

**THE MANAGEMENT OF SCHOOL SAFETY WITH REFERENCE TO
DRUGS IN PUBLIC SCHOOLS**

By

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DEDICATION

This dissertation of limited scope is dedicated to my parents Jan Kgwete and Paulinah Kgwete for their support and encouragement in order to ensure that I received an education, and to my wife Mumsy, son Tshiamo and daughter Mokgaetsi thank you for your support and understanding for spending time without me while I was engrossed in my studies.

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DECLARATION OF ORIGINALITY

I, (Student number) hereby declare

that this dissertation of limited scope for the degree Magister of Education (Leadership) at the University of Pretoria, has not previously been submitted by me for the degree at this or any other university; that it is my work in design and execution, and that all material from published sources contained herein has been duly acknowledged.

Signature: _____

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SUMMARY

School safety is one of the most important pillars to ensure effective teaching and learning. Safety in public schools is under threat due to learners who abuse drugs and carry dangerous weapons in schools. This is a national problem which poses a serious challenge to principals and School Governing Bodies on how to manage school safety with reference to drug abuse in public schools. Prinsloo (2005:5) describes school safety as one that is free of danger and where there is absence of possible harm; a place in which educators, non-educators and learners may work, teach and learn without fear of ridicule, intimidation, harassment, humiliation or violence.

This implies that there should be measures in place to make sure that incidents related to any threat to school safety are properly managed. Management of school safety should take place within a legal framework derived from the Constitution of the Republic of South Africa (No.108 of 1996) as well as the South African Schools Act (No.84 of 1996), South African case law and common law.

School Governing Body of the school is empowered by the South African Schools Act (No.84 of 1996) to draw a code of conduct for learners in the school. Management of school safety needs extra care as it involves possible violations of human rights. It is therefore important that the Governing Body of the school integrate the Constitutional guidelines and regulations by the South African Schools Act (No.84 of 1996) into the school code of conduct.

The problem however, is how principals and School Governing Bodies manage the challenge of school safety with reference to drug abuse by learners in public schools. This study draws a distinction between the legal framework in managing drug abuse in public schools and implementation of policies. Here the perceptions, experiences and expectations of principals and School Governing Bodies come into play as to how they perceive and experience their own management of school safety with reference to drug abuse in public schools.

ACRONYMS

DoE	Department of Education
SASA	South African Schools Act
SANCA	South African National council on Alco- Holism and Drug Dependence
MEC	Member of the Executive Council
RCL	Representative Council for Learners
SGB	School Governing Body
NGO	Non-Governmental Organisation
SAPS	South African Police Service
WSDS	Whole School Drug Strategy
HOD	Head of Department
SMT	School Management Team

KEY WORDS

Code of Conduct

Constitutional Rights

Culture of teaching and learning

Drug abuse

Implementation

Legal framework

Policy

School safety

Values, ethics and morals



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CHAPTER 1

BACKGROUND AND OVERVIEW OF THE STUDY

1.1 INTRODUCTION

School safety is under siege as a result of among other things, learners who abuse drugs in public schools in South Africa. According to (Prinsloo, 2005:5) schools are supposed to be safe places where effective teaching and learning can take place in an environment that is safe for learners, educators and non-educators. A safe school may be defined as one that is free of danger and where there is an absence of possible harm; a place in which non-educators, educators and learners may work, teach and learn without fear of ridicule, intimidation, harassment, humiliation or violence. A school is therefore a healthy school in that it is physically and psychologically safe.

Indicators of safe schools include the presence of certain physical features such as secure walls; fencing and gates; buildings that are in good state of repair; and well-maintained school grounds. Safe schools are further characterized by good discipline, a culture conducive to teaching and learning, professional educator conduct, good governance and management practices, and an absence (or low level) of crime and violence (Squelch,2001:137-149).

Young people are in most cases at the forefront in social change, and this is also particularly true with drugs and alcohol abuse. Research indicates that there is massive upsurge in drug abuse by learners as young as thirteen (Neser et al., 2005:108). Public schooling is recently characterised by drugs abuse by learners, who as a result; become a danger to themselves; other learners; educators; administrative staff and the supportive staff; generally drug abuse by learners put school safety at risk. Learning and teaching processes are compromised when learners with drug abuse problems are in the school premises.

A school safety project, conducted in 2002, aimed at establishing how accessible drugs are to learners, came up with shocking findings (Maseko, Ladikos and Prinsloo 2005:152). According to the study, 26 percent of the learners can access illegal drugs within one day, 6 percent can obtain

drugs in less than half an hour, while 6 percent can get hold of illegal drugs in an hour or less. The remaining 12 percent could do so within a few hours or at least within a single day. About 30 percent of learners younger than 17 years and 28 percent of those older than 16 years were in the position to buy illegal drugs within a week or less.

The fact that South Africa has a problem with learners abusing drugs and alcohol is also evident from recent newspaper references to:

- Primary school learners are hooked on drugs to go to school (The Star 5 June 2004)
- “There is a rise in learners who attend rehabilitation” (The Mercury 9 June 2004)
- “Children as young as ten are becoming addicted” (Cape Times 21 June 2004)
- “Drug known as “*tik*” is becoming increasingly popular among learners” (Khoisan and Smith, 2004:2).

Learners and educators have a right in terms of section 24 of the Constitution to learn and teach in a safe school environment.

1.2 RATIONALE FOR THE STUDY

Learner discipline is very important in insuring the establishment of safety in schools which leads to quality teaching and learning. Shocking reports in the media about murder, rape, violence, sexual abuse, assault, drugs and alcohol abuse in schools (Prinsloo, 2005:5); prompted the researcher to find out more about how principals with the cooperation of school governing bodies, are managing this challenge of school safety, especially where drugs are involved as they are directly linked to the other mentioned forms of crimes.

The problem of drugs abuse has become one of the most pressing educational issues in public schools. Education Minister Naledi Pandor announced on the 5th June 2006, that “The Council of Education Ministers has approved measures to increase security at public schools”, (The Star June 6 2006), Edition 2). Deputy Education Minister Enver Surty would, in line with international experiences, lead a team to investigate the legislative process for random searches for drugs and weapons at schools.

The challenge of drugs in schools was highlighted by the former Mpumalanga MEC for Education Mr. Siphosezwe Masango on 5 April 2005 while addressing the Representative Council of Learners Indaba at Penryn College. Mr. Masango stated that learner leaders have also made positive contributions in the management of schools through their participation in the Representative Council of Learners (RCLs) as prescribed in the South African Schools Act 84 of 1996". He said: "I would therefore, Programme Director, want to salute these learners and leaders of tomorrow for their unselfish and selfless contribution and dedication to bringing about change and stability in our schools" (<http://www.gov.za>).

He further mentioned that some schools have become breeding grounds of crime and gangsterism. There are some learners who carry dangerous weapons to school, which are used to carry out acts of crime or a reign of terror against fellow learners. Schools should be centers of excellence and need to be utilized as such. Some of today's school-going youth have become drug couriers and addicts and this has eventually reduced some schools to centers of drug trading. Learners should be aware of the risks associated with this activity.

The legal rules dealing with safety in schools are derived from the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996), as well from the national legislation, South African case law, and common law (Prinsloo,2005:5). The legal framework is the guiding factor in determining how school safety should be managed.

The purpose of this study is therefore to investigate how well prepared school managers and governors are to manage the challenge of drug abuse in public schools within the legal frame work and policy for discipline and school safety.

1.3 PROBLEM STATEMENT

The problem statement revolves around the following questions:

- What is the legal and policy framework for school safety with special reference to drug abuse in public schools?
- What is the extent of drug abuse in South African public schools?
- What are the experiences of principals and other stakeholders about the management of school discipline and safety with reference to drug abuse?

1.4 THE OBJECTIVES OF THE STUDY

The aim of this study is to determine how well prepared school managers and governors are to manage the challenge of drug abuse in public schools within the legal frame work and policy for discipline and school safety.

To answer the critical questions, the following research objectives are set:

- To determine the legal and policy framework for school safety with special reference to alcohol and drug abuse.
- To determine the extent of drug abuse in South African public schools.
- To determine the perception, views and experiences of principals and other stakeholders on the management of drugs in public schools.

1.5 THE SIGNIFICANCE OF THE STUDY

The aim of this study is to determine how well prepared school managers and governors are to manage the challenge of drug abuse in public schools within the legal frame work and policy for discipline and school safety:

- Assist school managers and governors in formulating codes of conduct for learners to manage the challenge of drug abuse.
- Assist education policy implementers about the readiness of school managers and governors to manage the challenge of drug abuse.

1.6 RESEARCH DESIGN AND METHODOLOGY

Bianche and Durnheim (1999:29) explain research design as a strategic framework for action that serves as a bridge between research question and the execution or implementation of the research. The design will show which individuals will be studied, and when, where and in which circumstances will they be studied (McMillan & Schumacher, 1993:157). It is important to choose the appropriate method for research. Every enquiry is unique and each research project will have a different approach, methodology and methods. According to Howes (2000:31), methodology is chosen to fit with the epistemological demands of the researcher and the researcher's community. He

argues that methodology of any type provides a framework for hearing, seeing and feeling human experience, and thus has implications for the knowledge that the researcher creates about the social world. Different methods of data collection will be employed to gather relevant information for this study:

- Literature review
- Qualitative research

1.6.1 Literature review

Bless & Higson-Smith (1995:22) defines literature review as “a process of reading some background information that has been published and appears to be relevant to the research topic”. In the study of literature review, relevant data pertaining to the study will be gathered from both primary and secondary resources, critically examined and evaluated and objectively recorded. The research relies on the descriptive method of study in which the researcher describes the problem as it prevails during the period of research.

For this purpose, the researcher will make a careful selection of books; journals; papers read at conferences; departmental circulars and governmental publications as well as acknowledge the contributions of other researchers to the research problem.

Acknowledgement of related literature enables investigators to define the frontiers of their fields; a thorough review of related theory and research enables researchers to put their questions in perspective; reviewing related literature helps researchers to limit their questions and to clarify and define the concepts of the study; a critical review of literature often leads to insight into reasons for contradictory results in an area; through studying related research, investigators learn which methodologies have proven useful and which seem less promising; a thorough search avoids unintentional application of previous studies; the study of related literature places researchers in a better position to interpret the significance of their own results. All these functions will help the researcher to realize the aims of the research project achieve the anticipated objectives and get answers to most of the critical questions.

1.6.2 Qualitative research methods

This research will employ qualitative method because it allows the researcher to share in the understanding and perceptions of others and to explore how people structure and give meaning to their workplace phenomena De Vos (1998:71). Trutty, Rothery and Grinnel (1996:4) describe qualitative research as the study of people in their natural environments as they go about their daily lives. In this field of study, the qualitative research methods will be employed in response to the demand of the research problem. Qualitative research is concerned with abstract characteristics of events, the meaning given to events by participants. The research takes place in the normal context in which the participants find themselves everyday.

Qualitative research focuses on the “lived experiences”, all its aspects. It attempts to:

Describes qualities of events; interpret meanings and relationships among these events; measure the importance of events in the larger picture of educational concern; ground these appraisals on explicit social values and human interests (Kincheloe, 2003:189-190). Qualitative research includes some distinctive characters such as aims that are directed at providing an in-depth and interpreted understanding of the social world of research participants by learning about their social and material circumstances, their experiences, perspectives and histories (Lewis & Ritchie, 2003:3). The researcher will use the following qualitative research data collecting techniques to gather information in the selected schools.

1.6.3 Data collection methods

Qualitative research includes some distinctive characteristics such as aims that are directed at providing an in-depth and interpreted understanding of the social world of the research participants by learning about their social and material circumstances, their experiences, perspectives and histories (Lewis & Ritchie, 2003:3). It is in the context that the researcher will conduct in-depth interviews with the senior management teams of schools and with educators to record their perceptions, views and experiences on the management of school safety with special reference to drugs abuse. Data collection is a detailed description of the data gathering procedures for the planned investigation. This description covers the specific techniques to be employed, specific measuring instruments to be conducted in making the measurement, De Vos (1998:100). In this research, the

researcher will rely more on data collected from the literature based on issues related to my topic to substantiate my argument. Interviews will be conducted to get the views, perceptions and experiences of principals and chairpersons from selected schools. The provisions made in the codes of conduct of the selected will be assessed to determine how school safety with special reference to drug abuse is managed.

A tape recorder will be used to as an Aide-Me moiré or helpful record of the conversation for later analysis. A tape recorder allows the researcher (interviewer) to concentrate on what is said rather than taking notes. Tape recording also allows the researcher to keep a full record of the interview without being distracted by detailed note keeping, (Bianche & Durnheim, 1999:129).

1.6.3.1 Individual interviews

Interviews may be used as another means of gathering information. Tuckman as cited by Cohen and Manion (1994:272), describe interview thus, by providing access to what is “inside a person’s head”, (it) makes it possible to measure what a person knows (knowledge or information), what a person likes or dislikes (values and preferences), and what a person thinks (attitudes and beliefs). Johnson (1994:43) defines interviews as a social encounter between two people that have a particular focus and purpose. Interviews are used in this research with the aim of being able to gain an in-depth understanding of the participants and to make follow up questions where clarity is needed. Arrangements are going to be made with participants (principals) so that interviews can be conducted in order to find out more about the challenges that they experience managing learners who abuse drugs. Interviews with SANCA counselors will be conducted prior arrangements. Robson (1993:229) gives advantages of interviews:

- Face to face interviews offer the possibility of modifying ones of inquiry, following up interesting responses and investigating underlying motives.
- Non-verbal clues may give messages which help in understanding the verbal responses
- Respondents alone can answer questions at a given time.

To ensure that the respondents talk to the researcher in some depth about their experiences regarding drugs abuse, semi-structured interviews will be used (Kelly & Terre-Blanche, 1999:128). Semi-

structured interview is commonly used in research projects to corroborate data emerging from other data sources. It seldom spans a long time period and usually requires that the respondent answers a set of pre-determined questions. It does allow for the probing of and clarification of answers. Individual interviews with principals and chairpersons of selected schools will be conducted.

Arrangements for interviews will be made with the above mentioned individuals. The interviewees will be communicated to by means of letters in advance to make time for preparations. Telephone calls will be made in advance to remind participants about the impending interviews, this will help to make further arrangements in case of unforeseen circumstances on the part of participants or researcher.

1.6.3.2 Document analysis

Cresswell (1998:219) stated that, documents consist of public and private records that qualitative researchers obtain about a site or participants in a study and they can include newspapers, minutes of meetings, personal journals, policies and letters. Cresswell (1998:219) further indicates that documents are ready for analysis without the necessary transcription that is required with observational or interview data. Documents provide the advantage of being in the language and words of the participants, who have usually given thoughtful attention to them.

Codes of conducts for learners of selected schools are going to be analyzed wherein the research will look at:

- The preparedness of school managers and governors to face the challenge of drug abuse in their school?
- Are any provisions made in the code of conduct to manage the possibility of the danger of drugs?

1.6.4 Purposive sampling

A sample is a group of individuals who will participate in the research. A sample is selected from a population, which is a larger group in a particular environment. The purpose of sampling is to get a manageable group for research purposes. Sampling is used in qualitative research in the selection of interviewees (Krathwohl 1998:160). According to Schumm *et al.* 1996:58) purposive sampling is a procedure by which the researcher selects a subjects based on predetermined criteria about the extent to which the selected participants could contribute to the research study.

For this research, the researcher is going to focus on one township secondary school, one former model C secondary school and one rural secondary school which will form part of the purposive sampling.

The above mentioned categories of schools are located in the same district but with completely different environments and backgrounds. An environment and background have an effect on how people behave and do things. Therefore, the researcher wants to find out how drug abuse by learners is managed in different environments and backgrounds.

The researcher will interview the principal; SGB member (teacher component), parent component of SGB and one RCL (Representative Council for Learners) member per school.

1.6.5 Data analysis

Hoyle (2002:425) states that, in data analysis researchers arrange and portray data in ways that help detect patterns or problems, explore associations that exist in the data, and generally see if the data are consistent with their hypotheses and theories. Therefore the researcher in this study is going to analyse information gathered from documents and individual interviews. Information gathered through interviews is going to be analyzed using guidelines suggested by Hyckner as cited by Cohen and Manion (1994:293), who used these guidelines in order to be true to the phenomenon of the interview data:

- **Transcription:** having the interview tape transcribed, noting not only literal statements but also the non-verbal and paralinguistic communication,

- **Bracketing and phenomenological reduction:** this means suspending (bracketing) as much as possible the researcher's meaning and interpretations and entering into the world of the unique individual who was interviewed.
- **Listening to the tape for the sake of the whole:** This involves listening to the entire tape several times and reading the transcription a number of times in order to provide a context for the emergence of specific units of meaning and themes later on.
- **Writing a summary of each individual of each individual interview:** Go back to the interview transcription and write up a summary of the interview incorporating the themes that have been elicited from the data.

1.6.6 Data interpretation

According to Mouton (1996:177) the report should be concluded with an interpretation of the findings against the background of the original research problem. The criteria of objectivity demands that the interpretation should not be selective, but that data should be reported in full. A valid conclusion is one in which the data (empirical) or reason/evidence (theoretical) provide both sufficient and relevant grounds for the conclusion. In this study extra care will be taken to make sure that the correct steps are followed when interpreting the data gathered.

In this study, analysis of the raw data will begin with the identification of key themes and patterns (Gough & Scott, 2000:1).

The eight steps proposed by Tesch (in De Vos 1998:343) for data analysis will serve as guide for the analysis of the participants experience regarding drug abuse in schools. The eight steps will be applied according to the following process:

- reading through all the transcripts carefully to get a sense of the whole;
- selecting one participant's response to find underlying meaning and thinking as expressed during the interviews. Thoughts that come up are written in the margin. Continuing with step 2 for all the participants and listing all the topics;
- clustering similar topics together;
- tracking the list and returning to the data and then finding out emerging categories;
- reading categories by grouping related topics that show interrelationships;

- each category is coded and arranged accordingly;
- assembling data material belonging together into one place and beginning with preliminary analysis and;
- existing data will be recorded if necessary.

1.7 VALIDITY AND RELIABILITY OF THE STUDY

1.7.1 Validity

Babbie (2001:143) gives an explanation of validity as the extent to which an empirical measure adequately reflects the real meaning of concepts under consideration. Wilkinson (2001:42) states that validity relates broadly to the extent to which the measure achieves its aim; that is the extent to which an instrument measures what it aims to measure, what it claims to measure or test, what it is intended to test. Boroughs (1985:78), indicates that no tests measure has universal validity but validity has relation to the following factors:

- The particular population for which it is designed;
- The particular purpose for which it is designed and
- The particular conditions under which it was administered.

For this research, the research methodology will strive to establish the validity of the findings by providing and reflecting the challenges experienced by principals and educators in secondary schools. Slavin (1984:12) explains external validity as concerned with whether the results are applicable to persons who did not actually participate in the study.

1.7.2 Reliability

According to Wilkinson (2000:42) reliability refers to a matter of consistency of measure, the likelihood of the same results being obtained if the procedure is repeated. The reliability of research can be achieved if someone else can repeat the research and get the same results. It means that the information provided by indicators (e.g. interview) does not vary as a result of characteristics of the indicator, instrument or measurement of the device itself. Therefore in this study, the researcher will analyze data gathered through interviews and look at patterns and themes and check for correlation of

responses. The researcher will also do member checking to make sure that information provided by the interviewee is really what they wanted to give.

1.7.3 Ethical aspect of the research

Cavan as cited by Cohen and Manion (1993:359) explains ethics as “a matter of principled sensitivity to the rights of others. Being ethical limits the choices we can make in the pursuit of truth. Ethics say that while truth is good, respect for human dignity is better, even if, in the extreme case, the respect for human nature leaves one ignorant of human nature”. According to De Vos (1998:240), ethics is a set of moral principles that are suggested by an individual or group, are subsequently widely accepted and offer rules and behavioral expectations about the most correct conduct towards experimental subjects, and respondents, employers, sponsors, other researchers, assistants and students. Ethical guidelines are standards and the basis upon which the researcher ought to evaluate his/her own conduct. Ethical principles need to be internalized in the personality of the researcher to such an extent that ethically guided decision-making becomes part of his/her total lifestyle. The researcher in this study will be guided by following ethical guidelines:

1.7.4 Voluntary participation

According to Trochim (2001:24) the principle of voluntary participation requires that people not be forced into participation in research. Subjects need to participate voluntarily and without any pressure or manipulation. In this study the researcher will ask permission from participants prior to conducting the research. Participants will not be coerced to take part in the study. Permission will be sought in the form of writing a letter of request. Closely related to voluntary participation is the aspect of informed consent.

1.7.4.1 Informed consent

Diener and Crandal in Cohen and Manion (1994:350) define informed consent as ‘procedures in which individuals choose whether to participate in an investigation after being informed of facts that would be likely to influence their decisions’. This definition involves four elements:

- Competence;
- Voluntarism;

- Full information and
- Comprehension

Informed consent is the knowing consent of individuals to participate as an exercise of choice, free from any element of fraud, deceit or similar unfair inducement or manipulation (Farnham and Pilmlott, 1995:47).

According to Trochim (2001:24) informed consent means that prospective research participants are fully informed about the procedures and risks involved in research and must give their consent to participate. This informed consent implies that all possible or adequate information on the goal of investigation and the credibility of the research be rendered to potential subjects. Informed consent is necessary even if the subjects do not listen to explanation or is not interested in knowing (De Vos, 1998). In this study, the researcher will be provided with all information pertaining to the research so that they understand fully what the research is all about before taking part. In the letter all information will be spelled out. The letter will be followed by face to face conversations and telephone conversations.

1.7.4.2 Betrayal

Cohen and Manion (1994:368) says, the term ‘betrayal’ is usually applied to those occasions where data disclosed in confidence are revealed publicly in such a way as to cause embarrassment, anxiety, or perhaps suffering to the subject or participant disclosing the information. It is a breach of trust, in contrast to confidentiality, and is often a consequence of selfish motives of a personal or professional nature. In this research participants will not be betrayed in any way. This will be done by sending participants copies of the study so that they can double check whether information they provided was correctly coded or not.

1.7.4.3 Deception of respondents

De Vos (1998:27) states that this is a deliberate misrepresentation of facts in order to make another person to believe what is not true. It refers to withholding of information or offering incorrect information in order to ensure participation of subjects when they would otherwise possibly have

refused it. The researcher should not deceive the respondents and if it happens inadvertently, it must be rectified immediately.

1.7.4.4 Confidentiality and anonymity

According to Trochim (2001:24) confidentiality and anonymity are the two standards that help to protect the privacy of research participants. Farnham and Pilmlott (1995:48) confidentiality is an active attempt to remove from research records any elements that might indicate the subject's identities while anonymity means subjects remain nameless. Trochim (2001:24) further indicates that participant confidentiality assures the participant that identifying information will not be made available to anyone who is not directly involved in the study. In this study, information related to the use of drugs by learners at school could be accused and where such information is disclosed to the researcher, it will be treated with all the confidentiality that it deserves as stated in the National Education Policy Act (No.27 of 1996) (16) that all information relating to alcohol, drug misuse or dependency by a learner, should be treated as confidential.

Nachmias and Nachmias in Cohen and Manion (1994:366) say, "The obligation to protect the anonymity of research participants and to keep research data confidential is all-inclusive. It should be fulfilled at all costs unless arrangements to the contrary are made with the participants in advance". Anonymity is a stricter standard that means that the participants will remain anonymous throughout the study, even to the researchers themselves.

1.7.4.5 Securing data / right of privacy

Farnham and Pilmlott (1995:48) states that, records must take intentional precautions to ensure that information does not accidentally fall into the wrong hands or become public.

In this study, precautions will be taken to ensure that research-related information is not carelessly discussed. In this study the researcher will abide by the ethical code to ensure that nothing is left to chance.

Cohen and Manion (1994:365) states that the right to privacy "extends to all information relating to a person's physical and mental condition, personal circumstances and social relationships which is not

already in the public domain. It gives the individual or collectively the freedom to decide for themselves when and where, in what circumstances and to what extent their personal attitudes, opinions, habits, eccentricities, doubts and fears are to be communicated to or withheld from others”. In this study information is going to be highly guarded and the subjects’ right of privacy is going to be respected. This will be done by not disclosing names of participants in this study.

1.7.4.6 Clarification of concepts

In this study, the following concepts will mean the following:

- **Alcohol:** Oxford Advanced Learner’s dictionary defines alcohol as colourless liquid that can cause drunkenness, contained in drinks such as beer, wine, brandy and whisky.
- **Drug:** Maseko, Ladikos and Prinsloo (2003:136) define a drug as any chemical or plant-derived substance that causes a person using it to experience mental, emotional or physical change.
- **Principal:** The South African Schools Act (No. 84 of 1996) defines a principal as an educator appointed or acting as the head of a school.
- **Experimentation:** for the purpose of this research “experimentation” refers to a procedure which is undertaken to discover or demonstrate a known fact, Maseko, Ladikos and Prinsloo (2003:136). Learners often start taking drugs out of curiosity, but experimentation eventually leads to them abusing drugs or alcohol.
- **Manage:** Oxford Advanced Learners’ dictionary defines manage as being in charge of something or cope with something.
- **Abuse:** Oxford Advanced Learners’ dictionary defines abuse as wrong or bad use or treatment of something.

1.7.4.7 Demarcation and limitation of the study

This research project will be conducted in Nkangala Region, Witbank 2 Circuit in Mpumalanga Province. This study will explore how principals, school management teams and governing bodies manage the challenge of school safety with special reference to drug abuse in public schools around this area. Three schools as a representative sample of all schools in the circuit will be selected.

Principals and educators will be interviewed for this research. Therefore the researcher is going to make use of the following methods of data collection:

- In-depth interviews with the principals of the selected schools,
- Follow-up interviews with educators to clear up any uncertainties and
- Document analysis.

1.8 CONCLUSION

This chapter gives the orientation to the study. The introduction gives a brief background to the area of study and the rationale. The challenge of drug abuse by learners in schools prompted the researcher to investigate how schools are managing the problem. The problem statement was formulated. The problem statement revolved around the legal and policy framework for school safety with special reference to drug abuse in public schools. It also focused on the extent of drug abuse in South African schools.

The significance of the study was also looked at which was to determine the legal and policy framework for school safety with reference to drugs in public schools. The research method to be used is also indicated. Data collection and analysis methods were also discussed in this chapter. The next chapter will be on literature review based on other scholars' views on the unit of study.

1.9 STRUCTURE OF THE RESEARCH

The first chapter of this research study consists of the introduction, rationale of the study, the problem statement, aim and objectives, the relevance of the study, demarcation, appropriateness, research design, data collection, data analysis, ethical considerations and limitations of the study.

Chapter two of this study provides a brief summary of the literature review of the legal framework for school safety. It includes the duties of governing bodies with regard to the safety of learners, the provisions in the South African Constitution and the Bill of Rights which as a bearing on school safety, safety policies and the National Policy on Drug abuse Management in Schools

The third chapter highlights the extent of drug abuse in South Africa and measures how National and Provincial governments are applying to help solve the problem.

The fourth chapter consists of an introduction, methodology in brief, data collection and analysis, sampling, participants, interviews data analysis, themes and categories. This chapter provides information on the methodology used in the study including data collection and how collected data was analyzed.

This chapter five consists of the overview of the study, themes around the management of school safety in public schools, findings and recommendations, recommendations for further study, limitations of the study and a conclusion.

CHAPTER 2

LITERATURE REVIEW

THE LEGAL FRAMEWORK AND POLICIES FOR SCHOOL SAFETY

2.1 INTRODUCTION

After 1994, when South Africa stepped out of isolation and adopted a new, democratic constitution guaranteeing the right to human dignity, equality and freedom, to basic education and to an environment that is not harmful to the health or well-being of all citizens, it followed the example of most other democracies by passing new legislation or using current legislation to protect the rights and safety of learners. Provision is made for protecting the rights of children and the safety of learners in the Child Care Act (No. 74 of 1983); the Domestic Violence Act, 1998 (Act 116 of 1998); the South African Schools Act, 1996 (Act 84 of 1996) and the Occupational Health and Safety Act, 1993 (Act 85 of 1993). These Acts are all (to a smaller or larger extent) concerned with protecting the physical and psychological integrity of learners in South African schools (Prinsloo, 2005:5).

Drug abuse by learners in public schools poses a serious threat to school safety.

Learners who are under the influence of the above mentioned substances at school, are a threat to themselves, other learners, staff, support staff and those who may be on school grounds for various reasons. Prinsloo (2005:5) describe a safe school as one that is free of danger and where there is absence of possible harm; a place in which non-educators, educators and learners may work, teach and learn without fear of ridicule, intimidation, harassment, humiliation or violence. Prinsloo (2005:5) further states that the legal rules dealing with safety in schools are derived from the Constitution of the Republic of South African, National and Provincial legislation, case law and common law.

2.2 LEGAL FRAMEWORK FOR SCHOOL SAFETY

2.2.1 *The Constitution and the Bill of Rights*

Schools have a purpose to ensure effective teaching and learning, and therefore, the right to education (section 29 of the Constitution) is very important. In terms of section 9 of the Constitution (the equality clause) everyone has the right to equal access to education (which also means equal opportunities and equal treatment for all learners) and the right not to be unfairly discriminated against on any of the grounds listed in the equality clause. In terms of section 24 of the Constitution everyone has the right to an environment that is not harmful to their health or well-being. In the education situation this implies that the educator and the learner have the right to a safe school environment. This means that learners have a constitutional right to receive education in a safe school environment.

Educators have therefore a constitutional duty to promote and to protect their learner's right to quality education and a safe school environment in which quality teaching and learning can take place. South African educators have further an important duty towards the safety and the protection of learners, not only in terms of the Constitution and other legislation, but also in terms of their *in loco parentis* status (i.e. the educator "acting as parent"). All these duties include responsibilities for the physical and psychological well-being of the learner (Bray, 2000:66). The *in loco parentis* status of educators furthermore forces schools to foresee the potential dangers to which learners may be exposed at schools and to act proactively by taking steps in the form of safety measures or policy to protect learners from harm.

Drug abuse being societal diseases need to be put top on the code of conduct's priority list when drafting the code of conduct for learners in terms of section 8(1) of the Schools Act. It is important that when governing bodies make decisions around matters involving drugs should take precautionary measures so that the learners' constitutional rights are not violated. Prinsloo (2005:6) states that duties that educators have to carry out include responsibilities for the physical and psychological well being of the learners. In a school environment every learner should at least have the right to human dignity (section 10 of the Constitution), the right to freedom of and security of the person (section 12 of the Constitution) and the right to privacy (section 14 of the Constitution). The

dignity of the learners should be respected and protected; learners should be free from any form of violence and never be treated or punished in a cruel or inhumane or degrading way, and their right to privacy should be respected.

The *rules of natural justice* are also embedded in section 33 of the constitution – everyone has the right to administrative action that is lawful, reasonable and procedurally fair. This implies that a learner’s right to education may only be limited in terms of a law of general application (i.e. in terms of the code of conduct of the school attended by the learner) and the disciplinary actions must be taken for a valid (lawful) reason and the procedures taken must be reasonable, lawful and fair). It is important to remember that no right is absolute and, under certain circumstances, a right may be limited in terms of section 33 of the Constitution. Practically this means that when an individual learner is infringing on the right to a safe school environment of all the other learners at a school (e.g. selling drugs to other learners), such an individual’s right to education may be limited.

In the following paragraphs human rights applicable to school safety in education will be discussed:

2.2.2 Section 9: The equality principle

The right to equality protects the equal worth of people and any law or conduct that violates people’s rights equal worth is prohibited by section 9. The provision recognizes that people may be treated differently for very valid reasons and therefore does not prohibit all discrimination (differentiation) – only unfair discrimination (Malherbe & Beckmann, 2003:35). Prinsloo (2005:7) states that equality principle impacts in different ways on education and relates directly to equal access to education facilities. Apart from racial, gender, disability and other forms of discrimination, age limitations and sexual harassment are also contentious educational issues that relate to equality principle (Malherbe & Beckmann, 2003:35-36). Therefore learners who are found to be in possession of or being under the influence of drugs or alcohol should be treated with care without eroding the equality principle.

2.2.3 Section 10: Human dignity

This is a fundamental right that guarantees to have one’s inherent dignity as a human being respected and protected. According to Malherbe and Beckmann (2003:36) human dignity is the cornerstone for protecting all other rights especially in the educational environment. Human dignity is quite obviously a critical and extremely fragile component of the multifarious relationships that make up the educational

environment, especially because so many minors or otherwise vulnerable and defenseless people are involved. Violations of human dignity may occur during disciplinary action, in the daily interaction between educators and learners (which is an inherently unequal relationship). When tackling drugs matters in schools, it is easy to violate learners' rights especially human dignity. For example body searches, urine testing and confronting learners could result in causing embarrassment to learners. Therefore schools should have an obligation to protect the human dignity of their learners.

2.2.4 Section 12: Freedom and security of the person

Everyone has the right to freedom and security of the person, which includes the right not to be deprived of freedom arbitrarily or without just cause, not to be detained without trial, to be free from all forms of violence, not to be tortured, and not to be treated or punished in a cruel, inhuman or degrading manner. In case learners are found to be in possession or under the influence of drugs or alcohol, they have to be treated with dignity without subjecting them to cruel punishment or any form of torture that degrade them in any form. Section 10 of the South African Schools Act 84 of 1996 outlawed corporal punishment for learners; therefore, learners who are in possession or under the influence of drugs or alcohol should not be subjected to this form of punishment in any way.

Prinsloo (2009:35) states that other forms of punishment or correction employed by the schools should be examined equally carefully to ensure that they are not cruel, inhuman and degrading. It could be argued that any form of discipline contains some element of humiliation and degrading, but certainly not all disciplinary measures go so far that they cannot be justified in terms of section 36 of the Constitution. Forms of community service, such as cleaning of classrooms and picking up the litter, are disciplinary measures that may be justified under normal circumstances.

2.2.5 Section 14: The right to privacy

Section 14 provides that everyone has the right to privacy, which includes the right not to have their person, property searched, their possessions seized, or the privacy of their communications infringed. This right mainly protects access to information about an individual's personal matters and is closely related to the common law right or a disclosure of private facts about a person would violate the right to privacy (Prinsloo: 2009:36).

In the school situation, section 14 may give the impression that educators may not search learners' possessions (e.g. for a dangerous weapon) and that possessions or people may not be searched (e.g. schoolbags for drugs). This is not so, although in order to carry out searches educators will have to have reasonable suspicion that an individual is in possession of a dangerous substance or weapon (Prinsloo: 2009:36).

According to Rossow and Stefkovich (1995:21-41), there are two variables that must be considered under the reasonableness standard, that is, the thing (dangerous weapons or drugs) that the searcher is seeking and the sufficiency of the information or the informant who led the searcher to believe a search was necessary. A right may be limited only in terms of the law of general application (the code of conduct for learners or national legislation). Furthermore, there should be an appropriate balance between the limitation of the right and the purpose for which the right is being limited. In other words, the purpose of the limitation should be to search for a dangerous object or illegal substance that could endanger the safety of other learners or the security of the school environment.

Malherbe, (2006:11) states that, in all such cases the general rule should apply namely, that any limitation of the right to privacy should be justified by a rational educational purpose. Parents may expect a school to take special care of their children, not only in terms of their education, but also in protecting them from harm during those hours when they are under the authority and care of the school. Owing to the high incidence of drug abuse in South African cities, school principals have been reported in recent newspapers to have asked police to make use of surprise and preventive general searches at schools to ensure a safe school environment.

When limiting an individual or a group's right to privacy, the purpose of the limitation is very important. In the case above the right to privacy of one individual or a small number of individuals is infringed upon, but this is done in order to maintain the right of many more learners to a safe school environment in which effective teaching and learning can take place (Prinsloo, 2009:51-52).

2.2.6 Section 24: The right to safe environment

In terms of section 24 of the Constitution, everyone has the right to an environment that is not harmful to his or her health and well-being. This implies that learners have the right to receive education in a safe environment. Paragraph 4.6 of the Guidelines for the consideration of governing bodies in adopting a code of conduct for learners (Department of Education, 1998) states that learners have a right to a clean and safe environment that is conducive to learning. Security of property, well cared for facilities, school furniture and equipment, clean toilets, water and a green environment, absence of harassment when attending classes and writing tests and examinations, all create an atmosphere that is conducive to education and training (Prinsloo, 2008:62).

From an USA perspective Quarles (1993:28) identified environmental designs to prevent, deter, or avoid crime in schools:

- Access to the offender's target impossible, too difficult, or too time consuming.
- The likelihood of detection or exposure on the premises too great, by eliminating places where the criminal could conceal his or her presence.
- Arrival of the police or security officers likely when the offender is still on the premises or before he/she could make a clean getaway.
- Successful escape impossible because of poor escape routes and probable police interception.
- It is likely the offender will be identified through increased observation opportunities

This tool can be used well within public or private schools. It can be effective in dealing with school gangs and dealing with drug problems. Quarles (1993:28) states that, placing educators or security officers at school entrances can minimize some of these risks. Hall monitoring is an excellent but underutilized security practice in the contemporary school.

Quarles (1993:30) further states that, as another way of promoting a safe environment in schools, some schools adopted a method used by the Washington State Department of Education. On almost every school hallway of every school in their system there is a large 22 x 17 poster. It gives the

universal sign for NO GUNS or DO NOT BRING GUNS. Then it says “KEEP OUR SCHOOL SAFE! Report Weapons 1-800-862-GUNS, All calls are confidential”.

2.2.7 Section 28: Children’s rights

Section 28(1) provides that every child has a right to a name and a nationality from birth; to family or parental care or appropriate alternative care when removed from the family, to basic nutrition, shelter, basic health care services and social services, and to protection from maltreatment, neglect, abuse or degradation. Section 28 obliges the school to respect, protect and fulfill these children’s rights in the educational context. Schools and educators, as representatives of the state as well as of the community, have the responsibility to report and even to intervene whenever they become aware of a child’s rights under section 28 being violated, for example, if a child is being maltreated, neglected or abused at home. The school would usually be able to point out that the child’s situation affects his or her education.

Section 28 of the Constitution specifically protects children’s rights. It states the following:

- A child refers to a person who is under the age of 18 years.
- Every child has the right to be cared for by a family.
- Children have the right to shelter, health care and adequate food.
- Children must be protected from maltreatment, neglect and abuse.
- Children are not allowed to do work that will harm their health, education or well –being.
- A child may only be detained as the last resort and only for a short while.
- Children under the age of 18 years should be kept separately from adults in detention.
- Children are entitled to a lawyer paid for by the state in all court cases where their interest is at stake.
- Nobody has the right to hurt children. Nobody is allowed to hurt or scare children by:
 - Hitting, pushing or doing anything else that will hurt or scare them;
 - Telling them that someone they love or a pet will be hurt; or
 - Threatening them in any way.

Section 28(2) provides that a child’s best interest is of paramount importance in every matter

concerning the child, which obviously goes beyond family law issues. The principle forms part of the rights of the child contained in section 28, but constitutes a constitutional right extending beyond the other rights in section 28. This means that the principle should be applied in all matters affecting the child and not only in matters relating to the other rights in section 28. The principle should also be considered when any other constitutional or legal right of a child is affected. It further means that the child has the constitutional right that its best interests will be given priority in every matter affecting that child (Prinsloo, 2008:37).

According to Malherbe, (2006:2-3) it is not always appreciated that, as in the case of all the other rights in the Bill of Rights, this does not mean that the best interests of the child applies absolutely and will every time trump any other competing right or interest. Every constitutional right may be limited lawfully. As in the case of other rights, therefore, the weight accorded the principle must be determined in each case taking into account all relevant circumstances. This means that the right may be limited lawfully if the limitation complies with the requirements of the general limitation clause, section 36 of the Constitution.

In other words, whenever in a situation affecting the child, the best interests of the child are for some reason not regarded as paramount, the limitation that imposes on the child's right must be reasonable and justifiable in an open and democratic society as required by section 36.

On the other hand, the principle may take a backseat when it could undermine the orderly educational process in a school, for example if a child refuses to participate in compulsory religious instruction in a private school, or when a child's privacy is invaded in a random search of learners' possessions for illegal drugs. This approach to the application of the best interests of the child is in line with the nature of the principle as a constitutional right and, accordingly, it being subject to lawful limitations in terms of section 36 (Prinsloo, 2008: 42).

2.2.8 Section 32: Access to Information

Section 32 provides the following:

- (1) Everyone has the right of access to-
 - (a) any information held by the state, and

- (b) any information that is held by another person and that is required for the exercise or protection of any rights.

This right is *binding on the state as well as individuals*:

- The individual may require access to any information held by the state - the vertical state: individual relationship.
- The individual may require information from another person (the horizontal private-law relationship) insofar as the information is required for the exercise or protection of any rights.

The Promotion of Access to Information Act (Act 2 of 2000) gives effect to section 32 of the Constitution. The purpose of this Act is to foster a culture of transparency and accountability in public and private bodies by giving effect to the right of access to information and promote a society in which the people of South Africa have effective access to information to enable them to exercise and protect all their rights. Educational institutions can identify with the objectives of the Act wholeheartedly. *Reasonable access to information is essential* in an open and democratic society, not only for ensuring transparency and accountability, but to further the trust without which democratic government and the management of public educational institutions become impossible (Malherbe, 2001:58).

The right of access to information is crucial in the education environment, especially in the relationship of trust between the public school and its governing body, between the educators and the learner and also in the partnership relationship between the education authorities and the school community.

Where education authorities require access to personal information of learners (or educators) the right to access to such information should be balanced against the individual's right to privacy and confidentiality. There almost always exists some degree of tension between the right to

know and the right to privacy, and in each instance these competing interests must be weighed in terms of the general limitation clause in section 36 of the Constitution.

Always ask the following questions before releasing information about learners:

- Is the information necessary to protect the learner's rights? Why does the person need the information?
- Would this information be used to protect or benefit the child? In other words will it be used *in the child's best interest*? If the answer is no, *do not* make information available (Joubert & Prinsloo 2009:40).

2.2.9 Section 33: Just Administrative Action

Section 33 provides that everyone has the right to administrative action that is lawful, reasonable and procedurally fair, that everyone whose rights have been adversely affected by administrative action has the right to be given written reasons. Section 33 applies to all bodies performing administrative actions. These include all executive and administrative organs of the state, but also legislatures when performing administrative actions, as well as private persons and bodies involved in unequal relationships or relationships based on the exercise of authority. All education departments, public school governing bodies, principals and staff members are therefore bound by section 33. This means that proper procedures have to be followed in all circumstances where a learner is suspected of found in possession or under the influence without infringing on the learner's rights to dignity or privacy.

According to Prinsloo (2009:70) section 33 means in the first place that executive and administrative bodies may perform only actions that have been authorized by law. Secondly, these administrative actions must be reasonable in terms of the provisions of the Constitution. Thirdly, an administrative action must be procedurally fair, which primarily means that the rules of natural justice must be followed whenever in the performance of an administrative action, somebody's rights or legitimate expectations are affected. The Promotion of Administrative Justice Act (Act 3 of 2000) fulfils its constitutional duty in section 3. Section 3(1) makes provision that any administrative action which materially and adversely affects the rights or

legitimate expectations of any person must be procedurally fair. Section 3(2) (b) states that in order to give effect to the right to procedurally fair administrative action, an administrator, subject to subsection (4), must give a person referred to in section 3(1) –

- a) adequate notice of the nature and purpose of the proposed administrative action;
- b) a reasonable opportunity to make representations;
- c) a clear statement of the administrative action;
- d) adequate notice of any right of review or internal appeal, where applicable; and
- e) adequate notice of the right to request reasons in terms of section 5.

The rules of natural justice comprise the following.

- The person affected by the action, or proposed action, must be afforded the opportunity to state his or her case. This may include fair prior notice.
- All fact and consideration that may detrimentally affect the person, and about which he or she does not, within reason, have information, must be furnished.
- The body performing the action may not be prejudiced or biased.
- Written reasons for the action must be provided, unless the reasons are made public.

2.3 SCHOOL DISCIPLINE

Good discipline is one of the key characteristics of an effective school. Without discipline, effective teaching and learning cannot take place (Squelch 2000:1).

Lekalakala (2007:15) states that the traditional problem such as playing hockey or sneaking cigarettes in toilets have given way to the more serious infractions of gang violence and the possession of a wide range of weapons, the assault of staff, hatred, crimes, theft, vandalism and gross disrespect for adult authority (Coleman & Bergin 2001: 113).

Discipline in education is a complex phenomenon, difficult to define and often incorrectly equated with punishment (Van Wyk 2001:2). Although punishment serves the purpose of identifying behaviour which is acceptable, and this approach could lead to the overemphasis of the punitive nature of discipline by the School Governing Body, while neglecting the growth orientated aspect

thereof (Van Wyk 2001:4). Generally, discipline is viewed narrowly by many stakeholders (parents, educators and learners) and equated with obeying school rules; thus, making most parents and educators to rely on external measures to curb the misconduct of learners (Van Wyk 2001:8).

2.3.1 The duty of governing bodies regarding school safety in terms of the South African Schools Act

One of the primary roles of school governing bodies is to develop school policies, which includes policies which deal with safety and school discipline. Section 20 (1) (d) and section 8 (1) of the South African Schools Act 84 of 1996 require that governing bodies to adopt a code of conduct for learners after consultation with learners, educators of the school and parents.

The South African Schools Act (Act 84 of 1996) has some provisions which are good examples of how national legislation is fulfilling its constitutional duty to ensure a safe school environment:

- Section 8 (1) places an obligation on school governing bodies to draw up a code of conduct for learners after consultation with learners, parents and educators
- According to section 8(2) the code of conduct must be aimed at establishing a disciplined and purposeful school environment, dedicated to the improvement and maintenance of the quality of the learning process.
- Section 8 (4) places a legal obligation on learners to comply with the code of conduct of the school they attend.
- In terms of section 8 (5) a code of conduct must make provision for due process (legal process) to safeguard the interest of the learner and any other party involved in disciplinary proceedings.
- A learner must be accompanied by his or her parent or a person designated by the parent at disciplinary proceedings, unless good cause is shown by the governing body for the continuation of the proceedings in the absence of the parent of the person designated by the parent (section 8(6)). [Sub-s. (6) added by s.4 of Act 50 of 2002.]
- Whenever disciplinary proceedings are pending before any governing body, and it appears to such governing body that it would expose a witness under the age of 18 years to undue mental stress or suffering if he or she testifies at such proceedings, the governing body

may, if practicable, appoint a competent person as an intermediary (section 8(7)). [Sub-s. (7) added by s.4 of Act 50 of 2002.]

- In terms of section 8(8)(a) an examination, cross-examination or re-examination of a witness in respect of whom a governing body has appointed an intermediary under subsection (7), except examination by the governing body, must not take place in any manner other than through that intermediary.
- Such intermediary may, unless the governing body directs otherwise, convey the general purport of any question to the relevant witness (section 8(8) (b)). [Sub-s. (8) added by s. 4 of Act 50 of 2002.]
- If a governing body in terms of section 8(9) appoints an intermediary under subsection (7), the governing body may direct that the relevant witness must give his or her evidence at any place which-
 - a) is formerly arranged to put that witness at ease;
 - b) is arranged in a manner in which any person whose presence may upset that witness, is outside the sight and hearing of that witness; and
 - c) enables the governing body and any person whose presence is necessary at the relevant proceedings to hear, through the medium of any electronic or other devices, that intermediary as well as that witness during his or her testimony.

A code of conduct, based on human rights principles, contain school rules, regulations, sanctions and disciplinary procedures. This should include rules that deal with school safety and security, and the consequences for breaching safety and security. For example, safety rules and procedures that deals with matters such as school outings, the after hours use of school facilities, late coming, criminal acts (vandalism and assault) and conducting searches and seizures. It is also the responsibility of the governing body to decide on suspensions and make recommendations for expulsion in terms of section 9 of the Schools Act (see Joubert 2009:119-121).

Corporal punishment is prohibited in terms of section 10 of the South African Schools Act.

Quarles (1993:32) states that, because drugs, pistols, and large knives require hiding places, many students are now prohibited from carrying backpacks and large book bags. School policies may mandate a net container, similar to but stronger than those used to bag oranges. The netting is heavy

enough to support the weight of the books, notebooks and pencil cases, yet the contents are visible. Anyone carrying a weapon can be spotted.

2.3.2 Children's Amendment Bill

The Children's Amendment Bill is a good example of provision made in national legislation to protect the right of the child (Section 28 of the Bill of Rights).

The Children's Amendment Bill of 2007 stipulated a number of regulations in terms of how children should be treated.

Discipline of children

Section (139)

- (1) A person who has care of a child, including a person who has parental responsibilities and rights in respect of the child, must respect, promote and protect the child's right to physical and psychological integrity as conferred by section 12 (1) (c), (d) and (e) of the Constitution.
- (2) No child may be subjected to corporal punishment or be punished in a cruel, inhumane or degrading way.
- (3) The common law defence of reasonable chastisement available to persons referred to in subsection (1) in any court proceeding is hereby abolished.
- (4) No person may administer corporal punishment to a child or subject a child to any form of cruel, inhuman or degrading punishment at a child and youth care center, partial care facility or shelter or drop in centre.
- (5) The Department must take all reasonable steps to ensure that-
 - (a) Education and awareness programmes concerning the effect of subsections (1), (2), (3) and (4) are implemented throughout the Republic; and
 - (b) Programmes promoting appropriate discipline are available throughout the Republic.
- (6) A parent, care-giver or any person holding parental responsibilities and rights in respect of a child who is reported for subjecting such a child to inappropriate forms of punishment must be referred to an early intervention service contemplated in Section 144.
- (7) Prosecution of a parent or person holding parental responsibilities and rights referred to in subsection (6) may be instituted if the punishment constitutes abuse of the child.

Child safety at place of entertainment

Section (140) (1) As person providing entertainment to children on any premises or enclosure must comply with subsection (2) if –

- (a) Access to the premises or enclosure where the entertainment is provided requires the use of doors, stairs, escalators, lifts or other mechanical means;
 - (b) The majority of the people attending the entertainment are children; and
 - (c) The number of people, including children, who attend the entertainment, exceeds fifty (50).
- (2) A person providing entertainment to children in the circumstances specified in subsection (1) must –
- (a) Determine the number of people, including children, who can safely be accommodated on the premises or enclosure and each part of the premises or enclosure;
 - (b) station a sufficient number of adult attendants to prevent more people, including children, being admitted to the premises or enclosure, or any part of the premises or enclosure, than the number of people determined in terms of paragraph (a) for the premises or enclosure or that part of the premises or enclosure;
 - (c) control the movement of people admitted to the premises or enclosure, or any part of the premises or enclosure, while entering or leaving the premises or enclosure or that part of the premises or enclosure; and
 - (d) Take all reasonable precautions for the safety of the children and other people attending the entertainment.
- (3) No alcohol or tobacco products may be sold, served or made available to children at places of entertainment.
- (4) If the person providing the entertainment is not the owner of the premises or enclosure where the entertainment is provided, the owner or the owner's agent must take all reasonable steps to ensure that subsections (2) and (3) are complied with.

2.3.3 Educator's duty of care

Oosthuisen in Prinsloo (2005:9) states that educators in a school have a legal duty in terms of the common law principle, *in loco parentis*, to ensure the safety of learners in their care. Educators as persons *in loco parentis* are vested with the special status that empowers them to act authoritatively in terms of the law. Maithufi in Prinsloo (2005:9) mentions two coextensive pillars to the *loco parentis* role that educators lay:

- The duty of care (which implies looking after the physical and mental wellbeing of learners) and;
- The duty to maintain order at a school (which implies educators' duty to discipline learners).

Prinsloo (2005:9) states that the duty of care of an educator is compared to that of a diligent father of a family would serve to his family. Dealing with children demands a greater degree of care than is normally the case when dealing with adults, hence educators conduct as professional people will be subjected to more stringent tests.

The fundamental duties of the educator in loco parentis are the following:

- Achieving teaching aims
- Maintaining order by means of the code of conduct
- Creating a safe environment for the learners

2.3.4 Safety policies for schools

As mentioned in paragraph 2.1.5 everyone has the right to an environment that is not harmful to their health or well-being (section 24 of the Constitution). In terms of section 14 of the Constitution everybody has the right to privacy (see paragraph 2.1.4). Parents may expect a school to take special care of their children, not only in terms of their education, but also in protecting them from harm during those hours when they are under the authority and care of the school. Owing to the high incidence of drug abuse in South African cities, school principals have been reported in recent newspapers to have asked police to make use of surprise and preventive

general searches at schools to ensure a safe school environment (Prinsloo, 2008: 52). In other words the learner's right to privacy may be limited in terms of section 36 of the Constitution as long as there is an appropriate balance between the limitation of the right and the purpose for which the right is being limited. In the next paragraphs the following regarding school safety will briefly be discussed:

- National Centre for Safe Schools in the USA
- A Whole School Drug Strategy for Australian schools

According to Pollack and Sundermann (2000:14) safe schools require broad-based efforts on the part of the entire community, including educators, students, parents, law enforcement agencies, business and faith based organizations. Pollack and Sandermann (2001:14) further highlights that The National Centre for Safe Schools (in the USA) identified the following key components to safe school planning:

- Creating school-wide prevention and intervention strategies
- Developing emergency response planning
- Developing school policies and understanding legal consideration.
- Creating a positive school climate and culture.
- Implementing ongoing staff development
- Ensuring quality facilities and technology
- Fostering school/law enforcement partnerships
- Institutional links with mental health and social services
- Acquiring and utilizing resources

Department of Education, Employment and Training (2002:10), Australian Government's attempt to deal with drugs and alcohol, they came up with strategies to support schools to develop a holistic approach to drug issues, including school environment, curriculum and the development and review of guidelines and procedures. The four elements of the Whole School Drug Strategy which schools need to address are illustrated in Figure 2.1

Figure 2.1: A whole school drug strategy

Increase the protective factors and reducing the risk factors for all

<p>SCHOOL ENVIRONMENT</p> <ul style="list-style-type: none"> • Promoting student resilience and sense of belonging • Clearly identified rules for all members of the school community • Students and staff well being 	<p>POLICIES AND PROCEDURES</p> <ul style="list-style-type: none"> • Student well being is paramount • Procedures for incident management and medication management • Review and develop consistent school-based guidelines • Whole school community involvement
<p>PARTNERSHIPS</p> <ul style="list-style-type: none"> • With parents, students, community and state agencies and services • Support for students and social communities • Information for parents, students and staff • Professional development • Closer links with local agency partners 	<p>CURRICULUM</p> <ul style="list-style-type: none"> • Drug education R-12 • Professional development for teachers • Personnel development programmes • Website reference • Peer education programmes • Complimentary programmes to enhance curriculum

In the following paragraphs the Regulations for Safety Measures in Public Schools and the National Policy on Drug Abuse Management in Schools (ETC) will be discussed.

2.3.5 Regulations for Safety Measures in Public Schools: Amendments

The regulations for Safety Measures in Public Schools, as published in *Government Gazette* (No.22754 of 12 October 2001), focus on the safety of learners on the school premises. In terms of section 15 of the South African Schools Act, No. 84 of 1996, a public school is a juristic person, with legal capacity to perform its functions in terms of the Act. By implication the school is not restricted to its buildings and premises. (Notice 876 of 2006) called for public comments on amendments on Regulations for safety measures in public schools which are as follows:

- 8 A (1) a public school must take reasonable measures to ensure that:
- (a) it completes application in schedule 1 of the regulations, which must be approved by an official representing the province, before undertaking any tour, and

- (b) if a sporting activity involves the transporting of learners, such application is completed.
- (2) A public school must take reasonable measures to ensure the safety of learners during sporting activities and tours including-
- (a) insuring against accidents, injuries, general medical expenses, hospitalization and theft that may occur, depending on the availability of resources;
 - (b) ensuring; where reasonably practicable, that learners are under the supervision of an accompanying educator or parent at all times;
 - (c) requesting parents to assist with the supervision of learners;
 - (d) ensuring that the adult-learner ratio regarding supervision is at least-
 - (i) one adult per every 20 learners at primary schools; and
 - (ii) one adult per every 30 learners at secondary.
- (3) A public school must take reasonable measures to ensure that, if a learner is injured or falls sick during a tour or school activity and requires medical treatment, the supervising educator-
- (a) take reasonable measures to contact the parent of the learner concerned to obtain consent for such medical treatment, and
 - (b) determines whether to consent to such medical treatment if he or she is unable to contact the parent of the learner

Organization of a tour

- 8B (1) A public school must in writing, notify the parent of the learner who is undertaking a tour of the following-
- a) a purpose of the tour;
 - b) the nature of the activities to be undertaken during the tour;
 - c) the full itinerary of the tour, with contact details of the hosts and of the supervising educators;
 - d) the nature of the transport, accommodation and catering arrangements;
 - e) where applicable, the fact that the learner will need to acquire travel documents and an inoculation certificate, and where they can be obtained.

- (2) Immediately on the return from the tour or sporting activity, the supervising educator must submit a report to the principal or a member of the governing body if any of the following had occurred-
 - a) accident;
 - b) injury to a learner or;
 - c) any act of misconduct on the part of a learner.

- (3) The report must include the following
 - a) the nature of the accident;
 - b) the nature of the injury, if applicable;
 - c) the time, date and place of the incident;
 - d) procedures that were taken in dealing with the accident; and
 - e) the name of the supervising educator.

Consent

- 8C (1) A public school must obtain a written consent from the parent of the learner who will be undertaking the tour.
- (2) A public school may not request a parent to sign an indemnity form that indemnifies the school of any legal action that may arise as a result of the tour or sporting activity.

Transport

8D (1) A public must ensure that:

- a) if it owns vehicles for transporting learners, those vehicles have insurance and roadworthy certificates;
- b) the drivers of such vehicles have valid drivers' licenses and professional drivers' permits;
- c) the transport company or the owner of the transport provides the following to the school:
 - (i) insurance and roadworthy certificates for the vehicles and;
 - (ii) valid drivers' license and professional drivers' permit of the driver;

- d) the transport company or owner of the vehicle provides substitute driver or a support system en route.

Early release from school

- 8G (1) a public school must have an early release procedure that allows parents or designated persons to collect learners early from school.
- (2) A public school must keep a written record to be used in case of early releases that includes-
- a) the name of the learner;
 - b) the grade of the learner;
 - c) the name of the person collecting the learner and;
 - d) the time, date and purpose for the early release.

2.4 NATIONAL POLICY ON DRUG ABUSE MANAGEMENT IN SCHOOLS

The Ministry of Education considers a safe school and disciplined learning environment one of critical elements to the successful delivery of quality education and recognizes the role played by drugs in undermining this. Studies on drug usage point to the increase on drug abuse across all communities, irrespective of wealth, although usage rate and drugs of choice vary between communities, based on access and cost. Available evidence indicates that school communities are particularly vulnerable and drug use by learners is on the increase in both rural and urban schools, including primary schools.

The National Policy on Drug Abuse Management in Schools is in response to a decision by the Council of Education Ministers to increase the capacity of educational institutions to manage drug abuse in schools. The key thrust of the policy is to help and support not only those learners who use drugs, but also the majority of learners and staff who do not use drugs but who may be affected by the use drugs by others. It complements related policies and legislation on the control and management of drug abuse in schools, particularly the Regulations for Safety Measures at Public Schools, Government Gazette (No. 22754 of 12 October 2001).

The Ministry believes that purely punitive approaches to drug abuse could only produce part of the solution, and takes the view that drug abuse is detrimental to humans on social, physical, emotional and psychological levels. It recognizes that drug use and misuse can lead to dependency, which is a primary, chronic and progressive health condition and essentially an issue of public health. The policy framework therefore seeks to contribute towards effective prevention, management and treatment of drug use, misuse and dependency in public and independent schools and Further Education and Training Institutions. It is complementary and consistent with the National Master Plan 1999-2004 (Department of Welfare) and has been formulated to give effect to the South African Constitution in terms of its provision for the right to a basic education, the right not to be unfairly discriminated against, the right to life, the right to privacy, as well as bodily and psychological integrity. When considering strategies to deal with the drug problems, schools will have to take into cognizance of the fact that the National Drug Master Plan is directed at:

- Motivating the youth to refrain from the drug abuse;
- Ensuring schools offer effective programmes on drug education;
- Raising awareness among educators, governing bodies and parents of various aspects of drug misuse;
- Developing effective national and local public education strategies;
- Ensuring that learners; who may need it, have access to a wide range of advice, counseling, treatment, rehabilitation and after care service and;
- Developing and implementing training programmes for role players such as educators on the detection of substance abuse, its prevention and treatment (RSA Department of Welfare and Population Development 1999, chap 3 par II).

The policy takes cognizance of principles contained in various relevant instruments such as the United Nations Convention on the Rights of a Child as well as the Guidelines for the Consideration of Governing Bodies in Adopting a Code of Conduct for learners.

2.4.1 Guiding principles

The possession, use or distribution of illegal drugs

The possession, use or distribution of illegal drugs, and the inappropriate possession, use or distribution of legal drugs, is not acceptable in South African Schools and this message should be delivered clearly and consistently within our school communities.

All learning institutions need to have clear policies on prevention and intervention, underpinned by a restorative supportive orientation. These policies and procedures should be clearly communicated and disseminated to the school community in a culturally appropriate and inclusive way and should give priority to:

- Developing safe and supportive school environment that value human dignity celebrate innocence;
- Educating the entire school community regarding drugs and the abuse thereof;
- Developing arrange of responses for managing drug incidents within the school, taking into account confidentiality, the nature of the incident, the circumstances of the learner(s) involved, and the needs and safety of the school community;
- Building capacity by making available professional development opportunities for educators, particularly those working with drug related incidents.

In case of disclosure, educators and learners should be given support to handle confidentiality issues and be prepared to handle such disclosures.

Drug Screening and Testing

It is suggested that before school adopts a drug testing policy, it should have addressed the drug problem in other ways such as encouraging the learners to refrain from drug abuse, offering programmes on drug education and putting adequate counseling, treatment and rehabilitation services in place. The National Drug Master Plan encourages schools to take responsibility for substance-abuse problems found among their learners through effective management and the

nurturing of an institutional environment. It emphasizes that the drug problem should be tackled in the schools rather than in courts and that schools should develop their own internal disciplinary systems and programmes. Coetzee (2005:284) states that, the National Master Plan provides for decriminalization, for example to deal, where appropriate (e.g. a learner who has only experimented with drugs once and has been caught), with cases outside the criminal justice system. The emphasis should be on education, treatment, after-care, rehabilitation and social integration (RSA Department of Welfare and Population Development 1999, chap 5).

Drug testing, and in particular random drug testing, inevitably presumes a curtailment of a learners' right to:

- Dignity (Constitution 1996, section10);
- Freedom and security of the person and in particular his or her right not to be treated in a cruel, inhumane or degrading manner, as well as his or her right to bodily integrity. A learner has a right to security in, and control over, his or her body (Constitution 1996, section 12);
- Privacy (Constitution 1996, section14) and specifically his or her right not to have his person searched. Drug testing violates a learner's rights that protect against unreasonable searches and seizures;
- Be presumed innocent (Constitution 1996, section 35(3)(h));
- Equality and not to be unfairly discriminated against by the state (Constitution 1996, section 9). It is especially the selection procedure of learners to be randomly tested that could result in discriminating practices.
- Freedom of religion (Constitution 1996, section15(1)). If a learner is a Rastafarian, drug testing may infringe upon his or her freedom of religion since cannabis is an essential part of their religion (Pillay 2003, 154).

It will be considered if it is in the "child's interest" and implemented in an environment that is committed to safeguarding personal rights relating to privacy, dignity and bodily integrity.

Random drug testing is prohibited. There is no empirical evidence or justification for routine random testing for learners to detect substance abuse. If drug test is considered necessary, it

should form part of a structured intervention or lapse prevention programme, and be carried out according to school policy, medical/treatment procedures and ethical guidelines.

Random search

The South African Schools Act (No.84 of 1996) is hereby amended by the insertion after section 8 of the following section (section 8A is inserted by section 7 of the Education Laws Amendment Act (Act 31 of 2007):

“Random search and seizure and drug testing at schools”

- 8A. (1) Unless authorized by the principal for legitimate educational purposes, no person may bring a dangerous object or illegal drug onto school premises or have such object or drug in his or her possession on school premises or during any school activity.
- (2) Subject to subsection
- (3) The principal or his or her delegate may, at random, search any group of learners, or property of a group of learners, for any dangerous object or illegal drug, if a fair and reasonable suspicion has been established-
- a) That a dangerous object or illegal drug may be found on school premises or during a school activity; or
 - b) That one or more learners on school premises or during a school activity are in possession of dangerous objects or illegal drugs.
- (3) (a) A search contemplated in subsection (2) may only be conducted after taking into consideration all relevant factors, including-
- i. The best interest of learners in question or of any other learner at the school;
 - ii. The safety and health of the learner in question or of any other at the school;
 - iii. Reasonable evidence of illegal activity; and
 - iv. All relevant evidence received.
- (4) Where a search contemplated in subsection (2) entails a body search of the learners in question, such search may only-

- a) Be conducted by-
 - i. The principal, if he or she is of the same gender as the learner; or
 - ii. The principal's delegate, who must be of the same gender as the learner
 - b) Be done in a private area, and not in view of other learner;
 - c) Be done if one adult witness, of the same gender as the learner, is present; and
 - d) Be done if does not extend to a search of a body cavity of a learner.
- (5) Any dangerous object or illegal drug that has been seized must be-
- a) Clearly and correctly labeled with full particulars, including-
 - i. The name of the learner in whose possession it was found;
 - ii. The time and date of search and seizure;
 - iii. An accident reference number;
 - iv. The name of person who searched the learner;
 - v. The name of the witness; and
 - vi. Any other details that may be necessary to identify the item and incident.
 - b) recorded in the school record book; and
 - c) handed over to the police immediately to dispose it in terms of section 31 of the Criminal Procedure Act (No.51 of 1977).
- (6) If the police cannot collect the dangerous object or illegal drug from the school immediately, the principal or his or her delegate must-
- a) take the dangerous object or illegal drug to the nearest police station; and
 - b) hand the dangerous object or illegal drug over to the police to dispose of it in terms of section 31 of the Criminal Procedure Act (No.51 of 1977).
- (7) The police officer who receives the dangerous object or illegal drug must issue an official receipt for it to the principal or to his or her delegate.
- (8) The principal or his/her delegate may at random administer a urine or other non-invasive test to any group of learners that is on fair and reasonable grounds suspected of using illegal drugs, after taking into account all relevant factors contemplated in subsection (3).

- (9) A learner contemplated in subsection (8) may be subjected to a urine or other non-invasive test for illegal drug only if-
- a) the test is conducted by a person of the same gender;
 - b) it is done in a private place and not in view of other learners;
 - c) one adult witness, of the same gender as the learner, is present;
 - d) the same is clearly and correctly labeled with full particulars as contemplated in subsection (5), with the necessary changes; and
 - e) a device contemplated in subsection (11) is used.
- (10) The principal or his/her delegate must-
- a) within one working day, if practicable, inform the parent that a random test or search and seizure was done in respect of his or her child; and
 - b) inform the learner and his or her parent of the result of the test immediately after it becomes available.
- (11) The Minister must
- a) identify the device with which the test contemplated in subsection (8) is to be done and the procedure to be followed; and
 - b) publish the name of the device and any other relevant information about the device in the gazette.
- (12) A learner may be subjected to disciplinary proceedings if-
- a) a dangerous object or illegal drug is found in his or her possession; or
 - b) his or her sample tested positive for an illegal drug.
- (13) Any disciplinary proceedings in respect of a learner must be conducted in terms of the code of conduct contemplated in section 8 of the Schools Act.
- (14) No criminal proceedings may be instituted by the school against a learner in respect of whom-

- a) a search contemplated in subsection (2) was conducted and a dangerous object or illegal drug was found; or
- b) a test contemplated in subsection (8) was conducted , which proved to be positive.

Squelch (2001:44-45) points out three indicators of a legal school search:

- The purpose of the search must be to act on reliable information that leads to reasonable suspicion.
- The place being searched should not infringe on the learner's right to privacy and dignity. The closer the search is to the person, the higher the risk of privacy invasion.
- The person conducting the search must have the authority to do so. Boys and girls should be separated and searched by a person of the same gender.

Providing Safe and Supportive Learning Environment for learners

To provide a safe and supportive learning environment for all learners, schools should need to give priority to drug education and prevention as well as processes for managing the related incidences.

Education and prevention

The National Drug Master Plan (RSA Department of Welfare and Population Development 1999, Chapter 5) discusses initiatives that are directed towards preventing substance abuse among young people. Schools could use this to get help with regard to drug education, to obtain information on possible help with rehabilitation, treatment or assistance of learners who have tested positive. The initiative *inter alia*, includes:

- The South African National Council on Alcoholism and Drug Dependence's (SANCA) teenagers against drug abuse programme (TADA) where youth action groups are set up in high schools. It aims at preventing substance abuse and promoting exciting alternatives;
- The Department of Health's involvement in developing substance abuse manuals for integration in curriculum 2005, in presenting ongoing awareness youth campaigns and

in running a five-year based project aimed at primary prevention of substance abuse and;

- Various other initiatives by governmental organizations and non-governmental organizations (NGOs), such as Narcotics Anonymous that runs peer education programmes and counselors of Drug-wise who talk in schools and prepare education material on a national basis.

Learners

The objective of preventative education is to reduce or delay the likelihood of experimentation with drugs by providing information about the dangers of their use and abuse, as well as to reduce the stigma to alcohol and drug use, misuse and dependency. It is to encourage those who are experiencing problems to get the help they need.

Drug education, included in the learning area of Life Orientation in the NCS curriculum, will ensure that learners and students acquire age-and context appropriate knowledge and skills, in order for them to adopt and maintain life skills and behaviour that will protect them from drug use, misuse and dependency.

Schools and institutions should, as far as possible, involve outside organizations specializing in drug education and intervention and other associated programmes to augment the education provided by the school-based educators.

Parents/Guardians

Education and information on drug use, misuse and dependency as well as the policy of the school or institution on drugs should be made available to all parents and guardians as well as learners themselves, upon first registration at a school and whenever necessary thereafter.

Educators

24. Training should be provided to all educators on drug use, misuse and dependency management, and support provided where necessary.

25. Appropriate course content should be developed for the pre-service and in-service training for educators to cope with drug and alcohol related incidents within the school.

Intervention

26. Each case will be considered on its individual merits taking into account:
- The nature of the incident;
 - The learner/student's school and family history;
 - Cultural background;
 - Mental health and intellectual development and
 - Any other relevant information.
27. The Ministry of Education will support learners who want or need help, through an approach that is both restorative and supportive.
28. Students and learners who are experiencing or experienced problems with alcohol and drug use, misuse or dependency will be entitled to appropriate assistance, and should not be denied the opportunity to receive an education or the right to re-integration into the same school community.
29. In case where the learner do not wish to make use of such help offered, the Provincial Department of Education will have no choice but to take necessary action which may include suspension or expulsion, as determined by relevant legislation.

School and Institution Management Plan

30. In order to meet the demands of a wide variety of circumstances posed by the South African context and to acknowledge the importance of governing bodies, learner representative councils and parents in the education partnership, it is envisaged that the Governing Body of the school, acting within its functions under the South African Schools Act (No.84 of 1996) and the Council of Further Education and Training Act, 1998, or any provincial law, will give operational effect to the national policy framework by developing and adopting a drug use, misuse and dependency

management that reflects the need, ethos and values of the school or institution and its community.

2.5 CONCLUSION

This chapter highlighted the legal framework for school safety in public schools. The National Policy on Drug Abuse Management in Schools is in response to a decision by the Council of Education Ministers to increase the capacity of educational institutions to manage drug abuse in schools.

The legislation on drugs and alcohol has a purpose to assist educators with guidelines on how to manage the challenge in schools. Schools and institutions should, as far as possible, involve outside organizations specializing in drug education and intervention and other associated programmes to augment the education provided by the school-based educators.

It is clear from the literature that, due to the increase of drug usage in schools, measures are put in place to assist schools to manage the challenge. The Constitution of the Republic of South Africa provides a base from which a reference could be made when dealing with human rights. South African Schools Act (No.84 of 1996) also assists in giving guidelines on the management of drugs in public schools. The Schools Act also guide with the formulation of school code of conduct.

It is important for role players to have a clear understanding of legal implications involved when dealing with sensitive issues like drugs and alcohol without infringing on learners' rights.

CHAPTER 3

THE EXTENT OF DRUG ABUSE IN PUBLIC SCHOOLS IN SOUTH AFRICA

3.1 INTRODUCTION

In this chapter, an attempt will be made to link the legal framework on school safety with the magnitude of the challenge of drug abuse by learners and the role played by the Provincial and National Education departments in an attempt to manage the challenge. The fact that the challenge of drug abuse by learners is growing by day in South Africa cannot be disputed. The question is: what can education managers do to curb the supply and abuse of drugs by learners. There are various causes for learners to abuse drugs. Ladikos and Prinsloo (2003:136) state that learners who use drugs are almost always influenced by their peers and usually act in clusters. In this chapter, an attempt will also be made to highlight the extent of the challenge of drugs and alcohol by learners in relation to the framework within which learners with these problems should be handled and measures that the Department are taking in order to deal with the challenge.

3.2 THE EXTENT OF DRUG ABUSE IN SOUTH AFRICA

Reports in the media continue to show that despite education programmed and awareness campaigns, the challenge of drugs and alcohol abuse continue to increase. A Progress in International Reading Literacy study conducted by the SA Institute of Race Relations (SAIRR) has found that South African schools were the most dangerous in the world <http://www.blogsouthafrica.net/category/education/> February 6th, 2008. “In that study South African school learners were asked whether they felt safe when they were at school and if they had experienced incidents of stealing, bullying, and injury to themselves or to others in their class within the last four weeks”.

“Only 23 percent of South African pupils said they felt safe at school. On average South Africa’s schools ranked more than 20 percentage points below the world-wide average of 47 percent of pupils saying they felt a high degree of safety in the classroom,

spokesperson for the Institute, Thomas Blaser, told new agencies. Schools in Norway, Denmark, and Sweden were found to be the safest in the world.

Here in South Africa, 24 percent of schools had no burglar bars, 35 percent had no security gates, and 80 percent had no alarm system. “Conditions in many schools are not only far from ideal but in many cases downright dangerous. The problem deserves urgent attention in parliament and needs a national safety plan that will return proper law and order to the school ground,” said Blaser.

In South Africa 80% of children will try drugs before matriculating. 15% of these will become addicted (www.stopaddiction.co.za).

The Mail and Guardian online 16 February 2008 posted at 11:23, under the heading “Massive growth in addiction among teenagers” reported that:

- Nine out of 10 South African teenagers in drug rehabilitation will revert to their addiction within a year.
- Quintin Van Kerken, spokesperson for Bokaie, a teenage rehabilitation centre in Douglasdale, Johannesburg, estimated that there are at least 1000 teenagers, from all walks of life, in rehabilitation in Johannesburg on any given day.
- Van Kerken said, across-addiction-where teenagers’ use a number of drugs simultaneously- is the most common form of addiction. “It was not like in the olden days where your child was addicted just to dagga”.
- He said children, even primary-school pupils, are experimenting with, and becoming addicted to drugs such as heroin, cat, ecstasy, dagga and tik. Sometimes they are using, and addicted to, more than one at a time. “They use cocaine, yes, but to a certain degree, but it has become almost unfashionable”.
- Quintin Van Kerken said drug counselors and rehabilitation centers are seeing “a major increase in addicted middle-class kids”. “Yes we do see the very wealthy-I mean the multi-million kids to the very, dirt poor kids, but addiction is becoming more and more prevalent in ordinary families”.

- He said children are using money their parents give them to buy drugs, or prostituting themselves for cash. “Children are losing very vital, integral parts of their growing up to drugs”. Drug dealers have found “a cash-cow” in children. “I will go on record and say walk into any school – you name any school you like, primary or high – and within 15 minutes I will have bought some drug”.

The Citizen July 10 2008 reported that fifteen school pupils arrested for drugs. Spokesperson Inspector Erica Roos said the arrests followed complaints to the principal regarding some pupils who allegedly smoked and sold dagga at the school in Fleabanes near Rustenburg. Members from Tlhabane Crime Prevention acted upon the complaint and in a planned operation acted upon the complaint and in a planned operation went to the school, searched the classrooms and learners. Roos said small amounts of dagga were found on the pupils aged between 17 and 19. Inspector Roos said the learners were arrested, charged and left in the care of their parents. Parents should be more aware of children’s behaviour and report drug abuse to teachers, social workers or police.

To stress the state of discipline in South African schools, <http://www.iol.co.za/index.php> posted on January 26 2008 reported under the heading “Problem kids run riot as discipline collapses”. When a Cape Town principal banned a group of disruptive pupils from his school two weeks ago it blew the lid on a severe discipline problem plaguing South Africa. Experts have warned that many parents do not know how to discipline their children and rely too heavily on schools, resulting in a generation of ill-disciplined young people. National crisis centre Childline is inundated with calls from parents appealing for help. The children’s rights group Resources Aimed at the Prevention of Child Abuse and Neglect (Rapcan) said all adults had to take responsibility for teaching children discipline.

City Press 18 July 2008 reported on the study the Centre for Justice and Crime Prevention done in 2007. The study, conducted in 65 schools across the country for the national education department and UNICEF (United Nations Children’s Fund), says the substance-abuse figures are alarming. Below is information from 65 priority schools in each of the nine provinces. Reports received by principals in 12 past months (2007):

- Mpumalanga:
Three out four principals (76.5 %)
Drugs and alcohol:
Drugs – 64.6 %
Alcohol – 58.5 %
- North West:
More than half (58.5 %)
Drugs and alcohol:
Drugs – 34.4 %
Alcohol – 13.8 %
- Limpopo:
52.3 %
Drugs – 13.8 %
Alcohol – 6.2 %
- Free State:
Four out of five (83.1 %)
Drugs – 56.4 %
Alcohol – 49.2 %
- Northern Cape:
Four out of five (83.1 %)
Drugs – 60 %
Alcohol – 55.4 %
- Kwazulu-Natal:
Nearly four fifths (77.8 %)
Drugs – 50.8 %
Alcohol – 60.3 %

- Western Cape:
Nearly all (90.6 %)
Drugs – 57.1 %
Alcohol – 36.1 %

- Eastern Cape:
More than half (57.8 %)
Drugs – 43.8 %
Alcohol – 26.6 %

- Gauteng:
Three out of four (75.4 %)
Drugs – 64.6 %
Alcohol – 58.5 %

The Times, August 26 2007, under the heading “SA’s secret society of addicts”, reported that, drug and alcohol abuse is spiraling out of control, and surveys only reveal tip of iceberg. The article further state that, South Africa’s booze and drug-dependence crisis is trickling down into all sectors of society, with professionals getting high at their workplaces and primary school pupils nursing hangovers in class.

Social Development Minister Dr. Zola Skweyiya has admitted that the country faces a massive substance-abuse problem. An estimated 2.2 million South Africans use cannabis, and alcohol abuse costs the country up to R17- billion a year. The report indicates that the employer and schools are being hit hard by the scourge. Companies are introducing new policies to curb substance abuse at work, and school legislation, allowing pupils to be searched for alcohol and drugs.

The article further state that, the latest research by the South African National Council on Alcoholism and Drug Dependency (SANCA) shows that nearly all people who sought help from it for substance abuse, between April 2006 and March 2007, had jobs. About 23% of them were

still at school or in a tertiary education. Meanwhile, the controversial Education Amendment allows principals to conduct random searches and drug tests at schools.

According to the Times 26 August 2007, based on South African Medical Research Council (MRC), statistics gathered at the substance-abuse treatment centers from July until December 2006:

- In Cape Town, 108 people seeking help were under the age of 14;
- In Gauteng centers, 104 people seeking help were under the age of 14;
- In Durban and Pietermaritzburg – were a cheap mix of heroin and dagga called “sugars” is wreaking havoc – 28 people seeking help were under the age of 20.

Minister of Social Development Dr Zola Skweyiya said: “In interpreting these figures, it should be remembered that because of the stigma attached to drug use and abuse, there is a tendency for under-reporting”. Education Director-General Duncan Hindle said: “We would concur with the Minister of Social Development that it is a problem at schools”.

In the Western Cape, Berry Volschenk, director of the Northern Education Management and Development Centre, launched a discipline manual to assist teachers. Before the manual was compiled, a team of researchers explored problems at more than 200 schools in the province. The team discovered that substance abuse was becoming more prevalent at primary schools. “What we find at primary schools in the more rural areas is that children come to school with a hangover on Monday. There is nothing teachers can do but to feed them and give them enough fluids,” said Volschenk.

The Times, October 22 2007, had an article title “Schools plunged by drug trafficking”, and the Social Development Deputy Minister Jean Swanson-Jacob, addressing guests at the Ke Moja, Hip Hop Anti Drug Campaign said: “South African schools have become battle-grounds and an environment for drug trafficking”. He also said “Drug trafficking has become the order of the day in our schools”. The Deputy Minister went on to say: “This abuse was the cause of high levels of violence, crime, road accidents, youth depression and suicide”. “This campaign should

be seen as our national strategy to combat and prevent substance abuse focusing specifically on prevention and early intervention programmes”, she said.

Healthy Lifestyle magazine (9 March 2008:24), reported that, an organization that monitors drug use countrywide, the South African Community Epidemiology network on drug use, found that distribution networks in South Africa have changed. Heroin use is no longer predominant in Cape Town and Gauteng only. It is on the increase in Mpumalanga, Port Elizabeth and Durban – areas where heroin addiction was almost non-existent up to now. The market for heroin is also changing; it is now marketed specifically in townships. The prices have also come down, making it more affordable to lower income groups, says the Medical Research Council (MRC). This include learners, (MRC) reports that, South Africans are starting to use heroin at a younger age. According to MRC, statistics show the drug is primarily used by young adults of between 20-25 years.

The picture painted in the above media reports indicates how deep South Africa is involved with regard to the challenge of drug and alcohol abuse. With young people especially learners abusing drugs and alcohol, it requires school managers or principals to be proactive in order to deal or manage this challenge from an informed position.

Concerns were raised on www.educationweb.co.za/ew/?=117, which innocent pupils could fall foul of a new law that allows random drug testing at public schools. Under the new Education Laws Amendment Act, which was passed in 2007, school principals can “under reasonable suspicion” test and search pupils for drugs. Though the law is aimed at curbing substance abuse among pupils, there is concern that the testing might be compromised. Sarah Fischer, executive director of Smart (Substance Misuse Advocacy Research and Training) said the drug testing were similar to pregnancy tests. “It is a diagnostic tool. It doesn’t tell you how often the pupil is taking drugs, or if a pupil is taking medication after being at the dentist, this [legitimate medication] could also show up in his urine sample and be mistaken for substance abuse.”

Fischer pointed out that schools which allow tests could face legal action. “Having a suspicion is fine, but what if you are wrong? That means that legal action can be taken against the school. But

what if you are right? What do you do with these children who have this drug problem?” Constitutional law professor George Devenish said such tests would not be unconstitutional. He explained: “All rights are limited and few are absolute. The right to privacy is not absolute and I don’t see a problem with these tests, provided they are done in a reasonable, consistent and fair way”. According to Devenish, random drug testing violates certain aspects of privacy, but ‘one has to establish whether it is a justifiable limitation of that right. This law was passed because drug abuse is obviously a major concern in our schools and steps have to be taken to protect the community and individuals at large”.

3.3 NATIONAL POLICY ON MANAGING THE CHALLENGE OF SUBSTANCE ABUSE

National Department of Social Development (www.socdev.gov.za) in its draft minimum norms and standards for community based treatment came up a number of suggestions that could assist in combating the challenge of substance abuse.

In the draft it is stressed that the establishment of community based model for substance abuse stems from the need for a paradigm shift from treatment in specialized institution to more accessible and community-based services that are preventative in approach. Ideally, such a model should involve the recipients of the services and the community at all levels of intervention and it should be implemented inter-sectoral. The logic behind the establishing a community based model is that any successful intervention should be holistic in approach and should entail both treatment and prevention at all levels viz. primary, secondary and tertiary prevention.

3.3.1 Basic principles of and essential elements of the Community based model

The Department of Social Development in its draft norms and standards highlights that community based model is perceived as a complex system of processes made up of two essential elements, namely-

- The participation of people themselves in efforts to improve their level of living, developing a sense of ownership of the process, taking initiative and contributing meaningfully to joint planning, decision making and implementation/evaluation.
- The mobilization and provision of resources, the creation of access to opportunities that encourage initiative, self-help and initiative for mutual benefit.

Community development, being dynamic, multi-sectoral and multi-disciplinary in nature, has the following focus areas:

- Facilitation of the community development process.
- Development of people-driven and community-based programmes.
- Facilitation of capacity-building and economic empowerment programmes.

Government facilitates institutional support development with the focus on creating and strengthening existing government institutions and civil society organizations.

- Accessibility as it is situated within the community
- Affordability and cost effective as it is part of community effort and existing resources which are utilized
- Ownership by the community
- Sustainable as the recipients and communities drive the process
- Holistic in approach treatment and prevention within the framework of the family and community
- Effective and continuous in the community

3.4 LEGISLATION AND POLICY MANDATE

3.4.1 Prevention and Treatment of Substance Abuse

The Bill stipulates that the Minister may in collaboration with any relevant Minister establish community-based services in all communities of the Republic.

The Minister may also implement minimum norms and standards for community based services with a purpose of standardizing services and registration, monitoring and evaluation.

3.4.2 The National Drug Master plan

The Drug Master plan is the government's plan to bring about the reduction of substance abuse, advocates partnership in decreasing the availability of alcohol and other drugs and the demand thereof. Comprehensive community-based prevention programmes should focus on both demand and supply aspects of substance abuse. Community empowerment in relation to drug abuse is often the key to success in education and treatment of drug abuse. The community should therefore be encouraged and allowed to take some control over making decisions that directly affect them. Especially where social control is virtually absent, this approach can be crucial to the success of both demand and supply reduction strategies. Strengthening the cohesiveness of communities is therefore one of the most important tasks.

3.4.3 National Policy

With the draft Policy for The Management of Drug Abuse by Learners in Schools, the Ministry of Education considers a safe and disciplined environment one of the critical elements to the successful delivery of quality education and recognizes the role played by drugs in undermining this.

The draft policy was in response to a decision by the Council of Education Ministers to increase the capacity of education institutions to manage drug abuse by learners, on a nationally consistent basis. It complements related policies and legislation on the control and management of drug abuse in schools, in particular the Regulations for Safety Measures at Public Schools, Government Gazette No. 22754 of 12 October 2001 (www.education.gov/content/documents).

The Ministry believes that purely punitive approaches to drug abuse can only produce part of the solution, and takes the view that drug abuse is detrimental to humans on social, physical, emotional and psychological levels.

The policy takes cognizance of principles contained in various relevant instruments and policies such as the United Nations Convention on the Rights of the Child as well as the Guidelines for the Consideration of Governing Bodies in Adopting a Code of Conduct for Learners.

In all instances, it should be interpreted to ensure a supportive environment, ever mindful of the rights of learners, students and educators with alcohol and drug use, abuse or dependency problems, as well as other learners, students, educators and members of the school community. The draft policy has guiding principles.

Guiding principles

- The possession, use or distribution of illegal drugs, and the inappropriate possession, use or distribution of legal drugs, is not acceptable in South African Schools and this message should be delivered clearly and consistently within our school communities.
- All learning institutions need to have clear policies on both prevention and intervention, underpinned by a restorative supportive orientation. These policies and procedures should be clearly communicated and disseminated to the school community in a culturally appropriate and inclusive way and should give priority to:
 - ✓ Developing safe and supportive school environments that value human dignity and celebrate innocence;
 - ✓ Educating the entire school community regarding drugs and the abuse thereof;
 - ✓ Developing a range of responses, for managing drug related incidents within the school, taking into account confidentiality, the nature of the incident, the circumstances of the learner(s) involved, and the needs and safety of the school community;
 - ✓ Building capacity by making available professional development opportunities for educators, particularly those working with drug related incidents and
 - ✓ Regular monitoring and evaluation of policies and procedures for managing drug related incidents in schools.

Community-based programmes attend to the prevention and treatment of substance abuse at a community level. It allows all people affected by substance abuse to remain in their communities, especially school-going youth. It also provides an opportunity to create a social environment conducive to the changing of lifestyles and the solution of problems associated with substance abuse, using means that are available in and acceptable to the community.

3.5 CLASSIFICATION IN TERMS OF LEVEL OF INTERVENTION

The model makes provisions for the following levels of intervention:

- Preventative programme;
- Early Intervention and Treatment; and
- Economic Development.

These levels are on a continuum, so while they may seem to follow a distinct hierarchy, a client may enter the system at any of the levels, and the levels may overlap in practice.

3.5.1 Prevention

The main aim of this service/level is to prevent target group from becoming chemically dependent, by embarking on the following:

- Raise awareness through mass media campaign for the general population
- Promote preventative programme in school.
- Preventative programmes like Ke-Moja includes coping and life skills
- Education programmes for parents and significant others
- Educational programmes that address specifically non-commercial alcohol

3.5.2 Early Intervention

The aim of this level is to identify and intervene brief to modify behaviour and minimize harm among substance abuse but not dependent.

- Promote preventative programme aimed at reducing and preventing the harmful effects of the use of alcohol and other drugs
- Promote specific interventions and programmes for individuals and groups at risk
- Education for “at risk” groups: education for pregnant women (FAS), dependent individual and communities
- Education for parents at risks
- Training of Health professional to address substance abuse
- Education for people serving and selling alcohol
- Early identification and brief interventions are suitable for context where resources may be lacking or access to health care is limited
- Education of service users to change behaviour: groups on coping skills and relapse prevention

3.5.3 Treatment

The aim of this level is to provide out patient treatment to both committals and non-committals. The Community-Based Model advocate for a Matrix approach because is a combination of different methods applied and suitable for an out-patient setting.

These models should be customized to a South African context taking into consideration the resources needed for successful implementation.

The Matrix Model has the following key components:

- Individual sessions
- Early recovery groups
- Relapse prevention groups
- Family Education groups
- 12 steps meetings
- Social support groups
- Relapse analysis and
- Urine and breath-alcohol testing

3.5.4 Promote recreational facilities and self-development

It should be appreciated that a healthy nation is an active nation. Recreation is one of the fora to enlighten and inform those involved. Through the promotion of self-development, the young people will be availed with alternative to substance abuse.

Through partnership with stakeholders in the area of recreation and sport more comprehensive and effective programme would be developed within the communities. This is linked with multi-discipline approach with all sectors in sports, arts and culture playing a major role.

3.5.5 Monitoring and evaluation

Effective monitoring and evaluation of the model is essential for measuring the success. The following criteria are amongst those to be used for monitoring and evaluating implementation of the model:

- Reports to the department and funders based on the performance contract
- Client satisfaction survey
- Quality assurance
- Report to the department/funders-performance contract, quarterly evaluation reported annual reports
- Client satisfaction survey: questions and suggestion boxes
- Quarterly assurance: set of indicators will be developed and will be used to measure the implementation of the model.

The model will serve as a guide to promote uniformity in the management of substance abuse within a community based setting. It further provides guidelines on the range of service/level that must be provided in community.

3.6 THE ROLE OF THE PROVINCIAL DEPARTMENT OF EDUCATION TO MANAGE THE CHALLENGE

Mpumalanga MEC for Health and Social Development Mr. Fish Mahlalela stated the need to intensify a fight against substance abuse in his budget and policy speech on 30 May 2008.

“Our province is one of the leading provinces in the Ke-Moja awareness Programme aimed at educating our youth in particular to refrain from drug abuse. A task team composing of all stakeholders has been established at Emalahleni, which is one of the areas reporting high incidents of drug abuse, to look into the plan towards an establishment of a comprehensive centre for youth treatment services. This year we will intensify the programme for the treatment of youth in the province, four comma seven million rand will be spent to support seven non-profit organizations. A Mini Drug Master Plan will be developed, clarify roles, responsibilities and strategies in the fight against drug abuse. This will contribute to the Apex of priorities on social cohesion as stated by President Thabo Mbeki.”

The challenge of drugs and alcohol abuse by learners was highlighted in the speech by Western Cape Education MEC Cameron Dugmore in a debate on drugs and drug abuse. In his speech Cameron Dugmore stated that drug abuse among the school going youth remains a huge challenge for the Western Cape Education Department. “We are viewing this issue in a very serious light. The on-going media coverage of the use of methamphetamine, commonly known as *tik* focused renewed attention on drug abuse in our schools. Of course we differentiate between habitual abuse of drugs and drug dealing, which should be dealt in the context of restorative justice. We will do everything in our power to assist learners who are dependent on drugs and who want and need assistance. Where learners reject assistance, disciplinary measures will obviously have to be enforced.

We are aware that drugs have devastating consequences not only for the user, but also the families and the broader community. Research has shown that drug abuse contribute to crime, domestic violence, family disintegration and social problems. During the week of 21 to 28 June, we have visited the Mitchel’s Plain community, to warn learners about the dangers of using drugs. We have also run seminars with teachers on drug abuse, and dealing with perceptions of what a drug is, defining misuse and abuse, school policy, prevention strategies, and treatment options.

We have released information brochures and introduced learning programmes in the classrooms, to assist teachers with promoting awareness. The issue of drug abuse is also included in the life orientation learning area.

We are part of the Provincial Task Team on substance abuse, in partnership with other provincial departments and NGO's, including the Departments of Community Safety and Health, SAPS, Cape Town Drug Counseling Centre, South African National Council on Alcoholism and Drug Dependence (SANCA), and NICRO.

I have visited certain school communities who shared with me the effects of drug abuse by school-going children on their families, and who requested interventions. The Department is running sustained programmes in all its EMDC's, directed to both learners and teachers, about different drugs and their effects, managing related situations, and a range of responses for schools."

3.7 CONCLUSION

It is clear from the study that South Africa is faced with a serious challenge of drug and alcohol abuse by learners. Government is trying to solve the problem by putting in place legislation like Education Laws Amendment Act (No. 31 of 2007).

With legislation like the one given above, applied in conjunction with the Constitution of the Republic of South Africa, provides principals with the assistance from all stakeholders involved to come up with policies and codes of conduct in their schools to deal with the challenge of drug and alcohol abuse in schools.

This chapter highlighted the fact that the challenge of drugs is not only a problem for the Department of Education only but cut across other departments. This is indicated by the initiatives by the Department of Social Welfare which put forward some initiatives to fight the challenge of drugs in the communities. This was done by putting forward guidelines on the management of drugs. National and provincial departments also have preventative strategies in order to control this challenge.

Therefore, the above provides a good framework within which policies and codes of conduct be based without infringing on learners' rights in the process of dealing with the challenge. The

implementation of the policy framework should be in accordance with the National Drug Master Plan and will cascade through the various levels within the education system.

CHAPTER 4

DATA COLLECTION AND DATA ANALYSIS

4.1 INTRODUCTION

This chapter presents qualitative research methodology as the method to be used to gather data concerning the management of school safety with reference to drug abuse in public schools. It also presents a selection of schools and participants, data gathering techniques and data analysis. Using data obtained through taped individual interviews with the principals, SGB members, RCL members from selected schools and SANCA counsellors, which were transcribed and a document analysis of the Codes of Conduct for learners, this chapter will deal with the analysis of the collected data of this research.

4.2 METHODOLOGY IN BRIEF

This research employed qualitative method because it allows the researcher to share in the understanding and perceptions of others and to explore how people structure and give meaning to their workplace phenomena De Vos (1998:71). Trutty, Rothery and Grinnel (1996:4) describe qualitative research as the study of people in their natural environments as they go about their daily lives.

Rob Watling (in Coleman & Briggs 2003:267) described data as follows: “It is a term with distinctly positivist origins, coming from the Latin and meaning ‘things that are given’. It implies a scientific, objective approach to reality in which there is a fixed (a given) world of known and unknown facts for us to discover.”

As mentioned in the introduction data was collected through interviews with the principal, one SGB member, one RCL member from each of the three selected schools and, counsellor from SANCA and a document analysis of the Codes of Conduct for learners of the selected schools.

4.3 DATA COLLECTION AND ANALYSIS

4.3.1 Data collection

According to Terreblanche and Durrheim (2002:45) data are the basic material on which a researcher's findings are based. Data come from observation and can take the form of numbers (numeric or quantitative data) or language (qualitative data). As explained in chapter one, the data of this qualitative study was collected through semi-structured interviews with the individual principals; SGB members; RCL members of the selected schools and a representative of SANCA. The Codes of Conduct for learners were used to do a document analysis. All the interviews were audio recorded and transcribed.

4.3.2 Sampling

Bless and Higson-Smith (1995: 85) describe a sample as a technical accounting device to rationalise the collection of information, to choose in an appropriate way the restricted set of objects, persons, events from which the actual information will be drawn. Similarly McMillan and Schumacher (1997: 169) describe a sample as a group or subject in a study. For this study the researcher used convenient sampling because the selected schools were selected based on the fact that they are easily and conveniently available (in the same district). In addition, the sample has been chosen for a specific purpose namely former model C secondary school in a city, a secondary school in a township and a secondary school in a farming area because each school represents a different socio-economic background.

In this study the following participants were interviewed:

Principals of the three selected schools, SGB members (parent component) and RCL members were interviewed for this study.

4.3.3 Participants

4.3.3.1 Profile of the participants

The researcher selected three schools in Witbank 2 Circuit (Mpumalanga). The selected schools are from township, town and farm environment. The researcher considered well established

schools when making a selection. In other words schools which were established for a long time and which have had the opportunity to draw a code of conduct.

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

	SCHOOL A	SCHOOL B	SCHOOL C
No. of learners	1260	950	580
No. of classes	24	18	10
No. of educators	32	23	14
No. of RCL	20	14	10
No. of SGB	8	8	7
No. of non-teaching staff	4	5	2
Location	Township	Town	Farm
School fees / 2008	R350.00	R950.00	R150.00

SCHOOL A is located in the mixed-income township and the majority of learners live nearby the school and surrounding extensions in the township. Most learners walk to the school. The school uses English as the medium of instruction; however, the majority are Isindebele, Isizulu and Sepedi speaking.

SCHOOL B is located in the upper and middle-class income area. Approximately 60% of the learners travel by bus or taxi to and from school while 40 % live in the vicinity of the school. The school uses English as the medium of instruction.

SCHOOL C is located in the lower income area. Approximately 90% of learners live in the vicinity of the school. The school uses English as the medium of instruction. However, learners use their home-languages (Isindebele, Isizulu and Sepedi) to communicate. These languages are also used in the community. The majority of the learners work on farms and nearby town.

4.3.3.2 Participants from schools

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

SCHOOL A

Participants	Age	Highest Qualification	Employment	No. of years on SGB
Principal	56	BA (Hons)	Employed	8
Parent	53	Grade 12	Employed	2
Educator	34	BA	Employed	2
Learner RCL	17	Grade 11	Learner	1

SCHOOL B

Participants	Age	Highest Qualification	Employment	Years in SGB
Principal	59	B Com, H.E.D	Employed	7
Parent	57	Grade 10	Employed	1
Educator	36	BA,H.E.D	Employed	1
Learner RCL	18	Grade 10	Learner	1

SCHOOL C

Participants	Age	Highest Qualification	Employment	No. of years on SGB
Principal	57	BA	Employed	6
Parent	58	Grade 4	Employed	3
Educator	34	STD	Employed	2
RCL member	19	Grade 11	Learner	1
Director SANCA	47	B.A	Employed	0

In school A, the principal said that members elected stopped serving on the SGB due to their tight work schedules and new members were co-opted.

In school B, the principal said that members are co-operative and serving well on the SGB.

In school C, the principal said, membership in the SGB changes constantly due to unavailability of elected and co-opted members.

4.3.4 Interviews data analysis

Data analysis involves the reduction and interpretation of data (Cohen & Manion, 1995:116). The researcher reduced the body of the data he obtained to a form suitable for analysis. The researcher reduced a voluminous amount of data to the following themes and interpreted them. They are:

THEME 1: Reaction to the existence of drugs in schools

- Awareness programmes
- Involvement of family and community
- Security in and around school

THEME 2: Policies and programmes to manage drugs in schools

- Development of policies
- Committees for safety in schools

THEME 3: Readiness by schools to manage drugs in schools

- Departmental support to schools
- Training to educators to handle drug related cases

THEME 4: Implementation of policies to manage drugs in schools

- Coherence of policy and implementation
- Consistency in application of policy

All participants' comments were examined for the most important themes, issues and ideas. Trends and patterns in the content of each discussion and for the similarities and differences across a number of different groups on the topic were analysed (Litoselliti, 2003: 91). The data were examined in depth paying attention to the tapes and field notes.

The in-depth analysis of the interviews and documents helped in answering the following questions:

- Were the objectives achieved?
- What was confirmed and what was challenged by the findings?
- What new ideas emerged? (Litoselliti, 2003: 94).

4.3.5 Interview analysis

In this study, the results obtained from the analysis of transcripts pertaining to the management of school safety with reference to drugs in public schools are presented. The data derived from the transcribed interviews were categorised.

4.3.5.1 Reaction to the existence of drugs in schools

The principal of School A says, “This problem has made us to be more vigilant, we are not taking anything for granted. For safety reasons, there is monitoring of movement of persons entering and exiting the school premises. Educators are doing their grounds duties. The fence of the school is well maintained. We are working with the police and SANCA for awareness campaigns on drugs”.

When interviewing SGB member in the same school she said, “We are trying to work with the police to assist with guidance to learners about the dangers of drugs’. A learner representing RCL in School A says, “Attempts are being made to make sure that learners are informed about the danger of drug abuse. This is done through meetings with the police and people from SANCA’.

The Director of local SANCA indicated that there is high prevalence of drug abuse by learners in the area. She says, “Principals and educators from the local schools contact us to come and do prevention and awareness talks. Our awareness campaigns include projects like “Ke Moja” which means I am fine without drugs’.

The principal in School B indicated that, drugs have become a national challenge and said, “Life orientation is used to impart knowledge about the danger of drug abuse. We also invite pastors,

the police and SANCA to come to the school to give our learners advice on drugs”. He further continued that security in the school is tightened by means of subjecting persons who enters and exit the school at the gate.

A learner in the RCL responded by saying, “We work closely with SANCA and the police. What is interesting is that they give us advice on how to set up peer counsellors at school, we hope it will assist”. A parent representing SGB said, “It is shocking to see what these kids are doing to themselves and their families. But we try all means to help by arranging for talks with the police and pastors on the danger of drugs”.

The principal in School C says, “We could not believe the kind of reports we received from younger learners about things that happen in the toilets. Learners are abusing drugs and we organise police to come and advice them on the danger thereof”. A parent from SGB pointed out that, “The fence of the school is fixed to stop possible unexpected entrance and exit of either learners or outsiders in the school. Sometimes the police are unexpectedly invited to the school to conduct random searches on learners”.

4.3.5.2 Policy to manage school safety and drugs in schools

When interviewing the principal in School A, he said, “The main instrument that we use to manage school safety is the School Code of Conduct. The Code of Conduct was developed by the SGB involving all the stakeholders concerned, educators; parents and learners. The Code of Conduct of the school was developed within the legal framework taking into account the Bill of Rights and the South African Schools Act”. He further said, “We also have a disciplinary committee but a safety committee is not in existence yet”.

A parent in School A indicated that, “Yes the school have a policy in a form of Code of Conduct to manage school safety. We were invited in the developmental stages of the policy, but I must say that we relied heavily on the expertise of educators. I think we need more training in these matters”. A learner in the same school said, “Our Code of Conduct also has inputs from us learners which is pleasing. My worry is that most of the times we as learners are not invited to attend hearings involving learners.”

The principal in School B says, “We considered all legal implications when drafting the School Code of Conduct. The Constitution and the South African Schools Act of 1996 were considered. As stipulated in the South African Schools Act, the SGB has the responsibility to develop the code of conduct involving all stakeholders concerned, we did that”. An interview with a parent from SGB revealed that, there was proper consultation in the development of the code of conduct. He said, “All parties were consulted, educators; parents and learners. This was done guided by the law of the country the Constitution as well as the South African Schools Act”. “Our safety committee is not yet formed we will look into that”.

A learner from RCL said, “Yes the School Code of Conduct serves as the policy that assist in the management of school safety especially drug abuse in the school. We were consulted in its development and we do have a sense of ownership. We appreciate the way it is implemented but we would like to play a role for example to be part of the proceedings when learners attend hearings for misconduct”.

In the interview with the principal of School C, he said, “The School Code of Conduct is our bible to manage school safety with reference to drug abuse. This tool was developed by the SGB involving educators; parents and learners. What is pleasing about this policy is that we took into consideration Departmental guidelines; the Constitution and The South African Schools Act”. “We do not have a safety committee in the school”.

A parent pointed out that, “I joined the SGB late replacing members who failed to serve effectively due to work, but what I gather is that there was consultation in the policy development process. We try and adhere to the policy when handling drug related matters, procedure is crucial here, but training required.” By procedure he meant that the SGB could not afford to commit mistakes as drug related matters are sensitive and need extra care. A learner representing RCL said, “Our school has a code of conduct to deal with deviations from set rules in the school. The code of conduct was developed with the help of parents, educators and learners”.

4.3.5.3 Readiness by schools to manage drugs

In the interview with the principal from School A, the principal said, “We had a major incident at school, it was all over the local newspapers were one learner came to school in the morning at about 7:30 – 7:45, we were in the staff meeting, I was called out at the front office where the learner was attacking the secretary, I tried to calm him down, we put him in the sick bay. He got out of the sick bay and started to attack teachers. I tried to calm him down; I was kicked between the legs. We discovered that it was his birthday and he was offered dagga, I am not sure if it was the first time, but it could have been mixed with other (stuff) substances”. “Therefore educators are not trained to deal with unruly behaviour from learners emanating from substance abuse, all they do is to spot signs and try to intervene but at times educators find themselves faced with incidences like the one outlined above. The Department of Education must get involved more in the schools to help manage this problem”.

A parent from SGB said, “Schools rely on resources like the school code of conduct; the police; priests and SANCA to manage drugs in the school. But there is a need for educators to be work shopped on how to deal with drugs in schools”. A learner representing RCL indicated that, “Our school is ready to deal with the challenge of drugs because we have a good code of conduct in place”.

The principal from school B said, “Well educators are prepared, they work close with learners and it is easier for them to detect behavioural change. When they suspect that a learner (s) could be in possession of drugs, educators alert the principal and they get delegated to search them. Our code of conduct also makes things easier to help manage drugs in the school. But I must say that in-service training for educators on how to manage this matter is needed. It would be nice to get assistance from the Department on managing of drugs in schools, instead what we normally receive are circulars reminding schools to be aware of drug abuse after serious incidents have occurred somewhere”.

A parent representing the SGB from the same school said, “This challenge could be managed effectively only if there were on-going workshops for educators and the SGB”.

The interview with RCL member revealed that, “The police are occasionally called to the school to help with random searches. People from SANCA come for talks with learners and there is code of conduct, I think the school is ready to manage drugs”.

The principal from School C said, “We are relying on the school code of conduct; the police and SANCA on this challenge. I think educator training around this matter will also assist a lot. Honestly there is not much support from the Department to help school to manage drugs”. The SGB member said, “I was briefed after I joined the SGB that, they used to invite the police to come to the school for searches, which I think is a good thing indicating that the school is serious about managing drugs. I think educators deserve to be empowered in terms of how to detect and handle learners who abuse drugs”. A learner representing RCL from the same school said, “I think so, because we hear reports that learners who abuse drugs are been disciplined and referred to SANCA and sometimes the police are invited for searches in the school”.

4.3.5.4 Implementation of policy to manage drugs in schools

The principal in School A said, “The code of conduct is implemented with the approval from all stakeholders. When a learner has been found to be involved with drugs, all relevant stake-holders are invited to sit in the hearing to make sure that the learner receive a fair hearing. Our code of conduct is in line with the Constitution and the South African Schools Act, and therefore we implement it without any doubt. We are consistent in the implementation of the code of conduct; we deal with all cases based on their merit”.

A parent from the SGB said, “We sit in the proceedings to make sure that there is fairness in the implementation of the code of conduct. We even have a chance to identify areas in the code of conduct that need to be reviewed. All learners are given similar treatment when the code of conduct is implemented. What is pleasing is that our code of conduct is in line with the Constitution and South African Schools Act”. A learner from RCL said, “Measures were taken to ensure that our code of conduct has inputs from all stake holders. My main problem is that as learner representatives, we are not invited to sit in the proceedings when learners are involved in drugs”.

The principal from School B said, “Care was taken to ensure that we do not put ourselves in trouble when we implement the code of conduct. This was done through consideration of the Constitution and the South African Schools Act. We involve all stake-holders when we implement the code of conduct”. A parent from SGB said, “Parents of a learner involved with drugs are invited in the hearing including legal representative and witnesses where possible to ensure fairness”. A learners from the same school said, “Yes our code of conduct considered all legal implications, but the problem is the exclusion of RCL in the hearings”.

The principal from School C said, “We have covered important issues in the Bill of Rights to ensure that we do not expose ourselves to legal challenges. We involve parents and learners when we implement the code of conduct in the school. We are applying the code of conduct consistently to make sure that all learners receive equal treatment”.

A parent in the SGB said, “Circumstances sometimes calls for educators to apply their discretion, this happened when one educator searched learners that he suspected had drugs on them. He searched them without been delegated by the principal, and that happened without a fellow educator to witness the search. So at times we get confused when we implement the code of conduct because of some loop holes like this”. A learner representing RCL said, “The implementation could be fairer if learners were part of the proceedings in the hearing”.

4.3.5.5 Document analysis (code of conduct)

School A and School B supplied the researcher with their school code of conduct for document analysis. Both codes of conducts have aims and objectives, rules and regulations, courtesy and manners, general school rules, classroom rules and dress code. The focus for this study on offences which were classified as leading to suspension or expulsion which are:

- Conduct which endangers the safety and violates the rights of others.
- Possession, use, transmission or visible evidence of narcotic or unauthorised drugs, alcohol or intoxicants of any kind.
- Fighting, assault or battery.
- Immoral behaviour or threats.

- Falsely identifying oneself.
- Harmful graffiti, e.g. hate speech, sexism and racism.
- Theft or possession of stolen property.
- Unlawful action, vandalism or destroying or defacing school property.
- Criminal and oppressive behaviour and verbal abuse directed at educators or other school employees or learners.
- Infringement of examination rules.

According to both School A and School B, if learners contravene any of the rules and offences mentioned, hearing procedure will be as follows:

- 1st Offence: Parents will be notified in writing.
- 2nd Offence: Parents will be invited to the office for an interview (Counselling).
- 3rd Offence: Urgent meeting (Further steps to be taken will be discussed).

4.4 CONCLUSION

It is clear from the three principals of the selected schools that, there are some drug awareness programmes that are taking place in the school with no follow-ups to evaluate the impact. It also emerged from interviews with the three principals from selected schools that maintenance of fence and strengthening of security in and around the school was done for the purposes of safety in school.

The Department should have workshops for newly appointed SGB members to empower them in policy development. It emerged from the interviews with SGB members that they did not receive any workshop on policy development even though required by law to develop code of conduct for learners. There was an indication that there was heavy reliance on the part of the SGB members on educators and principal to develop the code of conduct.

It is clear from the principals of the selected schools that the development of code of conduct especially to manage school safety with reference to drug was done mindful of the requirements of The Bill of Rights and SASA. The legal frame-work was considered to avoid or minimize

possibilities of prosecution. From the code of conduct of two school that were presented for document analysis, there is clear indication of how various offences including drug possession abuse or dealing should be dealt with by the school. Procedures that are to be followed clearly indicate that there was consideration of the legal frame-work in the formulation of the code of conduct.

There was a strong feeling among all principals that schools should be given support by the Department of Education to deal with the challenge of drugs in schools. They indicated that after all due processes have been exhausted, the Department must be seen to be taking some action to deal with learners who have been found guilty of drug related offences. Their concern was that drug incidences by their very nature are dangerous, therefore to keep learners who are involved in such cases even proven guilty poses a threat to the safety of the school.

Principals in the three selected schools believe that workshops should be given to educators to help them to pick-up signs of drug abuse by learners and generally how to handle drug related incidents at school.

There was an indication from interviewed RCL members that they are not involved in the disciplinary hearings or drug related cases were learners are involved. They claim that they just hear about so and so having been charged with possession of drugs. It is required by law that learner representative should be present in the proceedings of a case were another learner is involved.

It is clear that schools are confused especially with the implementation of body searches and drug testing. Education Laws Amendment Act (No.31 of 2007), states that, the principal or his/her delegate may, at random, search any group of learners, or property of a group of learners, for any dangerous object or illegal drug, if a fair and reasonable suspicion has been established.

CHAPTER 5

RESEARCH FINDINGS, RECOMMENDATIONS AND CONCLUSION

5.1 INTRODUCTION

This chapter gives an overview of the study with reference to the literature study, problem and objectives, as well as the method of research and results. Important findings, recommendations and aspects of future research are discussed.

5.2 SUMMARY

The objectives of the research were the following:

- To determine the legal and policy framework for school safety with reference to drug management in school.
- To determine the extent of drug abuse in South African public schools and,
- To determine the perception, views and experiences of principals, SGB and RCL on the management of school safety with reference to drugs.

These objectives were achieved through research in the form of a literature review followed by an empirical study. This dissertation consists of five chapters. The following are summaries of the contents of each chapter.

CHAPTER ONE gives a general view of the study. The following aspects were addressed: The rationale of the study, the problem statement, objectives of the study, research design and methodology, validity and reliability of the study, ethical aspects of the research limitations and the structure of the research.

CHAPTER 2 focuses on the literature review to understand management of school safety with reference to drugs in public schools, legislation and policies from the Constitution, South African Schools Act and amendment Acts.

CHAPTER 3 focussed on the extent of drugs in South Africa.

CHAPTER 4 consists of data and detailed analysis of the data. Summaries of the interviews and document analysis were discussed.

CHAPTER 5 deals with the synthesis of the findings and represents recommendations of the study.

5.3 IMPORTANT FINDINGS

In this subsection the literature survey findings will be concisely expounded. The survey consists of knowledge and theories about the following:

- Management of school safety in public schools.
- Continuous awareness programmes in public schools on drugs.
- Involvement of family and communities to help in the fight against drug abuse by learners in public schools.
- Strengthening of security in and around the school.
- Development of policy to deal with drugs in public schools.
- Implementation of policies on drugs in public schools.
- Readiness by schools to handle drug related cases in public schools.
- Guidelines for implementation of policy on drugs in public schools.

The literature has exposed the following important theories, practices and principles about the management of school safety with reference to drugs in public schools that could have an impact on the findings and conclusion of this research:

- Management of school safety in public schools. SGB, principal, educators, learners, non-academic staff, parents, communities, the department and business are expected to participate in any form to ensure that a safe environment is created in school to ensure effective teaching and learning.

- Intensification of awareness campaigns in schools to ensure effective teaching and learning. Stakeholders like the Department of Education (curriculum), private sector, Department of Safety and Security and NGO's are expected to intensify and vary their drug awareness campaigns.
- Literature reveals that SGB is responsible for the development of Code of Conduct for learners in schools, school-based and externally directed to assist in providing direction on how learners should behave accordingly and how deviations from the code of conduct are to be dealt with. All stakeholders should be represented in the development of the code of conduct. RCL, parent and educator components should be involved in the process of developing the code of conduct.
- A range of courses should be designed to update, refresh and improve the competency of newly appointed and already serving SGB members on policy development and implementation.
- Literature reveals that to sustain the management of safety in schools, there should be partnership between schools and SAPS as well as continuation of support from districts to schools.
- School based peer-counselors are seen as key to the management of school safety with reference to drug abuse.
- Establishment of safety committees in schools will serve as an instrument to deal with safety related matters in the school and should have on board educators SGB members as well as RCL members. These committees should not be exclusive members only but need to associate with all at school to make sure that they are well informed about what is taking place at school.
- The Department of Education should continually provide guidelines to be used for the management of school safety to ensure safety, effective teaching and learning in schools.
- Implementation of the code of conduct to deal with cases of drug abuse should be backed by departmental guidelines, the Schools and the Constitution of the RSA.

5.4 IMPORTANT EMPIRICAL FINDINGS

The following findings have been drawn from the empirical study:

- **Reaction to the existence of drugs in schools:** Although the study has found that awareness programmes are taking place in schools, it is clear from the findings that follow-up sessions are not a priority in the selected schools. It is further clear from the responses of all three principals from the selected schools that, family and community are involved in the fight against drugs. All three principals indicated that measures were taken to ensure that there is security in and around the school. This was done through maintenance of fence and checking of persons entering the school premises as well as monitoring of activities close to the fence during breaks by educators doing ground duties. There is a feeling among all the principals that families should play a key role by working with schools by making sure that any unusual behaviour from learners are reported and assistance is sought before it gets out of hand.
- **Policies and programmes to manage drugs in schools:** All principals of the three schools concerned agreed that the governing body of the school has the sole responsibility of developing the code of conduct for learners in the school. There was indication from all principals that there should be workshops on policy development by the Department of Education to empower the governing body. All principals indicated that all stakeholders in the governing body were fully consulted during the process of developing the code of conduct for learners. It emerged during an interview with one of the parent component member of the governing body that their duty was mainly to endorse the code of conduct due to the fact that they had little knowledge of policy development. A learner who is part of the RCL pointed out in the interview that, they were consulted in the development of the code of conduct. There is a strong emphasis from all principals that codes of conduct in their schools adhered to the Constitution and followed prescribed Departmental guidelines. All the principals indicated that there was no existence of a safety committee in the school to deal with safety matters in the school; instead they relied on the disciplinary committee to handle issues related to safety in the school.
- **Implementation of policies to manage drugs:** All principals of the three selected schools pointed out that extra care is taken when implementing policy related to drug

abuse by learners at school. After probing questions it emerged that what was meant by extra care was that correct procedures were followed to make sure that they do not expose themselves to legal challenges from stake-holders involved. Two principals from the selected schools indicated that after the SGB has developed the code of conduct for learners, parents meetings were called so that parents should be aware of what is contained in the code of conduct and make inputs before the code of conduct is implemented.

- **Coherence of policy and implementation:** It was clear from the interviews with the three principals that care was taken when developing the policy to make sure that it was within the legal frame-work and took into consideration the regulations from the Bill of Rights and the South African Schools Act (No.84 of 1996). The three principals agreed that when implementing the code of conduct, they were aware that the purpose was corrective rather than punitive, but they treated each case according to its merit. It was clear from the interviews with principals that they worked with referral groups like SANCA to assist learners who are found to be having problems with drugs in school as part of implementing the code of conduct. It also emerged that the police are also involved by means of conducting random searches at school which forms part of implementation of code of conduct. There was a strong emphasis from all three principals that parents are involved at all stages once a learner is found to be involved in drugs in any form. It also emerged that care is taken to make sure that communication with parties involved is properly followed before a learner goes to the tribunal or disciplinary hearing so that all parties should be present including witnesses and legal representatives were possible.
- **Consistency in application of policy:** All the principals indicated that the code of conduct should be implemented with fairness as adopted by all stake-holders in the school without prejudice and they mentioned Section 33 of the Constitution: Just Administrative Action. The principals indicated that to safeguard against certain learners may be given preferential treatment due to their background or favouritism, a

learner (s) should be given a chance to be represented and all witnesses should be present and the composition of the tribunal should fairly represented.

- **Readiness by schools to manage drugs in schools:** It emerged from all principals of the three selected schools that they are not fully ready to manage drugs in schools. When probed on what was meant by fully ready the indication was that they only rely on the code of conduct. They said that the Constitution gives learners certain rights that should not be violated for example the right to privacy. When asked about the limitation of rights, they indicated that it may expose them to legal challenges from stake-holders involved. The principals also highlighted that there is a challenge even from the National level to be clear on issues like body searches and urine testing in schools. With random searches, the principals indicated that in the first place educators are not trained to do searches and that in case there was a strong suspicion that a learner may be carrying drugs, there is a lengthy process of having to look for a private place and look for back-up like having a colleague of the same gender before the search could be carried out. There was also an indication that the police take their time to come to school when called to handle drug issues for example random searches.
- **Departmental support to schools:** It was clear from the interviews with the principals that there were no workshops to empower principals and SGB on policy development. The three principals interviewed indicated that the only correspondence they received from the Department was in a form of circulars highlighting the challenge of drugs in school asking them to be vigilant and deal with perpetrators severely. All principals agree that implementation of policy to deal with drugs is hampered by failure by the Head of Department to expel learners who were found to be in possession of drugs. All principals highlighted that after following all the procedures to handle drug related cases they are concerned about the pace at which learners relapse and it becomes the problem to the school. It emerged that there is no unit from the Department that deals with drugs in school and assists schools in handling drug cases. Principals also pointed out that the Department should be seen coming to schools with awareness campaigns and training educators on how to handle

learners with drug problems. They also indicated that visual material like films and pamphlets should be used.

- **Interviews with RCL members:** All members from the three selected schools indicated that they were consulted in the development of the code of conduct of the school. They are not consulted when learners attend disciplinary hearings related to drugs.
- **Induction programme for SGB:** According to SGB members of selected schools, there were no induction programmes for newly appointed SGB members at their schools. The Schools (RSA 1996a) section 19 obliges provincial governments in South Africa to provide training for SGB members. These SGB members need to acquire professional knowledge in order to fulfill the tasks with which they are charged (Deem, Brohony & Heath 1995:73). Lekalakala (2007:122) adds that, it is important that these members of the SGB are trained in the language (mother tongue) understood by all members for effective participation in all debates leading to the formation of the school code of conduct.
- **Document analysis:** Copies of code of conduct of two schools from the three selected schools were submitted for document analysis. Code of conduct from both schools clearly indicated how learners who are involved in drugs are to be dealt with. All offences in the code of conduct are categorized, and drugs are categorized as serious offences.

5.5 CONCLUSION

It is clear from the three principals of the selected schools that, there are some drug awareness programmes that are taking place in the school with no follow-ups to evaluate the impact. It also emerged from interviews with the three principals from selected schools that maintenance of fence and strengthening of security in and around the school was done for the purposes of safety in school. This is echoed by (Prinsloo, 2005:5) who states that schools are supposed to be safe places where effective teaching and learning can take place in an environment that is safe for

learners, educators and non-educators. This is also supported by the Department of Education after an incident in which a learner slashed another learner with a panga that, the Department will invest in fencing of schools and installation of cameras to ensure safety in schools.

The Department should have workshops for newly appointed SGB members to empower them in policy development. The SGB has according to SASA the responsibility to develop a code of conduct for learners in the school. It emerged from the interviews with SGB members that they did not receive any workshop on policy development even though required by law to develop code of conduct for learners. There was an indication that there was heavy reliance on the part of the SGB members on educators and principal to develop the code of conduct.

It is clear from the principals of the selected schools that the development of code of conduct especially to manage school safety with reference to drug was done mindful of the requirements of The Bill of Rights and SASA. The legal frame-work was considered to avoid or minimize possibilities of prosecution. From the code of conduct of two school that were presented for document analysis, there is clear indication of how various offences including drug possession abuse or dealing should be dealt with by the school. Procedures that are to be followed clearly indicate that there was consideration of the legal frame-work in the formulation of the code of conduct.

There was a strong feeling among all principals that schools should be given support by the Department of Education to deal with the challenge of drugs in schools. They indicated that after all due processes have been exhausted, the Department must be seen to be taking some action to deal with learners who have been found guilty of drug related offences. Their concern was that drug incidences by their very nature are dangerous, therefore to keep learners who are involved in such cases even proven guilty poses a threat to the safety of the school.

Principals in the three selected schools believe that workshops should be given to educators to help them to pick-up signs of drug abuse by learners and generally how to handle drug related incidents at school.

There was an indication from interviewed RCL members that they are not involved in the disciplinary hearings or drug related cases were learners are involved. They claim that they just hear about so and so having been charged with possession of drugs. It is required by law that learner representative should be present in the proceedings of a case were another learner is involved.

It is clear that schools are confused especially with the implementation of body searches and drug testing. Education Laws Amendment Act (No 31 of 2007), states that, the principal or his/her delegate may, at random, search any group of learners, or property of a group of learners, for any dangerous object or illegal drug, if a fair and reasonable suspicion has been established.

5.6 RECOMMENDATIONS

Given the lack of skills to handle drug related incidents professionally at school, the following should be implemented by the Department of Education:

- The Department of Education should ensure the empowerment of all principals and educators in recognizing early signs of drug abuse and generally how to handle drug related incidents at school.
- Youth camps should be organized were selected groups of learners from various schools attend and thereafter share the information with members of the student body on how to stay away from drugs and handle drugs.
- Follow-ups should be made by facilitators of workshops.
- Intensification of drug awareness campaigns in schools by means of seminars, workshops and debates.
- Co-ordination of non-governmental organizations (SANCA), religious groups and SAPS to work with schools against drugs.
- The Department should empower new and old members of SGB through workshops and seminars in order for them to be effective in execution of their duties especially policy development and implementation.
- Schools should be provided with proper guidelines on how to manage drugs.

The following should be done to manage safety in schools especially drugs:

- The SGB should implement the code of conduct that followed correct procedures without fear.
- Schools should establish safety committees to deal with safety matter in school including drugs.
- There should be strict monitoring of people who enters and exit the school premises.
- Family structures should be involved more in the fight against drugs.
- The SGB must make follow-ups to the Department if cases that need Head of Department's decision are not speedily addressed.
- There should be proper maintenance of school fence.
- The SGB must ensure that educators are aware of the procedures to follow before conducting body searches on learners.
- RCL members should form part of the proceedings (disciplinary hearing) when a learner is involved in any misconduct.
- Schools should review their policies from time to time to make sure that they are in line with new developments within the legal framework.

5.7 LIMITATIONS OF THE STUDY

This research was limited to Nkangala Region in Witbank 2 circuit in Mpumalanga province. The research focused primarily on the perceptions and experiences of principals and SGB members on the management of school safety with reference to drugs in public schools. An important limitation was that the research was undertaken in three secondary schools in different environments, township, farm and city centre. The three selected schools represent a small percentage of the schools in Mpumalanga, the sample only allows for the perceptions and experiences of principals and SGB's in these environments of Mpumalanga province. Therefore it is crucial and important that further studies be conducted in other parts of the province to determine the management of safety with reference to drugs in public schools.

5.8 ASPECTS OF FUTURE RESEARCH

In view of the limited scope of this study, a more in-depth study should provide more insight into the topic. The following aspects of the study need further investigation:

- The role of the principal and SGB in managing school safety especially drugs.
- Legal challenges in the management of school safety with reference to drugs.
- The role that learners can play in the management of school safety especially drugs in public schools.

5.9 CONCLUDING REMARKS

Management of school safety with reference to drugs requires the involvement of all stakeholders in education. All school should have properly developed school code of conduct to make sure that there is direction on how offences should be dealt with. Awareness programmes should be in the year programme of the school.

For effective management of school safety with reference to drugs in public schools, SGB members should be provided with training on policy development. Schools should communicate with their circuits and regional offices to get clarity on how they should go about managing safety in school were they are not sure.

The Department of Education should assist schools by providing clear guidelines on how to manage school safety. Schools should fearlessly implement properly developed code of conduct. RCL members should form part of the hearing when a learner is involved in any misconduct.

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ANNEXURE A – Letter to participants

ANNEXURE B – Letter to request permission to conduct research

ANNEXURE C – Permission letter to conduct research

ANNEXURE D – Interview questions

ANNEXURE E – Ethical certificate.