

**The No-fee Schools Policy: A Case Study of Policy Implementation in
Four KwaZulu-Natal Schools.**

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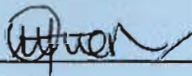
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Declaration

This dissertation, is submitted for the degree of Master of Social Science (Policy and Development Studies), and describes the work undertaken at the University of KwaZulu-Natal, Pietermaritzburg, under the supervision of Ms A Stanton between July 2007 and December 2007.

I declare that this work is the result of my own research, unless specifically indicated to the contrary in the text. This dissertation has not been submitted in any form for any degree or examination to any other university.

I hereby certify that this statement is correct.

Signed: 

Date: 13/12/2007

Acknowledgement

I would like to express my gratitude to the Department of Education employees who made themselves available for interviews. Sincere thanks to the teaching staff from the Policy and Development Studies discipline and in particular Ms. Anne Stanton who gave me the direction needed to complete this research project.

To my family who have supported me throughout this process, thank you for your encouragement and understanding. In nome del padre e del padre e del santo spirito.

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Abstract

Education under the apartheid system was governed by the notion of separate development for each race. After the democratic elections in 1994, education policy has undergone numerous changes. The current Department of Education (DoE) is tasked with the responsibility of ensuring quality education to both advantaged and disadvantaged schools in order to eradicate the inequality fostered by the education policies of the apartheid regime.

The inability of parents to pay for school fees was identified as the key determinant in access to schooling. So, although access to equal standards of education was theoretically equal, not all eligible children were attending school. To remedy this situation the Department of Education presented a broad policy statement in which it pledged to provide free education to those who could not afford school fees. This became part of the Education Laws Amendment Bill (2004) and is referred to as the no-fee schools policy. The no-fee schools policy was introduced in 2006 and is currently implemented at approximately 14 000 schools (Department of Education, 2006).

Newspaper articles such as "Schools Run Out of Money" which appeared in the *Mail and Guardian* (13 May 2007) suggest that the no-fee schools are experiencing implementation problems. The aim of this study is to determine why this is so. This aim was achieved by firstly examining the literature on policy, policy implementation and street-level bureaucrats by consulting secondary sources such as Lipsky (1980) who examines public service workers, Parsons (1995) and Pressman and Wildavsky (1983) who examined a number of factors that influence policy implementation. Secondly, the policy framework for education in South Africa was then determined by analysing government legislation. Thirdly, primary data was collected from four schools in the Ukhahlamba region in KwaZulu-Natal that have been categorised by the Department of Education as no-fee schools. The primary data was then analysed by: (a) looking for references to the theoretical concepts discussed and (b) determining the degree of congruence between the legislative framework and the manner in which the policy is being implemented. The main finding of this research project was that schools do not possess the necessary capacity to implement the no-fee policy in its current form.

Chapter 1

Introduction

1.1 Background to Study

The no-fee schools policy was introduced in 2006 and is currently implemented at approximately 13,800 schools (Department of Education, 2006). As this policy is new, there is little independent research on the implementation of the no-fee policy.

The broad research problem of the study concerns the difficulties being experienced in the implementation of the no-fee schools policy. Articles in the *Mail and Guardian* (13 May 2007) and *Weekend Post* (20 January 2007) point to the difficulties faced by no-fee schools. The *Mail and Guardian* (13 May 2007) reported that principals have been forced to cut back on essential services such as security and auditing of school finances, because the schools have less revenue currently compared to when fees were charged. The *Weekend Post* (20 January 2007) states that a negative side-effect of the no-fee schools policy is that parents who are able to pay school fees, send their children to no-fee schools. Such experiences have been the motivation for this study to explore the problems associated with policy implementation in more detail.

Issues such as these raised by the media have motivated me to uncover what some of the underlying policy implementation problems are. Difficulties experienced in the implementation of the no-fee schools policy may be due to the prevailing socio-economic conditions as well as the severity of the backlogs inherited from the apartheid system. Other reasons for implementation failure can be because of the abuse of the policy for example when more affluent parents send their children to no-fee schools in order to avoid paying school fees. This results in the intentions of the policy being thwarted. This study examines the importance of acknowledging implementation problems, for example the importance of capacity in policy implementation. The lack of financial capacity facing the no-fee schools force the schools to implement the policy only as much as they can. This can lead to

implementation failure. These schools rely heavily on national government funding to compensate for their “loss” in school fees.

The no-fee schools policy is a typical example of a policy that seems to be good on paper but is difficult to implement. The aim of this study is to determine why this is so. Although this study will focus primarily on the implementation of the no-fee schools policy, the study also relates to the broader issue of how the Department of Education is responding to the policy issues it is faced with. The no-fee schools policy is analysed against the broader education policy context in South Africa.

1.2 Structure of the Study

The study will begin by examining the literature on policy, policy implementation and state capacity by consulting secondary sources such as Lipsky (1980) who examines public service workers. These workers are those that interact directly with the public and thereby influence how policy is implemented. Lipsky (1980) refers to these public service workers as street-level bureaucrats. Other authors such as Parsons (1995) and Pressman and Wildavsky (1983) and their arguments on policy implementation will be examined. These theories will inform the analysis of the no-fee schools policy.

The no-fee schools policy is not a single policy document, but is derived from various legislative sources. It is therefore crucial to establish the policy framework for education in South Africa. This will be determined by analysing key education policies and government legislation which includes: the *South African Schools Act* (84 of 1996) and the *Regulations for the Exemption of Parents of Payment of Schools Fees*, (2004). Once the education policy framework has been established and the no-fee schools policy has been described, the study will then pursue empirical research by presenting a case study.

1.3 Research Methodology

The case study will be guided by qualitative research. Qualitative research is research conducted in the natural setting of social actors. The primary aim is to understand actions that are context specific rather than aiming to generalise the results to the theoretical population. The perspective of the social actor is emphasised (Babbie & Mouton, 2001: 270).

In terms of the qualitative approach, the focus is placed more on collecting specific cases that provide insight into a particular research topic, than on ensuring representivity of the sample (Neuman, 2003:211). In other words, the aim of qualitative research is to increase the range of specific information that is context specific (Babbie & Mouton, 2001: 277). The type of sampling that will be used in this study is purposive sampling. This sampling technique uses the judgement of the researcher to determine the makeup of the sample.

Primary data will be collected from four schools in the Ukhahlamba region that have been categorised as no-fee schools. This region is located in the Uthukela District in KwaZulu-Natal. This region was chosen as 21% of the no-fee schools in KwaZulu-Natal are located in it (Department of Education, 2006).

The four schools are situated in different socio-economic areas. School A is located in an urban area. School D is located in a peri-urban area and School B and School C are located in rural areas.

The *South African Schools Act* (84 of 1996) stipulates that schools must be managed by a school governing body (SGB). Each SGB is comprised of parents of learners, administrative staff, academic staff, learners and the principal. The respective SGBs, are responsible for the implementation of the no-fee schools policy. Hence the principals of each of the four schools were interviewed. To gain insight into the

Department Of Education's (DoE) views on the implementation of the no-fee schools policy, a Senior Education Manager (SEM) was also interviewed.

The respondents were given a letter of consent, which outlines the purposes of the study and the objective of the interview. In this study all five of the respondents agreed to take part in the study, they will be interviewed individually. The purpose of conducting a qualitative study is to gain an in-depth understanding of the research topic (Babbie & Mouton, 2004). The use of open-ended interviews is one method of gaining such information. In such interviews there are no fixed questions. The interviewer instead has a general plan of inquiry (Babbie & Mouton, 2004). This topic may be viewed as a sensitive one as those who are being interviewed may be hesitant to raise complaints. However, this was circumvented by stressing to the respondents that their participation and opinions are confidential. The schools will be referred to as: A, B, C and D. the respondents responses will then be differentiated, for example, as the principal of school A.

The data gained from the interviews was transcribed and analysed. The content of the transcribed interviews was analysed by looking for references made to:

- Understanding of the no-fee schools policy,
- Existing implementation strategies,
- Difficulties experienced in implementation,
- Coping mechanisms adopted, and
- Recommendations made.

1.4 Outline of Study

Chapter 2 provides a theoretical framework which informs the rest of the study. Chapter 3 contextualises the no-fee schools policy by looking at the broader education policy framework in South Africa. Included in this chapter is a discussion of the legislation that pertains to the no-fee schools policy. Chapter 4 uses a case study to

examine the implementation of the no-fee schools policy from the perspectives of those involved in the policy's implementation. Chapter 5 aims to analyse the data gained from the respondents that were interviewed based on the theoretical arguments discussed in Chapter 2.

Chapter 2

Public Policy

2.1 Introduction

Policy refers to any prescribed plan or course of action. Policy is differentiated from public policy, as public policy a plan or course of action as the result of government decision-making (Howlett & Ramesh, 1995: 4). The public policy process consists of a number of interrelated components. This chapter seeks to identify and examine these components. The rationale behind this examination is to provide a theoretical framework to analyse the no-fee schools policy. As the study is focussed on the implementation of the no-fee schools policy, emphasis will be placed on policy implementation.

2.2. Definitions

There is no universally accepted definition of public policy. Various public policy authors have formulated definitions that embrace different aspects of public policy (De Conning, 2004: 11). Examples of definitions include Ranney (cited in De Conning, 2004:11) who defines policy as:

...a declaration and implementation of intent.

Easton (cited in De Conning, 2004:11) defines public policy as:

...the authoritative allocation through the political process, of values to groups or individuals in the society.

Baker (cited in De Conning, 2004:11) views public policy as

...a mechanism employed to realise societal goals and to allocate resources.

A comprehensive definition is offered by Jenkins (cited in Howlett & Ramesh, 1995: 5) who conceptualises public policy as

...a set of interrelated decisions taken by a political actor or group of actors concerning the selection of goals and the means of achieving them within a specified situation where those decisions should, in principle, be within the power of those actors to achieve.

Jenkins (cited in Howlett & Ramesh, 1995:5) views public policy as a process rather than a choice or a single decision. Public policy involves a series of deliberate and inadvertent decisions. Government capacity is an important consideration in the decisions that are made. Jenkins (cited in Howlett & Ramesh, 1995:5) acknowledges that limited resources and limited capacity can limit the scope and nature of policy options available (Howlett & Ramesh, 1995:6). The goal-oriented nature of public policy is also evident in this definition. For the purposes of this research, policy will be used synonymously with public policy as most of the authors do not make such a distinction.

2.3 Policy Analysis

The study or analysis of public policy involves examining the process contextually. It is insufficient to only examine the content of public policies; instead factors such as the policy regime must also be examined. Factors that should be examined include:

- The content of public policies,
- Environmental impacts on policy content,
- Organisational influences on policy, and
- The impact of policies on the public (Dye cited in De Conning, 2004:13).

Dunn (cited in De Conning, 2004:12) states that numerous methods can be used to analyse public policy. In this manner, policy analysts can examine the various components of each public policy and design new and hopefully more effective policies.

A popular method of analysing a public policy is to break the policy process up into various stages. The sequence of stages is referred to as the policy cycle. Howlett & Ramesh (1995: 10) argue that the policy cycle is not accurate as it oversimplifies the policy process by isolating each stage and then reassembling the process. However, breaking the public policy process down can facilitate the understanding of public policy. This allows case studies to be undertaken. This analytical approach also allows for the examination of all the actors (both individuals and institutions) in the public policy process.

Colebatch (2002: 50) identifies six stages in the policy process. These are: (1) identifying the policy problem, (2) agenda setting, (3) identifying alternative solutions to the problem, (4) choosing the most feasible alternative, (5) implementing that alternative as a policy and (6) evaluating the impact of the policy. Colebatch (2002) also typifies the stages as a policy cycle. It is however important to note that this is a limited strategy for analysis as it assumes that policy takes place in this particular order without identifying what drives the process from one stage to the next. This analytical model is however useful in identifying the different processes that are involved in the policy process. Figure 2.1 illustrates the policy cycle:

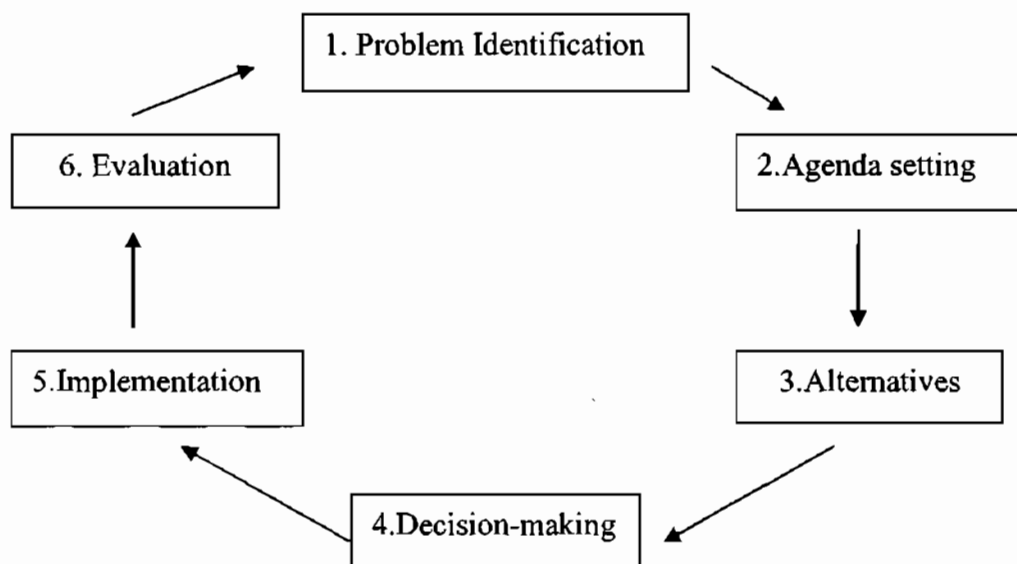


Figure 2.1: The Policy Cycle

Adapted from: Colebatch (2002: 50)

The policy cycle begins with **problem identification**. Problems can be identified through routine monitoring activities. Such activities include censuses. Through such activities researchers can pick up changes in expected trends. These changes are referred to as indicators (Kingdon, 1995: 91). For example, exponential rises in school dropouts would signal a social problem. Problems can also be identified when a crisis or salient event occurs (Kingdon, 1995:95). Power outages, floods and public sector strikes lead to the identification of social problems. Problems may arise when existing policies no longer solve the social problems that they were intended to.

Once the policy problem has been identified, a process of **agenda setting** takes place. Not all policy problems are brought before the relevant authorities. The process of planning action that is directed at prioritising a certain problem in order to mobilise the authorities to take action is agenda setting (Meyer & Cloete, 2004: 98).

Once a policy problem is on the relevant authority's agenda, **alternative solutions** to the problem are formulated. These alternatives are then assessed, which initiates the

decision-making process. The decision lies in determining which one of the alternative policies is going to be implemented (Eton, cited in Parsons, 1995: 245). Parsons (1995: 245), however, argues that decision-making is a complex process that occurs throughout the policy cycle.

The focus of this study is to examine the implementation of the no-fee schools policy by the administration of four schools in KZN. This study will therefore focus on the last two stages of the policy-making process, namely policy implementation and policy evaluation.

2.4 Policy Implementation

Implementation can be viewed as policy in action. In other words, implementation is the manner in which policy is carried out. It can be conceptualised as the study of change and how it occurs (Parsons, 1995:462). Implementation refers to all the actions (or conscious lack of action) by individuals or groups that are directed at achieving the policy objectives (Parsons, 1995:462).

Pressman and Wildavsky (1973) examined issues surrounding and complicating the implementation process. Their book, *Implementation* is based on a case study of the Economic Development Administration in Oakland (USA). This policy was aimed at generating employment in the Oakland region. This was a policy response to subvert threatening riots. \$23 million was allocated to the policy. However, after 3 years only \$3 million was used (Pressman & Wildavsky, 1973: xi). The authors' study brought to light that policies might fail despite the fact that they are theoretically sound or financially feasible. They argue that the policy was a good initiative but due to poor implementation none of the goals were met. Their study emphasised the significance of implementation to public policy.

The distinction is made between public policy and the implementation of policy. Public policy refers to a broad statement of goals while implementation refers to the

achievement of predicted outcomes (Pressman & Wildavsky, 1973: xiv). They argue that these outcomes are achieved by building links in a causal chain that will lead to the desired outcome (Ibid). At each link in the chain, the policy implementer needs to ascertain who the stakeholders are and how long it will take these stakeholders to act. Faulty implementation occurs when the objectives between each causal link are not met. This could be because of:

- The lack of funds to carry out tasks,
- The lack of political will,
- The lack of capacity to carry out policy aspirations,
- An inappropriate policy, and
- The causal chain being too long which leads to unpredictability in implementation (Pressman & Wildavsky, 1973: 143).

Methods of implementation are often viewed in two ways. The first is the top-down view. In this approach, implementation is seen as a process of goal setting and directing of actions toward achieving those goals (Parsons, 1995:464). Goals are set by those at the “top” (those in authority) of an organisation. Their instructions then flow down a chain of command and are carried out by the relevant subordinates. However, for this to be workable, a number of conditions must be met. Hood (cited in Parsons, 1995:465) sets out five conditions for perfect top-down implementation. The first condition is a highly structured organisation with a well-defined chain of command. Second, the organisation must have stable patterns of practice. Third, the members of the organisation must carry out orders and instructions. Fourth, there must be no room for interpretation between the links in the chain of command. Lastly, time should not be a factor. However these conditions call for obedience to authority and perfect compliance, which is not easily achieved (Hood, cited in Parsons, 1995: 465).

Forward mapping is a method of planning the implementation process that is associated with top-down policy-making. Forward mapping is described as the approach that initially comes to mind when dealing with policy implementation

(Elmore, 1979: 602). The forward mapping process involves the formulation of specific steps in order to achieve a policy goal (much like links on a chain). The success of the process can then be measured by comparing the actual outcome with the initial desired outcome (Elmore, 1979: 603). In this process the emphasis is put on the specifics within each step or chain link. In other words for each step, the policy implementer must determine precisely what must be done and by whom in order to reach the desired outcome (Weimer and Vining, 2004: 280).

Scenario writing is one method of aiding the policy implementer to use forward mapping in policy implementation. The advantages of scenario writing are that: (1) unrealistic assumptions that are implicit may be uncovered and (2) alternate more plausible methods for reaching the desired goals are formulated (Weimer and Vining, 2004: 280). Scenario writing means that the policy implementer must try to predict the behaviour of the people involved in the policy process and influence the people to behave in a certain way. Weimer and Vining (2004: 280) suggest being “dirty minded.” This means that the implementer must look at the worst case scenario(s) and make provision for this.

According to Weimer and Vining (2004: 281) scenario writing takes place in three steps. First, a scenario or story must be written. This story must include all the relevant people who will take part in the process. It must also take into account factors such as the participants’ capacities and motivations that are relevant to the implementation process. The scenario must be drawn up as a chain of connected actions. As mentioned above, each chain link must specify who is acting, when it is going to be done and why is it going to be done. The links must lead to the desired outcome.

The second step is to critique the scenario. The plausibility of the scenario must be examined on two levels. Firstly the “plot” itself must be possible. Secondly the people involved in the process must be capable of carrying out the relevant actions and, more importantly, what can the participants do to interfere with the process and what can be done to deter this interference (Weimer and Vining, 2004: 280-1). The last step in

scenario writing is to revise the scenario. The scenario must be rewritten to address the critiques made in step 2. The shortcomings must be addressed whilst keeping in mind the desired outcome.

The bottom-up perspective is a reaction to the top-down view of policy implementation. The bottom-up perspective focuses on the implementation activities of the public service workers. It is also about planning implementation through a process of backward mapping. Backward mapping starts with an account of a specific behaviour that needs to be changed through policy. Once the behaviour has been described, a desired goal/outcome can be set (Elmore, 1979: 604). Contrary to forward mapping, policy-making is not guided by a statement of intent made by policy makers, but is an understanding of the gap between desired practice and the actual practice. The policy aims to close this gap (Dyer, 1999:48). Once the objective is established, the mapping process works backwards. At each level two factors must be ascertained. Firstly, what the ability of the organisation is to carry out the behaviour needed by the policy and secondly, what resources are needed by the organisation to carry out these actions (Elmore, 1979: 604).

The success of a specific policy is conditional. This is because success is “predicted on an estimate of the limited ability of actor at one level of the implementation process to influence the behaviour of actors at other levels” (Elmore, 1979: 604). This also includes the capability of the public sector to influence behaviour in the private sector (Elmore, 1979: 604). The advantage of backward mapping is that by focussing on the lowest levels of organisations, less centralised approaches that may be overlooked, are discovered (Weimer and Vining, 2004: 280-1).

2.5. Policy Evaluation

Weiss (1998: 4) defines the evaluation of public policy as:

...the systematic assessment of operation and/or the outcomes of a program[me] or policy, compared to a set of explicit or implicit standards, as a means of contributing to the improvements of the program[me] or policy.

The systematic component of this definition refers to the use of rigorous social scientific research methods to conduct policy evaluations. This research can be qualitative or quantitative and must conform to accepted social scientific research norms (Weiss, 1998: 4).

The second element of this definition argues that the main objective of policy evaluation is to understand the procedures that are on-going (Weiss, 1998: 5). The evaluation takes place while the programme is being implemented and is therefore process oriented. This form of evaluation is aimed at improving an on-going process. Another focal point of the evaluation process can be on the outcome of the policy or programme. This type of evaluation occurs after the completion of a programme and examines the effects of it (Weiss, 1998: 5). Such evaluation aims to examine whether the policy or programme has met its intended goals.

The fourth element of evaluation deals with the comparison of the results of the evaluation to some explicit or implicit criteria or standards. The outcome of policy evaluations can be varied. It could signal the successful conclusion of a public policy. It could also lead to the policy being modified thereby initiating the policy cycle once again. The policy could be terminated if it is considered to have failed and is irresolvable (Weiss, 1998: 5).

The last element of evaluation concerns the purpose for which it is done. Talmage (cited in Worthen *et al.*, 1997:9) identifies three common purposes of evaluation. These are (1) to judge the worth of a policy or programme, (2) to aid the decision-making process and (3) to provide a political function. The purpose of evaluation may differ according to factors such as the power priorities and interests of the stakeholders.

Various types of evaluation are available to the stakeholders depending on the purpose of the evaluation. These are:

- Formative evaluation which occurs in the early stages of a policy or programme to provide information that will contribute to improving the policy or programme (Worthen et al., 1997:14),
- Summative evaluation, which is conducted to judge the worth which is measured against predetermined goals or criteria (Worthen et al., 1997:14),
- Process evaluation is conducted during the life of the policy or programme to improve procedures (Weiss, 1998:5),
- Outcome evaluation occurs after the programme is completed or the policy has been implemented. This type of evaluation seek to determine the impact of the programme or policy and judge whether targets have been met (Weiss, 1998:5), and
- Mid-term evaluation is used to detect any problems associated with implementation so that they can be corrected (Weiss, 1998:5).

2.6. Street-level Bureaucrats

Advocators of the backward mapping perspective argue that policy analysis should focus on the public servants who carry out policy rather than on those who formulate it (Lipsky, cited in Brynard, 2004: 169). This view sees policy implementation as occurring and being altered or adopted at the subordinate level. Parsons (1995:469) argues that public service workers are those that interact directly with the public and thereby influence how policy is implemented. Lipsky (1980:13) refers to these public service workers as street-level bureaucrats.

Street-level bureaucrats include teachers, police officers and nurses. Street-level bureaucrats are characterised firstly by their direct interaction with citizens. The second characteristic of street-level bureaucrats is that they possess discretionary power. This means that street-level bureaucrats can control the type, amount and

quality of benefits and endorsements to clients (Lipsky, 1980:13). An example of this discretionary power is police officers that choose which behaviour to ignore and which behaviour to punish. This does not mean that street-level bureaucrats are not constrained by rules and regulations. They are however expected to use discretionary power. The police officer position is highly regulated by legislation. Police officers are expected to enforce the law selectively as it would be impossible and impractical to make arrests for every legal indiscretion that is witnessed (Lipsky, 1980:14). A study conducted by Maynard-Moody & Musheno (2003) illustrated that street-level bureaucrats do not use their discretionary power to ensure that all clients are treated equally. Instead, those who were interviewed made judgements concerning whether the clients were worthy of receiving the service. The judgements would in turn influence the manner in which the street-level bureaucrat responded to the client's needs.

Thirdly, street-level bureaucrats operate with some level of autonomy. This means that street-level bureaucrats can withhold their cooperation within the organisation if there is conflict between the interests of the organisation and the street-level bureaucrat. (Lipsky, 1980: 16-17).

These characteristics influence the delivery and scope of public services. Street-level bureaucrats are thus seen as the site of implementation (Parsons, 1995: 469). They act as intermediaries between the government and the public. Parsons (1995) and Lipsky (1980) both argue that public servants or street-level bureaucrats impact greatly on how policy is implemented and can influence or manipulate the way in which policy is implemented, even leading to its failure.

Lipsky (1980:29) argues that the working environment of street-level bureaucrats is often characterised by:

- Inadequate resources to perform tasks,
- Demand for service always increases to meet supply,
- Ambiguous goals, and
- Immeasurable goals.

Street-level bureaucrats often work in an environment of scarce resources. Resources such as time, money, staff and expertise are often insufficient to comply with policy mandates. In such an environment street-level bureaucrats have enormous caseloads and are often unable to meet all their responsibilities (Lipsky, 1980:29).

The second feature of the working environment is that there is always an increase in the demand for a service, which exceeds the supply of the service. In other words, the demand for public services increases to meet the increased supply. For example building an extra lane on a highway in order to relieve traffic congestion may result in more people using that highway. This results in the same amount of traffic congestion (Lipsky, 1980:33).

Another element of the street-level bureaucrats' work environment is that organisational goals are often ambiguous and conflict with each other. Here there is a conflict between the street-level bureaucrat's concern for the welfare of the individual client and the social role of the agency (Lipsky, 1980:41).

Fourth, real life experiences of implementation by street-level bureaucrats often differ greatly from the formal policy of those in authority (Lipsky, 1980: 36). In the same way policy goals in policy documents are seen as idealised. This makes these goals difficult to approach and difficult to attain. Goals must be modified into concrete objectives so that they are easier to reach (Lipsky, 1980: 40).

Decision-making in the street-level bureaucratic environment occurs under extreme stress, limited time and inadequate information. The information which street-level bureaucrats use in the decision-making process is often incomplete. This is because the street-level bureaucrat is not given sufficient resources to gain the required information. This, in addition to the limited time in which to process cases, leads to increased stress and caseload backlogs (Lipsky, 1980:27).

2.6.1. Coping Mechanisms

The environment that street-level bureaucrats work in makes one wonder how public services are delivered at all. The answer is that they develop what Lipsky (1980) terms coping mechanisms. These coping mechanisms are responses that enable the street-level bureaucrat to deliver services. Three broad coping mechanisms can be employed. Firstly, they limit the demand for the service and maximise how the resources are used. Secondly, the conceptualisations of their jobs are modified in order to utilise available resources to achieve the objectives set out. Thirdly, the conceptualisation of the client is modified (Lipsky, 1980:83). Street-level bureaucrats use their discretionary power when deciding on which coping mechanism to use. Understanding these coping mechanisms contributes to understanding the manner in which policies are implemented and the outcomes of policies. Understanding coping mechanisms also emphasises the power of street-level bureaucrats in how policy is translated into action. Lipsky (1980) discusses a number of techniques employed by street-level bureaucrats in their attempt to implement policy. These are:

- i. Limiting access and demand,
- ii. Controlling clients and the work situation,
- iii. Modification of the conceptualisation of work, and
- iv. Modification of the conceptualisation of the client.

(i) Limiting Access and Demand

Benefits and services can be rationed by limiting the demand for the service and limiting the access that citizens have to those services. This can be done by:

- Assigning costs to services, and
- Delivering services unequally.

Lipsky (1980:87) states that there is no theoretical limit to the demand for public services. As such, public service organisations ration these by determining the level or proportion of services. This is done by acquiring more public goods or by varying the allocation of a predetermined amount of public goods. Street-level bureaucrats dissuade people from demanding the public service by assigning costs to the service (Lipsky, 1980:88). Monetary costs can be assigned to public services. These costs can be direct. For example charging a fee for an identity document.

The time it takes to receive a particular service can also limit demand on services. People are sometimes forced to queue for long periods. Some clients may opt to seek services elsewhere. Time delays serve as a means of maximising the utilisation of available resources (Lipsky, 1980:90).

Restricting access to information to certain clients is another indirect cost. Some clients have access to information that allows them to manoeuvre through the system faster and better than others could. Sometimes information is accessible but is difficult to understand. It may be too technical or perceived as a complicated procedure, which may deter clients from requesting such a service. In addition, withholding information about the availability of a service also limits the demand for that service (Lipsky, 1980:91).

Psychological costs can be imposed indirectly on people, which will deter them from seeking that service. These costs include embarrassment, humiliation and degradation of the client (Lipsky, 1980:93). For example, people infected with HIV/AIDS may avoid going to a clinic that is specifically dedicated to antiretroviral treatment as this may publicise their HIV status.

Services can also be rationed by allocating them differently to different classes of people. This is referred to by Lipsky (1980:105) as inequality in service allocation. Services are differentiated because the public expects the street-level bureaucrat to respond in a flexible manner to different situations. The street-level bureaucrat is often also required to differentiate between clients. The fact is that not all citizens are

eligible to all services equally. Bureaucrats thus must set out the criteria for eligibility of receiving the service and then ascertain whether the potential client qualifies for that service. Bureaucrats often develop routines such as “creaming” (Lipsky, 1980:107). This process occurs when bureaucrats choose those clients who would most benefit from the service. Another routine is preferring some clients to others. This is known as “worker bias.” Here preference is based on some characteristic of the client such as race, or gender.

(ii) Controlling Clients and Work Situation

According to Lipsky (1980, 117), another coping mechanism employed by street-level bureaucrats is to control clients and the work situation. Here, street-level bureaucrats obtain their clients cooperation with client-processing procedures. These procedures however conform to the street-level bureaucrat’s conceptualisation of the policy. Husbanding resources is one method of controlling the work situation.

Husbanding resources refers to a strategy employed by street-level bureaucrats to conserve the resources at their disposal (Lipsky, 1980:125). The aim of conserving resources is to build a contingency resource fund that allows the organisation to respond to future situations where there is an increased need for those resources. Screening is one method of *husbanding* resources. This is the use of receptionists or secretaries to assess the prospective client, for eligibility of receiving services, over the telephone or via e-mail. This saves the bureaucrat’s time (Lipsky, 1980:128).

Rubberstamping is another method of controlling the street-level bureaucrats work situation by conserving resources. Here, the bureaucrat adopts the opinions of others as his or her own. Bureaucrats are often forced to assume to opinions of others due to time and information constraints (Lipsky, 1980:129). Bureaucrats adopt the information from professionals who are assumed to have legitimate insights (Lipsky, 1980: 131). For example, teachers will look at a child’s report and adopt the judgements of the previous teacher.

Using referrals is also used to conserve resources. Referring a client from one organisation to another is usually done when a client has a need that can only be met by that particular organisation. Organisations may also use this technique of processing clients without using resources. For example patients can only receive health services at a provincial hospital if they have been referred to by a medical practitioner. This is a means of easing the street-level bureaucrat's workload.

(iii) Modification of Conceptualisation of Work

The use of discretion allows the street-level bureaucrat to develop a personal conceptualisation of the goals and purpose of their organisation. Street-level bureaucrats are thereby able to deal with the ambiguity and contradictions in their jobs. This coping mechanism enables street-level bureaucrats to cope with work limitations and gain professional satisfaction (Lipsky, 1980: 143).

Street-level bureaucrats are often faced with ideal policy objects that they cannot meet. This results in tension and stress, as the street-level bureaucrat is unable to gain work satisfaction by meeting policy objectives. It can lead to absenteeism. Staying away from work frequently allows street-level bureaucrats to psychologically distance themselves from their work, and it can result in the denial of any personal responsibility (Lipsky, 1980:143).

Another method of easing the psychological stress that street-level bureaucrats experience is by developing personal goals. These goals emphasise what the street-level bureaucrat are capable of achieving as opposed to what the policy objectives are. (Lipsky, 1980: 145).

The type and level of authority that street-level bureaucrats possess determines the way in which they cope with the stress of their jobs. The scope of authority can be limited to release the street-level bureaucrat from responsibility. Discretion allows a

street-level bureaucrat to make decisions based on personal judgement. Withdrawing discretionary power from street-level bureaucrats will in turn limit responsibility for the outcome of certain cases (Lipsky, 1980:149)

(iv) Modification of the Conceptualisation of Clients

Psychologically differentiating between clients is a coping mechanism used by street-level bureaucrats to deal with their working environments. This coping mechanism is more complex than just showing a preference for some clients over others. According to Lipsky (1980: 151) modifying the conceptualisation of the client allows the street-level bureaucrat to perform in a flexible and responsive manner. The rationale of differentiating between clients is to serve some clients to the best of the street-level bureaucrat's ability when it is impossible to serve all clients in that manner (Lipsky, 1980: 151). This coping mechanism is used when street-level bureaucrats are unable to provide services equitably. This strategy also enables the street-level bureaucrat to cope with a rising demand for services. Psychologically, the street-level bureaucrat is personally justifying the manner in which the job is performed (Lipsky, 1980: 152). These coping mechanisms are directly linked to the coping mechanisms used to limit access and demand for services such as creaming and worker bias. However, here the coping mechanism is of psychological importance whereas coping mechanisms used to limit access and demand for services deal with scarce resources.

2.7 Target Participation

Targets refer to individuals or groups of the benefits of the policy or programme are aimed at. The criteria for choosing these targets include: social class, demographic attributes or problems experienced. Targets can also be geographical areas or political areas (Rossi & Freeman, 1989: 190).

Evaluating a policy's implementation entails determining whether the programme is reaching its intended target. This is determined by assessing the coverage and bias in target participation. Coverage refers to that degree to which the actual participation reached the levels specified in the policy or programme. Bias occurs when certain subgroups within the target population are covered more thoroughly than others. This can arise from the fact that some subjects are more likely to participate than others. Programme coordinators may be more inclined to choose subjects that are more likely to succeed. Such bias can skew the results of monitoring (Rossi & Freeman, 1989:190).

2.8 Service Delivery

Monitoring the manner in which services are delivered is an important consideration in deciding whether to continue or expand a programme. A delivery system is a combination of actions and pathways that are employed to provide a service. To examine the delivery of services, aspects such as access and specification of services must be looked at (Rossi & Freeman, 1989: 193).

Policies and programmes can fail through delivery system failures. Rossi & Freeman (1989: 193) list three kinds of implementation failures: nonprogrammes, wrong treatment and unstandardised treatment. Nonprogrammes are those that occur when little evidence is found that a policy or programme has been implemented. In other words there was no delivery of services. Policy implementation may fail when the manner in which services are delivered is inappropriate and as a result the treatment is negated. This is referred to as "wrong treatment." Unstandardised treatment arises when treatment varies across implementation sites. This can stem from the discretionary power possessed by those implementing the policy (Rossi & Freeman, 1989: 296).

Access refers to the structural and organisational elements that facilitate the participation of the target population in the programme. The plan for gaining access to

the target population is referred to as the access strategy. This strategy may be passive such as opening an office and expecting people to make use of the service. The strategy may also involve active outreach activities to draw participants to the services. It can be assumed that access is facilitated through such civil society structures. Assessing access for different subgroups within the target population can be (in part) determined by participant satisfaction with the programme.

Programmes need to specify the provided services in measurable terms. This involves defining programme elements in terms of activities that take place and the participants involved in each activity. These elements can be thought of in terms of cost, time, procedures and/ or products involved in each activity

2.9. Government Capacity

When examining issues of policy implementation, it is important to examine the policy capacity of government. In broad terms, capacity refers to the ability of government to fulfil its obligations (Grindle, 1997).

Merquior (cited in Grindle, 1997:3) states that many governments are faced with the problem of “too much state” and “too little state,” simultaneously. “Too much state” refers to state-led development initiatives that are centrally controlled. Public participation is non-existent. This has led to authoritarian states that are fraught with corruption. “Too little state” refers to the inability of states to formulate and implement appropriate policy. Such states fail to even perform routine administrative functions (Grindle, 1997:3).

Grindle (1997: 4) argues that there is a need for governments to be efficient, effective and responsive. This includes responding to the needs of the citizens by formulating effective policies and implementing those policies efficiently.

2.10 Conclusion

This chapter discussed some of the key debates on policy implementation and identifies factors that influence the outcome of policy decisions. These factors include: the length of the causal chain of implementation, delivery systems and government capacity to formulate and implement effective public policy. This chapter also highlighted the significance of street-level bureaucrats and the impact that they can have on the way that policy is implemented. The discussion now turns to the no-fee schools policy and how it has been implemented. The theoretical concepts discussed in this chapter will form the basis of the analysis of the implementation of the no-fee schools policy in four KwaZulu-Natal schools.

Chapter 3

Education Policy in South Africa

3.1 Introduction

Howlett & Ramesh (1995: 7) state that public policy analysis involves more than examining the contents of a policy document. In order to fully understand a policy, such as the no-fee schools policy, the political regime and context in which the no-fee schools policy is implemented in must be examined. This chapter aims to contextualise the no-fee schools policy by looking at the broader education policy framework in South Africa.

3.2 Education Policy in Apartheid South Africa

Education under the apartheid system was governed by the notion of separate development for each race. The apartheid government recognised the importance of education in addressing the so-called “native problem” (Fiske & Ladd, 2004: 41). Under the previous Constitution (Act 110 of 1983, section 14(1)) education was defined as an “own affair.” To this end, there were separate education departments for Black (referring to African, Indian and Coloured) and White learners. Although such racial categories are no longer applicable, they are applied here as race was used as an important distinction in the education policy of the apartheid government. Previously, access to quality education was determined by race. The National Party government used education as an instrument of social control by designating Black learners to schools of inferior quality (Lemon, 1995:101). The lack of a quality education for Black learners thus formed part of the control mechanisms that the government used to maintain the subservience of Black people (Fiske & Ladd, 2004: 41).

Missionary schools responded by providing Black learners with education that was of a good standard. However, the *Eiselen Report* of 1951 stated that missionary schools were run inefficiently and were wasteful and should be run by white professionals (Fiske & Ladd, 2004:42). This Report led to the Bantu Education Act (Act 47 of 1953). This Act sought to diminish the power of missionary schools thereby keeping the level of education for Black learners at a lower level. The government was successful in its endeavours because this Act led to the government having complete control of Black education (Fiske & Ladd, 2004:42).

By restricting the level or kind of education Black learners received, the government managed to keep Black people out of the formal sector of the economy. This ensured a constant flow of cheap labour (Fiske & Ladd, 2004:50). The former Minister of Native Affairs, Verwoerd, was quoted asking “*What is the use of teaching a Bantu child mathematics when it cannot use it in practise?*” (Fiske & Ladd, 2004:42). Only in the 1980’s was more funding allocated to black education when the government realised that there was a need for better skilled Black labour (Fiske & Ladd, 2004:42).

In 1984 the tri-cameral parliamentary system was introduced. This meant that the legislature was divided into three parliamentary houses with limited political power. One house each for White people, Indian people and Coloured people. It excluded African people. The organisational structure of the apartheid education system echoed the political ideology of separate development. To this end, the different houses of the tri-cameral parliamentary system managed the education of each race group. The House of Assemblies ran White education, Indian education was managed by the House of Delegates and Coloured education was under the control of the House of Representatives (Fiske & Ladd, 2004:43). The Department of Education and Training managed the schools designated for Black learners in the townships. Four other departments were established to manage the schools in the homelands of Ciskei, Transkei, Bophuthatswana and Venda. There were also six other departments of education in the self-governing territories, which had resisted being designated as homelands (Fiske & Ladd, 2004:43). Thus, in total there were 15 separate

departments of education. Figure 3.1 illustrates the geographical boundaries in South Africa. The Homelands are the areas coloured in.

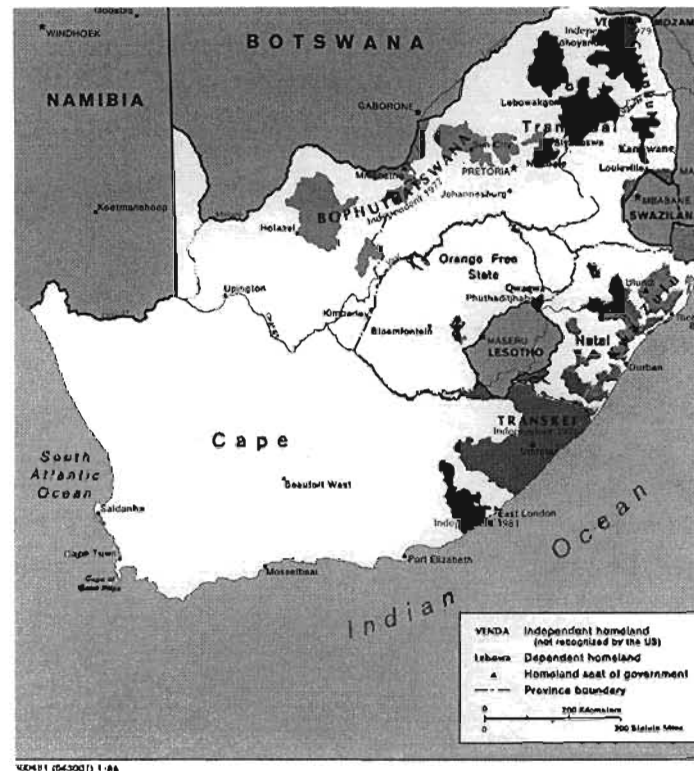


Figure 3.1 Provinces and Homelands in Apartheid South Africa

Source: www.lib.utexas.edu/maps/africa/south_african

This discriminatory education system was accompanied by unequal resource allocation. Table 3.1 below illustrate the differences in the per capita school funding.

Table 3.1 Per Capita School Expenditure by Race Measured in Rand (R)

	Race			
Year	Black	Coloured	Indian	White
1970	25.31	94.41	124.40	461.00
1980	91.29	234.00	389.66	1,169.00
1990	930.00	1,983.00	2,227.01	3,082.00
1991	1,169.10	Not available		3,969.00
1994	1,053,00	3,691,00	4,687,00	5,403,00

Adapted from: MacKenzie, (1993) and Veriava, (2005)

In 1994 the government spent over 4 times more on White schools than on Black schools even though White learners only made up 17% of the learner population (Fiske & Ladd, 2003:7). Schools allocated to Black learners could therefore not afford to spend precious resources on school infrastructure and the maintenance of the existing buildings. The result was that Black learners were forced to attend under-resourced schools, which were often in bad conditions and did not have enough classrooms. Sometimes as many as 50 learners had to be accommodated in one classroom (Sparks cited in Fiske & Ladd, 2004:45). In 1991 it was estimated that there was a shortfall of 4,300 schools for Black learners. In addition, few schools had electricity, water or sanitation (Fiske & Ladd, 2004:55). According to Mackenzie (1993:287) the then Department of Education and Training, which was responsible for the education of Black learners outside of the homelands, was administratively deficient and offered a relatively weak curriculum. Towards the end of apartheid, the minority government sought to protect and continue the separation of education but this time not overtly based on race but on affordability (Roithmayr, 2002:5). This process included White parents voting to choose from three options, the level of integration that schools would adopt and the degree of funding that the state would pay. The three options were:

- Model A schools. These previously state schools would become private schools. The schools would, however, receive initial funding of 45% over three years. The remaining 55% would have to be recovered from school fees.
- Model B schools would remain as state schools and could admit up to 50% of Black learners.
- Model C schools were state aided schools. Here the state paid 75% of the school budget. The remaining 25% would have to be generated through school fees. These schools could also only enrol up to 50% of Black learners (Roithmayr, 2002:5).

The voting was conducted by secret ballot. A 72% majority was required and at least 80% of eligible parents were needed to vote in order to change or retain the status of a school (MacKenzie, 1993:290). Most parents voted for their respective schools to remain state schools or Model B schools. This voting process was, however, negated in 1992 when the state required that all Model B schools become Model C schools (Roithmayr, 2002:5). Karlsson *et al.* (cited in Roithmayr, 2002:5) suggest that this process was aimed at ensuring that the power to govern schools was in the hands of the White community and away from the probable majority Black-led democratic government. As a result of this restructuring process, most Black learners were excluded from these schools because parents were too poor to afford the school fees of Model A and B schools (Roithmayr, 2002:5).

3.3 Education in Democratic South Africa: The Legislative Regulatory Framework

In 1994 South Africa held its first democratic elections. The African National Congress (ANC) won the elections and came into power. With the change in power came a new constitution and a new vision for education.

Education policy has undergone numerous changes since the advent of democracy. The current Department of Education (DoE) is tasked with the responsibility of ensuring quality education to both advantaged and disadvantaged schools in order to eradicate the inequality fostered by the education policies of the apartheid regime.

The Constitution of South Africa (Act 108 of 1996) is the highest law of the land and any law inconsistent with the Constitution is invalid. Chapter 2 of the Constitution houses the Bill of Rights.

Section 9 of the Bill of Rights entrenches all citizens' right to be treated equally. This Section states that:

The state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.

Section 9 goes further to state that:

No person may unfairly discriminate directly or indirectly against anyone on one or more grounds [as listed above]. National legislation must be enacted to prevent or prohibit unfair discrimination.

This Section can be linked to Section 29(1) (a) of the Bill of Rights, which guarantees the right to basic education. This section stipulates that:

Everyone has the right to a basic education, including adult basic education.

Two constitutional court cases set the precedent for interpreting the right to basic education. In the Constitutional Court case of *In Re School Education Bill of 1995* the court ruled that under the Interim Constitution, a positive duty was created for the state. The state was required to provide basic education to all citizens. A negative obligation was also created, as the state cannot prevent any person from pursuing their basic education.

In the case *Government of the RSA & Others v Grootboom & Others* (2001 (1) SA 46 (CC)) (*Grootboom*), the court considered whether the state's actions were considered to be facilitating the access to the right to basic shelter. The Constitutional court used three sources to determine this. The first source was the context of the right to basic education. This included historical and social factors (*Government of the RSA & Others v Grootboom & Others* (2001 (1) SA 46 (CC) par 22). The right to basic education sought to redress the inequalities of the apartheid education. This meant that basic education would have to be physically and financially accessible to all learners. The second consideration of the court was the relationship between other relevant sections housed in the Bill of Rights. Education can be thought of as an enabling right.

This is because the right to basic education allows one to enjoy other rights. The last factor that the court considered was international and foreign law regarding the specific right (*Government of the RSA & Others v Grootboom & Others* (2001 (1) SA 46 (CC) par. 21-33). The court held that the right in question was qualified by the fact that government was required to provide shelter “within [its] available resources.” If this precedent is applied to the right to basic education it can be seen that this right is not dependant upon by the government’s available resources. This right is a socio-economic one, but unlike other socio-economic rights such as the rights of access to housing and health care, the right to education is unqualified. This means that the right does not depend on the available resources of the state nor does it depend on reasonable progressive legislation. The state is thus required to provide this right immediately (Seleoane, 2002: 26). The unqualified character of the right to basic education points to the notion that the right occupies a higher status than other socio-economic rights (Veriava, 2005:7).

To give effect to the state’s constitutional mandate, the South African School’s Act (Act 84 of 1996) (hereafter referred to as SASA) was enacted. The main objective of the Act is to provide a uniform system of organising, governing and funding all schools in South Africa.

SASA also seeks to ensure and maintain equality in school whilst improving the quality of education offered at schools. To this end the preamble of SASA states that:

[T]his country requires a new national system which will redress past injustices in educational provision, provide an education of progressively high quality for all learners and in so doing lay a strong foundation for the development of all our people’s talents and capabilities.

SASA was aimed at introducing democratic governance to public schools. To this end the governance of schools is now delegated to elected School Governing Body (SGB). SGBs are constituted to be representative of parents, teachers, non-teaching staff and learners (learners are only elected onto the SGB at secondary schools). The SGB must always comprise of a 50% plus one member majority of parents. The chairperson of the SGB must be a parent (Karlsson, 2002:329). Section 11 of SASA also stipulates

that a Representative Council of Learners (RCL) must be formed. This council comprises of learners from grade 8 to grade 12 who have been elected by their peers to represent the interests of the learners at higher management levels.

SASA sets out the functions and responsibilities of the SGB. This facilitates the participation of the SGB in school affairs (Karlsson, 2002: 330). Section (1) (a) states that the main responsibility of the SGB is to:

...promote the best interests of the school and strive to ensure its development through the provision of quality education for all learners at the school...

The provincial departments of education can delegate greater powers to SGBs of certain schools. SASA identifies two types of schools in Sections 20 and 21. Section 20 schools have their funding strictly controlled by the DoE. According to Dr. Cassius Lubisi (2006: 2) (the Superintendent General of Education in KZN) Section 20 schools receive a letter informing the schools of its financial allocation for the year. The school would then purchase items following a specified procurement process.

The SGBs of Section 21 schools possess greater powers than those of Section 20 schools. This includes the management of the school's finances. All funding allocated by the DoE to a Section 21 school is deposited into the school's banking account at the beginning of each year provided that the school has submitted an audited Annual Financial Statement (AFS) (Lubisi, 2006: 2). According to Section 21 of SASA other functions of Section 21 schools include:

- (a) Maintain and improve the school's property, and buildings and grounds occupied by the school, including hostels if applicable;*
- (b) To determine the extramural curriculum of the school and the choice of subject options in terms of provincial curriculum policy;*
- (c) To purchase textbooks, educational materials or equipment for the school;*
- (d) To pay for services to the school...*

3.4 Infrastructure

In 1996 the *School Register of Needs Survey* was conducted. It was the first attempt of its kind in South Africa to determine the extent of inequality in schools. This was achieved by quantifying the needs of schools in the country. It was aimed at looking at the conditions of schools, resources and at infrastructure (Department of Education, 2000). Table 3.2 illustrates some of the findings of the survey.

Table 3.2. Findings of the School Register of Needs Survey Illustrating Infrastructural Conditions of School in South Africa

Year	Schools without telecommunication	Schools without water on site	Schools without electricity
1996	68%	34%	63%
2000	35%	30%	58%

Adapted from: Department of Education, 2002

The serious lack of infrastructure in education was brought to light in the President's State of the Nation Address in 2002. The President made the statement that no learner should be taught under trees or in the open air. The "no learners under trees" phrase came to symbolise all the initiatives that were aimed at improving infrastructure in schools (Mbeki, 2002: [no page]).

The provision of infrastructure to schools experiences serious ongoing backlogs. In the Minister of Education's Seventh Report to the President in 2003, the infrastructure backlogs in the 5945 schools in KZN alone are estimated in Table 3.3:

Table 3.3: Infrastructure Backlogs in KwaZulu-Natal Schools

Infrastructure Backlog	Number
Classroom shortages	9,578
Schools without water	1,687
Toilet shortages	41,127
Schools without laboratories	2,277
Schools without telephones	1,863

Adapted from: Department of Education, 2003.

Van der Berg (2007: 862) argues that the impact of the infrastructure backlog is evident in the large educational differentials between those learners who attended schools previously reserved for White students and those who attended schools reserved for Black learners. Uneven school performance can be correlated to racial composition of schools and the fees charged at schools. In 1994 the average pass rate at poor schools was 49 % while 97 % at rich schools. This situation did not improve significantly by 1999 (Van der Berg, 2007: 862). Van der Berg (2007:862) attributes good pass rates to good infrastructure and adequate educational resources.

3.5 Funding in Education

After the transition of South Africa into a democratic state, the DoE considered three options to tackle the issue of school funding. The first alternative was not to change the school funding system. The second alternative was to standardise the per capita expenditure on each student. The last alternative was to force schools to rely on school fees as their main source of funding (Roithmayr, 2002:6). International consultants who were hired to aid the state on this issue proposed a fourth alternative which was to standardise per capita funding to some degree and to use school fees as a source of additional funding. This fourth option was adopted by the state (Roithmayr, 2002:6).

Fiske & Ladd (2003) argue that the reason for permitting school fees in democratic South Africa was that the ANC-led government realised that public funds were insufficient to standardise funding for education to the level that was needed. Even redistributing the funding that was previously reserved for Whites student would not improve quality in education because at that time the White population only accounted for 17% of South Africa's population (Fiske & Ladd, 2003:7).

The first piece of legislation that dealt with funding in education was the *White Paper on Education: Organisation, Governance and Funding of Schools* (1996). This White Paper sought to address the inequalities inherited from the apartheid government. The aim of this White Paper was to ensure that all schools operated in a financially sustainable manner. The White Paper stipulated that the distribution of resources must aid those schools in poor and rural areas. To this end funding in poor, rural areas must be increased whilst funding to well-resourced schools should be decreased. The rest of the White Paper offered policy proposals for:

- The organisation of schools,
- Governance in schools,
- Building capacity for management and governance,
- The financing of schools, and
- Implementing the new system of school organisation and governance.

The funding of schools is now regulated by Chapter 4 of SASA, the *White Paper on Education: Organisation, Governance and Funding of Schools* (1996) and the *National Norms and Standards for School Funding* (1998)(hereafter referred to as the Norms and Standards).

SASA sets out the responsibilities of the state, the school governing body and the parents for the funding of schools. SASA stipulates that the state must fund public schools from state revenue. This funding must be equitable in order to eradicate the inequalities inherited from the apartheid system of education (Section 34(1)). The

Norms and Standards stipulate that 60% of education expenditure should go to the poorest 40% of schools in each province. The SGB of each school is tasked with supplementing the funding from the state in order to improve the quality of education offered at the respective school. Section 39 of the Act states that the amount of schools fees charged at a school must be determined by a majority of parents of the learners. All parents are liable to pay schools fees. Legal recourse may be taken against parents who fail to pay school fees unless those parents have been exempted from paying school fees (Sections 39 & 40).

3.6 Legislative Reforms: Fee Exemptions and the No-fee Schools Policy

Article 28 (1) (a) of the United Nations Convention of the Rights of the Child (1948) was ratified by South Africa. It stipulates that states should provide education that is free and compulsory at least at the primary school level. The Article goes further to say that secondary education should be made accessible and available to learners. States should take steps to offer free education to secondary school learners who cannot afford schooling (Veriava, 2005: 16).

Improving access to education was highlighted in Section 5 of SASA. This section stipulates that schools must admit learners from all races without unfairly discriminating on any grounds. This aim was undermined by the fact that some parents and caregivers were unable to send their children to school because they could not afford the school fees.

A special report on education done by the *Sunday Times* (8 May 2007) illustrated the current range of school fees charged. The findings of that report are reflected in Table 3.3.

Table 3.4: Comparison of Fees in South African Schools

Type of School	Fees in Rands	Additional costs for uniforms and textbooks in Rands (R)
Private	80,000 to 93,000	2,500
Former Model C	7,000 to 10,000	500 (Uniforms only)
Public	120 to 330	200 (Uniforms only)

Source: Sunday Times, 8 May 2007

So, although access to education is theoretically equal, not all eligible children were attending school. To remedy this, the Department of Education (DoE), promulgated a school fee exemption policy, namely the *Exemption of Parents from the Payment of School Fees* (2006) set out a means test for granting partial and full exemptions to parents who cannot afford school fees. Parents are granted a full exemption from the payment of school fees if the combined income is less than 10% of the school fees per learner. If the combined income is between 10% and 30% of the school fees, parents can be granted a partial exemption of school fees. Veriava (2005, 13) states that the DoE was unable to give effect to this exemption policy. As a result access to schooling was still limited by school fees. Roithmayr (cited in Veriava, 2005:14) states that one of the reasons for the failure of the exemption policy was that many parents who were eligible for the exemption did not apply for it, as the application process was complicated and time consuming. In addition some parents were too embarrassed to apply for exemptions.

In 2002 the former Minister of Education, Professor Kader Asmal, ordered a review of all legislation that governed school funding. The result of this review was the *Plan of Action: Improving Access to Free and Quality Education for All*, which was

published in 2003 (Veriava, 2005: 11). This plan involved facilitating access to school by, among other things, the standardisation of the cost of books and uniforms. The plan suggested that fees be abolished in the poorest quintiles. The plan also suggested that the state should set a benchmark for adequate school funding.

The Education Laws Amendment Bill promulgated in 2004, amended Sections 35 and 39 of SASA. The amendment of Section 35 of SASA stipulates that:

The Minister [of Education] must determine national quintiles and national norms and standards for school funding after consultation with the Council of Education Ministers

According to this policy, all schools in South Africa are placed into 5 categories (or quintiles) according to their relative wealth. Three factors are taken into consideration when assessing the wealth of schools. First is the location of the school. This refers to whether the school is located in an urban or rural area. The second criterion is the wealth of the community in which the school is located. This is measured by household incomes, the number of dependants in the households and by the level of education within each household. The last criterion is the physical condition of the school. This is determined by teacher to student ratio and the condition of infrastructure on and around the school (National Norms and Standards for School Funding, 2004). Table 3.5 illustrates the distribution of schools per quintile according to province.

Table 3.5: Distribution of National Income Quintiles at Provincial Level (%)

	<u>National Quintiles</u>				
<u>Province</u>	1(poorest)	2	3	4	5 (richest)
E. Cape	34	26	18	10	11
Free State	33	20	16	14	18
Gauteng	7	11	18	28	35
KZN	19	22	22	21	16
Limpopo	27	25	22	15	10
Mpumalanga	14	23	25	21	17
N. Cape	18	17	21	20	23
North West	20	19	23	23	15
W. Cape	4	10	16	29	40
South Africa	20	20	20	20	20

Source: DoE, 2003 cited in Wildeman and Mbebetho, 2005: 20

These quintiles are determined nationally. KZN has 21% (or approximately 1,346) of the no-fee schools in the country.

The amendment to Section 39 (b) now states that:

The Minister [of Education] must by notice in the Government Gazette annually determine the national quintile for public school or part of such quintiles which must be used by the Member of the Executive Council to identify schools that may not charge school fees.

Schools that fall into quintiles 1 and 2 (or the poorest 40%) are defined no-fee schools. This is a shift from provincially determined quintile to nationally determined

quintiles. In these schools no fees in any form may be charged. Fees are any admission, administration or extra-curricular costs to parents.

In no-fee schools the Department of Education will increase the per capita expenditure from approximately R527 to R703. Wealthier schools in quintiles 4 and 5 will receive approximately R117 per pupil (Veriava, 2005: 10). These respective policy developments and decisions are regularly referred to as the no-fee schools policy.

The no-fee schools policy was introduced in 2006 (Department of Education, 2006). This policy follows the National Department of Education's review of school fees in 2003 which raised the issue of parents not being able to pay school fees (Department of Education, 2006). The objective of this policy is to bring financial relief to parents of school-going children who cannot afford to pay school fees, thereby being denied access to schools.

In implementing the no-fee schools policy, the DoE attempted to facilitate the access to education by eliminating the barrier of fees. In this way the policy would act as a poverty alleviation mechanism, and would make education accessible to the poor.

3.7 Conclusion

The Apartheid government enforced the political ideology of separate development for each race. This ideology was epitomised in the organisational structure of education in South Africa. Education offered to Black student was characterised as being under-funded, offering a weak or inferior curriculum with little infrastructure. The advent of democracy in South Africa also brought with it reforms in the education system such as the SASA. The inability of parents to pay for school fees was identified as the key determinant in access to schooling. In response the no-fee schools policy was introduced in 2006 to facilitate access to schooling for poorer learners.

However, problems around the implementation of the no-fee schools policy were brought to light in newspaper articles such as one featured in the *Mail and Guardian* (13 May 2007) which reported that principals have been forced to cut back on essential services such as security and auditing of school finances, because no-fee schools have less revenue now compared to before when fees were charged. A principal stated that the funds from the DoE are deposited late. Most schools rely solely on DoE funding and they cannot operate until they have received these funds. The result of government funding lagging behind is that some no-fee schools are charging learners administrative fees to cover their running costs. The *Weekend Post* (20 January 2007) states that a negative side effect of the no-fee policy is that parents who are able to pay school fees, send their children to no-fee schools.

Such reports regarding the no-fee schools policy bring the policy into question. The following chapter aims to examine the no-fee schools policy in four KZN no-fee schools to examine how the policy has been implemented.

Chapter 4

Case Study

4.1 Introduction

This chapter aims to examine the implementation of the no-fee schools policy from the perspectives of those involved in the policy's implementation. The context in which the policy is implemented in will also be examined to gain an understanding of the environmental influence on the no-fee schools policy.

4.2 Research Methodology

Primary data was collected from four schools in the Ukhahlamba region that have been categorised as no-fee schools. This region is located in the Uthukela District in KwaZulu-Natal (see Figure 4.1). This region was chosen as almost a quarter (21%) of all the no-fee schools in KwaZulu-Natal are located in it (Department of Education, 2006).

The data, on which this study is based, was obtained through face-to-face open interviews with the principals of four no-fee schools. The broad categories of questions asked in the interviews related to:

- (a) General background of the schools,
- (b) Conceptualisations of the no-fee schools policy,
- (c) Implementation experiences, and
- (d) Evaluation of the policy.

A Senior Education Manager (SEM) of the DoE in the Uthukela District was also interviewed to gain insight into the DoE's stance on the implementation of the no-fee schools policy. The SEM is responsible for supervising and monitoring the functionality of schools. In addition, the SEM is tasked with identifying weak areas in schools and providing appropriate support for those schools. The implementation of no-fee schools policy is one of the policies that the SEM monitors.

All four of the principals opted to remain anonymous. Thus, the principals will be referred to as principal A, B, C and D. Correspondingly the schools which the principals run will be referred to as school A, B, C, and D. For example, principal A will be from school A.

Principals B and D were interviewed on 07/10/2007. Principal A was interviewed on 05/10/2007 and Principal C was interviewed on 21/09/2007. The SEM was interviewed on 26/11/2007.

4.3 Education in KwaZulu-Natal

The educational profile for this study was sourced from the 2007 National Assessment Report for Public Schools. This report details the existing quality of educational sites across South Africa according to province. It details the access and degree of infrastructure. The key issues seem to be the lack of access to basic services (such as water, sanitation and electricity); overcrowding in classrooms; and the lack of teaching infrastructure. KZN and the Eastern Cape are the two provinces in South Africa with the poorest educational infrastructure. These two provinces experience and share the majority of the backlogs in South Africa. The following discussion and Tables are based on the findings of this Report.

- KZN has 5,905 operational educational sites. Of these 5,822 are schools.
- There are 3,761 primary schools (Grades R to 7),
- 564 Combined Schools (Grades R to 12), and

- 1,497 Secondary Schools (Grades 8 to 12).
- There are approximately 13,800 no-fee schools serving 5million learners in South Africa. KZN houses 3,300 no-fee schools,
- Approximately 1,2 million learners are in no-fee schools.

Infrastructure conditions at these educational sites are summarised in Table 4.1. Although 54% of schools are considered to be in a good condition, 45% have an infrastructure backlog of 2 or more years.

Table 4.1 Infrastructure Conditions of all KZN Educational Site

<u>Condition of Infrastructure</u>	<u>Percentage of Schools in Condition</u>
<p><i>Excellent building condition:</i></p> <p>The “Condition Backlog” is less than 2.5% of the replacement value. This implies a 1 year backlog in Planned Maintenance</p>	54%
<p><i>Good building condition:</i></p> <p>The “Condition Backlog” is between 2.5% and 5% of the replacement value. This implies a 2 year backlog in Planned Maintenance</p>	17%
<p><i>Weak building condition:</i></p> <p>The “Condition Backlog” is between 5% and 10% of the replacement value. This implies a 4-year backlog in Planned Maintenance.</p>	14%
<p><i>Very weak building condition:</i></p> <p>The “Condition Backlog” is more than 10% of the replacement value. This implies a backlog in Planned Maintenance in excess of 4 years</p>	15%

Adapted from: Department of Education, 2007:8.

Table 4.2 illustrates the sources of water that schools are accessing. Currently, of the 5822 schools only 49% of all schools in KZN are provided with clean water by their municipalities. 51% of schools have to rely on other sources of water. Alarming, 11% of schools have no access to water on or near the school site.

Table 4.2: Sources of Water for KZN Schools

	No Source of Water on or Near School Site	Boreholes or Rain Harvesting	Municipality Supplies Water
Number of Schools in KZN	648	2,231	2,943
Percentage of Schools in KZN	11%	38%	51%

Adapted from: Department of Education, 2007:17

Table 4.3 summarises student access to toilets. Only 4% of School in KZN do not have access to toilets.

Table 4.3: Toilet Facilities in KZN Schools

	No Toilets on Site	Toilet to Student Ratio Above 1:50	Toilet to Student Ratio Below 1: 50
Number of Schools in KZN	209	1284	4329
Percentage of Schools in KZN	4%	22%	74%

Adapted from: Department of Education, 2007:24

Sources of electricity are illustrated in Table 4.3. A majority of schools have access to electricity

Table 4.4: Source of Electricity in KZN Schools

Source	Number of Schools in KZN	Percentage of schools in KZN
<i>Schools with no source of electricity on or near site</i> There is no known source of electricity on or near the site.	1612	27.7%
<i>Schools depending on solar panels on site</i> Solar panels are installed on the site and provide electricity to the school	315	5.4%
<i>Schools depending on a generator on site</i> A generator is installed on the site and provides electricity to the school	44	0.8%
<i>Schools connected to the ESKOM grid</i>	3851	66.1%

Adapted from: Department of Education, 2007: 27-28

4.4 The Uthukela District Municipality

Uthukela is one of ten District Municipalities in KZN. All four of the no-fee schools interviewed are located in this District Municipality. Figure 4.1 illustrates the ten District Municipalities in KZN. Uthukela is the shaded area.

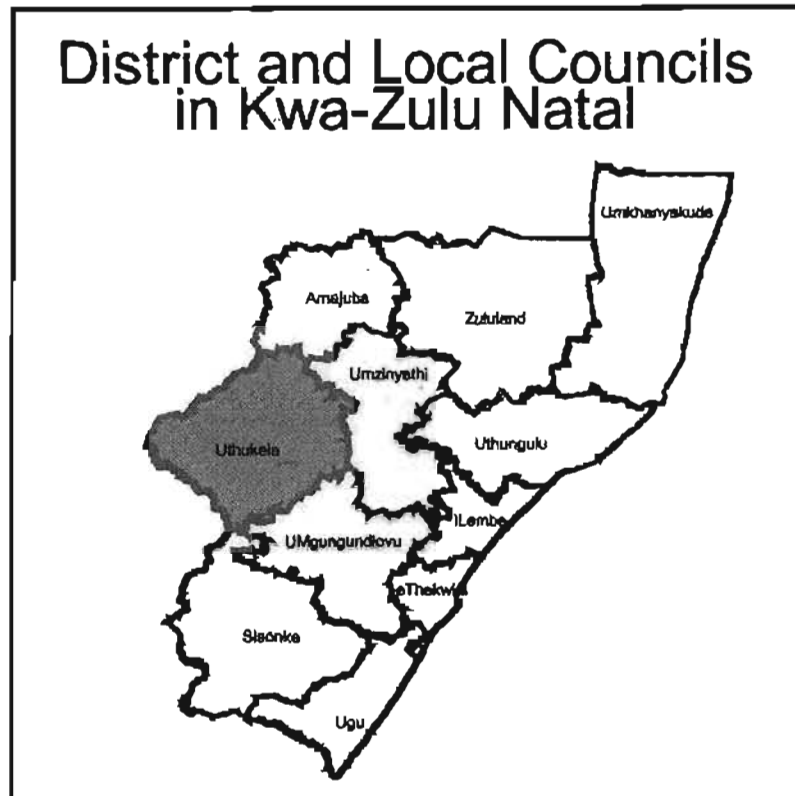


Figure 4.1: Map showing the location of the Uthukela District

Source: Lehotla, 1999:12

The demographics of the Uthukela District are summarised in Table 4.5 and Table 4.6. The majority of the households in the district are located in rural areas.

Table 4.5: Demographics of Uthukela District Municipality

<u>Population</u>	<u>Urban Households</u>	<u>Rural Households</u>
656,976	38,176	76,537

Adapted from: Municipal Demarcation Board, 2007:4

Service delivery aspects of the Uthukela District are illustrated in Table 4.6

Table 4.6: Service Delivery Levels in the Uthukela District Municipality
(Percentage of Households)

<u>Piped Water</u>	<u>Sanitation</u>	<u>Refuse Removal</u>	<u>Electricity</u>
67,78%	27,08%	29,46%	58,00%

Adapted from: KwaZulu-Natal Provincial Government, 2007:4.

Table 4.6 illustrates the service delivery backlog in the Uthukela District. The low levels of service delivery may also be attributed to households being too remote and removed from service provision sites. It can also be attributed to people not being able to pay for services. This points to the poverty in the district.

4.5 Data obtained from Interviews

(a) Background on the Four No-fee Schools

The principals were asked about the socio-economic conditions of the communities surrounding their respective schools. The four schools are situated in different socio-economic areas. School A is located in an urban area. School D is located in a peri-urban area and School B and School C are located in rural areas.

Table 4.7 illustrates the number of learners enrolled at each school.

Table 4.7: Learner Characteristics

	Type of School	Number of Learners	Teacher to Student Ratio (Maximum)
School A	Primary	509	1:40
School B	Primary	665	1:80
School C	Combined	558	1:35
School D	Primary	425	1:32

All four schools have comparable numbers of students. The teacher to student ratio however varies greatly. School B's maximum teacher to student ratio is 1:80, whilst the other 3 schools ratios are at least half of that.

The communities where the schools are situated share similar characteristics. All the principals mentioned that the communities are faced with high levels of unemployment. Principal C went as far as estimating that more than two-thirds of the community surrounding School C are unemployed. This high level of unemployment was attributed to the location of these communities, which are situated up to 20km from urban areas and industrial areas. Another reason offered for the high unemployment level was the fact that many community members are illiterate. This forms a barrier, as the type of employment that is available to illiterate people is limited.

Principal C raised the issue of a lack of adequate housing in the surrounding community. The houses surrounding School C are predominantly made of mud with thatched roofing.

All 4 of the principals viewed social grants and pensions as the main source of income in the communities. They pointed out that pensioners are looking after families of up to ten members on a pension of R840 per month.

Principal B stated that the community in which School B is situated, relies on farming livestock, which is sold to local people. These people are also dependant on subsistence farming.

Principal A was the only respondent who felt that School A was in a community that had some affluent and middle class residents. However, it was felt that most people were poor and unemployed and thus could not afford school fees.

The table below shows the fees charged before the implementation of the no-fee schools policy.

Table 4.8: School Fees Charged Prior to Gaining No-Fee Status

<u>School</u>	<u>Fees (in Rands per annum)</u>	<u>Revenue Generated from School Fees (Number of pupils multiplied by fees)</u>
School A	500	509 x R500= R254,500
School B	120	665 x R120= R79,800
School C	30	558 x R30= R16,740
School D	100	425 x R100= R42,500

All four principals were asked about whether the schools had experienced any problems with the regard to the payment of school fees. It was found that before the introduction of the no-fee schools policy all four of the schools experienced problems with the payment of school fees. Problems included non-payment or late payment of

fees. School A had a policy of handing those parents over to debt collectors. This resulted in staff being verbally attacked by the parents who were handed over. Principals B and D referred to the *Regulations for the Exemption of Parents from the Payment of School Fees*_(Notice 29311 of 2004). These Regulations exempt parents from paying up to 100% of school fees, depending on the income of both parents in relation to the school fees. Principal B felt that parents were afraid to ask for these exemptions. School D had a policy that expected those learners, who were granted exceptions from fees, to do some form of manual labour on the school grounds. However, the principals said that a majority of these students did not fulfil their end of the bargain.

Although some of the problems associated with the payment of fees were attributed to poverty and unemployment, three of the principals believed that some parents did not pay because they did not feel it necessary to do so. As Principal B put it:

Some parents claim that they cannot afford the fees. If there is a school trip, they are the first ones to pay. Some have the understanding that paying school fees is no longer compulsory and only meant for those who can afford [the fees].

Principal A commented that:

We found that pensioners and domestic servants paid the fees, while persons in well-paying jobs did not.

The SEM stated that it was difficult for poor parents to register their children at schools because many (if not all) schools require a registration fee before admitting a child. This was done so that the schools would have some capital to function on. This had a negative effect on students, as access to schooling was dependent on the ability of parents to pay that registration fee. This deprives children of their right to education. The SEM acknowledged that in some cases parents could afford school fees but did not want to pay school fees.

(b) Conceptualisations of the No-fee Schools Policy

The principals were asked what their understandings of the no-fee schools policy were. The no-fee schools policy is described by the principals as being a total exemption from paying any school fees. Fees include any parental contributions for extra-mural activities, learning materials or school excursions. The school then becomes totally reliant on state funding for all non-learning and teaching material. All utility bills are paid from this state funding. Teacher and support staff salaries cannot be paid from the state funding. The funding from the state is supposed to be higher than the fees that the school was previously charging in order to benefit the schools. In short, all the necessities required for the tuition of learners is provided by the state.

Principal C referred to the Norms and Standards, saying that the amount paid to schools is determined by the Norms and Standards. Quintile 1 schools receive more funding per learner than quintile 2 schools.

The respondents were asked whether they had informed parents of the no-fee status. All four of the Principals responded that they have informed the parents of students of the no-fee status of the schools. They all made reference to DoE policy which states that parents have the right to know about the School's status. Principal B went further by stating that parents of students are stakeholder in the school. In the interests of building trust between the parents and the SGB, the Principal has been transparent about the classification of the school.

The SEM stated that the no-fee schools policy was a total exemption of all monetary contributions to schools. The SEM viewed school fees as a barrier to education and thus the no-fee schools policy increased access to education for students from poor families.

(c) Implementation Experiences

Schools A, C and D began implementing the policy at the beginning of 2007. School C began implementing the policy in April 2006. Even though these schools have been declared no-fee schools, they have only experienced minor increases in the number of pupils enrolled at each school.

Principals were asked about their no-fee schools policy experiences. Principal A stated that the grading of schools into quintiles only applies to grades 1 to 12. Grade R (pre-school) is not included. This resulted in a problem for the Principal of School A. parents of children in grade R now have the impression that their children are exempt from paying fees, but they are not. It is not clear why Grade R students have to pay school fees but other grades do not.

These schools were classified as quintile 1 and 2 school by the national Department of Education. All the Principals had negative comments about the way in which schools were classified into quintiles. Principal B felt that schools that are found in the same community and face the same economic difficulties are classified into different quintiles. Recently, School A has been reclassified from a quintile 1 to quintile 4 school and School D has been reclassified from a quintile 2 to a quintile 3 school. The schools are now struggling to deal with the implications of the reclassification. These schools will now be forced to charge school fees to students in 2008.

The SEM was asked about the classification of schools into quintiles and why these two schools have been reclassified from no-fee schools to fee-paying schools. The SEM stated that previously schools were classified according to the poverty index of the surrounding community as well as factors such as overcrowding in classrooms and the infrastructure conditions of the school. Now, the classification is heavily based on the poverty index of the surrounding community. The reclassification, in the SEM's opinion, may be due to the poverty index of the community surrounding the schools. The SEM went on to say that the schools that have been reclassified have the option

of contesting the classification of the schools. This is done by applying to the Provincial DoE.

A problem encountered by the principals is that even though the parents are aware of the school's status, they do not fully understand all the implications of the no-fee schools policy.

The funding from the DoE comes in two instalments. All four of the schools experienced delays in receiving the first instalment. Schools A and C only received this payment in May. The result was that (as Principal B stated): "[O]ur school was forced to operate without a single cent." This Principal went on to say that she was forced to pay some accounts out of her own pocket even though this is illegal.

The principals were asked about how they responded to the implementation problems that they experienced. School C did not pay any utility bills from February to April. These bills included:

- Generator petrol,
- Generator maintenance,
- Electricity,
- Telephone, and
- Water.

The SEM acknowledged that late funding from the DoE was a problem. The SEM stated that the problem of late payment might be due to three reasons. The first is that the no-fee schools policy is a fairly new policy and is experiencing some teething problems. The second reason for the late payment was that some schools did not submit audited financial statements from the previous year to the DoE. The DoE will not release funding to the schools until the audited financial statements have been submitted. The DoE did acknowledge however, that withholding funding to schools was detrimental to the students' education and then released funding to all no-fee schools even though the audited financial statement were not submitted. The third

reason for late payment was that some schools (especially those in rural areas) did not have functioning bank accounts. The DoE thus had nowhere to deposit the money.

Principal C asked parents of learners to pay a “voluntary contribution.” Students from grade 1 to 6 were asked to pay R10 and student from grade 7-10 were asked to pay R20. Many students, however, did not make any contributions. School A followed a similar approach and asked all parents to contribute R150 per pupil. All the money received from these “voluntary donations” was used to pay for utilities and essential services. This contingency fund was as a result quickly exhausted.

The SEM stated that these “voluntary contributions” were acceptable as long as a majority of the parents agreed. This decision cannot be made by the SGB only. The parents of learners must also be involved. However, if a decision is taken by the parents to ask for a “voluntary contribution” and a student does not pay that contribution, that student cannot be excluded from schooling.

At School A learners are expected to pay for any educational excursions. Due to limited financial resources, excursions cannot be factored into the budget. The SEM acknowledged that school trips are an important contribution to a student’s educational life. However, no-fee schools are not permitted to charge for these trips. Instead, the SEM suggested that schools should fundraise for such trips.

Principal B stated that some of the schools’ educators were forced to pay for some educational equipment out of their own pockets, as the school had no funds. This school also did not pay any utility bills. When the DoE paid the second instalment, the school did not pay any outstanding accounts, instead the money was used to pay current accounts. On one occasion the school did ask for some monetary contributions. This became a point of contention in the community. The Principal stated that:

Politicians, through the media, state categorically that educators making parents contribute [some form of fee] are acting against the law and deserved to be charged for robbing poor communities.

Not only were the payment from the DoE late, schools were not aware of how much they would be receiving. This posed budgeting problems for the schools, as budgets could not be drawn up in advance.

In response to this issue, the SEM stated that schools should budget their money so that there is enough capital left at the end of the year to sustain the school at the beginning of the following year.

The third problem with the funding process of the DoE, was that the money received was insufficient to meet all the schools' requirements. As a result School C has removed the possibility of school excursions in the future. This is because they are unable to pay for the transportation of the learners.

Principal C (which had a teacher to student ratio of 1:80) also brought up the issue of the lack of infrastructure at his school. The school lacks an adequate number of classrooms, a science laboratory, teachers' toilets, administration offices and a media centre. The money allocated to the school does not take into account the infrastructure needs of the school. The allocation is insufficient to maintain or build new infrastructure. Principal B felt that this policy is not aimed at improving the quality of education at poor schools. As a result the schools become stagnant. The Principal believed that these poor schools would struggle and felt that the policy must be revised.

The SEM stated that schools are allocated a sum of money for minor school infrastructure repairs such as painting the school or replacing doors. The DoE handles major infrastructural work. The schools in need of classrooms and libraries, for example, are expected to apply to the DoE for the infrastructure to be built. The

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infrastructure is then built by the Department of Public Works or by contractors who have tendered for the contract.

The principals were asked whether there have been instances of the policy being abused. Two of the respondents said yes. Principal B said that:

Some parents drive fancy cars but claim not to be able to afford our low school fees.

Principal A stated that she knew of some parents that send their children to a quintile 5 (former model C) high school, but send their younger children to School A which is a (primary) no-fee school. This point was qualified when she stated that the overriding factor that parents take into account is good quality education for their children.

Principal C stated that due to the deeply rural location of School C, the school is not prone to abuse of the policy. The surrounding community is homogenous. Almost all the learners come from poor families.

When asked about instances of abuse of the no-fee schools policy, the SEM stated that there were instances where affluent parents sent their children to no-fee schools. This, in the SEM's opinion, led to overcrowding in schools. The SEM added that the no-fee schools do not offer an inferior standard of education.

When asked whether schools were provided with any implementation support from the DoE. Principals A, B and C stated that support from the DoE was not received (or delivered) equally. Principal D stated that there was tremendous support from the department. Senior Education Managers were on hand to answer any queries. Principal A stated that the school had received guidelines on how to spend the money received from the DoE but received no other support. Principals B and C stated that they had received no support from the DoE. When asked whether the school had received any support Principal C stated:

Not at all! The school receives what [the DoE] thinks it deserves and that's it.

A negative aspect of the policy was that the schools were operating in an uncertain environment. Schools were uncertain about:

- the amount of funding which they would receive from the DoE;
- when the money would be received; and
- the school's quintile status.

In response to the issue of the uncertain financial environment that schools operate in, the SEM stated that this was illogical. The no-fee schools, in his opinion, now receive more money than was previously collected from school fees. In addition this money is guaranteed.

(d) Evaluation of the No-fee Schools Policy

Principals were asked about what they considered the strengths and weaknesses of the no-fee schools policy. Principal D felt that there was a lack of consultation between the DoE and the school's management. The principal believed that schools should have been involved in the process of classifying schools into quintiles.

The principals were asked what aspects of the no-fee schools policy they would change in order to make the policy more effective and more advantageous to poor schools. The responses were:

- The amount of money given to the schools should be based on each schools specific need. This will allow the schools to provide an improved quality of education.
- The money from the DoE should be deposited into the schools' accounts in January. This will allow the schools to prepare budgets for the year.

- The policy should make provisions for school excursions and extra-mural activities.
- The no-fee status of a school should apply for at least ten years before that status is reviewed, to ensure that schools can operate in a fairly stable environment.
- Proper consultation should be carried out with all stakeholders. This is in line with the *Batho Pele* principles.
- There should be less restriction on how no-fee schools spend the money allocated to them. The school should be free to spend the allocated money, as long as it is in the interests of learner development.

In the SEM's opinion the no-fee schools policy, although still experiencing teething problems, has helped many schools gain some sort of financial security. The SEM stated that many problems originated from a lack of understanding of the policy on the part of schools. In addition schools need to manage their funds effectively and efficiently. This will ensure that schools have enough capital to operate throughout the year.

4.6 Conclusion

Opinions on the no-fee schools policy leaned toward the negative side despite the fact that all of the principals stated that the policy had good intentions. The policy provided all children the opportunity to receive an education despite their socio-economic backgrounds. However, all the principals experienced problem associated with the policy. The next chapter will provide an analysis of the data gained from the interviews and determine whether these compare to the theoretical implementation problems set out by Lipsky (1980), Parsons (1995) and Pressman and Wildavsky (1973).

Chapter 5

Analysis and Conclusion

5.1 Introduction

The purpose of this chapter is to analyse the data gained from the respondents that were interviewed. The data is analysed based on the theoretical arguments raised by Pressman & Wildavsky (1973), Lipsky (1980) and Rossi & Freeman (1989) which were discussed in chapter 2. The key themes which emerged during the interviews and study were centred around issues of funding, capacity, the broad service delivery goals, and the overall conceptualisation of the no-fee schools policy. These themes will be discussed in this chapter.

5.2 The Lack of Funds to Carry Out Tasks

Pressman & Wildavsky (1973) state that a lack of capital can be a significant cause of implementation problems, which can result in the failure of a policy. The lack of funding was an implementation issue that was cited by all four principals that were interviewed. Principal B stated that:

...[the] school was forced to operate without a single cent....You are told [what amount] the school will be given, and wait months and months without money.

Principal C referred to the issue of the lack of operating capital by stating that:

During the first three months the school failed to make payments for basic things like telephone bills, generator petrol, photocopier maintenance etc. during these months the school had no source of income.

Principals A, B and C also considered the amount of funding received from the DoE insufficient. This also points to a lack of capital needed to implement the no-fee schools policy effectively. Principal B stated that:

This policy is disadvantaging schools. Money allocated to the school is insufficient to run the school properly.

5.3 The Lack of Capacity to Carry Out Policy Aspirations

The SEM retorted that the weakness was not about a lack of funds but in the lack of financial expertise of principals. Principals lack financial management skills to budget and to use available funds efficiently. Principals are expected to raise funds to supplement the funding from the DoE. The importance of financial management skills were highlighted by the SEM, who stated that:

The money that the schools receive must be budgeted in such a way that the school has enough money left at the end of the school year to be able to reopen the school the following year. This will ensure that the schools are able to pay for things such as electricity bills...Some principals attend workshops on budgeting, but not all principals. Each circuit [within a district] can only send a few principals to these workshops as representatives of the region.

The SEM felt that the fact that principals are running out of money and are forced to stop paying for utilities suggests that the principals lack the financial management capacity to implement the policy effectively.

5.4 Numerous Ambitious Goals

The principals that were interviewed felt that they were expected to fulfil numerous goals in an environment where funds are limited. First they are tasked with ensuring that their respective schools function effectively. This includes ensuring that school accounts are paid. Principals must also ensure access to schooling for all children within their communities and that their schools offer quality education to all their learners they must provide and maintain infrastructure such as laboratories and libraries. Quality education also includes having a sufficient number of teachers which would lower the student to teacher ratio. All this, while they may not charge any school fees as per the no-fee schools policy.

According to the SEM, school principals must also raise funds, manage finances in such a way that the school shows a surplus of finances at the school year and budget funds in such a way that extras such as school trips can be paid for. This places an enormous amount of pressure on the principal of no-fee schools.

The implications of the SEM's statement are disconcerting. It implies that principals must be responsible for fundraising and should run the school at a profit despite the fact that communities are poor. This is counter-intuitive as one of the reasons for the promulgation of the no-fee schools policy is that parents are too poor to afford school fees and should therefore be relieved of this financial burden.

The no-fee schools policy is supposed to provide schools with financial security. Expecting no-fee schools to supplement their DoE funding goes against the essence of the policy.

5.5 Length of the Causal Chain

The responses from the principals and the SEM were at times completely conflicting. This suggests a lack of communication between the DoE and the principals who

implement the no-fee schools policy. This might be the result of the length of the causal chain being too long which leads to unpredictability in implementation, which is discussed by Pressman & Wildavsky (1973: 143). In addition, with regards to the issue of infrastructure, Principal C stated that:

In the case of our school, we are having a problem of running short of classrooms, we have no media centre, no laboratory, no administration offices and no educators toilets. When it comes to infrastructure the allocation itself is not enough to cater for all those needs we find it difficult to implement the policy...the school does not get enough allocation to cater for infrastructure.

On the other hand the SEM stated that:

According to the Norms and Standards, school are given some money by the Department for minor repairs to the school. Things like replacing door and painting the schools are included here. When it comes to major construction such as building classrooms etc the school must make an application to the Department. The Department will send assessors to the school and then the Department of Works will be engaged or even contractors will then build the classrooms.

According to Pressman & Wildavsky (1973, 143), if the causal chain is too long, due to too many stakeholders, the implementation process becomes unpredictable. This unpredictability can lead to implementation failure.

5.6 Coping Mechanisms

The study found that the principals adopted a number of coping mechanisms such as those discussed by Lipsky (1980). Lipsky would regard principals as street-level bureaucrats. As such, they possess discretionary power, and a degree of autonomy.

Benefits and services can be rationed by limiting the demand for the service and limiting the access that citizens have to those services. Lipsky (1980:87) states that there is no theoretical limit to the demand for public services. As such, public service organisations ration these by determining the level or proportion of services.

Although parents are asked to make “voluntary contributions” to the no-fee schools, these contributions (although considered costs) are not intended to limit the demand for the service. It was therefore found that the principal do not use the coping mechanism of assigning costs to a service in order to limit access and demand.

Lipsky (1980:125) states that *husbanding* resources is a strategy employed by street-level bureaucrats to conserve their resources. The aim of conserving resources is to build a contingency resource fund that allows the organisation to respond to future situations where there is an increased need for those resources. Principal A stated:

We asked parents to pay a voluntary contribution of R 150 to meet the deficits in our budget.

Principal C stated that:

In the case of our school, we asked the parents to make some voluntary contribution of R10 for learners doing Grade 1-6 and R20 for Grade 7-10 ...

The principals interviewed in this study employ two types of husbanding resources. First, Principals A and C (as stated above) have asked parents to pay a “voluntary” contribution. Secondly Principal C did not pay utility bills in order to conserve resources to run other aspects of the schools. As Principal C stated:

When the allocation from the Department came, we were expected to pay all outstanding accounts. Our school decided not to pay these outstanding accounts; instead we used the allocation for the school's immediate needs.

Street-level bureaucrats impact greatly on how policy is implemented and can influence or manipulate the way in which policy is implemented, even leading to its failure. In the case of the implementation of the no-fee schools policy, the inability of the no-fee schools to offer free schooling is not the fault of the principles, but is one of the DoE. The policy has not been accompanied by the resources needed to implement it successfully.

The no-fee schools policy is aimed at increasing access to schooling by eliminating the barrier of paying school fees. Other policy aspirations include removing the stress of financial insecurity on schools and alleviate poverty in the communities surrounding schools.

The SEM stated that the DoE provides sufficient funding to the schools. He went on to say that if there was a deficit in the budget, schools could supplement DoE funding through “voluntary contributions” and fundraising. The principals on the other hand feel that the funding from the DoE should not have to be supplemented and should be sufficient to run the school. Principal B’s understanding of the policy was that:

The Department of Education is responsible for the payment of school fees on behalf of the parents. Parents do not have to pay for anything. The allocation should be higher than what parents would pay. So it would benefit the school.

The understanding of the principals is congruent with the aspirations of the no-fee schools policy. Asking for “voluntary contributions” and fundraising, thwarts the goals of the policy.

The SEM stated that:

“Voluntary contributions” are acceptable as long as a majority of the parents decide to ask parents for this contribution. This decision cannot be made by the SGB only. The SGB must not tell parents to pay they must consult them.

The problem, here, is that parents are asked to pay this “voluntary contribution” or the school would not be able function which in turn impacts on the quality of education that their children receive. Principal A stated that:

If we had not asked the parents to pay the R150 voluntary contribution, we would not have had funds to pay for essentials services...parents understood the situation that the school was in and many of them readily agreed to pay the R150 to meet the deficit in the budget.

Parents pay the “voluntary contribution” to ensure that the school is able to function. This negates the “voluntary” aspect of the contribution. However, by calling the contribution “voluntary” the principals are psychologically redefining the goals of the policy.

5.7 Monitoring and Evaluation by Department of Education

Weiss (1998: 4) defines the evaluation of public policy as: “the systematic assessment of operation and/or the outcomes of a program or policy, compared to a set of explicit or implicit standards, as a means of contributing to the improvements of the program or policy”. On the part of the DoE, monitoring and evaluation would include regularly visiting no-fee schools to determine how the schools are functioning. Only Principal D stated that he had received support from the DoE. The other 3 principals felt that they were left to implement this policy on their own. When asked whether the school is visited by DoE officials to monitor the implementation of the no-fee schools policy, Principal C stated:

Not at all! The school receives what [the DoE] thinks it deserves and that's it.

The DoE needs to understand the procedures that are on-going in the implementation of the no-fee schools policy. The evaluation should take place while the policy is

being implemented and is therefore process-oriented. This form of evaluation should be aimed at improving on-going processes involved in the implementation of the no-fee schools policy.

5.8 Service Delivery

Policies and programmes can fail through delivery system failures. Rossi & Freeman (1989: 193) list three kinds of implementation failures: nonprogrammes, wrong treatment and unstandardised treatment. Wrong treatment occurs when policy implementation fails when the manner in which services are delivered, is inappropriate and as a result the treatment is negated.

Asking parents to pay “voluntary contributions” and to pay for school trips negates the objective of the no-fee schools policy which is to provide free education for poor learners. This suggests that the manner in which the policy services are being delivered is inappropriate. The amendment to Section 39 (b) of SASA states that:

The Minister [of Education] must by notice in the Government Gazette annually determine the national quintile for public school or part of such quintiles which must be used by the Member of the Executive Council to identify schools that may not charge school fees.

This Section stipulates that no fees in any form may be charged at no-fee schools. Fees are any admission, administration or extra-curricular costs to parents. “Voluntary contributions” can be argued to be fees in disguise.

Asking parents to pay some form of fee whether voluntary or not, does impact on parents’ ability to send their children to school. It can have indirect psychological costs, such as shame, when parents are not able to contribute financially. Access refers to the structural and organisational elements that facilitate the participation of the target population in the programme (Rossi & Freeman, 1989: 296).

To ensure that the no-fee schools policy does not fail because of inappropriate service delivery mechanisms, the DoE needs to specify the no-fee schools policy in measurable terms. This involves defining programme elements in terms of activities that take place, the participants involved in each activity and determining the resources that need to accompany such a programme.

5.9 Conclusion

The no-fee schools policy aims to provide access to education to all students who were previously prevented from attending school because they could not afford school fees. While laudable the policy is experiencing implementation difficulties. Firstly, no-fee schools lack sufficient capital to function effectively. Secondly, principals are expected to possess financial managerial skill to utilise the funds available efficiently. Thirdly, the manner in which the policy is delivered may negate the objectives of the policy goals. These three implementation difficulties force the principals to employ coping mechanisms in order to ensure that schools function and that learners are given a quality education to the best of their ability.

Poor communities, in which the no-fee schools are situated in, are being sent mixed messages. They are told that the schools are free so all children can attend schools and receive an education. At the same time schools need to supplement the funding from the DoE in order to bridge the gap between the funding and the expenses that the school incurs through “voluntary contributions.”

The preamble of SASA states that:

[T]his country requires a new national system which will redress past injustices in educational provision, provide an education of progressively high quality for all learners and in so doing lay a strong foundation for the development of all our people's talents and capabilities.

One of SASA's main objectives is to enable access to good quality education for all. The insufficient funding from the DoE results in no-fee schools being forced to cut costs, which can lead to them providing a lesser or lower quality of education to their learners. This promotes inequality in education. Unlike in pre-1994 South Africa where the inequality was based on race, the inequalities promoted by the current no-fee schools policy are only perpetuating these inequalities and points to the fact that a good education depends on one's socio-economic status.

Jenkins (cited in Howlett & Ramesh, 1995: 5) conceptualises public policy as

...a set of interrelated decisions taken by a political actor or group of actors concerning the selection of goals and the means of achieving them within a specified situation ...

This definition of public policy states that policies must be accompanied by appropriate implementation strategies. If policies are aimed to redress the current inequalities in the education system, then more attention needs to be given to its proposed implementation strategy.

The second half of Jenkins' (cited in Howlett & Ramesh, 1995: 5) definition states that:

...those decisions should, in principle, be within the power of those actors to achieve.

The data gained from the four no-fee schools suggests that the schools do not possess the necessary capacity to implement this policy so that the policy objective of increasing access to schooling for poor learners can be realised. As Grindle (1997: 4) argues, there is a need for governments to be efficient, effective and responsive. This includes responding to the needs of the citizens by formulating effective policies and implementing those policies efficiently.

Appendix 1

Interview Schedule: Principals

SECTION A: Background

1. How many pupils are registered at your school?
2. What is the student to teacher ratio?
3. What is the economic status of the surrounding community?
4. Before the introduction of the “no-fee” school policy, did you experience any problems regarding the payment of school fees? What were these problems?
5. How much were the school fees previously?

SECTION B: Conceptualisation of policy

1. What is your understanding of the “no-fee” school policy?
2. Are parents informed of the schools “no-fee” status? If not, why not?

SECTION C: Implementation Experiences

1. When did you start implementing the policy?
2. What have been your experiences in implementing the policy?
3. Do you think that the policy is being abused?
4. What problems have you experienced when implementing the policy?
5. How do you deal with these problems?
6. Since the introduction of the no-fee policy, has there been an increase in the number of admissions to your school?
7. Is the school run differently now that it is a no-fee school?
8. Is there support or guidance from the DoE in other words does the DoE follow up and find out whether your school is able to implement the policy or not?

SECTION D: Analysis

1. What would you regard as the policy's strengths?
2. What would you regard as the policy's weaknesses?
3. What would you recommend to overcome these weaknesses?

Appendix 2

Interview Schedule: SEM

1. What is your job title?
2. What is your job description?
3. What is the DoE's understanding of the no-fee policy and the purpose of the policy?
4. How are schools classified into quintiles?
 - Issue of reclassification of schools
 - Fairness of reclassification
5. Implementation experiences of the DoE
 - Issue of late funding
 - Abuse of policy
 - Voluntary contributions
 - School trips
 - Infrastructure building
 - Cessation of paying for utilities

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