

**THE GOVERNANCE OF PUBLIC SPECIAL  
SCHOOLS IN THE WESTERN CAPE:  
A Comparative Analysis of Jan Kriel School and  
Thembaletu ELSÉN School**

**Thesis presented in partial fulfilment of the requirements for the  
degree of Master of Public Administration at the University of  
Stellenbosch**



**by**

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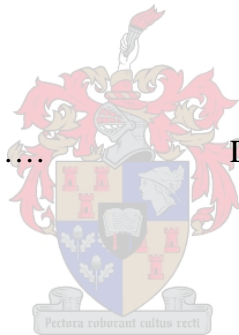
**Supervisor: Prof. Fanie Cloete**

**Date: April 2005**

# DECLARATION

I, the undersigned, hereby declare that the work contained in this thesis is my own original work and that I have not previously in its entirety or in part submitted it at any university for a degree.

Signature: ..... Date: .....



## ABSTRACT

This aim of this research was to study and bring to the fore the way ELSEN schools are being governed in the Western Cape. The hope is for more research to be done in this area of public policy which could result in the improvement of school administration.

The manner in which education is organised, governed and funded impacts directly on the process and outcomes of learning and teaching. However, good governance assumes that public service delivery is the implementation of public policies aimed at providing concrete services to the people.

The underlying problem here is the fact that some schools seemed to be governed better than others, while the regulatory and funding policy is the same. The key questions that the researcher sought to answer in this research are the following:

- Is the Section 21, South African Schools Act (Act 84 of 1996) being properly implemented and does it enhance the governance of ELSEN schools?
- Why is the governance of ELSEN schools better in some schools than in others if they are based on the same governance provisions and administered by the same department?
- What should therefore be done to ensure effective and efficient school governance in all the ELSEN schools in the Western Cape?

The methodology used was a comparative analysis through a sampling case study between Jan Kriel School, a fully developed and well-resourced school for epileptics and specific learning disabilities in Kuils River, and Thembaletu special school for the physically disabled, a disadvantaged poor school from Gugulethu. The research investigated how the school governing bodies (SGB) of these schools are structured, how they function in terms of the regulations provided in the South African Schools Act (Act 84 of 1996) as well as broadly the system of school governance of the ELSEN schools in the Western Cape.

Appendix E shows a list of all the ELSEN schools in the Western Cape Education Department (WCED). The two cases of governance at the Jan Kriel and Thembaletu schools

have therefore been studied as a microcosm of the ELSEN schools in the entire Western Cape. The researcher wanted to compare and analyze how the well-resourced and advantaged ELSEN schools and the disadvantaged poor schools implement the provisions of the South African Schools Act relevant to ELSEN school governance in order to achieve better governance and good management.

The crucial issues pertaining to the effective governance of ELSEN schools as proposed during the preliminary study established in the research and confirmed in the findings as the key variables that determine the level of school governance are the following:

- Financial resources;
- Trained SGB officials;
- Proper planning and good administration;
- Effective involvement of parents in particular and all the other stakeholders;
- Discipline and a code of ethics.

In the final analysis, some solutions with a view to solving this problem have been suggested by the researcher in the form of recommendations. However, as indicated in the conclusion, the final responsibility to expand the scope of these findings and to oversee the implementation of these recommendations rests with the WCED.

## OPSOMMING

Hierdie studieprojek fokus op die wyse waarop Skole vir Onderwys vir Leerders met Spesiale Onderwysbehoefte (OLSO) in die Wes Kaap regeer word. Daar word vertrou dat meer navorsing oor hierdie openbare beleidskwessie gedoen sal word as bydrae tot die verbetering van skooladministrasie.

Die wyse waarop onderwys georganiseer, regeer en befonds word het 'n direkte invloed op die proses en uitkoms van leer en onderrig. Die aanname van goeie regering is dat openbare dienslewering die implementering van openbare beleid behels met tasbare dienste aan mense as resultaat.

Die onderliggende probleem is die feit dat sommige skole beter regeer word as andere terwyl die regulerings- en befondsingsbeleid dieselfde is. Die sleutelvrae wat die navorser in hierdie studie gepoog het om te beantwoord, is die volgende:

- Word artikel 21 van die Suid-Afrikaanse Skolewet (Wet 84 van 1996) behoorlik geïmplementeer en verbeter dit die regeerwyse van OLSO skole?
- Hoekom is die regeerwyse van sommige OLSO skole beter as andere met dieselde regeerwyse en administrasie met beheer deur dieselde departement?
- Wat moet gedoen word om voldoende en doeltreffende skool regeerwyse by alle OLSO skole in die Wes Kaap te verseker?

Die metodologie gevolg was 'n vergelykende analise deur middel van 'n gevalstudie tussen Jan Kriel Skool, 'n ten volle ontwikkelde en goed toegeruste Skool vir Epilepties en Spesifiek Leergestremdes in Kuilsrivier en Thembalethu Spesiale Skool vir Fisies Gestremdes 'n benadeelde arm skool in Gugulethu. Die navorsing het ondersoek hoe die Skoolbeheerrade (SBR) van hierdie skole gestruktureer is en hoe hulle funksioneer in terme van die regulasies uitgevaardig kragtens die Suid-Afrikaanse Skolewet (Wet 84 van 1996). Die stelsel van skool regeerwyse van OLSO skole in die Wes Kaap is ook ondersoek.

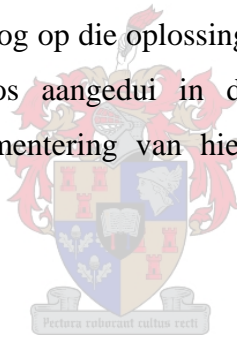
Aanhangsel E is 'n lys van alle OLSO skole in die Wes Kaapse Onderwysdepartement. Die Jan Kriel en Thembalethu skole was dus bestudeer as 'n mikrokosmos van OLSO skool

regeerwyse in die Wes Kaap. Die navorser wou vergelyk en analiseer hoe goed toegeruste bevoorregte OLSO skole en benadeelde arm skole die Suid Afrikaanse Skolewet se bepalings vir OLSO skool regeerwyse implementeer ten einde goeie regeerwyse en bestuur te verkry.

Die sleutel veranderlikes wat die effektiewe regeerwyse van OLSO skole bepaal soos gestel in die voorlopige studie, soos vasgestel in die navorsing en soos bevestig deur die bevindinge is die volgende:

- Finansiële hulpbronne;
- Opgeleide SBR ampsbekleders;
- Behoorlike beplanning en goeie administrasie;
- Effektiewe betrokkenheid van ouers in besonder asook ander belanghebbendes;
- Dissipline en 'n gedragskode.

In die finale analise is daar met die oog op die oplossing van die probleem 'n aantal oplossings voorgestel deur die navorser. Soos aangedui in die gevolgtrekking berus die finale verantwoordelikheid vir die implementering van hierdie voorstelle by die Wes Kaapse Onderwysdepartement.



## ACKNOWLEDGEMENTS

First and foremost I would like to dedicate this thesis to my three children, Lonwabo, Lihle and Siya, who went without a father throughout the entire period of my study. They've paid a dear price, but I say: I will pay back.

I would like to express my overwhelming appreciation and gratitude to my supervisor, Prof. Fanie Cloete. His guidance, support and motivation have helped me throughout this research process.

Further acknowledgements and special thanks go to the following people:

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- Mr Clarence Afrika, Principal (Curator): Thembaletu School;
- Dr Cornelissen, Deputy Director: Research Directorate, WCED;
- Mr Nick Seyser, ELSEN Adviser: EMDC South, WCED;
- Ms Adele Burger, Research Manager of Consultus;
- The SGBs and staff of the two schools and many other people whom I cannot mention because of lack of space.

All the above people played equally important roles in motivating, encouraging and opening up their schools, and participating in this project. I thank you all.

Above all I would like to thank God Almighty for giving me strength, perseverance and courage during the ups and downs of this research project. Thank you, Lord.

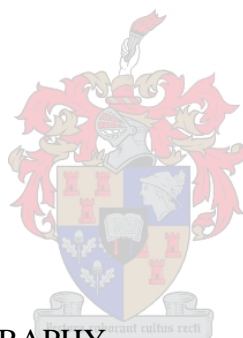
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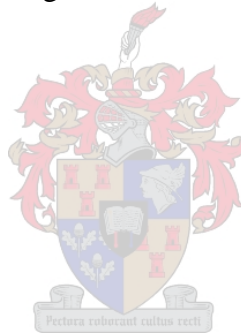
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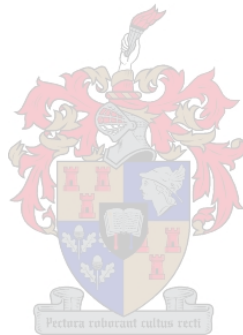
## ABBREVIATIONS

- SGB - School Governing Body  
WCED - Western Cape Education Department  
SASA - South African Schools Act  
ELSEN - Education for Learners with Special Educational Needs  
LSEN - Learners with Special Educational Needs  
EMDC - Education Management and Development Centres  
SMT - School Management Team  
IMG - Institution-based Management and Governance  
SDP - School Development Plan  
PFMA - Public Financial Management Act  
FET - Further Education and Training



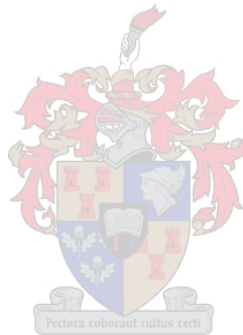
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# 1. INTRODUCTION AND BACKGROUND

## 1.1 INTRODUCTION

In his article on governance of schools Mathontsi (2004) states that over the past nine years the Department of Education has developed a range of policies and legislation aimed at transforming the country's education system. These new policies and legislation have redefined the meaning of both school governance and management. One such piece of legislation is the South African Schools Act (Act 84 of 1996 as amended).

The underlying philosophy of the South African Schools Act (SASA) is that schools are encouraged to become self-managed and self-reliant as stipulated in Section 21 of SASA. Given the fact that the notion of leadership and management have been redefined, the principal is no longer expected – in terms of the amended provisions of Section 16 of the SASA – to run the school single-handedly, but rather to form a School Management Team (SMT) made up of senior level staff. The School Governing Body (SGB) therefore represents a new understanding of governance that is at the centre of the school system.

The essence of this research entailed an investigative study on how the ELSEN schools, in particular, are governed in the Western Cape. This area has not been sufficiently researched and yet there are some elements of school governance that are not applicable to the 'ordinary' public schools, which make it a unique governance system on its own. Firstly, the definitions of some of the concepts that the researcher will be dealing with in the study are provided below.

### **School Governance**

According to Mabasa (1999), school governance involves indirect control, authority and power exercised by the school governing bodies, while Beadie (1999) indicates that school

governance involves complex educational decision making, diverse and conflicting goals of participants, effective leadership and multiple constituencies that must be attended to in shared decision making. For this purpose the school governing bodies are entrusted with the responsibility and authority of formulating and adopting policies for the public schools within the framework of national policy and provincial education regulations.

### **ELSEN Schools**

According to the Education White Paper 6 on Special Needs Education (2001), educational inclusion means provision of an enabling environment that can accommodate all learners with special educational needs. For this purpose certain schools were classified in order to establish the necessary infrastructure for the special needs learners and these became known as special schools. Special schools are nowadays referred to as schools for Education of Learners with Special Educational Needs.

### **Section 21 schools**

Section 21 of the South African Schools Act (Act 84 of 1996) gives certain schools some measure of autonomy in as far as the financial and resource allocation, if such schools have shown that they have the capacity to perform such functions effectively. These schools have to do their own financial planning and budgeting through their own SGBs. Section 21 schools are regarded as virtually synonymous with self-reliant and self-management schools. All ELSEN schools are classified into this category.

## **1.2 BACKGROUND**

School governance and management are interwoven elements in the process that is aimed at enabling schools to provide effective and efficient education. Such provision requires clear policies and the generation, distribution and utilization of resources in an accountable, equitable and effective manner.

In schools for Education of Learners with Special Educational Needs (ELSEN schools), the governing bodies should also serve as a participatory mechanism for planning and monitoring educational provisions to ensure that the schools provide the most enabling environment for the education of learners with special educational needs.

Because of the fact that, in the Western Cape Education Department (WCED), all ELSEN schools are governed as Section 21 schools, the South African Schools Act 84 (Act of 1996) makes provisions that these schools be allocated the following functions:

- to maintain and improve the schools property, buildings, grounds and hostels;
- to determine an extra-mural curriculum and choice of subject options in terms of the provincial curriculum policy;
- to purchase textbooks, educational materials or equipments for the school;
- to pay for services to the school;
- and to perform other functions consistent with or applicable to the provincial legislation.

Section 21 of SASA's provisions and other sections in the Act which deal with school governance and the norms and standards for financial allocations should, for the purpose of this research, serve as a yardstick or reference point in terms of which to judge the proper and efficient functioning of the schools governing bodies of the two schools that we will be using as case studies.

The main aims of this empirical research study is to bring to the fore the typical problems in the governance of the ELSEN schools as well as problems faced by the SGBs of special schools in the WCED and to put forward ideas as to how these problems could be eliminated. The researcher also intends to use these findings and recommendations as contributions towards the process of policy formulation and policy development.



The objective is to carry out a comparative assessment through a sampling study on how the governance of the ELSEN schools in the WCED's Education Management and Development Centres (EMDC) South and East is applied under the Section 21 clause and after that to do an analysis of governance in terms of structures, systems and functioning of the SGBs.

The purpose is to focus the attention of public policy analysts and researchers, and more especially education analysts, on this important area of ELSEN schools governance as part of institutional governance and public management. In the past the research on the governance of ELSEN schools has not been seen as important by most researchers and public and educational analysts. It has been simply included in the studies of public schools in general. The intention is therefore to encourage further research in this area.

This research is of great value to the WCED, the educational management and development centres, in particular the EMDCs South and East, in which the schools to be used as sample study cases are located, the two particular schools themselves as well as the entire fraternity of ELSEN schools in the Western Cape. To all these bodies this research could be of benefit as it can reflect more clearly the failures and weaknesses in the schools' governance process. The schools can use it as a mirror to evaluate their own governance in order to improve their standards. The WCED and the EMDCs can use this research to assess and improve their policies and this will enhance education standards and bring about a better society.

### **1.3 RESEARCH PROBLEM AND OBJECTIVES**

According to the WCED's Institution-based Management and Governance (IMG) Year End Report (2003), most school in the WCED are experiencing governance problems; for example, some schools struggle to appoint a permanent principal; a lot of schools struggle to elect SGBs; a number of schools do not have their staff components on permanent basis; and some schools experience difficulties in producing school development plans. This IMG report

includes all types of schools: 'ordinary' public schools and public ELSEN schools. These are some of the most common problems in relation to ordinary public and ELSEN schools governance and they result from various reasons ranging from resignations, non-functioning SGBs, disputes and staff conflicts at schools.

Unlike the ordinary public schools, governance of ELSEN schools, in terms of the Norms and Standards for Financial and Resource Allocations, is regulated by the Section 21 clause of the South African Schools Act 84 of 1996 and hence they are referred to as Section 21 schools. Therefore intervention strategies that are proposed to address the governance problems for the ordinary public schools cannot be completely the same for the ELSEN schools. This often results in ELSEN schools experiencing management and governance problems.

The intention of this scientific research is to do a comparative study on the Section 21 governance of two similar ELSEN schools from different socio-economic backgrounds in different Education Management and Development Centres (EMDC) of the Western Cape Education Department. The aim is to look at the quality of governance and to find out why, after ten years of democracy and equality in education, some ELSEN schools have much better governance and management systems than others

### **Research Questions**

For the sake of simplifying study, the question shall be broken down into three subsections:

- Is the Section 21 clause of SASA being adequately implemented and does it enhance the governance of ELSEN schools?
- Why is the governance of ELSEN schools better in some schools than others, if it is based on the same governance provisions and administered by the same department?
- What should be done to ensure effective and efficient school governance among all the ELSEN schools in the Western Cape?

## 1.4 METHODOLOGY AND DESIGN

Since this subject deals with a real-life problem, this is an empirical study based on a comparative research design. Both the primary and secondary data have been utilized, and the textual data are used more than numerical data, making it a qualitative study. Since the researcher wanted to develop an in-depth and holistic understanding of governance of ELSÉN schools as Section 21 schools, as reflected in the problem statement, a small-scale comparative study by means of two case studies was undertaken.

Due to the diversity of information that was gathered and analyzed, and the correlative component, this research study is more of a descriptive nature, as explained by Brynard & Hanekom (1997). The researcher has considered the present status and the current problems within the two cases, evaluated the situations, and attempted to come up with recommendations for possible improvement.

As confirmed also in Mouton (1996), the unit of analysis in this study is the school governing body (SGB). This is what the study is about. School governance is a dependent variable, whereas the independent variables such as resources, trained personnel and school governing officials, the socio-economic environment of the schools and role of stakeholders, have been ascertained by the researcher in the preliminary visits to the ELSÉN schools. The researcher will investigate which other independent variables play an influential role in governance.

Primary and secondary data was collected to provide qualitative results. Primary data was also gathered through interviews, in the form of formal interviews (telephone and questionnaires) with key officials, some staff members and parents.

Examples of questionnaires to be used are included as Appendices A and B. Appendix A is a questionnaire that evaluates and confirms the Section 21 status of the ELSÉN schools (EMD Report, 1996). Appendix B is a scheme for evaluating SGB performance (Gann, 1998).

Appendix B also provides suggestions on proposed actions to be taken to address the particular problems. Both these questionnaires will give us numerical data, but will be followed by in-depth discussions based on the two questionnaires.

Secondary data will be gathered from the existing literature in the form of books, reports, articles and legislative documents. Excessive use of secondary data will be avoided as advised in Welman and Kruger (2001), since qualitative research mostly entails use of the “first-hand” information obtained by the researcher himself. All the information gathered in the data collection stage will be conceptualized, measured and analyzed against the SASA provisions for ELSEN school governance and Section 21 school management. The provisions for ELSEN schools governance in Section 21 of the SASA will be used to evaluate good schools’ governance practices.

In the preliminary overview of governance and management, the researcher visited a couple of ELSEN schools in the Education Management and Development Centres, South and East of the WCED. The schools visited are Thembaletu School for the Physically Disabled in Guguletu, Noluthando School for the Deaf in Khayelitsha, Jan Kriel School for Cerebral Palsy in Kuils River and Nompumelelo School for the Mentally Challenged in Guguletu. These schools and other special schools under the WCED are listed in Appendix E.

The most troubling observation was that some ELSEN schools are governed far more ineffectively than others, despite being regulated by the same Section 21 clause of the SASA. The preliminary visit was targeted at the ELSEN schools of different socio-economic backgrounds, the formerly Model C type ELSEN schools and the former DET special schools.

At Thembaletu and Noluthando, where the situations were similar, the researcher discovered, after discussions with the respective deputy principals, some disturbing factors:

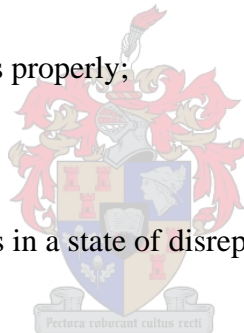
- Poor financial management;

- Inadequate SGB and parent involvement in school financial affairs;
- Lack of policies dealing with specific management issues, e.g. learner discipline policy, fundraising policy and school development policy;
- Poor maintenance and utilization of school transport.

The WCED has since suspended the entire management at Thembaletu and assumed the management role at the school after May 2002. The entire SGB was given intensive training on 'school governance'. Also at Noluthando, the WCED has had to intervene twice since 2001 in school governance-related problems. The SGB was given training in 2002.

At Nompumelelo the researcher had preliminary discussions with the school principal and she alerted us to the following problems:

- Parents fail to attend meetings properly;
- Lack of learner discipline;
- Lack of staff enthusiasm;
- School facilities and buildings in a state of disrepair.



Other factors also observed were lack of improvement and development, poor transport management, queries about employment and promotional procedures. Most of the problems at these schools were in the area of school financial management and audit control. The principals tended to run the school finances all by themselves and failed to do financial statements and reporting properly. As a result, special training was provided for the school principals and senior administrative staff on financial and inventory management and bookkeeping.

On the other hand, the preliminary observations in Jan Kriel revealed that this school is far better managed compared to the special schools from the townships. It became clear immediately that there is discipline and a high standard of performance. The SGB at Jan Kriel

employs on its own payroll ten additional staff members and experts to perform important school functions. Their finance and fundraising management is of a high standard and headed by professionals on the staff.

The choices of special schools for this research are Jan Kriel and Thembaletu. The reasons are that the two schools are similar in size as far as learners and staff and management components are concerned, because the comparative study should be done on “apples compared to apples” basis (Welman & Kruger, 2001).

Jan Kriel is a school for the cerebral palsied and mentally challenged. It caters for 360 learners and has 40 educators and 62 non-teaching staff, i.e. administrative, support and general assistance staff. It is in Kuils River under the EMDC South. Jan Kriel is a formerly independent school supported by the former Education and Culture Department. Thembaletu has 300 learners and 22 educators, with 25 non-teaching, general assistance and support staff. It is based in Guguletu. It was formally under the old Department of Education and Training.

The two schools also provide similar curricula up to Grade 11 although Jan Kriel has Grade 12 learners write national examinations. The two schools are also in easy proximity for the researcher to access. Both the schools are regulated as Section 21 category schools. These two schools have been sampled because they are also extremely typical of the phenomenon to be studied.

Although the research topic suggests a study of a problem with a wider scope, i.e. the Western Cape, the use of the case study analysis of these two schools enabled the researcher to undertake an intensive study, understanding the uniqueness and the idiosyncrasy of the phenomenon in all its complexity.

The two schools used as case studies in this research have been selected from two EMDCs, East and South of the WCED. These cases are similar in all important respects. The EMDC

South's ELSEN department officials also encouraged this choice of case studies. They are also faced with this dilemma, asking themselves why some schools have better governance than others.

The sampling methods for interviews and discussions will be based on random and positional selection. Discussions will be arranged with the principals, a parent, two members of the respective SGBs, an educator and a non-teaching staff member. In total only six officials will be officially interviewed. Informal discussions may include other people as well.

The questionnaire (Appendix A), which deals with the Section 21 status of the school, will be completed only by the principal, in his or her position as the head of administration. All the five members to be interviewed including the principal will also complete the questionnaire (Appendix B).

### **Data Analysis and Interpretation**

The goal is to integrate the themes and concepts into a theory that offers an accurate, detailed and yet subtle interpretation of the research phenomenon.

The first step, as suggested by Mouton (1996), is to reduce the data that has been collected to manageable proportions. Then the researcher will synthesis the findings and "bring it all together" so as to give validity to the theories that have been put forward. Because the research will be a quanti-qualitative study the researcher will make use of both the mechanisms for testing textual and numerical validity of the results obtained from questionnaires, interviews, discussions and observations. For computer-aided qualitative data analysis, the software Moon Stats and Excel will also be used as a tool to aid in the management of textual data and for storage and retrieval of information.

## **2. LITERATURE REVIEW**

### **2.1 INTRODUCTION**

Not enough research has been undertaken on the subject of governance of special schools in South Africa. This is troubling because there are substantial differences between the policy provisions, structures and functioning of ELSEN and ordinary or mainstream schools. The fact that the ELSEN schools constitute only about 1% of public schools nationally and 82 of these schools are in the Western Cape, according to the WCED Yearly Report on Education Statistics (2002), does not necessarily mean that the research on the nature of governance in this particular area is not important and should not be studied separately.

There has been plenty of work written on the governance of ordinary or mainstream schools and other related subjects in the South African context. Work has been done on institutional governance, school-based management (IMG) and Section 21 schools (only as far as it deals with the norms and standards for financial and resources allocation).

This literature review will start with a broad focus on the existing definitions of governance in the literature as well as in its global context, and then it will look into the different definitions of good governance within its international context.

The World Bank, EU and Institute of Governance reports will be the major source of our discussions on governance. The literature discussion will also look into corporate governance, mainly on the basis of the King Report on Corporate Governance in South Africa (2002) as well as other sources on corporate governance in South Africa. The discussion then looks into institutional governance, especially in terms of schools and in particular the special schools in South Africa and most particularly the Western Cape Education Department's LSEN Directorate.



The literature survey will basically look into the existing data and empirical findings that have been produced by previous research on school governance in the special schools department of the WCED. It will once again be looking into measurement instruments (questionnaires, scales and indices) that have been developed to study school governance.

The literature survey will once again make use of relevant dissertations and theses on similar topics to discuss previous findings on the governance of special schools. Some of these dissertations are found on the Stellenbosch University network (SUN) and bibliographical records from other universities through Sabinet, Nexus Online Databases as well as South African Data Archives.

A number of reports and articles on this subject, such as Institutional Management and Governance: The WCED Year End Report (2003), The WCED Education Vision 2020 Report (2004) and Grant-Lewis and Naidoo's (2004) School Governance Policy and Practice in South Africa: Theory of Participation and others will provide useful information in the literature survey.

Some of the qualities and criteria applied when putting together this literature study have been endorsed by Mouton (2001), including the exclusiveness of the exploration of the main aspects of the governance of special schools. The willingness to learn from existing scholarship on this subject has been the norm of this review. The study has also not merely been confined to internet sources. This literature review has been conducted with reference to the research problem under the study. The key concepts and research question have been the guides to the literature search. The literature review has been organized in chronological order, date of study and by school of thought theory definition (Mouton; 2001).

In the summary of this literature survey we will synthesise the findings and try to develop a common understanding and insight into previous research findings that may have a bearing on our study. We will also try to find common variables that might influence the results of this

study. Most importantly we shall try to narrow the focus of all references that relate to our own circumstances and the situation in which the research is going to take place. The summary of this literature survey will also lay the groundwork for the next chapter of the research report, which is the legislative and regulatory framework.

## **2.2 GOVERNANCE: THE GLOBAL PERSPECTIVE**

### **2.2.1 Definitions**

The term governance has not been consistently articulated by the international community, yet it can be generalized as:

*the process by which power and authority is exercised in a society in which different actors – government, the private sector, and the civil society try to communicate their interests, reconcile their differences and exercise their legal rights and obligations.* (Funduka-Parr and Ponzio, in Governance and Accountability, 2002)

Governance is a word and concept that has recently become very popular. Mayntz (1998), in his contribution on the theories of governance, indicates that “for a long time, the word ‘governance’ simply meant ‘governing’, government seen as a process. Today, however, the term governance is mostly used to indicate a new mode of governing, different from the old hierarchical model in which state authorities exert sovereign control over the people and groups making up civil society”. Governance therefore refers to a basically non-hierarchical mode of governing, where organisations, institutions and private corporate actors participate in the formulation and implementation of public policy.

Governance can be used in several contexts, such as corporate governance, institutional governance, international, national and local governance. Governance as a term has been used in political and academic discourse for some time to refer to “*the act or process of governing, or exercising control or authority over the actions of subjects.*” The contemporary origin of the term and its popularity is attributed to the World Bank.

In a study by the World Bank (1989), they define governance as “*an exercise of political powers to manage a nation’s affairs*”.

In another study by World Bank (1992) governance is defined as “*the manner in which power is exercised in the management of the country’s economic and social resources for development*”. Four areas of governance are described as falling within the World Bank definition: public sector management reform, economic and financial accountability, legal framework and transparency.

World Bank Group (2001) views governance as the traditions and institutions by which authority in a country is exercised for the common good. This includes the process by which those in authority are selected, monitored and replaced; the capacity of the government to effectively manage its resources and implement sound policies and the respect of citizens and the state for the institutions that govern economic and social interactions among them.

Other international organizations and development agencies are:

*UNDP describes governance as the exercise of economic, political and administrative authority to manage a country’s affairs at all levels. It comprises mechanisms, processes and institutions through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations and mediate their differences. (UNDP; 1997)*

*According to OECD, governance means “the use of political authority and the exercise of control in a society in relation to the management of its resources for social and economic development.”(OECD; 2001)*

*USAID defines governance as “the way in which public power and public resources are managed and expended (USAID; 1998).*

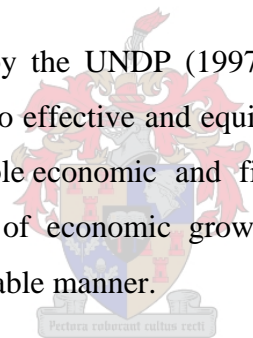
The widest definition of governance, however, is given by the Commission on Global Governance (1995), as the sum of the many ways individuals and institutions, public and private, manage their common affairs. It is a continuing process through which conflicting and diverse interests may be accommodated and co-operative action may be taken.

It includes formal institutions and regimes empowered to enforce compliance, as well as informal arrangements that people and institutions either have agreed to or perceived to be in their interests.

### **2.2.2 Good Governance**

The Independent Advocacy Project (IAP, 2003) has defined good governance as a political and institutional environment based on the respect for democratic principles, the rule of law, human rights and the participation of civil society. One goal of good governance is to enable an organization to do its work and fulfil its mission and it should result in organizational effectiveness. According to the Institute on Governance, 'good governance' is about both achieving desired results and achieving them in the right way (Graham & Wilson, 2004).

Among other things, as indicated by the UNDP (1997), good governance is participatory, transparent and accountable. It is also effective and equitable and it promotes the rule of law. Good governance allows responsible economic and financial management of public and natural resources, for the purpose of economic growth, social development and poverty reduction in an equitable and sustainable manner.



It encourages the use of clear participatory procedures for public decision-making, transparent and accountable institutions, primacy of law in the management and distribution of resources. With this there will be effective measures to prevent and combat corruption, support for leadership development and empowerment of men and women. The task of promoting good governance includes a wide range of activity areas. Public sector development increases bureaucratic effectiveness through:

- organizational, administrative and policy reform;
- decentralization of government, both internally and externally (to a range of supranational institutions) and extends effectiveness and accountability by bringing government to all appropriate constituency levels;

- working against existing and potential corruption enables the positive attributes of good governance independent, accessible and even-handed legal and judicial systems underpin honest and equitable governance;
- effective urban government satisfies many of the basic needs of large populations, easing the task at more distant levels of government (IAP, 2003).

### Characteristics of good governance



Fig. 1: (Institute on Governance, 2004)



The United Nations has published a list of characteristics of good governance, as shown in Fig. 1, and which are also similar to the five EU principles of good governance (see below).

They are:

- Participation: providing all men and women with a voice in decision-making;
- Transparency: openness, access and free flow of information;
- Responsiveness: of institutions and processes to stakeholders;
- Consensus orientation: differing interests are mediated to reach a broad consensus on what is in the general interests;
- Equity: all men and women have opportunities to become involved;
- Effectiveness and efficiency: processes and institutions produce results that meet the needs while making the best the best use of resources;

- Accountability: of decision-makers to stakeholders;
- Strategic vision: leaders and the public have a broad and long-term perspective on good governance and human development, along with a sense of what is needed for such a development. There is an understanding of the historical, cultural and social complexities in which that perspective is grounded. (UNDP, 1997)

Attention to governance issues in the Bank's analytic work has grown considerably since 1997. This analytic work on public expenditure management, civil service incentives and intergovernmental finances has all since been expanded. The Bank has also made steady progress in implementing the public sector and governance strategy it finalized in 2000. Yet still they recognize the need to focus on institution building and the centrality of good governance to development.

Despite this general progress and optimism for the future, the Bank needs to continue to address a number of issues and they need to deepen efforts to:

- Understand and measure governance realities on the ground (including political and institutional roots) through upstream diagnostic work, conducted in a participatory manner to enhance capacity- building;
- Monitor the impact of Bank projects and programmes in improving governance and, ultimately, in reducing poverty;
- Mainstream governance concerns across sectors;
- Balance a stronger focus on governance and anticorruption with the need for country ownership and the imperative of poverty reduction, particularly in weaker government environments;
- Practice selectivity by focusing their efforts on where the likelihood of success is strong (World Bank Strategy, 2002).

The EU White Paper on Good Governance (2001) looks beyond Europe and contributes to the debate on global governance. The EU seeks to apply the principles of good governance to its global responsibilities. It also aims to boost the effectiveness and enforcement powers international institutions.

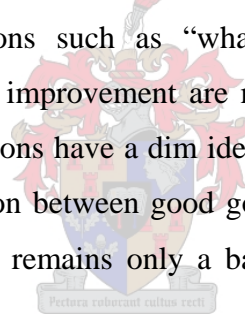
According to the White Paper there are five principles, which underpin good governance and which are important for establishing more democratic governance:

- *Openness.* The governments, institutions and organizations should work in a more open manner. They should actively communicate about what they do and the decisions they take. The language they use should be accessible and understandable to the general public;
- *Participation.* The quality, relevance and effectiveness of policies depend on ensuring wide participation throughout the policy chain – from conception to implementation. Participation requires governments to follow an inclusive approach when developing and implementing policies;
- *Accountability.* For instance, each government, institution and organization must explain and take full responsibility for what it does. There is also a need for greater clarity and responsibility from member states of the EU and all those involved in developing and implementing EU policy;
- *Effectiveness.* Policies must be effective and timely, delivering what is needed on the basis of clear objectives, an evaluation of future impact, and where available, of past experience. Effectiveness also depends on implementing policies in an appropriate manner;
- *Coherence.* Policies and actions must be coherent and easily understood. Coherence requires political leadership and strong responsibility from the institutions, governments and organizations to ensure a consistent approach within a complex system.

Besides these principles for good governance, the EU is also advocating establishing a code of conduct that sets minimum standards for good governance. The first step though must be to reform governance successfully at home in order to enhance the case for change at an international level.

One tends to agree with Gill (2004) that the need for governance exists anytime a group of people came together to accomplish an end. He also suggests that the central component of governance is decision making. It is the process through which this group makes decisions that directs their collective efforts.

Over the last four years the Institute on Governance (IOG) studied governance in the voluntary sector, seeking answers to questions such as “what stands in the way of improving governance, and what strategies for improvement are most likely to succeed?” (Institute on Governance, 2002). Many organizations have a dim idea of why governance matters to them. They don’t understand the connection between good governance and their ability to achieve good results. For them, governance remains only a back-burner issue – worth considering sometimes, but never a high priority.



These organizations need to look into Gill’s IOG working paper (2004), “Guide to Good Governance”, where he puts forward some reasons why one needs to examine governance. He states that the governance role is an essential part of organizational life.

The IOG suggests that poor governance and poor management lead to organizational crisis and failure. Failed governance is often deemed a betrayal of public trust. Governance failures lead to erosion of public confidence in non-profit institutions and calls for greater transparency and public accountability. Saner and Wilson, in their contribution to the IOG Report (2003) on “Stewardship, Good Governance and Ethics”, take the discussion is much further by comparing good governance with stewardship through a case study of Canadian Biotechnology Governance.



### 2.3 CORPORATE GOVERNANCE

Corporate governance is the system by which big business corporations as well as government and public corporations are directed and controlled. The corporate governance structure specifies the distribution of rights and responsibilities among different participants in the corporation, such as the board, managers, shareholders and other stakeholders, and spells out the rules and procedures for making decisions on corporate affairs. By doing this, it also provides the structure through which the company objectives are set and the means of attaining those objectives and monitoring performance (OECD, 1999).

Corporate governance means the governance of the corporation, the internal means by which it accomplishes its performance, and is therefore currently of great international interest and concern. There is little debate that good corporate governance can positively impact on the corporation's overall economic performance. Moreover, there is little debate that transparent corporate governance is the key to accessing global capital markets. Visible governance provides investors with a definitive description of their rights vis-à-vis the corporation.

Millstein *et al.* (1998) state that, while governance is comprised of internal relationships among shareholders, boards of directors and managers, those relationships are the result of government regulations, public perceptions and voluntary private initiatives. To understand those relationships requires an understanding of the respective roles of the government and private sector in shaping corporate governance.

According to Millstein, good corporate governance is a key element in corporate competitiveness and access to capital. The focal point of corporate governance is the board of directors as a mechanism to represent shareholders interests, prevent conflicts, monitor managerial performance and balance competing demands on the corporation. Millstein also confirms the long held view that for the board to play its role in a meaningful way, it needs to be capable of acting independently of management.

One of the most important inputs to this topic of governance is the King Report on Corporate Governance (2002). They have made a significant contribution to the debate on corporate governance in South Africa. On governance, the King Report proposes that the internal audit function of the governing boards should assist the directors and management to achieve the goals of the company by recommending improvements to the process through which:

- Goals and values are established and communicated;
- The accomplishment of goals is monitored;
- Accountability is ensured;
- Corporate values are preserved.

In a nutshell, Wolfensohn (1999) also suggests that, like good governance, "*Corporate governance is about promoting corporate fairness, transparency and accountability*".

## **2.4 INSTITUTIONAL GOVERNANCE IN SOUTH AFRICA**

In pursuit of good governance the South African government has outlined in the White Paper on the Transformation of the Public Service (1995) a broad policy framework for transforming the South African public service in line with its commitment to improving the lives of the people by a transformed public service which is representative, coherent, transparent, efficient, effective, accountable and responsive to needs of the people (PRC, 1998).

Looking into this concept of institutional governance, a useful case study was done by Turner in Benjaminsen *et al.* (2002). He studied nature conservation governance in South Africa as a local government responsibility. The governance of nature conservation provides a framework within which the various technical, social and economic components of this activity can take place. The governance structures within which nature conservation occurs are the structures that guide the relevant technical, and socio-economic planning processes; that determine the

nature of people's participation; that decide the distribution of economic benefits from the nature conservation; and that shape the political character of the process.

Turner suggests that the lack of institutional capacity to govern is the most critical constraints for the advancement of locally owned and managed nature conservation and ecotourism in South Africa. It remains difficult for those involved in the governance of nature conservation to understand local governance and effective interfaces with them.

According to Mhone and Edigheji (2003), the concept of governance in South Africa is understood to refer to the manner in which the apparatus of the state is constituted, how it executes its mandate and its relationship to society in general and to particular constituencies such as the private sector, civil society, non-governmental organizations and community organizations as well as how it fulfils its role of democracy. Hence good institutional governance may be understood to have at least three aspects:

- the need for a rule-based, open, transparent, efficient and accountable government;
- the need for the government to undertake its task in a manner that is participatory and consultative;
- the need for the government or the state to ensure that the substantive aspect of democracy which will ensure that sustainable human development in the long run is achieved.

Our study nonetheless is principally about the governance of schools as public institutions of learning and most particularly the special schools in the Western Cape. We have to this point been discussing the broader and global perspectives on governance, the definitions, the understanding from various international organizations and various approaches to governance. Now we will move towards the governance of education and schools, specifically in South Africa.

## 2.5 SCHOOL GOVERNANCE

### 2.5.1 What is school governance?

School governance involves indirect control of the schools, authority and power exercised by the school governing bodies (SGBs). Beadie (1996) suggests that school governance involves complex decision making, diverse and conflicting goals of participants, effective leadership and multiple constituents that must be attended to in the shared decision making.

### 2.5.2 The International Situation

In Scotland and England, according to Arnott & Raab's (2000) study on governance of education, the governance of schools represents a restructuring of:

- *Roles and relationships* within schools, and between schools and a range of external environments that include levels of government as well as other actors or stakeholders and especially parental participation in school decision making;
- *The pattern of accountability* of teachers and other education professionals to each other and the accountability to parents and other community stakeholders;
- *The pattern of governance* between or among levels of the decision-making system including strategies and mechanisms of control. There is greater delegation of decisions to schools, and education authorities, whilst losing many traditional powers, adopt a strategic and enabling role whilst providing fewer services to schools;
- *The flow of resources*, principally money and the mechanisms to arbitrate its flow. Schools compete with each other to attract pupils, as budgets directly reflect the number of pupils;

- *The educational and other values* that underpin schooling. There is heightened emphasis on measured performance, targets for learning and the management of resources.

Educational governance can hence be seen in the context of the general analytical framework of governance in policy and governmental studies. Munn (1993) also discusses the question of whether school governing bodies and school boards are a vehicle for parental participation in the decision making about schools. She reminds us that in the past the roles of parents and parent-teacher associations (PTA) tended to be one of fundraising or organizing events where information can be transmitted about curriculum developments, particularly in non-academic areas such as drug education, where parents are seen as having an important role to play. More recently though more direct parent involvement and their views have been sought from governing bodies and school boards.

### **2.5.3 School Governance Challenges in South Africa**

Lusaseni (1999), in her investigation of how the parents perceive and experience their roles in the school governing body, concludes that there is inadequate participation and knowledge among most parents on the theoretical framework and application of the SGBs. Soudien (2003), in his review of school governance in South Africa, cites a couple of major challenges faced by the education.

Firstly, the apartheid legacy of racial and economic discrimination has left up to a quarter of all schools without water within walking distance and up to 40% of all schools without access to electricity, and secondly, there are persistent and deepening disparities between the working class and the middle class. These are some of the reasons why the government has committed itself to democratizing the education system.

The Department of Education's (1997) *Understanding the SASA* gives a clear diagram (Fig. 2) showing where the SGBs fit into the structure of school governance. Section 16 of SASA sets out in detail how the governance and professional management of all schools should be undertaken as well as indicating the duties of the role-players with respect to organization, governance and funding of schools.

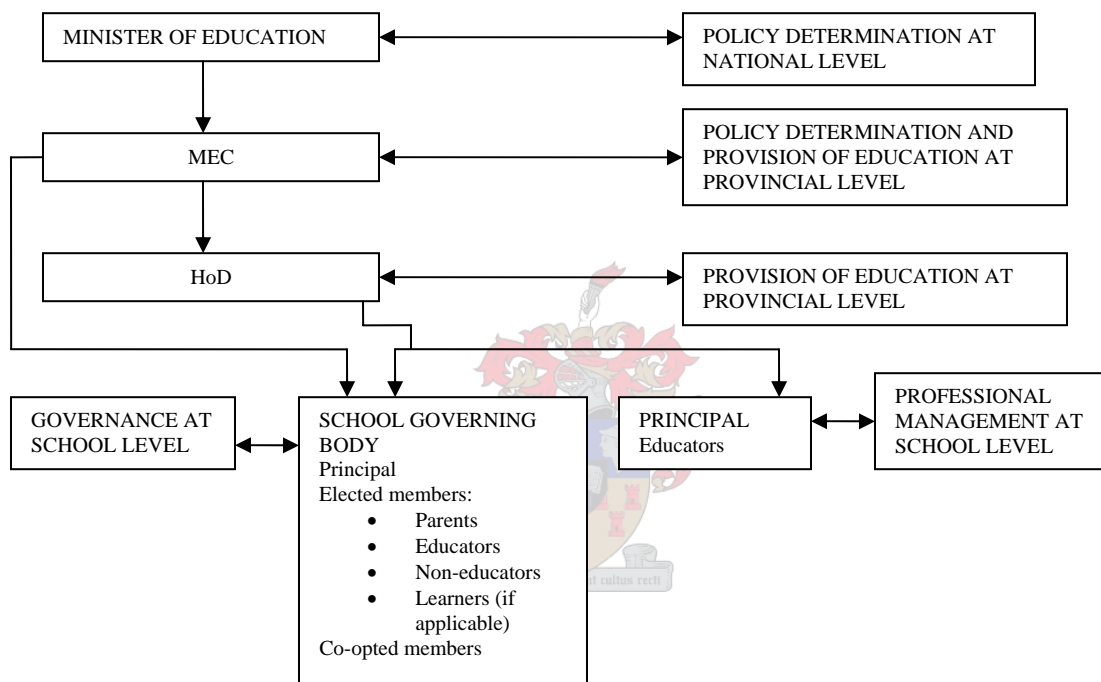


Fig. 2 School Governance Structure (Department of Education, 1997)

The South African Schools Act (SASA) was passed in 1996 to address the country's discriminatory past and to ensure the creation of an open, just and equitable education system.

The essential idea behind the SASA was to put ownership and control of schools into the hands of parents. It mandated the establishment of schools governing bodies (SGBs) at every school in the country. Some of the responsibilities of the SGBs are:

- Recommending teacher appointments;

- Developing mission statements, code of conduct, and admission policy;
- In special cases administering school finances and property. In the special schools this is one of their major responsibilities.

In 1996 the Centre for Education Policy Development (CEPD) organized the National Conference on School Governance, Organization and Finance. In the discussions on organization and governance three questions were highlighted:

- Who owns the schools and their assets?
- What are the rights of learners in terms of access to education, the learning process, conduct and disciplinary action and language policy?
- What are the rights of educators? What are the laws that regulate the employment of educators?

As a partial answer to these questions, the CEPD Report (1996) states that the schools are owned by the state and educators are employed by the state. Powers are devolved by the state to SGBs to make recommendations on teacher appointments, among others duties, as also indicated by Soudien (2003). While the state has a degree of power, this is regulated by strict adherence to procedure and accountability processes. It will also be the state's duty to build the capacity of these SGBs to perform their duties effectively.

Sayed (2002) also provides some useful input in his debate of school governance in South Africa. In his paper, "Democratizing Education in a Decentralized System: South African policy and practice", he examines the policy impact of democratization and participation in relation to the powers and functions of school governing bodies by considering four illustrative examples, namely, religion, language, admission and teacher employment.

#### **2.5.4 Previous Findings on Special School Governance**

We indicated above that there has not been enough research done on the governance of special (ELSEN) schools in South Africa. The Department of Education, in its Yearly Education Statistics in South Africa (2003), states that in 2001 there were 33 894 public learning institutions and schools and of these only 370 were ELSEN schools, making up about 1,09% of the total number. About 82 of these ELSEN schools are in the Western Cape. That is probably why the Department of Education does not see any necessity in developing a separate policy framework for the governance of these ELSEN schools.

The Western Cape Education Department (WCED) conducts its own annual survey for public ordinary schools. In the WCED Statistical Report for 2002 they indicate that 98% of SGBs are duly elected and properly constituted, and almost 2% of SGBs either do not exist or do not meet at all.

This, however, is an improvement of 10% compared to the previous year. In assessing the effectiveness of the SGBs the report states that 30% of SGBs function very well, there is a high level of participation and significant achievements; 54% meet and function satisfactorily and there is involvement of role players; only 15% of SGBs are not functioning well and need training (compared to 17% in 2001). Although the report paints a rather optimistic picture, the worrying factor is that the survey does not look specifically at ELSEN schools within the province.

## **2.6 SUMMARY**

‘Governance’ has become a most popular term in the international development community, where it is now almost in the strategic language of virtually all organizations. Heyden in Jreissat (2002) suggests that the World Bank makes a distinction between governance as an



analytical framework and governance as an operational concept, leading it to identify three aspects of governance:

- the form of political regime;
- the process by which authority is exercised in the management of a country's economic and social resources for development;
- the capacity of government to design, formulate and implement policies and discharge functions.

Perhaps Cloete, in Parnell *et al.* (2002), gives the most useful concluding remark when he suggests that good governance assumes that public service delivery is the implementation of public policies aimed at providing concrete services to the people.

The various definitions of governance from the perspective of global organizations were given. We looked into the concept of good governance and its versions mostly from the Institute on Governance. We also discussed corporate governance and institutional governance and went on to discuss school governance in the international as well as South African contexts. We then gave the limited findings on previous studies on the governance of special schools in the Western Cape in particular.

The next chapter deals with the legislative and regulatory framework and will show how these schools are provided for in order to achieve effective governance, given the fact that they not only have special and additional requirements to mainstream schools but are also categorized as Section 21 schools.

### **3. REGULATORY FRAMEWORK**

#### **3.1 INTRODUCTION**

The way in which an education system is organized, governed and funded impacts directly on the process of learning and teaching. While the literature review that was discussed in the previous chapter explained the theories of governance and the ways in which good governance can be achieved from the point of view of global organizations, in order to apply good governance theories and practices we need a sound legislative regulatory framework. This chapter evaluates the legislative framework that informs the governance of schools, and particularly the special schools, so that they achieve good results.

The constitution and the principles underpinning the various White Papers on education and training provide the basis for all the pieces of legislation and the regulatory framework that inform school governance. This chapter will start by looking at the Constitution of the Republic of South Africa and all its constitutional provisions on the right to education and the effective public service administration. The South African Schools Act, 1996 and all the other pieces of legislation that are based in it will be looked at.

These include the Western Cape Provincial Schools Education Act, the Institution-based Management and Governance and the Norms and Standards for Financial and Resources Allocation to the special schools. We will also discuss the Public Finance Management Act (Act 29 of 1999), which regulates financial management in order to ensure that all revenue, expenditure, assets and liabilities of those schools are managed efficiently and effectively, and to provide for the accountability of persons entrusted with financial management in those school governing bodies.

### 3.2 THE CONSTITUTIONAL PROVISIONS

The elections of April 1994, which marked a formal end of apartheid rule and a shift to democratic rule in South Africa, introduced a new South African Constitution, which included a commitment to representative and participatory democracy, accountability, transparency and public involvement. This Constitution of the Republic of South Africa (Act 108 of 1996) provides the first elements of the legislative and regulatory framework in the provision and governance of education in South Africa. Section 32 of the Constitution (1996) enshrines the fundamental and basic right to education and it states that everyone has the right to:

- Basic education, including adult basic education, and
- Further education, which the state, through reasonable measures, must make progressively available and accessible.

The Constitution also stipulates that within the public administration there is a public service for the Republic which must function in terms of national legislation, and which must loyally execute the lawful policies of the government. This constitutional provision is given effect by the Public Service Administration. Foster and Smith (2001) confirms that educational governance is situated inside the broad field of public administration within which general authority is vested in the Public Service Administration.

Once again Section 41(1) constitution provides that all organs of state within each sphere of governance must provide effective, transparent, accountable and coherent governance (Constitution of RSA, Act 108 of 1996). There is adequate constitutional basis therefore for the adherence to correct and legal execution of educational governance. In other words the constitution binds those in charge of school governance to provide appropriate governance.

The constitution sets out certain important values on which the democratic and effective governance of schools is based. These values are as follows:

- Human dignity, the achievement of equality and the advancement of human rights and freedoms;
- Non-racialism and non-sexism;
- The rule of law applies, in other words, the constitution and other laws as enforced by courts have higher authority than parliament and the government;
- All adults must be able to vote and there must be regular elections, accountability and openness (CELP, 1997).

The Constitution therefore requires that schools must be transformed and democratized in accordance with the values and principles referred to above. The constitution again provides the foundation of two pieces of legislation which form the basis for the governance and funding of schools in South Africa, the South African Schools Act, 1996 and the National Education Policy Act, 1996, with the associated National Norms and Standards for School Funding, 1998. These pieces of legislation will also be discussed later in this chapter.

### **3.3 THE SOUTH AFRICAN SCHOOLS ACT (ACT 84 OF 1996)**

The South African Schools Act (Act 84 of 1996), based on the Constitution of South Africa, is a single piece of legislation that has the most influence on this subject of governance of schools in South Africa. The governance of a public school is vested in its governing body and it may perform only such functions and obligations and exercise only such rights as prescribed by the Act. Later, in new legislation in 2001, this provision was further amended and now in terms of Section 16 of SASA (1996) the governing body stands in a position of a trust towards the school.

Section 21 provides, among other things, for the function and duties of the school governing bodies (SGB) of special schools, as well as membership of governing bodies of special

schools (Section 24). It also provides for the election of members of SGBs, the sub-committees of SGBs and also for the enhancement of capacity of the governing body (Sections 19, 28 and 30).

Also very important is the fact that the SASA requires for every SGB to function in terms of a constitution which complies with minimum requirements of the Member of the Executive Council. The constitution must therefore also provide for:

- A meeting of the SGB at least once every school term;
- Meetings of SGB with parents, learners, educators and other staff of the school, respectively, at least once a year;
- Recording and keeping of minutes of SGB meetings;
- Making available such minutes for inspection by the Head of Department of the provincial education department, in our case the WCED;
- Rendering a report on its activities to parents, learners, educators and other staff of the school at least once a year.

The SASA requires that the SGB should submit a copy of its constitution to the Head of Department within 90 days of its election. It also places a duty on the SGBs to keep written records of everything that has to do with the money and property of the school. This means that all money that the school receives or uses must be written into a financial statement or record. There must also be a special register in which all the property which belongs to the school is written down. This is in line with the Public Finance Management Act, 1999 that will be discussed later.

With regards to special education, the SASA requires that the SGBs of ordinary public schools which provide education to learners with special educational needs, where reasonably practical, co-opt a person or persons with expertise regarding special educational needs of such learners (Consultation Paper No. 1 on Special Education, 1999).

The NSCNET/NCESS Report (1997), in its review of the SASA concludes that the Act is not prescriptive enough in providing for the development of an inclusive, integrated education system. There is as yet nothing in the Act which indicates how the education system can contribute to overcoming the causes and effects of learning difficulties, which have led to the exclusion and sustained marginalization of a significant sector of our population. However, CELP (1997) indicates that SASA foresees, in the final analysis, that each public school should have a governing body that is representative of all stakeholders and that the governing bodies should gain the necessary expertise and experience, and grow in confidence and ability so that the desired transformation in education may be achieved.

Based on this legislative framework for the governance of schools, there are further pieces of policy and regulatory provisions that also are crucial in the schools' governance, particularly in the Western Cape. They are the Western Cape Provincial Schools Education Act, 1997 and the Institution-based Management and Governance. They will now be looked into and the Governing Bodies of Special Schools in the Western Cape will also be discussed.

### **3.3.1 Western Cape Provincial Schools Education Act (Act 12 of 1997)**

In terms of Section 14 of the Western Cape Provincial School Education Act (Act 12 of 1997) all public schools, including the schools for learners with special education needs, are under the control of the governing body. However, the Western Cape Provincial Schools Education Act further declares that school education in the province vests in the Education MEC and is controlled by the Provincial Education Department (see also Foster and Smith (2001).

In WCED's Strategic Plan (2004), the Western Cape Provincial School Education Act is intended to provide for a uniform system for the organization, governance and funding of all schools and to make provision for the special education needs in the province. Section 56 of the Western Cape Constitution (1998) also declares that public administration in the Western

Cape must be governed by democratic values and principles enshrined in the national Constitution.

### **3.3.2 Institution-based Management and Governance**

The Institution-based Management and Governance (IMG) is a specialized directorate under the WCED to support the governance of public schools in various Education Management and Development Centres (EMDC) of the WCED. They work with the Circuit Inspectors to provide the head office with the status reports on the school governing body elections and performance.

The IMG's Year-end Report (2003), indicates that school governance in the WCED's public schools is faced with a sizable number of problems. Most schools had principals in place, but some schools struggle to appoint a permanent principal for various reasons ranging from resignations, non-functioning SGBs, disputes and staff conflicts at schools. The majority of schools' SGBs had to be re-elected after their first attempt. A sizable number of schools did not have their full staff complements on a permanent basis.

Contract posts had to be filled with teachers who had previously taken the retirement packages. Circuit managers also had to do right-sizing at various schools. Although schools had the benefit of different service providers to assist them, some schools still had difficulties in producing school development plans. On top of the objectives of the IMG's mission and work plan for 2004 is establishing good governance at schools in the Western Cape. It set about the following strategic and action steps to implement the work plan.

### Establishing good governance at schools:

Strategies	Action Steps	Training
<ul style="list-style-type: none"> <li>➤ Ensure that School Governing Bodies are in place</li> <li>➤ Ensure capacity building of School Governing Bodies</li> </ul>	<ul style="list-style-type: none"> <li>➤ Ensure that schools set dates for election</li> <li>➤ Appoint electoral officers</li> <li>➤ Obtain feedback on elections</li> <li>➤ Establish database on SGBs</li> </ul>	<ul style="list-style-type: none"> <li>➤ Roles, functions and design of the SGB constitution</li> <li>➤ Meeting procedures</li> <li>➤ Interviewing procedures</li> <li>➤ Financial management</li> <li>➤ Developing policies</li> <li>➤ Vision and Mission</li> </ul>

Fig. 3. (IMG Year-end Report, 2003)

The Institute of Directors in Southern Africa (2002) suggests that successful and effective organizations have strong, effective management and leadership. That is why the IMG set to improve this condition applies to all schools and that SGB members and school managers must have the necessary knowledge, skills, capacity and attributes to govern and manage the various demands of a modern school.

For these schools to be effective, therefore, it is imperative for the SGBs to have all the necessary powers and functions to enable them to achieve this status. To this end the IMG will also focus much of its work on the following areas of support:

- Increasing the number of Section 21 schools;
- Effective school management;
- Financial sustainability.

### 3.3.3 Governing Bodies of Special Schools in the Western Cape

The South African Schools Act (Act 84 of 1996) currently stipulates different membership requirements for the mainstream and special schools. The major differences in membership of governing bodies relates to membership of parents, membership of learners and inclusion of sponsoring body representation, people with disabilities or organizational representation, and special needs expertise in 'ordinary' school that provide education for learners with special needs.



According to NCSNET/NCESS Report (1997), if the principles for effective and appropriate governance are considered, particularly those which will enhance the meeting of a diverse range of learner and system needs, as well as addressing barriers to learning, there can be no justification for exclusion of any category of learners or parents from any governance structure.

The WCED's Constitution and Functions of Governing Bodies proposes that the governing bodies for public schools for learners with special needs education needs consists of the following members in terms of Section 22 of Western Cape Provincial School Education Act, 1997 and regulations promulgated in terms of it:

- Two parents of learners at the school;
- Two educators at the school;
- Two members of the staff who are not educators;
- One learner in the eighth grade or higher, elected by a representative council of learners, if practicable;
- Two representatives of sponsoring bodies, if reasonably practicable;
- One representative of the organization of parents of learners with special educational needs, if practicable;
- One representative of organizations of disabled persons, if practicable;
- One disabled person, if practicable;
- Two experts in appropriate fields of special educational needs;
- The principal (ex officio);
- The owner of the property on which the school is situated, or his/her nominee can be co-opted as a member without voting rights;
- A member or not more than six members of the community can be co-opted by the governing body because of their expertise without voting rights.

Figure 4 below is a table summarizing the differences and similarities in the structures of the SGB of Jan Kriel and Themba lethu Schools. Those members with a star are the ones that have to be elected democratically from their respective constituencies.

<b>Participants</b>	<b>Provision i.t.o. WCED SGB Constitution</b>	<b>Jan Kriel School</b>	<b>Themba lethu School</b>
*Parents (incl. SGB Chair.)	2	2	7
*Educators	2	2	2
*Non-teaching staff	2	1	1
Principal	1	1	1
Experts (in appropriate fields of ELSEN education)	2	1	1
*Learner (if applicable)	1	1	n/a
Co-opted (in terms of special expertise)	<6	2	0

Fig. 4. Comparison of the SGB structures of the two schools.

Most special schools have different SGB structures as determined by the specific requirements of the school. It is, however, compulsory that those members indicated with a star in Fig. 3 should automatically be similar among all the SGBs as they have to be elected. At both Nompumelelo and Noluthando School, for instance, the SGB consists of:

- Parents (3)
- Educators (2)
- Non-teaching staff (2)
- Principal
- Representative of disabled organizations
- Expert on ELSEN education.

Most other special schools still appoint a single representative for the non-teaching staff and this also applies to Themba lethu and Jan Kriel schools.

The Western Cape Provincial School Education Act, (Act 12 of 1997) once again declares that all the special schools are regulated as Section 21 schools, meaning that the governing bodies of special schools are allocated certain additional functions over and above the ordinary functions of the other non-Section 21 public schools. That is precisely why the number of governing body members is more than that of ‘ordinary’ schools, also that various experts can be co-opted to serve on the governing bodies.

The SASA makes provision for the public schools to become progressively more responsible for managing aspects of recurrent expenditure. The governing bodies of special schools may apply in writing to the Head of Department to undertake any of the following functions as allocated responsibilities:

- Maintain and improve the schools property, buildings, grounds and hostel;
- Determine the extra-mural curriculum and the choice of subject options in terms of the provincial curriculum policy;
- Purchase textbooks, educational materials or equipment for the school;
- Pay for the services to the school;
- And any other functions consistent with the SASA and applicable to provincial legislation.

Other public schools as defined in Section 20 of the South African School’s Act have to apply to the Department for funds in order to be able to render some of the above services as and when required by the school. The special schools as Section 21 schools should be governed in a way that should demonstrate self-reliance and self-management. Instead of having to work through the Department when spending their state allocation, a lump sum transfer is made to the school and it can then negotiate directly with its suppliers, but then again the expenditure must still be accounted for. This, however, is determined to an extent by the financial allocation that the school gets from the Department.

Next therefore we will discuss the Norms and Standards for Financial and Resource Allocation to see how this influences the regulation of governance of special schools in the Western Cape.

### 3.3.4 Norms and Standards for Financial Allocations for Special and Section 21 Schools

In the recent past the funding system in South Africa for the provision and support of special schools had many weaknesses and disparities. Many learners, particularly those who experience barriers to learning and development, were not accommodated in special schools. Until recently very little has been done to redress the inequalities that existed between the special schools from the advantaged and disadvantaged communities.

School quintiles from poorest to least poor	Expenditure allocation	Cumulative percentage of schools	Cumulative percentage of non-personnel and non-capital recurrent expenditure	Per learner expenditure indexed to average of 100
Poorest 20%	35% of the resources	20%	35%	175
Next 20%	25 % of the resources	40%	60%	125
Next 20%	20% of the resources	60%	80%	100
Next 20%	15% of the resources	80%	95%	75
Least poor 20%	5% of the resources	100%	100%	25

Fig. 5. Resource Targeting Table (Education Law and Policy Handbook, 2003)

In terms of the current SASA provisions, as shown in Fig. 5 above, funding of all public schools in the WCED, including the special schools is determined by simple per learner formula that favours the poor and disadvantaged schools. All schools are categorized in five groups based on the physical conditions of the school and the poverty index of the community

served by the school. Therefore they are allocated money according to their needs, number of learners and the poverty index in the community.

According to the cumulative percentage of schools and the percentage of non-personnel and non-capital recurrent expenditures of both the poorest and the richest schools in the Resource Targeting Table (Fig. 5), it is obvious that the 40% poorest schools account for averages of 30% and 45% respectively on both percentage expenditures. The 40% richest schools, on the other hand, account for average percentage expenditures of 90% and 98% respectively.

The learner expenditure is 1:25 on the richest 20% schools, while it is 1:175 on the 20% poorest schools. This simply means that the 40% richest schools spend almost between 100%-150% more than the 40% poorest schools and the expenditure per learner is extremely skewed. This therefore justifies the allocation principles that are consistent with equity as espoused in Section 98 of the South African Schools Act of 1996.

If a school's bill for these services or items is lower than the lump sum transfer, the SGB may allocate the transferred amount to the purchase of other school-related items. In general, the SGBs may vary the proportion of the funding devoted to such goods and services according to their own perception of education needs, taking provincial policy into account. According to the Education White Paper 2 (1996) on organization, governance and funding of schools the formula should be based on the school enrolment, weighted for redress and affirmative action factors (such as school location, ELSEN and parental income), as well as policy incentives (for instance, to increase the number of girls in science streams).

The whole expenditure, however, must be accounted for as required by the Public Finance Management Act (Act 29 of 1999), another piece of legislation that is of great importance to the whole subject of school governance. It therefore becomes important that we touch briefly on this important piece of legislation.

### **3.4 THE PUBLIC FINANCE MANAGEMENT ACT (ACT 29 OF 1999)**

The Public Finance Management Act 29 of 1999 (PFMA) is one of the most important pieces of legislation that promotes the objective of good financial management in order to maximize delivery through the efficient and effective use of limited resources.

The PFMA therefore sets some stringent transparency requirements for good governance of all schools, including regular reporting and the assignment of accountability. It also has far-reaching provisions on the scope and usefulness of the school budget financial process. As a requirement of the SASA and in line with the PFMA, the governing bodies of a special school must:

- keep records of funds received and spent and of its assets and liabilities;
- within three months of the end of each financial year draw up annual financial statements in accordance with the guidelines determined by PFMA;
- within six months of the end of each financial year submit an audited copy of the annual financial statements to the Head of the Department.

Unlike the ordinary public schools, whose allocation and expenditure is handled by the WCED, all the special schools must also appoint a person registered as an accountant and auditor in terms of the Public Accountants and Auditors Act, 1991. If the governing body is not reasonably able to do so, it must appoint a person who is qualified to act as an accounting officer of close corporations. If this is also not possible, the governing body must appoint a competent person, but the approval of the Head of Department is needed for such an appointment.

The funding from the state is generally not enough to provide quality education for every learner; therefore the SGB must take all reasonable measures to supplement the funding supplied by the state through other means as regulated by the SASA. These means may

include school fees, only for the parents who are able to pay such school fees, fundraising activities and sponsorships from various funding bodies and willing companies. In line with the White Paper 2 (1996), the review committee on school organization, governance and funding proposed a new funding system based on a partnership between government and the communities. Some schools would be funded partly by subsidies; the parents and the community would pay the rest.

### **3.5 SUMMARY**

The intention of the South African Schools Act is to create a new school governance landscape based on citizen participation, partnerships between state the state, parents, learners, school staff and the communities, as well as the devolution of power towards the schools and community. Since 1996 attention to the governance of schools in South Africa has focused mainly to the structures, roles and functions of the governing bodies.

In examining special school governance practices in the Western Cape, one gets a picture of the important role of the legislative and regulatory framework. Primarily these policies play the role of a guiding framework, which regulate and control the manner in which SGBs govern the schools in order to achieve effective administration of schools.

The complex nature of the governance roles to be played by the school governors requires that special effort be taken to capacitate them, especially in term of the legislation and policies. The role of the IMG in all the Education Management and Development Centres (EMDCs) of the WCED is to do precisely that. This research is to use two special schools in the EMDCs South and East. In the next chapter we will discuss the differences in the governance of two schools using the legislative and regulatory framework discussed above as a reference point, as it represents good governance standards.

## 4. COMPARISON OF THE TWO CASES

### 4.1 INTRODUCTION

The governance of special schools under the WCED is something taken very seriously, which is why they have established a special directorate of School-based Management and Governance (SMG). According to Sheppard (2004), the WCED Director of SMG, there are some disparities in the way some special schools are being governed and these disparities are mostly influenced by various factors. In our preliminary study we have also identified some of these factors as variables in the good governance of schools:

- Financial resources;
- Trained SGB officials;
- Proper planning and good administration;
- Effective involvement of parents and other stakeholders;
- Discipline and code of ethics.

Although the study of school governance is much broader in the sense that the WCED contains a large number of special schools throughout the Western Cape, in this research we used a comparison of two special schools to study the nature of governance as a microcosm of the broader situation. As required by the research methodology (Mouton, 2001), the two schools we studied are similar in nature and they provide a similar curriculum.

In this chapter the profiles of the two schools will be given, which will give more details of the nature, form and background of the two schools. Also the governance of other schools that have also been visited for the sake of comparison with these two schools will be discussed. The data that were collected by means of questionnaires, interviews and observations will be analyzed. These data will be interpreted in relation to the legislative and regulatory framework and the literature review that was given in previous chapters.

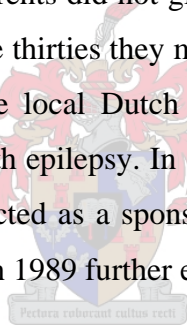


This chapter will analyse the results and data feed-back in order to provide the findings, conclusion and recommendations on the good governance of special schools. Lastly, we will give a short summary of the comparative analysis and discussions, and take the debate further to the next chapter.

## **4.2 PROFILES OF THE TWO SCHOOLS**

### **4.2.1 Jan Kriel School**

Jan Kriel School was established in 1937 through the efforts of Rev. and Mrs JP Kriel of the Dutch Reformed Church Congregation of Kuilsriver, whose son, Jan, had epilepsy. In 1925 Jan died at the age of 16 years. His parents did not give up, but their faith inspired the vision of establishing this institute. During the thirties they made the preliminary preparations and on 9 December 1935 they applied to the local Dutch Reformed Church to purchase the old rectory and to equip this for people with epilepsy. In 1942 this institute was taken over by the Dutch Reformed Church, which has acted as a sponsor since then. In 1985 a more effective building complex was completed and in 1989 further extensions was built.



The Jan Kriel school is mainly funded by a Department subsidy, through the WCED's allocation for special schools. The exact amount of funding was not divulged, as it is regarded as confidential information. They are also financed through their sponsoring body as well as through the collection of school fees of about R2000 per learner per annum. They also carry out their own school-based fundraising programmes. Their SGB consists of ten members and, interestingly, in their SGB the learners are represented, although according to Mr. Du Toit, the Principal, the learners play a very minor role.

In terms of the Schools Act (1996), the representation of learners of special schools on the SGB stipulates that learners could be involved only where practically possible. The SGB consists of the following ten members:

- Parents (2)
- Teachers (2)
- Non-teacher
- Learner
- ELSEN Specialist - specially co-opted
- Disabled person - specially co-opted
- Principal
- Deputy Principal (Observer) – co-opted.

One of the parents is then elected by the SGB as the chairperson; one of the teachers is elected as the secretary; the ELSEN specialist is elected as treasurer and the Principal as Head of School Management and Co-coordinator. This then becomes the SGB Executive Committee of the Jan Kriel School in whom the leadership and governance authority is vested.

Jan Kriel is a fairly big school with about 360 learners and 40 educators and 62 non-teaching and general support staff members, most of whom are employed by the SGB on contract. The nature of the disability of learners is specifically learning disability and epilepsy; they have a Pre-school; Foundation Phase; Intermediate Phase; Senior Phase and Further Education and Training (FET).

#### **4.2.2 Thembaletu School**

Thembaletu School was established in 1972 as an Edu-care centre and it became a formal school for learners with all kinds of disabilities in 1983. According to the Principal, Mr Afrika, it was the only school for disabled Xhosa-speaking learners in the Western Cape. It is based in Gugulethu and it has a fairly big modern school building built through foreign donations and funds. There are about 300 learners with 22 educators and 25 non-teaching and general assistance staff. Similarly to Jan Kriel School, Thembaletu School also has Foundation Phase; Intermediate Phase; Senior Phase and the Further Education and Training (FET).

The school is mainly financed by monetary allocations by the WCED in its financial allocations for special schools. Again here at Thembaletu School it was not divulged how much the annual allocations were. The school also charges a school fee of R660 per annum per learner. Their school fundraising does not generate that much as there are no specialists who can assist in fundraising.

The SGB consists of twelve members, and in their case learners are not represented. The board is constituted as follows:

- Parents (7)
- Educators (2)
- Non-teaching staff
- Expert in physical disability - specially co-opted
- Principal.

In Thembaletu there are no stakeholders, organizations or special experts involved in the governance and most of the parents involved are uneducated and have no special skills required for good governance of schools. Their SGB executive also consists of a chairperson, who is a parent; a teacher as secretary; only the treasurer is specially co-opted; and the Principal as the head of School Management Team, which is responsible for the day-to-day school management. The nature of the disability of learners is physical disability and cerebral palsy and the school provides a national curriculum for learners from Grade R up to Grade 11.

### **4.3 PRESENTATION AND ANALYSIS OF DATA**

#### **4.3.1 Questionnaires**

A total number of 13 questionnaires were sent to each of the two schools and they were allocated in the following manner using random sampling approach:

- Principal (1)
- Chairperson of SGB (1)
- Parents (3)
- Educators (3)
- Non-teaching staff (3)
- School Management Team (SMT) (2).

Questionnaires were sent out with an accompanying letter and a reply-paid envelope with a return address. The reply envelopes were numbered to enable the researcher to identify which respondents have returned their questionnaires. As replies came in, the envelopes were separated from the questionnaires so that the numbers could not be linked to the replies. This procedure was adopted to ensure the confidentiality of the responses, while enabling the researcher to know who should be phoned to follow up non-replies.

### **Responses**

Of the 26 selected participants from both Jan Kriel and Thembaletu special schools and sent questionnaires, five participants (all from Thembaletu) were not able to return their responses. Three were on special leave for urgent family matters and the other two had left the school and could no longer be located from their given addresses and telephone numbers. The total of 21 valid replies was received before the final cut-off date of 30 August 2004. This represents about 81% of the total number of participants potentially available.

This relatively healthy response rate has been achieved despite the fact that the SGBs and the education officials in particular have, in recent times, been reluctant to take part in research surveys conducted within their own school affairs and more especially the affairs that are related to a school's financial matters.

The use of the follow-up interviews with selected staff and SGB members was an important factor. Replies from some of the participants indicated that the shortness of the questionnaire and its interest to the respondents proved a positive factor for many of those who responded. Most respondents commented that they found the questionnaires interesting and thought-provoking. Others were pleased to take part in the survey because they felt that there were problems that needed to be addressed. On the other hand, some expressed reluctance in participating and returning their questionnaires. Reasons for the reluctance included being too busy, a fear of being identified, or a concern that the questionnaire was biased.

### **Analyzing the responses**

In line with Mouton's suggestion (2001), the analysis approach we used involves 'breaking up' the data into manageable themes, patterns, trends and relationships. The aim is to understand various elements of one's data through an inspection of the relationships between concepts or variables and to see whether there are any patterns or trends that can be identified. The questionnaire, Appendix B, is also subdivided into the following themes, which were then used as patterns and trends in which the data were categorized, summarized and analyzed:

- SGB (the general functioning)
- Meetings
- Planning
- Finances
- Parents and Learners
- Employment.

The quantitative numerical data from the questionnaires was converted into graphs with the use of a computerized software program, i.e. the Moon Stats program, to use in the text. Firstly, the questionnaires' positive responses were categorized per participant's group per theme and then added up for an average of ten. For example, the Thembaletu school teacher's average positive response on Planning is four out of ten, which was simply

converted to a percentage of 40%. All these percentages were later fed into a Moon Stats program and converted into graphs as shown in Figures 5 and 6 below.

The Jan Kriel response as shown in Fig. 5 in general shows that the governance at the school is managed well. The feedback shows that on all the questions we asked which are based on the measures of good governance of public and Section 21 schools, their answers are overwhelmingly positive. In the final mark of the total good school governance rating calculated through the quantitative data from the questionnaires, they scored 92%.

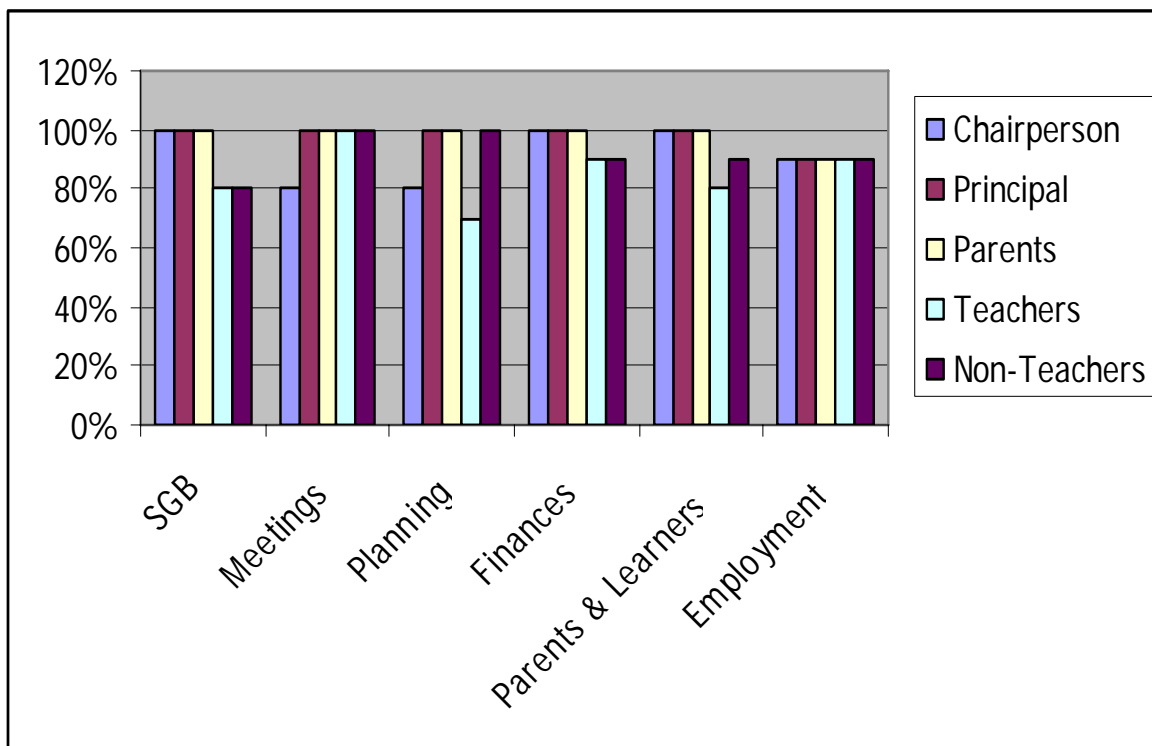


Fig. 6 Jan Kriel Response Chart

The Thembaletu school’s responses as shown in Fig. 6 are not as good as those from the Jan Kriel school. In general, their situation is understandable, because their previous SGB was not functioning at all. As we were doing the research, they had just elected a new SGB. According to Mr Africa, the Principal of Thembaletu School, the SGB is still new, inexperienced and

had only just one meeting since their election. Training of members still has to take place. For their average mark on good school governance, they just scored 54.5%.

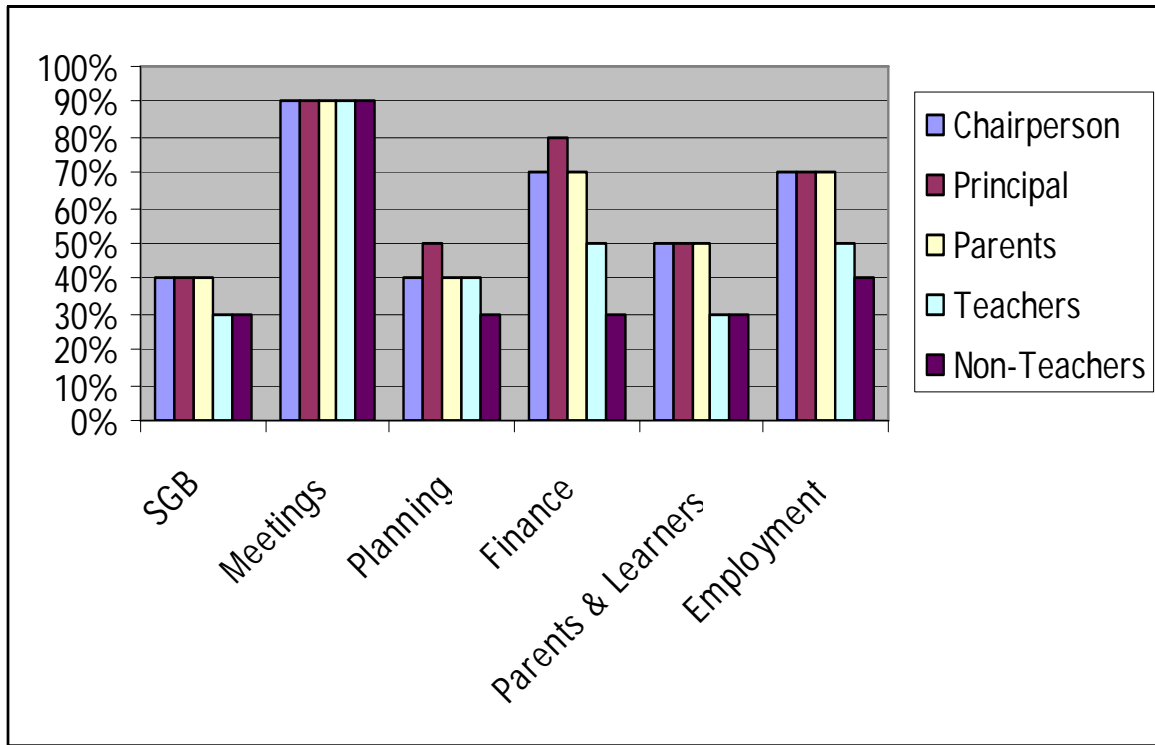


Fig. 7 Thembalethu Response Chart



### The SGBs (general functioning)

At Jan Kriel the feeling of all the participants is highly positive. The participants gave it between 80% and 100%. At Thembalethu the situation was different in that the general feeling towards the SGB is pretty low. On this issue the participants from Thembalethu scored an average mark of only 36%. It does appear that for a long time meetings were not held and there were no SGB decisions taken on issues that needed to be addressed.

Another interesting observation is that in both cases, on this issue SGB general functioning, both the teaching and non-teaching participants gave the lowest mark as compared to the other participants. For example, as shown in Fig 7 and 6, at Jan Kriel, the Chairperson, Principal and

parents gave a 100%, while teachers and non-teachers gave a lower mark of 80%. At Themba lethu the teachers and non-teaching staff gave a lowest mark of 30%.

During the interviews with some of these participants it became clear that in most cases teachers were not happy with governance. Their situation is understandable because as highlighted in Section 18 of South African Schools Act (Act 84 of 1996) as well as the corporate and institutional governance provisions (Institute of Directors, 2002), the people involved in the core of school governance are the parents and the management.

### **Meetings**

In Themba lethu School most participants feel that the meetings are well handled. The SGB meetings were not held for a long time and therefore the overwhelmingly positive response in this case is based only on the one and only meeting they have held since the new body was elected. That's why they are fairly optimistic, with a 90% from all participants. At Jan Kriel the meetings are held regularly, and they are well organized and well attended – although the Chairperson at Jan Kriel thinks they can still improve in this respect and he gave 80%. At Themba lethu it was surprising to find that all the participants gave a 90% positive mark for how the meetings are being held.

This could be explained as the fact that since the SGB at Themba lethu was new and had only just had one successful meeting, participants based their response to this issue on this single meeting that was held with so much success. Much needs to be observed in future regarding how the next SGB meetings will be handled.

In line with the requirements of the WCED SGB Constitution (2001), the Appendix A questionnaire – which is a Checklist of the Section 21 school governance filled in only by the Principals of the two schools as an additional source of information – shows that both Jan Kriel and Themba lethu SGB meetings are held quarterly and then the SGB meet with the



parents annually. The observations done at other special schools also revealed that there are similar trends in as far as meetings are concerned.

### **Planning**

At Thembaletu planning has not been properly undertaken yet as the SGB was still new and they are still to be trained on many aspects of governance. There is currently no School Development Plan (SDP) in Thembaletu and this is the case with most other special schools, in particular those from the disadvantaged background. The participants hence gave an average mark of 40% positive affirmation, ranging between 30% and 50% among individual participants.

However, at Jan Kriel everything related to school planning is done very well and hence it was highly rated by the participants, with the Principal, parents and non-teaching personnel giving a 100% positive mark. The entire group response average mark is 80%. In most special schools, even though there might be an SDP, we discovered that it did not come about through the co-operative effort of all the stakeholders and does not have broad-based approval from all the staff members. Samoff (1999) argues that, if any educational policy is to succeed, it must have support from at least two essential constituencies: those who are expected to benefit from it and those who are expected to implement it.

### **Finances**

Both the Appendix A and Appendix B questionnaires go much deeper in ascertaining how finances are being managed at these two special schools. This is because financial management is one of the key responsibilities of the SGBs and one of the most important requirements for good governance (Institute of Directors, 2002). Some of the areas that are important in this area are: funding for special schools, school financial management financial and auditing and records. These are also the essential elements of the Public Financial Management Act (PMFA).

At Jan Kriel, in terms of the Appendix B questionnaire, all the participants are very satisfied with financial management and they gave a collective mark of 100%, while at Thembaletu they got 60%; there is a lot that can still be done to improve the handling of school finances. The Principal, Chairperson and parents with 80%, 70% and 70% respectively, are most positive about the school finances, while the teachers and non-teachers are the least positive in this area with 50% and 30% respectively. It shows that there is lack of involvement and lack of satisfaction among these two groups with financial matters.

The Appendix A questionnaire evaluates the school's financial management in relation to its Section 21 status requirements. Both schools – and indeed all special schools in the WCED – are Section 21 organizations. For its financial auditing Jan Kriel uses Price Waterhouse Coopers (PWC), a well qualified and experienced financial auditing company, while Thembaletu uses a rather smaller company, BD Administration. This on its own says something about the quality and volume of finances that are handled.

On the level of qualifications of the officials, as asked in the Appendix A questionnaire, there is also a notable disparity. The Principal from Jan Kriel is well qualified with BCom degree, a Masters degree in Management and different departmental courses. Thembaletu, on the other hand, is managed by a retired ex-Principal and school-based management team from EMDC South, WCED. The Principal did not want to give his exact qualifications.

In terms of the financial records, both schools' bank accounts are reconciled on a monthly basis. At Jan Kriel the treasurer does not sign bank reconciliations, which is done by Principal, while in Thembaletu the treasurer signs bank reconciliations. The Thembaletu school bank account had been overdrawn in the previous twelve months. Jan Kriel helped themselves by getting rid of the unnecessary financial burden.

They leased out smaller services such as the photocopy and fax machines. All the other special schools should learn from this and try to lease out even the school transport system, as it take up too much of the financial allocation.

### **Parents and Learners**

Parents have a responsibility to contribute towards the development of the school by rendering services to the school. This may include making themselves available to participate in the activities of the school, such as the maintenance of school property, auditing of financial statements, managing sports events, etc. Parents must take responsibility for attending school meetings that are organized for them. The school governing body is legally bound to report to the parents of learners at the school from time to time and should keep parents informed about issues that affect them.

At Jan Kriel there a high level of satisfaction with the role and level of participation of parents and learners, while at Themba lethu there is an almost dismal response in this area. The difference is very noticeable; even on a visit at Jan Kriel you see parents involved in school development programmes on a daily basis. While I was waiting there do my interview with the school Principal, there were no less than eight parents coming to find out something about the progress of their children or other school-related matters. That is why they got an average mark of 90%; teachers think there could still be an improvement on the participation of parents. At Themba lethu they gave an average mark of just 40%, with teachers and non-teachers giving just 30%.

Learners, at Jan Kriel are participating in the SGB in minor roles but in an official capacity. Section 24 of the South African Schools Act (1996) requires that learners elect their SGB representative in a democratic manner. It suggests that this should be done in cases where it is reasonably practicable that learners attending Grade 8 or higher could be involved in the SGB. At Themba lethu learners are not part of the SGB.

## **Employment**

In the final analysis, the governance of schools is about three key issues: formulation of school policies, controlling school financial matters and the employment of educators and staff. Of these, it is the employment of educators and staff and most particularly the selection process that has been the centre of criticism of SGBs. Recently there was a bribe probe targeting SGBs of certain schools in the Western Cape regarding the fraudulent manner adopted by some governors in the selection of educators (Education Reporter, *Cape Argus*; 12 July 2004). It emerged out that candidates for the job were awarded posts ahead of better-qualified candidates after handing over money.

According to Dispatch Online (1998), the National Council of Provinces (NCOP) education committee approved draft legislation which lays out conditions of service for teachers and allows school governing bodies to participate in the employment process. The Employment of Educators Bill sets out regulations governing the appointment, promotion, transfer and termination of service of teachers, and addresses issues of incapacity and misconduct.

Looking into the two special schools again, there is a huge disparity on the opinion outcome from the participants from the two schools. The Jan Kriel school gave a positive average response mark of 90%, while in Thembaletu only a 60% positive response was given, again with teachers and non-teachers the least satisfied, with 50% and 40% respectively.

It is also interesting to note that all the component groups of the participants from Jan Kriel gave the same mark of 90%. Fraudulent educator and staff selection does not exist at Jan Kriel. One SGB member suggests that this is impossible, because unions participate in appointing staff members and are present at all interviews.

They all have the same feeling and it appears that employment is well handled at Jan Kriel. This could also suggest that there is equal participation and openness in the selection process. They could be used as a good example that could teach most schools a lot on how to handle the educator and staff employment process.

### 4.3.2 Interviews

The interviews were held with the Principals of both Jan Kriel and Thembaletu School on Thursday the 12<sup>th</sup> and Friday the 13<sup>th</sup> August 2004 respectively and both meetings started at 13h30 and finished at 15h00 in their respective school offices. The aim of the interviews was to obtain information and data on the basis of which the questionnaires were answered so as to get more substantiated feedback and to improve the quality of the analysis, discussions and the research findings. The Appendix C interview question list was used in conducting the interviews at both schools.

A scribe was present at both the interview meetings to take the minutes. The discussion was interesting, frank and warm, and at Jan Kriel provision was made for tea and sandwiches, while at Thembaletu a cold drink was offered since the weather was extremely hot.

At Jan Kriel, Mr du Toit, the Principal, wasted no time as he is a very busy man and went straight to the point answering each and every question with good focus and an open mind. In terms of Section A of the interviews, which asks for short comments or brief overview of each section on the Appendix B questionnaire, the Principal explained that the SGB was well functioning, empowered and capable, and the meetings were held regularly. The executive meets once a month and the entire SGB once a quarter.

As far as the finances are concerned, the Principal indicated that the financial committee carefully monitors the process, all the staff is involved in the financial budgeting and the finances are well managed. Parents of learners are highly involved and they play a very prominent role, while the learners play a very limited role. On the issue of employment, the Principal indicated that a very large number of staff +/- 60 people (social workers, gardeners and cleaners) is employed and paid by the SGB.

At Thembaletu, Mr Afrika, the Principal, started by explaining that the SGB was still inexperienced as they had just been elected about a month before. They had held only one

meeting and the SGB members still need some training. They intend to have one meeting per quarter and two in the first quarter in the Principal's office.

At Thembaletu School the planning is done during the fourth quarter and is coordinated by the School Management Team (SMT). On the question of finances, the Principal said that there is fully functional finance committee chaired by the SGB treasurer and they meet monthly when needed, otherwise once per quarter. On the issue of employment, according to the WCED, the establishment of Thembaletu all the general assistants are employed on contract.

The rest of the questions to both the Jan Kriel and Thembaletu Schools Principals are based on the Appendix C interview. The researcher also conducted some informal interviews with other participants as follow up to the quantitative questionnaire in order to get more information.

#### **J. Esmeraldo (Parent at Jan Kriel)**

Asked to explain what the SGB is, who participates and what are the major functions of the SGB, Esmeraldo indicated that the SGB is an intricate part of a successful school, providing the excellence required by parents and learners alike.

*“...Basically the dedication of parents and teachers conducted by the Principal with the SGB as a watch dog is important to ensure the school's success and maintain the vision and direction for benefit of all learners...”* (Esmeraldo; Personal Communication, 13/08/2004.

He also indicates that it is a myth that any school that fails to function with all four legs, i.e. parents, teachers, principal, school governing body working out of phase, will deliver any form of success. Esmeraldo concluded the interview by expressing his belief that the remedy for successful school governance is not to try to look at what one school has and what they haven't got, rather to develop a culture of dedicated parents and teachers, a principal with

excellent management skills and a governing body that has all the attributes of a strong governing council.

#### **A. Muller (Non-Teacher at Jan Kriel)**

Muller believes that the SGB should assist the principal and senior staff in their roles and support them. They should be a link between the staff and parents and ensure healthy financial management. She also thinks that the SGB should ensure fairness and professionalism in settling difficult matters in the school.

According to her, the Principal's role should be that of taking charge over the staff and learners; he/she must be the link between SGB, parents and staff and should manage the school as a business. The Principal should be well informed regarding all WCED matters and act on behalf of the staff and learners to ensure their best interests are being met.

She also thinks that the Chairperson should always consult the Principal in decision making and be available where needed for consultation with the Principal. As a non-teaching staff member of the SGB herself, she thinks that the roles of the teacher and non-teacher members of SGB are merely to represent their constituents and to ensure that they are well informed of the important decisions that are taken in SGB meetings. Muller also agrees with the school Principal that at Jan Kriel the most important problem faced by the SGB is the learner discipline in the school.

#### **Teacher at Thembalethu**

The teacher interviewed would like not to be identified. She thinks that the role of the teacher in the SGB is to represent other teachers in the SGB, to be the link between the SGB and management and to disseminate information especially on the decisions taken by the SGB.

She thinks that at Thembaletu the most common problems experienced by the SGB in terms of governing the school is the language used in meetings and in paperwork, which is not at the level of the parents, most of whom are illiterate and lack of training, especially on matters related to school governance. While there has been a single training session, there is no continuity. She also thinks there is lack of transparency and governors are not open enough and they don't feel free to talk when asked about the SGB matters.

On the question of widespread allegations about the SGB's conducting employment selection in a fraudulent manner, she concurred that unless the Circuit Managers and EMDC members become part of the decision making during the interviews, this problem is going to remain. She also highlighted the issue of so-called volunteer teachers, who are recruited to work without a salary and promised that, once there is a vacancy, a job is guaranteed for them. Then the entire selection process becomes unfair as it is already known who will get the job, even if there are other better qualified candidates.

### **Non-Teacher at Thembaletu**

The non-teaching staff member, who also asked not to be identified, expressed his concern that the SGB officials are not educated enough; they experience a problem with the language that is used in documents and during meetings. He suggests that there is a need for workshops. On the participation of parents in school governance affairs, this official suggests that parents are not participating fully.

*“...Parents are not really involved and they only visit the school when they come to see the doctor or a therapist about their children. Instead they are being used (misused) to influence matters when there is a crisis or a split in the staff...”* (Non-teaching staff, Personal Communication, 22/08/2004)

The non-teaching staff members also suggest that the employment selection process is not fair and is controlled by certain individual with an agenda. The most dominant problem with the non-teachers is the language used and this is caused mainly by the fact that the Principal is the



only one whose language is not Xhosa and the rest of the staff, learners and parents are Xhosa speaking.

### **4.3.3 Observations**

At Jan Kriel the request for observation at one of their meeting was not approved. The Principal indicated that their meeting agenda this quarter was going to be dominated by lots of confidential and sensitive issues. So they did not think the researcher should attend. The school also has a policy not to give out minutes of meetings to outside people for whatever purpose.

Meanwhile at Thembaletu, the researcher was able to attend the first meeting of the newly elected SGB that was held in the Principal's office on 16 August 2004. In his observation the researcher discovered that the meeting was taken very seriously; only three SGB members were absent, but all other members were present and they all arrived on time.

This could be just a matter of a 'new broom sweeps clean'. The agenda was to include the election of the executive, perhaps that's why members thought it was important. The procedures and policies, according to which SGB meetings should be conducted as defined in the WCED SGB Constitution (2001), are fully applied. All members took part in all the discussions and spoke freely and raised any questions they had.

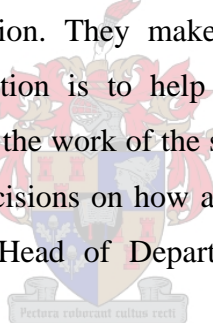
Prior to the election of the executive committee, Mr Africa played the role of the chairperson during the meeting. He even acted as the Electoral Officer to facilitate election process. The Chairperson and Secretary were elected without any hassles, whereas the position of Treasurer became a problem. Once again the lack of skills became evident as there were no members with enough knowledge and experience to handle the financial affairs.

It was just clear that the members were willing to work together in a united manner to build their school. Appendix D is the copy of the minutes of the SGB meeting of Thembaletu with the agenda.

#### **4.4 DISCUSSION OF RESULTS**

School governing bodies are the primary and the basic building blocks of a democratic system, where the people have a collective decision-making process, take full responsibility for their actions, must be accountable and transparent, and ultimately must govern by law (Kidane, 2004).

The SGBs are also volunteers with a common belief and objective that children should receive the best possible standard of education. They make collective decisions as part of the governing body whose primary function is to help raise the educational standards and performance of a school by supporting the work of the school principal and the teaching staff. Governors also make all-important decisions on how a school should run. The SGBs should also be answerable to parents, the Head of Department in the WCED and the wider community.



In discussing the results of the presented and analysed above, we are going to focus mainly on the following variables for school governance as already identified in the introduction, established in the questionnaires and confirmed during the interviews:

- Financial resources;
- Trained SGB officials;
- Proper planning;
- Effective involvement of parents and other stakeholders;
- Discipline and code of ethics.

We will discuss these against their relationship with the key functions of the SGB, focussing outcomes from the two special schools as well as broadly the scenario from other special schools. These key functions of the SGBs are:

- Developing school policies such as the mission statement; admission policy, school safety and code of conduct;
- As Section 21 schools, administering school finances and property;
- Handling staff selection and employment processes and recommending teacher appointments.

### **Financial resources**

Without doubt, the South African Schools Act of 1996 places responsibility for financing public special schools at the door of government. Despite acceptance of this commitment, this heavy load is, in accordance with the Constitution of South Africa 1996, passed over to the provinces and their departments of education.

Furthermore, the South African Schools Act empowers governing bodies to supplement school income through fees from parents, voluntary contributions as well as donor and private sector funding. This suggests that a governing body may play an influential role in financing important programmes such as SGB training and capacity building at their schools. The WCED supports SGBs by advising them on their responsibilities and providing training in financial management. It is the direct responsibility of the SGBs of public special schools to manage the school finances and assets. Section 21 provides that the SGB may apply in writing to the Head of Department to be allocated any of the following functions:

- maintaining and improving the school's property, buildings and grounds;
- deciding on the extramural curriculum and the choice of subject options according to provincial curriculum policy;
- buying textbooks, educational material and/or equipment for the school;

- paying for services to the school.

One of the major differences between governance at the two schools selected is in this area of finances and financial resources. As a Section 21 school, the character of school governance is easily projected in the manner in which its finances are handled. There are three important elements that are central to this whole issue of financial resources in defining whether the school is governed effectively or not, and these are in line with the requirements of the Public Financial Management Act (PFMA):

- Funding, i.e. WCED allocations; school fees, fundraising and donations;
- Budgeting and allocations, including cost control and prioritization;
- Financial management i.e. auditing and reports.

At Jan Kriel the way they handle finances is excellent. This is because their management is highly skilled and well qualified. This has a positive impact on the effective governance of the school. Compare this to the situation where the SGB of Themba lethu could not elect a treasurer because they had no one with the necessary financial management skills.

School operating costs at Jan Kriel are funded partly by the WCED subsidy, and partly by income-related school fees, which are compulsory for all parents who could afford them. At Themba lethu there are mainly poor parents who cannot afford to pay school fees, and according to the Section 48 of South African Schools Act (1996) on Norms and Standards for School Funding, no child would be refused admission to school because of the fact that their parents cannot to pay school fees.

This means therefore that schools mostly from the disadvantaged and poorer communities will have fewer financial resources and this does have an impact on the standard of governance and their quality of education.

### **Trained SGB officials**

Although extensive changes in education have been proposed since 1994, there have been difficulties in providing sufficient government finance to implement the policies. What makes the situation even worse is that broad policy is determined by the national Department of Education, while the provincial departments are responsible for the implementation of policies (Vally & Spreen; 1998).

Most provinces cannot afford to provide adequate training for school governing body members. This in turn frustrates the very aim of instituting governing bodies, as it is unlikely that SGB members can participate fully in decision making and make informed judgments without adequate training.

Section 19 (1) of the South African Schools Act (Act 84 of 1996) also recommends that, out of the funds allocated by the provincial department, a programme must be established to:

- Provide introductory training for the newly elected SGBs to enable them to perform their functions;
- Provide continuing training to the SGBs to promote the effective performance of their functions or to enable them to assume additional functions.

According to Adams and Waghid (2003), an introductory special training programme for the new SGB members needs to be focused to the following features:

- School governors need to be taught what it means to participate actively in deliberation according to the norms of equality and symmetry. In other

words, all school governors should be made aware that they the same chances to initiate speech acts, to question, to interrogate, and to open debate;

- School governors need to be exposed to various topics of conversation about democratic governance as well as be trained how to question the assigned topics of conversation; and
- School governors should be made aware that they have the right to initiate reflexive arguments about the very rules of the democratic discourse procedure and the way in which they are applied or carried out.

The SGBs also need to be trained in leadership and financial management skills in order to be able to handle the many thousands rands that have been allocated to schools designated as Section 21 schools. All special schools in the Western Cape are in this category. Instead of ordering books and requesting money for maintenance from the WCED, they are allocated funds to carry out these functions themselves. It is therefore absolutely crucial that training of SGBs is seen as a priority and taken with seriousness it deserves.

Both at Jan Kriel and Thembaletu schools almost all the interviewed officials agreed that training is necessary for the SGBs to perform optimally in that good and effective governance of schools can be guaranteed. In this regard, one of the principals interviewed said that, although the SGB took decisions on important policy and financial matters, they were not trained to do so and that this diminished the role they should be playing.

We see this at Thembaletu, where there has been no training whatsoever and the SGB consists of new inexperienced members, most of whom have never been in a governing body of any school before. Hence the evaluation questionnaire scored them at 54.5%. After one of their training programmes for the SGB members at another special school we visited, which fortunately by co-incidence happened during one of our preliminary observations at this school, the training co-coordinator said “training has been initiated using an innovative course

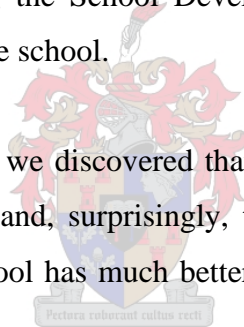
designed to address the needs of illiterate parents. The training revolves around a 'simulation game' involving role-playing and decision making”.

### **Proper planning**

Proper planning, with good administration and implementation of the SGB programmes is very important if effective governance is to be achieved. This function is very important in trying to achieve good school governance and planning alone can enhance the delivery of the governing body. The key question that the most SGBs need to ask themselves is: does the governing body fulfil a strategic role in school management and improvement planning?

The SGB should set a strategic framework for the school development. The entire SGB should be actively involved in establishing the School Development Plan (SDP), which must be linked to the vision and mission of the school.

In the interviews and questionnaires we discovered that participants at Jan Kriel gave 100% for planning, although the teachers and, surprisingly, the chairperson gave lower marks of 70% and 80% respectively. The school has much better planning compared to Thembaletu, which scored an average of just 40%.



During the preliminary observations we found that most SGB's do not take planning very seriously. For instance, the SGB at Nompumelelo Special School, a school for the mentally challenged in Gugulethu, does not have a structure, programmes and activity plans for the academic year. Important activities of the school and parents are done haphazardly and there is no review and assessment. Financial planning is also poorly handled. Every end of month there's always a problem of staff salaries not deposited on time for them to access their salary promptly on the month-end day.

In most special schools, including Thembaletu, there are no clearly stipulated roles of the other SGB members, as suggested by the WCED SGB Constitution (2001). There are also no

committees where the SGB members and even the parents can participate. This scenario is all the result of the lack of planning by the SGB at these schools.

### **Effective involvement of parents and other stakeholders**

Parents and schools are partners in the education of children because schools are a formalized extension of the family. This partnership is also emphasized by the South African Schools Act of 1996. This partnership is in line with the mission of parents to educate their children or assist in the education of their children. In spite of this demand on parental involvement in schools, this research in Thembaletu School indicates that parental involvement in school activities is limited. Negative attitudes toward the schools and feelings of inferiority prevent them from being effective partners of schools.

The only official partnership between schools and parents is the school governing body in which the parents are playing an important role. The limited involvement of parents and, specifically, the reasons why they are not involved have a specific impact on the expected functions of parents as governors in the school governing body.

However, the South African Schools Act (Act 84 of 1996) says that all stakeholders in education must accept responsibility for the organization of schools, and points out that parents and members of local communities are often in the best position to know what a school really needs and what its problems are. This is why every public school must have a governing body. Parents have a great deal to offer in the area of decision making and the development of their child's school. Areas in which parents can become actively involved are:

- the governing body of the school responsible for policy and management;
- school policy development which encompasses incorporating departmental policies in school policies and developing specific policies for school activities;



- parents with particular interest or expertise are very valuable contributors in curriculum development.

Volunteering is probably the most common way parents can become involved in the life of their child's school and each school will have its own areas where support is needed. Parents can volunteer for a wide range of activities, including:

- helping with reading, writing, art and craft sessions, computing classes, sports and special sports days such as athletics carnivals and swimming carnivals;
- lunchtime or after school club-type activities such as chess, aerobics or guitar, recorder, etc.;
- helping in the canteen or special 'sausage sizzle' type lunches or similar occasions;
- working in the library under the direction of the librarian;
- covering books at home for home readers or the library;
- presenting talks to classes on your profession, job or culture as part of studies of Society and the Environment topics;
- bilingual parents could assist with the oral and written translation of school communication.

### **Discipline and code of ethics**

A code of ethics is a set of societal norms of behaviour which evolve from the values and morals held by an organisation as they strive toward a quality existence for all its members, partners and stakeholders. In relation to school governance, it is moral code of conduct which guides one's behaviour to be 'civilized' in SGB discussions and activities and to care about and respect the beliefs and ideas of others.

The SGB must ensure that all its members, the schools management team and the staff will be guided by a code of ethics and that the students will be well disciplined and understand the differences between right and wrong. The schools must discipline bad behaviour and students will understand that there are consequences for bad behaviour. The teachers also should hold themselves to high standards of ethics and ethical behaviour.

The research at the two schools revealed that the Jan Kriel School has a good code of ethical behaviour and discipline among the SGB members, the management and staff. The only area they have a problem with is learner discipline. The Principal understood this to an extent as being the result of the government's outlawing of corporal punishment as a method to ensure discipline among learners.

#### **4.5 SUMMARY**

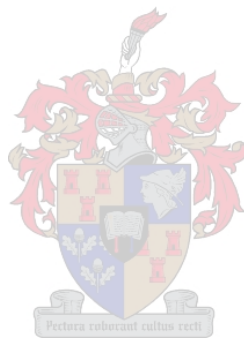
We have discovered in our research some of the key issues affecting the standards of governance of special schools in the Western Cape by looking at two special schools. We have also seen that some special schools from the formerly advantaged communities are much better governed compared to their counterparts from the disadvantaged township communities.

The point of concern is that more than ten years into the new dispensation with new legislation and school governance regulatory mechanisms in place, i.e. the School-based Management and Governance directorate in the WCED and the Constitution for the School Governing Bodies, governance of special schools still does not improve. It is important therefore that the WCED, as a provincial authority of education, look into the following factors affecting school governance as we have identified through an analysis of two schools:

- Financial resources;
- Training of SGB officials;

- Proper planning;
- Effective involvement of parents and other stakeholders;
- Discipline and code of ethics.

All of these issues as we have discussed and analyzed are important and they reflect the current situation of the governance of special schools in the Western Cape. The central question still remains, though: how do we improve the governance of the disadvantaged special schools and bring it closer to the level of their better-off counterparts? The next chapter of findings, conclusion and recommendations will address this question.

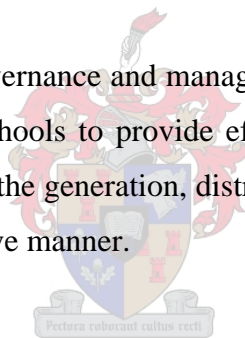


## 5. FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

### 5.1 INTRODUCTION

Historically the core functions of the SGBs, have been, among others, approval of budgets and contracts, and dealing with concerns of various school constituencies, e.g. pupils, parents, teachers and the community. Given the demands for openness, transparency and accountability policies of PFMA and the South African Schools Act, 1996, these core functions as well as the role and responsibilities of SGBs are bound to change. In the emerging era of performance-based accountability, some are calling on SGBs to focus on fulfilling a core set of responsibilities in order to improve school governance and management.

As indicated in Chapter 1 school governance and management are interwoven elements in the process that is aimed at enabling schools to provide effective and efficient education. Such provision requires clear policies and the generation, distribution and utilization of resources in an accountable, equitable and effective manner.



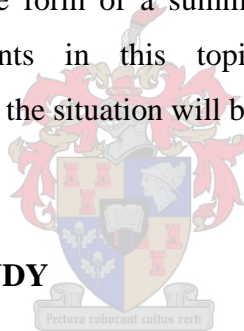
The purpose of this research study therefore is to search for valid answers to the following three research questions with the intention of coming up with some reasons and solutions to the problems:

- Is the Section 21 clause of SASA adequately implemented and does it enhance the governance of ELSN schools?
- Why the governance of ELSN schools is better in some schools than others if it is based on the same governance provisions and administered by the same department?
- What should be done to ensure sufficient and efficient school governance from all the ELSN schools in the Western Cape?

As indicated in the introduction and methodology, the main aim of this research study is to bring to the fore the typical problems faced by the SGBs of special schools in the WCED in the governance of the ELSEN schools and to highlight some ideas as to how these problems could be eliminated. These are therefore our findings and recommendations which answer our research questions indicated above. The researcher also intends to use these findings and recommendations as contributions in the process of policy formulation and policy development.

Before looking at the findings, the researcher will look at the limitations of the study as well as the research problems that were encountered in the study process. He will then evaluate at the findings and generalizations of findings which will certify the above questions. The conclusion will also be given in the form of a summary of the research study as well as predicting the future developments in this topic of school governance. Lastly, recommendations on how to improve the situation will be offered.

## **5.2 LIMITATIONS OF THE STUDY**



In the process of the study, the researcher was constrained by a number of limitations, as indicated below.

- Both schools participating in the comparative study were characterized by insufficient openness, transparency and access to information. The school officials tended to regard the research as some form of intrusion into school management matters; as if there was something they were hiding.
- Participants were not free to express their own views to the maximum. From the interviews with the teacher and non-teaching staff member from

Thembaletu School, it was evident that if they said something different from what the Principal would have liked, they would be intimidated.

- The observation visit to the SGB meeting of Jan Kriel could not take place because the school policy forbids any outsider from attending their meetings. This, according to the Principal of Jan Kriel, was because sometimes too sensitive and confidential financial and school matters might be discussed.
- The subject of governance of special schools in South Africa has never been researched enough, so there was a problem of limited number of references that could be used in the literature analysis.
- The choice of the case study of only two special schools also limited the study as the information used in the research was just from two schools. There could be unique and different cases from other ELSSEN schools.
- Due to time constraints the researcher could not interview all the members of the two schools' SGBs.

Despite these limitations the researcher was able to find necessary information that is sufficient for the study to gather the important findings.

### 5.3 FINDINGS

The three-pronged research question that was asked in the research problem has been observably answered by the following findings:

- The findings, based on the account of the questionnaires and interviews (see Appendices B, C1 and C2), clearly revealed the **lack of SGB training** at Thembaletu School and in other special schools to be a major deficiency. As indicated in the World Bank Report (2002), the manner in which power is exercised in the management of

public finances and resources for social development, requires that the board officials should be thoroughly trained and developed.

- **Lack of openness and transparency** on financial affairs of the schools during the research; this was confirmed by the Jan Kriel School's reluctance to allow observation of the SGB meetings, where 'confidential' and financial matters were being discussed. This is also in contravention of PFMA, which is one of the most crucial pieces of legislation informing public management. At Thembaletu School and all the other schools, financial matters remain a 'no-go area' for any research study. This situation was also a major constraint to the research since, according to corporate governance (and well illustrated in the literature review), financial administration is a major aspect of school governance (King Report, 2002). Also the EU Commission report suggests 'openness' and transparency as key characteristics of good governance.
- The study again revealed from the interviews that there is **communication breakdown** between elected members of the SGB and the constituency it represents. This inevitably leads to decisions being taken without a mandate, which again leads to lack of accountability. The Institute on Governance (2004) and the EU White Paper on Good Governance (2001) state that accountability is the key factor for good governance; they suggest that the boards should actively communicate what they do and the decisions they take. The language used should be accessible and understandable to all members and the general public.
- Again with references to Appendix C2, the interview with the Principal of Thembaletu School, the **SGB structure the school is not correctly constituted** in terms of Section 24 of the South African Schools Act. In Thembaletu , the representation of stakeholders is not in accordance with Section 19 of the South African Schools Act (Act 84 Of 1996). The parents have seven representatives on the

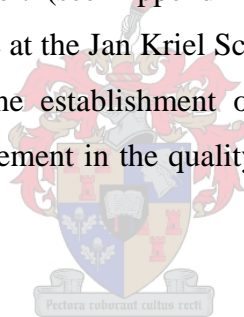
SGB and are therefore over-represented. The required number in terms of the Western Cape Constitution of School Governing Bodies (2001) is two parents.

- The **Section 21 regulation is not well understood** at all by the SGB members at Thembaletu School and so this key regulation is not properly applied there. Most participants during the interviews indicated that they were not aware that their school was a Section 21 school; others did not even know what a Section 21 School meant. This once again confirms the level of illiteracy within the community and most parents at the schools.
- **Participation of parents and stakeholders** in the special schools' SGBs is very important, as indicated in Section 24, South African Schools Act (1996). The research found that the participation of parents in SGB matters is very low, and some officials interviewed suggested that the parents do not participate at all. This is therefore contrary to the King Report and the EU Commission suggestions for corporate governance and good governance. The low level of participation by parents also has huge implications in terms of the legitimacy of the governance of the school.
- **Learner representation** at Jan Kriel is allowed, but the only time the learner attends the SGB meetings was when an issue relating directly to learners was being discussed, for example, school tours. In general the learner SGB member's role at Jan Kriel is very minimal, which was also confirmed by the Principal of Jan Kriel during the interviews (see Appendix C1).
- There are **no school governance policies** at Thembaletu School in order to control their school committee activities. The WCED (2003) Report on Institution-based Management and Governance suggests that schools should establish school-based policies which will inform governance at that particular school. Some of the policies



they use are very old and are not able to ensure effective management. The school lacks policy development and implementation capacity.

- Contrary to the requirements of Section 24, South African Schools Act (1996), there are **no experts co-opted** onto the SGB of Thembaletu School, whereas at the Jan Kriel School there are two experts on the SGB. The Chairperson is a lawyer by profession, bringing into the governance very important knowledge of policies and legal requirements which affect an SGB, while the other official is a financial expert who heads a school financial committee. These two specialists alone are a crucial factor in the success of any organization in terms of the ‘new public management’.
- As confirmed by Mr Du Toit (see Appendix C1), **learner discipline** is a major problem affecting governance at the Jan Kriel School. Meanwhile the Education White Paper 2 (1996) advocates the establishment of a disciplined school environment, dedicated to a visible improvement in the quality of the learning process and learning outcomes in the schools.



#### **5.4 GENERALIZATIONS OF THE FINDINGS**

Our findings also show, as confirmed by Adams and Waghid (2003), that most SGB members from black communities are extremely poor and lack the necessary education levels to enact their roles as school governors. It is therefore the researcher’s contention that the poor economic condition of communities has a direct bearing on their capacity to participate in structures which do not bring any significant economic gains.

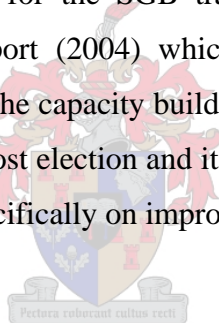
These SGB officials possess an ‘abstract freedom’ which could be considered as meaningless. In other words, one cannot expect democratic practices to be enhanced when one does not

have access to real freedom. In fact, this form of pseudo-freedom may retard democratic practices – an issue which the findings of this study also emphasise.

## **5.5 CONCLUSION**

For the school to function effectively you need an accountable SGB, which are also capacitated enough to perform its function effectively, such as dealing with policy, social issues such as differences in religion, race, gender, HIV/Aids, etc. Over and above this, government need to invest resources in these institutions and also support a collective voice for all SGBs in the country.

The key objectives and programmes for the SGB training and achievements thereof are outlined in the WCEDs Annual Report (2004) which unfortunately was published later towards the completion of this study. The capacity building programme was divided into three phases vis. pre-election, election and post election and it covered the capacity building process of school governance and focussed specifically on improving the capacity level of the SGBs.



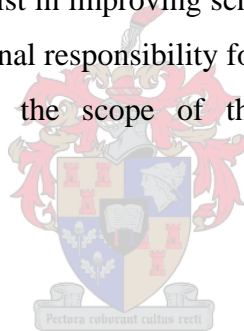
Governing body officials deserve recognition for the work they do. Some are making an outstanding contribution to the work of their SGB and hence to the effectiveness of their school. Good governing body officials, and good school principals, tend to be forgotten when it comes to recognition of their contribution. Hence the possibility of establishing a WCED Award for Outstanding SGBs also needs to be investigated. The intention behind this award would be to:

- Reward and spread good governance practice;
- Raise the status of the SGB officials;
- Be inclusive and open to all SGBs in the Western Cape.

There are NGOs and private organisations like Umtha, The Link and Vison Consulting, which train schools and SGBs about school governance in the Western Cape's seven Education Management and Development Councils, according to Dave Sheppard of the School-based Management, of the WCED. Such agencies have achieved tremendous success at schools such as Dilizintaba, Kwa Zulu-Natal, (Lusaseni, 1999).

Training is important as governing bodies are expected to oversee huge budgets. Leadership skills are critical to the smooth operation of the new breed of Section 21 schools. According to Dave Sheppard, the WCED is cautious in granting schools Section 21 status, fearing mismanagement of funds.

It is our hope that this report will assist in improving school governance of the special schools in the Western Cape. However, the final responsibility for implementing our recommendations rests with the WCED to expand the scope of these findings and to oversee their implementation.



## **5.6 RECOMMENDATIONS**

On SGB skills and training:

- Out of funds appropriated for this purpose by the WCED, the Head of Department must establish a programme to provide introductory training for newly elected SGBs to enable them to perform their functions and provide continuing training to governing bodies to promote the effective performance of their functions or to enable them to assume additional functions.

On financial management:

- The SGBs and SMTs need to be trained so that they can manage their budgets effectively.
- Good financial management as espoused in the PFMA (2001) should be viewed as a key element of good school governance. All members of the SGB should hence be trained on basic financial management practices in line with the PFMA.
- Schools should be encouraged to use accredited and well-recognized financial audit companies as this improves the level of the school financial credibility.
- The existing strategies designed to manage, develop and improve school financial management capacity and performance by the SGBs should be reviewed and assessed for their effectiveness.

On participation of parents:

- The department should provide parents with training and resources to develop their literacy levels so as to enable them to participate effectively in the school's governance matters.
- The department should also encourage and support parent's involvement in a range of SGB and community-sponsored extracurricular and after-school activities.

On learner participation:

- Learners with special educational needs should be treated in the same way as other learners with regard to representation on the SGB, unless particular situation demands otherwise.
- Organized representative structures of learners with special educational needs should be established to facilitate participation of these learners in the SGBs.

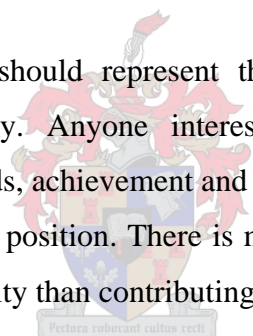
- In the cases of severe learner disability, where learners are virtually unable to participate in the SGB on their own, the option of learners represented through advocates needs further investigation.

On co-optation of experts:

- All schools should co-opt a person with expertise regarding ‘special needs’ and support, and more especially financial management and governance, to ensure that the school can respond to very complex issues of Section 21 school governance as well as the diverse needs of learners with special educational needs.

On stakeholders:

- Governing bodies should represent the wider community, including the business community. Anyone interested in helping to raise children's educational standards, achievement and expectations should be considered for a school governor's position. There is no better way of returning a lifetime's debt to the community than contributing to the education of our children.



On employment:

- The department should not only be visible but more directly involved in the staff educator and staff selection process. The Circuit Managers should be present and should participate in the selection process. Most educators and staff interviewed suggested that the WCED should handle the process themselves.
- All stakeholders and community organisations should be involved the staff selection process in order to ensure the process is well handled and to improve the legitimacy of the selection process.

- The SGBs should invite private consultants to do training especially on the personnel recruitment and selection processes.

On special schools' twinning and adoption:

Formal 'twinning or adoption' of schools with fellow local or international counterparts with much better governance and financial circumstances in order exchange good governance skills, information and know-how. In this way the disadvantaged and poorly governed schools will be influenced to improve their governance standards.

Recommendations for further research:

- Since results cannot be extrapolated to other provinces without confirmation, a national research study may reveal more community factors affecting school governance profiles, which would enable policy makers to make informed decisions. For such a study, sampling of special schools will need to further break down categories of schools in order to gain an overall picture of schools.



## 6. APPENDIXES AND BIBLIOGRAPHY

**Appendix A:** An Evaluation for Section 21 school status

### School Governing Body (SGB)

1. Is the SGB legally constituted in terms of Section 28 of SASA?	Yes	No
2. How often does the SGB meet?	Monthly	Quarterly
3. Are detailed minutes of SGB meetings kept?	Yes	No

### Parents

4. How often does the SGB meet with parents?	Monthly	Quarterly	Annually	Other
5. Does the SGB report annually on activities to the parents?	Yes	No		
6. Is the annual school budget presented to the parents for their consideration?	Yes	No		
7. Do parents approve the school fee structure?	Yes	No		
8. Is there a procedure in place for the parents who cannot afford school fees?	Yes	No		

### SGB finance committee

9. Has the school appointed a treasurer to the SGB?	Yes	No
10. Has the school appointed certified auditors?	Yes	No
11. If YES to 10, give the name of the school's certified auditor(s).		
12. Does the treasurer have a functioning financial sub-committee appointed?	Yes	No
13. Does the SGB have any plans to raise any additional funds for the school?	Yes	No
14. Have the school in the past year raised funds, additional to the school fees?	Yes	No

### School financial management

15. Does the school pay for the municipal /transitional local council services? E.g. electricity, water and refuse removal.	Yes	No
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16. Does the school currently run to budget?	Yes	No
17. Does the SGB currently pay any educator or administrative staff salaries?	Yes	No
18. If YES to 17, do the officials who are employed by the SGB have contracts of employment?	Yes	No
19. If YES to 17, do the officials who are employed by the SGB have UIF cards?	Yes	No
20. If YES to 17, is the school registered with the Receiver of Revenue?	Yes	No
21. If YES to 20, give the school's PAYE reference number.		
22. Does the school have the capacity to administer its finances?	Yes	No
23. Have the existing principal or the relevant person received training?	Yes	No
24. To what extent has the existing principal or the relevant person received financial training?		
25. Does the school have a bank account?	Yes	No
26. If YES to 25, please state the type of account.		
27. If the school has a cheque book – how many signatories are there?	two or less	three or more
28. Is the school able to publish audited financial statements four months after the financial year-end?	Yes	No
29. If YES to 28, on what date were the last audited annual financial statements signed?		
30. Does the school keep a record of all orders it places?	Yes	No

### **Financial records**

31. How often is the bank account reconciled? Specify.		
32. Does the treasurer sign every bank reconciliation?	Yes	No
33. Was the school's bank account overdrawn in the last twelve months?	Yes	No
34. Does the school maintain a fixed assets register?	Yes	No
35. Does the school keep a record of all orders it places?	Yes	No
36. Does the school administer any leases, e.g. a photocopy or	Yes	No



fax machine?		
37. Are receipts issued for all cash and cheques the school receives?	Yes	No
38. After receiving money or cheques, how does it take the school to deposit the money into the bank account?	five days or less	more than five days

### Academic affairs

39. Does the school currently purchase learning support materials (including textbook and stationery) from the school fund budget?	Yes	No
40. Does the school have a functioning committee that reviews learning support materials?	Yes	No
41. If YES to 40, is a member of the SGB part of this review committee?	Yes	No
42. Does the school draw up a budget annually for the purchase of learning support materials? (See number 39 above.)	Yes	No
43. Does the school maintain a stock register? (See number 34.)	Yes	No

### School records

44. Does the school keep personnel records for all educators and administrative staff?	Yes	No
45. Is a class register maintained for all learners?	Yes	No
46. Do learners present birth certificates (or identity documents) when they register at the school?	Yes	No

### Infrastructure

47. Does the school have a safe (or strong-room)?	Yes	No
48. Does the school have an office that is used for administrative functions?	Yes	No
49. Does the school have the necessary office space and infrastructure to manage school funds effectively?	Yes	No
50. Is a computerized administrative system used?	Yes	No

**Appendix B: A Questionnaire for Evaluating School Governing Bodies**

**MEETINGS**

	Yes	No	Proposed Action
1. Is notice of meetings delivered in good time?			
2. Is the agenda clear and supported by relevant documents?			
3. Is the purpose of each agenda item clear?			
4. Are all governors treated equally?			
5. Are all governors encouraged to speak?			
6. Are all decisions clear, and is collective responsibility accepted?			
7. Is discussion always kept to the point?			
8. Are all governors punctual in attendance?			
9. Is the room adequate and setting appropriate?			
10. Is everyone clear as to action to be taken?			

**PLANNING**

11. Is there a clear School Development Plan?			
12. Does the plan consider financial matters?			
13. Was the plan's preparation a cooperative effort?			
14. Was the final form approved by the School Governing Body?			
15. Are all objectives clear and written down?			
16. Does the plan make clear what is to be done?			
17. Does the plan make clear who is responsible for what?			
18. Does the plan make clear the start and finish dates?			
19. Does the plan include a system for monitoring and evaluating progress?			
20. Does the School Governing Body receive regular reports on progress, both internally externally generated?			

## FINANCE

	Yes	No	Proposed Action
21. Is sufficient interest taken by all governors in financial affairs?			
22. Do governors understand their powers and responsibilities?			
23. Is lack of understanding treated sympathetically?			
24. Is there a clear statement of staff responsibility?			
25. Do committees have clear terms of reference regarding spending powers?			
26. Is the budget monitored regularly?			
27. Do governors receive regular reports on finance?			
28. Does the budget reflect organizational priorities?			
29. Is the budget part of longer term financial planning?			
30. Do members understand the long-term income trends?			

## LEARNERS AND PARENTS

31. Is there a statement and procedure on equal opportunities?			
32. Is a complaints procedure communicated to all users?			
33. Is all documentation produced in appropriate and accessible language?			
34. Are there agreed performance criteria for all aspects of the school's work?			
35. Does the curriculum meet statutory requirements?			
36. Are learners offered a coherent core curriculum?			
37. Are learners offered appropriate choices and opportunities?			
38. Are there agreed guidelines on learner behaviour?			
39. Does the organization work to a set of agreed quality standards?			

40. Are statistics on performance regularly reported?			
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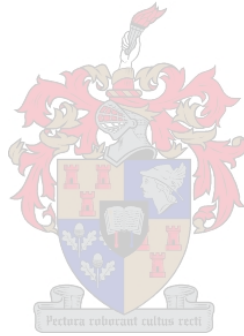
### **EMPLOYMENT**

	Yes	No	Proposed Action
41. Do governors understand their roles and responsibilities as employers?			
42. Does the School Governing Body follow a systematic procedure in appointments?			
43. Do all the staff have up to date contract and job description?			
44. Are all the staff inducted into the organization?			
45. Do all staff receive training according to the needs of the organization?			
46. Do staff understand the role of governors?			
47. Is there an appraisal system for all staff?			
48. Is there a policy and procedure on equal opportunities employment?			
49. Is there a written pay policy?			
50. Is there a health and safety policy?			

### **SCHOOL GOVERNING BODY**

51. Do all governors understand the mission/ aims of the organization?			
52. Do all governors understand the instruments and articles?			
53. Do all governors know what documents comprise plans, policies and procedures?			
54. Do all governors know the school's areas of work?			
55. Do all governors adhere to an agreed code of conduct?			
56. Do all governors know the boards procedures?			
57. Do all governors know the criteria for the recruitment of governors?			
58. Do all governors have specific areas of responsibility?			

59. Do all governors understand their roles in providing community leadership?			
60. Do all governors have a plan for developing own their skills to support the work of the organization?			



## **Appendix C1. INTERVIEW with the Mr. Du Toit (Principal Jan Kriel School)**

### Section A.

With specific reference to the Appendix B questionnaire (Scheme for Evaluating School Governing Bodies), give a general overview, short comments or summary response on:

1. School Governing Body

*The SGB is well functioning, empowered and capable.*

2. Meetings

*Meetings are held regularly as prescribed in the SGB Constitution. The executive meets once a month and the full SGB once a term.*

3. School planning

*School planning is a continuous process.*

4. Finance

*Finances are well-managed; there is a well trained school finance committee which carefully monitors the school finances. All staff members are involved in the budgetary process.*

5. Learners and Parents

*Learners play a more reserved role but they do participate. Parents play a very prominent role.*

6. Employment

*A very large number of people are employed and are paid by the SGB, +/- 60 people (social workers, teacher-aids, gardeners, cleaners, etc.)*

### Section B.

7. In your understanding as a Principal/Chairperson of the SGB /Parent/ Teacher/ Non-teaching staff; what is a School Governing Body, who participates and what are the major functions of the SGB?

*All the stakeholders as prescribed by legislation participate in the school governance. The major function of the SGB is to govern not to manage. The managing of staff is the Principal's responsibility.*

8. Under the current school governance structure, what do you see as the appropriate role for the Principal/ Chairperson/ Parent/Teacher/Non-teaching staff as a member of the SGB?

*The Principal is the person who must guide the other role players. He manages the day to day affairs and must therefore report on these matters.*

9. Is there in your view, an adequate participation by parents in the school governance affairs; does the SGB report regularly to parents about school activities; and are they promptly consulted on school fee structures and other financial and related matters?  
***Yes, parents are absolutely involve and are regularly informed on all SGB activities, mostly by means of news letters. They are informed about the school fee structures and they approve the budget and school fees annually.***
10. As a section 21 organization, all special school in the WCED are regulated under section 21 of the South African Schools Act, 1996, what special implications and extra requirements does this put on the governance of your school?  
***It empowers the school governance to take responsibility for certain aspects. The extra responsibility empowers the SGB to be full partners in education.***
11. What are the most common problems in terms governance particularly here at your own school and generally in most special schools?  
***The most common problem is to assist in disciplining the learners. The Disciplinary Committee has limited powers. In Jan Kriel finances is also a problem to fund transport and maintenance.***
12. Does the SGB have all the necessary support it needs from the Principal/ Teachers, Non-teaching staff, Parents and Management team in order to govern the school effectively?  
***Yes.***
13. There is a wide spread allegation that the SGB's in general are conducting employee and teacher selection in a fraudulent manner. What would you change in the way the SGB operates, especially in terms of the employment of staff and teachers?  
***Jan Kriel employment policy is very transparent and is done according to the WCED policy.***
14. Accountability, consultation, transparency, reports and financial audits are essential elements of school governance, what do you think?  
***Yes they are the principles of good governance and all these are rated highly by the SGB.***
15. How does the SGB fulfils its governance role in the following areas:
- Democratic practice
  - Finance management
  - Capacity building of the SGB members
  - Promoting excellence and equity
- The SGB excels in all these areas.***

Section C.

16. On Decision Making:

- To what extent do the SGB discussions formulate good discussions; do people listen to each other and do the deliberations ever cause the participants to change their views?

***Yes people do debate but the Principal should formulate and motivate the motions in such a manner that little debate should be necessary.***

17. On SGB – Management Relationship:

- What principles or beliefs guide the SGB and management in their relationships?
- How much discussions has the SGB had about the SGB – management relationship?

***Principles like ethics and integrity are highly upheld. About SGB-Management relationship no much discussion is being held, but the relationship is sound.***

18. On Accountability and Representation:

- Has the SGB discussed to what extent it is accountable to its various constituencies and its implications for the SGB work?
- Have you ever experienced the SGB being faced with the issue of competing accountability between the WCED and the public/ parents and staff; and how did you resolve it?

***Yes the SGB had training and is fully aware of their responsibilities and accountability. On competing accountability - No, no such issues so far.***

19. On Policies:

- On the SGB, how does a policy get formulated from an issue?
- What do you perceive as the advantage of governing through policies?
- Does the SGB bring up its mission statement or goals often in its deliberations?

***There are few (if any) issues. The agenda and motivation are crucial. Finally consensus determines the outcomes. It gives clear structure.***

***No the mission is clear. Goal setting is not really part of deliberations. The agenda is strictly adhered to.***

20. What are the immediate challenges facing the governance of special schools in the Western Cape in the up coming future?

***The SGB will have to budget carefully to address the staffing needs of the school. Discipline is the major head-ache and policy will have to be formulated to address the misbehaving learners.***

**Thank you very much for your time, Sir, and your understanding and assistance in this interview. May God bless you, the SGB and your school. And thank you very much, Sir, for helping me.**



## **Appendix C 2. INTERVIEW with the Mr Afrika (Principal Thembaletu School)**

### **Section A.**

With specific reference to the Appendix B questionnaire (Scheme for Evaluating School Governing Bodies), give a general overview, short comments or summary response on:

1. School Governing Body

*We have a newly elected SGB, we only just had the first on the 16 August 2004. The SGB still needs to be trained.*

2. Meetings

*The SGB has one meeting per quarter, but two in the first quarter in the Principal's office. So the last meeting was for August-September 2004.*

3. School planning

*It is done during the fourth quarter.*

4. Finance

*There is a fully functional Financial Committee with SGB Treasurer as Chairperson. The committee meets monthly when needed, otherwise once per quarter.*

5. Learners and Parents

*The school has about 300 learners. Some parents live in the Eastern Cape. Most parents visit the school to see the therapist and doctor.*

6. Employment

*The employment is done according to the Establishment of the WCED. General Assistants are employed on Contract.*

### **Section B.**

7. In your understanding as a Principal/Chairperson of the SGB /Parent/ Teacher/ Non-teaching staff; what is a School Governing Body, who participates and what are the major functions of the SGB?

*The SGB is a representative body, comprising of parents, staff, learners, and experts in certain fields, who collectively govern the school.*

8. Under the current school governance structure, what do you see as the appropriate role for the Principal/ Chairperson/ Parent/Teacher/Non-teaching staff as a member of the SGB?

*The Principal assists the SGB by supplying the information in the form of regular reports and advices regarding the planning. He/she also provides the SGB with material and equipment to facilitate meetings, projects, etc.*

9. Is there in your view, an adequate participation by parents in the school governance affairs; does the SGB report regularly to parents about school activities; and are they promptly consulted on school fee structures and other financial and related matters?  
*As I indicated before the SGB is still new. We will be trained and guided to ensure participation. School fees will be discussed during October/November SGB meeting. The final decisions will be made at the parents meeting to be held then.*
10. As a section 21 organization, all special school in the WCED are regulated under section 21 of the South African Schools Act, 1996, what special implications and extra requirements does this put on the governance of your school?  
*Special Schools are used to being Section 21. There are no extra requirements put on the SGB. The SGB appoints the Treasurer who monitors the financial running of the school. The Principal is still the Responsibility Officer.*
11. What are the most common problems in terms governance particularly here at your own school and generally in most special schools?  
*The parents are not experts on the fields they need to advise on. Much time is still spent on training and guidance from the Principal. The other problem is that meetings are attended poorly.*
12. Does the SGB have all the necessary support it needs from the Principal/ Teachers, Non-teaching staff, Parents and Management team in order to govern the school effectively?  
*Yes.*
13. There is a wide spread allegation that the SGB's in general are conducting employee and teacher selection in a fraudulent manner. What would you change in the way the SGB operates, especially in terms of the employment of staff and teachers?  
*Nothing to change, we are doing it according to the regulations.*
14. Accountability, consultation, transparency, reports and financial audits are essential elements of school governance, what do you think?  
*Agreed.*
15. How does the SGB fulfils its governance role in the following areas:
- Democratic practice
  - Finance management
  - Capacity building of the SGB members
  - Promoting excellence and equity
- See Section A. no 1.*

Section C.

16. On Decision Making:

- a. To what extent do the SGB discussions formulate good discisions; do people listen to each other and do the deliberations ever cause the participants to change their views?

***Members are encouraged to, so Yes.***

17. On SGB – Management Relationship:

- a. What principles or beliefs guide the SGB and management in their relationships?
- b. How much discussions has the SGB had about the SGB – management relationship?

***See Section A no 1.***

18. On Accountability and Representation:

- a. Has the SGB discussed to what extent it is accountable to its various constituencies and its implications for the SGB work?
- b. Have you ever experienced the SGB being faced with the issue of competing accountability between the WCED and the public/ parents and staff; and how did you resolve it?

***Same answer as above.***

19. On Policies:

- a. On the SGB, how does a policy get formulated from an issue?
- b. What do you perceive as the advantage of governing through policies?
- c. Does the SGB bring up its mission statement or goals often in its deliberations?

***Policy formulation starts by proposal, then discussion, followed by research and report back, and the final draft accepted with or without amendments.***

20. What are the immediate challenges facing the governance of special schools in the Western Cape in the up coming future?

***One major problem is insufficient funds.***

**Thank you very much for your time, Sir, and your understanding and assistance in this interview. May God bless you, the SGB and your school. And thank you very much, Sir for helping me.**

**Appendix D: Thembaletu School's SGB meeting**

**Thembaletu School fo LSEN**

**First Meeting of New School Governing Body**

**AGENDA**

1. Welcome and Prayer
2. Attendance Register and Introductions
3. Opening Address and Orientation by the Curator: ***Purpose of the Meeting; Role of the Curator; Future Training for all SGB members; Difference in Responsibilities of the SGB and the Principal; Meetings and Reports to SGB; Confidentiality.***
4. Key Functions of:  
CHAIRPERSON  
SECRETARY  
TREASURER  
PRINCIPAL  
SGB SUB-COMMITTEES
5. Election of Executive: Proposer, Seconder; Voting (by Secret Ballot?);  
Announcement of elected executive
6. New Chairperson:
  - Urgent matters to be discussed tonight
  - Other matters to be discussed at the next SGB meeting.
  - Date and time of next meeting
7. Meeting adjourns at.....

# TEMBALETU

## “OUR HOPE”

### School for LSEN (Physically handicapped)

P. O. Box 2228, CLAREINCH, 7740, South Africa . NY 77, GUGULETU, 7740, Telephone (+27) 021- 6375902 / 633 2613, Fax (+27) 021 – 637 6726E-mail [admin@tembaletu.wcape.school.za](mailto:admin@tembaletu.wcape.school.za) (F.R.O. 08800 168 007 0)

#### MINUTES OF SCHOOL GOVERNING BODY MEETING HELD ON 16 AUGUST 2004 IN THE PRINCIPAL'S OFFICE

**PRESENT:** Mrs Mbali  
Mrs Lurwengu  
Mrs Mfafa  
Mrs Ntobela  
Ms Bullen  
Mr Mgoduka  
Mr Mthalane  
Mr Nqentsu  
Mr Africa

**APOLOGIES:** None

- Mr Mgoduka opens the meeting with a prayer at 19hoo
- Mr Africa welcomes and gives brief explanation about the purpose of the meeting and his role as Curator
- Mr Africa shows the members relevant documents e.g. South African Schools Act, South African Constitution, Western Cape Constitution , Government Gazettes relating to Governing Bodies for ELSN Schools and hand-outs to SGB members.
- This first meeting is for electing School Governing Body executive.
- Responsibilities of the SGB and Principal are discussed with members. Duties and key functions of the office-bearers are explained. The treasurer of the previous SGB is allowed to explain the duties and responsibilities of that portfolio.
- Members are assured that proper training will be given to all by the WCED / EMDC.
- The Governing Body will meet once per quarter unless there is an urgent issue.
- The principal will give reports of all departments to School Governing Body when they have the quarterly meeting.
- Members are encouraged to speak freely and take part in all discussions. Members are requested not to mention names when reporting back to the departments they represent, but rather the discussions and decisions made by the meeting. This will ensure that members do not feel threatened when arguing points under discussion.

#### **ELECTIONS:**

The Curator acts as Electoral Officer.

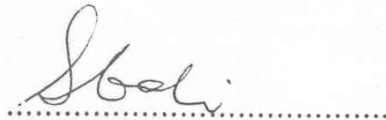
Chairperson: Candidate—Mrs. Lurwengu. Proposed by Mrs. Ntobela; Seconded by Mrs. Mbali. No other nominations and Mrs. Lurwengu is appointed unopposed.

Secretary: Candidate – Mrs. Mbali. Proposed by Mrs. Mfafa; Seconded by Mr. Mgoduka. No other nominations and Mrs. Mbali is appointed unopposed.

- The position of Treasurer is discussed. The members agree that none has the knowledge or experience to handle the Treasurer Portfolio. It is decided to co-opt Ms Bullen as member of the School Governing Body.

- The Curator will find out from the Head Office of the EMDC about the appointment of Ms. Bullen.
- Mr Africa handed over to Mrs Lurwengu as the chairperson of the School Governing Body
- Mrs Lurwengu addresses the School Governing Body and gives her opinion about her role as chairperson.
- Urgent matters that has been discussed was the transport.
- Mr Africa informs the meeting about the offer from a consultant, Mr. H. Conradie, who wants to assist the school in getting busses.
- The School Governing Body gives a mandate to Mr Africa and Miss Jikolo to continue working with Mr Conradie as the representatives of the school.
- School Governing Body suggested to have 35-40 seater buses instead of 60-seater buses.
- Issues to be discussed in the next meeting: Caretaker's house  
Garden

Meeting closed at 21h05



Secretary

.....  
Chairperson

Date: 23.08.04 .....

**Appendix E** is a list of all the Special Schools in the Western Cape Education Department (WCED) with contact details.

AREA OFFICE	TYPE OF SCHOOL	SCHOOL NAME	POSTAL ADDRESS	TEL No	FAX No
Athlone	Hospital School	GROOTE SCHUUR HOSPITAAL SKOOL	p/a E11 Superintendentskantoor Nuwe Groote Schuur-Hospitaal OBSERVATORY 7925	021-4045012	021-4043254
		PRINCESS ALICE HOSPITAL SCHOOL	D15 Groote Schuur Hospital OBSERVATORY 7925	021-4043282	021-472709
		ST. JOSEPH'S TEHUIS RK PRIM.	Posbus 21 HOWARD PLACE 7450	021-9342287	021-9342287
	Special School	DE GRENDEL SPESIALE SKOOL	Privaatsak X2 MILNERTON 7435	021-523010	021-5515421
	Specialized School	ALPHA SKOOL	Posbus 48 WOODSTOCK 7915	021-4471212	021-4480405
		EROSKOOL	Posbus 82 ATHLONE 7764	021-6379080	021-6374816
		MARY KIHN SCHOOL	Low Street OBSERVATORY 7925	021-4470310	021-4481351
		TAFELBERGSKOOL	P.O. Box X6 SEA POINT 8060	021-4399433	021-4340937
		VERA-SCHOOL	Private Bag X4 CLAREINCH 7740	021-6962844	021-6964877
	Training Centre	BEL PORTO SKOOL	Privaatsak X3 CLAREINCH 7740	021-6964134	021-6968228
		MARY HARDING SKOOL	Posbus 104 ATHLONE 7764	021-6378068	021-6387915
		MOLENBEEK SKOOL	Privaatsak X12 MAITLAND 7405	021-5114507	021-5118755
Bellville	Hospital School	TYGERBERG HOSPITAALSKOOL	K.40 , Vloer 10E Wes Tygerberg Hospitaal TYGERBERG 7505	021-9385261	021-9385261
	Places of Safety	HUIS VREDELUS PRIM.	Posbus 325 ELSIESRIVIER 7490	021-9337190	021-9324420
	Preprimary School	CAREL DU TOIT SENTRUM.	Posbus 19130 TYGERBERG 7505	021-9385312	021-9332774
	Special School	FLORIDA VAARDIGHEIDSKOOL	Posbus 17070 RAVENSMEAD 7490	021-5350756	021-5350755
		WESTCLIFF SPESIALE SKOOL	Posbus 328 SANLAMHOF 7532	021-9484877	021-9489434
	Specialized School	ASTRA SKOOL	Posbus 21106 DURRHEIM 7491	021-9340155	021-9340183
		ATHLONE SKOOL VIR BLINDES	Privaatsak X1 KASSELSVLEI 7533	021-9512234	021-9515118
	Training Centre	CHERE BOTHA SKOOL	Van der Stelstraat 73 Oakdale BELLVILLE 7530	021-992701	021-997992
		FILIA SKOOL	Posbus 12911 N1 CITY 7463	021-5921361	021-5921369
		OASIS SKOOL	Posbus 10091 BELHAR 7507	021-9522100	021-9523664

George	Hospital School	SANTA SENTRUM	Posbus 3737 GEORGE-INDUSTRIA 6536	044-8759086	044-8751174
	Industrial School	DIE BULT HS	Privaatsak X6529 GEORGE 6530	044-8744146	044-8744147
		KRUINSIG HS	Privaatsak X6576 GEORGE 6530	044-8744074	044-8732516
		PACALTSDORP NYWERHEIDSKOOL	Privaatsak 7004 PACALTSDORP 6534	044-8782379	044-8782346
		PETRA-MEISIESKOOL	Privaatsak X642 OUDTSHOORN 6620	044-2726054	044-2724005
	Places of Safety	HUIS OUTENIEKWA PRIM.	Privaatsak X6587 GEORGE 6530	044-8750402	044-8750669
	Primary School	KINDERKRAALTJIE	Privaatsak X6601 GEORGE-OOS 6539	044-8742042	044-8736213
	Special School	VAN KERVEL SPESIALE SKOOL.	Privaatsak X6601 GEORGE-OOS 6539	044-8742042	044-8736213
	Training Centre	ELJADA SKOOL	Posbus 70 OUDTSHOORN 6620	044-2791780	044-2792575
		KAIROS SKOOL	Posbus 3145 Bridgton OUDTSHOORN 6621	044-2791563	044-2728609
Kuils River	Industrial School	LE FLEUR MEISIESKOOL	Privaatsak X7 FAURE 7135	021-9041424	021-9045514
	Places of Safety	HUIS ROSENDAL PRIM.	Privaatsak X3 FAURE 7131	021-8433559	021-8433259
	Reform School	FAURE SKOOL VIR MEISIES	Privaatsak X2 FAURE 7131	021-9045306	021-9045507
		FAURE SKOOL VIR SEUNS	Privaatsak X1 FAURE 7131	021-8433202	021-8433526
	Specialized School	BET-EL SKOOL VIR EPILEPTICI	Posbus 105 KUILSRIVIER 7580	021-9035146	021-9039915
		JAN KRIEL-SKOOL	Posbus 17 KUILSRIVIER 7579	021-9031108	021-9031220
		NOLUTHANDO SCH. FOR THE DEAF	P O Box 1856 SOMERSET WEST 7129	021-3611160	021-3611161
		PAARL-SKOOL	Posbus 140 BRACKENFELL 7560	021-9815555	021-9817833
	Training Centre	ALTA DU TOIT SKOOL	Privaatsak X10 Kuilsrivier 7579	021-9034178	021-9036021
Mitchell's Plain	Hospital School	SONSTRAAL HOSPITAALSKOOL	Lentegeur Hospital School Highlands Drive MITCHELL'S PLAIN 7785	021-3701111	021-317359
	Specialized School	AGAPESKOOL	Posbus 223 MITCHELL'S PLAIN 7785	021-324162	021-325496
		TEBALETU	P O Box 2228 CLAREINCH 7740	021-6375902	021-6376726



	Training Centre	BEACON SKOOL	Posbus 346 MITCHELL'S PLAIN 7785	021-314324	021-340916
		LENTEGEUR SCHOOL FOR LSEN-SMH	Posbus 80 MITCHELL'S PLAIN 7785	021-314111	021-342308
		NOMPUMELELO SKOOL	P O Box 507 GATESVILLE 7766	021-6378062	021-6336379
Paarl	Industrial School	KHUTHELE SCHOOL OF INDUSTRY	Private Bag X6004 SOUTHERN PAARL 7624	021-8632043	021-8632044
		VAL DU CHARRON MEISIESKOOL	Privaatsak X10 WELLINGTON 7655	021-8731068	021-8734955
	Places of Safety	LINDELANI	P O Box 7181 STELLENBOSCH 7600	021-8822634	021-8822635
	Training Centre	DOROTHEA SKOOL	Posbus 2046 DENNESIG 7601	021-8895461	021-8895680
		LIGSTRAAL SKOOL	Posbus 1102 Nederburg PAARL-OOS 7627	021-8627182	021-8623603
		RUSTHOF SKOOL	Posbus 514 SOMERSET-WES 7130	021-8514441	021-8527350
West Coast	Industrial School	ATLANTIS NYWERHEIDSKOOL	Privaatsak 1 Dassenberg ATLANTIS 7350	021-5725022	021-5721538
	Special School	WESKUS SPESIALE SKOOL	Privaatsak X6 SALDANHA 7395	022-7141244	022-7141244
	Training Centre	DAWN SKOOL	Posbus 3119 Reygersdal ATLANTIS 7352	021-5724359	021-5728426
		KARITAS SKOOL	Posbus 1048 VREDENBURG 7380	022-7151676	022-7131835
Worcester	Hospital School	BREWELSKLOOF HOSPITAALSKOOL	Privaatsak X3044 WORCESTER 6850	023-3481356	023-3481359
	Industrial School	STEINTHAL SEK.	Posbus 17 TULBAGH 6820	0236-301031	0236-301127
	Reform School	UMZINGIZI	Private Bag X1 RAWSONVILLE 6845	023-3491807	023-3491970
	Specialized School	DE LA BAT-SKOOL	Posbus 98 WORCESTER 6850	023-3422560	023-3425563
		NUWE HOOP-SENTRUM	Privaatsak X3047 WORCESTER 6850	023-3472791	023-3474607
		PIONIER-SKOOL	Privaatsak X3048 WORCESTER 6849	023-3422313	023-3423959
	Training Centre	CAMPHILL SCHOOL	PO Box 68 HERMANUS 7200	0283-23803	0283-23900
		EDEN SKOOL	Posbus 293 WORCESTER 6850	023-3423770	023-3471508
		MISPAH-SKOOL	Posbus 13 ELIM 7284	02848-810	02848-654

Wynberg	Hospital School	MAITLAND COTTAGE HOME	Kildareweg NUWELAND 7700	021-642090	021-6830691
		RED CROSS CHILDREN'S HOSPITAL	Primary School Klipfontein Road RONDEBOSCH	021-6585042	021-6585326
	Industrial School	OTTERY NYWERHEIDSKOOL	Privaatsak X4 OTTERY 7808	021-733030	021-737790
	Places of Safety	HUIS BONNYTOUN	Rosmeadlaan 41 WYNBERG 7800	021-7615932	021-7615677
		TENTERDENSKOOL	Durbanweg 60 WYNBERG 7800	021-7975611	021-7978368
	Reform School	CONSTANTIA MEISIESKOOL	Privaatsak X5 TOKAI 7966	021-7129294	021-7122256
		CONSTANTIA-SEUNSKOOL	Privaatsak X3 TOKAI 7966	021-7945104	021-7946613
		PORTERSKOOL	Privaatsak X2 TOKAI 7966	021-7121023	021-754728
	Special School	BATAVIA SPESIALE SKOOL	Posbus 36357 GLOSDERRY 7702	021-615110/1	021-6834226
	Specialized School	DOMINICAN GRIMLEY-SCHOOL	P.O. Box 2986 CAPE TOWN 8000	021-7901052	021-7906241
		DOMINIKAANSE SKOOL VIR DOWES	Posbus 19027 WYNBERG 7824	021-7618046	021-7618578
		VISTA NOVA-SCHOOL	P.O. Box 193 RONDEBOSCH 7700	021-6895323	021-6852402
	Training Centre	BLOUVLEI SKOOL	Posbus 124 RETREAT 7945	021-720857	021-7125803
		GLENDALE SCHOOL	P.O. Box 30055 TOKAI 7966	021-722075	021-721540
		OCEAN VIEW SKOOL	Posbus 45 SEESIG 7977	021-7832381	021-7831779

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