

**POOR COMMUNITY STRUGGLING TO GIVE THEIR
CHILDREN THE GIFT OF KNOWLEDGE: POLICY
PERTAINING EXEMPTION ON PAYMENT OF
SCHOOL FEES AT DASSENHOEK SCHOOLS**

by

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A case study submitted as part of the requirements for the
degree of Masters in Public Administration In the Faculty of
Public Administration

(C.S.)

**University of KwaZulu-Natal
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2006

TOPIC: Poor community struggling to give their children the gift of knowledge
Case Study: The Policy Pertaining Exemptions on Payment of School Fees at
Dassenhoek Schools.

1. INTRODUCTION

South Africa consists of widely diverse population. They differ in many sought of way. They differ according to race groups, wealth, interest and hobbies, cultures as well as religions to mention the few. Because of unequal economic status, the new government has then introduced exemption policies in so far as payment of school fees is concerned. This is in line with transformation policies transforming apartheid education system where per capita in-come was per race group not economic status. Exemptions are divided into four categories, namely, the full exemption, the partial exemption, the conditional exemption and the no exemption.

The exemption policy is in line with the country's new democratic policies aiming at transforming South Africa and South African Education *per se*. Those policies are the Constitution of the Republic of South Africa (Act No. 108 of 1997), The Equity Act (Act No. 55 of 1998), National Education Policy Act (Act No. 27 of 1996), South African Schools Act (Act No. 84 of 1996), Employment of Educators Act (Act No. 76 of 1998).

2. BACKGROUND AND RATIONALE

National Party won 1948 election because of its programme of Apartheid "Colour Policy" offered by D. F. Malan. The programme aimed at separating the races of South Africa and based on the ideology of discrimination (Govender, Mnyaka and Pillay 1999:169). Education policies were part of discriminatory nature of South African society. Ideology of J. N. Le Roux was pursued who made such a statement in 1945 "We should not give the native any academic education" (Govender, Mnyaka and Pillay 1999:180). During this period education system was structured in the manner to maintain racial domination rooted on the ideology of White supremacy and racial segregation (Govender, Mnyaka and Pillay 1999: 180). Per capita expenditure of different population groups further unveil the different segregation of the past (Perold and Butler, 1986:98-101).

From 1990 February 2, the former President F. W. De Klerk in his address of the parliament initiated fundamental changes to the political scenes and set the road to democracy in motion by removing the ban of ANC, PAC and SACP. He continued by releasing political prisoners from these parties. He lifted the state of emergency, reduces detention term and announced the immediate release of Nelson Mandela, which took place on the 11th of February 1990 (Govender, Mnyaka and Pillay 1999:232-234). On May 2, 1990 “Talks about talks” were held by National Party and ANC traced the road to democracy at Groote Schuur (Govender, et. al. 1999:235). This was followed by meeting of domestic major political parties to thrash out political issues in South Africa.

After the 1994 elections, Education System had to transform with the transition of government from apartheid rule to democracy. The 19 education departments in 4 racial education systems were amalgamated and the newly elected parliament amongst other things was confronted with complex task of transforming education through passing legislation that would bring about change. The first major policy was the White Paper on Education of 1995 (Sayed and Yansen, 2001:75). Dr Chabani Mungayi, Director General in Education speaking in an Annual General Meeting of the Joint Education Trust identified short-term priorities and what the new government was to deal with. Among others he mentioned opening of segregated schools to every South African pupils of all races and the free education for first year primary learners. For other grades payment was to follow gradually (Sidiroporous, Jeffery, Mackay, Gallocher, Forger and Chipps: 1996: 132)

Alongside was the Constitutional Assembly, which prepared the Constitution of the country from 1994 to 1996, that is, the Constitution of the Republic of South Africa (Act 108 of 1996). This constitution took effect on the 4th of February 1997 (Rautenbach, and Malherbe, 1998:2-3). Policies, Manuals and documents were and are continually made, reviewed and rectified to pursue transformation processes, practices and to entrench democracy.

3. TRANSFORMATION POLICIES

There were a number of policies that were formulated to entrench democracy in South Africa. The few mentioned below are some of the policies underpinning education transformation in South Africa.

3.1 Constitution of the Republic of South Africa, Act 108 of 1996

The Constitution of the Republic of South Africa Act 108 of 1996 which is the highest law of the country and any laws or conduct must be in accordance to it clearly recognises the everyone's right to basic education. It requires school education to transformed and democratised in accordance with the four values and principles on which a democratic state is based.

The values are:

- Human dignity, the achievement of equality and advancement of human right and freedom
- Non-racism and non-sexism
- The rule of law applies and
- All adults must be able to vote and there must be regular elections, a multi-party system of democratic government, accountability and openness (Potgieter, Visser, van der Bank, Mothata and Squelch 1997:5-6).

3.2 The Bill of Right

The Bill of Right is chapter 2 of the Constitution of the Republic of South Africa. It is the cornerstone of the democracy in South Africa. The rights in the Bill of Right are specially protected. The special protection makes it more difficult for to be changed by parliament than any other laws or even provision of the constitution and to provide the court to exercise control to ensure that the rules on the limitation of rights are observed (Rautenbach and Malherbe, 1998:8)

Section 29 of The Bill of Right gives amongst others:

1. Everyone has the right to:
 - (a) Basic education including adult basic education
 - (b) Equity
 - (c) The need to redress the results of past racially discriminatory laws and practices (Constitution of the Republic of South Africa, Act 108 of 1996: 14)

3.3 National Education Policy Act 27 of 1996

According to this policy the National Education Policy Act 27 of 1996 (NEPA), education in nine provinces to be constituted by one national and nine provincial education ministries as opposed to the nineteen racially and ethnically defined departments of education under apartheid (Sayed and Jansen, 2001:101). Section 3 of NEPA states clearly in support of Sayed and Jansen that:

- Minister shall determine national education policy in accordance with the provision of the Constitution and this Act.
- In determining national policy for education institution, the Minister shall take into account the competence of the provincial legislature in terms of section 146 of the constitution, and the relevant provision of any provincial law relating to education.
- Subject to the Constitution, national policy shall prevail over the whole or a part of any provincial policy on education if there is a conflict between the national and provincial policies (Policy Handbook for Educators, 2003: A-3).

3.3.1. Admission Policy for Ordinary Public School

The Minister of education, after consultation with each member of the Council of Education Ministers gave notice in terms of Section 3(4) (i) of the NEPA that of protecting every person against unfair discrimination within or by education department or education institution on any ground whatsoever, the admission policy for learners to ordinary public schools as set out in the schedule (Policy Handbook for Educators, 2003: A-9).

Section 10 of this policy allows a learner to be admitted to the total school programme and not to be suspended from classes, denied access to cultural, sporting or social activities of the school, denied a school report or transfer certificate or otherwise victimised on the grounds that his or her parent:

- (a) Is unable to pay or has not paid the required school fees (Policy Handbook for Educators: A-10).

3.4. South African Schools Act No. 84 of 1996

This Act, according to its Section 2, applies to school education in the Republic of South Africa. In section 2(3) give provincial legislature powers to enact legislation in their provinces for school education in accordance with the Constitution and this Act. In this Act Section 3 oblige the attendance of school by learners. Parents and Ministers to make sure that this policy are effected (Policy Hand book for Educators, 2003: B-5).

Section 5 of this Act is against unfair discrimination of learner admission in any way. Sub-section 3 of this Section as in Admission Policy of Learners, also state that learners may not be refused admission in a public school on the ground that his or her parent:

- Is unable to pay or has not paid the school fees determined by the governing body (Policy Handbook for Educators, 2003: B-5)

3.4.1. National Norms and Standards for School Funding

In October a Draft National Norms for School Funding in Terms of the South African Schools Act of 1996 was published for discussion (Sidoropoulos, Jeffery, Mackay, Forgey, Chipps and Corrigan 1998:175). The Minister of Education, after consultation with other Council of Education Ministers, the Financial and Fiscal Commission and the Minister of Finance gave notice in terms of:

- Section 35 of SASA as it state that minister must determine norms and minimum standards for funding of public schools after consultation with the said bodies.
- Section 39 (4) the exemption of parents who are unable to pay school fees (Policy handbook for Educators 2003: B-18) and section 48(1) dealing with subsidies of public and independent schools (Policy Handbook for Educators, 2003: B-20).

Dr. Trevor Coombe who was a deputy director general of education, view the document as it aimed at encouraging private funds into the system and save money consumed by state bureaucrats by devolving financial management to schools with capacity. Schools in each province were to be ranked according their level of poverty and the condition of school. The Provincial Education Department was to target the poorest 40% of schools for redress first.

The document proposed the following:

- Provincial education department to pay 70% of the running costs at poor schools and 30% in wealthier schools.
- Parents to negotiate school fees based on assessment of their ability to pay. Parents earning less than 30 times annual school fees charged by the school to be eligible for total or partial exclusion of fee payment.
- Cost of teachers to be initially paid by the provincial departments based on agreed pupil/teacher ratios.
- Independent schools were not to qualify for funding unless they were registered with provincial education and were operational for at least a year (Sidiropoulos, et. al, 1998:175-176).

3.4.2 Exemption of Parents from the Payment of School Fees, Regulations 1998

This is another policy which the Minster of Education after consultation with the Council of Education Ministers and the Minister of Finance made the regulation under Section 39(4) and 61(h) of SASA basically exempt parent from paying school fees if according to 3(1):

- Combined annual gross income of the parents is less than ten times the annual school fees per learner, the parent qualifies for full exemption;
- Combined annual gross income of the parents is less than thirty times but more than ten times the annual school fees per learner, the parent qualifies for partial exemption and if the combined income of the parents is more than thirty times the annual school fees per learner, the parent does not qualify for exemption.

Parent who wishes to be exempted from payment of school fees for each individual learner at a school according to 4(2) must apply in writing to the chairperson of the governing body in an application form for exemption from payment of school fees and the application should be accompanied by document supporting information of the applicant (Policy Handbook for Educators, 2003: B58-59).

4. CONCEPT EXEMPTION

Exemption is the act of exempting or state of being exempt. It also means freedom from any charge or obligation to which to which others are obligated (Webster, 1976:795) It may also mean process of freeing or state of being free from an obligation or liability imposed on others (Pearsall, 1999:643). In South African Schools Act No. 84 of 1996 exemption means the total, partial or conditional exemption of parents who are unable to pay school fees (Policy Handbook for Educators, B-18). The exemption policy does not prevent those eligible for exemption from freely deciding to waive exemption (Policy Handbook for Educators 2003: B-55)

5. CATEGORIES OF EXEMPTIONS

The National Norms and Standards for School Funding categorises exemptions into four. There is a full exemption, partial exemption, conditional exemption and the no exemption (Policy Handbook for Educators 2003: B-54).

5.1 Full Exemption

This is when a parent is totally exempted from payment of school fees. For parents to qualify for full exemption

- Both parents combined annual income should be less than 10 times annual school fees per learner.
- A person with the responsibility of the learner placed in the foster home, foster care, or a place of safety (Policy Handbook for Educators 2003:B-54)
- Parents whose condition of finances change for the worse during the school year may apply for full exemption (Policy Handbook for Educators 2003: B-55)

5.2 Partial Exemption

This is when a parent pays a part of the school fees not the total amount agreed to at the parents general meeting determining school fees amount to be paid (National Norms and Standard for School Funding 1998: 6-3). For parents to qualify for partial exemption:

- Combined annual gross income of the parents must be less than 30 times but more than 10 times annual school fees per learner.
- Partial exemption on sliding scale may be brought from intermediate income multiples between 30 times and 10 times.

5.3 Conditional Exemption

Parents may qualify for conditional exemption. The criteria for making up this exemption are related to special circumstances affecting a parent's ability to pay. This condition allows for extra ordinary situations that may arise on the side of the parents making them unable to pay (National Norms and Standards for School Funding 1998: 6-15)

5.4 No Exemption

This applies to the parent who should pay the total amount of school fees as agreed to at the general parents meeting of determining the school fees for the school. The combined annual gross income for the parent should be more than 30 times the annual school fees per learner (National Norms and Standards for School Funding 1998:6-12).

6. APPLICATION PROCEDURES FOR EXEMPTION

The School Governing Body must notify all parents of the amount of school fees to be paid and the equitable criteria for exemptions. Parents, who wish to be exempted from paying school fees for each individual learner at a particular school, must apply in writing to the chairperson of the School Governing Body preferable within the first term of the school year.

Parents applying for exemption must furnish the School Governing Body with sufficient information on request, which will enable the School Governing Body to determine whether such request meet or not the criteria for exemption and the category the applicant falls. The applicant must prove on balance of probabilities that the information supplied by him or her is correct. Information from the applicant that can assist the SGB to decide whether the applicant qualifies or not for exemption could be some of the following:

- Unemployment Card
- Affidavit from the police
- Letter of confirmation of unemployment from local Councillor or local Priest
- For working parent a salary advice is requested.

7 FINANCE COMMITTEE

The SGB appoints a sub-committee called the Finance Committee comprising of parents, teachers, learners and co-opted members to assess the applications and verify the furnished documents whether they meet the criteria for exemption or not. This

committee will advise the SGB on each application whether to be exempted or not. The SGB can make a final decision per application and inform in writing the applicant whether he or she has been granted exemption or not.

8. GRIEVANCE PROCEDURES

If the applicant is not satisfied with the decision of the SGB concerning non-exemption, the applicant can communicate with the SGB within fourteen days of receiving the notification. The SGB on receiving the communiqué from the dissatisfied parent(s), may invite such parent(s) for discussion on the non-exemption issue.

Should the parent(s) still not be satisfied with the upheld decision of the SGB, parent(s) may lodge a grievance with the Head of Department within thirty days of receipt of letter informing him or her about the outcome of the request. He or she must furnish the Head of Department with reason for appeal and all relevant information pertaining to the appeal (Policy Handbook for Educators 2003: B-59). The Head of Department within fourteen days of receipt of the grievance must:

- Notify the chairperson of the governing body concerned of the appeal that has been lodged
- Furnish to the chairperson the copy of the appellant's reasons for appeal, and
- Request the chairperson to forward to him or her within fourteen days after of the request:
 - (i) Minutes of the meeting of the governing body at which the application was discussed and was decided upon
 - (ii) Any comments the governing body wishes to make with regard to the appellant's reasons for appeal and
 - (iii) Any other information relevant to the appeal.

The Head of Department after consideration of all information from the appellant and School Governing Body must within fourteen days of receipt of School Governing Body documentation uphold the appeal in full, partial, conditional or dismiss the appeal and inform the appellant and the chairperson of the School Governing Body

concerned in writing of his or her decision and reasons therefore (Policy Handbook for Educators 2003: B-58&59).

9. REFLECTION

Schools cannot only function effectively on school fees paid by parents. The school fees can supplement the amount the school gets from the Department of Education, the Annual School Norms and Standards, donations and fundraising projects.

Principals of schools and School Governing Bodies can learn from Loran Klaasen, the principal of Saxonsea Primary School in Atlantis. She was appointed the Principal of the school in 1997. The entrance hall is laminated with amongst other things display cheque hand-over, vegetable community garden projects, sponsored walk that raised R80 000.00 rands. To add on what were on the wall was a donation received mid September year 2005, the R20 000 donated to the school's hydroponics garden and R5 000 donated to her personally for the good work done (The Teacher 2005:1).

Local example of the committed principal and his school Governing Body is the project the School's Principal and his School Governing Body of classrooms construction and paving of dusty school ground. The Primary School is in the area where the study was undertaken, "I have built six classrooms and paved the dusty grounds from the gate to the school. This road now joins the secondary road going past next to our school. The whole project was amounted to approximately R1.2 million. The entire amount to fund this project was the Department of Education".

Schools can also chant the ill practices, which are by the way illegal such as removal or chasing away from schools of learners who have not paid school fees as grade 6 evaluation unveils (the Teacher 2006: 14). In Soweto and in some deep rural schools of KwaZulu-Natal where Silumko Radebe a field worker at Wits University's education policy unit found some cases of pupil's report card withheld because of non-payment of school fees (the Teacher 2006:4).

10. METHODOLOGY

Different methods and techniques were used to collect data. Data is any material collected to provide clues of what the researcher is studying (Jameson 1999:6). The sources of data were primary sources. Those are sources of information like Acts, Department of Education Policies, Articles, and verbal interviews on one to one basis and focus groups. Qualitative approach will be employed. Data is collect in four schools of Pinetown District, city of Durban Circuit, and Dassenhoek Area. This data was collected from the School Management Teams, the Post Level One Educators, The Learners, and some members of the community.

10.1 FOCUS OBJECTIVES

The main objectives of this study are to unveil the primary aim of this policy, which is to exempt parents who are unable to pay school fees because of their financial status. It aims at curbing schools from expelling learners whose parents have not settled their children's school fees. It was further looked at whether this policy is employed in schools by Principals and the School Governing Bodies in schools or not.

10.2 SAMPLE METHOD

The sampling method used in this study is purposive sampling method. This sampling method was used because it selects 'cases with specific purpose in mind. It was generally used to select unique and informative respondents and specialized population (cited by Lawrence, 1997:206 in Zuma, 2004:49).

The sample consisted of people who are involved in the teaching profession in Department of Education in this area Dassenhoek which is under the City of Durban Circuit, Pinetown District, eThekweni Region in kwaZulu-Natal Province where a study was undertaken parents, learners and political appointees of the community. The sample was from four schools, primary and post primary schools. The sample was as following levels:

Table 1: Levels

Bureaucratic level	Number of interviewees	Number responded
SMT Members	4	3
Post level One Educators	8	8
Parents	8	8
Learners	4	4
ANC Ward Leadership	3	3

10.3 DATA COLLECTION

The research approach employed was qualitative research approach. The reason of using this approach was because:

- It has it has multiple realities; in this study there are a number of officials involved in teaching profession.
- It gives understanding of social situation from participants' perspectives
- It is flexible, allows changing strategies and designs which emerges as data are collected
- It is idiographic as it aims to understand the meaning that people attach to the policy (cited by Mc Millan and Schumacher, 1997:17 in White 2003: 14) and
- Data are in the form of words, sentences and paragraphs rather than numbers (Neuman, 1997: 327).

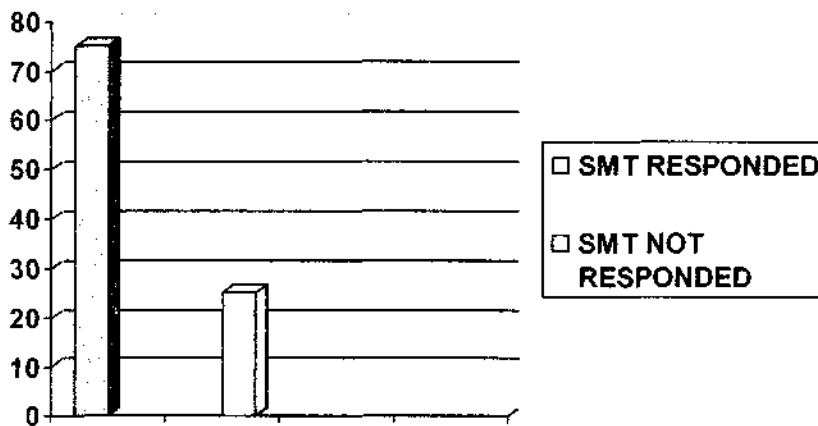
Questionnaires were asked to interview respondents. They were to respond verbally. Both structured and semi-structured interviews; open and closed ended questionnaires were employed. Structured interviews were asked in the same order with the same wording to incorporate attitude and to control content more rigidly. The semi-structured interviews were employed to a number of respondents were visited with the intension of getting even their personal experience of this policy (Jameson 1999:8).

10.4 DATA PRESENTATION AND DATA INTERPRETATION

A number of respondents were visited for data collection. Data was collected from both sexes i.e. males and females of different ages to curb gender biasness and age stereotypes. Educator personnel's on Post level One and educators on School Management Team, learners in post primary school, local African National Congress (ANC) Municipal Ward Leadership were interviewed to get their perception of the study. ANC was selected because the Ward Councillor is from the ANC; it is the party of majority in the area and also the active party in so far as community development in the area is concerned.

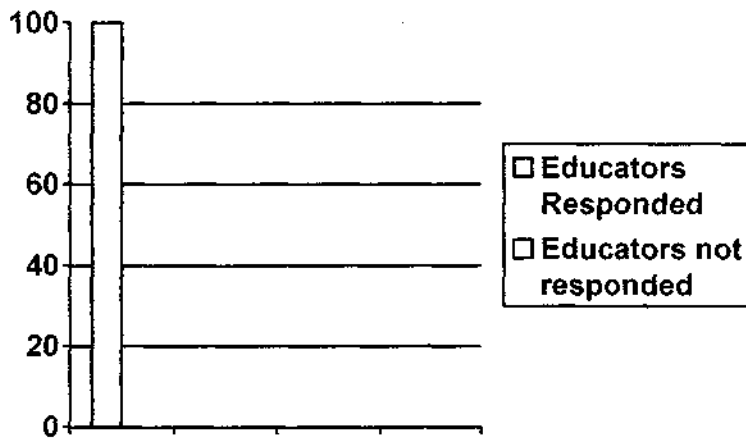
SMT : There were 3 members from SMT out of 4 members, one member from each school who responded. That was 75% response. The one SMT member of the fourth institution could not be consulted because of fear that looking for information could be viewed as a personal attack because of having an idea of what is happening in the school. The human rights in this institution are grossly violated.

Figure 1: SMT RESPONSE



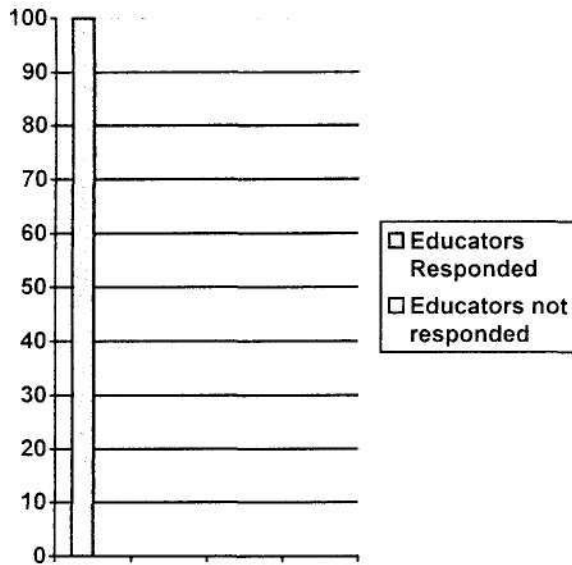
Educators : Educators who are post level one in the sample schools were interviewed and all responded. The response was 100%. The figure below indicate 100% of educator response

Figure 2: Educators response



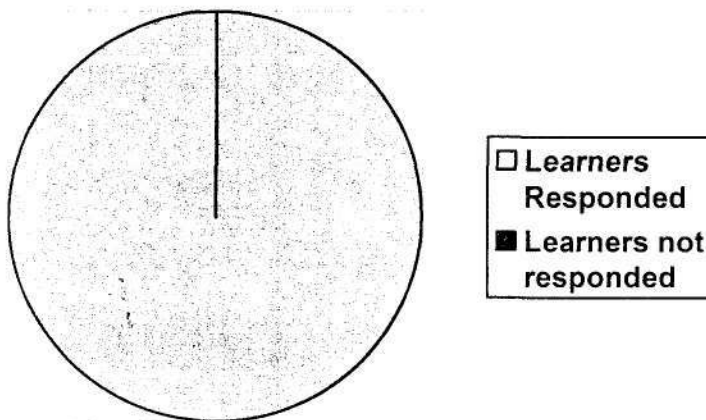
Parents : Parents were interviewed and all 8 forming a sample responded. The response was 100%. The figure below reflects 100% response.

Figure 3: Parents response



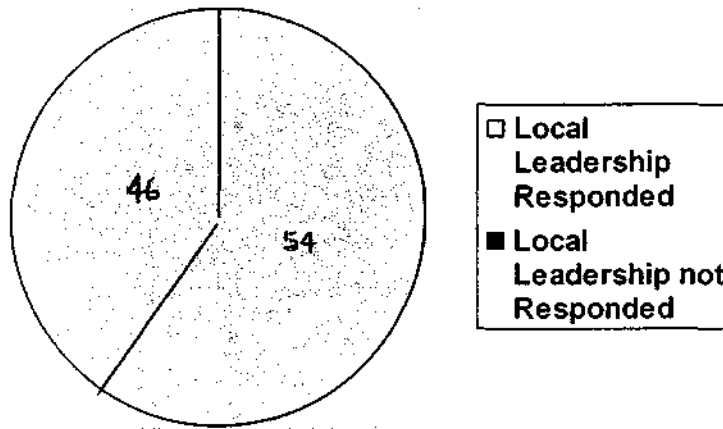
Learners : Learners were of post primary school were interviewed. The four approached responded. The response was therefore 100%.

Figure 4: Learners Response



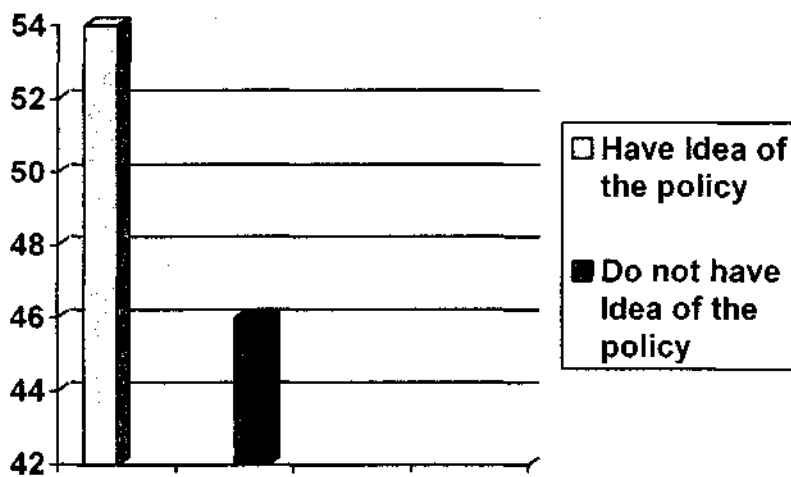
Local Leadership: The leadership of the area was also visited. The 3 interviewed responded. The response was then 100%. The figure below indicates the 100% response of the local area leadership.

Figure 5: Local Leadership Response



Idea of the policy: The 3 respondents from the SMT, 8 respondents from Post Level One Educators and 3 respondents from local community leadership makes a total of 14 respondents who have an idea of the policy. The remaining 12 had no idea of the policy. The figure converted to percentage reflects that 54% have an idea of the policy and 46% does not have an idea of the policy.

Figure 6: Idea of the policy



Policy practice: The policy is not practice in all 4 schools forming the sample but primary school does honour some parts of the policy. They give parents who did settle their children's school fees reports at the end

of the year. They the primary schools with one of the senior primary school in the area forming the sample of this study honour right to education because they allow learners to be in class.

10.5 DATA ANALYSIS

From the study, I concur with the English proverb that state that, “Money is the root of evil”. People do everything for money. Though there are policies curbing people from doing the wrong and directing them towards the right practise. People will still do wrong. They are for an idea that practicality works not the law (Bhengu, 2005:75) School principals are doing what can end up putting them behind bars by overlooking the contents of the policies.

“Their eyes are wide shut: poverty is a present absent”. They seem like they do not see poverty in the area (Bhengu, 2005:113). People are not working in the area. The admission book, the physical appearance of learners and parents are also stating on parents meeting that they are unemployed. Department of education introduced feeding scheme in primary school to try alleviating poverty. In one post primary school forming a sample there is a feeding scheme because of the said poverty in the area.

The school fees in one of the sample school were raised to R500.00 in 2006 where parents were failing to pay R350.00. Learners could not get their reports when it was still R350. Response of a former learner of the school was, “I matriculated in 2002, but to date I did not get my certificate if my statement because my parent could not afford school fees. I am so unlucky because I am not working. Should I get employed the first thing I will do will be to settle the school fees so that I will get my certificate”.

Learners whose parents could not pay last year were without progress reports. On their arrival this year were not aware whether to go to the next grade or not. They

were locked outside the gate and those who came for admission this year without school fees. This confirms what Bhengu's ideology.

Local leadership is perceived to believing in corrective measures rather than radical changes. "We dead locked when trying to speak to the principal of that school. We manage to come into terms with that school's principal. Where we deadlocked we ended up convincing the school tactically. That was when learners were allowed to enter".

11. RECOMMENDATIONS

The department make sure that they see to it that policies in school are honoured. Brain drain in the teaching profession is amongst other things caused by frustration and ill practices one witness in school of which the department is doing nothing about. Departmental official may be informed but will not even attempt to solve that emanating problem.

Articles do come on newspapers on human right's issues but one hardly get to read that an action was taken to those offenders. The department is to stand on its toes to curb these ill practices.

12 CONCLUSIONS

This study was to assess whether exemption policies are practiced in schools. It is disturbing to learn that institutions of light are in the dark. Schools should make it a point that they pace themselves with time. It is disappointing to see the institution of light being in the dark because of failing to pace them. Transformation in South Africa is to be in its last stages when one looks at the age of our democracy. Principals of schools should open their eyes and see our practical world not their theoretical ideal world.

Principals in their cabinets seem like they keep documents with rich knowledge and fail to empower themselves. Other than that, they are purposefully breaking the law because of their informed idea. One wonders, "what that idea is?"

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