle to a constitutional right. As already stated, many provisions of the CRC appear in the Constitution. South Africa adopted the new Constitution in 1996, which makes provision for children’s rights and includes the “best interests of the child” principle. Section 28(2) of the Constitution reads as follows: “A child’s best interests are of paramount importance in every matter concerning the child.”

3.4 THE MEANING OF THE “BEST INTERESTS OF THE CHILD”

According to Howe and Covell (2013), the modern concept is concerned about the welfare or well-being of children. The authors named participation, non-discrimination and the survival and development of the child as key ingredients of best interests. What exactly is meant by “... a child’s best interests are of paramount importance in every matter concerning the child”, as set out in the Constitution?

3.4.1 “A CHILD”

According to section 28(3) of the Constitution, ‘child’ means a person under the age of 18. Visser (2007) points out that the “best interests” yardstick has become controversial in a sense, because it does not (always) provide a reliable or determinate standard. As such, the best interest principle can obviously not apply to school learners who have already reached the age of 18.

3.4.2 “BEST INTERESTS”

In the literature, there is general consensus that an “interest” means an advantage, concern or benefit of some kind. Visser (2007) captured this essence when he states that the reference to “best interests” in section 28(2) should mean that, whenever necessary, all the relevant interests in a given situation must be ascertained on the basis of evidence. It means the child’s most advantageous position practically possible and desirable in view of the relevant law. According

³³ *McCall v McCall* 1994 (3) SA (C).

to Visser (2007), it makes good sense to have regard to factors that are relevant to determine a child's best interests, rather than attempt to arrive at an abstract description of "best interests". In line with Visser (2007), Eekelaar (in Freeman, 2007, p. 27) defines best interests as, "... basic interests, for example: physical, emotional and intellectual care; developmental interests". Reyneke (2013, p. 230) emphasises the above-mentioned opinions by arguing that: "The best interests of the child are thus applied as an additional safety net to ensure that the child's interests are adequately protected in all circumstances and especially in those not captured in other provisions of the CRC".

The most comprehensive list of factors, by which to determine the "best interests of the child", was proposed in *McCall v McCall*,³⁴ with thirteen factors identified in an open-ended list specifically designed for resolving custody disputes (Bekink, 2012; Davel, 2007; Reyneke, 2013). Those factors are being used for resolving custody disputes and are therefore not relevant to education. Section 7(1) of the Children's Act³⁵ lists fourteen factors that must be taken into consideration when the "best interests of the child" are determined (Bekink, 2012). Reyneke (2013, p. 227) concludes that:

"... the 'best interests of the child' principle provides a mechanism for respecting, protecting, promoting and fulfilling the interests of children that are not regarded as constitutionally entrenched rights and that can also serve to respect, protect, promote and fulfil interests of children above and beyond that which is the minimum constitutional requirement for the fulfilment of rights."

These considerations suggest that courts and governments are compelled to always act in the "best interests of the child".

3.4.3 "PARAMOUNT IMPORTANCE"

According to the *Oxford English Dictionary* something is of paramount importance when it is "more important than anything else" or "of supreme importance". Visser (2007) explains that section 28(2) means that other competing interests will have to be disregarded to the extent that they are incompatible with due recognition being given to the "best interests" of the child. The

³⁴ See note 34.

³⁵ S: 7(1) (a) - (n) of the Children's Act of 2005.

South African Constitution provides that the “best interests of the child” are of paramount importance in every matter concerning the child in other words, in weighing up competing interests, the scales must tip in favour of the child (Bekink & Bekink, 2004, p. 26). Reyneke (2013) argues that active measures should be built into national plans and policies to ensure the consideration of the best interests of children at all government levels. Reyneke (2013) argues that the South African Constitution provides that the “best interests of the child” are of paramount importance in every matter concerning the child and that this means that the “best interests of the child” are not *one* of the important factors to be considered among all the other factors, but that is of “paramount” importance. Reyneke (2013) concludes that although the “best interests of the child” principle does not automatically trump other rights and interests, the child’s best interests remain of paramount importance and decision-makers must take reasonable steps to ensure that the “best interests of the child” are optimised.

3.4.4 “IN EVERY MATTER CONCERNING THE CHILD”

The principle is broad and applies to all matters involving the child and not only to decisions in a limited number of fields - such as child custody (Howe & Covell, 2013). It may include matters such as education, medical matters and social matters. Hammarberg (2008) is of the opinion that decision-makers are obligated to take into account the views of children who are capable of forming their own views.

3.5 BIC IN THE SOUTH AFRICAN CHILDREN’S ACT, 38 OF 2005

The South Africa Child Care Act of 1983 was reviewed by the South African Law Reform Commission in 1997. According to Walsh (2011), the South African legal system as a whole had arrived at a place in its historical development wherein the best interest of the child was the guiding principle. On June 2006, President Thabo Mbeki signed the South African Children’s Act Number 38 of 2005.

“Section 7 of the Children’s Act specifically makes provision for the application of the “best interests of the child” and provides explicit factors to guide the process of applying the particular Act” (Reyneke, 2013, p. 266). Section 9 of the Children’s Act provides: “In all matters

concerning the care, protection and well-being of a child, the standard that the child's best interest is of paramount importance must be applied." Thus, whatever the school is doing, it must take the child's best interests into consideration. The Children's Act does not define the "best interests of the child", but provides a list of factors that must be weighed in a given set of circumstances (Walsh, 2011). A child is defined in section 28(3) of the Constitution as well as in the South African Children's Act, as a person below 18 years. This is important to note that, as there are many learners over 18 years in education.

3.6 BIC PRINCIPLE IN AN EDUCATIONAL CONTEXT

Education in the best interests of the child is a broad topic. This section of the thesis provides a discussion of literature that focuses on the best interests of socially disadvantaged children attending public schools in rural areas. Of equal importance is the perception of education managers in rural areas with regard to the "best interests of the child" principle.

Education or the lack thereof, is an important component of socio-economic status. "Education operates as a multiplier, enhancing the enjoyment of all individual rights ..." (Spren & Vally, 2006). Thus, educated people live longer, have better jobs, can reach their full potential and can break the cycle of poverty. Consequently, the "best interest of the child" principle applies to all action, including *educational* action (Davel, 2007, Howe & Covell, 2013).

3.7 THE CONTRACTION OF THE BIC AND THE REALITY IN EDUCATION

Although the findings published in Howe and Covell (2013) are based on functional schools in the northern hemisphere, the authors provide a comprehensive study of how a children's rights framework could be applied to educational policies. What legislation promises and what actually happens in schools is often contradictory. Howe and Covell (2013, p. 4) state: "Modern education systems do not even have as their core purpose advancing the best interests of the child."

There is little doubt that the "best interests of the child" principle has not received sufficient recognition and application in the public school system (Howe & Covell, 2013; Visser, 2007). In section 28(2) of Constitution, the principle of "best interests of the child" places an obligation on

the State to prioritise children's needs. If the "best interests of the child" principle is to be the primary or paramount consideration in *all* matters relating to children, is it not logical to expect that these must be *major* considerations in education law and policies?

Howe and Covell (2013) are of the opinion that education in the "best interests of the child", means: the incorporation of the "best interests of the child" principle into education law and policies; and a process of decision-making in which authorities take into full consideration of the principals of the Convention on the Right of the Child. The South African Schools Act 84 of 1996 and the National Education Policy Act (NEPA), 27 of 1996 are some of the new pieces of legislation used to establish a new, single national system for school education (Reyneke, 2013). Regrettably, in South Africa, the Schools Act and the NEPA do not refer specifically to the "best interests of the child".

The Schools Act, 84 of 1996 provides as follows:

- Chapter 2, section 8A (regarding the random search and seizure and drug testing at schools) includes section 3(a): "A search contemplated in subsection (2) may only be conducted after taking into account all the relevant factors, including the **best interest of learners** in question or of any other learner at the school."
- Section 8(5) (a) indicates: "... a code of conduct must contain provision of due process safeguarding the **interests of the learners** and any other party involved in disciplinary proceedings".
- Section 20(1) (a) provides that the School Governing Body's function is to "... promote the **best interest of the school**".

According to Visser (2007), much more can and must be done to align every facet of public schooling with a sensible interpretation and application of section 28(2) of the Constitution. Visser (2007) is of the opinion that this norm could be a powerful instrument to force education policy-makers and officials to promote the best interests of children in public education. The author gives examples, such as: managing schooling systems and individual schools properly, with due regard given to administrative justice; adopting and implementing sound education policies; ensuring proper training of and control over educators; generally ensuring that high quality education can be and is being provided. Visser (2007) and Mawdsley, Beckmann, De Waal & Russo (2010) also refer to two same cases as previously explained elsewhere,

(*Laerskool Middelburg v Departementshoof, Mpumalanga Departement van Onderwys*³⁶ and *Western Cape Minister of Education v Governing Body of Mikro Primary School*³⁷) to show the influence of section 28(2) in regards to education. Visser (2007) further suggests that education officials and bodies need to be educated to understand how to measure their actions and policies against a reasonable interpretation of the best interest of all children at every public school. This finding is confirmed by Reyneke (2013), who points out that there is no specific requirement in the South African Schools Act indicating that school education policies should be aligned with the best interests of children. Howe and Covell (2013) are of the opinion that when it comes to the core principles as purposes of schooling, the “best interests of the child” principle is missing in the education laws and policies of virtually *all* countries.

Confronting these allegations, Howe and Covell (2013) are of the opinion that if the principle of best interests were seriously put into effect in education, there would not be such and educational achievement gap between disadvantaged and socially advantaged children. “Evidence-based education aimed at advancing the best interests of the child has the potential to make a significant difference through building educational resilience” (Howe & Covell, 2013, p. 8). To ensure the best interests of all children in South Africa, schools need to recognise the challenges in their schools. The main aim of this thesis is to conduct research in under-performing rural schools to determine the challenges and the perceptions of education managers with regard to the “best interests of the child” principle.

3.8 VAGUENESS OF THE “BEST INTERESTS OF THE CHILD” PRINCIPLE IN EDUCATION

At first glance, the “best interests of the child” principle seems to be a straightforward principle, but looking closer it seems much more vague and complex (Davel, 2007; Joubert, 2009; Malherbe, 2008; Reyneke, 2013; Visser, 2007). Visser (2007) points out that the inherent vagueness of the principle of the best interests of children in public education present practical difficulties. The findings of the study suggest that more objective research must be undertaken to establish what a school system should look like when it is primarily aimed at serving the best interests of children. Similarly, Malherbe (2008) argues that the “best interests” principle

³⁶ See note 26.

³⁷ See note 27.

appears to be a straightforward principle that can be applied without any difficulty in various situations that may occur in the educational environment, but that the principle is not without complexities.

In addition, Reyneke (2013) points out that the “best interests of the child” principle is vague, cannot be applied in a vacuum, and that the legal system in South Africa is (in a very real sense), several different legal systems, that are layered on top of each other to form a complete whole (Walsh, 2011). The first traditional system, known as “customary law” was already present in South Africa when Europeans arrived in South Africa. Customary law is recognised as part of South African law and incorporates some customary law practices and principles into legislation, in order to protect the interests of children living under customary law (Ngidi, 2009).

In African pre-colonial societies, the head of the clan resolved conflict between disputing members and the resolution of these types of disputes did not focus so much on the interests of the child as an individual, but on the protection of the family, upholding what is good for the family (Bennett, 1999; Ngidi, 2009). In South Africa these traditional systems are known as “customary law” and derive from practices that the specific community accepted as obligatory (Bennett, 1999).

The European legal systems that were brought to South Africa were layered on top of the customary law (Walsh, 2011). The Dutch formed colonies on the Cape and brought with them, the second layer, the Roman-Dutch legal system (Walsh, 2011). The Roman-Dutch legal system viewed the father as the primary protector, thus the father’s interests in and rights to a child were superior to the mother’s rights (Walsh, 2011).

The third layer, the British common law system, was similar to the Roman-Dutch system and remained the basic common law in South Africa (Walsh, 2011). Children were viewed as the property of the father and the best interests of the child were irrelevant (Walsh, 2011). The legal system in South Africa is a composite of customary law, Roman-Dutch law and British common law (Walsh, 2011). The *Fletcher v Fletcher*³⁸ case was a divorce matter that brought change in “the best interests of the child” principle and a departure from Roman-Dutch law. Walsh (2011, p. 218) states “The South African parliament put an end to the Roman-Dutch standard of paternal preference and required courts to look at the child’s interests.”

³⁸ See note 32.

The “best interests of the child” principle is a useful benchmark once it has proper content. Davel (2007) asks if it is a right or a standard or both in the context of education. The author is of opinion that the best interests of children will not necessarily always outweigh the constitutional rights of parents, educators or other learners. The author concludes that the best interest standard necessitates full knowledge of all the facts and circumstances of a case.

The “best interests of the child” principle, although complex, does not mean that it cannot be applied. “What exactly is in the best interests of the child has to be determined in every individual case on the basis of all relevant facts and considerations” (Malherbe, 2008). The author describes cases where the principle has been applied. The application of the principle is explained in different situations. In the first situation, Malherbe (2008) is of the opinion that children should be subject to the authority of the school and its staff members and their views on what is in their best interests should be encouraged and heard, but that the school should be able to over-rule those views when they are inconsistent with reasonable educational objectives. Malherbe (2008) argues that the equality principle raises the question of whether or not strict equality, in terms of section 9, is always in the best interests of the child. The author uses the example of section 12(4) of the South African Schools Act, 84 of 1996 on inclusive education and asks if the current inclusive education policy, which provides for learners with special needs to be accommodated in mainstream education, is in the best interests of learners with special needs.

In a second situation, Malherbe (2008) argues that section 29(1) of the Constitution the right to basic education requires the state to provide sufficient schools, sufficient educators and support as well as other incidental services in order to ensure reasonable access to basic education for everybody. The author points out that the “best interests of the child” must coincide with this construction of the right and argues that, education failing to provide this standard, is not in the “best interests of the child”.

In a third situation, section 29(1)(b) of the Constitution provides that the state, through reasonable measures, must take further education progressively available and accessible. Malherbe (2008) argues that this specific limited provision recognises that the enjoyment of the right to further education, largely depends on state resources, and is not in the best interests of those who are below 18 years.

3.9 EDUCATION IN THE BEST INTERESTS OF THE CHILD

“Every school and every education system should be consistent with what we know to be in the best interests of every child” (Howe & Covell, 2013, p. 10).

A rights-based approach to education quality is important for South Africa. As a developing country, great emphasis is placed on quality education to reduce the achievement gap. “South Africa is one of the countries with the highest levels of income inequality in the world and compares poorly on most social indicators to countries with similar income levels” (Klasen, 1997, p. 51). As previously mentioned, the right to education is mentioned in several international conventions and declarations, but as Christie (2010b, p. 7) puts it: “...’education for all’ remains to be achieved.”

Howe and Covell (2013) are of the opinion that if the principle of best interests were in place, there would not be so many drop-outs and such an educational achievement gap between disadvantaged and socially advantaged children. The application of the “best interests of the child”, when applied to education, means that children are able to receive education and that education in return, is an important component of socio-economic status (Howe & Covell, 2013). Education is an important component of socio-economic status and people with higher education are more likely to find full-time employment and earn a higher income (Howe & Covell, 2013; Mtswesi, 2013; Klasen, 1997; Van der Vyver, 2012; Watkins, 2000). The wording of section 28(2) gives the “best interests of the child” principle a wider scope than the common-law principle applicable to family law disputes and as a constitutional right, will also impact on the education environment (Malherbe, 2008).

“Education systems and schools that are not consistent with the best interests principle, are ones that do not provide the right to education on the basis of equal opportunity” (Howe & Covell, 2013, p. 37). Horsten and Le Grange (2012) investigated the educator’s right to strike and argued that nobody, not even a child’s parents, are allowed to jeopardise a child’s right to education. The authors are of the opinion that the principle of the child’s best interests serves as a safeguard with regard to official action in the school environment.

More importantly, Reyneke (2013) discuss the application of best interests and the enforcement of socio-economic rights. Education is an economic, social and cultural right; and according to

Reyneke (2013), courts are reluctant to use the best-interests principle to enforce socio-economic rights, as they are hesitant to interfere in budget allocations. Simbo (2012) suggests the need for a Basic Education Act in South Africa that defines the term basic education and indicates its objectives. According to Simbo (2012), this proposed Act is necessary because policies do not have the same legal force as legislation. According to Simbo (2012), this proposed Act should provide guidance on the basic education needs for children, especially children with special needs.

Children's socio-economic rights are most adversely affected by the high levels of poverty that exist in the rural areas of South Africa and in KZN specifically. An extensive body of research finds that poor, disadvantaged children are less likely to be prepared for school and less likely to perform well in school (Howe & Covell, 2013; Klasen, 1997; Leibbrandt et al., 2011; Shepherd, 2011; Spaul, 2013a; Van der Berg, 2008). Poverty has a profound effect on educational opportunity and is a barrier to educational achievement that is difficult for children to overcome (Howe & Covell, 2013). Most rural schools in KZN are poor, dysfunctional and do not provide the right to education, on the basis of equal opportunity (Msila, 2010).

Quality education determines how much and how well children learn. Quality also refers to the conditions at school. I tend to agree with Woolman and Fleisch (2009), who suggest that *quality* be included in a definition of 'adequacy' in working towards the right to education. Howe and Covell (2013, p. 38) are of the opinion that the "best interests of the child" principle should be a core principle to guide systems of education: "Schools and education systems that are not consistent with the best interest principle are ones that fail to protect children from discrimination." Regrettably, *quality* and *best interests of the child*, two core ingredients of education are not clearly defined in education policies (Sayed, 1997; Howe & Covell, 2013).

Howe and Covell (2013) note that, schools and education systems that are inconsistent with the principle of "best interests of the child", fail to educate children about the rights of the child. They are also ones that fail to provide for teacher training and appropriate pedagogy. The authors are of the opinion that some effort has been made by educators, school leaders and education policy-makers to develop practices consistent with children's best interests; but, as the authors point out, the problem is that action has yet to be taken on a systematic and comprehensive basis:

“What would be of immense help to this end would be the explicit incorporation of the principle of the best interest of the child into law and policies ... this would put the pressure on education systems as a whole, to take concerted action, on behalf of children” (Howe & Covell, 2013, p. 45).

The authors illuminate a valuable point that schools need to make a difference in levelling the playing field. The importance of the “best interests of the child” principle in education forms the focus of this study and will now be discussed.

3.10 THE IMPORTANCE OF BIC PRINCIPLE IN EDUCATION

Socially disadvantaged children around the world suffer from lower levels of educational achievement and in turn lead to unfavourable long-term outcomes in employment and health (Howe & Covell, 2013). The authors address this problem and argue that this not only violates the principle of equal educational opportunity, but also the broader principle of the best interests of the child, as provided for in the UN Convention on the Right of the Child. The authors are of the opinion that if the principle of best interests were seriously put into effect in education there would not be such an educational achievement gap between disadvantaged and socially advantaged children. Quality education is therefore crucial to provide learners in South Africa with the necessary skills to survive as competent adults.

How does the principle of best interest apply to education? Howe and Covell (2013) mention four signposts of best interests and their implication for education, i.e.:

- a. “Concern for the Welfare of Children
- b. Concern for the Right of the Child
- c. Concern for Evidence
- d. Incorporation”

“Concern for the Welfare of the Child” means that children are able to receive education and that education is an important component of socio-economic status (Howe & Covell, 2013). Odeku and Nevondwe (2014) state that the right to education is one of the centre-pieces of transformative constitutionalism and that in order for there to be equal access to quality education, education should be considered as a unique socio-economic right, thus the state

should make it free at all levels. Furthermore, children also have the right to be protected from all forms of physical or mental violence, injury, abuse, neglect or negligent treatment (Howe & Covell, 2013).

“Concern for the right of the child” means that, not only are children able to receive education, but, that they also receive a type of education consistent with the general principles of the Convention (Howe & Covell, 2013). Education laws, policies and practices must be consistent with the rights of the child. The absence of any attention to the “best interests of the child” in education legislation and policies are concerning. Article 13 and 14 of the ICESCR, 1966 makes provision on the right of access to basic education. More importantly, article 14 provides that:

“... compulsory primary education, free of charge, undertakes, within two years, to work out and adopt a detailed plan of action for the progressive implementation, within a reasonable number of years, to be fixed in the plan, of the principle of compulsory education free of charge for all”.

Although South Africa has signed the ICESCR on 3 October, 1994, South Africa has not ratified the ICESCR. Therefore, the instrument is not yet legally binding on South Africa (Alvarez & Widener, 2001; Odeku & Nevonde, 2014). Howe and Covell (2013, p. 45) argue: “This brings into question the level of commitment that countries actually have for wanting to apply the best interest principle to education”.

“Concern for Evidence” means to find the best evidence possible to guide decisions in children’s best interests. Serious problems such as high drop-out rates, school violence and discrimination need to be investigated (Howe & Covell, 2013). Spaul (2013) argues that a lack of accountability for student learning outcomes in South Africa is one of the major impediments to quality education for the poor. Furthermore, the author argues that the ANA is a move in the right direction, but until there is an increase in accountability and capacity, there is little reason to believe that there should be any measurable improvement in student learning outcomes in South Africa.

Lastly, “incorporation of the best interest principle” means that countries that have ratified the Convention have a formal obligation to incorporate the principle into educational laws and policies (Howe & Covell, 2013). Spreen and Vally (2012) state that conventions, constitutional

obligations and requisite rights regarding education rights often permit people to hold governments accountable for the progressive realisation of rights. Researchers such as Reyneke (2013) reinforce the importance of clarity with regard to the “best interests of the child” principle in the context of education. The core theme of Reyneke’s thesis (2013) is that the existing legal framework for school discipline in South Africa is not always compatible with the “best-interests of the child” standard and does not reflect the developments of the past 20 years regarding human capital, human rights and social justice.

3.11 THE CHALLENGES IN THE IMPLEMENTATION OF THE BIC PRINCIPLE

Implementing the best interest principle is no easy task and does pose challenges. Firstly, as (Burman, 2003, p. 28) explains: “The legal acceptance of the standard tends to delude those in power into believing that children’s interests are being protected”. According to Hammarberg (2008) and Howe and Covell (2013), the “best interests” principle needs to be incorporated into law and policy, in order for governments to be held more accountable.

Secondly, social conditions and the economic situation in South Africa are affecting the operation of the “best interests of the child” as principle, drastically (Burman, 2003). Burman (2003) points out that South Africa has a varied population and that the principle of the best interests of the child allows for considerable scope as to what criteria should be used to decide the child’s best interests. Burman (2003, p. 31) states: “South Africa recognizes African customary law as a parallel system of law to the civil law, but with limited application only to those classified as African whose lifestyle brings them under its operation.” Burman (2003) explains that in customary law, for example, the interests of the extended family override those of individual members. In addition, Burman (2003) highlights social issues such as the high concentration of Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome (HIV/AIDS) orphans in rural KZN. The author points out that the extended families are under severe strain and can no longer be counted on to absorb orphans. Burman (2003, p. 37) highlights child-headed households and states: “It may be faced with difficult questions involving which child’s best interests should be accommodated where, as seems likely, there is a collision between those of the care-giving child and those being cared for”.

Thirdly, Reyneke (2013) argues that implementation of the “best interests of the child” principle poses a challenge because of the lack of explicit measures to guide the implementation

process. Reyneke (2013) points out that Section 7 of the Children’s Act 35 of 2005 specifically makes provision for the application of the “best interests of the child” and provides explicit factors to guide the process of applying the particular Act. Describing another case, Bekink (2012) focuses on the children’s right in South Africa in relation with the UN CRC, Bill of Rights in the Constitution and parental responsibilities and duties. The author highlights the case wherein a 16-year-old girl was allowed by the court to be freed from her parents because of the traditional socio-cultural beliefs of her parents. Bekink (2012) concludes that the task of deciding what is in the best interests of the child is an arduous and complex one and requires the Wisdom of Solomon: “Every effort should therefore be made by all of those involved to jealously search for the best interests of the child” (Bekink, 2012, p. 29).

Finally, a conflict of fundamental rights affecting the child can occur. Joubert (2009) focuses on the role of education managers in enforcing the principal of best interests of students in schools. The author examines recent case law dealing with the best interests of the child from a constitutional point of view and three cases are discussed. *MEC for Education, KZN v Pillay*,³⁹ *Middelburg Primary School v Head of Department of Education*⁴⁰ and *Western Cape Minister of Education v Mikro Primary School*.⁴¹ The author is of the opinion that the “best interests of the child” does not necessarily mean that the affected right of the child should prevail every time, and in a given case the principle may be served best if the rights of the parents, other children or the school community prevail over those of the individual child.

3.12 SUMMARY

“In spite of these lofty and highly commendable principles of the law, equal educational opportunities for all have remained in a state of disarray in South Africa” (Van der Vyver, 2012, p. 341).

In this chapter, I gave a brief overview of the development of the “best interests of the child” principal in South Africa and I have explored the “best interests of the child” as a standard with regard to international and national legislation. I have also: addressed the “best interests of the child” principle in an educational context, and the challenges of implementing the “best interests

³⁹ *MEC for Education: KwaZulu-Natal and Others v Pillay* 2008 (1) SA 474 (CC). A learner of a former model C school had her nose pierced and a gold stud inserted, which is an aspect of her cultural beliefs.

⁴⁰ See note 26.

⁴¹ See note 27.

of the child” principle; and reviewed literature regarding the “best interests of the child” in the context of education.

From this literature review, it can be concluded that the appropriate treatment of children, as who are the most vulnerable members of South African society, is very important for the future of the country. The quality of education, especially in disadvantaged areas in South Africa, is also a human rights issue (Spren & Vally, 2006). International legislation, the Constitution, the Children’s Act and the Schools Act state that the “best interests of the child” shall be a primary consideration in all decisions about children. It is therefore logical to expect that South Africa’s education system is one where children are protected, safe and where all children receives a high quality education. This is not the case, especially not for children in rural areas. Black African rural learners remain disadvantaged and still experience many challenges such as under-resourced schools, schools with unqualified staff, schools with majority working class parents all situated in the townships and schools with child headed households (Daniel & Greytak, 2012; Malhoit, 2005; Msila, 2014; Spren & Vally, 2006). The “best interests of the child” principle should support our ideals for education and strengthens our commitment to realise the best possible education for all our children.

In conclusion, I tend to agree with the recommendations put forward by Simbo (2012) that government must comply with its constitutional obligation to provide quality education by drafting a Basic Education Act in South Africa. In addition, I suggest incorporating the “best interests of the child” principle in the Act, as a yardstick to ensure accountability. As Joubert (2009, p. 16) concludes in her article: “Legality should always supersede any pragmatic considerations when determining the best educational interest of the child” A Basic Education Act will thus hold parties accountable for delivering quality education, especially to disadvantaged communities, therefore closing the achievement gap in South Africa. The challenge, however, seems to be the political will to do so.

CHAPTER 4

RESEARCH METHODOLOGY

4.1 INTRODUCTION

According to Nieuwenhuis (2010a, p. 47), a paradigm is “... a set of assumptions or beliefs about fundamental aspects of reality which gives rise to a particular world-view.” The stance of the researcher is that the world is real because that is how we experience it. This implies an ontological belief that reality is socially constructed. The aim of this study is to understand the perceptions of the participants thus the philosophical assumptions, underlying this research, comes from the interpretive world-view. Given the interpretive stance adopted in this research and the researcher’s belief that reality is socially constructed, it is believed that a qualitative research methodology was the appropriate research strategy to follow, because it understands the phenomenon.

4.2 THE RESEARCH METHODOLOGY

The research methodology refers to the way of doing research. The nature of the research problem dictates the research methodology. In this study, the researcher relies on the views of the participants. The researcher needs to interpret and understand the lived experiences of education managers. To answer the main research question, a qualitative research approach through a case study design was employed. Qualitative research is therefore concerned with interpreting or understanding the context, therefore exploring the “why” and “how” questions (Nieuwenhuis, 2010b). The main research question is: *How may the perceptions of education managers, regarding the “best interests of the child”, affect the quality of education at rural schools in KwaZulu-Natal?*

The purpose of this chapter is to introduce the following research matters: research methodology; research techniques; sampling; and forms of data collection. Data were collected through case studies of under-performing rural schools and the rationale for choosing the case study as method of inquiry will now be discussed.

4.3 RESEARCH TECHNIQUE: A CASE STUDY DESIGN

The case study is an increasingly popular approach among qualitative researchers (Hyett, Kenny & Dickson-Swift, 2014; Thomas, 2011), and researchers have identified case study research as a stand-alone qualitative approach (Denzin & Lincoln, 2011). Not all case studies are interpretive, but case studies can also be used as a quantitative method of inquiry employing a positivist epistemology and ontology. Several prominent authors have contributed to the development of the case study (Denzin & Lincoln, 2011; Merriam, 2009; Stake, 1995; Yin, 2009).

The rationale for choosing a case study methodology is captured by Geertz (1973), who states that case studies strive to portray what it is like to be in a particular situation, and so capture the close-up reality and thick descriptions. Case studies strive to understand how participants interact with each other in a specific situation and how they make meaning of a phenomenon under study (Nieuwenhuis, 2010b). The researcher explored the perceptions of education managers with regard to education in the best interests of the child.

A case is a bounded system. Yin (1984, p. 23) defines case study research as:

“... an empirical inquiry that investigates a contemporary phenomenon within its real-life context when the boundaries between phenomenon and context are not clearly evident and in which multiple sources of evidence are used.”

Similarly, Creswell (2008) defines a case study as an in-depth exploration of a bounded system based on extensive data collection. “Bounded means that the case is separated out for research in terms of time, place, or some physical boundaries” (Creswell, 2008, p. 476). Also specific boundaries will determine who is to be studied and in what setting. Cohen, Manion and Morrison, (2010, p. 253) capture the essence by stating: “It provides a unique example of real people in real situations, enabling readers to understand ideas more clearly than simply by representing them with abstract theories or principles.”

A case study has two important parts, the bounded system and the case. The boundaries of the case are a defining factor of case study methodology (Merriam, 2009; Stake, 1995; Yin, 2009). In this study, the bounded system is under-performing rural schools in the uThungulu district of KZN. The case, however, refers to the phenomenon or object to be studied (Stake, 2006, p. 6).

Merriam (2009, p. 40) referred to a case as: "... an example of some phenomenon, a program, a group, an institution, a community, or a specific policy". The phenomenon that was studied was the perceptions of education managers with regard to the "best interests of the child".

Yin (1984), who approaches case studies from a post-positivist viewpoint, identifies three main types of case studies in terms of their outcomes:

- "Exploratory (as a pilot to other studies or research questions);
- Descriptive (providing narrative accounts);
- Explanatory (testing theories)".

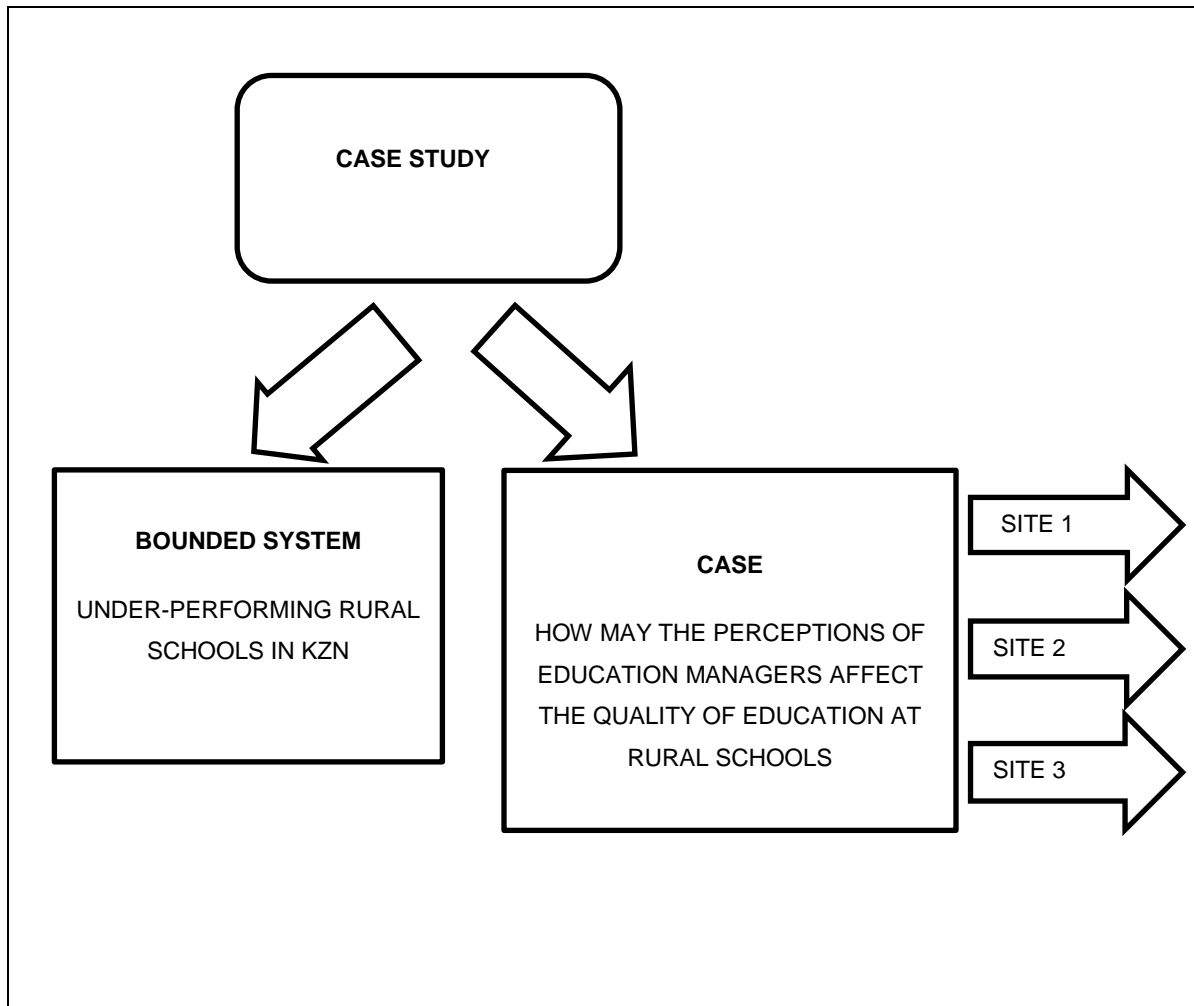
Stake (1994), who approaches case studies from a social constructivist paradigm, identifies three main types of case studies:

- "Intrinsic case studies, that is studies that are unique and are undertaken in order to understand the particular case in question;
- Instrumental case studies, these are studies that examines a particular case in order to understand the particular case in question;
- A collective case refers to an instrumental case study which is studied as multiple nested cases, observed in unison, parallel, or sequential order".

Schumacher and McMillan (1989) state that a case study is defined by the fact that it is a bounded system and that this does not necessarily mean that only one site is studied. In addition, Stake (1995) argues that case study research is an investigation and analysis of a single or collective case, intended to capture the complexity of the object of study.

This study was a multi-site case study, because the researcher explored the perceptions of education managers with regard to quality education in the "best interests of the child" at three under-performing rural schools in KZN. Stake (2006) is of the opinion that, in a multi-site case study, the researcher must study what is different and what is similar about the cases in order to understand each case better. Figure 4.1 provides a summary of the multi-site case study as preferred technique to collect data for this study.

FIGURE 4.1: MULTI-SITE CASE STUDY DESIGN



Hitchcock and Hughes (1995, p. 317) consider that a case study has several important features:

- “It is concerned with a rich and vivid description of events relevant to the case;
- It provides a chronological narrative of events relevant to the case;
- It blends a description of events with the analysis of them;
- It focuses on individual actors or groups of actors, and seeks to understand their perceptions of events;
- It highlights specific events that are relevant to the case;
- The researcher is integrally involved in the case;
- An attempt is made to portray the richness of the case in writing up the report.”

Using the interpretive paradigm and a qualitative, multi-site case study research design enabled the researcher to understand the issues related to the main research question: *How may the perceptions of education managers, regarding the “best interests of the child”, affect the quality of education at rural schools in KwaZulu-Natal?*

Advantages in case study research are numerous. Apart from simplifying complex concepts and exposing participants to real life situations, flexibility in design seems to be the biggest advantage. “Case study research has a level of flexibility that is not readily offered by other qualitative approaches, such as grounded theory or phenomenology” (Hyett et al., 2014, p. 1). Also, more than one data gathering technique can be used. “A key strength of the case study method is the use of multiple sources and techniques in the data gathering process” (Nieuwenhuis, 2010b, p. 76). To conclude, the implementation of a qualitative multi-site case study design formed the major methodological technique in the exploration of the perceptions of education managers.

4.4 OBTAINING PERMISSION TO CONDUCT THE RESEARCH

I applied and obtained ethical clearance for my research from the Ethics Committee of the Faculty of Education from the University of Pretoria. In qualitative research, you often need to obtain permission from individuals to enter a research site (Creswell, 2008). The research schedules were submitted to the KZN DoE for approval. The HOD from the KZN DoE granted permission to conduct research in schools in the uThungulu District. I also obtained permission from the school principals at the selected schools.

4.5 SAMPLING

4.5.1 KZN PROVINCE : BACKGROUND

KZN is the province with the second largest population in South Africa (Stats SA, 2012). Approximately 10.2 million people (Stats SA, 2012) live in this province, which covers 94 361 square kilometres (Stats SA, 2012). The majority of the population is Black African (86.8 per

cent), followed by Indian/Asian (7.4 per cent), White (4.4 per cent) and Coloured (1.4 per cent) (Stats SA, 2012).

Almost 85 per cent of children in South Africa are African and a quarter of these children live in KZN (Stats SA, 2010). Consequently, the province of KZN has the highest number of ordinary public schools⁴² in South Africa (DBE, 2015a). Approximately 54 per cent of the population in KZN live in non-urban areas (Stats SA, 2006). Many children in KZN are vulnerable and poor. Approximately 30 per cent of orphans in South Africa can be found in KZN (Stats SA, 2010). Poverty in these areas is caused by low levels of formal employment and low skills levels. Approximately 2.7 million children in KZN live off social grants. “KwaZulu-Natal has consistently displayed the highest proportion of vulnerability to hunger” (Stats SA, 2010, p. 16). More than half of the school children in KZN do not pay school fees, but they do receive a meal each day (KZN Treasury, 2010, p. 3). Table 4.1 shows the number of learners, educators and schools in South Africa (public schools only).

TABLE 4.1: NUMBER OF LEARNERS, EDUCATORS AND SCHOOLS BY PROVINCE IN 2013 (ORDINARY PUBLIC SCHOOLS)

Province	Learners	Educators	Schools
Eastern Cape	1 881 605	63 137	5 562
Free State	649 806	23 721	1 327
Gauteng	1 899 542	59 357	2 056
KwaZulu-Natal	2 798 975	91 285	5 937
Limpopo	1 662 106	54 708	3 924
Mpumalanga	1 025 859	33 380	1 768
Northern Cape	279 445	8 725	553
North West	773 040	25 169	1 551
Western Cape	1 005 466	32 347	1 458
South Africa	11 975 844	391 829	24 136

Source: DBE, (2015a, p. 4)

⁴² A public school is not an independent (private) school: an ordinary school is not a school for learners with special needs.

It is important to note that: approximately 88 per cent of the learners in KZN speak isiZulu at home; the language of learning and teaching (LOLT) of 70 per cent of KZN learners is English and, isiZulu for 27 per cent of learners (KZN Treasury, 2010, p. 4).

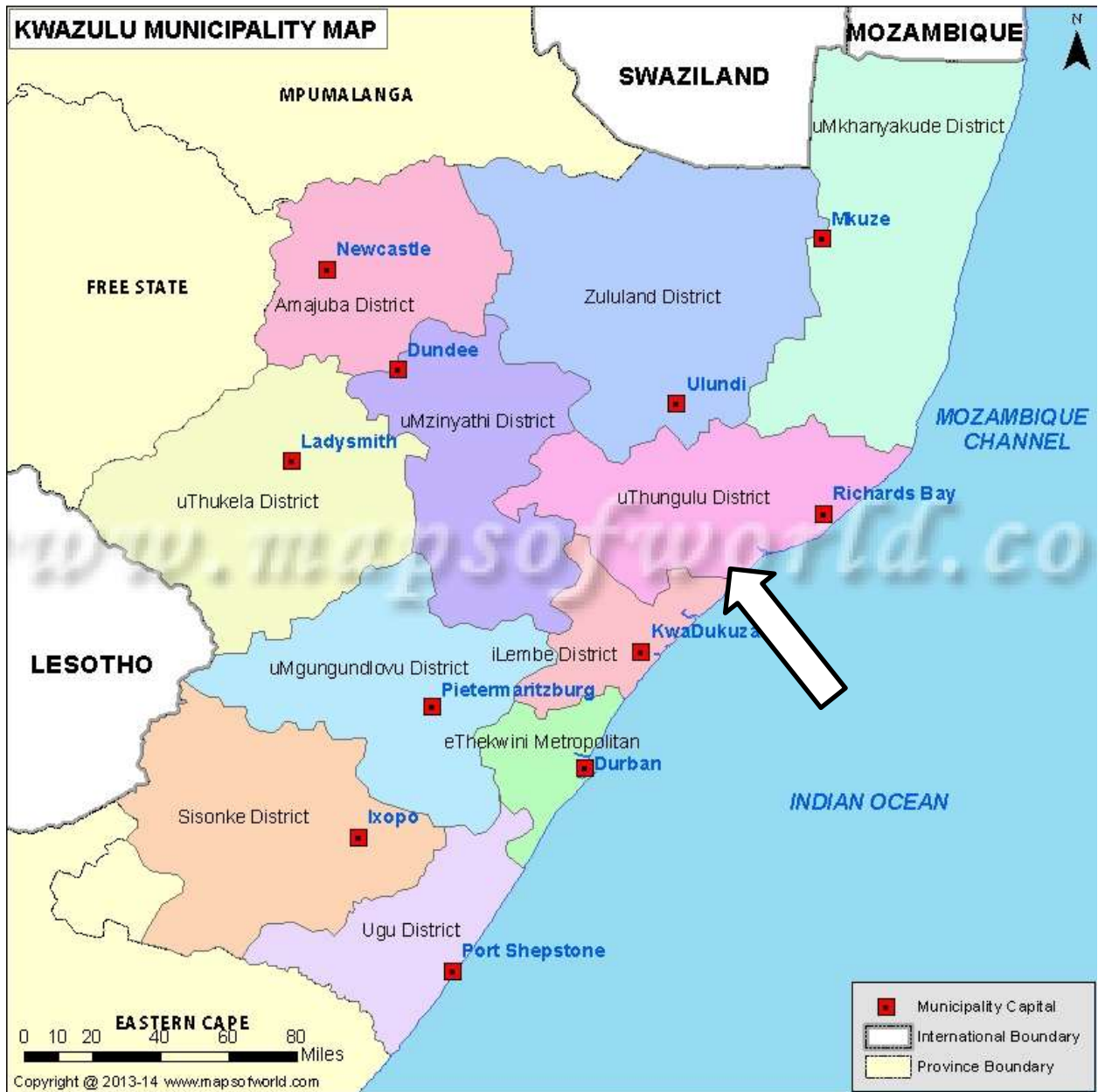
The national average learner to educator ratio (LER) in ordinary schools is 29.4:1 (DBE, 2015a). The LER in the province of KZN is 29.8:1 which is on par with the national average (DBE, 2015a). The national average educator to school ratio in ordinary schools is 16.5:1 (DBE, 2015a). However, the educator to school average in the province of KZN is 15.6:1 which is low in comparison with provinces like Gauteng, which has an educator to school average of 28.2:1 (DBE, 2015a).

Approximately 61 per cent of all educators in KZN are qualified (REQV 14 or higher) and 25 per cent have a three-year qualification (REQV 13) (KZN Treasury, 2010). However, approximately 14 per cent (12 000) of the educators in KZN are under-qualified or unqualified (KZN Treasury, 2010, p. 5). Despite of being qualified many educators proof to have poor content knowledge (CK), pedagogical content knowledge (PCK) and leadership skills (KZN Treasury, 2010). The prevalence of HIV amongst educators in KZN is 21.8 per cent, but as high as 30 per cent, in certain districts (KZN Treasury, 2010, p. 7).

4.5.2 THE uTHUNGULU DISTRICT

There are currently 11 educational districts in the KZN province. The uThungulu District is situated in the north-eastern region of KZN. The other educational districts of KZN are Amajuba, Ilembe, Ethekwini Metropolitan, Ugu, Sisonke, Umgungundlovu, Umkhanyakude, Umzinyathi, Uthukela and Zululand. The participants from this study were selected from under-performing rural schools in the uThungulu district of KZN. Figure 4.2 shows a map of the educational districts in KZN.

FIGURE 4.2: MAP OF EDUCATIONAL DISTRICTS IN KZN



Source: www.mapsofworld.com

The uThungulu District has a dense population (907 519) and covers an area of approximately 8 213 square kilometres (uThungulu District Municipality, 2015). A significant fact with regard to education is that more than 50 per cent of the total population of the uThungulu District is younger than 19 years of age. Large parts of the land in the municipal area are Ingonyama

Trust land that falls under the 45 Tribal Authorities in the district. Table 4.2 shows the number of ordinary public schools per district in 2013.

TABLE 4.2: NUMBER OF ORDINARY PUBLIC SCHOOLS IN KZN (2013) (PER DISTRICT)

DISTRICT	NUMBER OF ORDINARY PUBLIC SCHOOLS
Amajuba	242
Ethekwini Metro	962
Illembe	428
Ugu	490
Sisonke	445
Umgungundlovu	497
Umkhanyakude	536
Umzinyathi	494
Uthukela	445
Uthungulu	561
Zululand	742
TOTAL	5 937

Source: DBE, (2015a, p. 18)

The uThungulu District has 561 ordinary public schools. A distinctive characteristic of the uThungulu District is the high differentiation in achievement. Large inequalities exist in the levels of development of rural environments and urban environments. Rural districts contain large numbers of disadvantaged and under-performing schools. There is a critical need to address high levels of poverty and the lack of availability of economic opportunity, especially in the traditional authority (TA) areas. Fleisch (2008) attributes under-achievement to five main factors, namely: poverty, ill-health, language, resources and teaching. Most ordinary public schools in the rural areas of the KZN province experience one or more of these above-mentioned factors.

KZN and specifically the uThungulu District, continues to have the highest HIV prevalence rate of all provinces in South Africa (Shisana, Rehle, Simbayi, Zuma, Jooste, Zungu, Labadarious, Onoya et al., 2014). Consequently, orphaned children living in child-headed households increased (Van Dijk & Van Driel, 2009). It is important to take the above-mentioned contextual factors as well as access to quality education into consideration when discussing rural schools.

Although access to primary education increased, there has been a decline in school attendance in higher education (Stats SA, 2012).

All ordinary public schools in South Africa are categorised into five groups, called quintiles, (quintile 1 being the 'poorest' and quintile 5 being the 'least poor'). This is largely for the purpose of allocation of financial resources (Mncube, 2009). Many ordinary public schools in the district are poor. The uThungulu District has few quintile 4 and quintile 5 schools, and most schools in the district are quintile 1, quintile 2 and quintile 3 schools. Many of these poor schools have been assigned no-fee status (KZN DoE, 2013).

The availability of quality and qualified educators seems to be a challenge in KZN and especially in the uThungulu District. Rural schools experience poor levels of educator CK. Systematic evaluations revealed that learners and educators in KZN reveal poor performance in tests as well as in teaching and learning practices (DBE, 2014a). Rural schools often experience high levels of absenteeism of learners, teachers and principals, and consequently deliver poor results in national and international benchmark evaluations.

The national pass rate for the 2014 NSC Examinations was 75.8 per cent (DBE, 2015b). The uThungulu District did not perform well in comparison with other districts in the province. According to an analysis of the 2014 uThungulu District's Grade 12 NSC Results: 15 034 learners wrote the final examination, but only 9 626 passed (DBE, 2015b). The 2014 pass rate of 64.3 per cent declined from the 2013 pass rate of 72.7 per cent. The uThungulu District came ninth out of 12 districts in KZN (DBE, 2015b). Table 4.3 presents the 2014 national pass rate as well as the KZN province and uThungulu district pass rate.

TABLE 4.3: 2014 NSC PASS RATE

NATIONAL PASS RATE	KZN	uTHUNGULU DISTRICT
75.8%	69.7%	64.03%

Source: DBE, (2015b)

The ANA results of 2014 revealed that Grade 9 learners in KZN obtained 8.2 per cent for Mathematics and a 44.9 per cent for Language (DBE, 2014a). It is evident that learners from KZN province fail to achieve their potential.

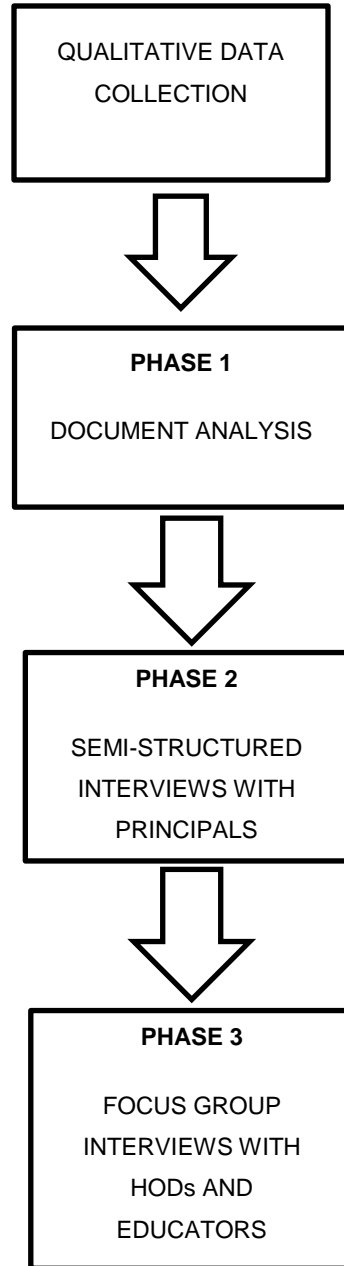
Purposeful sampling was used to select three under-performing rural schools in the uThungulu District of KZN. “In purposeful sampling, researchers intentionally select individuals or sites to learn or understand the central phenomenon (Creswell, 2008, p. 214). A local mining company in the uThungulu District identified various public rural schools in need of upgrading and ‘adopted’ the identified schools. These adopted rural schools form part of the Bambisanani Learning Community Programme. The programme forms a partnership between the local mining company, the DBE and a private school in the area. The programme collaborates with the Integrated Development Plan from the DBE. In spite of investment made in learning programmes and financial assistance provided by the Bambisanani Learning Community Programme, for the upgrading of school infrastructure, most of these ‘adopted’ rural schools continue to perform dismally. The reason for purposefully selecting three ordinary public secondary schools from the Bambisanani Learning Community Programme was because I could gain access to these schools for purposes of conducting the research. The following criteria were used as a standard to select the three under-performing secondary schools:

- Situated in a rural setting;
- Achieved below 30 per cent in Mathematics and Languages in the 2013 ANA;
- Achieved a pass rate of below 50 per cent in the 2013 NSC examination.

4.6 DATA COLLECTION

The perceptions of principals, HODs and educators at three under-performing rural schools in the uThungulu District of KZN were studied. Data were collected through multiple data collection techniques such as document analysis, semi-structured interviews and focus group interviews. As indicated in Chapter 1, the case study’s unique strength is the ability to deal with a wide variety of data collection methods (Yin, 1994). Data were collected in three different phases. Each phase had different aims therefore a different research instrument for data collection was used for each phase. Figure 4.3 indicates the different phases of the data collection process.

FIGURE 4.3: THE PHASES OF QUALITATIVE DATA COLLECTION



Phase 1: Document Analysis

Stake (1995) is of the opinion that document analysis can complement the work of the researcher and other data sources. Document analysis helped the researcher to select schools purposefully. Document analysis also helped the researcher to formulate relevant interview questions for each of the participants. The following documents were analysed prior to entering the field:

- Report on the Annual National Assessments of 2014 Grades 1 - 6 & Grade 9;
- Analysis of Grade 12 NSC Results – the class of 2013/2014 (uThungulu District);
- Report of the Portfolio Committee on Basic Education on oversights visits to Limpopo, Northern Cape, KZN and the Eastern Cape Provinces, dated 12 March 2013;
- A National Framework for Quality Education in Rural Areas, 2006;
- Regulations relating to Minimum Uniform Norms and Standards (Government Gazette No. 37081, 581, 2013);
- The South African Standard for Principalship Enhancing the Image of and Competency School Principals, General Notice 636 of 2014;
- Report of the Ministerial Committee on Rural Education: A new vision for rural schooling, 2005;
- The State of Education in KZN: A report for KZN Treasury, 2010.

Document analysis (phase 1) permitted the researcher to obtain insider knowledge. The researcher also used information, gathered from the document analysis, to construct relevant interview questions for the semi-structured interviews (phase 2) and focus group interviews (phase 3). The next phase in the data collection process will now be discussed.

Phase 2: Semi-structured interviews

The researcher made the following arrangements with the Principals:

- An appointment was made with Principals, explaining the reason for the research;
- Permission to conduct the research was obtained;
- An appointment for the semi-structured interview was scheduled;
- A copy of the interview schedule was given to Principals;
- A reminder was sent via short message service (SMS) a day before the interview date, in order to remind the Principal about the appointment.

One of the most challenging aspects of the semi-structured interviews was that the Principals of all had other commitments to attend to and could not keep the appointments that were made. In each case, the Principal of the school delegated the interview to the Deputy Principal or to a senior HOD. Face-to-face, semi-structured interviews were conducted with senior members of the management team.

Nieuwenhuis (2010b) describes an interview as a two-way conversation in which the interviewer asks a specific set of predetermined questions, in order to collect data and to learn about the opinions, beliefs and views of the participant. Interview questions were formulated to draw as much information as possible from each senior member of the SMT. The aim was to determine their perceptions with regard to education in the best interests of the child. Interview questions were also formulated to determine the perceptions of senior SMT members with regard to human resources, school management issues and the infrastructure of the school. During the semi-structured interviews a standardised protocol was followed and the questions were asked in sequence, in order to ensure reliability. I allowed the participants to speak freely about their experiences as school managers teaching at a rural school. The final phase of the data collection process will now be discussed.

Phase 3: Focus group interviews

I made the following arrangements with the HODs and educators:

- An appointment was made with the participants, explaining the reason for the research;
- An appointment was scheduled;
- A reminder was sent via SMS a day before the interview date, in order to remind participants about the appointment.

The reason for using a focus group interview for HODs and educators was to stimulate an active debate that would allow able the researcher to hear the perspective of the participants (Nieuwenhuis, 2010b). Cohen et al. (2010) elaborates: "... the participants interact with each other rather than with the interviewer, such that the views of the participants can emerge."

I took all the positive aspects of the focus group interview as well as its limitations into consideration before I compiled the interview questions. Creswell, (2008, p. 226) defines a focus group interview as: "... the process of collecting data through interviews with a group of people, typically four to six." The focus group interview is not a natural setting (Cohen et al.,

2010; Nieuwenhuis, 2010b). The focus group interview is a “funnel structure” where the researcher starts with a broad and less-structured set of questions and, as interaction increases, the questions become more structured (Nieuwenhuis (2010b). The researcher must encourage full participation and interaction amongst the participants (Nieuwenhuis, 2010b).

The limitation of a focus group interview is that group samples are small and may not be representative (Nieuwenhuis, 2010b). Another limitation is that it is difficult to gather the group in one place and the information may be biased (Nieuwenhuis, 2010b). Focus group interviews are also time-consuming (Cohen et al., 2010). Creswell (2008) suggests that when focus groups are audiotaped, the transcriptionist may find it difficult to distinguish between the voices of individuals in the group. In addition, Creswell (2008) suggests that the interviewer must have firm control over the interview discussion.

The aim of this research was not to generalise the findings and it was also important for the researcher to stimulate debate amongst the educators. The researcher was aware of the limitation to discriminate among the voices and encouraged all participants to take their turn talking. The focus group interview was the best technique to stimulate debate amongst the group and to obtain data from the HODs and educators.

Interview questions were formulated to determine the perceptions of the HODs with regard to education in the “best interests of the child”. Interview questions focused on management issues and challenges with regard to curriculum implementation. Table 4.4 provides a summary of the data collection techniques used in this study.

TABLE 4.4: SUMMARY OF DATA COLLECTION TECHNIQUES USED IN THIS STUDY

PHASE	PARTICIPANTS FROM RURAL SCHOOLS	METHOD OF DATA COLLECTION	REASON FOR THE INTERVIEW
1.		Document analysis	To collect statistics on matric pass rates, ANA results, external examination results and information about the uThungulu District, such as maps, district overviews, demographic characteristics, education statistics and overall performance.
2.	Principals	Semi-structured interviews	To collect information about human resources, challenges with regard to school management and infrastructure at the school.
3.	HODs	Focus group interviews	To collect information with regard to challenges relating to management issues, academic performance and challenges relating to implementation of the curriculum.
	Educators	Focus group interviews	To collect information about learner safety, the availability of resources, teenage pregnancy, parent's involvement and drop-out.

4.7 CODING OF SCHOOLS AND PARTICIPANTS

I purposefully selected three under-performing rural schools in KZN. In order to protect the identity of the schools, pseudonyms were assigned to the schools. The first school visited was assigned code A; the second school was assigned code B; and the last school that I visited was assigned code C. I also interviewed fourteen education managers from the three secondary schools. In order to protect the identity of the participants and to maintain confidentiality, the following codes were assigned to the different participants. Table 4.5 provides codes and information on participants.

TABLE 4.5: CODES AND INFORMATION ON PARTICIPANTS

PARTICIPANT CODE	DESIGNATION AND TYPE OF INTERVIEW	QUALIFICATIONS	TEACHING EXPERIENCE
NS	Deputy Principal (semi-structured interview)	B Ed-degree and ACE in School Leadership and Management	10 years teaching experience and 1 year as a Deputy Principal
ZW	Deputy Principal (semi-structured interview)	Diploma in Education	More than 10 years teaching Electrical Technology and Mathematics
SI	HOD (focus group interview)	Diploma in Education, Adult Basic Education Training (ABET), Certificate in Computers	Newly elected HOD
NG	HOD (focus group interview)	Diploma in Education, ACE in Education Management and ABET	10 years as HOD
ML	HOD (focus group interview)	Diploma in Education	25 years, teaching English and History

DU	HOD (focus group interview)	Senior Teachers Diploma and BA-degree	12 years, teaching Physical Science for grades 10 – 12
ZL	Senior Teacher (Focus group interview)	Unknown	15 years, teaching Mathematics
MO	HOD (focus group interview)	Unknown	18 years, teaching English
KH	Educator (focus group interview)	Diploma in Education	14 years, teaching Natural Science for Grades 10 – 12
ND	Educator (focus group interview)	Diploma in Education	20 years, teaching Life Orientation, Technology and Arts and Culture
MD	Educator (focus group interview)	B A degree, Hons in Arts, Hons in Education and Diploma in HET	10 years
MT	Educator (focus group interview)	B Ed degree	9 years, teaching Natural Sciences
RA	Educator (focus group interview)	Diploma in Education	23 years, currently teaching Life Sciences for Grades 10 - 12
ZU	Educator (focus group interview)	Diploma in Education	15 years, teaching Home Language isiZulu for Grades 8 – 10

4.8 QUALITY IN QUALITATIVE RESEARCH

During the process of data collection and analysis, the researcher must ensure that the findings and interpretations are correct (Creswell, 2008). Qualitative researchers refer to validity and reliability of research as credibility and trustworthiness of research (Nieuwenhuis, 2010b).

With qualitative research, the aim is to understand a phenomenon. Crystallisation provides for a more complex and deeper understanding of the phenomenon (Nieuwenhuis, 2010b). The reality will emerge from the data analysis and the researcher will be able to see the same emerging pattern and this will add to trustworthiness (Nieuwenhuis, 2010b).

4.8.1 CREDIBILITY

Credibility or reliability can also be defined in the context of internal validity (Miles and Huberman, 1994). Lincoln and Guba (1995) prefer to replace the term reliability with credibility, dependability or transferability. In interviews, credibility will refer to whether the questions asked are measuring what they claim to measure. The qualitative researcher will use three primary forms to check credibility (a) triangulation (b) member checking and (c) external audit.

One way of controlling credibility is to have a highly structured interview (Cohen et al., 2010). The researcher must prevent from assuming, 'putting words in the mouths of the interviewee' or asking leading questions (Cohen et al., 2010). The researcher established credibility through an in-depth literature study that guided the researcher in compiling the interview schedule. The researcher adhered to methodological issues. Thick descriptions were obtained in the responses of participants.

4.8.2 TRUSTWORTHINESS

Positivists often question the trustworthiness of qualitative research because in qualitative research, the researcher is the data gathering instrument (Nieuwenhuis, 2010b; Shenton, 2004). Guba (1981) proposes four criteria that he believes should be considered by a qualitative researcher in pursuit of a trustworthy study:

- a) “Credibility (in preference to internal validity);
- b) Transferability (in preference to external validity/generalisability);
- c) Dependability (in preference to reliability);
- d) Confirmability (in preference to objectivity).”

Credibility (internal validity) refers to ensuring that the study measures what it is actually intended to measure. Transferability (external validity) is concerned with the extent to which the findings of one study (findings on rural schools in KZN) can be applied to other situations” (Merriam, 1998). Dependability means that if the work were repeated in the same context, the same methods and with the same participants, similar results would be obtained (Shenton, 2004, p. 71). Confirmability is concerned with objectivity. The researcher must ensure that the findings are the results of the experiences of the participants and not of the researcher. Table 4.6 provides a summary of strategies used in ensuring trustworthiness in a multi-site case study.

TABLE 4.6: STRATEGIES FOR ENSURING TRUSTWORTHINESS IN A MULTI-SITE CASE STUDY

QUALITY CRITERION	PROVISION MADE BY THE RESEARCHER
Credibility	<p>Advantages:</p> <p>The researcher made use of the well-established case study methodology and followed the procedures.</p> <p>The researcher consulted several documents (document analysis) before data collection dialogues took place</p> <p>Triangulation – the research involved the use of three different data-collection methods: three different sites, document analysis, semi-structured interviews and focus group interviews and also a wide range of participants, deputy principals, HODs and educators.</p> <p>The researcher encouraged participants to be honest when contributing data. Participants were given the opportunity to refuse to participate, leaving only those who were genuinely willing to take part, as participants.</p> <p>Member checking – Checks relating to the accuracy of the data took place. Participants were given the opportunity during and after to check for accuracy.</p> <p>Thick description of the area was given.</p> <p>Disadvantage:</p> <p>Random sampling would ensure trustworthiness. The researcher used purposeful sampling and not random sampling, because the researcher wanted to select participants who could best assist the researcher to answer the questions.</p>
Transferability	<p>The aim of the research was not to generalise the findings of the study, but rather to provide a baseline of understanding similar conditions.</p>
Dependability	<p>The researcher gave detailed descriptions how the study was executed and how the data were collected.</p>
Confirmability	<p>The researcher was constantly aware not to be subjective. An audit trail allows any observer to trace the course of data collection and analysis.</p>

Source: Adapted from Shenton, (2004)

4.9 SUMMARY

The researcher gathered qualitative data to answer the research question: *How may the perceptions of education managers, regarding the “best interests of the child”, affect the quality of education at rural schools in KwaZulu-Natal?* Table 4.7 provides a summary of the research paradigm, approach and design that was used to collect data for this study.

TABLE 4.7: SUMMARY OF THE RESEARCH PARADIGM, APPROACH AND DESIGN

Level of decision	Choice of educational research type
Paradigm	Interpretive
Research approach	Qualitative
Research design	Multi-site case study
Data collection	Document analysis, semi-structured interviews and focus group interviews
Data analysis	Inductive thematic analysis (i.e. allow findings to emerge)

The research process allowed the researcher to form a thick description of the perceptions education managers with regard to their perceptions of education in the “best interests of the child”. In the next chapter, details on the phases of thematic analysis will be provided. A brief description of the different sites will be given and the findings presented.

CHAPTER 5

THEMATIC DATA ANALYSIS AND RESEARCH FINDINGS

5.1 INTRODUCTION

The previous chapter outlined the paradigm and research approach. Data were collected using document analysis, semi-structured interviews and focus group interviews. Interviews were conducted with members of the school management teams and educators from under-performing rural schools in KZN. Data were collected in response to the main research question: *How may the perceptions of education managers, regarding the “best interests of the child”, affect the quality of education at rural schools in KwaZulu-Natal?*

The purpose of this chapter is to analyse the empirical data. This study is based on an interpretive paradigm, aiming to understand a phenomenon therefore qualitative data analysis procedures were applied. Qualitative data analysis tries to establish how participants make meaning of a specific phenomenon by analysing their perceptions and understanding (Nieuwenhuis, 2010c). This chapter illuminates the phases involved in the process of data analysis, presents the data and interprets the research findings. Analysis helps the researcher to identify patterns and themes in the data and thereby drawing conclusions from it (Creswell, 2008; Nieuwenhuis, 2010c).

Thematic analysis is a search for themes and reports experiences, meanings and the reality of participants (Braun & Clarke, 2006). Thematic data analysis can therefore be defined as a method for identifying, analysing, and reporting patterns (themes) within data (Braun & Clarke, 2006; Daly, Kellerhear & Gliksman, 1997). It is a form of pattern recognition within the data, where emerging themes become the categories for analysis (Fereday & Muir-Cochrane, 2006). Thematic analysis was chosen as a method to analyse the data, because this method complimented the main research question. Each identified theme was connected to a research sub-question.

The advantage of conducting thematic analysis is that it can highlight similarities and differences across a data set (Braun & Clarke, 2006). Another advantage of thematic analysis is that it can

be useful in producing qualitative analyses suited to informing policy development (Braun & Clarke, 2006).

Themes within data can be identified in an inductive ('bottom up') way or in a theoretical or deductive, ('top down') way. The aim of this research was to interpret what is in the data (Nieuwenhuis, 2010c). I did not want to obscure themes that might emerge from the data. Therefore I did not try to fit the data into a pre-existing coding frame, but developed codes as I read through the data. Data analysis was therefore data driven and inductive, working from the verbatim transcripts to the general codes and themes or categories (Boyatzis, 1998). Data collection and analysis phases were undertaken concurrently and although the analysis is presented as a step-by-step (linear) procedure, the research analysis was an iterative process (Nieuwenhuis, 2010c).

5.2 THEMATIC DATA ANALYSIS

The following phases were followed during thematic analysis, as set out by Braun and Clarke (2006):

- "Familiarising myself with the data;
- Generating initial codes;
- Searching for themes;
- Reviewing themes;
- Defining and naming themes;
- Producing the report."

Each of these phases is discussed below.

5.2.1 FAMILIARISING MYSELF WITH THE DATA

Each interview was recorded using a suitable MP3 recording device and a tape recorder (the back-up device). After each interview, the audio-recordings were backed up to an external storage device. I have listened to the recordings multiple times. The semi-structured interviews and focus group interviews were transcribed, using Microsoft Word. Transcription is the

process of converting audiotape recordings into text data (Creswell, 2008). I have managed to identify each participant's voice in the focus group interviews and transcribed the data using pseudonyms protect the identity of the participants. After I read and re-read the transcripts, I added notes to my reflective journal on my experiences throughout the interview process.

5.2.2 GENERALISING INITIAL CODES

The object of coding is to make sense out of the text data (Creswell, 2008). Nieuwenhuis (2010c, p. 105) defines coding as: "... marking the segments of data with symbols, descriptive words or unique identifying names." The coding process included: Reading through the text data, dividing the text into segments of information, labelling the segments of information with codes, and collapsing the codes into themes (Creswell, 2008, p. 251). The process of coding is part of the analysis process (Miles & Huberman, 1994). I preferred to make use of lean coding initially and assigned only a few codes (Creswell, 2008). The reason for lean coding at the beginning of the coding process was to start with collection points for significant data. The initial codes act as markers to rationalise the thinking process (Nieuwenhuis, 2010c).

I moved back and forth between the transcripts, refining my codes. I gave each data item equal attention in the coding process. I have tried not to over code the data but rather grouped similar codes together to form one idea. I have established 51 codes and moved onto the next phase of the data analysis process, combining related codes into themes (Nieuwenhuis, 2010c).

5.2.3 SEARCHING FOR THEMES

I worked inductively and combined related codes together into themes and I assigned a label to each theme. Reading through the identified codes six themes emerged from the data. I draw a visual representation of the codes and the themes in my journal. The visual diagram or mind-map helped me to sort the different codes to form an overarching theme. A theme capture something important about the data in relation to the research question and represents some level of patterned response or meaning within the data (Braun & Clarke, 2006).

5.2.4 REVIEWING THEMES

The themes were exported to Microsoft Excel and the codes were assigned to the different themes.

5.2.5 DEFINING AND NAMING THE THEMES

Defining and naming the themes means identifying the essence of what each theme is about and determining what aspects of the data each theme captures (Braun & Clarke, 2006). In the end I have identified six themes that will assist me in answering my research question. A theme captures something important about the data in relation to a research question. The following themes emerged from the data.

Theme 1: Perceptions about “best interests of the child” principle;

Theme 2: Perceptions with regard to quality or acceptable education;

Theme 3: Management of a rural school;

Theme 4: Perceptions with regard to challenges hindering the delivery of quality education;

Theme 5: Perceptions with regard to the implementation of the curriculum;

Theme 6: Needs identified by educators and education managers of rural schools.

Themes were used to answer each research sub-question. Table 5.1 indicates which theme was used to answer which research sub-question.

TABLE 5.1: CONNECTING A RESEARCH SUB-QUESTION TO A THEME

RESEARCH SUB QUESTIONS	THEME
<ul style="list-style-type: none"> How do education managers in rural schools understand the “best interests of the child” principle? 	Theme 1: Perceptions of “best interests of the child”.
<ul style="list-style-type: none"> What are the perceptions of education managers with regard to the quality of the education received by learners in rural schools? 	Theme 2: Perceptions with regard to quality or acceptable education.
<ul style="list-style-type: none"> What are the perceptions of school management team members with regard to the management of the school, in order to act in the “best interests of the child”? 	Theme 3: Management of a rural school.
<ul style="list-style-type: none"> What are the challenges experienced by education managers in providing quality education in rural schools? 	Theme 4: Perceptions with regard to the challenges hindering the delivery of quality education. Theme 5: Perceptions with regard to the implementation of the curriculum.
<ul style="list-style-type: none"> What needs to be done to improve the academic performance of under-performing rural schools? 	Theme 6: Needs identified by educators and education managers of rural schools.

5.2.6 “PRODUCING THE REPORT”

Qualitative data analysis tries to establish how participants make meaning of a specific phenomenon. This case study tries to answer the main research question: *How may the perceptions of education managers, regarding the “best interests of the child”, affect the quality of education at rural schools in KwaZulu-Natal?* The findings of a study are produced in the next section.

5.3 FINDINGS

5.3.1 A DESCRIPTION OF THE DIFFERENT SITES

My journey started in Richards Bay, southward bound along the national road (N2) towards Durban. I followed the Principal, ZN, with both of us driving four-wheel-drive vehicles. We soon left the N2, turning onto a smaller gravel road. The Principal insisted that I travel in a four-wheel-drive vehicle. The road soon became impassable, filled with potholes, deep ravines, ruts, bumps and pools of water. We crossed two low-level bridges. Access becomes a challenge during the rainy season when bridges are under water. According to the Principal, buses and mini-taxis do not travel on these roads, because of the poor condition of the roads. Using four-wheel-drive vehicles or travelling by foot is the only way to reach the school.

Most of the inhabitants live in thatched-roof houses and are non-commercial subsistence farmers, producing staple crops, sugar cane and vegetables. Large tracts of land in the uThungulu municipal area are Ingonyama Trust land that falls under the Traditional Authorities. The three selected secondary schools are located in the TA Area of Mkhwanazi. The Mkhwanazi Tribal Area is a predominantly residential area for Zulu-speaking people and is densely populated (Magwaza, 2011).

As indicated, poverty levels are high due to low skills levels and low levels of formal employment. “The poverty rate of KwaZulu-Natal is estimated at 45%, an indication that a little less than half of the provincial population is living on a monthly income that is unable to sustain them.” (Treasury Department, n.d.). Many learners were still walking to school at 09:00. Driving 30 kilometres from Richards Bay to school A took me an hour and thirty minutes. Access to the

school is a huge challenge. The words of Howe and Covell (2013, pp. 3-4) kept going through my mind:

“Schools should engage children, provide them with high-quality teachers and programs, provide them with a safe, welcoming and stimulating learning environment, and ensure equal opportunity for educational success ... all of this is in the best interests of the child.”

5.3.1.1 SCHOOL A

TABLE 5.2: SUMMARY OF INFORMATION - SCHOOL A

TYPE OF SCHOOL	<ul style="list-style-type: none"> • Ordinary public school • Secondary school • Quintile 2 • Rural school • Offers Grades 8 – 12 • Offers three streams⁴³
LEARNER INFORMATION	406 learners
TEACHER INFORMATION	24 educators
SMT	1 Principal 1 Deputy Principal 2 HODs

School A is located in a poverty-stricken rural part of the uThungulu District, approximately thirty kilometres from the nearest town. The school gives access to learners from the local tribes. The school is neatly fenced off from the surrounding community and the school gate was locked at the time of our arrival. Adjacent to the secondary school is a primary school. Approximately thirty learners had congregated outside the school in front of the gate. Upon arrival, the Principal stated that learners are locked out due to late-coming. After entering the school gate,

⁴³ Offering a diversified curriculum that may include one or all of the following courses: Science, Commerce, Humanities.

the late comers remained outside the school property. Only a few *staff cars*⁴⁴ were visible in the car park. The school day had already commenced and most of the learners were inside the classrooms. The Principal's office is equipped with a table, two chairs and a fan. It was a hot, humid day in Northern KZN and no lights or fans had been switched on before we arrived because electricity is only available when the Principal arrives with the electricity coupon.

School A is a no-fee paying ordinary public secondary school therefore all learners are exempt from paying school fees. The school depends on the NSNP and provides one meal a day to all learners in the school. Books, stationery and resources are provided by the KZN DoE. One of the local mining companies donated a Science laboratory to the school in 2013. The school has a strong supportive governing body. The school has only one photo-copy machine which is locked in the strong-room in the Principal's office.

Although there are sufficient educators allocated to the school, floor space is a challenge. Walking through the school I observed that there are between 50 – 70 learners in a classroom. The school performed poorly in the 2013 as well as in the 2014 ANA, obtaining below 15 per cent for Mathematics and below 15 per cent for Languages. Although KZN province obtained an average of 69.7 per cent pass rate in 2014, the school obtained a below 50 per cent pass rate in the NSC examinations in 2013 and 2014.

The interviews took place in the Principal's office, due to limited floor space. The only fan in the building was switched on due to the extreme humidity and heat. I had to switch the fan off because the interviews were audio taped and the noise of the fan caused a disturbance. The Principal delegated his interview to the Deputy Principal, NS. By the time the interviews started, the learners were outside (break time). The noise was overwhelming and NS tried her best to discipline the learners, but the noise continued and I had to shut the window in order to continue with the interviews.

⁴⁴ A staff car is a vehicle used (instead of a taxi or bus) by educators and learners to travel to rural schools.

5.3.1.2 SCHOOL B

TABLE 5.3: SUMMARY OF INFORMATION - SCHOOL B

TYPE OF SCHOOL	<ul style="list-style-type: none"> • Ordinary public school • Secondary school • Quintile 2 • Rural school • Offers Grades 8 – 12 • Offers only 1 stream: Science stream
LEARNER INFORMATION	188 learners
TEACHER INFORMATION	10 educators
SMT	1 Principal 2 HODs

School B is situated in a poverty-stricken deep rural area of the uThungulu District, on the border of the Mkhwanazi Tribe and close to another neighbouring secondary school. The neighbouring secondary school falls under another tribal authority, and according to a participant, this causes rivalry between learners at these schools. The school is thirty kilometres from the nearest town. The road to the school is impassable and can only be reached using a four-wheel-drive vehicle. Buses do not travel to the school due to the poor condition of the roads and learners have to walk long distances to school. The teachers travel to school making use of a *staff car*. I have passed several learners on my way to school B at 08:45. It was a hot and humid day and the learners looked tired on their way to school. According to a participant, most of the learners come to school hungry, tired and ill-prepared.

I had an appointment with the Principal, scheduled for 09:00. Upon my arrival, I saw that there was no proper fence around the school. The gate was broken and left opened. I noted that the subject advisors from the KZN DoE also arrived at the school. I was informed that the Principal was not at school and that he had delegated the interview to the HOD. I had to wait for the HOD, as he was in a meeting with the department's subject advisors.

I observed that the structure of the school consists of a pre-fabricated buildings as well as a brick building. I was informed that the brick building was donated by the local mining company. I was also informed that the ceilings were torn to pieces by burglars during a burglary that took place the previous year and that the ceilings were not replaced since then. It was observed that there are no burglar bars in front of the windows and I was informed that the level of vandalism is high. The school is surrounded by a fence, but there is no proper gate. Security of the property remains a challenge. I was also informed that the learners and educators do not feel safe during the day.

I was informed that most educators do not want to teach at the school, but have no alternative option. It was observed that school B had fewer learners than school A. I was told that learners enrol school B in the beginning of the year to receive the free stationery and then move to the neighbouring school for the rest of the year. I also observed that the school is without electricity and was told that the electricity cables were stolen during the recent burglary. There are only pit toilets on the premises and they are situated twenty metres from the main building. The pit toilets were in a poor and unhygienic state.

During my observation, I noticed a Science laboratory on the premises. Upon entering the laboratory, I saw that the laboratory was in a poor state. A local mining company donated a Science laboratory to the school, but, due to vandalism, the building is currently not operational. Faction fights between learners of the two tribes and vandalism left most of the school buildings in a poor state. I was told that the school had closed for three weeks in 2014 (from August to October) due to strikes. Access to running water and the availability of water remains a challenge. I was informed: *"Sometimes we must stay three months without water!"*

School B is a no-fee school. Most of the learners from School B comes from child headed households or live with their grandparents. I was also informed that some of the learners do not have birth certificates. By obtaining a birth certificate learners have access to government social grants and can register for the NSC. Obtaining birth certificates remains a challenge. School B is part of the NSNP and provides one meal a day to all the learners in the school. Food was prepared in a small kitchen and the food was kept on the floor of the strong-room. The meal consists of *samp*⁴⁵ and beans. I was also informed that this meal is the only meal for most of the learners at the school and learners often disappear after they have had their meal.

⁴⁵ Dried corn kernels that have been pounded and chopped.

The school is marked by continuous poor performance in the ANA: below 12 per cent for Languages; and below 3 per cent for Mathematics. The school pass rate for the Senior Certificate examination dropped to below 10 per cent in 2014. According to a participant, one of the reasons for the high failure rate is because the school offers only a Science stream. Learners attending the school do not have a choice and have to take Science, even if they are not interested in Science. I was also informed that sexual abuse, dropping-out of school, teenage pregnancy and absenteeism is high. Six learners fell pregnant during 2014.

5.3.1.3 SCHOOL C

TABLE 5.4: SUMMARY OF INFORMATION - SCHOOL C

TYPE OF SCHOOL	<ul style="list-style-type: none"> • Ordinary public school • Secondary school • Quintile 3 • Rural school • Offers Grades 8 – 12 • Offers 3 streams namely Commercial, Mathematics and Science as well as a General stream (Agricultural Science and Geography)
LEARNER INFORMATION	800 learners
TEACHER INFORMATION	25 educators
SMT	1 Principal 1 Deputy Principal 2 HODs

School C is a no-fee secondary school located closer to town. Although there are enough educators at the school, floor space seems to be a challenge, resulting in over-crowding. I observed that there are between 50 and 70 learners in a single classroom. Most of the classrooms are pre-fabricated classrooms.

No results⁴⁶ are available from the KZN DoE regarding the ANA results. The school achieved a pass rate of below 50 per cent for the 2013 NSC, but improved slightly in 2014 with a 57 per cent pass rate.

Access to the school is still a challenge due to the impassable gravel road, but learners can travel to school using a bus, but learners have to pay for bus transport. Most learners can't afford the bus fees and walk to school.

The school is fenced from the outside community and the school has a guard. The guard wore traditional clothes and stood in front of the gate with a *sjambok*⁴⁷ in his hand. The gate is locked and late-coming is not tolerated. A Science laboratory was donated by a local mining company and the structure of the laboratory and the school buildings show no indications of vandalism. The laboratory is neat and in good working condition. The school also has a computer lab that was built four years ago. At 09:00 learners were still outside their classrooms and formal teaching did not start. A netball court was visible but in a poor condition. A guard protected the Principal's office and I had to sign the visitors' book before entering the Principal's office.

I had an appointment to interview the Principal and I was looking forward to the interview, because the Principal is also an important member of the local tribal authority. He was not at school and I was informed that he had delegated the interview to the Deputy Principal. Some of the participants indicated that there is an absence of strong leadership at the school, as the Principal must also attend to his duties in the community. The Principal's office was also used to do the photo-copying. Therefore, I suggested that we moved to another classroom to conduct the interviews. Although corporal punishment is not allowed most teachers walk with a *sjambok* in their hands. Participants informed me that some of the learners use drugs and become violent in class. I was informed that the *sjambok* is there to protect the educators from violent learners.

Observations and findings that were made at the three different schools were presented in the above section. In the following section findings from the interviews are presented.

⁴⁶ I phoned the KZN DoE to obtain the ANA results of all the schools in the study. I obtained results for school A and B. No results were available for School C and no explanation was given to me as to why the results were not provided.

⁴⁷ A heavy leather whip.

5.3.2 THE MAIN THEMES

My empirical investigation was aimed at the perceptions of education managers with regard to “the best interests of the child”. Verbatim quotations from the responses offered by education managers will be presented to support my research findings. Several themes emerged from both the semi-structured interviews and the focus group interviews. The six themes are discussed next. All quotations are provided verbatim and therefore many English language errors will be evident.

5.3.2.1 THEME 1: PERCEPTIONS OF THE “BEST INTERESTS OF THE CHILD” PRINCIPLE

Findings from theme 1 will be used to answer the following research sub-question? How do education managers in rural schools understand the “best interests of the child” principle?

The interview question was formulated as follows: *In terms of section 28(2) of our Constitution “a child’s best interests are of paramount importance in every matter concerning the child.” What are your perceptions of the principle: The best interests of the child – especially in a rural context?* Some of the participants did not understand the question. Given that the question formed an important part of the study, it was repeated and explained. I ensured that the participants fully understood the question before I continued with the interview. Although the participants then had a clear understanding of the question, no further guidance was given, so as to not influence their responses. The data revealed that the “best interest of the child” principle is not understood by school managers. A variety of responses therefore the theme was divided into four sub-themes: The best interests of the child means:

- a) To receive a good education;
- b) To fulfil the child’s emotional needs;
- c) To fulfil the child’s physical needs;
- d) To supply the child with adequate resources.

a) To receive a good education

Data indicated that receiving quality education and knowledge formed an important part of what participants perceive to be in the best interests of the child. The remarks were as follows:

To give them the quality education. Trying to put the stigma of not knowing anything ...
[MT]

I think they deserve a quality education since most of them got no parents ... [NG]

We must give them knowledge. [ZU]

The following perception was articulated by a Deputy Principal:

The best interests of the child is ... education...especially here in the rural areas...for them to develop ... they need to be educated ... so if there are no educated people, this place will remain under-developed. So it is paramount that a learner should get an education, in order to come back and uplift their own place. [NS]

The utterances above acknowledge the importance of quality education for rural children. It implies that without quality education their best interests are being compromised. It is suggested that education is recognised as an important part of socioeconomic status and that educated people, who return, will uplift the rural community. A HOD made the following comment with regard to qualified teachers and what she perceives to be in the “best interests of the child”:

Qualified teachers who can teach properly. I am not saying that those who are qualified do not teach properly, but at least qualified teachers ... they know their subject and they have the methodology of teaching. They know how to help learners who are slow and how to accommodate those learners who are fast. So, if we can get our qualified teachers that would help the learners. [DU]

This statement reflects that qualified educators who are equipped with adequate content knowledge forms part of what the participant perceive to be in the best interests of the child. This following educator was more explicit and indicated:

What a question! But what I think it means is to teach the child in totality ... all learners in all other areas. You must teach them in such a way that we expose them to every situation and everything. [ND]

This statement defines what is meant by education in the “best interests of the child”. The participant suggests that “best interests of the child” means the total development of the child.

Another educator highlighted regular school attendance as what she perceives to be in “the best interests of the child”:

... to make sure that each and every one of the learners be at school the five days of the week ... Mondays to Fridays. And after that, I can try to help the learners where they lack ... [MT]

To expose learners to different school activities forms part of what another educator perceives to be in “the best interests of the child”:

After that, I think ... because we just look after them ... at all the activities ... that they can do at school ... It is important just to teach something in the class and also outside the class, so that they can know exactly what they need in life. [MD]

Most of the participants teaching at rural schools indicated the importance of quality education, knowledgeable educators, exposure to different school activities and regular school attendance as being what they perceived to be in the “best interests of the child”.

b) To fulfil the child’s emotional needs

Education managers in this study also revealed that addressing the child’s emotional needs formed part of their perception of what is in the “best interests of the child”. Many of the learners in the rural areas of KZN are orphans. Sympathetic responses from participants indicated that they perceive the fulfilment of emotional needs to be part of the “best interests of the child”. As one HOD responded:

I think also we must give them love because they do not have parents. Nothing ... I think we have to give them what they need. [NG]

The following statement from an educator (in a different interview) mirrored these remarks:

First of all, we must try to love the children because some of them are orphans ... they don’t have parents ... we must try to love them and try to teach them the right way. They come from poor families. [KH]

One educator articulated that his perception of the “best interests of the child” principle is to put the child’s interests first and to provide a vision for these learners:

We must put the interests of the child first, because the child must be our first priority in our life. [ZU]

My understanding is actually that the child must be taken care of ... [ZU]

The following responses provided by participants, indicates that addressing the social needs of the child forms part of these participants' perceptions regarding the principle of "best interests of the child":

It means to identify the learners who need individual attention. Most of the learners in our school ... some of the children have many personal problems. We must try to come closer to the learner, so that we can solve his or her problem. [KH]

... they don't have a vision about their future. [MO]

It is clear from these comments that taking care of a child's social and emotional needs forms part of what the participants perceive to be in the "best interests of the child".

c) To fulfil the child's physical needs

The following participants indicated that in order to deliver quality education to rural schools and previously disadvantaged learners, schools must have the necessary support material and resources. Some participants indicated that the fulfilling of basic physical needs such as food, transport and resources are what they perceived to be in the "best interests of the child". As one HOD indicated:

Other kids could hardly concentrate on what you are teaching, because they are hungry and their stomach is empty ... [SI]

So most of our kids ... because they have to travel long kilometres from their homes to school ... and they are not exposed to libraries, even here at school we don't have it ... so we need those things. [SI]

A HOD from a different school indicated:

They should be closer to schools. They travel long distances ... and when they come to school they are tired. They come late and so then it automatically hinders their progress in the classroom. [ML]

They should provide transport for learners that have to travel far distances ... but nothing happened. [ML]

Another factor that may be considered is that most of the learners come from poverty stricken areas. One participant shared the following sentiments:

... so, maybe we need to apply for bursaries for them ... because that will be in their best interests ... so that they will come back and help the community. [NG]

d) To supply a child with adequate resources

A HOD is of the opinion that the DBE does serve the child's best interests and countered the previous view by stating:

I think the Government is looking at the best interests of the child, because they do provide free copies of books for the learners; they also have grants for them, because most of them are staying with their grannies. There are also a feeding scheme in the school for the learners. There are subsidies ... this is a no-fee school that is paid by the Government for each child ... it is the basics that they need ... the basic resources that they need ... [ZW]

What are the perceptions of education managers with regard to the best interests of the child in a rural school? It can therefore be concluded that the perceptions of education managers with regard to the "best interests of the child" suggest quality education, the fulfilment of emotional and social needs as well as the fulfilment of basic physical needs and resources. Comments also suggest the overall development of the child.

5.3.2.2 THEME 2: PERCEPTIONS REGARDING QUALITY OR ACCEPTABLE EDUCATION

The perception of rural school managers, with regard to their understanding of quality or acceptable education, is important. Interview questions were constructed to collect data to answer the following research sub-question: *What are the perceptions of education managers with regard to the quality of the education received by learners in rural schools?* It can be

established from the responses that the perceptions of participants, with regard to quality education, focused on four aspects:

- a) The type of education received by learners;
- b) The quality of educators;
- c) The availability of resources;
- d) Leadership in schools.

a) The type of education received by learners

A Deputy Principal of school A described quality education as a certain type of education that enables learners to compete with other learners in the world.

It is the education ... that is equal ... it is education that will make the child competent in the world. That makes the child competent out there. When he or she gets out there and she or he will be able to compete with other learners from all over the world. They must be able to compete in a multi-racial environment. It does not mean that if a child is from a rural area, he or she must receive an inferior education. [NS]

This statement was confirmed by an educator in a different interview:

So I think about quality education it means for learners to have almost everything they need to reach their full potential. [DU]

A HOD of school B made a similar comment:

Quality education to me means that a child should get an education that is equivalent to any type of education that is regarded as a good one. So urban or rural it must be the same one. For example if learners in urban areas do get an opportunity to go to the experiments and so they [rural learners] should be given the same opportunities what is provided in urban areas to learners of rural because they are South Africans. [ML]

It is evident from the responses that participants want learners from rural areas to receive the same type of education and receive the same opportunities as learners from urban areas. Quality education is further explained by a HOD of school A:

With quality ... I think we are looking at performance especially ... how well they have performed, especially in that particular class ... we are looking at the symbols and university pass. How many of our learners have Bachelors pass ... [SI]

This statement was supported by a HOD from the same school. She expressed the following belief:

To understand quality we must produce learners who can ... be able learners to go to university level and compete with other learners who come from urban areas. So at the end they meet the equal standard from the rural areas to be able to compete with the learners from the urban areas. [NG]

The above comments re-affirm that participants perceive quality education to be a type of education that provides equal opportunity for every child. It also re-affirms the desire to have equal access to University or further training, regardless of where the learner comes from.

It is evident from the following remark that conditions in rural schools are not the same as in urban areas. As a HOD commented:

Because they [urban areas] have all the resources and facilities and then even the environment, the staff rooms ... the offices of the HODs ... they are posh and there are fans and maybe air-cons and we have absolutely nothing here. [MO]

The lack of floor space and classrooms result in over-crowding and impact negatively on the quality of education received by learners in rural schools. As a HOD of school C commented:

Another thing that can improve the quality of education is a better number of the learners in each class. [MO]

Yes, we have eighty learners in one classroom ... sometimes it goes up to ninety ... there is no individual attention. [MO]

From the responses, it can be concluded that rurality and distance from a town also results in minimum visits from subject advisors from the DBE. The HOD of school C elaborated as follows:

Sometimes they [subject advisors for the DBE] come here for moderation maybe once or twice a year ... they will visit us here at school, but as for last year - there was nobody. [MO]

It is evident that circumstances in rural schools are different from that in urban schools and more support is needed to deliver quality education to rural school learners. As one educator at school B points out:

Yes, I think that urban schools have access to better quality education. In our schools here, first of all our learners are not exposed to, for example to TVs, news, internet ... so that they can Google and find information ... also the family structure ... [ND]

The lack of parental involvement and family structure influence the quality of education received by rural learners. The HOD of school A commented on this matter as follows:

What I think we need here maybe to be given a special attention because of the behaviour of our learners since you will find that some of them they are psychologically distract and they need more support ... [NG]

b) The quality of educators

Responses also indicated that qualified educators and specialist form part of what participants described as quality education. An educator of school A made the following remark:

Learners must have qualified teachers in front of the class ... and the support material must be enough. Learners must have all that is needed so that they can pass. [ZU]

A similar comment was made by and educator of the same school:

I also feel ... qualified teachers ... you must have a teacher that is qualified for that particular subject. You must have specialist for that specific subject. [KH]

An educator from school B made a similar remark, but also pointed out that it is important to understand the rural environment, in order to deliver quality education to rural learners:

Quality education ... I think an educator must be well prepared and deliver the matter appropriately. Must be a long researcher so that he can unpack the knowledge to the learners ... must understand the situation of the environment of the learners he or she is teaching. Understanding ... even the challenges of the learners, because they [the challenges] can hinder the outcome. [ND]

The HOD of school C was more explicit with regard to educators who are qualified but not committed:

Yes ... but sometimes even if the teacher is qualified ... if the teacher is lazy ... if the teacher is not dedicated ... [MO]

There are those teachers that are working hard, but there are those who always absent themselves ... a person will come and say, I have been sick, so you can't take the steps for that. [MO]

The Deputy Principal from school C supported the above statement:

Yes, we do need support. We do not say that urban schools have access to specialists, but we do not have specialists in our schools. [ZW]

It is suggested by an educator from school A that qualified educators do not prefer to teach at rural schools, but would rather teach at urban schools:

They [qualified educator] go to urban areas and to more comfortable schools, where there are no bumpy roads and access is better, because it is easier. Here [rural areas] you will find a person who have just done a B.Sc. but without the methods how to teach ... he is no actual teacher ... how to transfer the knowledge. [ZU]

This statement was supported by an educator from school B:

Yes, I must teach where I am comfortable to teach. Yes, that is what hinders the teachers here. Yes, that is why teachers do not want to come here. [ND]

The above statements were profoundly reflected by a Deputy Principal when he stated:

Quality education entails one: in terms of content ... you must have content knowledge. In terms of human resources, we must have qualified educators. In terms of resources, we must have prescribed text books ... [ZW]

c) The availability of resources

The HOD of school B highlighted the availability of resources as important in order for quality education to take place:

I see a learner who has got all the learner teacher support material. Learners who have got books. Learners who are taught by teachers who have good apparatus to do

experiments, learners who have desks to sit on ... so I think about quality education ... it means for learners to have almost everything they need to reach their full potential. [DU]

It is evident from the following remarks that education managers from rural schools lack the availability of resources. As an educator from school A commented:

Yes, because they [urban schools] have all the facilities and if Government officials pick up a problem at that school they can intervene quickly; whereas in rural areas it is delayed so rural is far ... so nobody sees the problem. They [the DBE] don't see that these people [rural] - they don't have a computer, they don't have a science lab, they don't have a library ... all those supporting physical structures. [ZU]

This comment is confirmed by another educator from the same school.

Yes, we need to be treated differently ... we are far from the urban areas and some of the things we got it late. [KH]

A similar remark was made by the HOD of school B:

... but sometimes you have to postpone that lesson because you don't have sufficient resources, maybe you rely on a photocopier and it is broken ... [ML]

It is evident that rural schools need more support with regard to upgrading physical structures and resources. As this educator from school B indicated:

As you see the structure of the school, the environment ... it is not conducive ... we need books ... we do not have enough books for each learner ... we need computers, we need libraries and we need support. [ND]

A similar remark was made by the Deputy Principal of school A:

Of course learners in the urban areas have access to better quality education hence that of learners from rural schools. Firstly learners in rural areas do not have access to libraries, some schools do not have laboratories, they can't read, they are illiterate even their parents ... they are illiterate ... [NS]

It is evident that rural schools have special needs, as indicated by the Deputy Principal from school C:

Yes. Yes, most of them are pregnant and they also have socio-economic problems and we need a social worker ... a practitioner. [ZW]

A similar comment was made by an educator of school B:

I am not a selfish person, but I think they [rural schools] need to be treated differently, because we are in a different place ... environment. It is very different from the urban areas. Just look at our road. [ND]

Just look at our structure ... vandalism [pointing towards the broken ceiling and light switches]. [ND]

An educator from another school made similar comments with regard to the availability of resources and access to rural schools.

Ok, my opinion is that in terms of urban and rural ... it is different. The child in urban, they always have transport if they are going to school and they can't feel tired, but these children in rural areas ... they walk almost 15 to 20 kilometres ... once they just enters the class, they feel tired and they just sleep, compare to the one in urban areas, it's [the learner] fresh and it is able to pay attention to what is being said in class ... [MT]

... the resources there are a scarcity in rural rather than in urban ... when you look at the community ... these schools are not properly secured. [MT]

We have a problem with Photostats of learners ... the machine is not working ... the machine is just stolen ... because the security is not enough. [MT]

d) Leadership in schools

Participants expressed their concerns with regard to the lack of leadership, as having a negative effect on the quality of education. As the HOD of school C remarked:

All the facilities must be there. And then there must be qualified teachers, like ZU and myself and the teachers must be dedicated and they must get support from their Principal. If they do not have support from the Principal, there will be no quality education. Just because we are anonymous ... leadership here is not strong ... there is

a lot of job outside the school. He [the Principal] is here and there [pointing towards the fields]. [MO]

A similar comment was made by the HOD from the same school:

And also the leadership as well ... if you are a leader ... you must be an example. Say for instance if you want to come into the distress room [staff room] ... just avoid late-coming. The leader must come exactly by time ... [ZL]

These revelations demonstrate a clear understanding of what quality education is and what it is not. *What are the perceptions of education managers with regard to the quality of the education received by learners in rural schools?* It was also made abundantly clear by the participants that rural and urban learners must receive the same type of education and must be taught by knowledgeable educators. Furthermore quality education means available resources and strong leadership for these learners to be able to compete with other learners in the world. Several participants suggested that rural learners must not receive an inferior type of education. It is evident that participants perceive the quality of education received by learners from rural schools, as inferior. Some participants also perceive educators to be lazy, and uncommitted, and indicated that educator absenteeism is high. It is also evident that, rural schools do not have suitable infrastructures and do not receive adequate resources in time to deliver quality education. It is also evident that there is a lack of strong leadership in rural schools.

5.3.2.3 THEME 3: MANAGING A RURAL SCHOOL

Data were collected to answer the following research sub-question: *What are the perceptions of school management team members with regard to the management of the school, in order to act in the "best interests of the child"?* Although I had an appointment to interview the three Principals from the secondary schools, none of them were available for the interview, with different reasons given for this. The principles delegated the function to the Deputy Principal and the HODs. The core purpose of principalship is to provide leadership and management in all areas of the school (Bush et al., 2010, p. 162). School managers must therefore ensure the conditions under which quality teaching and learning can take place. Challenges with regard to the implementation of the curriculum prompt a vast number of responses. This will be dealt with

under Theme 5. The following two main challenges with regard to managing the creation of conditions for learning and teaching emerged from the data:

- a) Human resource management challenges that include: a lack of leadership; a lack of motivated educators; high absenteeism; a lack of learner discipline.
- b) Lack of suitable infrastructure.

a) Human resources management

Effective learning and teaching relies on effective human resources. Human resources include the school principal, SMTs, educators and learners. Data revealed that challenges with regard to the management of human resources includes the lack of leadership; the lack of motivated educators; high absenteeism rate; the lack of learner discipline and the lack of parent involvement.

It is evident that SMTs need good leadership and support from their principals to help them fulfil their tasks as effective school managers. As one of the HODs indicated:

If they [educators] do not have support from the Principal, there will be no quality education. [MO]

Another HOD from the same school expressed his concern as follows:

And also the leadership as well ... if you are a leader ... you must be an example. Say for instance if you want to come into the distress room [staff room] ... just avoid late-coming. The leader must come exactly by time ... [ZL]

In this regard, the HOD from the same school replied:

Just because we are anonymous ... leadership here is not strong ... there is a lot of job outside the school. He [the principal] is here and there [pointing towards the fields]. [MO]

This statement followed:

If you are a leader ... you must be an example. [ZL]

This prompted the HOD to suggest the following:

Someone [the school principal], that is always there to see the problems that we are facing. Problems need to be attended on time. [MO]

It is evident that SMTs need support from strong leaders to provide effective teaching and learning. The comments reveal the view that strong leaders must be present, supportive and committed and, must lead by example.

Effective teaching and learning can only take place in a positive school climate. What also emerged strongly from the data analysis are challenges faced by school managers with regard to the motivation of educators. Educators showed a negative attitude towards teaching. As one of the HODs observed:

Sometimes even if the teacher is qualified ... if the teacher is lazy ... if the teacher is not dedicated. [MO]

It was evident from the comments of school managers that the motivation and disciplining of educators is not an easy task. The following statement suggested a lack of cooperation from educators:

We are in the same environment as the other schools, but we try by all means as educators just to honour a period. If you honour a period you have to deliver quality education. [ZL]

One of the HODs' supported this view by stating:

We are dealing with adults, some of them are able to do work and are willing; but some are able but unwilling. So as a HOD you have to try to work with that unwilling person, because most of the time they are able, but they just don't want to. [DU]

The HOD from the same school corroborated this by exclaiming:

So you have to work with such people up to the point where you have to involve the Principal; and then it makes things uncomfortable and the person who suffers the most is the learners, because if you push them [educators] too hard, they [the educators] tend to go to class and just sit. [ML]

This prompted the HOD from the same school to utter the following:

You are working with people who need to learn how to keep time. Make sure that you are in class in time; but if they are still chatting and you say, 'but you are supposed to be in class' ... it feels like you are pushing too hard ... [DU]

High absenteeism from both educators and learners challenge the management of human resources. According to Deputy Principals and HODs, poor infrastructure hinders accessibility to the school and has a huge impact on managing the staff and learners attending a rural school. Impassable roads and transport problems cause high absenteeism and late-coming - of both educators and learners. As a newly elected Deputy Principal reflected:

Dealing with rural schools is not easy ... [NS]

She further explained:

The road is not good ... its gravel, potholes ... it is not good to use these roads of ours ... especially when you use a small car ... a private car. It is better if you have a 4x4 [off road vehicle]. When it is raining ... learners do not come to school, if the bridges are overflowing, because the bridges are low, they are not high, and so learners do not come to school ... [NS]

This practice was further corroborated by the HOD from a different school:

... they [learners] are travelling long distances on foot and a few got a staff cars, most of them are travelling on foot. [MO]

Most of the learners walk long distances to school. This statement was supported by another HOD:

... at one stage Government suggested that they should provide transport for learners that have to travel far distances but nothing happened. Some travel with their own transport ... but those who can't afford they can't ... they have to walk long distances and they come late. They come late and so then it automatically hinders their progress in the classroom. [ML]

A HOD with many years of experience stated:

Absenteeism ... so they miss out on lessons ... and late-coming. Absenteeism both sides ... learners and educators. [NG]

Another HOD from a different school articulated the same notion with the following remark:

There are those teachers that are working hard, but there are those who always absent themselves ... a person will come and say I have been sick so ... you can't take the steps for that. Sometimes you look at the situation and you think ... they are not really sick ... I think they [educators] need to be developed somehow to change their attitude towards their work ... [MO]

Upon arrival at the three different rural schools, I was constantly aware of the challenges faced by learners and educators just to get to school in the mornings, e.g. the selected schools could only be accessed by means of an off road vehicle. It is apparent that school managers of the selected rural schools experienced issues with regard to time management, late-coming of educators and learners as well as high rates of absenteeism.

Part of the duties of school managers is to manage learner discipline. According to school managers, the “best interests of the child” are compromised when there is a lack of school discipline. Findings revealed that school managers are faced with the following challenges with regard to managing learner discipline: disobedience; substance abuse; aggressiveness; and high pregnancy rates. According to school managers, this results in learners showing a negative attitude towards their school work.

A HOD shared the following:

Our learners are not disciplined ... most of them are failing to learn ... but they do not want to learn ... [MO]

This view was supported by the HOD from the same school:

Yeah, and some of our learners they don't even see the need for learning, they will simply walk without us ... they will say today lets go to school. And while they are at school they will move up and down to the toilets while the teacher is in the classroom.
[ZL]

A HOD stated:

And most of our learners they do not come for extra classes. [MO]

A Deputy Principal from a different school expressed her concerns:

Most of them have written Mathematics off - and also Accounting. They have already failed before they have failed. They are aggressive ... they are fighting with the educators ... how do they expect to receive knowledge from educators if they are fighting ... and they are rude to educators. [NS]

Another school manager stated:

I think the main thing for these learners here is just because of a negative attitude. A negative attitude. [ZL]

A HOD was more explicit, remarking:

... learners behave like they are living in the jungle, they don't see teachers as parents ... [DU]

The following sentiments were made by the HOD:

They are aggressive ... some don't do their homework ... so we need to be able to treat them ... in a manner ... to channel them in the right way ... [NG]

A HOD expressed his concern by stating:

One of the challenges is the high level of pregnancies. It is high in the rural areas. [ML]

The Deputy Principal from a different school expressed the same notion:

Secondly, teenage pregnancy and drop-out. They fall pregnant ... they drop-out and they use drugs and alcohol. Learners come to school drunk ... they bring the drugs to school ... they use the small house at the gate ... that is where they smoke during break time.[Noise in background]. After they have smoked they do not pay attention in the classroom ... they become violent. [NS]

A school manager exclaimed:

No they could not finish ... some of those learners ... they go to the clinic to deliver that child and then they come back in two days. But then they missed out and they are tired ... even if they sit in front of you they don't even hear what you are saying because they are in pain! [ZL]

A Deputy Principal stated:

Yes, and in this area around here, the learners like fighting ... they fight with sticks. That alone affect their teaching and also late-coming ... we lock the gate. [NS]

She expressed her concerns further:

... so they don't care about education. What they do care about is food, because they are hungry most of the time. [NS]

According to school managers, managing human resources in a rural school is not an easy task. Data showed a lack of strong leadership, a lack of learner discipline and a negative attitude of learners towards their work as well as a negative attitude of educators towards teaching. These problems have a significant impact on learner achievement and outcomes.

b) Lack of suitable infrastructure

Although all the selected schools have a science laboratory on the premises, only one science laboratory was operational. The other two were damaged due to vandalism. All three selected schools had brick structures as well as semi-permanent classrooms. School B was severely vandalised. In most cases sufficient and well qualified educators were available, but due to the lack of floor space, the number of learners in a classroom varied from fifty up to ninety. Evidence showed a shortage of classrooms in schools A, B and C. Managing the implementation in over-crowded classrooms seemed to be a challenge for school managers.

A HOD shared the following:

The environment here is not very well conducive to learning and teaching. [MO]

He substantiated his statement as follows:

Yes, we have eighty learners in one classroom. Sometimes it goes up to ninety. There is no individual attention. [MO]

Similar statements were made by school managers from all three schools in the study. Observations made by the researcher, whilst visiting the selected schools, confirmed these statements. From these comments, it is clear that the lack of floor space in rural schools has a huge impact on the ability of school managers to fulfil their managerial duties.

5.3.2.4 THEME 4: PERCEPTIONS REGARDING THE CHALLENGES HINDERING THE DELIVERING OF QUALITY EDUCATION

Data that emerged for theme four was used to answer the following research sub-question: *What are the challenges experienced by education managers in providing quality education at rural schools?* Participants' perception of quality education was previously described as an education that learners receive that enables them to compete with any other learner in the world. Participants from rural schools also indicated that qualified, knowledgeable educators, strong leadership and the availability of resources are perceived to be part of quality education. Analysing the responses from the participants it became apparent that the following challenges hinder the delivery of quality education. The challenges were divided into the following sub-themes:

- a) Lack of family structure and insufficient support from parents;
- b) High absenteeism rate of educators and learners;
- c) Lack of floor space resulting in over-crowding;
- d) Distance from town and the lack of learner transport;
- e) Lack of support from the DBE;
- f) Learners' attitude towards their work;
- g) Teachers' attitude towards their work;
- h) Lack of strong leadership;
- i) Poor school infrastructure and the lack of basic resources.

a) Lack of family structure and insufficient support from parents

It is evident from the following comments that the lack of parent involvement has a profound effect on children's education. The Deputy Principal from school A stated:

Firstly, parents ... do not work hand in hand with the educators ... some parents just distances themselves from the education of their child ... it disrupts the quality of education of their child ... they don't come to the meetings ... they don't care what their children are doing. They are simply concerned with the report at the end of the year whether the child passed or not. [NS]

Similarly, the HOD from the same school stated:

They live alone with their grannies. If you call the parents, they don't come to school. Even if the learner has some cases, they [the parents] do not come to school, because that granny can't even walk ... the family structure... Since we lack support from parents' side ... the parents need to be motivated. [SI]

A HOD from school B also voiced her concerns:

In my school, I have like five learners with different surnames, but I found out that they are living with the same grandma, because they are born from sisters. They are called by their fathers' surnames, but they stay with the granny. And you could see every time that when we go to dish food, they make sure the others get food at school, because they will only have their next meal at school again. [DU]

The lack of family structure and poverty often cause learners to come to school on an empty stomach. The Deputy Principal from school A reported:

... so they don't care about education ... what they do care about is food, because they are hungry most of the time ... [NS]

This prompted the HOD from the same school to respond:

Other kids could hardly concentrate on what you are teaching, because they are hungry and their stomach is empty ... [SI]

It is evident that the lack of family structure, the lack of proper nutrition and the absence of adequate child care has an adverse impact on the child's ability to concentrate in school. This again have a negative impact on the child's education.

The absence of family structure often leaves children to their own devices. A concerned HOD from school C made the following remark:

The background at home: the others ... most of them are staying with their grannies and they don't have the urgency ... there is no close supervision at home ... [MO]

Children from poverty stricken rural areas often lack basic needs, like clothes. The HOD from school A made the following comment:

I think she have said it all, but most of the things that we are facing as we are teachers in the rural areas are that most of the kids are coming from very needy and difficult families. They don't even have clothes ... [SI]

The HOD from school B shared similar thoughts to the previous participant:

There is a boy who always comes late at school. We found out that he does that deliberately because he does not want to walk along with the others, because he does not have a uniform ... [DU]

The absence of family structure, poverty and the lack of basic needs like food and clothes are influence the delivery of quality education to many rural school children.

b) High absenteeism rate of educators and learners

Regular school attendance by educators and learners are important. The following statement gives a good indication of what the HOD of school C experienced:

There are those teachers that are working hard, but there are those who always absent themselves ... a person will come and say I have been sick so ... you can't take the steps for that. Sometimes you look at the situation and you think...they are not really sick ... I think they [educators] need to be developed somehow to change their attitude towards their work ... [MO]

It is evident that education managers are aware that high absenteeism of educators has a negative effect on education outcomes. The same concerns were made by a HOD of school A:

Absenteeism ... so they miss out on lessons and late-coming. The rate [absenteeism] is 30 per cent. Absenteeism both sides ... learners and educators. Most of them [educators] report sick. [NG]

c) Lack of floor space resulting in over-crowding

As previously mentioned, over-crowding due a lack of floor space has a huge impact on managerial tasks of the SMTs. Over-crowding also hinders the delivery of quality education to many rural school learners. Many participants were acutely aware of the impact of over-crowded classrooms on the quality of education received by the learners. An educator at school A made the following remark:

Most of the time it is over-crowding ... it is also a big challenge. Minimum of 55 and up to 70 in a class in Grade 11 ... that is a problem. [ZU]

The following response from an educator at school A ties in with the above response:

We do, all the learners are in one class, because of class space, we do not have enough classrooms ... floor space ... in fact we have more than 50 in a class. Even Grade 12 they are 45. How can we get good results? It's difficult and it is too hot. [KH]

d) Distance from town and the lack of learner transport

The selected rural schools were on average thirty kilometres from the nearest town. Learners attending these rural schools have to walk to school, because buses do not travel on the impassable roads. Some learners, who can afford to do so, travel with “staff cars”⁴⁸ to school, but most learners come from poverty stricken child headed households and can't afford to pay for transport. As the HOD of school C revealed:

... they are travelling long distances on foot and a few got a staff car, most of them are travelling on foot. [MO]

The above statement was strengthened by the HOD from school B:

They should be closer to schools. They travel long distances ... and when they come to school they are tired. They come late and so then it automatically hinders their progress in the classroom. [ML]

It is evident that the lack of free transport to schools in rural areas has an impact on school performance. Learners are tired and hungry when they arrive at school. Late-coming also hinders their progress in school.

e) Lack of support from KZN DoE

Educators from rural schools indicated that they need more support from the KZN DoE with regard to:

1. The filling of vacant educator posts;
2. The delivery of learner-teacher support material;
3. Schools offering only one-stream;

⁴⁸ See note 44.

4. Communication between the school and the KZN DoE;
5. Through-put of learners even if it is evident that they must remain behind.

It was made clear that the KZN DoE does not fill vacant posts in time. This resulted in educators that have to teach subjects that they are not qualified to teach. The following statements from participants give an indication of the current situation:

So I have to deal with other subjects ... so staffing is a challenge ... [ML]

Yes, I must teach where I am comfortable to teach. Yes, that is what hinders the teachers here. Yes, that is why teachers do not want to come here. Yes - and even if they want to come the Department said that the number of learners that were supposed to be in that school and the number of teachers that is supposed to be in that school. So out of 200 kids you are supposed to get 10 teachers and those teachers are teaching subjects that they are not supposed to teach ... no one wants to teach that subject ... they give it to that teacher. [ND]

I think the challenge that I have to face is that I have to manage so many learning areas so that is a challenge, because we are a small school. [ML]

It is evident that the delay in advertising and the filling of vacant posts is unacceptable. An educator of school B was more explicit and angrily exclaimed:

Do you want to know how many subjects I teach? Let me raise my voice now! A.T. [Agricultural Technology], Grade 12; L.O. [Life Orientation] Grade 11; L.O. [Life Orientation] Grade 10; English Grade 10; Arts and Culture Grade 8 and Technology Grade 9. [ND]

Educators have to teach many different subjects, including subjects that they are not qualified to teach. It is evident that vacant posts that are not filled in time have a negative influence on the attitude of educators.

Participants also indicated that they need support from the KZN DoE with regard to timely arrival of learner and teacher support material. Late arrivals or insufficient stock negatively affects teaching and learning. As the HOD at school B noted:

One of the things is the fact that you find the LTSM [learner teacher support material] does not come in time, when it comes maybe it is not sufficient, automatically what

Ma'am is alluded ... it is going to affect learners ... the quality of education is affected.
[ML]

As mentioned, learners in rural areas often have to walk to school due to the lack of learner transport. School B in this case study only offers one-stream. Learners can't choose their subjects, they have to take Science. Education managers indicated that this contributes to the low pass rate of the school and expressed their concerns as follows:

I think there is something that we have missed out - is the fact that we are a one-stream school ... it gives a challenge to the learners. They can't choose the subjects they are bounded with what is offered at school. Yes you have no choice. If you want other choice you have to walk extra kilometres to another school. Yes you know that you are going to fail, but you have no choice ... you must be here. [ML]

This practice was further corroborated by a participant stating that the KZN DoE often blames the educators for the low pass rates:

... so therefore it actually means that the Government is not doing enough. The main thing that they know is always just come to intimidate us no matter we see that there is something that should be done by the Government to us. They will always just say that the teachers are not working right. [MD]

Another participant commented on the poor communication between the school and the Circuit Office. The participant is of the opinion that the distance from town and accessibility of the school is a challenge and that they often feel neglected. She commented:

Communication. It tends to delay. If we want something from Circuit Office ... it is too far we don't get it and lack of communication with the Department of Education. [KH]

An educator of school C corroborated this statement, stating:

The Government does not want to listen to us, even when we talk about the problems that we are facing in our schools ... we need to have more support. Some of our classes they are too full of learners ... even seventy. So you can't teach. It is giving the teachers a headache, because if you have such a condition like that, you have nothing to say. You just have to teach ... the condition like that. [MT]

The following participant articulated the same notion. She is of the opinion that the KZN DoE's expectation is unreasonable, because the delivery of quality education is not possible without the availability of adequate basic resources.

Instead of helping us as teachers ... they simply say that you must improvise. Can I improvise for a desk? How can I improvise? If there is a shortage of something, you must improvise as an educator. How can I improvise? Over-crowding in a class ... sometimes they [learners] have a shortage of material, like photocopy machine is a problem and even the papers. I must take MY money and buy that! No, that is not quality education! [MT]

An educator from the same school collaborated:

... so therefore it actually means that the Government is not doing enough. The main thing that they know is always just come to intimidate us not matter ... we see that there is something that should be done by the Government to us. [MD]

According to the participants, the KZN DoE must reconsider the promotion requirements of learners in secondary schools. The following participant is of the opinion that learners, who are condoned from one grade to the next grade, by the KZN DoE, become a challenge in Grade 12. These learners do not achieve the minimum requirements of the previous grades, but are allowed to be condoned to the next grade. The participant needs support from the KZN DoE in dealing with this practice. As one educator stated:

But the Government said that a child must be promoted to the next grade; and in the end they just focus on Grade 12 results and say that KZN is just falling apart. But it is this cohort, these learners that have been condoned and it comes as challenge ... a challenge. [MT]

It is evident from the above comments that education managers at rural schools need more support from the KZN DoE, in order to deliver quality education to the learners attending these schools.

f) Learner attitude

Education managers are of the opinion that most of the learners in rural schools show a negative attitude towards their school work and towards their educators. Participants are of the

opinion that the negative attitude hinders rural school learners to receive quality education. A few participants also suggested that the learners do not have a vision with regard to their future. School managers indicated the following challenges with regard to the attitude of learners that hinders them from receiving a quality education:

- The lack of parental guidance and support;
- High pregnancy rate;
- Ill-disciplined learners.

School managers are of the opinion that rural school learners lack proper parental guidance and support. The HOD from school C reported:

The culture of learning is not ... [ZL]

Another HOD from school C reported:

Late-coming is a big problem ... they [learners] are lazy and they are failing to manage time and that means that they wake up late. [MO]

This perception was corroborated by an educator from school B by commenting as follows:

Yes, they do not have a purpose ... they just come to school because for food and because everybody is coming to school, but they don't have a vision ... a driven purpose ... [ND]

A similar comment with regard to the lack of proper parental guidance was made by a Deputy Principal from school A:

... they are just interested in falling in love ... getting pregnant ... very few of our learners have a vision. Most of them don't have a vision ... they just come to school ... some don't even write their homework, they come without pens to write ... [NS]

She continues by stating:

Yes ... there is no sense of urgency ... [NS]

Participants are of the opinion that the lack of parental advice and parental care causes learners to fall pregnant and to drop-out of school, which prevents the rural child from receiving a quality education. As the Deputy Principal from school A reflected:

Secondly, teenage pregnancy and drop-out. They [learners] fall pregnant ... they drop-out and they use drugs and alcohol. Learners come to school drunk and they bring drugs to school ... they use the small house by the gate ... that is where they smoke during break time [Noise in the background]. [NS]

The statement below confirms the negative impact of learner pregnancies on their education:

One of the challenges is the high level of pregnancies ... it is high in rural areas ... automatically when a learner becomes pregnant, like the one last year, we thought that she is going to make it but it has a negative impact on her. She could have passed, normally they do have the capacity of passing, it is a problem of passing and it is going on and on in rural areas. [ML]

To emphasise this, a similar remark was made by the Deputy Principal from school C. He elaborates by identifying a specific need for rural schools.

Yes. Yes, most of them are pregnant and they also have socio-economic problems and we need a social worker ... a practitioner ... [ZW]

A similar comment was made by the Deputy Principal from school A:

They are just interested in falling in love ... getting pregnant. Very few of our learners have a vision. Most of them don't have a vision. They just come to school ... some don't even write their homework; they come without pens to write ... [NS]

Ill-disciplined learners hinder the delivery of quality education: learners need to change their attitude towards discipline. In this regard the HOD from school C said:

Yeah, and some of our learners - they don't even see the need for learning. They will simply walk without us ... they will say today lets go to school. And while they are at the school, they will move up and down to the toilets while the teacher is in the classroom. [ZL]

Another challenge hindering the delivery of quality education is learner violence, fighting and participating in strike actions. The participants of a group interview at school B simultaneously spoke about the aggressive behaviour amongst learners. The participants are of the opinion that the fights between learners and the fights between two neighbouring schools are caused by rivalries between two different tribes. The rural schools are situated on land that is owned by

different tribal authorities. During strike actions, that took place in January, the learners from school B were involved in these activities. The school was vandalised and therefore closed for weeks. Consequently, due to time loss, educators had serious implications in completing the curriculum. The Deputy Principal from school A stated:

Yes ... after they have smoked, they do not pay any attention in the classroom. They become violent. [NS]

Yes, and in this area around here the learners like fighting. They fight with sticks. That alone affect their teaching and also late-coming ... we lock the gate. [NS]

She elaborated further by stating:

At a time it were hundreds ... and more that came late and then we decided, no, we have to close the gates and those who came late must go back home with letters to their parents. [NS]

It is evident that the negative attitude of learners with regard to learning and teaching hinders the delivery of quality education. The Deputy Principal from school A stated:

Most of them have written Mathematics off and also Accounting. They have already failed before they have failed. Most of them are very aggressive and I don't know what they are angry about. They are aggressive and they are fighting with the educators ... how do they [the learners] expect to receive knowledge from educators if they are fighting? They are rude to educators. [NS]

It is evident from the above comments that learner behaviour and the attitude of learners towards their school work are challenges that hinder the delivery of quality education at rural schools.

g) Educators' attitude towards teaching

A negative attitude held by educators, hinders the delivery of quality education. Vacant posts that are not filled in time mean that educators teach subjects that they are unqualified to teach. It is evident that educators do not feel comfortable teaching subjects that they are not qualified to teach. The Deputy Principal from school A reflected:

Sometimes you must teach something that you do not feel good about ... you don't even want to go to the classroom, because you are not sure what you are going to do or say ... and learners can see if you are not sure ... that you do not love what you do ... [NS]

This negative attitude of educators hinders the delivery of quality education. She further stated:

I think they [educators] need better training, but it is that most of them are lazy. It is as if they are pushed ... it is not from the heart. They have to change their attitude. Attitude towards themselves ... towards teaching and towards the learners. They need to love their subject ... they need to love their learners. They need to know why they have come here for and they need to bear in mind that they are future leaders and must support and guide the learners [door opens and closes]. [NS]

The above extract indicates poor moral and the lack of motivation appeared to prevent quality education from taking place.

h) Lack of strong leadership

As mentioned, I had appointments to conduct semi-structured interviews with each Principal of the selected schools. The principals of these schools were not available for the interviews due to other commitments. Participants are of the opinion that the lack of strong leadership hinders the delivery of quality education. The HOD provided the following response in terms of leadership:

Just because we are anonymous ... leadership here is not strong ... there is a lot of job outside the school. He [the Principal] is here and there [pointing towards the fields]. [MO]

Another HOD from the same school shared this view, when he expressed his opinion:

And also the leadership as well ... if you are a leader ... you must be an example. Say for instance if you want to come into the distress room [staff room] ... just avoid late-coming. The leader must come exactly by time ... [ZL]

The majority of participants indicated that principals play a vital role in ensuring that the delivery of quality education takes place. Participants are of the opinion that a leader must lead by example and the focus must be on the school and not on other community commitments.

i) Poor infrastructure and the lack of basic resources

All children should be surrounded by a positive school environment. Inadequate infrastructure in schools and the lack of basic services such as water and sanitation, adversely affect the quality of education. Poor condition of roads, access to rural schools, also poor infrastructure of schools and the lack of basic resources are major challenges faced by educators and learners from rural schools. This statement reveals the situation:

The road is not good ... its gravel, potholes ... it is not good to use these roads of ours ... especially when you use a small car ... a private car. It is better if you have a 4x4 [off road vehicle]. When it is raining ... learners do not come to school, if the bridges are overflowing, because the bridges are low, they are not high, and so learners do not come to school ... we lose teaching time, because the learners can't swim, because it is dangerous ... so dangerous. [NS]

School B is badly vandalised. I observed broken windows, doors and ceilings. Electric cables in the main building as well as in the laboratory were stolen during the strike. Cupboards were vandalised and locks were damaged, laptops and other valuable items were also stolen during one of many burglaries. An educator from school B reported:

Just look at our roads. Just look at our structure. Vandalism! [pointing towards the ceiling]. [ND]

During my visit to school B it was observed that there was a pit latrine a few metres from the main building. I was told that educators and learners make use of pit toilets, because the school sometimes does not have running water. A comment was made that the school sometimes has to go without water for months. The lack of basic resources is noticeable. The Deputy Principal from school A stated:

Firstly, learners in rural areas do not have access to libraries, some schools do not have laboratories, they can't read, they are illiterate ... even the parents ... they are illiterate, at home they do not have television, sometimes no electricity ... so they can't watch something in the media ... they will not be able to talk about it in the classroom, maybe if the teacher asks in the class did you see this or that on television ... how do you feel about that ... they can't respond. Some do not even have the radios at home ... [NS]

The participant continued:

Shortage of books ... you will find that five learners are sharing a book ... it is difficult especially during assessment times. [NS]

The lack of basic resources was also stressed by an educator from school C:

There are a lot of challenges that we are facing in our school. We are just running short of desks ... it is important that they [the learners] must have enough space ... [MD]

Here again, the effect on education is evident:

One of the challenges is the fact that we don't have sufficient material. But sometimes you have to postpone that lesson because you don't have sufficient resources - maybe you rely on a photocopier and it is broken: automatically you can't do anything ... [ML]

Several participants shared their frustrations with regard to the lack of resources and poor infrastructure at the school.

5.3.2.5 THEME 5: PERCEPTIONS REGARDING IMPLEMENTATION OF THE CURRICULUM

Responses from interviews with regard to the implementation of the curriculum will be used to answer the following research sub-question: *What are the challenges experienced by education managers in providing quality education in rural schools?* The following factors hinder implementation of the curriculum in under-performing rural schools:

- a) Shortage of educators;
- b) Shortage of learner support material;
- c) Lack of content knowledge and proper training for educators;
- d) Lack of pedagogical content knowledge;
- e) Learners' attitude towards their school work;
- f) One-stream schools;
- g) Language barriers;
- h) Lack of parent involvement.

a) Shortage of educators

Several school managers were acutely aware of the shortage of educators at the respective schools. From the comments made by participants it is clear that the shortage of educators influences the task of curriculum implementation negatively. A HOD commented:

And the Department have something ... negatively, because we have HRM Circular number 56, which states that even if the teachers are not enough at school ... like if one have just resigned and is not replaced, number one they are going to attend on surpluses ... they are going to declare surpluses ... but what about the learners that are going without the teacher...does it matter to them [DBE] with the exam just around the corner ... [MO]

This stance was employed by an educator from school B:

So out of 200 kids you are supposed to get 10 teachers and those teachers are teaching subjects that they are not supposed to teach ... no one wants to teach that subject ... they give it to that teacher. [ND]

Shortages cause educators to teach many different subjects. Educators must teach subjects that they are not qualified to teach. Consequently, the shortages of educators lead to frustration and hinder the implementation of the curriculum. It has a negative effect on the quality of teaching and learning. An educator at school B stated angrily that she has to teach six different subjects. She also teaches Grade 12 learners.

A HOD at the same school shared similar comments:

I think the challenge that I have is that I have to manage so many learning areas, so that is a challenge. Because we are a small school ... so we don't focus on just one for example Languages. So I have to deal with other subjects ... so staffing is a challenge. [ML]

Another HOD from school C offered the following opinion:

The Department is saying themselves that the child must not stay without a teacher in front of him or her, but now they are delaying the process and they are saying that they are going to fill the vacancies ... even after three years ... still not replaced. [MO]

She further reflected:

It means that the ones [educators] who have just resigned we don't know if she will be replaced by even three years ... still not replaced. [MO]

As already suggested, school managers have to allocate subjects to secondary school educators who are not qualified to teach those subjects. In this regard, a Deputy Principal made the following comment:

Some teachers are given subjects that they are not even trained to teach for example Life Orientation, Arts and Culture, they are not trained for that, but they go to workshops.

[NS]

From these comments from school managers of selected schools it is apparent that, vacant posts at a secondary school seem to be a challenge. It is evident that a shortage of educators will also influence the quality of teaching and learning and the implementation of the curriculum.

b) Shortages and late delivery of LTSM

The shortages and late delivery of learner teacher support material also affect implementation of the curriculum. As a HOD from school B noted:

One of the things is the fact that you find the LTSM does not come in time when it comes, maybe it is not sufficient, automatically what Ma'am is alluded ... it is going to affect learners ... the quality of education is affected. [ML]

He further explained:

One of the challenges is the fact that we don't have sufficient material, so that when you teach ... you know that the learners have books and so on ... so whatever you want to implement it is easy for you to implement,; but sometimes you have to postpone that lesson, because you don't have sufficient resources ... it causes a delay somehow in terms of the implementation of the curriculum. [ML]

He elaborated:

And at a later stage you have to go back and do what you are supposed to do ... it causes a delay somehow in terms of the implementation of the curriculum. [ML]

From the comments it is apparent that a lack of teaching and learning material and the late arrival of material have a negative impact on the implementation of the curriculum. According to school managers, this causes a delay:

The Department is giving a lot of work for each quarter, but it is difficult to cover it in time. It [the curriculum] is just more than what it should be. It means that ... I don't know...it means that you must teach even the extra ... after hours to finish it and then maybe Saturdays ... on weekends ... [MO]

This statement was echoed by another HOD from school C:

I try to finish the curriculum for Maths ... as I am putting extra hours for Maths on top of my period on the timetable ... [ZL]

A further point stressed by a participant is that their school only has one photo-copy machine. If the photo-copy machine breaks, a member of staff needs to take the machine to town, which is thirty kilometres from the school. This delay often causes a delay. As a HOD from school A explained:

Maybe this thing of facility, sometimes because it involves a lot of paperwork we are already in a very disadvantaged community ... sometimes we only rely on one machine ... so if the photocopy machine is broken down, we only have one, the whole school stops ... [SI]

These statements suggest that a delay in the delivery of learner and teacher support material and the lack of sufficient resources may have a negative effect on the implementation of the curriculum.

c) Lack of Content Knowledge

It appeared that educators from secondary rural schools felt uncomfortable teaching subjects that they are not qualified to teach. There is an indication that the lack of content knowledge makes them unsure as it might have an impact on the quality of teaching and learning. This sentiment is echoed by a number of participants from different schools:

Some teachers are given subjects that they are not even trained to teach for example Life Orientation, Arts and Culture - they are not trained for that, but they go to workshops. [NS]

Most of them they do, with exception of those that we give the subjects to that they do not know as their majors, because we are under-staffed ... so it becomes difficult ... it takes one's mind ... [DU]

Yes, I am not trained to teach the Technology and I am very stressed about this. Yes, I must teach where I am comfortable to teach. Yes, that is why teachers do not want to come here. [ND]

Yes, that will make them love their work. Sometimes you must teach something that you do not feel good about ... you don't even want to go to the classroom, because you are not sure what you are going to do or say ... and learners can see if you are not sure ... that you do not love what you do ... [NS]

I probed further and asked participants about their perceptions with regard to the quality of workshops and training. The statements implied that some of the participants felt that the workshops are of acceptable quality, while others implied that the workshops are sub-standard.

Sometimes the workshops are not enough, they are very shallow. [ZU]

The Department must supply us with more workshops and they must get one that is qualified in that subject to teach that subject. [Meaning to present the workshop] [KH]

Yes, we do and we are attending workshops there is one on Wednesday ... it is inspiring. There are things that we were not aware of and we hope for the best. We did hope for the best when OBE came ... now it is CAPS. It is just a strain ... all these changes in Education and we have to adapt always. [NS]

It was also made clear that educators need assistance from the KZN DoE and subject advisors to implement what they have gained from workshops.

We do attend workshops ... although I am not happy, because sometimes we have to do two days in one day and we have to come back and we have to implement all of that what is being said within one day. [NG]

They [workshops] are fruitful ... but they are not easy to implement what you have gained from the workshops. Sometimes it takes a long time to realise how you are going to apply it. [SI]

The only thing that is happening is that we are visited by the subject advisors and they just criticise most of the time and are not here to develop us. Sometimes they come here for moderation maybe once or twice a year they will visit us here at school; but as for last year, there was nobody. [MO]

Some of the subject advisors don't help. But as my senior I must respect them. Yes they say, "I don't only have your school; I have lots of schools to attend to". They can do a follow up with just a phone call. [ZL]

These statements suggest that it is expected from some educators to teach subjects that they are not qualified to teach. Educators feel uncomfortable, because they do not have sufficient content knowledge to teach these subjects. The responses indicated that they do attend workshops, but that they need more support from the KZN DoE and from subject advisors with regard to the content of the subject.

d) Lack of pedagogical content knowledge

What also emerged strongly with regard to challenges to implement the curriculum is the lack of pedagogical content knowledge. "Content knowledge refers to any subject matter knowledge, whereas pedagogical knowledge refers to teacher knowledge about a variety of instructional practices, strategies and methods..." (Koehler, Mishra, Kereluik, Shin & Graham, 2014, p. 102). It appeared that educators need support from the KZN DoE with regard to implementation of the curriculum. Participants indicated that they do not have enough time to do so. Some participants indicated that they need support with regard to interpretation of the CAPS document and policy documents. As a HOD from school C reported with regard to time management:

The Department is giving a lot of work for each quarter, but it is difficult to cover it in time. It is just more than what it should be ... it means that ... I don't know ... it means that you must teach even the extra ... after hours to finish it [the curriculum] and ten maybe Saturdays ... on weekends. [MO]

Similar comments were made by an educator of school B:

The problem that we face here is that rural areas do not do macro planning [planning for the year] in terms of the curriculum, before we prepare for class. [RA]

An educator from school C felt the same:

The Government gives us the time frame - but when you look at that time frame you see in the book what you must do ... plenty of work, but the Government just implements that short time ... [MD]

A HOD of the same school also shared a similar opinion:

I try to finish the curriculum for Maths, as I am putting that extra hours for Maths on top of my period on the timetable. [ZL]

However, it became clear that since the curriculum tracker was introduced, some participants managed to keep time with regard to the implementation of the curriculum. As an educator from school C commented:

Now we have something that is called a tracker. As an educator, I am just focusing on the tracker to do this work just in time ... [MT]

A Deputy Principal from school A shared this view:

Yes, they do it. This year the trackers are being introduced, the Jika Imifundo ... so teachers do not have a problem to introduce the curriculum. [NS]

A participant indicated that she needs support and training with regard to interpretation of the policy documents:

Even I, as a teacher can't interpret well, because I am not well trained. I can't interpret my policy document versus the book. [ND]

e) The negative attitude of learners

A recurring remark during the interviews was the negative attitude of learners towards their school work, themselves and their educators. It is the perception of education managers that this is because of a lack of vision. The negative attitude of learners consequently has a negative effect on the child's academic performance as the following remarks indicate:

I think the main thing for these learners here [rural areas] is just because of a negative attitude ... a negative attitude. [ZL]

Maybe something will dawn ... will change their attitude ... even in Grade 12 if you ask a learner what do you want to do when you complete your matric ... he or she will not say anything ... maybe they don't see the whole picture. [NS]

... they are just interested in falling in love ... getting pregnant ... very few of our learners have a vision. Most of them don't have a vision ... they just come to school ... some don't even write their homework, they come without pens to write ... [NS]

Participants are of the opinion that poor academic performance leads to ill-discipline and aggressive behaviour. A Deputy Principal from school A reported:

Most of them have written Mathematics off, and also Accounting. They have already failed before they have failed ... and most of them are very aggressive and I don't know what they are angry about. They are aggressive and they are fighting with the educators. How do they [the learners] expect to receive knowledge from educators if they are fighting? And they are rude to educators. [NS]

A HOD of the same school remarked:

And this thing of ill-discipline of learners ... and they [educators] come to the HOD with the problem so it is time wasted there. [NG]

In this regard, a HOD from school B pointed out that educators are frustrated by the behaviour of the learners:

Last year. Yes, the school was closed for four weeks. Yes, then they returned by the end of August. By that time we were already preparing for trials. Yes, some teachers tried to come and teach; but the children they did not co-operate, because already the mood was not there. [ML]

f) Schools offering only one stream⁴⁹

According to school managers, learners at rural schools that only offer one stream-education do not have the option of choosing subjects. A HOD from school B added this following comment regarding the school offering only one stream:

I think there is something that we have missed out is the fact that we are a one stream school...it gives a challenge to the learners. They can't choose the subjects; they are bounded with what is offered at the school. Yes, you have no choice. If you want other choice you have to walk extra kilometres to another school. [ML]

Yes you know that you are going to fail, but you have no choice ... you must be here [ML]

⁴⁹ Subject packages i.e. Commerce, Health Science, General, offered at schools.

These responses tie in with the previous statements made by school managers with regard to the negative attitude of learners towards their school work. Managing a rural school that offers only one-stream affects the attitude of learners towards their education as well as the educators. School managers must motivate learners to achieve in subjects that they were forced to take as there were no other options. The alternative is that learners have to cover even greater distances by foot to find a school that offers more than one-stream. The above-mentioned factors hinder the implementation of the curriculum and the delivery of quality education.

g) Language barrier

Managing language barriers was also mentioned by participants as having an effect on the implementation of the curriculum and placed a burden on the managerial task of a school manager. A HOD from school B made this valuable point:

What makes their [urban] education to be better is the Language because from the word go they are exposed to English. And almost six subjects are taught in English and we just have one so called official language ... isiZulu. Now with these learners who are being taught in isiZulu up to a certain grade [Grade 4] in the primary school have now to develop the second language, which are now being used to teach all the areas ... it is a barrier. [DU]

This statement was reinforced by comments made by several participants from different schools:

... but I think the rural learners battles a lot with the Language of learning and teaching. That is a barrier. We need some assistance there. [ZW]

The medium of instruction...they [learners] are dragging the teachers, because they do not understand the English. [Interruption, teacher walks in to make a photocopy] [ND]

But they [learners] are dragging us. They [the learners] are demotivated ... but the medium of instruction is a big, big problem. [ND]

They [learners] need self-confidence they can't even express themselves in English, they can't construct the correct sentence without making mistakes ... [NS]

Participants are of the opinion that language barriers hinder the implementation of the curriculum as it slows the process. Educators find it difficult to complete the curriculum on time. Again, this has a negative effect on the academic performance of rural schools.

h) Lack of parent involvement

According to Deputy Principals and HODs the ideal is for teachers, parents and learners to work together. Statements from school managers suggest that there is an absence of parental involvement. Evidence suggested that the lack of parent involvement acutely influence the managerial tasks of school managers. As an HOD from school C remarked:

In this area ... some of our learners do not have parent ... they have some guidance ... like with grandmothers and grandfathers. [ZL]

A HOD from school B explained:

To copy the triangle [show a triangle with her fingers] we have teachers and we have learners, but we do not have parents. So the triangle is incomplete and we do not get the support from parents ... [DU]

A Deputy Principal from school A corroborated this comment, stating:

Firstly parents ... do not work hand in hand with the educators ... some parents just distance themselves from the education of their child ... it disrupts the quality of education of their child ... they don't come to the meetings ... they don't care what their children are doing. They are simply concerned with the report at the end of the year whether the child passed or not. [NS]

A HOD from the same school elaborated on this:

Some do not have parents ... father and mother have passed away ... they are just living with granny ... maybe the granny can't even come to school ... as a HOD you find it very difficult ... and these teachers they are all looking at you. [SI]

He continued by stating:

Since we lack support from parents' side the parents need to be motivated ... sometimes a child is living with his or her granny and the granny was never in a school ... [SI]

From the above responses provided, one could infer that school managers at rural schools experience enormous challenges in executing their managerial functions. As mentioned earlier, the core purpose of principalship is to provide leadership and to create conditions under which high quality teaching and learning can take place. It is evident that challenges such as difficulty in accessibility to the school, the presence of a strong leader, over-crowding due to the lack of floor space, vacant posts and the existence of one-stream schools are beyond the power of Deputy Principals and HODs. Rural school managers need support from stakeholders to address these challenges. What also emerged from the comments of school managers is that if learners from rural schools are disengaged, due to high absenteeism, substance abuse, a negative attitude and discipline problems they will fail to reach their full potential and their best interests will be jeopardised. It is evident that school managers need support from the DBE to address the social and economic challenges such as poverty, high teenage pregnancy rates and the absence of parental support.

5.3.2.6 THEME 6: NEEDS IDENTIFIED BY THE EDUCATORS AND EDUCATION MANAGERS OF RURAL SCHOOLS

Interview questions were structured to elicit responses to the following research sub-question: *What needs to be done to improve the academic performance of under-performing rural schools?* Data revealed that the following is required, in order for the academic performance at under-performing rural schools to improve:

- a) Effective leaders;
- b) Upgrading of school infrastructure;
- c) The emotional needs of learners and educators needs to be addressed;
- d) Support from the DBE;
- e) Learner and teaching support material needs to arrive on time.

a. Effective leaders

According to participants, effective leadership will improve the academic performance of under-performing schools. An HOD from school C supported this viewpoint:

If they [educators] do not have support from the Principal, there will be no quality education. [MO]

However, it became clear that some Principals of rural schools do not focus on their duties, as they absent themselves from school to fulfil other community responsibilities. A HOD from school C was adamant when she spoke about this:

Just because we are anonymous ... leadership here is not strong ... it's only they are doing what they are doing ... but the Principal is a... [disclosure of activity will identify the participant] in the community. [MO]

According to the participant, it is important for a Principal to be at school, to listen to problems and to address the problems immediately. The following comment was made by a HOD of school C:

Someone that is always here to see the problems that we are facing...problems need to be attended on time. [MO]

It is evident that effective leadership is needed in under-performing rural schools, in order to improve academic performance.

b. Upgrade school infrastructure

I observed that there were no proper toilets available, only pit toilets. School B also had no electricity due to vandalism. It was mentioned that the school must operate without water, sometimes for up to three months. The three selected schools lack basic facilities. The following remarks were made with regard to the school infrastructure:

There are a lot of challenges that we are facing in our school ... we are just running short of desks ... it is important that they must have enough space ... when you want to check the work you are able to walk up and down to see what they are thinking of what you are teaching [MD]

As you can see the structure of the school, the environment...it is not conducive ... [ND]

Yes, that is why teachers do not want to come here. [ND]

It is evident that more classrooms would reduce the number of learners in a class and consequently improve the quality of teaching and learning which might improve the academic performance of learners. The following comments were made:

More resources, floor space and more teachers ... [KH]

Another thing that can improve the quality of education is a better number of the learners in each class. [ZL]

Yes, how can we do this? We can't teach. There are eighty learners in a class ... you can't teach when there are eighty in one class. It is killing you ... it is stressing us. Like if you are teaching Language and especially when you are marking Paper 3 ... essays ... and at home you are just there ... you can't attend at home problems, all the time you are marking. [MO]

Maybe just to spread the resources evenly, because you can tell that we did not receive much support...this is what we need most off all in our schools. [SI]

Participants of different schools indicated that the learners need libraries, computer rooms and science laboratories in order to improve the academic performance of the school.

If I can talk about my school, I think if there can be a library so that the learners can be introduced to reading for pleasure. They must enjoy reading and they must read for pleasure. There must be excursions ... they must go out there and learn a lot of things. They must attend the career guidance, they must play sports so that it can help them, and teachers must teach and they must do their work. [NS]

... but with some of the things we do need that special attention like libraries so that we meet the standard. [NG]

They don't see that these people [rural] they don't have a computer, they don't have a science lab, they don't have a library ... all those supporting physical structures. [ZU]

Computers and classrooms ... [ZU]

Most of the participants suggested that they need more specialised rooms. Participants are of the opinion that specialised rooms would improve the quality of teaching and learning. However, it was observed that the Science laboratory that was donated by a local mining

company was badly vandalised. When asked about the state of the laboratory, it was explained that the school is not properly fenced. Burglaries and vandalism takes place during the school holiday period. The Science laboratory is currently not being used and was referred to as a *white elephant*. From these comments, it is apparent that a proper fence around the school and effective security is a priority.

c. The emotional needs of learners and educators needs to be addressed

A recurring fact during the interviews was the need for a social worker or practitioner to address the emotional needs of the learners. The Deputy Principal from school C suggested that more than one school can share a practitioner or counsellor.

Yes we need a Counsellor ... somebody that will look after the needs of all our orphans ... yes ... most of them are pregnant and they also have socio-economic problems and we need a social worker ... a practitioner ... [ZW]

A similar comment was made by a HOD of school A:

What I think we need here maybe, is to be given a special attention, because of the behaviour of our learners, since you will find that some of them ... they are psychologically distract and they need more support ... [NG]

An important fact that emerged from the analysis is that, learner motivation is vital in order for the academic performance of rural school learners to improve. The absence of family structure and proper guidance from parents leave learners demotivated. According to an educator from school B:

And demotivated learners ... I think it is because of the environment that they are in. I don't know what to do to motivate them. They are demotivated. They do not have a purpose ... they just come to school just because for food and because everybody is coming to school, but they don't have a vision a driven purpose ... [ND]

On a few occasions, participants from different schools suggested that learners from rural schools need motivation because they lack vision. As a HOD from school A explained:

Since we lack support from parent's side, the parents need to be motivated. And our learners need motivation. So that they have a vision of what they want to become in the

end. I think also educators ... you will find that they are not motivated. They need motivation. [SI]

According to participants, learners come from poor socio-economic backgrounds and need support, as the following statements revealed:

They come from poor families ... [KH]

... they do not have the important things ... the financial resources. [SI]

I think we have to give them what they need. Even in the community were they come from they just need food ... this is why our school is a no-fee school. [NG]

... sometimes a child is living with his or her granny and the granny was never in a school ... the community as such somehow somewhere needs to be educated that education for a child is not only for that child ... they must also play a vital role because a child alone can't achieve what we as educators want them to achieve ... [SI]

Although all three selected schools were under-performing rural schools, on average the academic performance of school C was better than that of school A and B. It appeared that school C addressed the emotional needs of their learners. The Deputy Principal of school C stressed the importance of supervised study classes and focusing on teaching and learning.

Do you want to know our secret? Oh, okay ... we have an extended supervised study class. We stay for an hour after school and we actually telling our learners, there are no short-cuts to success ... [SW]

Yes, to keep our learners motivated and to arrange extra tuition for our learners. Yes, and when they go to strikes, like what happened last year ... we are not part of that. Yes, it is just happening around us, but we don't mind that ... [ZW]

Another key element that was highlighted by participants is the importance to address the emotional needs of educators. From the numerous negative comments it is clear that educators are frustrated with their circumstances:

Yes, it is really difficult and sometimes I wish I could go out for pension now ... [MO]

It is just a strain...all these changes in Education and we have to adapt always. [NS]

Yes, I am not trained to teach the Technology and I am very stressed about this. [ND]

Let me raise my voice now. [ND]

Yes, it is frustrating ... [ND]

The above statements reinforce the need to address the emotional and social needs of learners and educators at under-performing rural schools, in order to improve the academic performance at the schools.

d. Support from the DBE

The interviews revealed the view that under-performing rural schools need more support from the DBE in order for the academic performance of the learners to improve. Here again the issue of vacant posts were uttered. A HOD of school C stated:

The Department does not bring teachers in time ... here we have a teacher that has just resigned just because of all the circumstances and then the teacher is not replaced ... it means that the ones who have just resigned we don't know if she will be replaced by even after three years ... still not replaced. [MO]

A Deputy Principal from school C indicated the need for competent qualified educators:

We do need support. We do not say that urban schools have access to specialists, but we do not have specialists in our schools. [ZW]

This statement was supported by a HOD of the same school:

Maybe, the assistance that we can get from outside the school. [ZL]

An educator of school A shared the same vision:

The Department must supply us with more workshops and they must get one that is qualified in that subject to teach that subject. [KH]

From the above quotations, one could possibly infer that secondary rural schools need specialists or educators with suitable content knowledge, in order to improve their academic performance. The following statement also implies a lack of support from the DBE:

The subject advisors come to our school, they suggest what to do and they don't come back ... [ND]

e. LTSM needs to arrive on time

A further point that is stressed by many participants is the delay in the provision of teaching and learning support material. According to participants, this issue has a negative effect on the academic performance of learners:

We need books...we do not have enough books for each learner ... we need computers, we need libraries and we need support. [ND]

One of the things is the fact that you find the LTSM does not come in time, when it comes maybe it is not sufficient, automatically what Ma'am [Another participant] is alluded ... it is going to affect learners ... the quality of education is affected. [ML]

... and the support material must be enough and time to be at school must be enough ... [RA]

Yes, the government do give us the stationary but the stationary is not enough. [DU]

If all learners can get for certain subjects certain quality books it will help us, and the other resources the Department does give us. [ZW]

It was evident from the above statements that the late arrival of support material and insufficient support material frustrates education managers. They are of the opinion that timeous delivery of books and stationary will improve the academic performance of their learners.

An analysis of the data indicated that the following needs to be addressed by stakeholders to improve the academic performance of under-performing rural schools: the appointment of effective leaders; upgrading of school infrastructure; addressing the social and emotional needs of learners and educators; obtaining additional support from the DBE; and timeous delivery of teaching and learning support material.

5.4 SUMMARY

As indicated in Chapter 1, the main purpose of this study was to determine whether the existing legal framework is compatible with the best interests of the child in a rural school setting. This study explores how the perceptions of education managers, with regard to the “best interests of the child” principle, may affect the quality of education in a rural setting. The focus of the study therefore was the perceptions of education managers of under-performing rural schools, in the uThungulu District of KZN. This chapter focused on the analysis and interpretation of the data collected during the semi-structured interviews and the focus group interviews with education managers. Various themes and sub-themes emerged from the data. Conclusions will now be drawn from the data and will be discussed in the next chapter.

CHAPTER 6

CONCLUSIONS

As indicated in Chapter 1, despite a huge investment in education and improved access to education, the DBE has not yet delivered the quality of education required to millions of learners in the rural areas of KZN. Spaul (2013, p. 444) describes South Africa's education as "a tale of two schools", one which is functional and the other being poor, dysfunctional and "... unable to equip students with the necessary skills". The majority of schools in KZN are "... poor, dysfunctional and unable to equip students with the necessary skills".

Section 28(2) of the Constitution provides that: "[a] child's best interests are of paramount importance in every matter concerning the child." (RSA,1996a). Thus, no child should be excluded from quality education and all schools should operate with the best interests of the child in mind.

The main research question of this study was: *How may the perceptions of education managers, regarding the "best interests of the child", affect the quality of education at rural schools in KwaZulu-Natal?*

To answer the main research question the following research sub-questions were formulated:

- What are the perceptions of education managers with regard to the best interests of the child in a rural school?
- What are the perceptions of education managers with regard to the quality of the education received by learners in rural schools?
- What are the perceptions of school management team members with regard to the management of the school in order to act in the best interests of the child?
- What are the challenges experienced by education managers in providing quality education in rural schools?
- What needs to be done to improve the academic performance of under-performing rural schools?

6.1 RESPONDING TO THE RESEARCH QUESTIONS

The research sub-questions were aligned with the themes that emerged from the data analysis.

6.1.1 THEME 1: PERCEPTIONS OF THE “BEST INTERESTS OF THE CHILD” PRINCIPLE

The “best interests of the child” is a principle that guides decision-making about a child’s future. As indicated in Chapter 1 and Chapter 4, internationally, the “best interests of the child” principle is one of the basic principles of the CRC:

“In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration” (CRC, Article 3.1).

South Africa is a signatory of the UN CRC and the “best interests of the child” principle is the governing principle that addresses *all* matters involving the child (Cumming, Mawdsley & De Waal, 2006). The best interest principle formed part of South African common law and gained prominence in section 28(2) of the Constitution in 1996 and in the general provision of the Children’s Act 38 of 2005 on 1 July 2007. The Constitution is the supreme law of the country. It is stated in section 28(2) of the Bill of Rights: “... a child’s best interests are of paramount importance in every matter concerning the child”. The Constitution super-cedes all other laws in the country.

Howe and Covell (2013) provide an argument of how a rights-based approach to education can be applied to educational policies with a focus on closing the achievement gap. Although the authors’ research focused on schools in the northern hemisphere, their findings make an important argument for education systems to have the advancement of the best interests of the child as their core purpose. Howe and Covell (2013) are also of the opinion that the scope of the application of the modern meaning of this principle is much wider. The authors refer to Article 3 of the CRC where the principle applies to *all* actions involving the child (not only to a limited number of fields such as child custody) and to children as a whole.

There has been little research conducted in South Africa with regard to the “best interests of the child” and education. The inclusion of the “best interests of the child” principle in educational

policies and practices in South Africa do not appear to be extensively covered. However, Director of the Centre for Child Law and Professor of Private Law of the University of Pretoria, Trynie Davel (2007), suggested that the “best interests of the child” should be conceptualised, and questions whether it is a right, or a standard or both in the context of education. Davel (2007) concludes that if the “best interest of the child” is to be a standard in education, law and policy, the relevant factors and circumstances that should be considered in that context need to be identified, so as to provide greater consistency and clarity in the law.

The perceptions of education managers with regard to the “best interests of the child” from under-performing rural schools in KwaZulu-Natal are being explored in this study. I therefore included the following research question: *How do education managers in rural schools understand the “best interests of the child” principle?*

A unique contribution to the existing body of knowledge is that the best interests of the child principle, with regard to education, means different things to different people. Educators’ perceptions varied from “considering the child before anything else” to “the child’s ultimate safety”. Thus, educators’ perceptions were concerned with the child’s security, emotional- and physical well-being.

HODs and Deputy Principals’ perceptions of “best interests of the child” are that it means “attending to everything that hinders the child from reaching his or her full potential”. The best interests to senior management means to “teach the child in totality.”

The interviews provided the necessary data to show that education managers perceive the following to be in the best interests of child:

- To receive a good education;
- To fulfil the child’s emotional needs;
- To fulfil the child’s physical needs;
- To supply the child with adequate resources.

The main conclusion is that the Constitution and the Children’s Act, very ambitiously guarantees the “best interests of the child” principle, but education managers do not have a basic understanding of this principle and do not know how to protect the principle in order to provide quality education to all. The State has an obligation to ensure that the “best interests of the child” are of paramount importance and it requires immediate action.

6.1.1.1 TO RECEIVE A GOOD EDUCATION

The “best interests of the child” means that the learners must receive a good education that will enable them to compete with learners from urban schools. This finding is consistent with Davel (2007, p. 224), who states that the primary function of all schools should be “... the need to create and maintain a culture of teaching and learning.” According to the responses from education managers, good or quality education will ensure that these learners go back to the rural community to make a difference. A deputy principle from school A captures the essence when she commented:

The best interest of the child is ... education ... especially here in the rural areas ... for them to develop ... they need to be educated ...so... if there are no educated people, this place will remain under-developed. So it is paramount that a learner should get an education, in order to come back and uplift their own place. [NS]

Furthermore, quality education or a good education includes access to qualified educators with adequate content and pedagogical content knowledge, regular school attendance and the availability of a wide variety of extra-mural activities that is necessary for the total development of the child. Responses also indicated that education managers do not want rural school learners to receive an “inferior education”.

6.1.1.2 TO FULFIL THE CHILD’S EMOTIONAL NEEDS

Emotional needs are love, affection, motivation, trust and a sense of belonging. The “best interests of the child” principle means that the child’s emotional needs must be fulfilled. Here again, the findings are consistent with the factors listed by Davel (2007, p. 224), who states that the “best interests of a child” can only be achieved if due consideration is given to “... the development of the child’s personality, talents, mental and physical abilities ...”

Many learners in rural schools do not have a stable family structure. “Sometimes parents in the rural areas have to work long hours or are absent, as they have to seek work in far-flung urban centres, often leaving children to their own devices” (Mahlomaholo, 2012, p. 108). Consequently this results in a lack of parental support, love, motivation and a sense of belonging. There are a growing number of single-parent families. Orphaned children are living

in child-headed households or are absorbed into extended families. An educator from school A states:

First of all, we must try to love the children because some of them are orphans ... they don't have parents ... we must try to love them and try to teach them the right way. They come from poor families. [KH]

The findings of the study affirm that the school needs to create a secure environment. This finding is consistent with literature. Joubert (2014, p. 18) points out: “All learners need a balance of emotional and personal support, especially orphaned learners and learners who come from child-headed homes.” The social and emotional needs of the child need to be addressed. Educators must put the interests of the child first and must therefore fulfil the parental role. Here again the findings are consistent with literature. Joubert (2014, p. 18) suggests: “Children need to know that someone cares for them in the school.” Lack of parental support often leads to poor school performance. The findings corroborate with literature: “Lack of parental involvement is a well-known risk factor for lower school achievement” (Howe & Covell, 2013, p. 6). Howe and Covell (2013) are of the opinion that not all parents can do or have the best interests of their children as their primary concern and that even when they do, they might not be in a position to act in their best interests. The fulfilment of a child’s emotional needs is aligned with what education managers perceive to be in a child’s best interests.

6.1.1.3 TO FULFIL THE CHILD’S PHYSICAL NEEDS

Physical needs are food, health shelter and clothing. Many learners in the rural areas of KwaZulu-Natal come to school hungry, tired and ill-prepared. Although all the schools in the study supply one meal a day to all learners, it is not sufficient. A participant from school A states:

Other kids could hardly concentrate on what you are teaching, because they are hungry and their stomach is empty ... [SI]

A worrying factor that came to light during my observations and during the interviews is the manner in which food is stored and the poor nutritional value of the food that is prepared by

schools. Hlalele (2012) notes that in many countries, the term “rural” is synonymous with “poor” and that poor children lack adequate housing, access to quality health care, proper nutrition and adequate child care. Another factor listed by Davel (2007, p. 224) with regard to education in the best interests of the child is: “... the need to protect the child from any physical or psychological harm that may be caused by subjecting the child to maltreatment, abuse, neglect, exploitation or degradation or exposing the child to violence or exploitation or other harmful behaviour.” Howe and Covell (2013) are of the opinion that children, and especially disadvantaged children, need to feel valued and respected. “In a school learning environment, where they feel valued and respected, they are more likely to do well” (Howe & Covell, p 149, 2013).

School B was severely vandalised, unsafe and in a poor state. The fulfilment of a child’s physical needs is an important aspect of the well-being of a child. Here again, the findings are substantiated by literature. “The knowledge gap between the rural and urban schools is widening and rural children are falling behind their urban counterparts because the schools are in bad shape physically” (Shadreck, 2012, p. 769).

The provision the child’s physical needs, such as nutritious food, free school transport and adequate support material are what education managers perceive to be in the best interests of the child. Access to a safe and secure school environment is in the “best interests of the child.” Joubert (2014, p. 18) supports the importance of physical resources and a sustainable learning environment. “A safe and secure environment is not only about a school fence and lack of violence, it is about creating an environment that supports, motivates, builds self-esteem and protects human dignity.”

6.1.1.4 TO SUPPLY THE CHILD WITH ADEQUATE RESOURCES

All schools in rural areas are not necessarily performing poorly, but the majority of rural schools are not equipped to deliver quality education. Surty (2011): is of the opinion that rural per se is not the problem because some of our finest private schools are in rural areas; suggests that human resources and the infrastructure are the challenges.

Education will be in the “best interests of the child” if adequate resources are provided to all schools, including rural schools. The absence of adequate resources in rural schools, are well documented (Adedeji & Olaniyan, 2011; Hugo et al., 2010; HSRC, 2005; KZN Treasury, 2010). “Key features of a rural profile in South Africa include, long distances to towns; the poor conditions of roads and bridges to school; lack of or limited access to Information Communications Technologies (ICTs); a lack of services such as running water, electricity, sanitation, health educational facilities ...” (Hlalele, 2012, p. 115). There is a lack of adequate resources in rural schools and there is a need for the provision of resources such as text books, stationary, libraries, laboratories and photocopier machines. The availability of adequate resources will serve the “best interests of the child”.

To summarise and to answer the research question: *How do education managers in rural schools understand the “best interests of the child” principle?* Different people have different perceptions of what the “best interests of the child” are. However, it is clear that education should be in the best interests of *all* children. Disadvantaged children should enjoy the same right to quality education as their urban counterparts. Therefore children from rural schools should have the same opportunity as children from urban schools to achieve to their full potential. The findings of the study affirm that the “best interests of the child” mean for the child from a rural area to receive an education that will enable the child to compete with children from urban areas as well as with children from all over the world. The “best interests of the child” also means that the emotional and physical needs of the child must be fulfilled. This correlates with the claim made by Howe and Covell (2013) that, along with academic development, education should be concerned with the well-rounded development of the whole child, which includes: social and emotional development, self-esteem, self-confidence and the development of respect for the rights of others. Malhoit (2005) is of the opinion that society’s obligation to educate learners should not depend on a child’s demographic good or bad fortune, nor should geography dictate a child’s educational destiny.

In conclusion, the Constitution of South Africa as well as the Children’s Act very ambitiously guarantees “the best interests of the child”, but education managers of under-performing rural schools do not have a basic understanding of this principle: How to protect the best interests of the child by providing quality education. Of particular significance and the unique contribution to the current body of knowledge is that the situation in public schools calls for a Basic Education Act that includes the “best interests of the child” principle. A Basic Education Act will serve the

best interests of *all* children, including children from rural schools. “Legality should always supersede any pragmatic consideration when determining the best educational interests of the child” (Joubert, 2009, p. 16). Education laws and policies in South Africa need to advance the best interests of children as stipulated by the Constitution.

6.1.2 THEME 2: PERCEPTIONS REGARDING QUALITY EDUCATION OR ACCEPTABLE EDUCATION

As stated in Chapter 1, South Africa has a high cost low performance education system. Access to education does not ensure quality education (Van der Berg et al., 2011). The majority of learners in public schools in the rural areas of KZN perform poorly. Although access to education has improved, access to quality education still remains a pipe-dream for many children. I therefore included the following research question in the study: *What are the perceptions of education managers with regard to the quality of the education received by learners in rural schools?*

As can be gathered by the findings from the interviews, quality education points to the four main aspects, i.e.:

- the type of education received by their learners;
- their perception of quality of education;
- the availability of resources;
- leadership qualities.

6.1.2.1 PERCEPTIONS REGARDING TYPE OF EDUCATION

It is clear that learners from rural schools do not receive the same type of education as learners of urban schools. The interviews provided the necessary data to show that education managers of rural schools want their learners to receive a type of education that is equal or equivalent to what learners from urban areas receive. Participants indicated that they do not want learners to receive an “inferior type” of education, nor do they want to be treated differently. Rural schools

want the same opportunities as their urban counterparts. Equal opportunities will enable learners from rural schools in having equal access to tertiary education. An education manager captured the essence with this comment:

It is the education ... that is equal ... it is education that will make the child competent in the world. That makes the child competent out there. When he or she gets out there and she or he will be able to compete with other learners from all over the world. They must be able to compete in a multi-racial environment. It does not mean that if a child is from a rural area, he or she must receive an inferior education. [NS]

Thus the DBE needs to supply whatever is necessary to rural schools, in order for the educators to provide the same type of education that is received by urban learners. Education managers are frustrated with the current situation. The findings affirm that education managers feel neglected by the DBE. The distance from town limits the number of visits from subject advisors and the delivery of LTSM material.

In summary, education managers want rural school learners to receive the same type of education as their urban counterparts, but currently perceive the education in rural areas as being of an inferior type.

6.1.2.2 PERCEPTIONS REGARDING QUALITY EDUCATION

It is well established in the literature that poor disadvantage learners receive an inferior quality education (Joubert, 2014; Spaul, 2013a; Spaul, 2013b; Van der Berg, 2007; Van der Berg et al., 2011). “The links between affluence and educational quality in South Africa can partially explain this outcome since the poor receive a far inferior quality of education compared to their wealthier counterparts” (Van der Berg, 2007, p. 437). Poor educator quality is a serious challenge, especially in rural areas. Educators need to be qualified, and well trained and prepared to teach in rural schools, in order to deliver quality education. Thus educators must have the necessary content knowledge and pedagogical content knowledge that will enable them to deliver quality education. The interviews have also indicated that educators need to understand the contextual challenges that exist in the rural environment as well as the unique situation of the rural school learner. A participant captures the essence in stating:

Quality education ... I think an educator must be well prepared and deliver the matter appropriately. Must be a long researcher so that he can unpack the knowledge to the learners ... must understand the situation of the environment of the learners he or she is teaching. Understanding ... even the challenges of the learners, because they [the challenges] can hinder the outcome. [ND]

As indicated, education managers suggested that the quality of education learners receive from their schools is inferior. Perceptions with regard to the challenges hindering the delivery of quality education will be discussed later in this chapter.

Teaching in a rural context is challenging and it is difficult to recruit educators. Literature supports the findings: “The farther a school is from the city, the harder it is to recruit teachers” (Mukeredzi, 2013, p. 3). Employing unqualified or under-qualified educators is often the only option. From the responses, it is clear that some educators do not have sufficient content knowledge to teach a subject.

Another worrying fact and a contributor to the delivery of poor quality education that came to light is that many vacant educator posts are not filled by the KZN DoE. The delay in unfilled vacant posts caused colleagues to teach subjects that they are not qualified to teach. Education managers are of the opinion that these educators do not necessarily have the ability to deliver the necessary content knowledge to the learners. Msila (2014, p. 345) are also of the opinion that: “...an empowered educator will produce a better learner.”

A major concern is the lack of commitment, accountability and responsibility of educators. Educators are referred to as being lazy and not dedicated.

Yes ... but sometimes even if the teacher is qualified ... if the teacher is lazy ... it the teacher is not dedicated ... [MO]

This point of view from education managers of this study, are also shared by Msila (2014, p. 341) when he stated: “Yet children in rural areas have ill-prepared teachers. In general, teachers are not as committed as they should be in ‘failing schools’.” Barber and Mourshed (2007) are of the opinion that the quality of an education system cannot exceed the quality of its teachers and that the only way to improve outcomes is to improve instruction. Msila (2014, p. 341) also supports the availability of quality teachers in rural schools:

“The quality of teachers is crucial in all schools, more so in poor under-resourced schools with poor families. The teachers in many of these are the only resource in formal education. This implies that many of these children will be as good as their teachers.”

Shulman (1987) named four main domains of what educators need to know: “... content knowledge (the knowledge of the content that needs to be taught); general pedagogical content knowledge (knowledge of different teaching strategies, classroom management strategies and assessment strategies, etc.); context knowledge (knowing about the background of the learners; organizational culture of the school, etc.); and pedagogical content knowledge (content-specific pedagogy that addresses how teachers make their specific subject accessible to learners).” According to the responses from education managers, few of these criteria are met by educators who are teaching at rural schools in KZN. Howe and Covell (2013) are of the opinion that the most consistent finding in terms of the achievement gap is the lack of and the need for quality educators.

In summary, quality education is described by participants as an education where the educators are qualified and where learners are taught by educators with adequate content and pedagogical content knowledge. Quality education is described as education where educators teach subjects that they are trained for. Furthermore, quality education is associated with committed educators who are accountable and responsible. Educators need to receive context specific training that will able them to deal with the circumstances in rural schools. These findings are consistent with literature. Tikly and Barrett (2011, p. 9) state: “A good quality education is education that provides all learners with the capabilities they require to become economically productive, develop sustainable livelihoods, contribute to peaceful and democratic societies and enhance individual well-being”. Despite huge efforts from stakeholders many rural schools in KZN continue to perform poorly.

6.1.2.3 PERCEPTIONS REGARDING AVAILABILITY OF RESOURCES

Over and above the availability of quality human resources, learning material and other resources also need to be available. Learning materials do not work in isolation to enhance

learning outcomes, but depend on and need to be compatible with teachers' pedagogic practices, professional values and language proficiencies (Tikly and Barrett, 2011).

Rural schools do not have adequate resources and lack basic equipment as an HOD commented:

I see a learner who has got all the learner teacher support material. Learners who have got books. Learners who are taught by teachers who have good apparatus to do experiments, learners who have desks to sit on ... so I think, about quality education ... it means for learners to have almost everything they need to reach their full potential.
[DU]

Schools lack resources such as desks, photo-copy machines, text books and Science apparatus. There is also an urgent need to upgrade existing facilities. In terms of upgrading required, participants indicated the need for a school library, as well as the need for more classrooms. Security systems are in urgent need of upgrading. Schools need to be properly secured, in order to prevent burglary and vandalism. Although all three schools in the study had a Science laboratory on the premises, one of the laboratories (donated by a mining company), was so severely vandalised that it is currently not operational. This would not have been the case had the school been equipped with a proper fence and upgraded security facilities.

Responses from education managers tie up evidence found in literature. Msila (2014, p. 341) is also of the opinion that there is a shortage of adequate resources in rural schools. "... it remains a reality that many schools struggle in South Africa in the face of scarce resources." Mahlomaholo (2012, p. 101) states: "... rural learners do not enjoy the same privileges and resources as their urban counterparts"

In conclusion, skilled, capable educators, who are willing and who have the ability to convert educational inputs (resources) into educational outcomes, are needed in rural schools. Rural schools also need to be better secured, in order to protect the resources on the premises.

6.1.2.4 PERCEPTIONS RELATING TO LEADERSHIP QUALITIES

Effective leaders have a significant influence on educational outcomes. (Blair, 2002; Leithwood

et al., 2006). A large body of South African research has emerged, showing the importance of good management and leadership in schools (Bush et al., 2006, 2009, 2010, 2011; Christie 2010a; Leithwood et al., 2006). Bush et al. (2010, p. 162) are of the opinion that: "... managing teaching and learning (MTL) is one of the most important (if not the most important) activities for Principals and other school leaders." Joubert (2014) states that too many schools in South Africa are faced with challenges such as corruption, mismanagement, managerial incompetence, lack of leadership, limited capacity and the lack of willpower to change. It is important to note that international literature mainly refers to "leadership" of teaching and learning but "management" is widely used in South Africa (Bush et al., 2010).

Education managers regard good leadership as an important factor in ensuring that quality education takes place. The Principal, as the leader of a school, needs to set a good example, to be on time and needs to set direction for the school. The Principal fulfils an important role in curriculum implementation, staff motivation and working conditions. Unfortunately this is not the case in some of the schools in the study: high absenteeism of school principals seems to be a major challenge, as participants commented on the leadership ability of one principal: *He is here and also there*. Principals also serve in the community and are often absent from school fulfilling community duties. Education managers mentioned that "*leadership at their school is not strong*" and "*there is a lot of job outside the school*", meaning that Principals do not focus on their managerial tasks. More effective leadership is needed in rural schools. Effective leadership may lead to improved learning outcomes. Principals should be available to deal with problems immediately and should lead by example as indicated in the previous quote by Leithwood et al. (2006, p. 5): "There is not a single documented case of a school successfully turning around its pupil achievement trajectory in the absence of talented leadership."

To conclude and to answer the research question: *What are the perceptions of education managers with regard to the quality of the education received by learners in rural schools?* Education managers perceive the quality of education delivered in their schools, as inferior. Rural school learners need to receive the same quality education as their urban counterparts. Equal quality education will enable learners from rural areas to compete with learners from urban areas as well as with other learners in the world. Quality education is described as education delivered by qualified educators with adequate content and pedagogical content knowledge. Quality education is also described as a type of education where educators teach subjects that they are qualified to teach. This is currently not the case in most public rural

schools: many educators are under-qualified or unqualified or teach subjects for which they are not trained. Unfilled vacant posts cause educators to teach many different subjects and increase the workload of the educator. Over-crowding (due to a lack of floor space) and vandalism (due to poor security), contributes to the delivery of poor quality education in public rural schools. These factors contribute to the negative attitude that educators have towards teaching.

6.1.3 THEME 3: MANAGEMENT OF A RURAL SCHOOL

Effective leadership is accepted to be an important component in securing and sustaining school improvement (Joubert, 2014). School managers must lead and manage human resources; manage effective teaching and learning; manage physical and financial resources and manage policy, planning and school development programmes. According to Mestry and Singh (2007) and Bush and Heystek (2006), the management tasks of a school leader are financial management, policy issues, staff development, parent involvement, community growth and student growth. Chrisholm, Hoadley, Kivilu, Brooks, Prinsloo and Rule (2005) are of the opinion that principal's time is largely consumed by administrative activities. However, the main purpose of school is teaching and learning and it should be the main activity of school principals (Bush et al., 2010). The authors are of the opinion that the management of teaching and learning should be given priority and that Principals should not "retreat" into their offices to carry out administrative activities. Robinson (2007) are of the opinion that the closer leaders are to the core business of teaching and learning, the more likely they are to make a difference to children.

There is still a long road to travel with regard to improving the management skills of Principals at under-performing rural schools in KZN. An effort has been launched to improve the management skills of Principals in KZN through the Advanced Certificate in Education (ACE) course (KZN Treasury, 2010).

Managing a rural school is not an easy task. School managers of rural schools are often faced with a challenging external and internal environment. Furthermore, Bush and Odura (2006) point out that there is rarely any formal leadership training required and that Principals are appointed on the basis of their teaching record.

Adequate management skills are needed to manage a rural school. I therefore included the following research sub-question in the study: *What are the perceptions of school management team members with regard to the management of the school in order to act in the best interests of the child?*

A SMT needs the support of a strong and effective leader who can lead by example. An effective leader is one who is supportive, committed and who is able to motivate educators. However, there is a lack of effective leadership at under-performing schools and some school principals are involved with community projects and not involved with teaching and learning.

SMTs are faced with challenges with regard to educators who are not motivated or committed to teach. As an education manager points out: *We are dealing with adults, some of them are able to do work and are willing, but some are able but unwilling, so as a HOD you have to try to work with that unwilling person, because most of the time they are able but they just don't want to.* Principals and SMTs need capacity strategies to address unmotivated and uncommitted educators. McLennan and Thurlow (2003) are of the opinion that South Africa requires a paradigm shift in education management training. Joubert (2014) points out that education management training must focus more on managerial skills.

It is the managerial task of the Principal and SMT to manage effective teaching and learning. Regular educator attendance is important to fulfil this task. High absenteeism amongst educators in rural schools seems to be a challenge. Poor conditions of roads hinder accessibility to schools and often cause educators to be absent from school or to arrive late at school. Some educators just stay away from school. As a participant remarked: *... but there are those who always absent themselves ... a person will come and say I have been sick, so... you can't take the steps for that.* Mollenkopf (2009) and Surty (2011) are of the opinion that even when teachers are willing to work in rural areas, working conditions are likely to make them reluctant to stay for the long term.

Part of the duties of school managers is to manage learner discipline. Ill-discipline is a challenge that was present in all the schools in the study. Challenges with regard to learners' discipline are: disobedience; substance abuse; aggressiveness; and high pregnancy rates. Ill-discipline often results in learners showing a negative attitude towards their school work. Negative learner attitude has a significant impact on learner achievement and outcomes. Effective school management training should include context specific training that will provide the necessary capacity and tools to address these challenges.

The managerial tasks of school managers are challenging, due to a lack of suitable infrastructure. All the schools in this study had a lack of floor space. From the comments, it is clear that the lack of floor space in rural schools has a huge impact on the ability of school managers to fulfil their managerial duties.

To summarise, school management members of rural schools are faced with some challenges such as the lack of strong leadership; lack of motivated educators; a negative attitude of learners towards their studies and the lack of a suitable school infrastructure. These factors have a significant influence on the managerial tasks of education managers and on the best interests of the child attending a rural school. HODs and Deputy Principals need the support of an effective leader, in order for them to fulfil their managerial duties. The publication of the South African Standard for Principalship General Notice 636 (DBE, 2014b) is a move in the right direction. This document sets out to enhance the image and competency of school principals. “The South African Standard for Principalship provides a clear role description for school leaders and sets out what is required for the principal” (DBE, 2014b, p. 1). Absent from the document is minimum academic requirements and competencies needed to be appointed in managerial positions. To be an effective leader all school principals should receive formal training in leadership and management.

6.1.4 THEME 4: PERCEPTIONS RELATING TO CHALLENGES HINDERING THE DELIVERY OF QUALITY EDUCATION

Rural areas are characterised by various challenges that hinders the delivery of quality education, such as high absenteeism, class disruption, parental support, support from district offices and lack of qualified educators (KZN Treasury, 2010). According to literature: South African rural schools find it difficult to attract suitable educators (Hlalele, 2012; Islam, 2012; Surty, 2011); lack basic services and have inadequate infrastructure (Hlalele, 2012). Furthermore learners have to travel long distances to school. Other factors that adversely affect the quality of education are a lack of qualified educators, unreasonable teacher-learner ratios, multi-grade teaching, educators with poor morale, and motivation (Hlalele 2012).

Joubert and Van Rooyen (2008) are of the opinion that poor quality of education in rural areas is linked to inadequate training of educators, infrastructure, nutrition and health. Howe and Covell (2013) suggest that if education were truly in the best interests of the child, children from disadvantaged backgrounds would enjoy their right to education on the basis of equal opportunity. Thus children from rural areas would receive the same quality education as their urban counterparts. This is not the case in most of the public schools in rural areas of KZN. I have included the following research sub-question in the study: *What are the challenges experienced by education managers in providing quality education in rural schools?*

The following factors hinder the delivery of quality education in rural schools in KZN:

- a) Lack of family structure and insufficient support from parents;
- b) High absenteeism rate of educators and learners;
- c) Lack of floor space resulting in over-crowding;
- d) Distance from town and the lack of learner transport;
- e) Lack of support from the DBE;
- f) Learners' attitude towards their work;
- g) Educators' attitude towards their work;
- h) Lack of strong leadership;
- i) Poor school infrastructure and the lack of basic resources.

As already mentioned, a lack of family structure and insufficient support from parents were found as to be challenges that hinder the delivery of quality education. Learners need parental support and parental involvement, in order for them to reach their full potential. "Among the most powerful proximal influences on children's achievement is parental involvement in their schooling" (Howe & Covell, 2013, p. 60). A lack of family structure and insufficient support from parents has a profound impact on learner achievement. A HOD from a rural secondary school states: *In my school, I have like five learners with different surnames, but I found out that they are living with the same grandma ...*

Howe and Covell (2013) are of the opinion that a basic ingredient of "best interest of a child" is concern about the basic welfare or well-being of the child. To apply the best interests means preventing or reducing the risk of ill health (Howe & Covell, 2013). Statistics shows that many children living in the rural areas of KZN are orphans. "Throughout the period 2002 – 2012 roughly half of all orphans in South Africa have been located in KwaZulu-Natal and the Eastern

Cape.” (Hall, Meintjies & Sambu, 2014, p. 92). “KwaZulu-Natal has the largest child population and the highest orphan numbers, with 25% of children in that province recorded as orphans who have lost a mother, a father or both parents” (Hall et al., 2014, p. 92) Document analysis show that the family structure of many rural children are falling apart. The lack of a family structure and family disintegration cause children to live with relatives or with grandparents. According to education managers, these children often come to school ill-prepared and hungry.

Even if children are staying with their own biological parents, parents of those learners are not involved in their children’s school work. Many parents are illiterate and unemployed while others who are employed, work far from home. Howe and Covell (2013) point out that a lack of parental involvement is a well-known risk factor for lower school achievement. A Deputy Principal of a rural school stated: *Firstly, parents ... do not work hand in hand with the educators ... some parents just distances themselves from the education of their child ... it disrupts the quality of education of their child.* Few parents attend parents’ evenings and very few parents come to school to discuss issues regarding their child’s progress or lack of discipline. Parents are only interested in the report at the end of the year. The lack of parent involvement has a negative effect on learner outcomes. Howe and Covell (2013) and Mncube (2009) argue that disadvantaged parents are also less likely to be involved in children’s extra-curricular activities. Howe and Covell (2013) also found parental involvement in education to be a means by which the achievement gap between disadvantaged children and their peers can be reduced. It will be in the “best interests of the child” if parents are supportive and involved in the education of their child. In the case of child-headed households, the school needs to fulfil this responsibility by means of the availability of school practitioners or a support system that is in place to assist these learners. Rural schools and the KZN DoE need to address the barrier that hinders vulnerable learners to achieve.

The second challenge that hinders the delivery of quality education is the high absenteeism rate of of educators and learners. Educators absent themselves without valid reason. Education managers feel that they can’t take disciplinary actions against staff members, because they are not supported by the school principal. It would be in the best interests of the child if educators are held accountable for non-attendance and non-delivery of quality education.

A third challenge that hinders the delivery of quality education is the lack of floor space, resulting in over-crowding. Many rural schools and particular schools in KZN are poor and lack basic infrastructure for teaching and learning. Conditions in these schools are not suitable for

effective teaching and learning. In spite of the Minimum Norms and Standards of Public Schools as set out by Government Gazette No 36837 in 2013, many public rural schools in KZN still do not have adequate floor space, electricity, water, sanitation and proper perimeter security. Acceptable norms for class size for secondary schools are described in the Government Gazette as a maximum of 40 learners. The reality is that there are up to 90 learners in some of the classrooms, resulting in discipline problems and prevents the delivery of quality education to take place. The difference between policy and law is that policy outlines what a government hopes to achieve whilst law is a standard, procedures and principles that must be followed. If a law is not followed those who are responsible for breaking them can be prosecuted in court (Democracy, Government & Public Participation). The implementation of regulations as set out in the Minimum Norms and Standards of Public Schools are only to be phased in before 31 December 2030. That is 15 years from now. The current contextual circumstances do not serve the best interests of learners in rural schools.

Distance from town and the lack of learner transport is another factor hindering the delivery of quality education to learners. Children come to school late, and they are tired and ill-prepared. As an education manager noted: *They should be closer to schools. They travel long distances...and when they come to school they are tired. They come late and so then it automatically hinders their progress in the classroom.* . As indicated, many learners at rural public schools come from child-headed households and from poor families. They need to walk long distances to get to school because they can't afford to pay for public transport. At school A and B I was informed that there is no public transport available because of the poor conditions of the roads. The lack of free public transport for learners in poor rural areas is a challenge that needs to be addressed by stakeholders in education. The availability of free transport to school will serve the best interests of the child.

A lack of support from the KZN DoE is a huge challenge. A participant captured this when she voiced her frustration: *The government does not want to listen to us!* As already indicated, vacant educator posts result in educators teaching subjects that they are not trained to teach. Educators are frustrated and feel uncomfortable teaching these subjects. A participant pointed out: *If no one wants to teach that subject - they give it to that teacher.* Vacant posts also results in an increase in educator work load. Educators are angry and frustrated and one participant voiced her frustration by stating: *Do you want to know how many subjects I teach? Let me raise my voice now!* The filling of vacant educator posts should be a priority.

The late delivery of LTSM hinders the delivery of quality education. Timeous delivery of LTSM will support educators to deliver quality education. Learners should have the opportunity to choose subjects that fit their ability and their interests. In this case, school B only offers a Science stream. For many rural school children, school B is the school closest to them and learners are left with no other option, but to attend the school. Many learners do not want to take Science as a subject, but are left with no alternative choice. School B shows a poor pass rate of below 10 per cent in the 2014 NSC examination. Offering a choice may increase the pass rate at schools in KZN. The KZN DoE needs to support schools in making all three streams available, in order for learners to have the same opportunity as their urban counterparts, and to choose subjects that they feel comfortable taking. The current situation hinders: learners from rural schools from achieving their full potential; the delivery of quality education. Thus the availability of only one-stream does not serve the “best interests of the child”.

Distance from town plays is an important factor that hinders regular visits from subject advisors to take place. Rural schools are not visited as often as urban schools. It is noted that subject advisors visited the school once a year or not at all. A participant pointed out: *The subject advisors come to our school, they suggest what to do and they don't come back.* Poor communication between educators and the KZN DoE hinders the delivery of quality education and does not serve the “best interests of the child”.

Learners are “progressed” from one grade to the next without actually meeting the minimum requirements. Education managers referred to them as being “*pushed through*” to the next grade by the KZN DoE. Most of these learners consequently fail Grade 12. More than often educators are blamed for the high failure rate in grade. There is an urgent need to improve communication between the KZN DoE and education managers of rural schools, in order serve the “best interests of the child”.

Another factor that hinders the delivery of quality education in rural schools is the negative attitude of learners towards their school work. Many of the learners do not have sufficient support and supervision at home. Education managers reported on a high incidence of negative behaviour in schools. Late-coming, high absenteeism, high teenage pregnancies, substance abuse, aggressiveness, fighting and vandalism cause learners to have a negative attitude towards their school work. Negative circumstances cause learners not to have a vision for their future. Most of the learners do not show an interest in their school work and only stay

at school until the meal is served. Learners then climbed through the broken fence and disappear. Educators are well aware of this situation but feel helpless.

Effective teaching and learning can only take place in a safe school environment. Support from the KZN DoE can assist Principals to effectively overcome factors that have a negative effect on learners' attitude towards their school work. The appointment of a school practitioner who serves one or more rural schools may address these challenges and fulfil the parental role amongst orphaned learners. Joubert and Van Rooyen (2008, p. 3) point out that "... leadership is about having a vision and articulating, ordering priorities, motivating others to go along with one's decision, constantly reviewing what one does and holding onto that which one values. All children in South Africa must have equal opportunity to attend a safe school. This will serve the "best interests of the child".

Uncommitted educators are another challenge that hinders the delivery of quality education to children in rural schools. Some educators show a negative attitude towards teaching. Educator absenteeism is high and if teachers do come to school, they are often ill-prepared. Educators *do not honour a period and teachers are lazy*. Some educators will spend most of their time in the staffroom. *There is no urgency ... it is if they are pushed*. Education managers felt helpless and frustrated. A HOD uttered her frustration: *You can't take the steps!* Educators should be held responsible and accountable for non-performance. Different political views often prevent education managers from reporting educators to the Principal, thus hindering education managers from taking disciplinary action against uncommitted educators. It is also important to note that from 2000 to 2012 only 97 educators were permanently struck off the SACE register.⁵⁰ Educators are thus not held accountable for non-performance.

The lack of strong leadership has also been suggested (by education managers) as being a factor that hinders the delivery of quality education. Effective principals would create a safe school environment, encourage positive staff relations and allow effective teaching and learning to take place in the school. The South African Standard for Principalship published in the Government Gazette "... defines the role of school principals and the key aspects of professionalism, image and competencies required" (DBE, 2014b, p. 1). The key areas of principalship are:

⁵⁰ How SADU and SACE have damaged accountability in South African education. Available from: <http://inside-politics.org/2012/06/25/how-sadtu-and-the-sace-have-damaged-accountability-in-sa-education/012>.

- “Learning and Managing the Learning School;
- Shaping the Direction and Development of the school;
- Managing Quality and Securing Accountability;
- Developing and Empowering Self and others;
- Managing the School as an Organisation;
- Working with and for the immediate school Community as well as the broader community;
- Managing Human Resources (staff) in the school; and
- Managing and advocacy of extra-curricular activities.”

Principals of public schools need to take note of the key areas of principalship and Principals of under-performing rural schools need to be held accountable for non-performance.

The final factor that hinders the delivery of quality education in rural schools is poor school infrastructure and the lack of basic resources. According to the Minimum Uniform Norms and Standards for Public School Infrastructure (2013, pp. 9-14):

“... all public schools must have some form of electricity which complies with all relevant laws, all schools must have a sufficient basic water supply which complies with all relevant laws and which is available at all times for drinking, personal hygiene and, where appropriate, for food preparation. All schools must have a sufficient number of sanitation facilities ... plain pit and bucket toilets are not allowed in schools. All schools must have a library facility or media facility. All schools that offer science subjects must have the necessary apparatus and consumables. All schools must have areas where sporting and recreational activities can be practiced. Every school site...must be surrounded by appropriate fencing to a height of at least 1, 8 meters.”

Not one of the three schools in the study complies with the Minimum Uniform Norms and Standards for Public School Infrastructure. All the schools had both prefabricated classrooms, as well as brick classrooms, and all were equipped with a Science laboratory, which, had been donated by a local mining company. Only two of the schools were properly fenced whilst school B's fence was in a poor condition. School B's Science laboratory was also badly vandalised and not operational. School B also did not have electricity due to several instances of burglaries and vandalism that took place the previous year. All three schools had a strong-room and a room where meals were prepared for the learners; the food was kept on the floor of the strong-room. The school buildings and grounds of all three schools were not neat or maintained. Only

school C had a netball court. Few additional facilities exist and the pit toilets were in an unhygienic state. School B had no water for three months. All three schools had one photocopy machine each, but none had a library. All three Principals' offices were sparsely furnished.

These conditions are not conducive for effective teaching and learning to take place and do not comply with the Minimum Uniform Norms and Standards for Public School Infrastructure, which states that all schools, including rural schools, need to meet the minimum requirements, in order to serve the “best interests of the child”.

An important challenge hindering the delivery of quality education is the non-delivery of curriculum implementation. This challenge will be discussed in more depth under a separate theme.

In conclusion, the focus for education in the rural areas of KZN must be to remove all the challenges that hinder the delivery of quality education for education to be in the best interests of the child. The above-mentioned challenges are also consistent with findings from literature. Fleisch (2008) argues that the following factors can contribute to under-achievement of learners: Ill-health, poverty, lack of resources, language of teaching and learning. Supporting Fleisch (2008), I would like to add the following factors that can contribute to under-achievement of learners: poor management and leadership skills, capability of educators, negative attitude and a lack of commitment from educators, as well as the negative attitude of learners and lack of parental support.

Disadvantaged children must have the same opportunity to quality education as their urban counterparts. In line with the findings, recommendation on how these challenges need to be addressed will be discussed in the next chapter.

6.1.5 THEME 5: PERCEPTIONS WITH REGARD TO THE IMPLEMENTATION OF THE CURRICULUM

Bush et al. (2010) are of the opinion that the responsibility for managing teaching and learning is shared amongst Principals, SMTs, HODs and classroom educators. Educators manage curriculum implementation in their own classrooms and HODs are responsible for effective

teaching and learning across their phases (Bush et al., 2010). However, principals of schools have an overall responsibility for the quality of teaching and learning that takes place in their schools. “Principals need to focus more strongly on teaching and learning if schools and learner achievement, are to improve” (Bush et al., 2010, p. 167).

Due to the number of responses with regard to curriculum implementation, a separate theme was created to answer the research sub-question: *What are the challenges experienced by education managers in providing quality education in rural schools?* Responses indicated the following impediments to curriculum implementation in secondary schools are:

- a) Shortage of educators;
- b) Shortage of learner support material;
- c) Lack of content knowledge;
- d) Lack of pedagogical content knowledge;
- e) Learners’ attitude towards their school work;
- f) One-stream schools;
- g) Language barriers;
- h) Lack of parental involvement.

Taking the number of learners into consideration as well as the number of educators teaching at each school there seem not to be a shortage of educators at any of the schools in this study. A lack of floor space seems to be a challenge that may have an effect on the implementation of the curriculum.

A shortage of text books and stationary has a negative impact on the implementation of the curriculum. A participant remarked: *Sometimes you have to postpone a lesson because you don’t have enough resources.* Education managers from all the schools in the study indicated that the school only have one photo-copy machine. An education manager noted: *Sometimes we only rely on one machine ... so if the photocopy machine is broken down, we only have one ... the whole school stop.* This has a serious effect on curriculum implementation.

Many educators in this study indicated that they do not teach subjects that they are trained for. Educators therefore lack content knowledge. A participant pointed out: *The Department must get one that is qualified in that subject to teach that subject.* Educators do attend workshops but also indicated that the workshops in KZN are of poor quality. An education manager stated: *Sometimes the workshops are not enough - they are shallow.* This has a serious effect on the

quality and implementation of the curriculum. Educators teaching subjects that they are not trained for results in a lack of pedagogical content knowledge. A Deputy Principal stated: *The problem that we face here is that rural areas do not do macro planning in terms of the curriculum.* Educators need support from subject advisors, but they feel neglected. A participant echoed the following sentiments: *Some of the subject advisors don't help.*

High absenteeism of educators also has an effect of curriculum implementation. Educators do not implement the curriculum fully or leave work out. Strike actions also have a serious influence on curriculum implementation. An education manager exclaimed: *Yes, the school was closed for four weeks!*

As indicated, ill-discipline, high pregnancy rate, substance abuse and high learner absenteeism result in learners being negative towards their school work. Learners do not complete their homework and come to school ill-prepared. An education manager capture the essence when stating: *I think the main thing for these learners here is just because of a negative attitude.* This behaviour has a negative effect on curriculum implementation.

Majority learners from rural areas have to walk long distances to reach a school closest to them. The problem is that some of these schools only offer one-stream, leaving learners no alternative choices. These learners have to take subjects offered by the one and only stream available. Findings from the study show that learners become negative towards their school work. The negative attitudes of learners hinder curriculum implementation and contribute to the high level of learner drop-out and poor academic performance. Educators feel powerless and are often blamed by the KZN DoE for poor learner performance. More research is needed to fill the knowledge gap on how to deal with these challenges.

One of the most crucial factors hindering the implementation of the curriculum is language barriers. An educator describes it as follows: *The medium of instruction ... they [learners] are dragging the teachers, because they do not understand the English.* Educators must repeat work and translate work as they teach. This process slows them down.

Implementing the new tracker system seems to help education managers to complete the curriculum in time. Educators also indicated that the time frame for the completion of the curriculum is not enough. *The Government give us the time frame, but when you look at that time you see in the book what you must do ... plenty of work ... but the Government just*

implement that short time. Education managers deliver extra lessons early in the morning and over weekends, in order to complete the curriculum.

The lack of parental involvement also has a negative impact on curriculum implementation. Some learners have little support from their parents; they are demotivated and have no vision for their future.

In conclusion, teaching and learning is the core function of a school. Principals should do regular class visits to monitor curriculum implementation. There are many barriers in rural schools hindering the implementation of the curriculum fully. Successful implementation of the curriculum will improve learner achievement. Successful curriculum implementation should be a priority by all stakeholders and all barriers preventing curriculum implementation should be addressed by stakeholders in education. Education may then be in the best interests of the child.

6.1.6 THEME 6: NEEDS IDENTIFIED BY EDUCATION MANAGERS OF RURAL SCHOOLS

Most rural schools are situated in areas that are poor and have a poor socio-economic background. Public schools that are situated in rural areas have to identify their needs, in order for them to address those needs. This in return, will improve academic outcomes and deliver quality education that is in the “best interests of the child”. Therefore the following research sub-question has been included in the study: *What needs to be done to improve the academic performance at under-performing rural schools?*

The following needs were identified by education managers from rural schools:

- Effective leaders;
- Upgrading of school infrastructure;
- The emotional needs of learners and educators needs to be addressed;
- Support from the DBE;
- Learner and teaching support material need to arrive on time.

After 1994 the South African government introduced a variety of new policies, procedures and campaigns designed to improve the quality of education in public schools. These policies, procedures and campaigns were designed to address the inequalities that exist amongst public

schools. Jansen (2003) are of the opinion that despite the noble intention of the state to create greater equality and justice in the educational system, there is now considerable evidence that the gap between privileged schools and marginalised schools has in fact increased because of policy. “In failing to provide for the child’s right to education on the basis of equal opportunity, they fail to act in the best interests of the child” (Howe & Covell, 2013, p. 12).

Currently, all learners are treated as being the same by the KZN DoE. It is clear that rural schools have different needs. The fulfilment of those needs would enable them to narrow the achievement gap that exists between rural and urban schools. All schools cannot be treated as being the same. We need to acknowledge the existing inequalities in public schools in South Africa and we need to understand how to address those needs. A one-size-fits-all solutions does not meet the needs of the ignored and misunderstood rural communities (Bryant, 2010).

6.2 SUMMARY

The purpose of South African education laws and policies should be to advance the best interests of all children in our country. Moreover this will be in keeping with the Constitution and with the Children’s Act. If the voices of the education managers from under-performing rural schools were heard, education could improve to serve the best interests of these vulnerable children. The next chapter will explain the significance of the study and recommendations will follow. Suggestions for further research will also be presented in the next chapter.

CHAPTER 7

SIGNIFICANCE OF THE STUDY, RECOMMENDATIONS AND SUGGESTIONS FOR FURTHER RESEARCH

7.1 INTRODUCTION

The purpose of this chapter is to provide a summary of all the chapters and to discuss the significance of the study. This chapter also presents recommendations in light of the findings. Some suggestions for further research are also made. This thesis consists of seven chapters i.e.:

Chapter 1: Introduction and orientation

Despite of a huge investment in education, South Africa's education system continues to perform poorly. Many public schools in the rural areas of KZN are dysfunctional and current educational practices do not deliver quality education to many learners attending these schools. This research endeavours to explore how the perceptions of education managers, regarding the "best interests of the child" affect the quality of education at rural schools in KZN. Chapter 1 also states the research problem, explains the rationale and states the purpose of the study. The research design, methods and procedures of investigating the phenomenon are briefly discussed.

Chapter 2: Understanding and implementation of the right to education in rural schools

Chapter 2 consists of a comprehensive thematic literature review that summarises the research regarding key principles, such as the right to education, rural education, acceptable education, managing schools in a rural setting and the influence of the rural school principal on the quality of education. The literature review provides insight into the phenomenon and answers to the research questions. From the literature, review it can be concluded that the application of the "best interests of the child" principle, when applied to effective school management, may lead to better quality education, but that more research needs to be done.

Chapter 3: The best interests of the child principle: an outline

Chapter 3 provides the second part of the literature review. The literature review provides a thorough understanding of the topic. In this chapter, I have discussed the development of the “best interests of the child” principle internationally and in the context of South Africa. This chapter also presents an overview of the “best interests of the child” in international law, in South African law and in the context of education. From this literature review it can be concluded that the appropriate treatment of children, as the most vulnerable members of South African society, is very important for the future of the country. The “best interests of the child” principle should support our ideals for education and strengthens our commitment to realise the best possible education for all our children.

Chapter 4: Research methodology

This chapter focused on the research design and methodology applied to explore the main research question that guided the study: *How may the perceptions of education managers, regarding the “best interests of the child”, affect the quality of education at rural schools in KwaZulu-Natal?* Based on an interpretive research paradigm, a qualitative research approach was employed to collect data from Deputy Principals, HODs and educators. The case study research was conducted on multiple sites. Three under-performing public secondary schools in KZN were purposefully selected.

Chapter 5: Thematic data analysis and research findings

This chapter focused on the analysis and interpretation of the data collected during the semi-structured interviews and the focus group interviews done with education managers. Various themes and sub-themes emerged from the data.

Chapter 6: Conclusions

Chapter 6 presented a summary of the research findings and drew conclusions from the findings. It can be concluded that the purpose of South African education laws and policies should be to advance the best interests of all children in our country. This would also be in keeping with the Constitution and with the Children’s Act. If the voices of the education managers from under-performing rural schools were heard, education could improve to serve the best interests of these vulnerable children. In conclusion, I proposed a Basic Education Act

that incorporates the “best interests of the child” principle as a yardstick to ensure accountability.

Chapter 7: Significance of the study, recommendations and suggestions for further research

The significance of the study is noted in this chapter. Recommendations are made and suggestions for further research are made in the final chapter of this study.

7.2 SIGNIFICANCE OF THE STUDY

“Every school and every education system should be consistent with what we know to be in the best interests of every child” (Howe & Covell, 2013, p. 10).

The purpose of this study was to understand how the perceptions of education managers, with regard to the “best interests of the child” principle, may affect the quality of education in a rural setting. The study focused on education managers of under-performing rural schools, in the uThungulu District of KZN. This multi-site case study aimed to make a case for education in the “best interests of the child”. This case study also aimed to gain an in-depth understanding of the “best interests of the child” attending a rural school and how to improve the output and through-put (progression) of learners attending these under-performing rural schools.

This study revealed convincing research evidence indicating that education in under-performing schools is currently not in the “best interests of the child”. Although access to education in South Africa did improve the quality of education received by millions of children from rural areas, still remain illusory.

This study is significant because it:

- Provides insight into the perceptions of education managers from under-performing rural schools with regard to the “best interests of the child” principle. Particular attention is given to section 28(2) of the Constitution. The Constitution and Children’s Act guarantees the “best interests of the child” principle, but education managers do not have a basic understanding of this principle. Light is shed on possible ways to reduce the achievement gap that continues to exist between public schools in rural and urban areas;

- Illuminates the fact that current education policies do not serve the best interests of children from poverty stricken rural areas. If education were truly in the best interests of the child, children from disadvantaged backgrounds would enjoy their right to education on the basis of equal opportunity. Thus children from rural areas would receive the same quality education as their urban counterparts. This is not the case in most of the public schools in rural areas of KZN;
- The study focused on the South African Standard for Principalship, published in the Government Gazette No. 37897 (2014). It is anticipated that this study will raise awareness among policy-makers and stakeholders in education with regard to the importance of relevant qualifications needed for the position of school principal. Good educators are not necessarily good Principals. This study illuminates the need for effective leadership and management skills. Poor management skills and absent Principals lead to non-performance of many rural schools in KZN;
- Provides possible practical solutions, such as the availability of alternative streams for learners who do not wish to follow an academic career;
- Extends the current body of knowledge regarding the needs that exist amongst learners in rural schools in South Africa. The appointment of a school practitioner (shared by a few schools) might be a solution to address the social ills of society such as high drop-out rate, high teenage pregnancy rate, substance abuse, sexual harassment; violence amongst learners and lack of parent support;
- Offers practical insight to policy-makers and Principals regarding the provision of quality education using a child-centred approach;
- This study illuminates context specific challenges that exist in under-performing rural schools in KwaZulu-Natal such as limited subject choices in one-stream public schools, the lack of basic resources, human resource management issues, lack of strong leadership and management skills. It may provoke discussion in terms of the loop holes in the Government Gazette, Minimum Uniform Norms and Standards for Public Schools, published in 2013, resulting in over-crowding, poor facilities and under-resourced schools;
- May stimulate further research in rural education and may provide guidance to policy-makers and the DBE as they consider improvement strategies that will illuminate the “best interests of the child” attending a rural school.

Of particular significance and the unique contribution is that this study calls for a Basic Education Act that incorporates the “best interest of the child” principle. A Basic Education Act, unlike a policy, will hold stakeholders in education accountable for non-performance. This will serve education in the “best interests of the child”.

7.3 RECOMMENDATIONS

“Education in the best interests of the child means the incorporation of the best interest principle into education law and policies and a process of decision-making in which authorities take into full consideration the principles of the Convention ...” (Howe & Covell, 2013, p. 45).

The recommendations are made with a view to improve practice. The recommendations that follow are made based on the findings of the study and in the light of the literature review.

Theme 1: Perceptions of “best interests of the child”

As stated, the CRC mandated: “... the best interests of the child shall be a primary consideration.” South Africa, one of the leaders in the world in legislative progress, ratified the CRC on 16 June, 1995 (Walsh, 2011). Treaties are viewed as legally binding once ratified. Many provisions of the CRC appear in the Constitution and in the South African Children’s Act. The South African legal system placed the “best interests of the child” as guiding principle in the decision making process (Walsh, 2011). Recommendations based on the findings of the study are as follows:

- Introduce a Basic Education Act that includes the ‘best interests of the child’ principle;
- Define what is meant by “Education in the best interests of the child”;
- Based on the findings it is suggested that the “best interests of the child” should become the leading principle in guiding all decisions affecting a child’s education;
- School laws, policies and procedures should be reviewed to align them with the well-being of children and with the “best interests of the child” in mind;
- Education in the “best interests of the child” should include:

- Quality education to be delivered to *all* children in South Africa including learners from rural areas;
- The fulfilment of the child's emotional needs;
- The fulfilment of the child's physical needs;
- To be able to attend school in a safe environment;
- Timeous delivery and availability of adequate resources (human and physical resources), in order for children to achieve their full potential.

Theme 2: Perceptions with regard to quality or acceptable education

Schools should be consistent with what education managers perceive to be in the “best interests of the child”. Every child, irrespective of where the child lives, should have equal opportunity to achieve to his or her potential. Buchanan et al. (2000) describe equal opportunity as the absence of legal and informal discrimination as well as the effects of bad luck in the social lottery. “This means that laws, policies and government action must aim to level the playing field and to counteract the ill effects of factors such as poverty, racism and disability” (Howe & Covell, 2013, p. 47). Based on the findings it is suggested that quality or acceptable education should be delivered to *all* learners in public schools. Recommendations with regard to the delivery of quality or acceptable education in rural schools are as follows:

- Education managers need to establish a culture of teaching and learning in public rural schools;
- Education managers need to create a safe and positive school climate;
- The DBE needs to supply rural schools with the necessary human and physical resources to enable the delivery of quality education to learners;
- Unwilling educators should be held accountable for non-performance by the DBE;
- The DBE needs to provide quality in-service training to improve the content knowledge and pedagogical content knowledge of educators;
- The DBE needs to enhance the competency of under-qualified school principals. School principals must be in possession of at least a professional degree and an ACE or related qualification;
- The DBE needs to promote and sustain the regulation of performance management for education managers;
- School principals and the SMT should have a better understanding of their individual responsibilities;

- Education managers should be held accountable by the DBE for the non-performance of learners.

Theme 3: Management of a rural school

School management and leadership play an important role in improving the educational performance of children (Howe & Covell, 2013; Joubert & Van Rooyen, 2008; Leithwood et al., 2008). Successful leaders have been found to have a significant influence on both education outcomes (in general) and on outcomes for disadvantaged children (in particular) (Howe & Covell, 2013; Leithwood et al., 2008). The following recommendations with regard to the management of a rural school are made:

- Adequate and context specific management training is required, in order for education managers to manage a rural school with the “best interests of the child” in mind;
- The school principal’s main focus should be strong and effective school management. Community matters should not interfere with the day-to-day running of the school;
- Overseeing curriculum implementation should be the main function of the school principal;
- High educator absenteeism should be reported and uncommitted educators should be held accountable for non-performance;
- Adopt a zero tolerance disciplinary policy to address ill-disciplined learners.

Theme 4: Perceptions with regard to the challenges hindering the delivery of quality education.

Levelling the playing field implies the removal of all barriers and challenges that prevents the delivery of quality education. This is an important part of advancing the “best interests of the child”. The following recommendations are provided:

- All schools (rural and urban) should meet the requirements as set out in the Minimum Norms and Standards of Public Schools published in the Government Gazette No 36837 in 2013. Currently the required minimum norms and standards only become enforceable in 2030, in the meantime leaving rural schools in a condition that is not conducive for teaching and learning;
- Education in the “best interests of the child” should accommodate children with different abilities. Not all children are able to excel in an academic world. All children should feel valued, successful and should feel a sense of belonging. The DBE should re-visit the Education White Paper 6 Special Needs Education. Too many learners are condoned to the

next grade, when they actually do not meet the minimum requirements to progress to the next grade. These learners should be given an opportunity to follow a practical stream. This would prevent the bottle-neck of non-performers and the current high failure rate in Grade 11. South Africa is currently experiencing skill shortages and not all learners can or will follow an academic career. This way, education will be in the best interests of all children;

- Challenges with regard to the NSNP need to be addressed urgently. Orphans and children from poor families depend on the one meal that is provided by most rural schools in KwaZulu-Natal.

Theme 5: Perceptions with regard to the implementation of the curriculum.

The findings from the study revealed that education managers find it difficult to cover the curriculum in full and to cover all the areas in time. Recommendations to ensure full curriculum implementation and coverage are as follows:

- Rural school learners have to walk long distances to reach a school closest to them. Some of these schools offer only one-stream. These learners do not have a choice, but to take subjects that do not fit their natural ability. Evidence shows that these schools perform poorly in the ANA and NSC examinations. It is therefore recommended that all secondary schools should offer at least three streams.
- The DBE must recruit and appoint high quality, qualified educators especially in under-performing rural schools.
- Educators must teach subjects that they are trained for.
- Incentives must be offered to qualified, quality educators who are willing to teach in a rural setting.
- Educators without adequate content knowledge and pedagogical content knowledge must be re-trained.
- Subject advisors must visit rural schools on a regular basis.
- Sufficient text books must be delivered on time. Each learner must have his or her own textbooks.
- Quality teaching and learning material (stationary) must be delivered on time.
- One of the core functions of a school principal must be to ensure successful implementation of the curriculum.

- All educators should be familiar with the function of the curriculum tracker. The curriculum needs to be fully implemented by the end of the academic year. Education managers should be held accountable for not implementing the curriculum in full.
- Disruptive and ill-disciplined learners interfere with fellow learners' right to education. Programmes, an anti-bullying policy and action plans need to be in place to prevent aggressive and negative behaviour. The DBE needs to support education managers in dealing with aggressive and ill-disciplined learners.

Theme 6: Needs identified by educators and education managers of rural schools

- First and foremost, because of vandalism, all rural schools need to be securely fenced and security guards need to be appointed by the DBE.
- The lack of floor space has a serious effect on the quality of teaching and learning. An adequate number of classrooms need to be available to accommodate the prescribed 1:40 LER.
- A multipurpose aftercare centre (shared between a few schools) needs to be available for children in disadvantaged rural areas. Disadvantaged learners would then have access to a practitioner who will support orphaned learners with advice and with social matters. The aftercare centre can also be used by educators to give extra lessons prior to examinations. Learners will also have access to computers and a library. The centre can also be used by the community for adult literacy classes during the mornings.
- Fix impassable roads and bridges leading to the rural school.
- Provide free transport to vulnerable learners in rural areas.

Education in the best interests of the child means the incorporation of the “best interests of the child” principle, as set out in the CRC, the Constitution and the Children’s Act, into education legislation, policies and procedures. Howe and Covell (2013) point out that, children and more so, children in poor, poverty stricken areas are among the most vulnerable groups in society. They depend on adults to defend their best interests. Currently, even if education authorities claim to act in the best interests of these children, there is no assurance that they will. A Basic Education Act that includes the “best interests of the child” principle is proposed. According to Howe and Covell (2013), it is reasonable to think, that education decision-makers would be hesitant to allow other considerations to outweigh the “best interests of the child” principle.

7.4 SUGGESTIONS FOR FURTHER RESEARCH

This study prompts further research in the following areas:

- Expanding the research to include primary schools and schools in urban areas. The research findings of this study, “Education in the best interests of the child: A case study of rural schools in KwaZulu-Natal” means that the research findings only apply to a small sample of the total learner population in South Africa. The outcome of such a study might strengthen the case to call for a Basic Education Act that includes the “best interests of the child” principle.
- How to support vulnerable learners (orphans and less affluent children) to achieve to their full potential. Findings from this study indicated that learners from rural areas often lack emotional, social and physical support. These learners also lack vision and support at home. It is evident from this study that these learners often show a negative attitude towards their school work. It is often acceptable to think that, because of the lack of parental support or encouragement by family members, children lack the capacity that is needed to achieve in school. All children must have equal opportunity to reach their potential.
- Education managers of rural schools have to face many challenges and are often not trained to deal with these challenges. What influence will context specific training for education managers, have on the outcomes of an under-performing rural school?

7.5 FINAL NOTE

Statistics show that, South Africa has a high-cost low-performance education system. Many public rural schools in South Africa perform dismally. Access to education does not ensure quality education. (Van der Berg et al., 2011). Education should be more than access to a school. Education should be concerned with the development of the *whole* child. This includes emotional and social development. To answer the main research question: *How may the perceptions of education managers, regarding the “best interests of the child”, affect the quality of education at rural schools in KwaZulu-Natal?* Data analysis revealed that the “best interests

of the child” principle means different things to different people. Having said that, education managers are well aware of what the “best interests of the child” should be, but challenges, circumstances and contextual factors prevent them from delivering quality education that will serve the “best interests of the child”.

Education should be in the “best interests of the child”. A Basic Education Act that includes the “best interests of the child” principle will have a strong positive impact on Basic Education in South Africa and will enforce accountability upon all stakeholders. Education in the “best interests of the child” will level the playing field between rural and urban learners and close the achievement gap that exists amongst them. Former President, Nelson Mandela believed that the soul of a society could be seen in the way it treats its children. Taking education in the “best interests of the child” seriously, may have a huge impact on vulnerable children in rural areas.

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INTERNATIONAL INSTRUMENTS

ACHPR	African Charter on Human and People's Rights (1981)
ACRWC	African Charter on the Rights and Welfare of the Child (1990)
CRC	Convention on the Rights of the Child (1989)
ICCPR	International Covenant on Civil and Political Rights (1966)
ICESCR	International Covenant on Economic, Social and Cultural Rights (1966)
UNCESCR	United Nations Committee on Economic, Social and Cultural Rights (1999)
UDHR	Universal Declaration of Human Rights (1948)
UNDRC	United Nations Declaration on the Rights of the Child (1959)

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Brown v Board of Education 347 US 483 (1954) 493

Fletcher v Fletcher 1948 (1) SA 130(A)

Governing Body of the Juma Masjid Primary School v Essay (2011) 8 BCLR 761 (CC)

The Head of Department: Department of Education, Free State Province v Welkom High School and Others (CCT 103/12) [2013]

McCall v McCall 1994 (3) SA (C)

MEC for Education: KwaZulu-Natal and Others v Pillay 2008 (1) SA 474 (CC)

Middelburg Laerskool en die Skoolbeheerliggaam van Middelburg Laerskool v Hoof van Departement, Departement van Onderwys, Mpumalanga 2003 (4) SA 160 (T)

National Teachers Union v Department of Education and Culture, KwaZulu-Natal and Others (LD110/06) [2006]

Western Cape Minister of Education v The Governing Body of Mikro Primary School 2005 (3) SA 436 (SCA)

APPENDICES

1. Ethics certificate
2. Permission to conduct research: KZN Department of Education
3. Letter from my Supervisor
4. Letter to request permission to conduct research in principal's school
5. Letter to educator - request to participate in a research project
6. Letter to HOD – request to participate in a research project
7. Letter to principal – request to participate in a research project
8. Informed consent – educator
9. Informed consent – HOD
10. Informed consent – principal
11. Post-interview confidentiality form
12. Semi-structured interview schedule for principal
13. Focus group interview schedule for HOD
14. Focus group interview schedule for educator

APPENDIX 1: ETHICS CERTIFICATE



RESEARCH ETHICS COMMITTEE

<p>CLEARANCE CERTIFICATE</p> <p><u>DEGREE AND PROJECT</u></p> <p><u>INVESTIGATOR(S)</u></p> <p><u>DEPARTMENT</u></p> <p><u>DATE CONSIDERED</u></p> <p><u>DECISION OF THE COMMITTEE</u></p>	<p>CLEARANCE NUMBER : EM 14/10/04</p> <p>PhD</p> <p>Education in the best interests of the child: A case study of rural schools in KwaZulu-Natal</p> <p>Anna Magrietha Truter</p> <p>Education Management and Policy Studies</p> <p>17 August 2015</p> <p>APPROVED</p>
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Please note:

For Masters applications, ethical clearance is valid for 2 years

For PhD applications, ethical clearance is valid for 3 years.

<p>CHAIRPERSON OF ETHICS COMMITTEE</p>	<p>Prof Liesel Ebersöhn</p> 
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<p>DATE</p>	<p>17 August 2015</p> <hr style="border: 1px solid black;"/>
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<p>CC</p>	<p>Jeannie Beukes Liesel Ebersöhn Prof HJ Joubert</p>
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This ethical clearance certificate is issued subject to the following condition:

1. It remains the students' responsibility to ensure that all the necessary forms for informed consent are kept for future queries.
2. The protocol you were granted approval on was implemented.
3. The Ethics Committee of the Faculty of Education does not accept any liability for research misconduct, of whatsoever nature, committed by the researcher(s) in the implementation of the approved protocol.

Please quote the clearance number in all enquiries.

APPENDIX 2: PERMISSION TO CONDUCT RESEARCH: KZN DoE



education

Department:
Education
PROVINCE OF KWAZULU-NATAL

Enquiries: Nomangisi Ngubane

Tel: 033 392 1004

Ref: 2/4/8/237

Ms A.M. Truter
P.O. Box 10049
Meerensee
RICHARDS BAY
3901

Dear Ms Truter

PERMISSION TO CONDUCT RESEARCH IN THE KZN DoE INSTITUTIONS

Your application to conduct research entitled: "EDUCATION IN THE BEST INTERESTS OF THE CHILD: A CASE STUDY OF RURAL SCHOOLS IN 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 01 September 2014 to 31 August 2015.
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 Director-Resources Planning, 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 (uThungulu District).

Nkosinathi S.P. Sishi, PhD
Head of Department: Education
Date: 29 August 2014

KWAZULU-NATAL DEPARTMENT OF EDUCATION

POSTAL: Private Bag X 9137, Pietermaritzburg, 3200, KwaZulu-Natal, Republic of South Africa
PHYSICAL: 247 Burger Street, Anton Lembede House, Pietermaritzburg, 3201. Tel. 033 392 1004
EMAIL ADDRESS: kehologile.connie@kzndoe.gov.za; CALL CENTRE: 0860 596 363; Fax: 033 392 1203
WEBSITE: www.kzneducation.gov.za

APPENDIX 3: LETTER FROM MY SUPERVISOR

Faculty of Education
Department of Education Management
& Policy Studies

24 July 2014

TO WHOM IT MAY CONCERN

This is to certify that

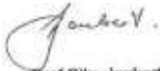
Ms AM Truter (Student number 803148730)

is a student at the University of Pretoria enrolled for a PhD in Education Management, Law and Policy.

Her research topic is *Education in the best interests of the child: A case study of rural schools in KwaZulu Natal*. She is ready to start her fieldwork and it will be appreciated if you would assist in obtaining permission to do research in your province.

I trust that this request will be considered favourably.

Kind regards



Prof Rika Joubert (Supervisor)
DEPARTMENT OF EDUCATION
MANAGEMENT AND POLICY STUDIES

Room 2-05, Lecture Building
Grosvenor Campus, University of Pretoria
PRETORIA 0002
Republic of South Africa

Tel number: 012 420 5514
Fax number: 012 429 3723

E-mail: rika.joubert@up.ac.za
www.up.ac.za/education

APPENDIX 4: LETTER TO REQUEST PERMISSION TO CONDUCT RESEARCH IN PRINCIPAL'S SCHOOL

Dear Principal

RE: REQUEST FOR PERMISSION TO DO RESEARCH IN YOUR SCHOOL

I am a student studying through the University of Pretoria. I am currently enrolled for my PhD Education Management Law and Policy in the faculty of Education. I hereby wish to request permission to conduct research at your school.

The purpose of this study is to gain an in-depth understanding of school management in a rural setting and the unique challenges facing rural schools in the uThungulu District of KwaZulu-Natal. More specifically my research aims to understand the best interests of the child attending a rural school and how to provide quality education that will improve the performance of learners attending these schools. The title of my research is: **Education in the best interest of the child: A case study of rural schools in KwaZulu-Natal.**

Despite major inequalities, all schools are currently being treated as being the same by legislation and policy. It is also expected from principals of rural schools to manage these schools the same as urban, affluent schools and to deliver the same outcomes. By exploring the challenges that exist amongst principals of rural schools in KwaZulu-Natal, in regards to the management of the school, policy-makers may implement strategies that will fit the unique circumstances that exist in rural schools. These strategies will hopefully support the “best interests of children” in these schools. Rurality, rural education and rural schools in South Africa have been marginalised bodies of knowledge.

This research project will involve a semi-structured interview with you as principal of the school and focus group interviews with two Heads of Department and two educators. The interviews will not last more than 45 minutes. Interviews will be conducted at a venue and time that will suit the participants, but may not interfere with teaching time. It will be audio taped and transcribed by me for analytic purposes. The information obtained will be treated with the strictest confidentiality and will be used for this research purposes only. Only my supervisor and I will have access to this information. I attach copies of the interview schedule for your information.

Participation is voluntary and can be withdrawn at any time. The identity of the school and all the participants will be protected. Only my supervisor and I will know which schools were used in the research and this information will be treated as confidential. Collected data will be in my possession or my supervisor's and will be locked up for safety and confidential purposes. After completion of the study, the material will be stored at the Department of Education Management and Policy Studies, according to the policy requirements. In my research report and in any other academic communication, pseudonyms will be used for the school and participants.

No other identifying information will be given. If you agree to allow me to conduct this research in your school, please fill in the consent form provided. If you have any other questions, do not hesitate to contact my supervisor or me at the numbers given below or via E-mail.

A. M. TRUTER

STUDENT

Contact number: 082 8777 947

E-mail: marianne@ion.co.za

PROF. R. JOUBERT

SUPERVISOR

(012) 420 5514

E-mail: rika.joubert@up.ac.za

APPENDIX 5: LETTER TO EDUCATOR - REQUEST TO PARTICIPATE IN A RESEARCH PROJECT

Dear Educator

RE: REQUEST TO PARTICIPATE IN A RESEARCH PROJECT

I am a student studying through the University of Pretoria. I am currently enrolled for my PhD, Education Management Law and Policy in the Faculty of Education. I would like to ask you whether you will be willing to participate in this research project.

The purpose of this study is to gain an in-depth understanding of school management issues and the unique challenges facing rural schools in the uThungulu District of KwaZulu-Natal. More specifically my research aims to understand the best interests of a child attending a rural school and how to provide quality education that will improve the performance of learners attending these schools. The title of my research is: **Education in the best interests of the child: A case study of rural schools in KwaZulu-Natal.**

Despite major inequalities, all schools are currently being treated as being the same by legislation and policy. It is also expected from principals of rural schools to manage these schools the same as urban, affluent schools and to deliver the same outcomes. By exploring the challenges that exist amongst principals of rural schools in KwaZulu-Natal, in regards to the management of the school, policy-makers may implement strategies that will fit the unique circumstances that exist in rural schools. These strategies will hopefully support the best interests of children in these schools. Rurality, rural education and rural schools in South Africa have been marginalised bodies of knowledge.

If you agree to participate, you will be interviewed about this topic. Please note the following:

- This study involves a focus group interview with you and other educators from your school.
- I will facilitate the interview and the interview will be structured around a set of carefully predetermined questions.

- Each participant in the focus group will be given the opportunity to provide an answer to the question. Please answer the questions as thorough and honestly as possible. There is no right or wrong answer, only different points of view. You will be free to express your opinion, even if it is different from what others have said. The interview will be audio-tape, therefore only one person can speak at a time.
- You cannot be identified in person based on the answers you give.
- The interview will not interfere with school activities and will be scheduled at a time convenient to you. The interview will not take longer than 45 minutes of your time.
- Your responses to the questions will be kept anonymous. Please feel free to reveal as much as you feel comfortable with.

Your participation in this study is important to me, but you do not have to participate in this research if you do not want to. If you decide to participate, but you change your mind later, you can withdraw your participation at any time. After the completion of the interview you will have the opportunity to provide me with additional feedback on how you prefer to have the data handled, by completing a Post-interview Confidentiality Form. (See attached copy).

In my transcripts, research report and in any other academic communication, your pseudonym will be used and no other identifying information will be given. Only my supervisor and I will have access to this information. The information you give will only be used for academic purposes and may be published in an academic journal. After completion of the study, the material will be stored at the Department of Education Management and Policy Studies according to the policy requirements. If you agree to take part in this research, please fill in the consent form provided. If you have any other questions, do not hesitate to contact my supervisor or me at the numbers given below or via E-mail.

A. M. TRUTER
STUDENT

Contact number: 082 8777 947

E-mail: marianne@ion.co.za

PROF. R. JOUBERT
SUPERVISOR

(012) 420 5514

E-mail: rika.joubert@up.ac.za

APPENDIX 6: LETTER TO HOD – REQUEST TO PARTICIPATE IN A RESEARCH PROJECT

Dear Head of Department

RE: REQUEST TO PARTICIPATE IN A RESEARCH PROJECT

I am a student studying through the University of Pretoria. I am currently enrolled for my PhD, Education Management Law and Policy in the Faculty of Education. I would like to ask you whether you will be willing to participate in this research project.

The purpose of this study is to gain an in-depth understanding of school management issues and the unique challenges facing rural schools in the uThungulu District of KwaZulu-Natal. More specifically my research aims to understand the best interests of a child attending a rural school and how to provide quality education that will improve the performance of learners attending these schools. The title of my research is: **Education in the best interests of the child: A case study of rural schools in KwaZulu-Natal.**

Despite major inequalities, all schools are currently being treated as being the same by legislation and policy. It is also expected from principals of rural schools to manage these schools the same as urban, affluent schools and to deliver the same outcomes. By exploring the challenges that exist amongst principals of rural schools in KwaZulu-Natal, in regards to the management of the school, policy-makers may implement strategies that will fit the unique circumstances that exist in rural schools. These strategies will hopefully support the best interests of children in these schools. Rurality, rural education and rural schools in South Africa have been marginalised bodies of knowledge.

If you agree to participate, you will be interviewed about this topic. Please note the following:

- This study involves a focus group interview with you and other Heads of Department from your school.
- I will facilitate the interview and the interview will be structured around a set of carefully predetermined questions.

- Each participant in the focus group will be given the opportunity to provide an answer to the question. Please answer the questions as thorough and honestly as possible. There is no right or wrong answer, only different points of view. You will be free to express your opinion, even if it is different from what others have said. The interview will be audio-tape, therefore only one person can speak at a time.
- You cannot be identified in person based on the answers you give.
- The interview will not interfere with school activities and will be scheduled at a time convenient to you. The interview will not take longer than 45 minutes of your time.
- Your responses to the questions will be kept anonymous. Please feel free to reveal as much as you feel comfortable with.

Your participation in this study is important to me, but you do not have to participate in this research if you do not want to. If you decide to participate, but you change your mind later, you can withdraw your participation at any time. After the completion of the interview you will have the opportunity to provide me with additional feedback on how you prefer to have the data handled, by completing a Post-interview Confidentiality Form. (See attached copy).

In my transcripts, research report and in any other academic communication, your pseudonym will be used and no other identifying information will be given. Only my supervisor and I will have access to this information. The information you give will only be used for academic purposes and may be published in an academic journal. After completion of the study, the material will be stored at the Department of Education Management and Policy Studies according to the policy requirements. If you agree to take part in this research, please fill in the consent form provided. If you have any other questions, do not hesitate to contact my supervisor or me at the numbers given below or via E-mail.

A. M. TRUTER

STUDENT

Contact number: 082 8777 947

E-mail: marianne@ion.co.za

PROF. R. JOUBERT

SUPERVISOR

(012) 420 5514

E-mail: rika.joubert@up.ac.za

APPENDIX 7: LETTER TO PRINCIPAL – REQUEST TO PARTICIPATE IN A RESEARCH PROJECT

Dear Principal

RE: REQUEST TO PARTICIPATE IN A RESEARCH PROJECT

I am a student studying through the University of Pretoria. I am currently enrolled for my PhD, Education Management Law and Policy in the Faculty of Education. I would like to ask you whether you will be willing to participate in this research project.

The purpose of this study is to gain an in-depth understanding of school management issues and the unique challenges facing rural schools in the uThungulu District of KwaZulu-Natal. More specifically my research aims to understand the best interests of a child attending a rural school and how to provide quality education that will improve the performance of learners attending these schools. The title of my research is: **Education in the best interests of the child: A case study of rural schools in KwaZulu-Natal.**

Despite major inequalities, all schools are currently being treated as being the same by legislation and policy. It is also expected from principals of rural schools to manage these schools the same as urban, affluent schools and to deliver the same outcomes. By exploring the challenges that exist amongst principals of rural schools in KwaZulu-Natal, in regards to the management of the school, policy-makers may implement strategies that will fit the unique circumstances that exist in rural schools. These strategies will hopefully support the best interests of children in these schools. Rurality, rural education and rural schools in South Africa have been marginalised bodies of knowledge.

If you agree to participate, you will be interviewed about this topic. Please note the following:

- This study involves a semi-structured interview with you.
- I will facilitate the interview and the interview will be structured around a set of carefully predetermined questions.
- Please answer the questions as thorough and honestly as possible.
- The interview will be audio-taped and transcribed by me for analytic purposes.

- You cannot be identified in person based on the answers you give.
- The interview will not interfere with school activities and will be scheduled at a time convenient to you. The interview will not take longer than 45 minutes of your time.
- Your responses to the questions will be kept anonymous. Please feel free to reveal as much as you feel comfortable with.

Your participation in this study is important to me, but you do not have to participate in this research if you do not want to. If you decide to participate, but you change your mind later, you can withdraw your participation at any time. After the completion of the interview you will have the opportunity to provide me with additional feedback on how you prefer to have the data handled, by completing a Post-interview Confidentiality Form. (See attached copy).

In my transcripts, research report and in any other academic communication, your pseudonym will be used and no other identifying information will be given. Only my supervisor and I will have access to this information. The information you give will only be used for academic purposes and may be published in an academic journal. After completion of the study, the material will be stored at the Department of Education Management and Policy Studies according to the policy requirements. If you agree to take part in this research, please fill in the consent form provided. If you have any other questions, do not hesitate to contact my supervisor or me at the numbers given below or via E-mail.

A. M. TRUTER

STUDENT

Contact number: 082 8777 947

E-mail: marianne@ion.co.za

PROF. R. JOUBERT

SUPERVISOR

(012) 420 5514

E-mail: rika.joubert@up.ac.za

APPENDIX 8: INFORMED CONSENT FORM - EDUCATOR

INFORMED CONSENT FORM (EDUCATORS)

Dear Participant

Research Project: Education in the best interests of the child: A case study of rural schools in KwaZulu-Natal.

Thank you for your willingness to participate in this research study. Your participation in this research study involves a focus group interview of approximately 45 minutes. With your expressed permission, the focus group interview will be audio taped. The focus group interview will take place at a venue and time that suits you, but will not interfere with school activities or teaching time.

The information you provide during the focus group interview will be treated with utmost confidentiality and your anonymity is fully granted. Your name or the schools name will not be used in any report or scholarly publications based on this research, nor will data obtained for this study be made available to outsiders without your further written consent. Results from this research will be used for academic purposes only.

To the best of my knowledge, there are no actual or potential risks – be they psychological, legal, physical, social or otherwise – that might result from your participation in this research study. Your participation is voluntary and you have the right to withdraw from the project at any time without adverse consequences to you.

Your signature below indicates that you have been fully informed of the nature of this research, what your participation involves, that you are at least 18 years of age, of sound mind and agree voluntary to participate in this study as indicated above.

.....
Participant (Full Names)	Signature	Date
.....
Researcher (Full Names)	Signature	Date

Yours sincerely

A.M. Truter

Mobile telephone: 082 877 7947

APPENDIX 9: INFORMED CONSENT FORM – HOD

INFORMED CONSENT FORM (HEAD OF DEPARTMENTS)

Dear Participant

Research Project: Education in the best interests of the child: A case study of rural schools in KwaZulu-Natal.

Thank you for your willingness to participate in this research study. Your participation in this research study involves a focus group interview of approximately 45 minutes. With your expressed permission, the focus group interview will be audio taped. The focus group interview will take place at a venue and time that suits you, but will not interfere with school activities or teaching time.

The information you provide during the focus group interview will be treated with utmost confidentiality and your anonymity is fully granted. Your name or the schools name will not be used in any report or scholarly publications based on this research, nor will data obtained for this study be made available to outsiders without your further written consent. Results from this research will be used for academic purposes only.

To the best of my knowledge, there are no actual or potential risks – be they psychological, legal, physical, social or otherwise – that might result from your participation in this research study. Your participation is voluntary and you have the right to withdraw from the project at any time without adverse consequences to you.

Your signature below indicates that you have been fully informed of the nature of this research, what your participation involves, that you are at least 18 years of age, of sound mind and agree voluntary to participate in this study as indicated above.

.....
Participant (Full Names)	Signature	Date
.....
Researcher (Full Names)	Signature	Date

Yours sincerely

A.M. Truter

Mobile telephone: 082 877 7947

APPENDIX 10: INFORMED CONSENT FORM – PRINCIPAL

INFORMED CONSENT FORM (PRINCIPALS)

Dear Participant

Research Project: Education in the best interests of the child: A case study of rural schools in KwaZulu-Natal.

Thank you for your willingness to participate in this research study. Your participation in this research study involves a semi-structured interview of approximately 45 minutes. With your expressed permission, the semi-structured interview will be audio taped. The semi-structured interview will take place at a venue and time that suits you, but will not interfere with school activities or teaching time.

The information you provide during the focus group interview will be treated with utmost confidentiality and your anonymity is fully granted. Your name or the schools name will not be used in any report or scholarly publications based on this research, nor will data obtained for this study be made available to outsiders without your further written consent. Results from this research will be used for academic purposes only.

To the best of my knowledge, there are no actual or potential risks – be they psychological, legal, physical, social or otherwise – that might result from your participation in this research study. Your participation is voluntary and you have the right to withdraw from the project at any time without adverse consequences to you.

Your signature below indicates that you have been fully informed of the nature of this research, what your participation involves, that you are at least 18 years of age, of sound mind and agree voluntarily to participate in this study as indicated above.

.....

Participant (Full Names)	Signature	Date
.....

Researcher (Full Names)	Signature	Date
-------------------------	-----------	------

Yours sincerely

A.M. Truter

Mobile telephone: 082 877 7947

Email: marianne@ion.co.za

APPENDIX 11: POST-INTERVIEW CONFIDENTIALITY FORM

Dear Participant

It is my goal and responsibility to use the personal information that you have shared, responsibly. Now that you have completed the interview, I would like to give you the opportunity to provide me with additional feedback on how you prefer to have your data handled. Please check one of the following statements:

- You may share the information just as I provided it. No detail needs to be changed.
- I realise that others might identify me based on the data.
I wish that the following specific pieces of my data not to be shared.
I would like to alter the data so as to make me unidentifiable.

.....

.....
PARTICIPANT

.....
RESEARCHER

.....
DATE

.....
DATE

APPENDIX 12: SEMI-STRUCTURED INTERVIEW SCHEDULE FOR PRINCIPAL

SEMI-STRUCTURED INTERVIEW SCHEDULE FOR PRINCIPALS OF RURAL SCHOOLS

Dear Participant

Please feel free to provide as much information as you feel necessary for me to form a holistic picture.

1. Please tell me more about the school. (How many learners and educators; how far from the nearest town; infrastructure and type of structure; access roads)
2. Tell me more about yourself (Qualifications, how long are you principal of the school)
3. In terms of section 28(2) of our Constitution “*a child’s best interests is of paramount importance in every matter concerning the child.*” What are your perceptions of the concept: The best interests of the child – specifically in a rural context?
4. What is your understanding of quality education?
5. Do learners in urban schools have access to better quality education? If so, in your opinion what hinders a child in a rural school to receive the same quality education as learners in urban schools?
6. In your opinion do you think rural schools need to be treated differently by policy-makers and by the Department of Basic Education? Please motivate your answer.
7. In your opinion, what are the major challenges, if any in regards to the provision quality education to learners in your school?
8. In your opinion what needs to be done to improve the quality of education in a rural school?
9. What are the most difficult problems or challenges that you have to deal with presently in your position as the school principal with regard to the management of the school?
10. In your opinion do you think principals of rural schools are prepared sufficiently to manage their schools?
11. If not, what kind of training do you think would rural school principals need in order to support them with management skills?

APPENDIX 13: FOCUS GROUP INTERVIEW SCHEDULE FOR HOD

FOCUS GROUP INTERVIEW SCHEDULE FOR HODs OF RURAL SCHOOLS

Dear Participant

Please feel free to provide as much information as you feel necessary for me to form a holistic picture.

1. Tell me more about yourself (Qualifications, how long are you HOD of the school)
2. In terms of section 28(2) of our Constitution “*a child’s best interests is of paramount importance in every matter concerning the child.*” What are your perceptions of the concept: The best interests of the child – specifically in a rural context?
3. What is your understanding of quality education?
4. Do learners in urban schools have access to better quality education? If so, in your opinion what hinders a child in a rural school to receive the same quality education as learners in urban schools?
5. In your opinion do you think rural schools need to be treated differently by policy-makers and by the Department of Basic Education? Please motivate your answer.
6. In your opinion, what are the major challenges, if any in regards to the provision quality education to learners in your school?
7. In your opinion what needs to be done to improve the quality of education in a rural school?
8. How well is the curriculum implemented in your school? Are there any challenges to implement the curriculum fully?
9. What are the most difficult problems or challenges that you have to deal with presently in your position as the HOD of your school?

APPENDIX 14: FOCUS GROUP INTERVIEW SCHEDULE FOR EDUCATORS

FOCUS GROUP INTERVIEW SCHEDULE FOR EDUCATORS AT OF RURAL SCHOOLS

Dear Participant

Please feel free to provide as much information as you feel necessary for me to form a holistic picture.

1. Tell me more about yourself (Qualifications, how long are you teaching at the school)
2. Why do you teach at a rural school?
3. In terms of section 28(2) of our Constitution “*a child’s best interests is of paramount importance in every matter concerning the child.*” What are your perceptions of the concept: The best interests of the child – specifically in a rural context?
4. What is your understanding of quality education?
5. Do learners in urban schools have access to better quality education? If so, in your opinion what hinders a child in a rural school to receive the same quality education as learners in urban schools?
6. In your opinion do you think rural schools need to be treated differently by policy-makers and by the Department of Basic Education? Please motivate your answer.
7. In your opinion, what are the major challenges, if any in regards to the provision quality education to learners in your school?
8. In your opinion what needs to be done to improve the quality of education in a rural school?
9. How well is the curriculum implemented in your school? Are there any challenges to implement the curriculum fully?

