

**THE CHALLENGES EXPERIENCED BY SCHOOL GOVERNING BODIES IN THE
IMPLEMENTATION OF THE CODE OF CONDUCT FOR LEARNERS: A CASE
STUDY OF TWO SECONDARY SCHOOLS IN THE MAFUKUZELA-GANDHI
CIRCUIT**

BY

THEGEN PILLAY

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The challenges experienced by School Governing Bodies in the implementation of the Code of Conduct for learners: A case study of two secondary schools in the Mafukuzela-Gandhi Circuit

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2012

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ABSTRACT

This study investigated the challenges experienced by school governing bodies in the implementation of the code of conduct for learners. A case study was conducted in two secondary schools from the Mafukuzela-Gandhi circuit in the Pinetown Region of KwaZulu-Natal. The aims of this study was to find out how SGBs implement the code of conduct for learners at their schools; what challenges SGBs experienced in the implementation of the code of conduct for learners and why SGBs are regarded as the most important structure to implement the code of conduct for learners. This qualitative study was set in the interpretivist paradigm. The research tools comprises of semi-structured interviews, documents analysis and observations. The two theories which underpin this study are democratic school governance theory and discipline theory. A review of international and local literature around issues of discipline revealed that some of the challenges of learner discipline encountered by South African Schools were being experienced world-wide. The findings of this research were a revelation to me. I had the privilege of experiencing first-hand what secondary schools educators, managers and parents encountered and dealt with on a daily basis. It is evident that learner misdemeanor is on the increase; educator's teaching time is being consumed in dealing with disciplinary issues; educators are becoming frustrated and demoralised; the tribunal hearing are not regarded as an effective structure by learners; parental involvement is lacking and parents seem to have abdicated the responsibility of their children's behaviour and education to the school and SGB parents play a limited role in the activities of the school due to their incapacity and lack of empowerment.

Some of the recommendations based on the findings are that schools must involve all stakeholders in the formulation of the policy. The contents and procedures outlined in the policy must be communicated to all stakeholders and there must be consistency in its application. SGBs must formulate innovative strategies to engage parents to actively participate in the activities of the school. The Department of Education must fulfill its obligation to capacitate parent and other stakeholders on the SGB. An empowered SGB will make a greater contribution to the governance of schools.

LIST OF ABBREVIATIONS

DOE – Department of Education

DSSC – Discipline, Safety and Security Committee

RCL – Representative council of learners

SASA – South African Schools Act

SGBs – School Governing Bodies

SMTs – School management teams

TLOs – Teacher liaison officers

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- H: Interview schedule
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- K: Ethical clearance from the University of KwaZulu-Natal
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CHAPTER ONE

INTRODUCTION TO THE STUDY

1.1 Introduction

Discipline is an essential factor for effective teaching and learning, (Lekalakala, 2007). It is not possible to teach or learn in an environment that is disorderly, disruptive and unsafe. Creating and maintaining a safe, discipline school environment is one of the important challenges facing principals, educators and parents in schools (Lekalakala, 2007). According to Lekalakala (2007), many principals and educators are finding it increasingly difficult to maintain discipline in schools in the wake of the new education legislation and regulations with regards to discipline and punishment in schools.

The South African Schools Act 84 of 1996 (SASA) was implemented in the beginning of 1997. In terms of this Act, all public schools in South Africa must have democratically elected School Governing Bodies (SGBs) comprising of the principal, educators, learners (applicable only to schools with grade 8 or higher), non-teaching staff and parents. Their functions include creating an environment conducive to teaching and learning, developing a mission statement for the school, promoting the best interest of the school, ensuring quality education for learners, safety and security of learners, deciding on school-uniform policy, disciplinary action and policy regarding determination of school fees (Mncube, 2009).

Mncube (2009) further indicates that this move was motivated by the need for greater democracy in education both nationally and internationally. According to international researchers (Davies and Kirkpatrick, 2000; Harber, 2004; Moggach, 2006) listening to parents, encouraging their participation and giving them more power and responsibility all result in a better functioning school as stated in Mncube (2009).

1.2 Focus and purpose of the study

Section 8(1) and (2) of SASA stipulates that the school governing body is responsible for adopting a code of conduct for learners through a consultative process. Learners, parents and educators should form part of the consultation process. The code of conduct should be aimed

at establishing a disciplined environment that is conducive to effective teaching and learning. The focus therefore is on positive discipline, self-discipline and inculcating a standard of behaviour that is recognised and accepted by civil society.

In terms of section 8(4) of the SASA, learners are obliged to comply with the code of conduct. Section 8(5) makes provision for due process, including a fair hearing before a learner may be suspended by the SGBs or expelled by the provincial head of department. Section 9 prescribes two kinds of suspension: either as a correctional measure for a period of up to a week or, pending a decision from the Department of Education, as to whether the learner is to be expelled from the school.

It is clear from the above sections in the SASA that SGBs play a leading role in establishing a disciplined school that guarantees learner safety and provides equal access to education opportunities. To confirm this role, section 19 of the Schools Act determines that provinces, from the funds appropriated for this purpose, must provide introductory and continuous training to all newly elected SGBs, in order to promote their effectiveness.

It is essential for the healthy and effective functioning of a school to understand and to respect the separation of school governance from the professional management of the school. While SASA attempts to define these two related but different activities, in real life the distinction is not easy to manage. Apart from the usual contestations that take place between different functions in the same institution, the position is complicated by the fact that the person responsible for the professional management of the school, the Principal, is also ex officio a member of the SGB. In order for certain activities to be effectively carried out, the SGB and the Principal have to act in tandem. An obvious case in point is the responsibility of the SGB for enacting a code of conduct for learners into place, within which framework, the Principal and the professional staff manages the day to day discipline of the school. The SGB is responsible for the crafting of the Code of Conduct for learners but the implementation of the policy is the responsibility of the SMT and other teachers. SGBs are only involved if there are disciplinary issues that require the intervention of the disciplinary committee (Roos, 2009).

On a day-to-day basis educators are confronted with learners' use of illicit drugs, bullying, sexual harassment and other anti-social behaviours. National policies developed by the

Ministry of Education, circulars and statements issued by the National Department of Education and provincial departments of education all accent the importance of discipline in maintaining a safe school environment. Education authorities dealing with school safety all envisage that governing bodies of schools, acting within their functions under the South African Schools Act 84 of 1996 and the Further Education and Training Act (1998), will give operational effect to their policies and projects by developing and adopting management and implementation plans that reflects the needs, ethos and values of the schools or institutions and its communities. It is assumed that codes of conduct, rules, regulations and disciplinary procedures will automatically provide a safe and secure environment for learners in schools. Consequently, all learning institutions are expected to develop their own safety policies and procedures that they clearly communicate and disseminate to their school community in a culturally appropriate and inclusive way (Joubert and Squelch, 2005).

Learner discipline and school safety is an important area that SGBs need to prioritise and actively engage. The link between learner discipline and academic achievement can not be understated and is ultimately intertwined.

1.3 Motivation and rationale for this study

Having served on SGBs in numerous portfolios including chairpersonship of primary and secondary schools, I have observed that the role of the SGB is not always clearly defined and understood by all stakeholders due to numerous contributing factors which it is hoped will be uncovered in part by this study.

In my 25 years experience as a level one educator, head of department and currently serving as a deputy principal, I have observed the drastic decline in the discipline of learners which has severely impacted on learner achievement and has contributed to a decline in educator moral. Educators believe that legislation such as the abolishment of corporal punishment and the increase in the rights of learners has rendered them powerless and that schools are unable to enforce the code of conduct due to the lengthy and legal processes involved which impact on their workload. Ultimately, the final verdict rests with the Department, with many of the outcomes being awarded in the favour of the offending learner. This study will attempt to unpack some of these perceptions.

In a study conducted by Mncube (2009), some issues regarding discipline emerged strongly. Governors in most schools in the study agreed that the most difficult decision they had to endorse concerned the recommendation for expulsion of learners, which can only be done by the Provincial department of education, whereby the decision to recommend expulsion was already initiated and had to be rubberstamped by the SGB. Parent SGB members concerns, regarding disciplinary procedures, were not being taken seriously or disregarded. False information provided by the school to parents on SGB because members were not present at the hearing. SGBs are being overruled by the Provincial Department although all procedures were followed and the increase in disciplinary problems due the above process. This study will attempt to explore some these issues.

1.4 Research aims and questions

The aims of this research are:

- To explore how the SGBs implement the Code of Conduct for learners in their schools.
- To explore the challenges experienced by SGBs in the implementation of the Code of Conduct for learners.
- To investigate why the SGBs are regarded (by the government) as the most appropriate structure to maintain discipline at schools.

In pursuit of the above aims, this study is underpinned by the following research questions:

- How do SGBs implement the Code of Conduct for learners in their schools?
- What are the challenges that SGBs experience in the implementation of the Code of Conduct for learners?
- Why are SGBs regarded as the most appropriate structure to maintain discipline in schools?

1.5 Review of literature

Discipline at school has two very important goals, that of staff and learner safety and to create an environment conducive to learning and teaching. If certain learners are too scared to attend school because they constantly feel threatened or the behaviour of learners in a school disrupts the normal teaching and learning process, this has serious impact on learners' access to equal educational opportunities (Joubert, Waal and Roussouw, 2004).

Van Wyk (2001) points out that the prevalence and gravity of disciplinary problems in school is a universal concern and Joubert, Waal and Roussouw (2004) indicate that disciplinary problems can be defined as “disruptive behaviour that significantly affects fundamental rights to feel safe, to be treated with respect and to learn.” Although it is a serious problem in this country, disciplinary issues are not limited to the South African public school system.

The concepts “discipline” and “punishment” have different meanings although they are sometimes used interchangeably. Joubert and Squelch (2005) explains that discipline is about positive behaviour management aimed at promoting appropriate behaviour and developing self-discipline and self-control in learners. Punishment, which is also a facet of discipline, involves actions taken in response to inappropriate behaviour in order to correct or modify behaviour and to restore harmonious relations. It is usually linked to a process of supporting the norms of the majority of learners, educators and parents who determine these norms and values in a school or community. Thus, when learners conduct themselves in a way unacceptable to the majority at a school, the majority expects offenders to be punished. It is important for learners and parents to know what the consequences of inappropriate behaviour or misconduct are.

Mestry and Khumalo (2012) state that few would argue that today, schools globally are in trouble. The problems of learner discipline are sparking a national debate as educators, school boards, administrators, and parents search for ways to strengthen their school system at all levels, more effectively respond to the rapidly changing world around them, and better educate their children. To enable effective learning to take place it is critical that a safe, secure and positive environment is created (Joubert & Squelch, 2005). The Department of Education (2008) to this end, asserts that the school is committed to providing an

environment for the delivery of quality teaching and learning by promoting the rights and safety of all learners, educators and parents.

Disruptive learner behaviour in South African schools has been reported widely and is said to include learners armed with dangerous weapons, learner on learner violence, learner on educator violence, vandalism, theft, and learners in possession with prohibited substances such as drugs and alcohol (News24.com., 2006).

Joubert & Bray (2007) ardently indicate that the SGB can and should play an important role in the establishment and maintenance of sound discipline. For this reason, the SASA (Republic of South Africa, 1996a) mandates SGBs to adopt a code of conduct for learners as a way of “establishing a disciplined and purposeful school environment, dedicated to improving the quality of the learning process”. International and local literature of school governance and learner discipline is further discussed in chapter two.

1.6 Research design and methodology

1.6.1 Research Design

A qualitative research approach was considered suitable for this study because it involves an interpretivist-constructivist paradigm. It seeks to establish, explore and construct reality regarding the challenges experienced by SGBs in the implementation of the code of conduct with the view to assessing their effectiveness in promoting good behaviour practices. Qualitative researchers are motivated by an in-depth inquiry to study a phenomenon in its natural setting, to make sense of, as well as to interpret, the phenomenon in terms of the meaning and understandings constructed by people (Denzin, 2005). Therefore the real-life experiences of members of the SGBs regarding disruptive behaviour in schools and their understanding and experiences of the School’s Code of Conduct and its causes needs to be captured.

1.6.2 Research approach

A qualitative research method was used. A case study of two secondary schools in the Mafukuzela – Gandhi Circuit was conducted.

Qualitative research as defined by Bogdan and Bilken (2003, p.261) is “an approach to social science that emphasizes understanding the subject’s point of view.” This definition therefore implies that the researcher may gather data in the forms of words from people in their actual settings. This study illicited information from SGB members by interviewing participants to get to know their thoughts and feelings about the formulation of the code of conduct and the challenges they experienced in the implementation of the policy at the school. Observation of human reaction such as feelings and behaviour may reveal the truth to the researcher (De Vos, et al. 2002, p.285).

According to Yin (2003) a case study design should be considered when the focus of the study is to answer “how” and “why” questions; you cannot manipulate the behaviour of those involved in the study; you want to cover contextual conditions because you believe they are relevant to the phenomenon under study; or the boundaries are not clear between the phenomenon and context.

1.6.3 Sampling

According to Cohen, Manion and Morrison (2007), the question that often plagues novice researchers is just how large their sample for the research should be. There is no clear-cut answer, for the correct sample size depends on the purpose of the study and nature of the population under scrutiny. McMillan and Schumacher (2006) point out that the logic of the sample size is related to the purpose of the study, the research problem, the data collection technique and the availability of the information-rich cases.

This research used purposive sampling because the selected schools are well established schools which are known to the researcher – one a neighbouring feeder school and one by association. The researcher has some prior knowledge of both schools through the personal interaction with some of the stakeholders at the school and is aware that these schools are encountering discipline problems such as late-coming, bullying, substance abuse, smoking and fighting; more so than other schools. In purposive sampling the researcher’s interest is important and the researcher satisfies the study’s specific needs (Leedy & Ormrod, 2005).

I selected a representative group of this population to serve as respondents. In this study, the population comprised of members from each category serving on the SGB namely the

principal, SGB chairperson, educator representative, learner representative and parent representative.

1.6.4. Data collection tools

This qualitative, case study research made use of multiple data collection methods such as focus group interview, semi-structured interviews, documents analysis and observations.

1.6.4.1 Focus group interviews

From each school, focus group interviews were held with the educators, parents and learners serving on the SGB with the addition of some non-serving stakeholders and the schools' teacher-liaison officers. Focus groups interviews are contrived setting, bringing together a specifically chosen sector of the population to discuss a particular given topic, where the interaction with the group leads to data and outcome (Cohen, Manion and Morrison, 2007). Their contrived nature is both their strength and weakness in that they are unnatural settings, yet they are very focussed on a particular issue and will therefore yield insights that might otherwise have not been available in a straightforward interview.

1.6.4.2 Semi-structured interviews

Semi-structured interviews were also used to collect data. Semi-structured questions have no choices from which the participant selects an answer. The questions are phrased to allow for individual responses. Slavin (2007) states that face-to-face interviews provide the greatest opportunity for researchers to obtain elaborate responses to questions that cannot be answered simply. Respondents might expand on an answer by explaining why they hold a particular opinion or provide detailed descriptions of events or practices that they would never take time to write down.

Semi-structured interviews were conducted with the principals and the SGB/DSSC committee chairpersons. I then proceeded to a more structured interview to illicit more specific and detailed information. The type of questions posed here were more precise and goal orientated and the questions to all respondents were fixed.

In this study I gathered data about the legal perspectives on the establishment of the code of conduct policy and the challenges that SGB members experience in the implementation of the policy. Permission was obtained from the participants for the interviews to be tape recorded. De Vos, Strydom, Founce and Delpont (2005) state that if possible and if permission is obtained from the participants, the researcher should record interviews on tape or video.

1.6.4.3 Documents analysis

Manyaka (2006) states that document study in education involves the study of documents such as policy statements, handbooks, annual reports, minutes of meetings, transcripts of student's works and institutional databases. Creswell (2002) points out that documents provide valuable information in helping researchers understand central phenomenon in qualitative studies, represent a good source for text data; they provide an advantage of being in the language and words of the participants, who have usually given thoughtful attention to them; and are ready for analysis without the necessary transcription.

For the purpose of this research all documents related to disciplinary issues and the schools' policies on learners' code of conduct were studied. Information uncovered from these documents shed light on the research questions outlined in this study.

1.6.4.4 Observations

Observation is the process of gathering first hand information by observing the site (Creswell, 2005). As a form of data collection, observations have both advantages and disadvantages. Advantages include the opportunity to record information as it occurs in a setting and to study individuals who have difficulty in verbalizing their ideas. Some disadvantages of observations are that you will be limited to those sites and situations where you can gain access and you may have difficulty developing rapport with some individuals. Observation in a setting requires good listening skills and careful attention to visual details (Creswell, 2005). Unstructured observations over a two month period of educators and the learners, and the interactions between educators, learners and parents were conducted. The researcher also made note of the school environment and the buildings during these periods of observations.

1.6.5 Data analysis

According to McMillan and Schumacher (2006) analysis of data obtained from individual and group interviews can be done through identifying common themes from the respondents' description of their experiences. Irrelevant information was separated from relevant information. The relevant information was then processed to phrases or sentences which reflected a single or specific thought or idea.

Similar ideas were grouped together to form sub-themes. These ideas were then pieced together to give one main idea and conclusions were drawn. The phrases or sentences were further grouped into categories that reflected the various aspects of meanings. The various meanings identified were then used to develop an overall description as seen by the respondents and a conclusion was drawn.

1.7 Ethical considerations

Ethical clearance was requested from the University and permission to conduct the research in the selected schools was sought from the KZN Department of Education, the school principals and the participants. The study was limited to the two schools in the Mafukuzela-Gandhi Circuit in the Phoenix, KwaZulu-Natal. After permission was obtained, participants were met before the research and explained about the purpose and the importance of the study. The following principles were emphasised to the research participants: *voluntary participation* in the research – they may opt to withdraw at any time; *informed consent* – they will at all times be fully informed about the research process and purpose and must give consent to their participation in the research; *safety in participation* – they will not be placed at risk or harm of any kind; *privacy* – the confidentiality and anonymity of the respondents will be protected at all times and *trust*- the respondents will not contribute to any acts of deception or betrayal in the research process or its published outcomes (Cohen, Manion and Morrison, 2007).

Punch (2009) summarises the main ethical issues in social research as *harm*- they will not be placed at risk or harm of any kind, *consent*- they will at all times be fully informed about the research process and purpose and must give consent to their participation in the research and may opt to withdraw at any time, *deception*- the respondents will not contribute to any acts of

deception or betrayal in the research process or its published outcomes, *privacy*- the confidentiality and anonymity of the respondents will be protected at all times through the use of fictitious names and confidentiality of data.

1.8. Limitations

Although the strength of qualitative research lies in its focus on extracting meaning, like quantitative research, it still has serious limitations. In particular, these limitations include researcher prejudice and bias, observer effects, and writing about qualitative research so that readers can replicate the study. Due to the evaluator being the key instrument in qualitative research, the evaluator's prejudice and bias could be introduced into the findings and results of studies (Onwuegbuzie and Leech, 2004)

This study concentrated on two schools in the Mafukuzela-Gandhi Circuit. It paid no attention to the surrounding schools or to schools in the neighbouring circuits. The schools selected were accessible to me and were known to be encountering problems with learner discipline. The findings cannot be generalised to the whole of the Mafukuzela-Gandhi Circuit or to the Pinetown region, but may be an indication that there are serious problems existing in the management of discipline in schools in the Mafukuzela-Gandhi Circuit, even in the Pinetown Region and possibly for the whole of KwaZulu-Natal.

1.9 Definition of terms

In this study, unless the context states otherwise:

1.9.1 Code of conduct

Code of conduct means the code of conduct for learners as stipulated in the school policy or constitution in accordance to guidelines stipulated in the SASA Act 84 of 1996. Section 8 stipulates that the Code of Conduct for schools should be drafted specifically to deal with disciplinary issues in schools. Subject to any applicable provincial law, a governing body of a public school must adopt this Code of Conduct for the learners after consultation with the learners, parents and educators. The Code of Conduct forms part of a school's domestic legislation and must be drafted within the framework of SASA.

1.9.2 School Governing Body

SGB refers to the school governance structure that is formulated according to the SASSA 84 of 1996. SASSA section 23(1) prescribes three categories of membership to qualify to serve on the public SGBs. These are elected members, co-opted members and the principal of the school as an official member. In addition, section 23(2) prescribes that the elected members of the SGBs should be selected from the following groups: parents of learners of the school, educators at the school, non-educators staff and learners in the eight or higher grade at the school. There is also a provision set by section 23(a) which stipulates that the number of parents should comprise one more than the combined total of other members of a governing body that has voting rights.

1.9.3 Discipline

Van Wyk (2001) indicates that discipline in education is a complex phenomenon which is difficult to define and often incorrectly equated with punishment; discipline means a code of conduct prescribed for the highest welfare of the individual and the society in which the individual lives and it is a personal system of organized behaviour designed to promote self-interest while contributing to the welfare of others. Discipline is about positive behaviour management aimed at promoting appropriate behaviour and developing self-discipline and self-control in learners (Joubert and Squelch, 2005).

1.10 Outline of the chapters

Chapter One is an introduction to the study.

Chapter Two outlines the literature review on school governance, school discipline and the theoretical framework that underpin this study.

Chapter Three discusses the research design, methodology and ethical issues upon which this study is based.

Chapter Four consists of the detailed findings, presentation and analysis of the research data.

Chapter Five provides a summary, conclusion and recommendations that will emerge from the study.

1.11. Summary

An explanation of the problem, statement of the investigation and the aims of the study were presented in this chapter. The method of research was briefly explained and certain relevant concepts were clarified. The outline of the following chapters of this study was also provided. The next chapter discusses literature and the theoretical frameworks that are relevant to this study.

CHAPTER TWO

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.1 Introduction

The previous chapter introduced the study by providing the focus and purpose of this study, the research questions that underpinned this study and a brief overview of the literature, research design and methodology used. In this chapter I reviewed the issues of school discipline internationally and locally. I also discussed and explored the two theoretical frameworks, school discipline theory and democratic school governance theory, which are linked to this study.

2.2 School Discipline

Discipline at school has two very important goals, that of staff and learner safety and to create an environment conducive to learning and teaching. If certain learners are too scared to attend school because they constantly feel threatened or the behaviour of learners in a school disrupts the normal teaching and learning process, this has serious impact on learners' access to equal educational opportunities.

Joubert, Waal and Roussouw (2004) indicate that disciplinary problems can be defined as “disruptive behaviour that significantly affects fundamental rights to feel safe, to be treated with respect and to learn.” Although it is a serious problem in this country, disciplinary issues are not limited to the South African public school system. Van Wyk (2001) points out that the prevalence and gravity of disciplinary problems in schools is a universal concern.

The concepts “discipline” and “punishment” have different meanings although they are sometimes used interchangeably. Squelch (2000) explains that discipline is about positive behaviour management aimed at promoting appropriate behaviour and developing self-discipline and self-control in learners. Punishment, which is also a facet of discipline, involves actions taken in response to inappropriate behaviour in order to correct or modify behaviour and to restore harmonious relations. It is usually linked to a process of supporting the norms of the majority of learners, educators and parents who determine these norms and values in a school or community. Thus, when learners conduct themselves in a way

unacceptable to the majority at a school, the majority expects offenders to be punished. It is important for learners and parents to know what the consequences of inappropriate behaviour or misconduct are.

2.3 School discipline internationally

2.3.1 United States of America

A survey conducted in the USA titled 'Teaching Interrupted': Do Discipline Policies in Today's Public Schools Foster the Common Good? (Public Agenda, 2004), found that too many students were losing critical opportunities for learning and that many educators were leaving the profession because of the behaviour of a few persistent trouble-makers. According to the study, educators work in a culture of challenge and second-guessing which has impacted on their ability to teach and maintain order. Nearly half of the educators complain that they have been accused of unfairly disciplining a student and more than half indicate that the districts backing down from assertive discipline causes discipline problems.

Discipline has been a recurring theme in public opinion research on public school for years and 'Teaching Interrupted' (2004), suggests that educators have made only limited progress in addressing it. These issues continue to plague educators, concerned parents and derail learning in school across the country. Parents and educators unanimously agree that schools need good discipline and behaviour in order to flourish.

Observations of educators and parents collected (Public Agenda, 2004) suggests that current school discipline policies may not be working. The following examples of the observations refer. Both parents and educators confer that, the school experience of most students suffer at the expense of a few chronic offenders. Students who are persistent offenders, who should be removed from the school grounds, are not. Students pay a heavy price academically when schools tolerate the chronic bad behaviour of the few. Educators admit that their teaching would be more effective if they did not have to spend so much time dealing with discipline issues. Lack of parental support and fear of lawsuits are an ever-present concern for many educators who indicate that students are quick to remind them that they have rights or that their parents can sue. Many educators indicated that documentation requirements for disciplinary issues go beyond common sense and are used primarily to protect the schools

from potential lawsuits. Educators preferred reserving the use of special hearings, where witnesses are called and lawyers are present, for only the most serious discipline cases. Student discipline and behaviour problems are pervasive. Educators and parents report of having armed police officer stationed at some schools. On the whole the study reflects that schools are doing a good job responding to most serious behaviour problems like drugs and guns but should be doing more when it comes to minor violations of the school rules. Student discipline takes a toll on educators.

The study also unearthed that some educators have seriously considered quitting the profession because discipline and behaviour became so intolerable and new educators are particularly unprepared for dealing with behaviour problems. Problems with student behaviour appear to be more acute in urban schools and in schools with high concentration of student poverty. Compared with their counterparts, educators in these schools are more likely to cite student discipline as a top problem. These concerns are more likely to drive educators out of the profession and has a serious negatively impact on student learning. Although there is an overwhelming consensus for more disciplined schools, few want them to become intimidating places where children tremble before educators and silence is the rule. Educators and parents alike readily accept that kids will be kids and that the energy, spontaneity and a little impishness here and there are natural parts of childhood. Yet, both parents and educators yearn for schools that offer a more civil and respectful atmosphere, where educators can teach and students can learn, and where adults and not kids set the rule.

2.3.2 Canada

Canadian researchers (Craig, Peters and Konarski, 1998; Sudermann, Jaffe and Schieck, 1996) began collecting data in the early-1990s to determine the prevalence of bullying in Canadian schools. These studies generally conclude that Canadian students, like students in other countries around the world, suffer from bullying at school at rates and frequencies that cannot be ignored (Craig, Peters and Konarski, 1998; Sudermann, Jaffe and Schieck, 1996). A study conducted by the World Health Organization, which surveyed the health behaviours of school-aged children around the world, found that Canada ranked in the middle of 35 countries studied for level of bullying (Craig and Harel, 2004).

The National Crime Prevention Strategy was established as the Government of Canada's action plan to reduce crime and victimization primarily using crime prevention through social development (CPSD) approach. One of the priorities selected was school-based anti-bullying programs due to the growing awareness of bullying as an issue among young people and the capacity of the NCPC to provide useful insights from its support for anti-bullying projects across Canada.

The first step in a whole school approach to bullying is the creation of an anti-bullying policy or more recently a broad school safety policy. Designed to promote an anti-bullying message throughout the school, the policy should outline the roles, responsibilities and procedures for staff and other adults including parents and community volunteers; reporting steps for students and staff dealing with bullying incidents; a code of conduct for students; response protocols; and consequences for bullying (Lumsden, 2002; Pepler and Craig, 2000; Smith, 2000). The best anti-bullying policies also outline formative consequences that can be adapted to fit the circumstances of particular incidents that have taken place at the school. Formative consequences provide opportunities for students who bully to learn more pro-social ways of interacting with others and to make amends to those affected by their negative behaviour (Heinrichs, 2003; Pepler and Craig, 2000). Punitive consequences, such as expulsion, do very little to change behaviour and may actually exacerbate the problems for the student who may feel less connected to the school as a result (Fox, Elliot, Kerlikowski, Newman and Christeson, 2003; Mayencourt, Locke and McMahon, 2003; Pepler, Smith and Rigby, 2004; Shaw, 2001).

Successful implementation of a whole school policy requires the leadership of the principal and the support of teachers, students, and parents. Development of a policy typically follows four steps as described by Pellegrini (2002) and Smith (2000). They are, conducting a school needs assessment; developing a policy in consultation with key stakeholders; implementing the policy in the school and evaluating the policy.

The first step in creating a policy involves conducting a school needs assessment. It helps determine the parameters and extent of the school's problem before deciding upon the best course of action (National Children's Bureau, 2000; Pepler and Craig, 2000; Pellegrini, 2002; Sampson, 2002). The main purpose of the needs assessment is to determine the basics of the issue: the who, what, when, where, why, and how. Needs assessments should be conducted throughout the project, starting with a baseline assessment and followed by periodic

assessments throughout the course of the intervention to provide updated information on the school's needs (National Crime Prevention Centre, 1997; Mayencourt, Locke and McMahon, 2003; Shaw, 2001). This can be accomplished through various measurement tools including surveys, questionnaires, interviews, mapping hotspots for bullying, and teacher ratings of student behaviour (Lumsden, 2002; Sampson, 2002).

In developing a policy, it is helpful to establish a steering committee that involves the school principal, representatives from parent councils, teachers, other school staff, and students (Pepler and Craig, 2000; Smith, 2000). By including staff, students, and parents in the creation and implementation of anti-bullying policies, the school administrators receive valuable input from all those directly affected (Pellegrini, 2002). When students feel they have contributed to the policy, they feel empowered to respect and implement it. Pepler and Craig (2000) emphasize the importance of involving students in the intervention in the early stages of developing a whole school anti-bullying policy. Inclusion of students in developing the policy can help foster a feeling of belonging and school pride.

The involvement of all stakeholders in the creation of the policy increases the likelihood that it will be respected and enforced (Glover, Gough, Johnson and Cartwright, 2000). The approved policy should be formally introduced to students, staff, and parents to ensure universal awareness of its existence and its key components. It can be launched in various ways including presentations, newsletters or poster campaigns. To help integrate the policy into regular school activities and culture, the policy requires continued promotion, support and commitment from staff, students and their parents throughout the school year. Continual promotion of the policy will also serve to increase its effectiveness within the school (Pepler and Craig, 2000; Shannon and McCall, n.d.; Smith, 2000).

Policies require periodic review and modification to remain relevant to the school and its students (Glover *et al*, 2000). Once implemented, key groups involved in the development of the policy should provide their assessment of the policy's progress using brief surveys, questionnaires, interviews or other means to collect their comments. This is an essential step, as a policy that has been forgotten or applied haphazardly will quickly become ineffective.

A formal evaluation process conducted by a third party not directly responsible for the implementation can provide objective evidence of the effectiveness of an anti-bullying policy

(Smith, 2000). This evidence can provide additional incentive to continue the policy beyond the initial implementation period or to expand its application to other schools.

Parental involvement is a key issue in addressing bullying in schools (Ma, 2002; Mayencourt, Locke and McMahon, 2003; Shannon and McCall, n.d.). The main goal of involving parents is to improve the lines of communication between school and parents on bullying and to secure their support for the school's policy and programs on bullying (Smith, 2000). Asking parents to provide information for the preliminary needs assessment and for the anti-bullying policy can serve to accomplish this goal. Parents also need to be given accurate information on bullying and how to deal with it, along with encouragement to contact the school if they suspect incidences of bullying (Pepler and Craig, 2000).

Research by Roberts, Hanvey and Varga-Toth (2003) asserts the important role that parents play in addressing their child's experience of school violence. They found parents need to become more aware of the everyday problems in their child's lives, including general violence and bullying. If parents do not understand the seriousness and extent of the problems, they cannot help their children respond to them.

In addition to a whole school approach where school staff, students, and parents are involved in implementing an anti-bullying program, the school should consider including community representatives, police, health and human services, and education and other ministries in the intervention (Shaw, 2001; Shannon and McCall, n.d.). In a comprehensive approach, a school may recruit organizations and individuals within the community that are not usually connected to the school to help in their anti-bullying initiative. Anti-bullying initiatives within the community also can serve to complement actions taken within the school to address bullying behaviour. Community-based programs can also include multiple stakeholders including the Police and Health and Human Services Sectors.

2.3.3 England

Under the Education and Inspections Act of 2006, a governing body of a school must have a written statement of general principles to guide the head teacher in determining measures to promote good behaviour and notify or provide guidance to the head teacher if they wish to include particular measures or address particular issues.

The Education and Inspections Act of 2006 gives educators and other school staff statutory power to discipline learners with the effect from April 2007. Previous authority was under the common law principle of '*in-loco parentis*'. The Act gives schools greater flexibility to impose sanctions such as detention without parents' consent.

The rights and responsibility of schools, learners and parents in ensuring an orderly climate of learning include the following as outlined in the School Discipline and Learner Behaviour Policies (2007): To enforce the school behaviour policy by ensuring that the whole school community is consulted about the principles of the policy; to expect learners and parents' co-operation in maintaining an orderly climate of learning by establishing and communicating clearly measures to ensure good order, respect and discipline; to expect learners to respect the rights of other learners and adults in the school; not to tolerate abusive or violent behaviour by pupils or parents and to be clear about the limits of staff members' disciplinary authority and to engage outside partners, such as children's services and police as appropriate.

School Discipline and Learner Behaviour Policies (2007) indicate that the School Behaviour Policy should reflect school values and principles, be able to be explained to pupils of any age ability, represent widespread agreement about standards amongst learners, school staff and parents, provide a healthy balance between rewards and sanctions and promote positive behaviour.

Since 1999 all schools have been required to have a home-school agreement (Steers, 2010). These are issued to parents when their children enter the school. The agreement aims to ensure that parents and educators are informed of the expectations of each other and of their separate duties and responsibilities. Home school agreements place particular emphasis on learner behaviour and the role of parents in working with the school and supporting maintenance of good standards of discipline.

According to Steers (2010), schools should make it clear and explicit in their school behaviour policies that they have the power to use physical force as necessary on learners, power to put learners in detention outside normal school hours and power to search learners for certain types of inappropriate items. In exercising their power to restrain or search a

learner, the school staff member must act proportionately and in accordance with published guidance and law.

It is important that schools have knowledge that they are operating within a legal system that supports their endeavours and that both parents and schools know that the use of a parenting order is a possibility. The issuing of parenting orders will be a rare event and an action taken only when all other strategies have failed. Threatening a parent at an early state with issuing a parenting order would be likely to prevent them developing a better relationship with the school.

Schools now have very much clearer, broader and better focused powers to discipline pupils that ever before (Steer, 2010). School personnel that restrain or search children need to be properly trained and to observe clear guidelines. This protects the rights of the child, the rights of the parent and the rights of the school members of staff.

2.3.4 Australia

All children have a right to receive an education in a secure and happy learning environment, free from all forms of bullying, harassment, violence, abuse and neglect (McGrath, 2005). To this end, the National Safe Schools Frameworks (NSSF) was endorsed by all Australian Minister of Education in July 2003. The NSSF represents a social vision of how schools can be when they address the issue of discipline and focus on student safety and wellbeing. In 2004, legislation was passed which requires the NSSF to be implemented in all Australian schools by January 2006.

According to McGrath (2005), enormous variation was evident in what schools actually did to address the concept of Safe Schools. The major focus of most schools was on bullying. School had to take into account and implement the six key elements of the NSSF which are: Schools values, ethos, culture, structures and student welfare; the establishment of agreed policies, programmes and procedures; the provision of education and training to staff, students and parents; managing incidents of abuse and victimisation; providing support for students and working closely with parents.

Schools reported that the values of respect, compassion, acceptance of difference and engaging learners in open discussion about discipline issues contributed to the culture of support and respect. Secondary schools that use peer support structures and learner leadership programmes to empower learner found that these provided very effective processes for improving school cultures and climates.

Schools used the NSSF to re-develop and redefine their discipline policies, making stronger links between their anti-bullying policy, their sexual harassment policy and their code of conduct for learners.

Many schools focussed on ensuring that engaging activities and approaches were used in their behaviour management education initiatives. Schools found that one effective way in which engagement was enhanced through learner ownership. Learners initiated and developed their own approaches, materials and campaigns to educate other learners, their educators and parents about bullying and other safety issues (McGrath, 2005).

Parents were involved in the process of developing safe schools in a range of different ways such as: Being parent representatives on learner wellbeing committees; working with educators and learners in the development or refinement of policy and procedures; attending workshops and forums on discipline related areas and providing feedback on draft school policies and school initiatives.

A significant number of schools that focussed on working with parents reported that they had found it difficult to engage parents in behaviour management education, activities, and policy making. Some had also encountered parental resistance to new initiatives. One of the challenges for schools to enhance their Safe Schools initiatives is to find effective ways to engage parents.

McGrath (2005) emphasises the concept that school safe initiatives should adopt a whole-school approach which must include the following: Effective leadership that is needed to collaboratively develop a long-term whole school plan, and the commitment of all members of the school community; developing a safe school policy in partnership with staff, learners and parent and communicate the common understanding that discipline is everybody's concern; reviewing the school's current discipline and welfare policies and related practices and protocols to ensure their alignment with the school's Safe School Policy; working in

partnership with parents and finding positive ways to engage them in Safe School initiatives, keeping them informed and encouraging them to model pro-social attitudes and behaviour for their children and ensuring learner participation in and the ownership of components of Safe School initiatives and involving the local community in Safe Schools.

2.3.5 Nigeria

Learner indiscipline seems to be ubiquitous in the 21st century in Nigerian schools (Nakpodia, 2010). With recent increase in school enrolment, learner discipline problems are bound to cause more burdens on educators and administrators. Learner indiscipline has plagued schools, leading to a series of unrest. It is observed that students resort to unconstitutional measures in channelling their grievances and it is not unusual that schools have been blamed for the awkward and uncivilised behaviour demonstrated by learners (Nakpodia, 2010).

This situation has been a major concern to parents and those in the school community who suggest that disciplinary strategies be applied by educators and that rapport be created between learners and educators as a systematic way to solving the problems.

Nakpodia (2010) also indicates that learners are the most essential and priceless assets in education. It is therefore absolutely necessary to direct learners to exhibit acceptable attitude and behaviour within and outside the school. In an attempt to achieve an organized and peaceful school environment and maintain law and order, the school management specifies rules and regulations to guide the activities of members of the educational organisation. Discipline in school organisation includes any rational approach used by educators to overcome the problems of the school environment. To bring about effective discipline of learners, the school formulates a set of rules to guide the conduct of learners.

The power of educators to discipline learners in the school stems from the doctrine of educators acting in *in-loco parentis*, that is, on behalf of the parents with respect to education. This doctrine is based on the assumption that by sending their children to school, parents agree to delegate to school officials the power to control their children's conduct in a manner that will be of best interest to the child.

There has to be reasonable disciplinary policies and procedures to prevent and resolve learner discipline problems and to ensure the efficient functioning of schools (Nakpodia, 2010). In addition, various disciplinary approaches such as corporal punishment, suspension and expulsion, exclusion and civil rights issues. These policies and procedures are made more specific at individual school levels as rules and regulations. To be legally enforceable, school rules and regulations are to be reasonable, have educational purpose and be administratively feasible.

That school children are expected to be ideal in behaviour makes the establishment of school disciplinary committee a must (Oyetunde, 2010). The need for a conducive teaching and learning environment in schools makes the establishment of disciplinary committees in schools a necessity.

Oyetunde (2010) outlines that membership of the disciplinary committee should be commensurate to the size of the school. Membership should not be less than five and not more than ten as the case may be. The head of school should be the chairperson of the committee. Membership should include at least one or two teachers from each of the two levels of the school, that is, lower and upper classes and the senior prefects (boy and girl). The PTA Chairman/Secretary can be *ex-officio*.

The following, among others, are suggested functions of disciplinary committee (Oyetunde, 2010). To serve as model in terms of character training and behaviour for students; to assist the students in conforming to school rules and regulations; to help students develop self-discipline/internal discipline; to administer punishment commensurate with offence committed by any student; to liaise with the school and law enforcement agents in case of difficult student; to set up some school rules and regulations for the students to obey; to promote and encourage good behaviour among the teachers and students and to ensure peaceful coexistence among and between teachers and pupils respectively thereby creating a conducive school environment.

In Nigerian law, the human rights principle which also applies to learners as citizen of the country are prescribe in sections 30-42 of the 1979 constitution. Rules and regulations for legal enforcement must be in line with these sections of the constitution. Due to the particular nature of the school, there are many areas an educator has to conduct disciplinary

matters. An educator involved in handling disciplinary matters must do so within the limit of the law.

Nakpodia (2010) suggest three guidelines to be taken into account when disciplining learners. The educator must adopt the appropriate code of conduct when dealing with learners. The method used must be authorized by the Ministry of Education and the action of the educator must be protected by the vicarious liability, that is, are educators working within the scope of their employment.

A learner may be suspended or expelled where he/she infracts a grievous school rule. The learner should be given a hearing prior to suspension or expulsion. It is recommended that parents be invited to the disciplinary committee hearing if the sanction of expulsion is contemplated. There should be a right of appeal to a higher body. A principal is at liberty to inform the entire learner population, the reason for the suspension or expulsion if it will have a deterrent effect on them (Nakpodia, 2010).

2.3.6. Botswana

According to Matsoga (2003), violence and misbehaviour exist in Botswana schools. This lack of discipline interferes with the teaching and learning process and manifests itself in various ways including bullying, vandalism, alcohol and substance abuse, truancy, inability or unwillingness to do homework, etc. (Moswela, 2004; Matsoga, 2003). Vandalizing school property is at rampant and this has influenced the government to introduce school fees in order to mend that which is broken such as window panes, furniture and walls. Theft is also common as report in a case in 2003 where students in one senior school broke into a biology lab to steal ethanol (Banda, 2004). Some of these students lost their lives, and others lost their sight. In another senior secondary school, a 19 year boy committed suicide after fighting with another student over a borrowed plate (Maleke, 2003). These incidents sprang the debate on the use of corporal punishment in schools which concluded by acknowledging that Botswana cannot do away with it, but it has to be used guardedly (Maleke, 2003; Keoreng, 2004). Experience has it that, teachers may ask for transfers; while parents withdraw their children from schools with numerous cases of student misconduct such as the ones mentioned above (Garegae, 2007).

Botswana , having endorsed international agreements that relate to the rights of the child, such as the African Charter on Human and Peoples' Rights (1981) and The African Charter on the Rights and Welfare of the Child (1995) still talk about lawful corporal punishment in schools (Mathe, 2008).

The education act of 1967 has documented some rules and regulations that govern student discipline in Botswana schools. It stipulates the methods and procedures for minor and severe disciplinary measures such as corporal punishment, suspension and student expulsion. Although it is expected that corporal punishment be administered carefully, not all academic staff in schools can administer it. The act states that “corporal punishment shall be administered to a pupil only by (a) a headmaster, (b) a teacher or a boarding master or matron or parent to whom authority to administer corporal punishment has been delegated by the headmaster; or (c) such other person as the Permanent Secretary may, in writing, in special circumstances, authorize” (Ministry of education, 1967). Other restrictions include the forbiddance for a male teacher to inflict corporal punishment on a female student. Moreover, when corporal punishment is administered, the record of the following particulars has to be kept: the name of the pupil, the date of the punishment, grounds for punishment, and the name of the person who administered the punishment. This record has to be produced on request to any officer from the Ministry of Education.

To be suspended from school, a learner's conduct and behaviour must habitually or continually be such that the maintenance of a proper standard of discipline or conduct in school is endangered; he/she must have committed an act of a gravely reprehensible nature; or he/she must have failed to attend school regularly (Ministry of education, 1967). Before the school head can suspend the child, s/he must warn the learner and inform his or her parents with regard to the nature of the offense and the action intended to be taken thereof. The copy of the letter to the parents should be sent to the Permanent Secretary who will in turn inform the Minister. While the school head can suspend the student for days, not exceeding 20, it is only the Minister who can expel the learner.

However, parents are given a democratic right to contest against the school head's decision, in writing, to the Minister within 20 days after expulsion or suspension has taken place. The Minister can endorse the suspension, turn it into expulsion, or direct the withdrawal of the suspension in force against the learner.

Parental involvement in school affairs has been recognised as the most essential element of child upbringing in school settings. It is clear for the literature that parental involvement does not necessarily imply their physical presence in schools (Moswela, 2004). The involvement of parents can help improve the behaviour of their children. Problems of learner discipline in Botswana secondary schools have grown out of hand (Moswela, 2004; Garegae, 2007). A concerted effort of parents, educators and the community at large is needed (Mathe, 2008).

Halsey (2005) points out that there are some barriers which hinder parents from actively participating in their children's discipline at schools. Some of these barriers include: parents' attitude towards educators; their low self-esteem; the school environment and the lack of clear roles that parents have to play in the running of school.

2.4 Issues of discipline in South African schools

Prinsloo (2005) indicates that schools are supposed to be institutions where effective teaching and learning can take place in an environment that is safe for learners, educators and non-educators. However if one considers the incidence of murders, violence, rape, sexual abuse and assault in schools reported by the media, the obvious questions that comes to mind is: How safe are South African Schools?, and who is in control? The following shocking news headlines reported in local newspapers are a stark indictment as to the level of learner misconduct in schools:

'Lack of discipline' blamed for hammer attack at city schoolattack on teacher by hammer-wielding pupil (Cape Argus, 2009). An educator at the school indicates that a lot of the school's problems stem from a lack of discipline which is further compounded by the management team which were not effectively enforcing the school's disciplinary code and some of the behaviour of educators have contributed to their status being compromised.

Reasons for school expulsions show what teachers must endure Boozing, drug use, violence, vandalism and rape in blackboard jungle(Saturday Argus, 2009). Basic Education Minister Angie Motshekga in a reply to parliamentary questions supplied the following details with regards to what South African teachers had to put up with and how many applications for expulsions she received from schools and how many were approved? Western Cape – 337 applications, all applications were approved. Gauteng – 130 applications, only 23 were approved. KwaZulu Natal's – 11 reported applications, all were

approved. Eastern Cape – 11 applications, 7 approved. Free State – 30 applications, 28 approved. Limpopo – 11 applications, all approved. Northern Cape approved its 23 applications. Mpumalanga approved 16 of its 23 applications and North West received and approved 6 applications. Learners in some provinces appear to be better behaved or more disciplined or are their educators slower to complain?

Child sex and violence on the rise violence at schools, such as the alleged rape of a 15 year old schoolgirl film by pupils is becoming increasingly common ... (Timeslive, 2010).

Dagga muffins back at schoolsTop Durban girl's school sought to expel a learner caught with list containing names of other learners who place orders for "space muffins"(muffins baked with dagga) ... (Daily News, 2010). An internal disciplinary committee meeting was conducted involving the school governing body and it recommended expulsion.

School sex video 'just tip of iceberg' (Daily News, 2010). This case was pursued by the Films and Publications Board. Two of the learners who were minors were charged with consensual sex and the learner of sixteen years of age was charged with statutory rape. All three were also charged under the Sexual Offences and Film and Publication Act. These articles attest to what educators and school governing body members serving on the school disciplinary committee have to deal with.

Pillay (2007) referring to a study by Behr (2000) states that the first comprehensive study of bullying in South Africa was conducted by Professor Joan Squelch of Rand Afrikaans University in 2000. The findings of this study reported that a high percentage of children in South African schools are being bullied and bullying occurs at all schools, rich or poor, state and independent. According to Professor Squelch, violence, abuse, crime, poverty, racism and an authoritarian learning culture are among the main catalysts of bullying. Pillay (2007) also stated that learners indulge in derogatory name calling and racial incidents in schools have been on the increase ever since schools have become racially integrated. According to Pillay (2007) both boys and girls can experience unwanted jokes, comments or taunts about sexual body parts, teasing about sexual orientation, starting rumours about sexual activities, passing notes or pictures about sex. However, sexual harassment has a more significant impact on female students.

Mtsweni (2008), in a study of the role of educators in the management of school discipline, maintains that educators often complained about unacceptable forms of behaviour such as disruption of schools by ill-disciplined learners, late coming, truancy, failure to do

homework, failure to adhere to school policies and disregarding authority. Mtsweni (2008) reported in his finding that educators complained of the many learners abusing substances before and at schools. They emphasized that learners who used drugs or abused similar substances were a real threat to both learners and educators because they usually tended to become violent.

The use of corporal punishment in South African schools is common (Morrel, 2001). Parents use many different methods that range from smacking and spanking to kicking, punching, beating with objects and pushing. 57% of parents surveyed in a recent South African national survey on corporal punishment reported smacking or spanking their children with a hand while 33% beat their children with a belt or other object, very young children are the most likely to be hit and beaten (Dawes, De Sass Kropiwnicki, Kafaar and Richter (2005). 28% of South African Teachers surveyed in 2005 admit to using corporal punishment (Rapport, 2006). Research conducted by Clacherty, Donald and Clacherty (2005) indicates that children of all backgrounds, ages and income brackets are subjected to corporal and other forms of humiliating and degrading punishment. In South Africa children from high income families and attending more affluent schools reported very few cases while the most severe forms of punishment were experienced in the homes and schools of the children from low income environments.

2.4.1 The Relevant laws and policies

The National Education Policy Act (1996) states: *“No person shall administer corporal punishment, or subject a student to psychological or physical abuse at any education institution.”* The South African Schools Act (1996) reads: (a) *“No person may administer corporal punishment at a school to a learner”*; and (b) *“Any person who contravenes this is guilty of an offence, and liable on conviction to a sentence which could be imposed for assault.”* The Abolition of Corporal Punishment Act 33 of 1997 repealed all legislation that authorised the imposition of corporal punishment by courts, including courts convened by traditional leaders. The Regulations Promulgated under the Child Care Act 74 of 1983 were amended during 1998 to prohibit corporal punishment of children in the residential care system including children in children’s homes, schools of industry and reform schools. The regulations also prohibit foster parents from using physical punishment upon children in their care.

In addition, South Africa is signatory and subject to a number of international laws and conventions prohibiting the corporal punishment of learners: The Convention on the Rights of the Child, Article 19, Section 1; The African Charter on the Rights and Welfare of the Child, Article 16 and The African Charter, Article 11.5. The South African Schools Act no. 84 of 1996 (SASA) is a tool by which education is democratised through the establishment of democratic structures of school governance in all public schools. Democratisation includes the idea that stakeholders such as parents, teachers, learners and community members 'must' participate in the activities of the school (Joubert, 2008).

After 1994, when South Africa stepped out of isolation and adopted a new, democratic constitution, several pieces of legislation protecting the rights and safety of learners in South African Schools were promulgated. Provision is made for protecting the rights and safety of learners in the Child Care Act 74 of 1983; the Domestic Violence Act, 116 of 1998; the South African Schools Act 84 of 1996; and the Occupational Health and Safety Act 85 of 1993. These Acts are all concerned with protecting the physical and psychological integrity of learners in schools and at home. Some shocking reports have indicated that children's rights are neither promoted nor protected in certain schools (Prinsloo, 2005).

In South Africa educators, principals and SGBs face one of the most important challenges in trying to create and maintain a safe, disciplined environment. In terms of SASA the SGB of public school must adopt a code of conduct for learners and may suspend learners after a fair hearing. Section 10 of the Schools Act prohibits the administering of corporal punishment. Many principals and educators find it increasingly difficult to maintain discipline in schools in the wake of this legislation that regulates discipline and punishment (Joubert, Waal and Roussouw, 2004).

One of the most prominent factors that influence the learning environment in South African schools is the conduct of learners. Joubert, Waal and Roussouw (2004) point out that the students who misbehave tend to perform poorly in school and tend to absent frequently. In recent South African research related to school discipline, Moloji (2002) mentions that learners have lost the culture of respect and trust of their educators. Educators are threatened, sworn at, ignored and abused on a daily basis. Fellow learners' safety, security and success in education are often affected by disruptive behaviour or other forms of misconduct by learners. In a study also conducted by Joubert, Waal and Roussouw (2004), the findings of

the South African Human Rights Commission show that instead of facilitating the healthy development of children and providing them with equal opportunities for education, schools too often are sites of intolerance and discrimination. In some cases, school officials fail to protect students from harassment or attacks by classmates. In other incidents they themselves participate in harassment or violence against particular young people due to their gender, race, ethnicity, religion, nationality, sexual orientation, social group or other status.

It is therefore imperative that all school principals, educators and school governing bodies, bearing in mind the contextual factors prevalent in their communities, fulfil their moral obligations and functions as stipulated in the South African Schools Act 84 of 1996.

Section 8(1) and 20(d) of the SASA state that the governing body is responsible for adopting the code of conduct for learners. This compelling function of the governing body read together with Section 8(4) which places an obligation on learners to comply with the code of conduct, clearly provides the legal framework for dealing with learner discipline in schools.

Joubert (2008) in her qualitative study of 50 schools in Gauteng, including schools in farm, rural, township and urban schools, and their policy on code of conduct for learners, revealed the following:

That schools deal mostly with learner behaviour in a punitive and reactive manner. The codes of conduct in general neither mentioned nor referred to the Bill of rights or to the SASA, in particular section 8. In two cases the codes of conduct still refer to legislation prior to SASA and in other examples to the Educators Labour Relations Act (repealed in 1998), the National Educators Policy Act (wrong title) and not applicable to school discipline, the South African Council for Educators Act (not applicable) and the Constitution in general (Joubert, 2008).

In the cases where disciplinary procedures are mentioned, they refer only to contacting the parents and informing them of a disciplinary hearing. Of great concern is the fact that the codes of conduct neither include the hearing procedure nor inform the learners of their rights to appeal. The majority of the codes of conduct mainly provided list of rules or types of misconduct that will be punished. The purpose of the code of conduct was not listed and linked to the school vision and mission. The codes of conduct obtained from rural school

included rules for parents and educators. However, SGBs cannot enforce a code of conduct on educators employed by state (Joubert 2008).

In general there was no distinction between serious and less serious offences. Only one high school code addressed learner pregnancy. All codes addressed learner appearance and wearing of prescribed school uniform. Few codes included punitive actions or sanctions. There was a conspicuous absence of disciplinary hearings, no reference to disciplinary committees or any procedures that will be followed in cases of serious misconduct (Joubert 2008).

A lack of learner discipline is a serious problem in South African School. Schools often react to these problems with reactive punitive strategies (Rossouw, 2007). The basic approach in the formulation of a code of conduct should be positive and preventative in order to facilitate constructive learning. As learners are compelled to comply with the codes of conduct, they must be consulted when the code of conduct is drafted. All learners must be informed about its contents, which should list in positive terms all the things learners may not do or should do as well as communication channels, grievance procedures and processes in conducting a fair hearing.

Joubert (2008) affirms that a code of conduct is a form of subordinate legislation in the sense that it should reflect the democratic principles of the Constitution by supporting the values of human dignity, equality and freedom. For this reason it is important that a code of conduct indicate the legal authority by referring to the applicable section in the Constitution and the SASA.

The following provisions of the SASA (1996) are good examples of how national legislation is fulfilling its constitutional duty to ensure good discipline at schools: Corporal punishment is prohibited in terms of section 10 of SASA. Section 8(1) places an obligation on school governing bodies to draw up a code of conduct for learners after consultation with learners, parents and educators. In terms of section 8(2), the code of conduct must be aimed at establishing a disciplined and purposeful school environment, dedicated to the improvement and maintenance of the quality of the learning process. Section 8(4) places a legal obligation on learners to comply with the code of conduct of the school they attend. In terms of section 8(5), a code of conduct must make provisions for due process (legal process) to safeguard the

interests of the learner and any other party involved in disciplinary proceedings. This implies that the disciplinary committee must take certain procedural steps in accordance with the rules of natural justice before taking action against a learner (Prinsloo, 2005).

The rule of natural justice is also embedded in section 33 of the Constitution – everyone has the right to administrative action that is lawful, reasonable and procedurally fair. This means that a learner’s right to education may only be limited in terms of a law of general application (i.e. in terms of the code of conduct of the school attended by the learner) and the disciplinary actions must comply with the requirements of the substantive and procedural fairness (i.e. the action must be taken for a valid reason and the procedures taken must be lawful, reasonable and fair (Prinsloo, 2005).

Learners have a constitutional right to receive education in a disciplined school environment (section 24 of the Constitution) and school governing bodies of public schools have a major responsibility to ensure that the learners’ right to a disciplined school environment is realised. A primary role of school governing bodies is to develop school policy which includes policies dealing with school safety and discipline. Section 8(1) of SASA requires school governing bodies to adopt a code of conduct for learners after consultation with the various stakeholders. In terms of Section 8(2), the primary aim of the code of conduct is to establish a disciplined and purposeful school environment, dedicated to improving and maintaining the quality of the learning process. A code of conduct based on human rights principles contains school rules, regulations, sanctions and disciplinary procedures. This should include rules for dealing with school safety and security and the consequences of breaching such safety and security.

The school governing body has a duty to ensure that the code of conduct includes policies and procedures that are appropriate for dealing with matters such as drug peddling, sexual harassment and other forms of abuse, bullying and the possession of dangerous weapons. These policies must be implemented and revised on an ongoing basis.

2.5 Theoretical and conceptual frameworks

This study is underpinned by two theories. Democratic school governance theory and discipline theory.

2.5.1 Democratic school governance theory

Democratic school governance is a form of school-based management (SBM) that can be regarded as the most radical form of educational decentralisation (Mncube, 2009). In South Africa, democratic school governance emphasises that, the decisions made in a school should be formulated on the basis of consultation, collaboration, co-operation, partnership and participation of the stakeholders of the SGB (Mncube, 2009). This point of view is corroborated by Beane and Apple (1999), who contend that in a democratic school all stakeholders have the right to participate in the process of decision making. There should be widespread participation in addressing issues of governance and policy making through committees, councils (SGBs in case of South Africa) and other school-wide decision making groups that include professional educators, young people (learners), their parents and other members of the school community (Beane and Apple, 1999).

Mncube (2009) therefore posits that democratic school governance is defined as school governance in which there is a sharing of power by the principal and all other relevant stakeholders such that policies, in this case, the school's Code of Conduct, is democratically arrived at by rational discourse and deliberations by all the democratically elected representatives of different constituencies of the school, namely the parents, learners and educators.

Davies, Harber and Schweisfurth (2002) further view democracy as composed of four basic fundamental principles which are 'rights', 'participation', 'equity' and 'informed choice'. 'Rights' means a set of entitlements which are protected and common to all individuals, 'participation' means involvement of individuals in the decision-making process, 'equity' means fair and equal treatment of individuals and groups and 'informed choice' means the tools to make decisions which are based on relevant information and reason (Davies, Harber and Schweisfurth, 2002).

Backman and Trafford (2006) outlines why democratic school governance is good for schools:

2.5.1.1 Improves discipline:

The first objection to involving stakeholders such as learners in the decision making is usually about discipline. If learners cannot follow strict and simple rules with clear sanctions if you break them, how can we expect them to make mature and responsible decisions on their own? Experience and research by Backman and Trafford (2006) has shown that learners given trust become more responsible. Rules are necessary, but ruling based on trust is far more sustainable than ruling by threats.

2.5.1.2 Enhancing learning:

The educator may have an idea about how to learn but learning styles differ from each person. In a democratic environment, learners are given greater freedom to choose how to work and to learn which in turn reduces learner underachievement and lack of motivation (Backman and Trafford, 2006).

2.5.1.3 Reduction of conflict:

Backman and Trafford (2006) indicate that conflict is bound to arise when groups of people spend much time together over a long period. Differences and lack of understanding within a school society can easily give rise to intolerance, discrimination, bullying or even violence. In an authoritarian environment where rank or social position is more important than individual rights, people tend to form alliances for protection or personal favours. This is a perfect breeding ground for discrimination and bullying. If a sense of mutual respect is prevalent then the school ethos will be much safer and conducive to a culture teaching and learning.

In the context of schools, the different stakeholders have to focus on their aim of providing quality education in a disciplined environment. The role of every stakeholder must be fulfilled with this goal in mind. An environment of co-operation and mutual respect will ensure the achievement of this goal. Democratic structures must exist for discussions and planning to occur to ensure that all stakeholders are given a platform to voice their concerns and suggestions. It is by working together as a united community that the school will win this challenge of creating an atmosphere of effective teaching and learning.

2.5.1.4 Securing the future existence of sustainable democracies:

Children don't do as we tell them to do, they do as we do. Therefore democracy must not be seen to exist only in policy but must be seen to be practiced. Learners and other members of the school community must be given influence and thus learn the responsibility of true participation and endorse a sense of belonging to the school and the community (Backman and Trafford, 2006).

Backman and Trafford (2006) acknowledge that the above cannot certainly be achieved overnight and that there are no standard methods suitable for all, but they are convinced that this is the best way to implement Democratic Citizenship in education.

Edge (2000) defines school-level governance as a radical form of decentralisation. The school becomes the primary means of stimulating and sustaining improvements. Johnson (1994), on the basis of his study on the transfer of control at the local level in New South Wales, argues the merits of this. He argues that the needs of each school are best determined at local level, as each community has distinctive needs. In South Africa, school governance refers to the institutional structure entrusted with the responsibility and authority to formulate and adopt school policy on a range of issues which include the formulation and endorsement of the code of conduct for learners, school uniforms; school budgets and developmental priorities. Schools should strive to achieve; school-community relations and curriculum programme development (Mncube, 2005). Bean & Apple (1999) as cited by Mncube (2005) indicate that school governance structures create an opportunity for all stakeholders to develop a sense of ownership of the school and thus take responsibility for what is happening at the school.

Mncube (2009) citing Chapman, Froumin and Aspin (1995) suggest that policies and actions are based on decisions and are not arbitrary; and that the will of the majority prevails whilst the rights of minorities are preserved and respected. In a school situation, this implies that powers and responsibilities should be distributed among all stakeholders in the school in accordance with the law and that policies should be formulated after rigorous deliberations. Section 16 of the SASA states clearly that the day-to-day professional management of the school should be the responsibility of the principal and that the governance of the school remains the responsibility of the SGBs. In practice, parent governors are not all participating

fully yet since many of them lack the necessary skills to perform the duties assigned to them. In such situations, the principal continues to perform the functions now supposed to be the responsibility of the SGBs (Mncube, 2008).

Karlsson (2002) as cited by Mncube (2009) cautions that, instead of warding off the South African apartheid era inequalities in power struggles, social class, gender and race, SGBs in South Africa tend to exacerbate them. Parents who are excluded from making crucial decisions on matters affecting the education of their children are an instance of this and that the functioning of SGBs varies from school to school because of the greater managerial expertise among the parents. Former model C schools operate more effectively than other schools; and there are also vast differences between urban and rural schools (Mncube, 2008).

Mncube (2007) strongly iterates that democratic school governance refers to the transfer and sharing of power between the state and the school since schools are in the best position to know and understand their own needs, and therefore should be fundamentally self-determining. Democratic school governance implies that all the stakeholders, including parents, decide on school policies which affect the education of their children. This alludes to a genuine handing over and sharing of power with concomitant responsibility and accountability, rather than a shifting of accountability and responsibility as most commentators suggest (Mncube, 2009).

2.5.2 Discipline theory

There are several definitions of the word “discipline”, but in this study it will refer to what educators do to assist learners to behave appropriately in school situations. The root word of discipline is “disciple”, which means follower. Thus, Rossouw (2003) maintains that when educators discipline learners they are making disciples (or disciplined persons). In this sense discipline is regarded as training that develops self control. For this reason discipline must always be prospective – directed at the development of the adult of the future (Oosthuizen, 1998). Thus discipline is about positive behaviour management aimed at promoting appropriate behaviour and developing self-discipline and self-control in learners (Squelch, 2000).

Discipline also means a code of conduct prescribed for the highest welfare of the individual and the society in which the individual lives and it is a personal system of organized behaviour designed to promote self-interest while contributing to the welfare of others. Discipline is necessary for the effective functioning of a school. ill-discipline not only disrupts teaching and learning but can also endanger learners and educators (Du Plessis and Looek, 2007).

Education is not concerned only with the transfer of knowledge; it is a far more complex arrangement. The notions 'school discipline' and more specifically 'collaborative rule-making' cannot, however, be seen in isolation, and need to be placed within a broader educational framework. The theoretical framework will be developed through examining the ideas and theories expressed by Dewey (1915, 1916); Foucault (1979) and Bernstein (1971, 1996). Two schools of thought, seemingly, surround the interpretation of the 'disciplined classroom'. Foucault (1979) and Dewey (1915, 1916), amongst others, express different views on the meaning of 'discipline' and 'control' within society (on a macro level), and in the classroom, (on a micro level).

One school of thought suggests that discipline lies within the hands of the individual - it is largely based within the realm of self-discipline. Dewey, in fact, offers a very clear idea of how he views discipline: "A person who is trained to consider his actions, to undertake them deliberately, is in so far forth disciplined. Add to this ability a power to endure in an intelligently chosen course in the face of distraction, confusion, and difficulty, and you have the essence of discipline" (Dewey, 1916, p.129). Here we have a person who can consider his/her actions, decide on a course of action and then persist with this when faced with obstacles. The individual in this scenario is attempting to take charge of his/her own destiny and this form of discipline would seem to imply some form of self-determination.

The other school of thought implies that discipline exists to control and manipulate individuals through the use of power (Foucault, 1979). In this scenario, discipline is externally imposed: "Thus discipline produces subjected and practiced bodies (Foucault, 1979, p.138). Foucault draws a parallel between a prison, which exists to 'retrain and render docile', and a strict school (Foucault, 1979, p.233). Furlong (1993, p.11) argues in the same vein that power within educational institutions is used to 'shape' pupils, and not merely to attain certain behaviours. The use of this power impacts on a person's humanity through

regarding people as objects (Foucault, 1979, p.170). It thus becomes easy to impose cruel and unfair conditions and punishments on those within the locus of control.

Thus we have the two notions: one that discipline is enabling and within the hands of the individual, and the other that discipline is externally imposed and implies subservience (Covaleskie, 1994, p.6). Which is the 'right' form of discipline that a teacher should attempt to inculcate within the classroom? There are those who argue that the notion of control, through imposed discipline, is detrimental to the educational process: "Control, externally applied, devoid of moral or logical force, upon students, may not only impede the improvement of individuals and their community; it frequently interferes with the effectiveness of the educational project of schools' (Slee, 1995, p.24). Slee argues further that discipline aids teaching whereas control implies conflict and disagreement (Slee, 1995, p.28). Wright (1993) also comes out strongly in favour of discipline over control: "Both discipline and control are forms of order, but the order in each case is of a logically different kind. In the former case, the order in a 'disciplined' activity is achieved by virtue of reasons implicit in, or for the sake of values intrinsic to, the activity itself. In the latter case, the order of a 'controlled' activity or sequence of events is achieved for reasons unconnected with, or for values extrinsic to, the activity. Thus 'control' is a way of ordering things which is considered necessary for getting something done. By contrast, a discipline is the form of logical and evaluative order which must be learned if one is to understand what is involved in doing something". Control, exercised by teachers who take on the impersonal power of their organizations, often results in pupils who harbour feelings of powerlessness and resentment (Wright, 1993, p.4). Therefore discipline which is self-directed would seem to be far more effective than externally imposed control (Dewey, 1916; Slee, 1995; Wright: 1993).

The issues of power and control have also been addressed in the writings of Bernstein (1971, 1996). He chose to examine and clarify the relationship between educational codes and the structures of power and social control within the educational environment (Bernstein, 1971, p.225). Firstly, he establishes that power creates divisions between different groups and thus operates on the basis of the relationships between different groupings, be they age, race, gender etc.(Bernstein, 1996, p.19). In schools which operate a prefect system, this division becomes apparent as soon as the prefects are announced and become 'different' from the rest of their peer group. The concept of 'classification' is used to examine and describe the relationships between groupings or categories (Bernstein, 1971, p.205, 1996, p.20). The

degree of insulation between the groupings determines whether the classifications are strong or weak (Bernstein, 1996, p.21). In schools where prefects are given their own separate facilities there will be a stronger classification than if they continue to share the same facilities. Foucault (1979) in his description of the French penal system would certainly have envisaged very strong classifications, as the warders and prisoners would have been two entirely separate groupings. Thus classifications, whatever their strength, establish the power relations between different groups.

Control establishes types of communication relevant to the different groupings (Bernstein, 1996, p.19). Framing analyses these types of communication: "framing is about who controls what" (Bernstein, 1996, p.27). The nature of the message refers to the "selection, sequence, pacing, criteria and social base" (Bernstein, 1996, p.27). Where framing is strong, the person or institution sending the message has control over the manner in which the message is transmitted (Bernstein, 1971, p.206, 1996, p.27). For example, with strong framing, the principal stands up in assembly and announces a new rule to the school - he/she is in control, has the attention of the pupils, and there is no debate. Where the framing is weak the person or institution receiving the message has more control over the message. For example, with weaker framing, the principal proposes a new rule but the Representative Council of Learners (RCL), or similar student body, debates this and responds with recommendations.

Bernstein (1971, p.225) is of the opinion that the changing nature of society is driving a movement towards weak classification and weak framing. He argues, albeit in a gender-biased manner, that the nineteenth century needed a 'submissive and inflexible man" whereas the late twentieth century needs a 'conforming but flexible man" (Bernstein, 1971, p.225). In addition, he argues that there is also a crisis in society's structures of power and principles of control, and this weakening of classifications and framing is an attempt to change the status quo (Bernstein, 1971, p.226). This notion of the changing nature of society is evident in the move towards more democratic structures in education.

The history of corporal punishment is firmly positioned within the concepts of power, control and discipline. The abolition of corporal punishment in schools in, England 1986 (Farrell, 2006, p.29); Western Australia 1987 (Farrell, 2006, p.4); South Africa 1996 (Morrell, 2001, p.292) and Canada 2004 (Farrell, 2006, p.9) within recent years is an important aspect of the changing philosophy of discipline.

There has been much heated debate about the merits of corporal punishment in schools, over the years, by teachers, the public and politicians. Some have argued that corporal punishment sets a bad example and establishes a model of violent conflict resolution; others have argued that it establishes boundaries and is not harmful (Slee, 1995, p.33).

The 1990s in South Africa saw the fall of apartheid and a strong new focus on human rights, which were entrenched in the new constitution (Morrell, 2001, p.292). With this change, the issue of corporal punishment came under the spotlight. Corporal punishment was removed as an option in South African schools in 1996, based on the understanding that it was an infringement of an individual's human rights (Morrell, 2001, p.292). This change was in line with what had happened in many other countries such as England and Australia.

Foucault (1979) takes us through the process of this change based on his understanding of a sequence of events over the past two hundred and fifty years. Firstly, punishment was removed from the public eye (Foucault, 1979, p.7). Secondly, the target of punishment shifted from the body to the soul: "The body now serves as an instrument or intermediary: if one intervenes upon it to imprison it, or to make it work, it is in order to deprive the individual of a liberty that is regarded as a right and as property" (Foucault, 1979, p.11). Thirdly, he outlines how the notion of 'crime' has changed: "Certainly the 'crimes' and 'offenses' on which judgment is passed are juridical objects defined by the code, but judgment is also passed on the passions, instincts, anomalies, infirmities, maladjustments, effects of environment or heredity" (Foucault, 1979, p.17). Lastly, he points out how the act of judgment has changed: "The whole penal operation has taken on extra-judicial elements and personnel" (Foucault, 1979, p.22). These extra elements are the psychiatric, psychological and educational experts, amongst others, who may give advice and opinion so as to assist the judges in their decisions (Foucault, 1979, p.21).

The abolition of corporal punishment came about through an understanding that it violated human rights. The authorities attempted to fill the space left by the removal of corporal punishment by introducing greater notions of co-operative democracy into schools (Morrell, 2001, p.292). This was to be achieved by introducing codes of conduct and by involving parents to a greater degree (Morrell, 2001, p.292). However, despite this new philosophy, little, in reality, has changed. Instead of moving towards more democratic methods of governance, schools merely replaced corporal punishment with other types of punishment

and treatment. Slee (1995, p.37) sums it up well: "We move from the theatre of the cane at the front of the room or the private corporal punishment ceremony in the seclusion of the headmaster's office, to token reward-based economies, to contingency contracting, to banishment, to referral to therapeutic centres, to 'whole school' approaches, to medicalization and the classification of indiscipline as sickness. This description ties in with what Foucault (1979) had so aptly described – the punishment has moved from the body to the soul and along with this from a public spectacle to a far more private arrangement.

Through these other punishments, or methods of handling disciplinary issues, the old power relationships are maintained (Slee, 1995, p.34). In many instances medical reasons are provided to explain poor behaviour (Furlong, 1993, p.7). For example, 'attention deficit disorder' is often used as a justification for poor behaviour and Ritalin may be prescribed for concentration problems. Thus, although there appears to be a new philosophy in dealing with disciplinary issues, there has in fact been little movement from the authoritarian control previously in place (Slee, 1995, p.33). While the nature of the punishments has changed, there is nevertheless still a concern about a 'lack of discipline in schools.

2.6 Summary

In this chapter I have discussed the theories and problems of discipline, safety and security internationally and locally. It was notable, that the experiences in South African schools regarding issues of discipline, is a world-wide phenomenon. I also noticed that there are two schools of thought with regards to discipline of learners. There is a school of discipline where well-known rules are the basis of discipline and a school of punishment where the misbehaviour of any kind warrants corporal punishment. It was highlighted that ill-discipline can have a negative influence while positive discipline instils a sense of responsibility and self-discipline. Discipline has three facets. The first is the formulation of rules and procedures to be followed in applying those rules. This brings about the existence of the Code of Conduct. The second is the reinforcement by creating the opportunity for learners to master the rules and thirdly, the application of disciplinary procedures in case of the breaching of the rules. It has become clear that the establishment and maintenance of school discipline needs serious attention and should also be a collaborative effort by all stakeholders. Schools need to develop strategies to manage discipline within their environment and context.

The next chapter discusses the research design, methodology and ethical issues upon which this study is based.

CHAPTER THREE

RESEARCH DESIGN AND METHODOLOGY

3.1 Introduction

The previous chapter presented the issues of school discipline internationally and locally and also focused on the theoretical foundations of school discipline and democratic school governance. This chapter presents the research design and methodology to be used to gather data concerning the role of the School Governing Body in implementing a Code of Conduct for learners in secondary schools in the Mafukuzela-Gandhi Circuit. It also presents the choice of schools and participants, data gathering techniques, data analysis, issues of validity and reliability as well as ethical issues.

3.2 Research design and methodology

A qualitative research approach utilizing a case study methodology was considered suitable for this study because it involves an interpretivist-constructivist paradigm as it seeks to establish, explore and construct reality regarding the challenges experienced by SGBs in the implementation of the code of conduct with the view to assessing their effectiveness in promoting good behaviour practices. Qualitative researchers are motivated by an in-depth inquiry to study a phenomenon in its natural setting, to make sense of, as well as to interpret, the phenomenon in terms of the meaning and understandings constructed by people (Denzin, 2005). Therefore the real-life experiences of members of the SGBs regarding disruptive behaviour in schools and their understanding and experiences of the School's Code of Conduct and its causes needs to be captured.

The Interpretive paradigm is about understanding the everyday life experiences of people in a specific area or historical setting (de Vos, 2005). Interpretivism is about epistemology that advocates that it is necessary for the researcher to understand humans' roles as social actors and the meaning the humans give these roles. This paradigm advocates that the world be studied in its natural state, rather than in controlled laboratory-type experiments, and with minimum intervention by a researcher (Cohen, Manion and Morrison, 2007).

The interpretivists argue that reality is pluralistic and is constructed in language and interaction (Leavy and Hesse-Biber, 2006). The interpretivism paradigm states that actions are only meaningful to us as long as we are able to ascertain what those who are studied intend to do (Ibid, 2006). Lincoln & Norman (2000) argued that human sciences aim to understand human action. "From the interpretivist point of view, what distinguishes human (social) action from the movement of a physical object is that the former is inherently meaningful" (Blaikie, 2000).

This study is based on thick description in that it sought to understand the challenges experienced by the SGB with regards to the implementation of the code of conduct for learners in two secondary school in the Mafukuzela-Gandhi Circuit in Kwa-Zulu Natal. Some writers such as Blaikie (2000) referred to the interpretivism paradigm as a research strategy by which theory is developed after the collection and examination of data. After the examination of data the researcher was able to come up with a theory. Qualitative researchers build the structure from the data itself and thereafter systematically analyse it to build themes or patterns (Adams, 2007).

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3.3 Paradigms or world views in research

Creswell (2007) states that paradigms or worldviews reflect a particular stance that researchers make when they choose qualitative research. After the researchers have made this choice, they then further shape their research by bringing to the inquiry paradigms or worldviews which is a basic set of beliefs that guide action (Creswell, 2007).

Research can be described as a systematic investigation or inquiry whereby data are collected, analysed and interpreted in some way in an effort to understand, describe, predict or control an educational phenomenon or to empower individuals in such context (Mertens, 2005). O' Leary (2004) argues that what was relatively simple to define thirty or forty years

ago has become far more complex in recent times with the number of research methods increasing dramatically. Mertens (2005) suggests however that the exact nature of the definition of research is influenced by the researcher's theoretical framework, with theory being used to establish relationships between or among constructs that describe or explain a phenomenon by going beyond the local event and trying to connect it with similar events. The theoretical framework is sometimes referred to as the paradigm ((Mackenzie & Knipe, 2006, citing Bogdan & Biklen, 2003) and influences the way knowledge is studied and interpreted. It is the choice of the paradigm that sets down the intent, motivation and expectations for the research.

The Constructivist (Interpretivist) approach to research has the intention of understanding the world of human experience (Cohen, Manion and Morrison, 2007). It suggests that reality is socially constructed (Mertens, 2005). The constructivist researcher tends to rely upon the participants view of the situation being studied and recognizes the impact on the research of their own background and experiences (Creswell, 2003). The constructivist researcher is most likely to rely on qualitative data collection methods and analysis or mixed methods, which is a combination of qualitative and quantitative methods.

According to Jansen (2007) the interpretivist perspective is based on the following five assumptions. Human life can only be understood from within: it focuses on people's subjective experiences, on how people construct the social world by sharing meanings and how they interact with or relate to each other. In studying the topic, research techniques such as interviews and observations are used to help us understand how people interpret and interact within their social environment. Social life is a distinctively human product: Interpretivists assume that placing people in their social contexts, there is a greater opportunity to understand the perceptions they have of their own activities. The human mind is the purposive source or origin of meaning: by uncovering how meanings are constructed, we can gain insight into the meanings imparted and thereby improve our comprehension of the whole. Human behaviour is affected by knowledge of the social world: social theory informs our understanding of issues, which in turn assists us in making research decisions and making sense of the world. The experience of doing research and its findings also influence our theorizing which allows researchers to make links between the abstract and the concrete. The social world does not "exist" independently of human knowledge: as researchers our own knowledge and understanding of phenomena constantly influence us in

terms of the types of questions we ask and in the way we conduct our research. As we proceed through the research process, our humanness and knowledge inform us and often directs us. To conceive the world therefore as external and independent from our own knowledge and understanding is to ignore the subjectivity of our own endeavours.

Jansen (2007) further states that the ultimate aim of interpretivist research is to offer a perspective of a situation and to analyse the situation under study and to provide insight into the way in which a particular group make sense of their situation or the phenomena they are faced with. One of the greatest strength of qualitative research approach is the richness and depth of the descriptions that it yields.

3.4 Qualitative research: Case study

A qualitative approach utilising a case study methodology of two secondary schools in the Mafukuzela–Gandhi Circuit was conducted.

Qualitative research as defined by Bogdan and Bilken (2003, p.261) is “*an approach to social science that emphasizes understanding the subject’s point of view.*” This definition therefore implies that the researcher may gather data in the forms of words from people in their actual settings. In this study I gathered information from SGB members. I spoke to the respondents to get to know their thoughts and feelings about the formulation of the code of conduct and the challenges they experienced in the implementation of the policy at the school. Observation of human reaction such as feelings and behaviour may reveal the truth to the researcher (De Vos, et al. 2002, p.285).

Qualitative case study methodology provides tools for researchers to study complex phenomena within their contexts. When the approach is applied correctly it becomes a valuable method to develop theory, evaluate programmes and develop interventions (Baxter and Jack, 2008). Rigorous qualitative case studies afford researchers opportunities to explore or describe a phenomenon in context using a variety of data sources. Yin (2003) states that qualitative case study methodology allows the researcher to explore individuals or organisations, through complex interventions, relationships, communities or programmes.

Yin (2003) further states that a case study design should be considered when the focus of the study is to answer “how” and “why” questions; you cannot manipulate the behaviour of those involved in the study; you want to cover contextual conditions because you believe they are relevant to the phenomenon under study, or the boundaries are not clear between the phenomenon and context.

Niewenhuis (2007) concurs that qualitative research acknowledges an interactive relationship between the researcher and respondents, as well as between the respondents and their own experiences. Qualitative research techniques collect data primarily in the form of words rather than numbers. Leedy and Ormrod (2005) state that in a case study, a particular individual, programme or event is studied in depth for a defined period of time. Creswell (2007) defines a case study as the study of an issue explored through one or more cases within a bounded system. The type of case study to be used in this study will be a multiple case study. Creswell (2007, p.74) states that in a multiple case study, the one issue or concern is again selected but the enquirer selects multiple case design to illustrate the issues. Hancock and Algozzine (2006, p.33) state that a collective design is used to better understand the theory; or problem by combining information from other cases.

The selection of two secondary schools will allow the researcher to explore similarities and differences within and between cases. The goal is to replicate findings across cases. Yin (2003) emphasises that it is imperative that cases are chosen carefully, because comparisons will be drawn, so that the researcher can predict similar results across cases or predict contrasting results based on a theory. The primary advantage of a case study is that it provides much more detailed information than what is available through other methodology. Case studies also allow one to present data collected from multiple methods such as interviews, document reviews and observation to provide the complete story (Niewenhuis, 2007).

Neale, Thapa and Boyce (2006) outline a few limitation and pitfall regarding cases studies and methods to overcome them. Case studies can be lengthy. It may be difficult to hold the reader’s interest if it is too lengthy because they provide detailed information about the case in narrative form. The researcher took great care to provide the rich information in a digestible manner. There are also concerns about rigour in case studies. Qualitative research is still considered unscientific by some. In many cases, the collection of data has not been

systematic and has allowed bias in the findings. The researcher was systematic in data collection and took steps to ensure validity and reliability in the study. Case Studies are not generalisable (Neale, Thapa and Boyce, 2006). A common complaint about case studies is that it is difficult to generalise from one case to another. Some case studies are also prone to over generalise which stems from selecting a few examples and assuming without evidence that they are typical or representative of the population. Yin (2003) advises case study analyst to generalise findings to theories as a scientist generalise from experimental results to theories.

3.5 Sampling

Punch (2006) states that sampling is about deciding the place or site and the respondent or person from whom the data will be collected. The process of selecting a particular sample for particular entities in a study is called sampling (Ormrod & Leedy, 2005). Flick (2002) noted that the issue of sampling is about making a decision on which persons to focus on when a researcher makes an inquiry. In an interview study for instance the researcher should decide which persons to interview (Ibid, 2000). Samples are chosen because researchers want to have findings in a particular situation at a particular time and apply these findings more generally.

This research used purposive sampling because the selected schools were known more than the other schools in the area for problems of discipline such as late coming, substance abuse, smoking, fighting and bullying. In purposive sampling the researcher's interest is important and the researcher satisfies the study's specific needs (Leedy & Ormrod, 2005). Schwandt (2001) notes that in purposive sampling the units or characters are not chosen for their representativeness but for their relevance to the research question, analytical frame work and explanations given in the research. In this study, purposive sampling was used to select the research site and the respondents as follows: The two schools that were selected are well established schools. These schools are known to the researcher, one a neighbouring feeder school and one by association. The researcher has some prior knowledge of both schools through the personal interaction with some of the stakeholders at the school. The ethos and matriculation pass rate in one of the school selected has declined considerably over the past year. Being secondary schools, they are plagued with disciplinary issues, as outlined below, although the schools have established codes of conduct.

3.6 Characteristics of the selected schools

The two schools selected for this study are state funded school. These schools are located in the suburb of Phoenix, Kwa-Zulu Natal Province. Phoenix is predominantly populated by the Black and Indian race. The Black learners from the nearby townships of Inanda, Kwa-Mashu, Bester and Amaoti also attend these schools. Although Phoenix has it fair share of economic problems [unemployment; substance abuse; poverty; crime etc], the school is classified as a quintile 5 ranking school [schools which have access roads, lights and water] which implies that the funding for this school is at its lowest scale. The schools are therefore compelled to collect school fees to sustain itself.

3.6.1 More information on the sample schools

Name of school	A		B	
Number of SMTs	5		6	
Number of educators	18		22	
Rank	Quintile 5		Quintile 5	
Matriculation pass rate	2008- 78% 2009-75%		2008-95% 2009-91%	
School fees	R850		R800	
Percentage of learner population	48.6 % Indian	51.4% African	87% Indian	13% African
Number of parents on SGB	7		7	
Number of educators on SGB	2 + Principal + DP co-opted		2 + Principal	
Number of non-educators on SGB	1		1	
Number of learners on SGB	2		2	
Some disciplinary issues aware of through personal interaction with stakeholders	Late coming, Smoking, Fighting, Bullying, Bunking, Disrespect, substance abuse, inappropriate boy/girl relationship, Not following school dress code		Late coming, Bunking, disrespect, smoking, substance abuse, bullying	

3.7 Diagrammatic representation of the respondents

CATEGORY OF RESPONDENTS	SCHOOL	SCHOOL	TOTAL
	A	B	
SGB/DSSC Chairperson	1	1	2
Principals	1	1	2
Parent members	4	4	8
TEACHER REPRESENTATIVES + 2 OTHER TEACHERS (TLO)	4	4	8
Elected representatives of the RCL serving on the SGB + 2 other RCL members	4	4	8
TOTAL NUMBER OF RESPONDENTS	14	14	28

3.8 Data collection methods

This study used four data collection methods, namely focus group interviews, semi-structured interviews, document analysis and observations.

3.8.1 Focus group interviews

From each school, three focus group interviews were held with the four parent members of the SGB, four teacher representatives and four learners from the RCL as outlined in the table above detailing the diagrammatic representation of the respondents.

Focus group interviewing can be defined as a group discussion in which a small number of 4-6 participants talk about a topic of special relevance to a study, under guidance (Ferreira & Puth, 1988). During interviews, respondents tend to feel more comfortable and secure in the company of people who share similar opinions, views and behaviour than during an interview (Ferreira & Puth, 1988). The respondents interact with one another rather than with the interviewer in such a way that the views of the respondents can emerge rather than the researcher's agenda predominates (Cohen, et al. 2007).

Focus groups interviews are contrived setting, bringing together a specifically chosen sector of the population to discuss a particular given topic, where the interaction with the group leads to data and outcome (Cohen, et al. 2007). Their contrived nature is both their strength and weakness in that they are unnatural settings, yet they are very focussed on a particular issue and will therefore yield insights that might otherwise have been available in a straightforward interview.

It was a difficult task to get all four respondents from the parent, educator and learner components together for the interviews. The researcher was fortunate for the assistance provided by the principals of both the schools under study, who helped secure the presence of the respondents for the interviews and provided a venue for the meeting.

3.8.2 Semi-structured interviews

Semi-structured interviews were conducted with the chairperson of the SGB/DSSC and the principal of the school. An interview involves the gathering of data through direct verbal interaction between individuals (Cohen et al., 2007 and Mcmillan & Schumacher, 2001). Gay; and Airasian (2003) state that an interview is a purposeful interaction between two or more people focussed on one person trying to get information from the other. Slavin (2007, p.106) states that face-to-face interviews provide the greatest opportunity for researchers to obtain elaborate responses to questions that cannot be answered simply. Respondents might expand on an answer by explaining why they hold a particular opinion or provide detailed descriptions of events or practices that they would never take time to write down. Semi-structured questions have no choices from which the respondent selects an answer. The questions are phrased to allow for individual responses. It is an open-ended question but is fairly specific in its intent (Mcmillan & Schumacher, 2001).

An interview involves direct personal contact with the respondents who are asked to answer questions relating to the research (Bless, Achola and Kagee, 2006, p.116). The researcher commenced by asking the respondents to comment on broadly defined issues. The respondents were free to expand on the topic as they saw fit, focussed on particular aspects and related to their own experiences. The interviewer intervened to ask for clarification or further explanations but did not give directives or confronted the interviewee with probing questions.

Lee (2000) noted that one of the disadvantages of interviews is that, interviews sometimes create attitudes because respondents would want to try to manage their impressions in order to maintain their good standing in the eyes of the interviewer. Interviews are also criticised as bringing a foreign element into the phenomena they would describe and they are accessible to those who cooperate (Ibid, 2000). The researcher managed these disadvantages by firstly informing the interviewees that this was not a fault finding mission and that the respondents should feel free to respond to the questions however they see fit and to even ask questions of their own. Secondly, I highlighted the significance of the study. I also employed other methods of data collection in trying to respond to the disadvantages of the interviews. These were documentary analysis and observations. By employing these methods the researcher was able to have a sense of what the parent SGB members did when they were tasked with policy related matters. It also created an awareness of what the SGB members did not do in performing the roles as custodians of the disciplinary processes and procedures at schools.

In this study the interviewer gathered data about the legal perspectives on the establishment of the code of conduct policy and the challenges that SGB members experienced in the implementation of the policy. Permission was obtained from the participants for the interviews to be tape recorded. De Vos, Strydom, Founce and Delpont (2005, p.298) state that if possible and if permission is obtained from the participants, the researcher should record interviews on tape or video.

3.8.3 Documents review

McMillan & Schumacher (2001) indicate that a document is a record of the past events that is written or printed; they may be anecdotal notes, letters, diaries and documents. Manyaka (2006) states that document study in education involves the study of documents such as policy statements, handbooks, annual reports, minutes of meetings, transcripts of student's works and institutional databases.

Creswell (2002) points out that documents provide valuable information in helping researchers understand central phenomenon in qualitative studies, represent a good source for text data; provide an advantage of being in the language and words of the respondents, who have usually given thoughtful attention to them; and are ready for analysis without the necessary transcription.

For the purpose of this research all documents related to learner behaviour and disciplinary processes were studied. The documents that were reviewed were the Codes of Conduct, the records of disciplinary cases, notices of disciplinary hearings, minutes of disciplinary hearings, implementation of the findings of the disciplinary committee and the recording of the sanctions imposed on learners. Information obtained from these documents shed light on answering some of the research questions outlined in this study.

The following processes were followed. I requested a copy of school's code of conduct and studied the document to check if it was in line with regulations governing formulation of policy and if the relevant legal principles pertaining to learner's rights and obligations were contained in the policy. Permission was requested to peruse documents on disciplinary issues to ascertain if correct procedures were followed. Minutes of meetings pertaining to school discipline were also read and analysed.

3.8.4 Observations

Observation is the process of gathering first hand information by observing the site (Creswell, 2005). As a form of data collection, observations have both advantages and disadvantages. Advantages include the opportunity to record information as it occurs in a setting and to study individuals who have difficulty in verbalizing their ideas. Some disadvantages of observations are that you will be limited to those sites and situations where you can gain access and you may have difficulty developing rapport with some individuals. Observation in a setting requires good listening skills and careful attention to visual details (Creswell, 2005). According to Gay (1981), certain kinds of behaviour can only be observed as they occur naturally. In such situations, the observer purposely controls or manipulates nothing and in fact works very hard at not affecting the observed situation in any way. The intent is to study and record behaviour as it occurs naturally. The researcher conducted unstructured observations of the behaviour of educators and the learners, and the interactions between them over a two month period on a random basis. The observations were conducted during the learners' lunch breaks, during sport fixtures, early in morning before the school commenced, during assembly and when learners were being dismissed in the afternoons. I also made note of the school environment during this period. Observation of physical structure such as broken window panes, doors, ceilings, graffiti, etc., gives a good indication

of the ethos prevalent at the school. The researcher also requested to observe disciplinary cases that were in progress. Particular interest was placed on just administrative action.

3.9 Data analysis and interpretations

Data analysis is the process of bringing order, structure and meaning to the mass of collected data (De Vos, 2005). Qualitative data analysis is a search for general statements about relationships among categories of data; it builds grounded theory (Marshall and Rossman, 1999) in De Vos (2005).

Data analysis is any approach, qualitative or quantitative, to reduce the complexity of the information and to come to an interpretation of what is real and what is not real (Martin, Durrheim & Painter, (2006). As advised by Punch (2003), while collecting the data, the researcher always reflected on the research questions that underpinned this study. The researcher, after having collected the data summarized, reduced and unpacked the rich information obtained from the semi-structured interviews, focus group interviews, documents review and observations. In doing so the researcher was able to realise which data was needed. In this research, the data was collected in four phases that were in accordance with the research methods that were indicated above. The data was analysed according to the phases in which they were collected.

3.10 Validity and reliability

Nieuwenhuis (2007, p.80) states that it is generally accepted that engaging multiple methods or data collection, such as observation, interviews and document analyses leads to trustworthiness. Vithal and Jansen (2004, p.33) state that a researcher may check for validity by comparing findings of one instrument with findings from other instruments. In this study interview measures were compared with document analysis measures and vice versa. Raw data was verified during informal conversation with participants. Nieuwenhuis (2007, p.113) stated that during an informal conversation with participants, the researcher can sound out his initial understanding with them to verify whether his interpretation of what they have shared with him is correct.

Triangulation is one measure that could be used. According to Nieuwenhuis (2007), triangulation is a traditional strategy for improving the validity and reliability of research but researchers who are involved with qualitative research studies frequently use triangulation but fail to define the concept within the concept and paradigm from which they operate.

Richardson (2000) argues that triangulation is based on the assumption of a fixed position and dismisses this fixed position as an outcome of a qualitative study and proposes that we should not triangulate but crystallise. “Crystals grow, change and alter, but are not amorphous” (Richardson, 2000, p934). She proposes that the concept of crystallisation will enable us to shift from seeing something as fixed, rigid, two-dimensional object towards the idea of a crystal, which allows for infinite variety of shapes, substance, transmutations, dimensions and angles of approach.

Qualitative research is not about the testing of hypotheses but could lead to the modification of the theories and can be seen as fruitful in that respect. Therefore it is more feasible to use ‘crystallisation’ (Nieuwenhuis, 2007). The aim is to engage in research that probes for a deeper understanding of a phenomenon and to search for casual relationships. Looking at it from a constructivist position, which holds that reality is changing whether the observer wishes it or not and that there are multiple realities that people have in their minds, the different insights gained describe different perspectives that all reflect the unique reality and identity of the participants. What we are dealing with is therefore not so much an exact, measurable finding but an emerging reality that we describe and analyse.

The researcher concurs with Nieuwenhuis (2007) that it is more feasible to use ‘crystallisation’ and has strived to probe and understand the challenges that the schools under study face with regards to the implementation of the Code of conduct for learners.

3.11 Limitations

Limitations were acknowledged to appreciate what constraints are imposed on the study and to understand the context in which the research claims are set (Vithal and Jansen, 2004, p.35). Some of the limitations that the researcher foresaw were access, time, resources, availability and credibility. This was a small scale study involving only two schools. The researcher informed the participating schools and respondents well in advance giving them adequate

notice for the appropriate times of the interviews. The purpose and intention of the study was clearly outlined to all those involved with the guarantee that all information obtained in the study would be treated with the strictest of confidentiality. The researcher's prior knowledge of both the schools was seen as advantages in that a rapport already exists between the researcher and some of the respondents. All expenses for this research were borne by the researcher.

3.12 Ethical issues

Empirical research in education inevitably carries ethical issues, because it involves collecting data from people and about people (Punch, 2009 p 49). Planning for research must therefore identify and consider the ethical issues involved. O'Leary (2004 p 50) points out that researchers are unconditionally responsible for the integrity of all aspects of the research process. Punch (2009) states that ethical issues arise in quantitative, qualitative and mixed methods approaches but are sometimes more acute in qualitative approaches. This is due to the fact that qualitative research often intrudes more into people's lives than any other type of research. Some qualitative research deals with the most sensitive, intimate and innermost matters in people's lives, and ethical issues inevitably accompany the collection of such information. Ethical issues saturate all stages of the research process, starting with the researcher's choice of the topic, which raises such questions as why is research worthwhile and who benefits from this research (Punch, 2009 p50).

Punch (2009) summarizes the main ethical issues in social research as harm, consent, deception, privacy and confidentiality of data. Miles and Huberman (1994 p 290-297) as stated in Punch (2009) have a broader list of eleven ethical issues that need attention before, during and after qualitative studies. Some of the issues arising early are worthiness of the project; competency boundaries; informed consent; and benefits, costs and reciprocity. Issues arising as the project develops include harm and risk; honesty and trust; privacy, confidentiality and anonymity; and intervention and advocacy. Issues arising later in the project include research integrity and quality; of data and conclusions; and lastly the use and misuse of results.

Ethical clearance was applied for from the University of KwaZulu-Natal. Once obtained, permission was sought from the KwaZulu-Natal Department of Education headquarters in

Pietermaritzburg to conduct the study. Letters of consent from the Department was included with the submissions for permission to conduct research at the two schools in the Mafukuzela-Gandhi Circuit in the Phoenix, KwaZulu-Natal. Permission to interview the respondents in this study was requested and the relevant consent forms were forwarded. Once permission was granted, the participants were met before the research to outline the aim and the importance of the study and issues of confidentiality and anonymity (use of fictitious names). Several writers (O’Leary, 2004; Hill, 2005; Roberts-Holmes, 2005) point out that the key issue of consent is an on-going process. It is not a one-off event, but must be continuously renegotiated. The right to withdraw or not to participate in some parts of the research must and will be respected.

3.13 Summary

This chapter provided a discussion of the qualitative research methodology that the researcher utilised to investigate the challenges experienced by the School Governing Bodies in the implementation of the Code of Conduct for learners in secondary schools in the Mafukuzela-Gandhi Circuit. The data collection strategies such as interviews, document analysis and observations were also outlined in this chapter. The chapter described how data analysis was conducted and issues of reliability and validity were outlined.

The following chapter presents and discusses the key findings of this research.

CHAPTER FOUR

DATA PRESENTATION AND DISCUSSION

4.1 Introduction

The previous chapter outlined and discussed the research design and methodology used in this study. This chapter presents and discusses the findings of this study. Data was generated through semi structured interviews of selected principals, educators, parent members of SGBs, Disciplinary Committee/SGB Chairperson and RCL representatives. Two other strategies were also employed and these included documents analysis and observations.

The researcher encountered many challenges in securing the interviews with the different stakeholders due to the school's busy academic schedule. Principals and educators are called to meetings during school hours and on short notice; absence of learners and educators; and parents members not turning up due to work commitments. I eventually managed to successfully meet all stakeholders of the selected schools by appealing to them to meet me after hours and during the weekends. It must also be acknowledged that this would not have been possible were it not for the intervention and assistance afforded by the principals of both the secondary schools under study. The stakeholders were very co-operative and eager to meet as the eroding discipline of learners is a major factor that is hampering the teaching/learning process. The respondents were glad to be given an opportunity and a platform to discuss their take on this burning issue.

All documents such as the schools' Code of Conduct and the disciplinary records of learner misdemeanour were made available for my perusal. Due to the sensitive nature of some of the documents contained in the disciplinary file, the researcher had access to the documents only at the site of the research. The researcher was allowed to conduct observations at the schools over a two month period and was also afforded the opportunity to observe the physical environment of the school and the ethos that prevailed. Learner and educator behaviour/mannerism at the site of the research was also noted.

4.2 Data presentation

The aims of this research was to explore how the SGBs implemented the Code of Conduct for learners in their schools; to explore the challenges experienced by SGBs in the implementation of the Code of Conduct for learners and to investigate why the SGBs are regarded (by the government) as the most appropriate structure to maintain discipline at schools.

The findings and discussion of the interviews, documents analysis and observation will focus on the research questions that were outlined in Chapter One.

4.2.1 How SGBs implement the Code of Conduct for learners in their schools

Discipline is controlled and enforced by the school management and educators on a daily basis. Only cases referred to the Tribunal come under consideration for SGB parent members to oversee.

Principal A indicated that:

The disciplinary committee is a subcommittee of the SGB. Offences are rated from level 1 to level 4. The committee must consider cases for their attention and rule on them. A sanction such as community service is not practical and requires additional human resources that the school does not have.

He further said:

It's mainly the educators and the school management the face the full brunt of the ill discipline of the learners.

Principal from school B said:

The SGB is responsible for hearing discipline cases via the disciplinary committee but individual stakeholders (educators and management members) are involved in implementing and enforcing the code of conduct at the school. Parents are only involved when there is a discipline issue that has to go to the disciplinary tribunal.

Schools are the daily enforcers of discipline. Educators and managers have the task of managing the discipline of learners at the school.

SASA section 8(1) and 20(d) state that SGBs are mandated to govern the discipline process at the school but in reality the management and enforcement of the policy rest with the school management and the educators. It is the school principal, management and educators who are faced with implementation and enforcement of the code of conduct while the SGB is involved in policy issues and disciplinary committee hearings.

The disciplinary committee chairperson of school A deals with serious discipline cases such as fighting, being under the influence of banned substances and with learners that are repeat offenders for various offences.

I observe all protocol. I conduct one on one counselling with learners giving them the benefit of the doubt, but it is evident that learners are not taking the code of conduct seriously.

This arrangement occurs because of the lack of parent assistance. Parent governors are unable to attend meetings due to work or personal commitments and learner's parents do not turn up for the disciplinary committee meetings. A study by Singh, Mbokodi and Msila (2004) strongly indicates that parents from impoverished backgrounds also need to be empowered if they are to make a meaningful contribution to the education of the learners. It was evident from the interview with the disciplinary committee chairperson that not all stakeholders are represented on the disciplinary committee. Joubert and Prinsloo (2009) state that the disciplinary committee should consist of at least the principal or deputy principal, the chairperson of the school governing body, a parent member of the governing body, an educator and a learner in the case of a secondary school. The inclusion of parents in school governing bodies has created an environment more conducive to parental involvement in schools, but actual parental involvement in South African Schools remain weak (Wolhuter, Lemmer and de Wet, 2009).

The chairperson of school B indicated that:

Parents take turns to serve on the disciplinary committee and when there is a serious case I make myself available.

Schools are facing a challenge in getting parents involved in the disciplinary issues that plague them. This could be due to some of the reasons pointed out by Halsey (2005) that there are barriers such as parents' attitude towards educators; their low self-esteem; the school environment and the lack of clear role that parents have to play, which hinder parents from actively participating in their children's discipline at schools. Schools need to be more

structured in the implementation of disciplinary procedures and must be seen to be taking the procedures of Tribunal Hearings more seriously. The process cannot be left to a few to manage. It requires the input of all stakeholders. SASA states that the SGB must appoint a small disciplinary committee to conduct the tribunal hearings.

Educators at school A felt that

Discipline is left primarily to the educators to enforce. RCLs are not active at all.

A seasoned educator from school B also believes that the parent component of the SGB plays a limited role in the disciplinary process as they mainly oversee the Tribunal process.

It is evident that educators and school managers are the front line in the implementation of the code of conduct as they are interacting with the learners on daily basis. Joubert and Prinsloo (2009) affirm that governing bodies of a school can and should play an important role in the establishment and maintenance of sound discipline and that although the principal, the school management team and other educators normally form the most visible front in the process, the SGB should realise that a statutory or legal duty rests upon the SGB to establish, in terms of section 18A(2) of the Schools Act “*a disciplined and purposeful school environment*”.

Educators are confronted first hand by the misconduct of learners. They have to deal with the learners, draw up reports of the misconduct, and communicate the learner’s misconduct to the grade supervisor and to the learner’s parent if required. All these procedures are time consuming and hamper the educator’s core duty of teaching. This is corroborated by Public Agenda (2004) which states that educators admit that their teaching would be more effective if they did not have to spend so much time dealing with discipline issues.

A parent member of school A said:

The code of conduct for learners is not implemented by parents but by the management and educators. There is a breakdown between these two structures.

The code of conduct is not being fully enforced by the educators in class.

Another parent from school A said:

I’m not sure if all the educators are fully aware of the code of conduct as there does not seem to be any uniformity in the way it is applied or not applied at the school.

These feeling stemmed from what the parent observed happening at the school or what was told to them by their children. Joubert and Prinsloo (2009) state that educators have an obligation to maintain discipline and order in the school and classroom to protect the learners' right to education, their safety and wellbeing. Educators at a school need to be seen to be fulfilling their obligation. This serves to underscore that the community is observing how the school operates. Educators, who are not playing their part, tarnish the image of the school.

A parent of school B indicated that they were aware that the SGB draws up the policy but educators implement the code of conduct. The parent member stated:

Parents come in when there are matters for disciplinary hearing. Parents listen to the case presented by the school. Parents normally recommend counselling.

Parents acknowledged that educators are responsible for the daily discipline of learners. Some parents are of the opinion that educators need to be more forceful and uniform in their application of discipline.

Learners at school A acknowledged that educators are responsible for the management and implementation of the code of conduct at the school. Learners have witnessed parents assisting at times with late coming at the school gate. A learner said:

It is difficult to implement the code of conduct because the punishment is not severe and learners do not take the code of conduct seriously.

All stakeholders concurred that the implementation of the code of conduct is primarily a duty managed by educators and the school management. The role played by parents was limited. Pellegrini (2002) and Smith (2000) suggest that the successful implementation of a school policy requires the leadership of the principal and the support of teachers, learners and parents.

4.2.1.1 The structure of the Code of Conduct for Learners

The Code of Conduct for learners of school A was modelled on the exemplar provided by the Department of Education. It contained five sections. Section One provided the preamble to the document; it also outlined the school mission statement and gave a preamble to the code, outlining the aims of the code. Section Two covered general issues such as arrival and

departure times, assembly, commencement of the school programme, movement of learners, use of toilets, attitude to property and equipment and learners academic responsibilities. Section Three outlined learner conduct with regards to the attitude and behaviour of learners in all aspects of school life such as respect for all, general rules, extra and co-curricular activities, administrative matters, appearance and uniform, grievance resolutions and procedures. Section Four outlined the disciplinary procedure for learners. In this section the four levels of misconduct were outlined. Level one dealt with misconduct in the classroom. Level two is listed as ‘serious’ misconduct – breaking of school rules. Level three dealt with ‘very serious’ misconduct and level four, ‘extremely serious’ (criminal) misconduct. The violations were listed under each level. Section five listed the disciplinary actions that are meted out for the different levels of offences.

The Code of Conduct for learners was written in English, the official medium of instruction at the school. It must be noted that a vast majority of learners at the school are Black learners who come from the surrounding townships of KwaMashu, Bester and Amaoti. Learners indicated during the interview that the code of conduct was not a user friendly document as it was only written in one language. Many parents are predominantly IsiZulu speaking and do not fully comprehend the issues outlined in the document.

The code of conduct was made available to learners on their entry into the school. Parents and learners are required to sign acknowledgement of the code of conduct annually when the process of re-admission is done. It emerged during the interview with learners and educators that not all learners return the acknowledgement slip. The return rate of the acknowledgment varied from class to class. This factor compounds the disciplinary process as learners and parents can declare that they were not sufficiently informed about the rules that the learners had to abide by. An educator from school A stated:

Learners are given a copy of the code of conduct on admission. Parents must sign the acknowledgement slip and return it to school. Not everyone acknowledges receipt of the code of conduct for learners.

The document is not explained in its entirety to the learners or parents. Parents are given the document and must read and unpack the different sections on their own. Learners are exposed to the document *via* talks during assemblies or in class. At no stage is there any

indication that the document has been fully explained to the learners by any stakeholders. A learner from school B said:

The code of conduct is given to us at the beginning of the year. Our parents and us must sign it. Educators only talk to us about discipline when learners misbehave.

Offences such as ‘possession, sale or use of alcohol or being under the influence of alcohol’ and ‘possession or use of narcotics substances or being under the influence of such substances’ were categorised as level two offences requiring minimal punishment such as verbal warnings, detention, engaging in disciplinary talks and summoning of parents to discuss the misconduct.

These offences are on the increase and border on the verge of criminality and should be classified as a level 4 offence requiring stricter sanctions. This document did not adequately cover the issue of learners bullying other learners. Learners indicated that bullying of younger and smaller learners was on the increase and this led to fights. A learner from school A said:

The older and bigger learners bully the younger ones and those they feel don't fit in and these lead to fights. The children who are being bullied bring their relatives to deal with the bullies.

The document from school A was comprehensive (12pages) and could not be deemed as being user friendly. It did not have a cover page. It could be mistaken for a set of learner notes. An important document such as the Code of Conduct for learners must make an impact when given to learners and parents. The appearance and format of the document must indicate that this is an important document that is going to have serious consequences if not abided by. In the formulation of the policy, it must be kept in mind that this document is also going to parents who have a limited grasp of the English language (as indicated by one of the learner who was interviewed). The language used must be simple yet effective. School Discipline and Learner Behaviour Policies (2007) states that the schools’ Behaviour Policy should be able to be explained to pupils of any age ability, provide a healthy balance between rewards and sanctions and promote positive behaviour.

In the Code of Conduct for learners of school B, section One to Three referred to the learner’s relationship with the school, his/her peers and other stakeholders. The code of conduct is found on page two - titled ‘Conduct’. Section Four outlined what constitutes misconduct.

Section Five to Six refers to the school's dress code. Section seven and eight discussed general issues and sports code behaviour. This was followed by two other sections which were not numbered - 'The legal authority for the control and discipline of learners' and 'Rights and Responsibilities of Learners/Educators/Parents'. The Disciplinary Rules and Regulations which outlined the way learners are to conduct themselves with the various stakeholders, were then outlined. This was followed by an extract of chapter two, page four from SASA which dealt with compulsory school attendance. Section Nine was labelled 'Accountability' and outlined the discipline procedures to be followed for some of the offences. A total of 23 offences were listed and against each one, the sanctions were listed. The offences were not graded into the different levels.

The document was reduced from A4 to A5, probably to save paper. This caused the writing to shrink and one had to have good eye sight to read this document. There was no cover page indicating that this was the school's code of conduct. This document in fact, outlined some of the policies of the school and the code of conduct was included in this document. This document did not discuss the sanctions of learners carrying cellular phones to school. Although the sanctions of offences are clearly outlined, there seem to be no indication of the sanctions imposed when the parent is called in to be informed of the learner's misconduct. It is the opinion of the researcher that the code of conduct should be a separate document, clearly outlining the discipline policies of the school, the expected behaviour of the learners and the sanctions to be imposed on them if these rules are transgressed.

The Code of Conduct of school B was also issued on enrolment and learners and parents had to sign acknowledgement of the said document. On an annual basis, learners and parents acknowledge possession of the code of conduct by signing documents to that effect which must be returned to the school for filing. There was no evidence to support that this document was discussed in its entirety with the learners or parents. Learner did allude to educators talking to them about discipline and behaviour whenever an incident occurred. It was surprising to note that one school governor had indicated that he had never seen the document. A parent from school B stated:

I haven't seen a copy of the document that was given to my child. I have not signed any acknowledgement slip. We didn't have any meetings for the code of conduct but I'm sure my child must have handed the slip back to the school.

Before a code of conduct is implemented, it must be clearly communicated to all stakeholders (Joubert and Prinsloo 2009). From the responses of the interviewed participants, it can be concluded that schools were not clearly communicating and informing parents about the contents and procedures contained in the code of conduct for learners when it is given to them.

Joubert and Prinsloos (2009) listed the following procedures to be considered in the formulation of the code of conduct for learners: Specific attention should be paid to the structure and content of the code of conduct to make it a document that encourages all role players to be positively involved in school activities, proactively combating all forms of minor or more serious offences; The language and terminology should make it accessible to all learners at whatever level, including younger learners; Before the code of conduct is implemented, it must be communicated to all learners, educators and parents by means of rules, policy and procedures. Glover, Gough, Johnson and Cartwright (2000) confer that the approved policy be formally introduced to students, staff and parents to ensure universal awareness of its existence and its key components

4.2.1.2 The revision of the Code of Conduct for learners

The interviews revealed that all stakeholders were in agreement that the schools had a Code of Conduct for learners. For the Code of Conduct to be effective, it has to be current and practical and contain procedures that will assist the school to deal with learner misconduct that is occurring at the school. The stakeholders had the following to say about the revision of the Code of Conduct:

Principal of school A said:

The Code of Conduct was formulated years ago and revised on an adhoc basis. The Code is undergoing revision for implementation in 2012.

Principal of School B said:

The code of conduct is revised when the need arises but every five years the whole code of conduct is revised.

Other stakeholders of the school such as educators, parents and learners had different views. Most believed that the code of conduct should be revised annually. A parent member from school A stated:

The code of conduct must be revised every year.

The principals could not specifically recall what changes were made or when it is was made. Both principals unanimously agreed that as learner misconduct is on the increase, this necessitates a more vigorous and in-depth introspection of the level of offences, sanctions to be imposed and the procedures that are set out to rehabilitate learner misconduct. This is confirmed by Glover, *et al.*, (2000) who affirms that policies require periodic review and modification to remain relevant to the school and it students.

The Disciplinary Committee Chairperson of school A said:

This should be annual but it is not happening! We are dealing with a different generation of children. I'm aware that the code is set for revision for next year.

This confirms what was said by the principal of school A about the revision of the code of conduct for 2012. The Chairpersons of the disciplinary committees strongly recommends that the code of conduct be revised annually. SGBs are mandated to oversee discipline and the disciplinary committee chairperson interacts first hand with the policy at Tribunal hearings.

The SGB and disciplinary committee chairperson of school B indicated that:

The code of conduct should be looked at annually but has not been revised over the last five years. But the school has looked at implementation issues.

The reason given for this was the time constraints of stakeholders. Parents are working, not all parents attend SGB meetings all the time, and secondary school educators are involved in many other educational activities that require their attention. It is accepted that the document exists and serves its purpose.

Educators of School A were also of the opinion that the code of conduct should be revised annually. An educator serving on the SGB of school B said:

The advancement of technology calls for the revision of the code of conduct. Learners are carrying cellular phones to school and the code of conduct does not address this issue.

Educators from school A also concurred that the document is currently under review and has been circulated to all stakeholders for their input. Parent members of the SGB of school B recommended the annual revision of the code of conduct but SGB

members of school A suggested the revision of the code bi-annually because offences have intensified. A learner serving as RCL from school A said:

This is the first time the school's code of conduct is being revised in the three years that I've served on the SGB. The code of conduct should be revised every year because new learners are taken in every year and new learners bring new problems.

All learners firmly believe that the code of conduct should be revised annually.

A learner from school B said:

I'm not sure how often the code of conduct was revised but we are spoken to about discipline at assembly, in class or when disciplinary issues arise.

Learners also recommend the annual revision of the code of conduct. The code of conduct is not a static document; it should be reviewed and revised on an ongoing basis (Joubert and Prinsloo, 2009).

4.2.2 The challenges experienced by SGBs in the implementation of the Code of Conduct for learners

The principal of school A indicated that the school faces many challenges in implementing the code of conduct. These include: the availability of governors for SGB and disciplinary committee meetings; parental support is lacking- parents have abdicated the responsibility of their children's education/behaviour to the school; difficulty in imposing sanctions such as community service and detention due to lack of human resource and due to learner's transport arrangements. A large population of learners live outside the Phoenix area – detention will compromise learner safety and school becomes responsible if anything were to occur to the learner.

The principal of school B faced similar challenges but added that the school notes the Department of Education's intention of restorative justice which is meant to rehabilitate learners. The principal questioned and stated:

Who is responsible for this? There has to be someone on site to deal specifically with the cases of discipline and to track the learner's rehabilitation process. Schools do not have the capacity to do this due to the stringent measures applied in the application of the post provision norms which indicate how many learners a school may qualify for.

The school is aware of the mandate of the department but the challenge is faced in the implementation of the process. Schools are grossly understaffed.

The discipline committee chairperson of school A experienced the following challenges in the execution of the process: Lack of parental support to manage the tribunal process, therefore it is generally a 'one man show'; lack of parental interest of delinquent learners; policy on discipline too lenient. He stated:

I wish corporal punishment is brought back; incidents of misconduct have increased and the nature of offences are evolving into serious criminal issues such as substance abuse, selling and distribution of drugs, robbery and violence.

The seriousness of the offences committed by learners has increased drastically. Some of the learners conduct borders on criminal behaviour.

The SGB/disciplinary chairperson of school B added that:

The support from department is lacking. The Department does not provide parent members with sufficient skills training to deal with discipline issues. The school (Principal and Deputy) conducts workshops with governors on an adhoc basis and literature on school governance are made available to governors. The Department must engage school more frequently on issues of discipline and empower all stakeholders in the management of the process.

School disciplinary chairpersons believe that the challenges they face with learner discipline are further compounded by the lack of Departmental support. Mncube (2010) contends that the lack of parents' interest in participation in SGBs might be due to their lack of familiarity with the contents of South African Schools Education Policies, namely the South African Schools Act of 1996.

Educators at school A believe that the social problems of learners have a bearing on the conduct of learners at schools. One educator commented:

A vast number of learners come from single parent households where discipline is lacking. Parents are unable to discipline learners at home and look to the school to instil discipline at school level. Parents have abdicated their responsibility of their children's discipline. We need to remember that school is an extension of society and we are experiencing the same social evils (crime) that plaque society such as substance abuse, theft and violence.

The learner's home environment and upbringing dictates how the learner conducts him/herself at school. Educators should have knowledge of the learner's background which would assist when dealing with the learner. Educators need to acknowledge that the school is an institution of the broader society and that the effects of society can sometimes be reflected in the learner's behaviour and attitude. Joubert, Waal and Rousouw (2004) confirms that it is imperative that all school principals, educators and school governing bodies bear in mind the contextual factors prevalent in their communities in fulfilling their moral obligation and functions as stipulated in SASA.

Another educator stated:

Disciplinary tribunals have no impact on the rehabilitation of the learner's behaviour. The process is not taken seriously; learners have a serious negative attitude and do not respect the school's code of conduct.

Educators need to assert their authority as the masters of their classrooms and as custodians of the school. The manner in which the educator communicates with the learner is important. The school must not be seen to be dictating to the learners but rather incorporating them into managing the process.

A senior educator who has been serving on governance structures for a number of years indicated that:

There is no problem with the policy, it's the implementation of the policy that is the problem and that if all stakeholders took ownership of the policy then it would work. Procedurally, the process gets held up along the way due to human resource issues and falls apart. Everyone's level of management and authority is different and learners know with which educators they can take advantage of.

Systems that are drawn up by the school must be simple yet effective. The school must take into account all the other activities it is required to do. The channels of communication for disciplinary cases must be clearly defined. All stakeholders must be made aware of this protocol and each must be aware of their function before they could send it on to the next level. The recording of offences must follow a simple yet comprehensive format. All details must be stipulated and the case should be recorded to track the number of times the learners are involved in disciplinary issues.

Educators also report that some learners resort to bullying and intimidating younger and female educators. Educators who lack capacity should be mentored by senior educators and by those who have good control over their classes. Educators have to be well prepared when they enter the class so that learners are aware that specific tasks have to be completed. Learners who show blatant disrespect for educators must be severely dealt with using the procedures set out within the code but the underlying cause for the learner's disrespect has to be investigated. Mncube (2005) indicates that schools should strive to achieve school-community relations and curriculum development programmes which will allow for all stakeholders to develop a sense of ownership of the school and thus take responsibility for what is happening at the school.

Educators from school B indicate that there is a breakdown in communication between the parents and the school. The majority of parents do not take an active interest in the education of their children and this is evident by the turnout at parents meeting or parents not coming to school when called, for discipline issues. It would seem as if parents have abdicated their responsibility of their children's education and behaviour to the school. This is corroborated by McGrath (2005) who states that a significant number of schools that focussed on working with parents reported that they had found it difficult to engage parents in behaviour management education, activities and policy making. Research by Roberts, Hanvey and Varga-Toth (2003) found that parents need to become more aware of the everyday problems in their child's lives, including general violence and bullying. If parents do not understand the seriousness and extent of the problem, they cannot help their children respond to them.

An educator reflected that:

Parents rely too much on educators to guide and lead the process when it is the duty of the Department of Education to capacitate parents to fulfil their role function. The Department wants to retain delinquent learners at schools but don't provide firm guidelines to deal with repeat offenders and thus educators are burdened with the learner who is continuously disruptive.

Woolhuter, Lemmer and de Wet (2007) state that professional knowledge is indispensable to the functioning of schools and forms the basis of the professional autonomy of teachers. If lay persons on governing bodies are to fulfil the task with which they are charged, they need to acquire some professional knowledge themselves; otherwise the bureaucratic professionals will not only retain their power but extend it. Although most school governors work hard to

extend their knowledge of relevant educational issues, they do not constitute an expert body on what are often delicate and technical matters. Many governments recognise this and provide additional training for school governors.

The SASA section 19 obliges provincial governments in South Africa to provide training for governing bodies. However, most provincial departments do not have the resources to do so, which makes it extremely difficult for the provinces to provide adequate training for school governing body members. This threatens to defeat the aims of governing bodies as it is unlikely that governing body member can make informed judgements without adequate training (Woolhuter, Lemmer and de Wet, 2007). The empowering of parents is primarily the role of the Department. It has been noted that there is a serious shortcoming on the part of the Department to capacitate parents. Schools should take it upon themselves and not wait for the Department to empower parents. This would benefit the school as these stakeholders are involved in important decision making processes.

An educator from school B reported that:

It becomes the duty of educators to do all the spade work such as disciplining learners, compiling reports on learner misconduct, sending communication to parents, following up on communication which is rarely given to parents, telephoning parents to report on learner's misconduct and checking with SGB members in term of availability for disciplinary hearings. Communicating with parents of learners that are required to appear before a disciplinary tribunal seems to be a great challenge to the school. The learners do not give the notice of the tribunal to their parents. School have to resort to phoning parents and hand delivering the notice. Telephone numbers are not current or false and learners give incorrect addresses. This process is time consuming and impacts on the educator's core function. The sad part is that the same learners are repeating the offences without fear of serious disciplinary measures being meted out to them.

Educators are frustrated by the fact that the sanction of suspension is too lenient and most learners look at suspension as a 'holiday' from school. Educators also pointed out the important work they must accomplish in order for the disciplinary process to unfold. It would be unreasonable and not practical to expect working parents to fulfil that function. Wolhuter, Lemmer and de Wet (2007) say that in many instances, parents and educators must also contend with other demands on their time. In many families both parents work outside the

home, making it difficult, if not impossible, to attend to school meetings. Single parents may find it extremely difficult to meet with educators due to work and other obligations.

Educators also report that it is difficult to get qualified parents to serve on SGBs and schools have to therefore accept the services of parents who volunteer. Most parents lack the capacity to deal with some of the issues involved in the disciplinary process. They look to educators for guidance. This could lead to the process being compromised as the educators are generally involved in presenting the cases against the learners.

Parent members of school A were of the opinion that some educators are not setting a good example for learners to emulate. Some educators do not dress appropriately, use cellular phones in classrooms, do not report to classes on time and have a high absentee rate. These factors do not contribute to setting a good example for learners to follow. Parents are also of the opinion that educators are not uniformly applying the code of conduct. A parent member enquired as to

How is it possible that there are learners on the school premises who contravene the school's dress code? Wasn't this learner dealt with by his/her form teacher and the applicable sanction applied? It is important for the school to be uniform in the application of the policy. Educators who are not complying with its application should be dealt with or mentored.

A seasoned SGB member indicated that random searches were conducted:

These searches yield very little result. Some educators keep the learner's cellular phones during raids due to feeling sorry for them. This contributes to an increase in disciplinary issues because learners are well aware of methods to overcoming procedures set in motion by the school and some stakeholders are not being responsible in the implementation of the process. Sympathy for learners was the reason given for such blatant disregard of the process.

The educators who compromise the process must face sanction. The school must not be seen to be showing favour to any individual in carrying out its role function. Backman and Trafford (2006) acknowledge that children don't do as we tell them to do, they do as we do. The example that the educators set is vitally important (Joubert and Prinsloo, 2009). Therefore learners and other members of the school community must be given influence and learn the responsibility of true participation and endorse a sense of belonging to the school and the community.

Governors at school B were newly appointed members. They highlighted the fact that no capacity building programmes have been conducted by the Department of Education to capacitate them to handle disciplinary procedures. Mthiyane (2006) states that it is asking too much to expect SGB members to perform their duties effectively if they are not inducted and trained properly and timeously. Member gave credit to the school management (Principal and Deputy) and the SGB chair for assisting them in their duties. Section 16 of SASA clearly states that the day to day management of the school is the responsibility of the principal and educators and governance of the school remains the responsibility of the SGB. Mncube (2008) affirms that in practice, parent governors are not participating fully due to the lack of the necessary skills to perform the duties assigned to them. In such instances the principal and educators perform the functions that were now suppose to be the responsibility of the SGBs.

It was evident from the learner's response that the RCL in school A plays little or no role in the implementation of the code of conduct at the school. Learners indicated that very few meetings were held for them to raise concerns of learners. RCL were not allowed to call up meetings of their peers without the TLO being present. RCLs were not fully capacitated to fulfil their role function. Learners believe that they can make a positive contribution but are not given the opportunity or the platform to do so. Some learners believe that they are generally bullied into behaving well, when is should be inculcated as a way of life. Backman and Trafford (2006) outline that research has show that learners given trust become more responsible. Rules are necessary, but ruling base on trust is far more sustainable than ruling by threats. Pepler and Craig (2000) emphasize the importance of involving learners in the early stages of developing a policy. When learners feel they have contributed to the policy, they feel empowered to respect and implement it (Pellegrini, 2002). Some educators and parent members are not very good role models to emulate. A learner felt that educators were taking far too much time to discipline delinquent learners and was therefore short changing them in respect of academic activities. A learner from school B said:

The teachers' time is taken to deal with the children who misbehave and we are disadvantaged. We are then given the work with no explanation. This makes it very difficult for us because educators pile us with work to cover up for the time lost.

Learners at school B are in agreement that many learners engage in delinquent behaviour due to peer pressure and the need to fit in. RCLs are not involved in discipline issues and are not party to any decision taken by school disciplinary committee. Learners believe that far too much of the educator's time is taken up to discipline learners and very little time is spent on teaching the concepts of the required lesson. Learners are then given the activity without the full benefit of the lesson. Public Agenda (2004) revealed that educators admit that their teaching would be more effective if they did not have to spend so much time dealing with discipline issues.

It is vital that educators manage the process of discipline with as little disruption to class time as possible. Coetzee, van Niekerk and Wydeman (2008) point out that discipline has nothing to do with controlling disruptive or other unacceptable bad behaviour but has everything to do with ensuring a safe and valuing environment. It would be deemed as gross negligence if educators fail to carry out their core function of teaching.

4.2.2.1 Regular disciplinary issues at schools

Principal of school A reported that:

Late coming, smoking, fighting and bunking seem to be common issues that we deal with. Although there are the odd instances of drug taking and the consumption of alcohol during special school activities such as school sports day and the Fun Run.

School B faced similar issues but included truancy, absenteeism, inappropriate boy-girl relationship and failure to complete school task such as homework and assignments. The disciplinary committee chairperson of school A had a long list of offences to report. These included smoking- which is a daily occurrence; substance abuse – with one or two cases per week being reported; late coming- daily; fighting; carrying dangerous weapons to school and carrying and using cellular phone on the school premises. The SGB/Disciplinary Chair at school B dealt with cases such as learners not following dress code; smoking- daily occurrence; fighting (bullying of smaller learners); bunking – occasional; substance abuse at certain times – school sports and excursions and use of cellular phones. Learners from both schools also outlined similar discipline problems as stated above and added that this was compounded by the lack of educator supervision. A learner from school A stated:

Not all teachers go on ground duty and students are left to do what they want.

Educators at school A also acknowledge the above disciplinary issue but added gambling which was on the increase. Educators also commented about teenage pregnancy which was on the increase. The school currently has five pregnant grade 12 learners. This could be seen as an indication as to the problems of society having a direct impact of the learning process at school. Educators at school B spoke about some learners not following dress code, bunking of classes, smoking, fighting and instances of substance abuse which is on the rise.

SGB members of School A spoke of the continuous late coming of learners, especially those that use public transport to get to school, increase of substance abuse especially amongst the female learners, carrying of cellular phones, fighting and inappropriate boy-girl relationships. SGB members of School B experienced similar problems as those stated by members of school A. Members highlighted the issue of substance abuse and late coming and commented on the Departments circular regarding the handling of late coming which they were of the opinion is not practical.

Edwards (2004) outlines some reasons why learners present with discipline problems: Children often bring problems to school that started in other areas of their lives, such as various forms of abuse, divorce, abandonment and death; Teachers fail to recognise these problems and contribute to them; Problems that occur as the result of how the school operates, these could relate to academic as well as extra-curricular activities. The frustrations encountered by some children regarding these matters may result in extreme reactions.

4.2.2.2 School's resolution to disciplinary issues

Principal of school A indicated that the learners are counselled on a regular basis to "*try and change behaviour.*" Counselling is done in groups and one on one. The principal indicated that he preferred to speak to the learners on a one on one basis because he felt he could accomplish rehabilitating the bad behaviour and getting to the crux of the learner's problem. He also indicated that this strategy was not possible on a regular basis due to the heavy workload that principals of secondary schools have to carry out. Learners are also spoken to at assemblies. The school has drafted a policy on class protocol which every educator has to implement to ensure compliance of the code of conduct by educators.

Principal of school B also pointed out that lots of counselling sessions were scheduled for learners who were reprimanded for misconduct. Counselling was conducted by the principal, management members and educators. The school has taken this process a step further by appointing one educator to deal specifically with learners who were presenting with behavioural problems. The principal stated:

It may not be the ideal solution but some help is better than none.

Principal of school B strongly stated that secondary schools are faced with a huge problem of parent apathy which the school is struggling to deal with. Lemmer and van Wyk in Wolhuter, Lemmer and de Wet (2007) state that involving families in schools has become a major goal of education professionals. In most cases, collaboration among the home, the school and the community remains a distant reality due to some of the following factors that limit or impede parent involvement. They are: Parent's limited knowledge and experience of what is required of them; Time constraints of working parents; Cultural and social barriers and Un-educated parents and caregivers. Schools have a core of parents that comply but they are in the minority. Smith (2000) confirms that the main goal of involving parents is to improve the lines of communication between the school and parents and to secure their support for the school's policy on discipline. The school has engaged in methods such as sending circulars to inform parents about school activities, telephone calls to parents, sending messages via siblings, relatives or neighbours and even conducting home visits. The Principal had this to say with regards to parent apathy:

It is a social ill of society that reaches far deeper than meets the eye. Substance abuse amongst our parents is rife; learners come from broken homes where the structure of discipline is non-existent.

These factors were uncovered during home visits of learners by educators and parent members of the SGB. McGrath (2006) emphasise that schools should work in partnership with parents, finding positive ways to engage them in Safe School initiatives, keep them informed and encourage them to model pro-social attitudes and behaviour for their children.

Principal of school B indicated that some learners tend to bunk classes due to the learning disabilities that they may have.

Many learners are coming through the system without the basic skills of reading and struggle to cope with their work. They tend to either bunk classes or become disruptive during the lessons. I have introduced a reading programme to help

learners, but some of the learners, who are really in need of help, do not turn up for these classes.

Many learners bunk classes due to their incapacity and fear being laughed at by other learners. Joubert, Waal and Roussouw (2004) pointed out, that learners, who tend to misbehave, perform poorly in school and tend to absent frequently.

The disciplinary committee chairperson of school A strongly intimated that the school was fighting a losing battle with learner misbehaviour. This statement mainly emanated from the fact that parent support was lacking and that many parents had abdicated their responsibility of discipline of learners to the school. Some parents play no part or show no interest whatsoever in the way their children conducted themselves at school. The disciplinary committee chairperson of school B also echoed the same sentiments with regards to the lack of parental involvement at secondary schools. He suggested that:

Schools must form ward or local support teams to help SGBs with issues pertaining to discipline.

Educators from School A stated that the school conducted regular staff development workshops to rectify problem areas that have been identified. Mentorship programmes were put in place for educators who were experiencing problems. The school communicated with the parents via letters, telephone calls, bulk message system and home visits. Educators mentor learners on the value of education. This is only done when time permits as educators have a structured programme to follow due to syllabus requirements.

Educators from school B also referred to staff development meetings as a means to discuss challenges they are experiencing and ways to overcome these challenges. But they are adamant that the Department has to enact regulations which would force parents to play a more active part in their children's education. An educator who is involved with Global School Exchange Programmes strongly suggested that:

We must emulate what our UK counterparts have done by enacting legislation which makes parents ultimately responsible for their child's education. This commits parents to get more involved in the educational programme of their child. Parents are faced with penalties if their children misbehave at school. The Department needs to make parental involvement mandatory.

These calls are indications of the frustration that educators experience with the lack of parental involvement. Steers (2010) state that all schools in the United Kingdom have been required to have home-school agreements which place emphasis on learner behaviour and the role of the parent in working with the school to support and maintain good standards of discipline.

The SGB of school A called for educators to be more vigilant and visible. One parent stated that:

The Principal's office should be in the block so that he can monitor what is happening.

Another parent from school A stated that:

If not the Principal, then the Management.

This request stems from the perception of parents that some educators were not fulfilling their obligations in the implementation of the code of conduct; that some educators are poor role models for learners to emulate. The continued presence of the Principal or Management members will give some level of authority for a more vigilant enforcement of the school rules by educators.

The SGB is also appealing to parents to get more involved in school activities. Parent members are targeting parents of learners who have the expertise from the financial sector, security companies and SAPS and government employees. It is envisaged that these parents will give the SGBs more authority and legitimacy. In serious cases that may lead to suspension and expulsion, it may be advisable to include persons with legal expertise on the disciplinary committee (Joubert and Prinsloo, 2009). Mncube (2008) states that the functioning of SGBs vary from school to school because of the greater managerial expertise among the parents. Former model C schools operate more effectively than other schools; and that there are vast differences between urban and rural schools.

SGB of school B indicated that they provide support for parents who are experiencing difficulties. A support group called '*Moms who care*' has been formed. This group comprises of mothers of learners who are available to assist the school with various activities. This group counsels learners who are presenting with disciplinary problems. SGB members make a concerted effort to help the school contact the parents of learners who have been identified due to misconduct issues. This is done *via* distributing letters to parents informing

them about their child's misconduct and helping the school to contact the parent via telephone calls or making home visits.

Learners at school A are of the opinion that schools are failing with the implementation of the code of conduct. A learner stated that:

Schools have disciplinary hearings but the parents don't attend. Parents are then unaware of the sanction imposed on the learner. There are doubts if the parent is aware that the learner has been involved in misconduct.

Learners suggest that the schools should conduct meetings on days that are appropriate to consider those that are working and those that don't have access to private vehicles. Learners at school B reported that:

Schools make promises and threats but don't follow up.

This leads to learners not taking the code of conduct seriously. Learners also noted that the same learners are engaging in misconduct and seem to be 'getting away' with it. A learner from school B said:

They appear before a Tribunal but are back in school within days only to commit the same offence again.

Learners state that this does not augur well as an example for the rest of the learners. Niewenhuis (2007) states that inconsistent behaviour management practices can contribute to a negative school climate and the development of anti-social behaviour.

4.2.2.3 Records of disciplinary issue dealt with by schools

The researcher was given access to the disciplinary records of the school A for the 2010 – 2011 periods. It is evident that learner misconduct is on the increase. There were many cases where learners were caught taking drugs and alcohol. Misdemeanors such as smoking, vandalism, fighting, absconding and use of cellular phones were also dealt with by the disciplinary committee. Learners who are to appear before the disciplinary committee were given a written notice which was addressed to the learner's parent. The school had earlier indicated that these notices were not handed to the parents by the learners. This was evident by many forms not being signed by the parent. The school used other means to contact the parents such as telephone calls or dropping letters off at the learner's home by members of the SGB. This was not the case for learners that lived in the surrounding township. The only means of communication was by telephone. In some cases it was noted that the learner's

parents could not be informed and the process was concluded without the parents being present. It is unclear whether the parents were ever notified of the learner's misconduct and the subsequent sanction imposed thereafter. The disciplinary hearing takes place according to a prescribed procedure which is based on the fundamental principles of law. The individual's right to a fair and reasonable hearing is further endorsed in Section 33 of the Bill of Rights, as included in the Constitution. A notice about the hearing must be delivered in writing to the parents and learner five (5) workdays before the hearing. The notice must include information about the alleged offence, as well as information about the time, place and date of the hearing. The learner who has been accused must be given the opportunity to present his/her side of the matter and to call witnesses.

From perusal of the documents, it was noted in many of the recent cases that the rule of giving the learner and parents a minimum of five days written notice of the date, time and venue of the disciplinary hearing was not adhered to. Regulation also states that the SGB must formally appoint two people to serve on the Tribunal. School A has an SGB parent member who deals with all disciplinary issues that are referred to the Tribunal. There are no recordings of the Tribunal process. Regulation states that the school must make arrangements for the word for word recording of the proceedings. The only records that are on file are the notice of the Tribunal, and the outcome of the Tribunal, which were a verbal warning, written warning, final written warning or suspension. There were no cases that were referred to the Department for recommendation for expulsion. There is no evidence that minutes of the process were taken and recorded.

There are statements from educators attached to the documents pertaining to the character of the learner. The statements were of a general nature and seemed to be compiled for the purpose of the hearing. There is no evidence of the learner's profile with a record of the learner's previous misdemeanours so that a just and fair outcome could be reached depending on whether this was the learner's first offence or whether the learner was a repeat offender. The researcher was given access to the disciplinary records of the school B for 2009-2011 periods. Issues that were regularly dealt with included fighting, possession of dagga, theft, bunking and the carrying and use of cellular phones at school. There were two files that were kept: A discipline file and a Tribunal file. Most learners were dealt with by the school and a record of the sanction was kept in the discipline file. Serious cases were referred to the Tribunal for consideration.

In some cases, there were no records of the letters issued to parents informing them that the learner had transgressed the school rules and had to appear before a Tribunal. It would appear that the school did not keep a copy of the letter that was given to the parent. There were no measures in place to ascertain whether the parent received the letter. Adequate five days written notice of the time, date and venue of the disciplinary hearing was not adhered to at all times. Tribunal meetings were conducted during the school week and during the school day. In most cases, the parents were present. Educators and learners who witnessed the offence were required to compile a report on the incident. There was no evidence attached to the case which outlined the learner's profile in terms of his/her disciplinary record at the school for the Tribunal to make a more informed decision about the learner's sanction.

There was only one instance of detailed minutes being kept which dates back to 2009 where there was a recommendation for the expulsion of the learner for carrying a dangerous weapon to school and attempting to stab another learner. This entailed the comprehensive filling in of documents, providing detailed evidence by the school and the acknowledgement by all the relevant education authorities. The recommendation was granted and the learner was expelled from the school. There was no evidence of arrangements made for the continuation of the learner's education by either the school or the Department.

There is no evidence of arrangements being made to record the proceeding in detail. Evidence of the minutes of the Tribunal could not be found in the file. From the form outlining the sanction, it was noticed that the school adhered to the constitution of two persons to head the tribunal. The researcher could not reach a conclusion as to whether the parents of the learner who were not present at tribunal were informed of the outcome of the tribunal. The absence of transcription of the process leaves many unanswered questions as to how the process was conducted.

4.2.2.4 Observations at school

Permission was obtained to conduct observations at the schools. I visited school A on a number of occasions. Late coming is a major factor at the school. I was present one morning with the principal and some members of the governing body, who were monitoring late coming. A learner arrived late and was under the influence of drugs. The learner was

reeking of dagga and when questioned responded that the people were smoking on the bus and that is how the smell got on to him.

On one occasion I was given a short tour by the principal who showed me around and pointed out some of the projects that the school had undertaken to improve the environment. The school had constructed a pavilion next to the grounds. The learners could sit there during the breaks and it was also used by learners to watch the sport fixtures that the school was engaged in. The buildings were recently renovated and painted. The gardens were beautifully set out and maintained. The school is well enclosed but the coiled barbed wire on top is indicative of some of the problems that the school is encountering. Learners were continually absconding from school and those that are late look for ways to come in over the school wall. Mokhele (2006) in a survey of seven Pretoria Secondary Schools found that educators deal daily with cases of learners bunking and coming late to school. Lack of supervision and control was attributed to these phenomena.

The school had a sports programme and I observed some learners playing soccer, volleyball and table tennis. The principal informed me that some learners excel in sport and have gone on to represent the school at provincial level.

During the breaks, learners loiter around the blocks. This could be because of the location of the tuck-shop. There were not many educators on duty and the area to control was vast. Educators seem reluctant to be on duty as ground duty infringes on their break time. Prinsloo (2005) states that the purpose of the Occupational Health and Safety Act, 1993 (Act 85 of 1993) is to ensure a safe and healthy work environment. Certain provisions of the Act are also applicable to schools so as to ensure the physical safety of learners while they find themselves in potentially dangerous situations in the school buildings or on the school grounds where learners, educators or even parents could be injured. I noticed that many learners were not following the school dress code. Learners had fancy jackets on. Some learners wore takkies with their school uniform. This corroborated what Governing Body members of the school had to say about some educators not implementing the School's Code of Conduct with regards to dress code. Learners were generally respectful but I noticed some learners using their cellular phones and they made no attempt to hide it when they saw me.

At certain areas there was a stench of urine and this brought to mind what some governors had said about learner urinating where ever they feel like. During teaching time there seemed to be a lot of learners loitering around. This could be attributed to educator absenteeism or educators being called to workshops on a school day. Learners are left on the grounds without supervision. Prinsloo (2005) states that educators as persons *in loco-parentis* are vested with special status that empowers them to act authoritatively in terms of the law. Not only do they have both delegated powers (delegated by the principal of the school to act on his or her behalf) and original powers (powers originating in the common law) of authority over learners on the school grounds and during the normal school session, but (in terms of the common law) they are also granted authority over the learners during extramural activities on or away from the school grounds.

Observations at school B revealed that the school is well maintained and is currently undergoing renovations. There were no broken window panes and the toilets were well maintained. There were odd instances of graffiti on the toilet walls. This is an indication that some learners do not respect the property of the school and have seen fit to deface it. The sports infrastructure is being upgraded and school gutters are being replaced. The gardens and the grounds are well maintained. The school had set up benches for learners to sit and have their lunch.

I noticed some educators on duty during the break but the learners were not confined to specific areas and were allowed to wander freely amongst the blocks. Learners were generally neatly attired and respectful but I witnessed the odd cases of learners not adhering to the dress code. During breaks, learners were engaged in sport. I witnessed learners playing soccer, volleyball and basketball. The educators informed me that some learners had achieved top honours in sport. A good ethos generally prevailed at the school.

A safe school is therefore a healthy school in that it is physically and psychologically safe. Indicators of safe schools include the presence of certain physical features such as secure walls, fencing and gates; buildings that are in a good state of repair; and well-maintained school grounds. Safe schools are further characterised by good discipline, a culture conducive to teaching and learning (Prinsloo, 2005)

4.2.3 SGBs as the most appropriate structure to maintain discipline in schools

The principal of school A believes that SGBs are not the most appropriate structure to deal with discipline issues due to the lack of expertise amongst the parent component. The principal said that:

There are legal processes involved in enacting sanctions against a learner and some parents are not fully capacitated to handle this process. Also parents have time constraints due to their work commitments and are not always available to fulfil their obligation to the school.

Parent members represent the aspirations of all parents who have nominated them to act on their behalf. Parents are not fully capacitated to implement these procedures and regulations. It is left to the school to educate and capacitate parents. The department support is grossly lacking, especially to newly appointed governors. Parents also do not fully comprehend the dynamics that are involved in the management of a secondary school. The principal reiterated that discipline is a major factor that hampers the educational process and stated that:

The Department is trying to fix curriculum issues. We need to find out why learner discipline is eroding and find solutions. Then we can implement curriculum changes.

The principal strongly stated that:

My job is to manage and facilitate the education process of learners and not to police them.

The principal of school B suggested that while SGBs have a part to play in this process, it is ‘controversial’.

Current legislation diminishes the power of the school by giving authority to the parent component that does not have the full capacity to deal with the evolving issues of discipline.

SGBs, according to this principal, are not the most appropriate structure to deal with discipline because individual stakeholders are working in isolation. It is the educators and the school management that have to implement and enforce the school’s code of conduct only to have parents come in to make a ruling on offending learners. In most cases the ruling is seen as a counselling measure which has no real benefits in remediation of delinquent learners. SASA state that SGBs have a duty to ensure that the code of conduct includes policies and procedures that are appropriate for dealing with disciplinary matters and the

members that carry out the duty of the Tribunal must apply the appropriate sanctions as outlined in the code of conduct.

The chairperson of the disciplinary committee of school A expressed doubts as to whether SGBs are the most appropriate structure to deal with discipline. This doubt emanates from the fact that the parents do not have sufficient time to commit to the schools and some are not aware of the processes that are required to be implemented during a tribunal hearing. He felt that:

More authority needs to be given to the school, where educators and manager must implement more stern measures to curb the increase of misconduct incidents.

The chairperson felt that if the department was serious about school governance structures being responsible for discipline at schools then more support would have been given to this structure by means of continuous workshops and concrete assistance to deal with the challenges that the school is faced with.

The chairperson of school B believed that SGB can fulfil their role if they are provided with the appropriate support. He noted that most parents lack capacity and can therefore be easily influenced by other stakeholders who are deemed to be more knowledgeable. This could lead to the process being flawed. Mthiyane (2006) states that the ultimate success of SGBs in many communities will depend on the type and extent of training the government has undertaken to provide. This suggests that SGBs have to be properly trained to be aware of the Department of Education's policies and understand their roles as school governors. Otherwise school governance will remain an elusive term for many.

An educator at school A rated the SGB as an important decision making structure but state that the problem was in the selection of stakeholders because it is done mostly on the basis of those that volunteer to serve on the committee. Many qualified parents with the relevant expertise don't make themselves available to the schools for various reasons. At times, those that volunteer are not very literate and require lots of capacitating. These factors impact on important decision making processes. The challenge is for the school to capacitate parents while fulfilling all other obligations. Educators feel that they have a wide range of tasks to oversee and become overburdened and frustrated with the increasing levels and rate of learner misconduct which seriously hampers their core function of teaching.

Educators at school B unanimously agree that SGBs are not the most appropriate structure to deal with disciplinary issue of the school. Discipline is an ongoing and daily factor that prevails in schools and working parents cannot fulfil their obligation in the implementation of the school's code of conduct but are required to rule on matters pertaining to discipline. The tribunals are not effective. One educator compared the tribunal to '*a bulldog with no teeth*'. Educators put in a lot of work but the end result does not justify all the effort. The learners are well aware of the limitations of the tribunal. It does not have the desired effect. A seasoned educator called for the re-instatement of corporal punishment to be administered under strict controlled conditions stating that this alone will serve as a deterrent.

SGB members of school A are unanimous in their response that currently, the school governance structure is not the most appropriate structure to maintain discipline at school.

We only make recommendations; the school is ultimately responsible for the full implementation of the policy.

Parent members still believe they have a role to play at schools in the form of support for the educators and management but more capacity building needs to be done by the department.

Parents were vociferous in stating that the Department was not serious about empowering parents.

Some workshops are conducted during the weekdays – SGB parents are working and none attend the meetings.

Parent members voiced that the school governance structures at secondary schools are not very active. A parent quoted "*To score a goal you need a team.*" Teamwork was not very evident and it seems that the various stakeholders were working in isolation. This stemmed from issues such as educators being demoralised by the declining state of learner behaviour and promotion issues; where educators from the outside were appointed to vacant promotion posts at the school.

The SGB members of school B, who were newly elected member, were very positive about the role of parents in the maintenance of discipline at the school. They stated:

All stakeholders must be involved and make a positive contribution. Our job is to assist the school. Everyone should play their part in making the school a safe place for our children.

The parents were eager to help the school, but called for intensive capacity building programmes to be conducted, to equip them with the skills to make a positive contribution to the school. Parents commended the staff and management on the way they managed the school.

Some learners at school A believed that the SGB was not the most appropriate structure to deal with discipline at school and disciplinary measures were not very effective. One learner felt that parent members came across as ‘dictators’ and were not very diplomatic in dealing with learners; threatening them with corporal punishment. The learner stated:

SGBs act like police officers and force discipline on learners.

In an authoritarian environment, people tend to form alliances for protection or favours. It is a breeding ground for discrimination and bullying. A sense of mutual respect and trust must be prevalent at the school to ensure an ethos that is much safer and conducive to a culture of teaching and learning (Backman and Trafford, 2006).

4.3 Summary

The different data collection methods revealed that SGBs are facing numerous and daunting challenges with the implementation of the code of conduct for learners. Although schools have codes of conduct for learners, misdemeanour by learners is on the increase and the level of some of the offences border on criminality. The implementation of the code of conduct for learners is generally handled by the principals of the schools, management members and other educators. SGB members are involved in the formulation of the policy and some serve on the schools disciplinary committees.

Parent members of the SGBs acknowledged their limited role in the implementation of the code of conduct for learners due to their own work commitments and the lack of capacity building and support from the Department of Education. SGB members are unified in their call for more capacity building and empowerment programmes from the Department of Education in order for them to function effectively. There is a general state of apathy from parents of learners who do not fully participate in the activities of the school. Communication between the parents and the school seems to be an increasing barrier to the discipline of learners. Some stakeholders are of the opinion that parents have abdicated their responsibility of their children’s behaviour and education to the school.

Educators' teaching time is consumed in dealing with disciplinary cases. This results in other learners being disadvantaged of contact time with the educator. Educators are becoming frustrated and demoralised by the decline in learner behaviour which impinges on the teaching and learning process. Most stakeholders concede that the SGBs are not the most appropriate structure to deal with learner discipline in schools.

Chapter five will deal with the summary, conclusions and recommendations of this study.

CHAPTER FIVE

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

The previous chapter dealt with data presentation, analysis and discussion of the findings obtained from interviews, observations and documents review. After a careful consideration of the data, certain clear conclusions emerge in terms of the critical questions formulated in the introductory chapter. Based on the findings outlined in chapter four and the conclusions of this study, pertinent recommendations are made.

5.2 Summary of the chapters

Chapter One provided an introduction to the study. This chapter provides an explanation of the problems that SGBs experience in the implementation of the code of conduct for learners, statement of the investigation and the aims of the study. The method of research was briefly explained and certain relevant concepts were clarified.

Chapter Two outlined the literature review on school governance, school discipline and the theoretical and conceptual frameworks upon which this study is based. In this chapter I have discussed the problems of discipline, safety and security in schools internationally and locally.

Chapter Three discussed the research design, methodology and ethical issues of this study. This chapter further provided a discussion of the qualitative research methodology and the data collection strategies such as interviews, documents analysis and observations that the researcher used to investigate the challenges experienced by the SGB in the implementation of the Code of Conduct for learners. This chapter also described how data analysis was conducted and discussed issues of reliability and validity. The limitations of the study were also outlined.

Chapter Four consisted of the detailed findings, presentation and analysis of the research data. It focused on how SGBs implement the code of conduct for learners in schools, the challenges experienced by SGBs in the implementation of the code of conduct for learners

and how stakeholders perceive SGBs as being the most appropriate structure to implement the code of conduct for learners at schools.

Chapter Five provides a summary of the whole study, conclusions that emanated from the findings of this study and some recommendations that will assist SGBs in the implementation of the code of conduct for learners at schools.

5.3 Conclusions

After a careful consideration of the findings of this study, the following conclusions were reached:

The structure of policy on the code of conduct for learners was not user friendly and the documents did not allude to it being an important school regulation that has serious implication for learners and parents if the rules contained there-in were not adhered to. The language of the document did not cater for those learners and parents that did not have a good grasp of the English language. Further, the document was not comprehensively communicated to the parents, learners and educators thus resulting in the policy not being uniformly implemented and followed. The policy did not adequately address some important issues of misdemeanour such as bullying, use and peddling of drugs, robbery and violence.

Similarly, the role that SGB parents play in the implementation of the code of conduct for learners is limited due to factors such as lack of capacity building programmes (by the Department of Education) and to their own work commitments. Parents were of the opinion that they could play a greater role if they were sufficiently empowered. Some parents were of the opinion that certain educators were not good role models when it came to discipline and the application of the code of conduct is not uniformly applied. There was a gap in the communication channel between the school and the parents. Schools were faced with a challenge to get parents involved in the activities of the school and in their children's education and conduct. This could be attributed to some contextual factors that exist in society such as in most house-holds both parents work, and in some instances many learners came from single headed families. Learners were also exposed to societal factors such as physical and mental abuse, violence and substance abuse which impacted on their behaviour at school.

Educators were of the opinion that most parents have abdicated their responsibilities in controlling their children's behaviour. Educator's teaching time was being consumed by their handling of learner misconduct which was on the increase. Some educators were calling for the re-instatement of corporal punishment at schools which they deemed was an effective way of dealing with errant learners. Educators also highlighted the lack of parental involvement in the supervision of their children's work and conduct. Educators believed that the disciplinary committee's decision on learners who commit misdemeanour was not effective.

Learner involvement in the SGB was limited. Learners concurred that the code of conduct policy for them was not extensively conveyed to them. School rules were generally conveyed in an authoritarian manner to learners. Learners also noted the inconsistency in the application of the rules by some educators. TLO's play an insignificant role in the empowerment of learners and learners are not given a platform to voice their concerns. Learners were concerned about the amount of time taken by educators to deal with discipline issues and are being short changed of quality teaching time. Learners believed that the disciplinary process was not effective and was therefore not taken seriously by errant learners as these same learners were habitual and repeat offenders.

All stakeholders were of the opinion that SGBs were not the most appropriate structure to implement the code of conduct for learners at the schools. The school principal, the management team and educators were the managers and executioners of the policy. SGBs were involved in the formulation of the policy and some were represented in the disciplinary committee that dealt with serious misconduct cases.

The disciplinary committee was not always properly constituted thus alluding to its credibility. The protocol of giving the parents of offending learners' timeous notices was not being followed. Minutes of the process, other than the notice of the hearing and the outcome, were not being kept. There was no record of a portfolio of each learner's disciplinary track record at the schools. Educators submitted reports on a learner when an incident occurs. These were done on slips of paper bearing comments from some educators about the learners' conduct. These comments were general and vague and did not allude to specific dates, times and prior offences that were committed by the learner.

The school environment was neatly maintained but some areas required attention. The evidence of learners urinating anywhere and the presence of graffiti on the toilet walls were indications of some disruptive elements at the school. There seemed to be a lot of learners loitering around during class time and supervision of learners during lunch breaks was minimal. At times learners were left unsupervised on the school grounds due to the number of educators that were called to workshops by the department during school time. The use of cellular phones by learners in schools was a common occurrence and not all learners adhered to the school's dress code. Another finding was late-coming which was a daily occurrence which schools were finding difficult to curb. Bunking from schools and classes was a common occurrence.

5.4 Recommendations

Based on the above findings, the following recommendations are made:

5.4.1 The Policy on the Code of Conduct for Learners

Schools must involve all stakeholders in the formulation of the code of conduct for learners. This could be done by the distribution of circulars informing them of the importance of this policy and the value of their input towards the policy. This would ensure a buy-in from all stakeholders. Managers and educators can institute class or grade competitions which involve all learners by encouraging each class to draw up posters, engage in speeches and debates around issues of discipline. This would give learners the opportunity to contribute to a policy that they will have to adhere to. Learners can be given incentives such as certificates, medals or class trophies for their efforts. Educators must also be seen to be actively involved in this process. The following must be taken into account when drawing up the policy: The appearance of the document must allude to it being a school regulation that has dire consequences if not adhered to; The language used must be simple yet effective; school should consider the translation of the document in isiZulu, as many learners who attend the schools come from the surrounding township; the sections of the document must be sequential and deal only with the code of conduct for learners; the levels of offences and sanction must clearly reflect and take into account all the experiences of the school; the disciplinary process must be clearly outlined and the rights of the learners and parents must

be included. The code of conduct must be subjected to continuous revisions and updates depending on the needs of the school.

5.4.2 Involvement of parents

The Department must fulfill its obligation towards SGBs by ensuring sufficient capacity building programmes are held throughout the year at appropriate dates and times. The schools should also include in their year plan programmes to empower parents and to include parents in the activities of the school. The schools must conduct awareness programmes and formulate innovative ways to increase parental involvement. A suggestion would be to get parents to sign an agreement, upon registration of the child at the school, to pledge to be actively involved in all aspects of their child's education. Schools must ensure on enrolment that they have all the relevant personal details of learners and parents so that a thorough data base of learner's contact details can be compiled.

5.4.3 Educators involvement

Management members of the school must ensure that all educators are in possession of the code of conduct for learners and that educators have a thorough knowledge the content and scope of the policy. This could be done through workshops and mentorship programmes. Educators must also have a thorough knowledge of what their expectations are in the implementation of the policy. Consistency in its application must be emphasized. It is recommended that each educator compile a portfolio of every learner in his/her class which would contain a record of the learner's misdemeanor record. This can be presented at Tribunal Hearings to reflect the learner's disciplinary track record at the school.

5.4.4 Learners involvement

TLOs must have a structured programme for learners throughout the year to ensure that RCLs are sufficiently empowered. Feedback between learners and the TLOs must be ongoing. RCL must be actively engaged in the decision making process and be provided with a platform to air their concerns.

5.4.5 The disciplinary committee

The disciplinary committee must be properly constituted when dealing with serious misconduct cases that are referred to them. Timeous notice must be served to the learners' parents concerning the Tribunal Hearing. The school should make all attempts to ensure that the learner's parent is present at the hearing. It is recommended that the proceeding be recorded using the technology available at school (tape recorded or video camcorder). The appointed secretary of the hearing should record minutes of the meeting which must be filed. The learner's previous misdemeanor record should be presented at the meeting which would include dates and nature of the learner's previous transgressions. The disciplinary committee must impose the appropriate sanction as listed in the policy.

5.4.6 The principal and school management team

When doing planning, the principal and school management team planning must make provisions for systematic methods to deal with disciplinary issues that arise. They must ensure that educators are not disadvantaging other learners when they deal with errant learners and fulfill their core function of teaching learners the content of the required syllabus. Adequate provision must be made for educators to supervise learners when they are on recess. Management must set firm guidelines for the uniform application of the discipline policy for learners. This study further recommends that the principal and managers make their presence felt by monitoring at different intervals the ethos that prevails at the school. The principal and management team must develop innovative ways to motivate educators, learners and parents to develop a sense of ownership and loyalty to the school.

5.5 Summary

This chapter has provided a summary of the study and the conclusions. Further, based on the findings and conclusions made in this chapter, relevant recommendations that I believe would assist the SGBs in the implementation of the code of conduct of learners are made.

REFERENCE LIST

- Adams, J, Khan, H., T. A. Raeside, R. & White, D. (2007). *Research Methods for Graduate Business and Social Science Students*. New Delhi: Response Business Books.
- Banda, A. (2004). *Parents order whipping of Masunga SSS students*. Mmegi Newsletter. Gaborone 19 May
- Baxter, P. and Jack, S. (2008). *Qualitative case study methodology: Study design and implementation for novice researchers*. Retrieved 6 February, 2010, from <http://www.nova.edu/ssss/qr/qr13-14/baxter.pdf>
- Bernstein, B. (1971). *Class, codes and control. volume 1: theoretical studies towards a sociology of language*. London: Routledge & Kegan Paul.
- Bernstein, B. (1996). *Pedagogy, symbolic control and identity*. London: Taylor & Francis.
- Blaikie, N. (2000). *Designing Social Research*. Cambridge: Polity Press.
- Bless, C., Higson-Smith, C. and Kagee, A. (2006). *Fundamentals of social research methods: An African perspective*, fourth Edition, Cape Town: Juta & Co. LTD.
- Bogdan, R.C. and Bilken, S.K. (2003). *Qualitative research for education. An introduction to theory and methods*(4th ed). Boston: Allyn & Bacon.
- Bogdan, R.C. and Bilken, S.K. (2003). *Qualitative research for education. An introduction to theory and methods*(4th ed). Boston: Allyn & Bacon.
- Ministry of Education (1967). Botswana Republic Gaborone: Chapter 58:01. Government Printers.
- Burns, R.B. (1997). *Introduction to research methods*. (3rd ed.) Australia: Longman.
- Bush T. & Heystek J. (2003). *School Governance in the New South Africa*, South African Journal of Education 28(3): 431-450
- Bush, T and Joubert, R. (2004). *Education management development and governor training in Gauteng: An overview*. Paper presented at the Emassa conference, Port Elizabeth, May 2004.
- Bush, T, (2004) *School management and governance. Training in Gauteng: An Evaluation*. Unpublished interim report. (Research project. University of Lincoln.

- Bush, T., Glove, D., Bischoff, T., Moloi, K., Heystek, J., and Joubert, R. (2006). *School leadership, management and governance in South Africa: A systematic literature review*. Johannesburg: Matthew Goniwe School of leadership and Governance
- Clacherty, G., Donald, D. and Clacherty, A. (2005). *South African Children's Experiences of Corporal Punishment*, Pretoria: Save the Children –Sweden.
- Coetzee, S.A., Niekerk, E.J. and Wydeman, J.L. (2008). *An Educator's Guide to Effective Classroom Management* (1st edition). Pretoria: Van Schaik Publishers
- Cohen, L., Maion, L. & Morrison, K. (2007). *Research Methods in education*. New York: Routledge Falmer.
- Cohen, L., Manion, L. & Morrison, K. (2007). *Research Methods in education*. New York: Routledge Falmer. Compare, 7.
- Covaleskie, J.F. (1994). *Dewey, discipline, and democracy*.
<http://www.ed.uiuc.edu/EPS/PES-Yearbook/94docs/COVALESK.HTM>
- Craig, W. M., Peters, R. DeV. & Konarski, R. (October 1998). *Bullying and Victimization among Canadian School Children*. Applied Research Branch Working Paper Series W-98-28E, Ottawa, Ontario: Human Resources Development Canada.
- Creswell, J.W. (2002). *Educational research*. New Jersey: Pearson Education Inc.
- Creswell, J.W. (2003). *Research design: Qualitative, quantitative, and mixed methods approaches*. (2nd ed.) Thousand Oaks: Sage.
- Creswell, J.W. (2005). *Research design: Qualitative and quantitative approaches*. New Jersey: Pearson Education Inc
- Creswell, J.W. (2007). *Qualitative Inquiry and research design*. New Jersey: Pearson Education Inc
- Davies, L., Kirkpatrick, G. (2000). *The Euridem Project: A review of pupil democracy in Europe*. London: Children's Rights Alliance.
- Dawes, A., De Sass Kropiwnicki, Z., Kafaar, Z. and Richter, L. (2005). *Corporal Punishment of Children, A South African National Survey- Save the Children*.
- De Vos, A.S., Strydom, H., Founce, C.B. and Delport, C.S.L. (2005). *Research at grassroots*. Pretoria: Van Schaik Publishers.
- De Vos, A.S., Strydom, H., Founce, C.B. and Delport, C.S.L. (2005). *Research at grassroots*. Pretoria: Van Schaik Publishers.

- Denzin, N.J. (2005). *The SAGE handbook of qualitative research*. New York: Sage
- Department of Education (DoE). (1996). *South African Schools Act (Act 84 of 1996)*
- Department of Education (DoE). (2004). Review of school governance in South African Schools. Pretoria.
- Department of Education (DoE). (2008). *Example of a Code of Conduct for a school*. Pretoria: Government Printer.
- Dewey, J. (1915). *The school and society*. 2nd ed. Chicago: University of Chicago Press.
- Dewey, J. (1916). *Democracy and education: an introduction to the philosophy of education*. New York: The Free Press.
- Edwards, C.H. (2004). *The Classroom Discipline and Management* (4th edition). New York: John Wiley and Sons, Inc.
- Farrell, C. (2006). Judicial corporal punishment in South Africa.
<http://www.corpun.com/rules.htm>
- Ferreira, M., Puth, G. (1988). *Focus group interviewing. An introduction to qualitative research methods*. Pretoria: human Sciences Research Council.
- Foucault, M. (1979). *Discipline and punish: the birth of the prison*. Harmondsworth: Penguin. Translated from the French by Alan Sheridan (1977).
- Fox, J.A., Elliot, D. S., Kerlikowski, R. G., Newman, S. A. & Christeson, W. (2003). *Bullying Prevention Is Crime Prevention*. A report by FIGHT CRIME: INVEST KIDS. Washington.
- Furlong, V.J. (1993). Sociological perspectives on disaffection from school. In Varma, V. P. (ed). *Management of behaviour in schools*. New York: Longman. 7-20.
- Garegae, K.G. (2008). The crisis of student discipline in Botswana schools: an impact of culturally conflicting disciplinary strategies. *Educational Research and Review* Vol. 3(1), 48-55,
- Gay, L. R. (1981). *Educational research: Competencies for analysis and application*. 2nd ed. Columbus: Merrill.
- Gay, L.R. and Airasian, P. (2003). *Educational Research*. New Jersey: Pearson Education. Inc.
- Glover, D., Gough, G., & Johnson, M. with Cartwright, N. (2000). "Bullying in 25 secondary schools: incidence, impact and intervention". *Educational Research*, 42(2), 141-156.

- Halsey, P.A. (2005). *Parent involvement in Junior High Schools: A failure to communicate. American Secondary Education, 34(1), 57-69.*
- Hancock, D.R. and Algozzine, B. (2006). *Doing case study research.* New York: Teachers' College Press.
- Harber, C. (2004). *Schooling as Violence.* London: Routledge Falmer
- Heinrichs, R. R. (2003). "A Whole-School Approach to Bullying: Special Considerations for Children with Exceptionalities". *Intervention in School and Clinic, 38(4), 195-204.*
- Hill, M. (2005). *Ethical considerations in researching children's experiences.* London: SAGE
- Joubert, R and Bray, E (eds) (2007). *Public School Governance in South Africa.* Pretoria: CELP
- Joubert R. and Prinsloo, S. (2009). *The Law of Education in South Africa (2nd edition).* Pretoria: Van Schaik Publishers.
- Joubert, R. (2008). Policy making by public school governing bodies: Law and practice in Gauteng. *Acta Academica 2009: 41(2)*
- Joubert, R. and Squelch, J. (2005). *Learner discipline in schools.* Pretoria: CELP.
- Joubert, R., Waal, E., Rossouw, J.P. (2004). Discipline: Impact on access to equal educational opportunities. *Perspectives in Education, Volume 22(3)*
- Keoreng, E. (2004). *Research blames corporal punishment for school drop-outs.* Mmegi Newsletter. Gaborone, 12 November.
- Leavy, P. & Hesse-Biber, S. (2006). *The Practice of Qualitative Research.* London: SAGE
- Lee, R.M. (2000). *Unobtrusive Methods in Social research.* Philadelphia: Open University Press.
- Leedy, P.D. and Ormrod, J.E. (2005). *Practical research: Planning and design.* New Jersey: Pearson Education, Inc.
- Lekalakala, P.S. (2007). *The role of the school governing body in implementing a code of conduct for learners in secondary schools in North West Province,* submitted in partial fulfilment of the requirements for the degree of Master of Education the subject Education Management at the University of South Africa, December 2007

- Lincoln, Y.S. & Norman, K.D. (2000). *Handbook of Qualitative Research*, London: Sage.
- Lumsden, L. (February 2002). "Preventing Bullying". Educational Resources Information Centre (ERIC): Digest 155.
- Ma, X. (2002). "Bullying in Middle School: Individual and School Characteristics of Victims and Offenders. *School Effectiveness and School Improvement*, 13(1), 63-89.
- Maleke, L. (2003). *Head teachers prescribe the stick*. Mmegi Newsletter. Gaborone 17 October.
- Manyaka, M. (2006). *Sustainability through environmental education in rural communities surrounding conservation area*. Unpublished M.Ed dissertation. University of Pretoria
- Maree, K., Creswell, J.W., Ebsöhn, L., Eloff, I, Ferreira, R., Ivankova, N.V., Jansen, J.D.,
- Martin, T.B. Durrheim, K. & Painter, D. (2006). *Research in Practice*. Cape Town: University of Cape Town Press
- Mathe, K.S.J., (2008). *Discipline, safety and security in schools: A challenge for school management*. Submitted in fulfillment of the requirements for the degree Doctor Educatonis in Educational Management in the Faculty of Education at the University of Johannesburg
- Matsoga, J.T. (2003). *Crime and School Violence in Botswana Secondary Education: The Case of Moeding Senior Secondary School*. PhD dissertation, Ohio University.
- Mayencourt, L., Locke, B. & McMahon, W. (2003). *Facing our Fears – Accepting Responsibility: Report of the Safe Schools Task Force. Bullying, Harassment and Intimidation in BC Schools* (PDF Version).
- McGrath, D. (2005). *Making Australian Schools safe: A Summary report of the Outcomes from the National Safe Schools Framework Best Practice Grants Programme*. Faculty of Education. Deakin University, Melbourne Campus.
- McMillan, J.H. & Schumacher, S. (2001). *Research in Education*. Cape Town: Longman
- McMillan, J.H. and Schumacher, S. (2006). *Research in education. Evidence based inquiry*. Pearson Education Incorporated. 6th Edition.
- Mertens, D.M. (2005). *Research and evaluation in education and psychology: Integrating diversity with quantitative, qualitative and mixed methods (2nd ed.)* Thousand Oaks, CA: Sage.

- Mestry, R. and Khumalo, J. (2012). *South African Journal of Education*, Copyright © 2012 EASA Vol 32:97-110
- Mncube, V.S. (2005). *School Governance in the Democratisation of Education in South Africa: The Interplay Between Policy and Practice*. Unpublished PhD thesis, University of Birmingham.
- Mncube, V. S. (2007). Social Justice, Policy and Parents' Understanding of their Voice in School Governing Bodies in South Africa. *Journal of Educational Administration and History*, 39(2), 129-143
- Mncube, V.S. (2008). Democratisation of Education in South Africa: Issues of Social Justice and the Voice of Learners. *South African Journal of Education*, 28:77-90.
- Mncube, V. (2009). *The perceptions of parents of their role in the democratic governance of schools in South Africa: Are they on board?* South African Journal of Education: Vol 29:83-103
- Mncube, V. (2010) Parental involvement in school activities in South Africa to the mutual benefit of the school and the community. *Education as Change*. Vol 14(2),33-246
- Moggach, T. (2006). *Every voice matters*. Times Educational Supplement, 6
- Mohhele, P.R. (2006). The teacher–learner relationship in the management of discipline in public high schools. *Education Review* 3 (1+2),148-159
- Moloi P.I.M. (2002). *The role of parents in discipline as an aspect of school safety*. Unpublished minidissertation (Med). Johannesburg: Rand Afrikaans University
- Morrel, R. (2001). Corporal punishment in South African schools: a neglected explanation for its persistence. *South African Journal of Education*, 2001, 21(4)
- Moswela, B. (2004). Discipline in Botswana Secondary Schools. *Journal of Sociology and Education in Africa*, 3(2),171-192.
- Mthiyane, S.E. (2006). *The effectiness of the training of school governing bodies provided by the KZN Department of Education: Perceptions of parent members at three Phoenix West Schools of the Kwa-Mashu Circuit in the Ethekwini*. Dissertation submitted in partial fulfillment of the requirements for the Masters Degree in Education Management, University of Kwa-Zulu Natal, Edgewood Campus
- Nakpodia, E. D. (2010). Teachers' disciplinary approaches to students' discipline problems in Nigerian secondary schools. *International NGO Journal* Vol. 5(6), 144-151

- National Children's Bureau (2000). *Towards a Non-Violent Society: Checkpoints for Schools*. (PDF Version).
- National Crime Prevention Centre (1997). *Guidelines for Cooperation and Technical Assistance in the Field of Urban Crime Prevention: a Canadian Perspective*.
- National Crime Prevention Strategy (2009). *Bullying prevention in schools*. Public Safety Canada: publicsafety.gc.ca
- Neale, P., Thapa, S. and Boyce, C. (2006). *Preparing a case study: A guide for designing and conducting a case study for evaluation input*, Retrieved 6 February, 2010 from <http://www.pathfind.org>
- Nieuwenhuis, J. (2007). *Introducing qualitative research, In first steps in research*, edited by Maree, K. Pretoria: Van Schaik
- Nieuwenhuis, J., Pietersen, J., Plano Clark, V.L. and van de Westhuizen, C. (2007). *First Steps in Research*. Van Schaik Publishers
- O'Leary, Z. (2004). *Researching real world problems: A guide to methods of inquiry*. London: Routledge and Kegan Paul.
- O'Leary, Z. (2004). *The Essential Guide to Doing Research*. London: SAGE.
- Onwuegbuzie, A.J. and Leech, N.L. (2004). Enhancing the Interpretation of "Significant" Findings: The Role of Mixed Methods Research. *The Qualitative Report* Volume 9 Number 4 December 2004
<http://www.nova.edu/ssss/QR/QR94/onwuegbuzie.pdf>
- Oyetunde, A.A. (2010). School violence and guidelines for establishing disciplinary committee in schools. *Journal of Education Administration and Policy Studies* Vol. 2(4), 63-66
- Pellegrini, A.D. (2002). "Bullying, Victimization, and Sexual Harassment during the Transition to Middle School". *Educational Psychologist*: 37(3), 151-163.
- Pepler, D. J. & Craig, W. (2000). *Making a Difference in Bullying* (PDF Version) (Report 60).
- Pepler, D., Smith, P., & Rigby, K. (2004). "Looking Back and Looking Forward: Implications for Making Interventions Work Effectively". In Peter Smith, Debra Pepler and Ken Rigby (Eds.) *Bullying in Schools: How Successful Can Interventions Be?* United Kingdom: University Press, 307-324

Policy Memorandum No. 128: *The Provincial Code of Conduct and School Board codes of Conduct-Ontario* :

<http://www.edu.gov.on.ca/eng/document/brochure/conduct/conduct.html>

Prinsloo, I.J. (2005). How safe are South African Schools? *South African Journal of Education Vol25(1)*, 5-10

Public Agenda (2004). Teaching Interrupted: Do discipline policies in Today's public school foster the common good? Prepared by Public Agenda with support from Common Good: www.publicagenda.org

Punch, K.F. (2003). *Survey Research the Basics*. London: Sage Publication

Punch, K.F. (2006). *Developing Effective Research proposals*: London: Sage Publication

Punch, K.F. (2009). *Introduction to Research Methods in Education*. London: Sage Publication

Rapport 28 January 2006, reporting on research conducted by the University of the Free State, School of Education

Ritchie, J & Lewis J. (2003). *Qualitative Research Practice*. London: Sage

Robert-Holmes, G. (2005). *Doing Your Early Years Research Project*. London: Paul Chapman

Roberts, P., Hanvey, L. & Varga-Toth, J. (2003). *Canadian Children's Exposure to Violence: What it Means for Parents – Summary Report* (PDF available). Ottawa, Ontario.

Roos, C. (2009). Public school Governance in SA. www.hsf.org.za/resource...56.../public-school-governance-in-South-Africa

Rossouw, J.P. (2003). *Learner discipline in South African public schools – a qualitative study*. University of CHE Potchefstroom.

Rossouw, J.P. (2007). *The role of the Governing body in school discipline*. Joubert and Bray (eds.): 79-92 SAGE Publishers.

Sampson, R. (2002). *Bullying in Schools: Problem-Oriented Guides for Police*. Series No. 12. U.S. Department of Justice, Office of Community Oriented Policing Services.

Schwandt, T.A. (2001). *Dictionary of Qualitative Inquiry*. London:

- Shannon, M. M. and McCall, D. S. (n.d.). "School Discipline/Codes of Conduct and Zero Tolerance". Prepared for the Canadian Association of Principals from the report: *Zero Tolerance Policies in Context: a Preliminary Investigation to Identify Actions to Improve School Discipline and School Safety*. Shannon, Mary M. & McCall, Douglas S.
- Shaw, M. (2001). *Promoting Safety in Schools: International Experience and Action*. International Centre for the Prevention of Crime.
- Sing, P., Mbokodi, S.M. and Msila, V.T. (2004). Black parental involvement in education. *South African Journal of Education Vol 24(4)*,301 -307
- Slavin, R.E. (2007). *Educational research in an age of accountability*. Boston: Pearson Education Inc.
- Slee, R. (1995). *Changing theories and practices of discipline*. London: Falmer, Press
- Squelch, J.M. (2000). *Discipline*. Pretoria: Centre for Education Law and Education Policy (CELP)
- Steer, A. (2010). *Behaviour and the role of Home-School Agreements*. Leading education and social research, Institute of Education, University of London
- Stuart, M. & Wayne, G. 1996. *Research methodology*. 1st edition. Kenwyn: Juta and Company.
- Tuckman, B.W. (1994). *Conducting Educational Research*. Florida: Harcourt Brace and Company.
- Van Wyk, N. (2001). Perceptions and practices of discipline in urban black schools In South Africa. *SA Journal of Education, 21(3)*, August.
- Van Wyk, N. (2004). The rights and Roles of parents on school governing bodies in South Africa. *International Journal about parents in education, volume 1*, 132-139
- Vithal, R. and Jansen, J. (2004). *Conducting educational research*. Florida: Harcourt Brace & Company
- White, C.J. 2005. *Research: a practical guide*. 1st edition. Pretoria: Ithuthuko Investments.
- Wolhuter, C.C., Lemmer, E.M. and de Wet, N.C. (2007). *Comparative education: Education systems and contemporary issues* (1st edition). Pretoria: Van Schaik Publishers
- Wright, D. (1993). *Psychodynamic thinking and discipline*. In Varma, V. P. (ed). *Management of behaviour in schools*. New York: Longman. p3-6.

Yin, R.K. (2003). *Case study research: Design and methods*. Thousand Oaks:
SagePublication

APPENDIX A

[PERMISSION LETTER TO THE KZN DEPARTMENT OF EDUCATION]

P.O. BOX 60095
Phoenix
4068
18 February 2011

The Superintendent General
Department of Education
Province of KwaZulu-Natal
Private BagX9137
Pietermaritzburg
3201

Re: Application for permission to conduct research in two schools in the Mafukuzela-Gandhi Circuit.
Research Topic: The challenges experienced by School Governing Bodies in the implementation of the Code of Conduct for learners: A case study of two secondary schools in the Mafukuzela-Gandhi Circuit.

My name is Thegen Pillay, deputy principal of Sunford Primary School in Phoenix. I am currently studying for a M.Ed at the University of KwaZulu-Natal (Edgewood Campus). I am required to conduct research as part of my degree fulfilment. The study aims at investigating the challenges experienced by School Governing Bodies in the implementation of the Code of Conduct for learners in secondary schools. A case study will be conducted of 2 secondary schools in the Mafukuzela-Gandhi Circuit. The schools chosen for the research include: Avonford Secondary School and Earlington Secondary Schools.

I hereby request permission to conduct research from March 2011 to June 2011. The research will not infringe on the schools' programmes nor have any financial implications on the Department. The planned study will use interviews and document reviews. The study will involve the school principal, an educator serving on the SGB, the SGB chairperson, a parent member of the SGB and a learner representative member serving on the SGB.

From each school, one focus group interview will be held, to ascertain the challenges experienced in the implementation of the code of conduct for learners, with the members of the disciplinary committee, the composition of which will be outlined by the school under study. Semi-structured interviews with the chairpersons, the principals, educator representatives, parent representatives and the learner representatives

will be conducted. The researcher will then proceed to a more structured interview to illicit more specific and detailed information. The type of questions posed here will be more precise and goal orientated and the questions to all respondents will be fixed.

In this study the interviewer will gather data about the legal perspectives on the establishment of the code of conduct policy and the challenges that SGB members experience in the implementation of the policy. Permission will be obtained from the participants for the interviews to be tape recorded. Responses will be treated with confidentiality and pseudonyms will be used instead of the actual names. Participants will be contacted in time for the interviews which will take approximately 45 minutes per interview. Participation will always remain voluntary, which means that they may withdraw from the study for any reason, anytime if they so wish to do so without any repercussions.

For the purpose of this research all documents related to disciplinary issues and the schools' policies on learners' code of conduct will also be studied. It is envisaged that information gleaned from these documents will shed light on answering some of the research questions outlined in this study. Information gleaned from the documents will be treated with the utmost confidentiality. Observations of educators, learners, parents and the school environment will also be conducted.

For further information on this research project, please feel free to contact my supervisor whose details are listed here under.

Supervisor: Mr S.E. Mthiyane, Telephone 031 260 1870, Cell. 0733774672,

Email: Mthiyane@ukzn.ac.za

In addition, should you have any queries, please feel free to contact me directly using the following contact details: Thegen Pillay, Telephone: 031 507 1627, Cell. 082 8966 803

Email: thegenp@gmail.com

Thanking you in advance.

Thegen Pillay

Student No. 200201579

APPENDIX B

[PERMISSION LETTER TO THE PRINCIPAL]

P.O. BOX 60095
Phoenix
4068
18 February 2011

The Principal
Sample Secondary School

Re: Application for permission to conduct research in Sample Secondary School in the Mafukuzela-Gandhi Circuit.

Research Topic: The challenges experienced by School Governing Bodies in the implementation of the Code of Conduct for learners: A case study of two secondary schools in the Mafukuzela-Gandhi Circuit.

My name is Thegen Pillay, deputy principal of Sunford Primary School in Phoenix. I am currently studying for a M.Ed at the University of KwaZulu-Natal (Edgewood Campus). I am required to conduct research as part of my degree fulfilment. The study aims at investigating the challenges experienced by School Governing Bodies in the implementation of the Code of Conduct for learners in secondary schools.

Your school is one of the schools that have been identified as a valuable source of information for this study. The research will not infringe on the school's programme nor have any financial implications on you. I therefore kindly seek permission to conduct research in your school.

The planned study will use interviews and document reviews. The study will involve the school principal, an educator serving on the SGB, the SGB chairperson, a parent member of the SGB and a learner representative member serving on the SGB.

Focus group interviews will be held, to ascertain the challenges experienced in the implementation of the code of conduct for learners, with the members of the disciplinary committee, the composition of which will be outlined by the school. Semi-structured interviews with the chairpersons, the principals, educator representatives, parent representatives and the learner representatives will be conducted. I will then proceed to a more structured interview to illicit more specific and detailed information. The type of questions posed here will be more precise and goal orientated and the questions to all respondents will be fixed.

In this study I will gather data about the legal perspectives on the establishment of the code of conduct policy and the challenges that SGB members experience in the implementation of the policy. Permission will be obtained from the participants for the interviews to be tape recorded. Responses will be treated with confidentiality and pseudonyms will be used instead of the actual names. Participants will be contacted in time for the interviews which will take approximately 45 minutes per interview. Participation will always remain voluntary, which means that they may withdraw from the study for any reason, anytime if they so wish to do so without any repercussions.

For the purpose of this research all documents related to disciplinary issues and the schools' policies on learners' code of conduct will also be studied. It is envisaged that information gleaned from these documents will shed light on answering some of the research questions outlined in this study. Information gleaned from the documents will be treated with the utmost confidentiality.

Observations of educators, learners, parents and the school environment will be conducted. All observations will be treated with the utmost confidentiality.

For further information or if you encounter any problems during this research project, please feel free to contact my supervisor whose details are listed here under.

Supervisor: Mr S.E. Mthiyane, Telephone 031 260 1870, Cell. 0733774672,

Email: Mthiyane@ukzn.ac.za

In addition, should you have any queries, please feel free to contact me directly using the following contact details: Thegen Pillay, Telephone: 031 507 1627, Cell. 082 8966 803

Email: thegenp@gmail.com

Thanking you in advance.

Thegen Pillay

Student No. 200201579

DECLARATION

I _____ (full name of school principal)
hereby confirm that I understand the contents of this letter and the nature of the research project. I consent to participating in the research project and I understand that I am at liberty to withdraw from this project should I so desire.

Signature of Principal: _____

Date: _____

APPENDIX C

[PERMISSION LETTER TO THE SGB CHAIRPERSON]

P.O. BOX 60095
Phoenix
4068
18 February 2011

The SGB Chairperson
Sample Secondary School

My name is Thegen Pillay, deputy principal of Sunford Primary School in Phoenix. I am currently studying for a M.Ed at the University of KwaZulu-Natal (Edgewood Campus). I am required to conduct research as part of my degree fulfilment. The study aims at investigating the challenges experienced by School Governing Bodies in the implementation of the Code of Conduct for learners in secondary schools, a case study of two secondary schools, one of which is your school. Your school is one of the schools that have been identified as a valuable source of information for this study. The research will not infringe on the school's programme nor have any financial implications on you.

I therefore, humbly request you in your capacity as the SGB chairperson, to participate in the study. Should my request be acceptable, your participation will include taking part in an interview where I will visit your school. You will be interviewed for 45 minutes, where the interview will be tape recorded. Your responses will be treated with the utmost confidentiality and your name will not be used, but instead pseudonyms will. You will be contacted in time for the interviews will be done at your convenience. Your participation will always remain voluntary which means that you may withdraw from the study for any reason, anytime if you so wish to do so with penalty.

The planned study will use interviews and document reviews. The study will involve the school principal, an educator serving on the SGB, the SGB chairperson, a parent member of the SGB and a learner representative member serving on the SGB.

Focus group interviews will be held, to ascertain the challenges experienced in the implementation of the code of conduct for learners, with the members of the disciplinary committee, the composition of which will be outlined by the school. Semi-structured interviews with the chairpersons, the principals, educator representatives, parent representatives and the learner representatives will be conducted. I will then proceed

to a more structured interview to illicit more specific and detailed information. The type of questions posed here will be more precise and goal orientated and the questions to all respondents will be fixed.

For the purpose of this research all documents related to disciplinary issues and the schools' policies on learners' code of conduct will be studied. It is envisaged that information gleaned from these documents will shed light on answering some of the research questions outlined in this study. Information gleaned from the documents will be treated with the utmost confidentiality.

Observations of educators, learners, parents and the school environment will be conducted. All observations will be treated with the utmost confidentiality.

For further information or if you encounter any problems during this research project, please feel free to contact my supervisor whose details are listed here under.

Supervisor: Mr S.E. Mthiyane, Telephone 031 260 1870, Cell. 0733774672,

Email: Mthiyane@ukzn.ac.za

In addition, should you have any queries, please feel free to contact me directly using the following contact details: Thegen Pillay, Telephone: 031 507 1627, Cell. 082 8966 803

Email: thegenp@gmail.com

Thanking you in advance.

Thegen Pillay

Student No. 200201579

DECLARATION

I _____ (full name of SGB chairperson)

Hereby confirm that I understand the contents of this letter and the nature of the research project. I consent to participating in the research project and I understand that I am at liberty to withdraw from this project should I so desire.

Signature of SGB chairperson: _____

Date: _____

APPENDIX D

[PERMISSION LETTER TO THE EDUCATOR SERVING ON THE SGB]

P.O. BOX 60095
Phoenix
4068
18 February 2011

Dear prospective participant
Sample Secondary School

Letter of informed consent

My name is Thegen Pillay, deputy principal of Sunford Primary School in Phoenix. I am currently studying for a M.Ed at the University of KwaZulu-Natal (Edgewood Campus). I am required to conduct research as part of my degree fulfilment. Your school is one of the schools that have been identified as a valuable source of information for this study. The school principal and the SGB chairperson have been asked for permission to conduct the study at your school. The study aims at investigating the challenges experienced by School Governing Bodies in the implementation of the Code of Conduct for learners in secondary schools, a case study of two secondary schools, one of which is your school.

The planned study will use interviews and document reviews and observations. The study will involve the school principal, an educator serving on the SGB, the SGB chairperson, a parent member of the SGB and a learner representative member serving on the SGB.

I therefore humbly request you in your capacity as an educator representative on the SGB to participate in the study. Should my request be acceptable, your participation will include taking part in an interview where I will visit your school. You will be interviewed for 45 minutes, where the interview will be tape recorded. Your responses will be treated with the utmost confidentiality and your name will not be used, but instead pseudonyms will. You will be contacted in time for the interviews will be done at your convenience. Your participation will always remain voluntary which means that you may withdraw from the study for any reason, anytime if you so wish to do so with penalty.

Focus group interviews will be held, to ascertain the challenges experienced in the implementation of the code of conduct for learners, with the members of the disciplinary committee, the composition of which will be outlined by the school. Semi-structured interviews with the chairpersons, the principals, educator

representatives, parent representatives and the learner representatives will be conducted. I will then proceed to a more structured interview to illicit more specific and detailed information. The type of questions posed here will be more precise and goal orientated and the questions to all respondents will be fixed. If you accept my request, you are requested to please sign the attached declaration form.

For further information or if you encounter any problems during this research project, please feel free to contact my supervisor whose details are listed here under.

Supervisor: Mr S.E. Mthiyane, Telephone 031 260 1870, Cell. 0733774672,

Email: Mthiyane@ukzn.ac.za

In addition, should you have any queries, please feel free to contact me directly using the following contact details: Thegen Pillay, Telephone: 031 507 1627, Cell. 082 8966 803

Email: thegenp@gmail.com

Thanking you in advance.

Thegen Pillay

Student No. 200201579

DECLARATION

I _____(full name of educator) hereby confirm that I understand the contents of this letter and the nature of the research project. I consent to participating in the research project and I understand that I am at liberty to withdraw from this project should I so desire.

Signature of educator:_____

Date:_____

APPENDIX E

[PERMISSION LETTER TO PARENT REPRESENTATIVE ON THE SGB]

P.O. BOX 60095
Phoenix
4068
18 February 2011

Dear prospective participant
Sample Secondary School

Letter of informed consent

My name is Thegen Pillay, deputy principal of Sunford Primary School in Phoenix. I am currently studying for a M.Ed at the University of KwaZulu-Natal (Edgewood Campus). I am required to conduct research as part of my degree fulfilment. Your school is one of the schools that have been identified as a valuable source of information for this study. The school principal and SGB chairperson have been asked for permission to conduct the study at your school. The study aims at investigating the challenges experienced by School Governing Bodies in the implementation of the Code of Conduct for learners in secondary schools, a case study of two secondary schools, one of which is your school.

I therefore, humbly request you in your capacity as the parent representative on the SGB, to participate in the study. Should my request be acceptable, your participation will include taking part in an interview where I will visit your school. You will be interviewed for 45 minutes, where the interview will be tape recorded. Your responses will be treated with the utmost confidentiality and your name will not be used, but instead pseudonyms will. You will be contacted in time for the interviews will be done at your convenience. Your participation will always remain voluntary which means that you may withdraw from the study for any reason, anytime if you so wish to do so with penalty.

The planned study will use interviews and document reviews and observations. The study will involve the school principal, an educator serving on the SGB, the SGB chairperson, a parent member of the SGB and a learner representative member serving on the SGB

Focus group interviews will be held, to ascertain the challenges experienced in the implementation of the code of conduct for learners, with the members of the disciplinary committee, the composition of which will be outlined by the school. Semi-structured interviews with the chairpersons, the principals, educator representatives, parent representatives and the learner representatives will be conducted. I will then proceed

to a more structured interview to illicit more specific and detailed information. The type of questions posed here will be more precise and goal orientated and the questions to all respondents will be fixed.

If you accept my request, you are requested to please sign the attached declaration form.

For further information or if you encounter any problems during this research project, please feel free to contact my supervisor whose details are listed here under.

Supervisor: Mr S.E. Mthiyane, Telephone 031 260 1870, Cell. 0733774672,

Email: Mthiyane@ukzn.ac.za

In addition, should you have any queries, please feel free to contact me directly using the following contact details: Thegen Pillay, Telephone: 031 507 1627, Cell. 082 8966 803

Email: thegenp@gmail.com

Thanking you in advance.

Thegen Pillay

Student No. 200201579

DECLARATION

I _____ (full name of parent) hereby confirm that I understand the contents of this letter and the nature of the research project. I consent to participating in the research project and I understand that I am at liberty to withdraw from this project should I so desire.

Signature of parent: _____

Date: _____

APPENDIX F

[PERMISSION LETTER TO LEARNER REPRESENTATIVE ON THE SGB]

P.O. BOX 60095
Phoenix
4068
11 February 2011

Dear prospective participant
Sample Secondary School

Letter of informed consent

My name is Thegen Pillay, deputy principal of Sunford Primary School in Phoenix. I am currently studying for a M.Ed at the University of KwaZulu-Natal (Edgewood Campus). I am required to conduct research as part of my degree fulfilment. Your school is one of the schools that have been identified as a valuable source of information for this study. The school principal and SGB chairperson have been asked for permission to conduct the study at your school. You have been selected from your school due to the fact that you have been elected by your peers to serve on the SGB. The study aims at investigating the challenges experienced by School Governing Bodies in the implementation of the Code of Conduct for learners in secondary schools, a case study of two secondary schools, one of which is your school.

I therefore, humbly request you, as a selected learner to participate in the study. Should my request be acceptable, your participation will include taking part in an interview where I will visit your school. You will be interviewed for 45 minutes, where the interview will be tape recorded. Your responses will be treated with the utmost confidentiality and your name will not be used, but instead pseudonyms will. You will be contacted in time for the interviews will be done at your convenience. Your participation will always remain voluntary which means that you may withdraw from the study for any reason, anytime if you so wish to do so with penalty.

The planned study will use interviews and document reviews and observations. The study will involve the school principal, an educator serving on the SGB, the SGB chairperson, a parent member of the SGB and a learner representative member serving on the SGB

Focus group interviews will be held, to ascertain the challenges experienced in the implementation of the code of conduct for learners, with the members of the disciplinary committee, the composition of which will

be outlined by the school. Semi-structured interviews with the chairpersons, the principals, educator representatives, parent representatives and the learner representatives will be conducted. I will then proceed to a more structured interview to illicit more specific and detailed information.

If you accept my request, you are requested to please sign the attached declaration form.

For further information or if you encounter any problems during this research project, please feel free to contact my supervisor whose details are listed here under.

Supervisor: Mr S.E. Mthiyane, Telephone 031 260 1870, Cell. 0733774672,

Email: Mthiyane@ukzn.ac.za

In addition, should you have any queries, please feel free to contact me directly using the following contact details: Thegen Pillay, Telephone: 031 507 1627, Cell. 082 8966 803

Email: thegenp@gmail.com

Thanking you in advance.

Thegen Pillay

Student No. 200201579

DECLARATION

I _____(full name of learner)
hereby confirm that I understand the contents of this letter and the nature of the research project. I consent to participating in the research project and I understand that I am at liberty to withdraw from this project should I so desire.

Signature of learner: _____

Date: _____

APPENDIX G

[LETTER TO THE PARENT/GUARDIAN FOR THE INFORMED CONSENT FOR HIS/HER CHILD'S PARTICIPATION]

P.O. BOX 60095
Phoenix
4068
18 February 2011

Dear Parent/Guardian

Letter of informed consent

My name is Thegen Pillay, deputy principal of Sunford Primary School in Phoenix. I am currently studying for a M.Ed at the University of KwaZulu-Natal (Edgewood Campus). I am required to conduct research as part of my degree fulfilment. The school principal and SGB chairperson have been asked for permission to conduct the study at your child's school. The study aims at investigating the challenges experienced by School Governing Bodies in the implementation of the Code of Conduct for learners in secondary schools, a case study of two secondary schools.

I therefore, humbly request you to allow your child/ward Precious Cele (fictitious name) who is in Grade 12 at Sample Secondary School to participate in the study. Should my request be acceptable, her participation will include taking part in a focus group interview where I will visit their school. He/she will be interviewed for 45 minutes, where the interview will be tape recorded. Her responses will be treated with the utmost confidentiality and her name will not be used, but instead pseudonyms will. You and your child will be contacted in time for the interviews which will be done at your convenience. Participation will always remain voluntary which means that she may withdraw from the study for any reason, anytime if she so wishes to do so with penalty.

The planned study will use interviews and document reviews and observations. The study will involve the school principal, an educator serving on the SGB, the SGB chairperson, a parent member of the SGB and a learner representative member serving on the SGB

If you accept my request, you are requested to please sign the attached declaration form.

For further information or if you encounter any problems during this research project, please feel free to contact my supervisor whose details are listed here under.

Supervisor: Mr S.E. Mthiyane, Telephone 031 260 1870, Cell. 0733774672,

Email: Mthiyane@ukzn.ac.za

In addition, should you have any queries, please feel free to contact me directly using the following contact details: Thegen Pillay, Telephone: 031 507 1627, Cell. 083 6606 803

Email: thegenp@gmail.com

Thanking you in advance.

Thegen Pillay

Student No. 200201579

APPENDIX H

[PARENT/GUARDIAN INFORMED CONSENT FOR HIS/HER CHILD'S PARTICIPATION]

P.O. BOX 60095
Phoenix
4068
18 February 2011

CONSENT FOR RESEARCH PARTICIPATION

I _____ parent/guardian of _____
consent to her/his participation in the research study: The challenges experienced by School Governing Bodies in the implementation of the Code of Conduct for learners: A case study of two secondary schools in the Mafukuzela-Gandhi Circuit conducted by Mr Thegen Pillay (student) and Mr S.E. Mthiyane (supervisor) of the University of Kwa-Zulu Natal (Edgewood Campus). I understand that the child's name will not be used and that her/his participation involves only answering question about the study as a learner at the school and that the research project has been approved by the University's Research Committee.

Parent's/Guardian's name: _____

Signature : _____

Date : _____

Witness : _____

Date : _____

APPENDIX I

[INTERVIEW SCHEDULE FOR SCHOOL PRINCIPAL, GOVERNING BODY CHAIRPERSON, EDUCATORS, PARENTS SERVING ON THE SCHOOL GOVERNING BODY AND ELECTED MEMBERS OF THE RCL]

SECTION A: Biographical details:

1. Position: _____
2. Gender: _____
3. Age: _____
4. Experience in SGB activities: _____(Years)

SECTION B: Interview questions:

1. Does the school have a Code of Conduct for learners?
2. When and how was it crafted?
3. How regular it is revised?
4. How does the SGB implement the Code of Conduct in their school?
5. What are the challenges the SGB experience in the implementation of the Code of Conduct?
6. How do they resolve the challenges they face?
7. What are the regular disciplinary challenges that they deal with?
8. Why are the SGBs regarded as the most appropriate tool/structure to maintain discipline in schools?

APPENDIX J

[DOCUMENT REVIEW SCHEDULE]

The documents that will be reviewed will not be older than two years and will include:

1. Copies of the school's code of conduct for learners.
2. Minutes of meetings over the last two years pertaining to discipline, parents meetings, committee meetings, sub-committee meetings, disciplinary safety and security committee meetings.
3. Minutes of meetings regarding the school's code of conduct for learners to ascertain inputs from parents.
4. Sample of documents that are submitted to parents informing them of the learner's misconduct and the procedures that follow.
5. Documents regarding recording of learners misconduct.

Extensive notes will be taken on matters relating to learner discipline and procedures that are outlined and followed.

APPENDIX K

[OBSERVATION SCHEDULE]

1. Unstructured observations will be conducted over a two month period:
2. The researcher will observe the following:
 - ❖ The interaction between learners.
 - ❖ The interaction between learners and educators.
 - ❖ The behaviour of learners during breaks and extra-curricular activities.
 - ❖ The appearance of the school surroundings.
 - ❖ The conditions of the school infra-structure.
 - ❖ A school governing body meeting or a disciplinary meeting if possible.