

SCHOOL GOVERNING BODIES AND THEIR

DUTY OF STAFF APPOINTMENTS

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DECLARATION

I, the undersigned, hereby declare that the work contained in this assignment 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.

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ABSTRACT

Since the introduction of the SA Schools Act in 1996 and institution of school governing bodies (SGBs), the Education Department began to experience serious problems regarding school governance. The incidents that happened in schools brought into question the legal role and authority of SGBs in the administrative actions they perform. This study aimed specifically at investigating the problems that arise in relation the appointment of teachers. Since SGBs play an important facilitating role in the process of staff appointments, their way of handling this duty was at the heart of the study.

The research made use of literature studies, policy documents from the education department, viz. the SA Schools Act, Educators Employment Act, Education Labour Relations Council documents, and questionnaires and interviews with members of school governing bodies at a selection of local schools in the Western Cape Province.

The findings led to the conclusion that most SGBs in the disadvantaged communities find it difficult to appoint new educators. Clearly SGBs are regarded as legitimate structures that should govern learning institutions and it is evident that one of their duties is to employ new educators, in line with the legal procedures stipulated in the various provincial education departments' policies. Perhaps the most important finding is that parents in the disadvantaged communities are illiterate. This is a significant problem because most of their duties require them to read documents from the education department so that they may know exactly how to perform their functions and responsibilities. Some of the problems encountered, however, are also caused by the ignorance and reluctance of parents to offer their services without being remunerated.

These conclusions resulted in the formulation of specific recommendations for improving the role and implementation of SGBs. The recommendations are made for improving the role of SGBs as a whole as well as for specific capacity building relating to the needs of each stakeholder group. The overall emphasis of the study is thus on the recommendation for more effective training of SGBs.

OPSOMMING

Sedert die instelling van die SA Skolewet in 1996 en totstandkoming van skoolbeheerliggame, het die Onderwysdepartement ernstige probleme ten opsigte van skoolbeheer begin ervaar.

Die insidente wat in skole plaasgevind het, het vroe laat ontstaan rakende die wettige rol en gesag van die beheerliggame in die administratiewe handeling wat hulle uitvoer. Die doel van die studie was om probleme rondom die aanstelling van opvoeders te ondersoek. Die sentrale fokus van die studie was op beheerliggame as fasiliterende liggame.

Vir die doeleinde van die studie is daar gebruik gemaak van: literatuurstudie, beleidsdokumente van die Onderwysdepartement (die S A Skolewet, die Opvoedersdienswet en dokumentasie van die Raad vir Arbeidsverhoudinge in die Onderwys [RAVO]), sowel as vraeslyste en onderhoude met lede van die beheerliggame by enkele plaaslike skole in die Wes-Kaap.

In die bevindinge is daar tot die gevolgtrekking gekom dat die meeste beheerliggame in die benadeelde gemeenskappe dit moeilik vind om nuwe opvoeders aan te stel. Beheerliggame is die wettige strukture wat opvoedkundige instansies moet beheer en een van hul pligte is om nuwe opvoeders aan te stel in ooreenstemming met die wetlike voorskrifte, soos vervat in die verskillende beleidsdokumente van die Onderwysdepartement. Die belangrikste bevinding is dalk dat ouers in die benadeelde gemeenskappe meestal ongeletterd is. Dit skep probleme, aangesien daar van hulle verwag word om die dokumentasie van die Onderwysdepartement te lees, te verstaan en daarvolgens op te tree. Verdere probleme word veroorsaak deur 'n mate van onkunde asook deur die onwilligheid van ouers om sonder vergoeding hul dienste aan te bied.

In die lig van hierdie gevolgtrekkings, is spesifieke aanbevelings gemaak ten einde die rol van beheerliggame te versterk, sowel as om die suksesvolle implementering van hierdie

strukture, in terme van kapasiteitsbou en aandeelhouerbemagtiging meer doeltreffend te laat funksioneer. Die besondere klem van die aanbevelings is 'n indringende versoek vir die ontwikkeling van sinvolle, doeltreffende opleiding van persone wat in skoolbeheerliggame dien.

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ABBREVIATIONS

- 1. ANC:** African National Congress
- 2. ELRC:** Education Labour Relations Council
- 3. GNU:** Government of National Unity
- 4. IFP:** Inkatha Freedom Party
- 5. NECC:** National Education Crisis Committee, later renamed National Education
Co-ordinating Committee
- 6. NEPI:** National Education Policy Investigation
- 7. NP:** National Party
- 8. PTSA:** Parent-Teacher-Student Association
- 9. SASA:** South African Schools Act No. 84 of 1996
- 10. SGB:** School Governing Body
- 11. RSA:** Republic of South Africa

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CHAPTER 1

INTRODUCTORY PERSPECTIVE

1.1 THE AIM OF THE STUDY

The aim of my Research Report will be to examine the influence of relevant education policy on school governing bodies (SGBs) in carrying out their administrative actions. The study makes use of a literature study, policy documents from the education department, such as the South African Schools Act No. 84 of 1996, Education Employment Act, Education Labour Relations Council, as well as circulars, questionnaires and interviews with members of school governing bodies at a selection of local schools in the Western Cape.

Firstly, the study examines the context of current changes by giving a brief historical background of our education system.

Secondly, a conceptual framework is developed by trying to define the key concepts identified in the literature study. Thirdly, my focus will be drawn on a discussion and interpretation of data collected during my investigation of eight schools where interviews were conducted.

Finally, I shall conclude the study by giving a brief summary of the findings of my investigation and interpretation, and also making some recommendations.

1.2 HISTORICAL BACKGROUND

South Africa has chosen to aim at the provision of quality public education. Against the historical background of great inequality, quality public education can be achieved only through democratising and transforming our education system. Therefore, the South African Schools Act (SASA) No. 84 of 1996 aimed to bring about reform in our education administration by decentralising school governance to local school communities. In terms of the Act, the governance of a school is vested in the school governing body (SGB) while the professional management lies with the Principal and the management team of that particular school (SASA, section 16(1)).

An important point of view that underpinned the Act was that parental involvement in their children's educational experiences is linked to the quality of children's learning and motivation at school (Watkins, 1997: 3). However, right from the introduction of this school governing body policy in 1996, the education department began to experience problems in terms of school governance. This could be seen against the background that from 1996 many incidents that happened in schools have brought into question the legal role and authority of SGBs in the administrative actions that they have performed.

These include matters of finance and employment, to mention just a few. With regard to employment, the decisions taken by school governing bodies have been challenged and overturned in many instances. This is because, in such instances, governing bodies have either failed to follow correct administrative procedures or to apply the education policy accordingly.

The challenges posed to the decision taken by SGBs have shown the importance of the right to fair and just administrative actions in the school context. It should be stated that, in order to perform legally valid functions, school governors and managers need to have good understanding of the scope and content of the just administrative clause in the Bill of Rights, i.e. section 33 (Squelch, 2000: 308).

The rights of individuals to fair and just administrative action are not taken seriously by many school-governing bodies in the appointment of new educators for employment. This could be seen against the number of disputes here in the Western Cape, as they have now become a norm. Of course, interviewees for vacant posts often dispute the appointments or nominations made by the school governing bodies because of irregularities in the process.

Governance in other parts of the world, such as the United States of America to be precise, also followed the same path as in South Africa. For many years public schools in America were run by state and federal governmental agencies rather than by local school boards (Neuhaus, 1987: 7). Educators and analysts of education in that country believed that American education was not doing what it was supposed to do, i.e. changing the lives of American people for the better. As a result of this a proposal around the idea of democratising education was that choice should play a central role, and that the part that parents and families should play in education must be strengthened. The Americans believed that it was only through local school boards that parents could play a meaningful role in the education of their children.

It is for this similar reason that I have developed an interest in research into the area of educator's employment. And I believe that my Research Report will help to understand the root cause of these problems and, also, try to come up with possible solutions to these problems as they disturb the culture of teaching and learning in many schools here in the Western Cape. For the study I have based my investigation on eight schools. However, I will dwell in greater depth on my investigation in Chapter 5.

The idea of school governing bodies in South Africa did not crop up in the 1990's. In fact it started in the 1980's. This could be supported by the fact that during the widespread mass resistance to the apartheid government in the 1980's, the Parent-Teacher-Student Association (PTSA) movement was established (Karlson et al. 1999: 11). The PTSA was associated with the democratic movement, particularly with the

National Education Crisis Committee (NECC), which was later called the National Education Co-ordinating Committee (NECC). At the time of NECC's formation schools had become centers of resistance, with class boycotts and frequent disturbance. It is against this background that the NECC called for the formation of PTSAs. The idea behind the formation of PTSAs was to get all stakeholders participating in the running of schools, and to redirect schools or the students in their struggle for People's Education so that a new system of schooling could be developed rather than stopping schooling in opposition to apartheid (Karlson et al. 1999: 11).

From 1990 it became clear that South Africa was moving towards a political transition. As an instrument for the development of policy options the National Education Co-ordinating Committee (NECC) instigated the National Education Policy Investigation (NEPI), which brought together political activists and officials of mass formations and academics, as well as researchers (Badat, 1992: 25). These policy options were to be guided by five principles, i.e. non-racism, non-sexism, democracy, a unitary system and redress. In fact, the NEPI process was important in developing a local, indigenous capacity for policy research and analysis.

From 1994, however, following the first democratic election the South African government tried to direct the educational policy (or set of guidelines) and practice to meet the basic needs of the communities. In this score, structural equalities had to condition educational outcomes.

One should take note as well that the development of school policy took place, largely, in the context of the Government of National Unity (GNU). The GNU was established after the 1994 democratic elections and it included the three largest parties in South Africa, i.e. the African National Congress (ANC), the National Party (NP) and the Inkatha Freedom Party (IFP). The GNU was the result of the negotiations that preceded the elections and which included the various political parties.

As the division of responsibilities between the national and provincial ministries were being debated, the 1996 Constitution took a major step of revising the provincialisation of education. Neither the Interim Constitution nor the Constitution specifies a complete separation of national and provincial legislative competence. Instead, both Constitutions specify shared responsibilities. Thus, in the new democratic South African dispensation the framework for educational governance is guided by both central government and provincial legislation.

In the next Chapter the focus will be to define the key concepts in the study, i.e. policy, governance, management, school governing body, democracy and appointment.

CHAPTER 2

CONCEPTUAL FRAMEWORK

2.1 INTRODUCTION

This chapter focuses on various concepts found from the documents used for the study. The purpose of defining the concepts below is to try to clarify the confusion with regard to the differentiation of their meanings in various respects.

2.2 POLICY

There are so many explanations of what policies are. However at this point only two contrasting explanations of policies will be looked at.

According to Badat, policies are authoritative allocation of values (1992: 18). She argues that in the formulation of a policy power and control take the central role. Therefore, she believes that only the values of a certain group(s), those who have power, become institutionalised. By the same token, a policy is the legitimisation of the values of certain group(s).

Badat further argues that particular education policies could be seen, in the context of a project of an overall social transformation, as strategies (1992: 19). This is because policies show the ways by which specific principles and objectives are to be realised. Similarly put, policies are guidelines, they specify the means to effect the shift from what exists to what is needed. For instance, the National Party government's goal of separate development during the apartheid era had resulted in the policy of segregated education, which gave birth to the 19 racial and ethnic education departments

According to Ball (1994: 16), different from Badat's view, a policy is a set of representation which is encoded and decoded in complex ways. He believes that policies are discourses, or practices that systematically form the objects of which they talk. In other words a policy has to be formulated via struggles, compromises, authoritative public interpretations and reinterpretations.

It is not always the case that a policy follows the route via struggles and public interpretation before it is implemented. In many instances as Badat (1992: 18) has put it, a policy is formulated by those who are in authority and is then implemented. Therefore it is appropriate, I suggest, to follow Badat's views that policies are guidelines that specify the means to effect the shift from what exists to what is needed. As I have indicated above, the goal of the democratic movement has always been a unitary, non-racial and non-sexist democracy.

In that context, policy meant the spelling out of the structure of a new education system, i.e. one which is unitary, non-racial, non-sexist and which expresses a clear concern to promote people's education. In this regard policy specifies how the transition from the 19 education departments to a single unitary education department is to be made.

2.3 GOVERNANCE

The governance of schools is understood in different ways. However, according to the revised edition of Kagiso Active Dictionary (1980: 189) governance entails power. This means that school governing bodies as bodies of governors have got certain powers attributed to them to execute their duties at schools. This could be supported by the fact that the South African Schools Act devolves a host of powers of decision-making to the school (RSA, 1996: 14). This means that the school governing body controls the school as it has become the stakeholders' board by representing the interest of all the stakeholders of the school i.e. parents, educators and learners.

2.4 MANAGEMENT

In many cases people tend to confuse school management with school governance. As already indicated above, governance has got to do with power. In contrast management deals with the leadership of an institution (Kagiso Active English Dictionary, 1980. 268). In the educational sphere management means the carrying out of specific professional duties and responsibilities that are structured to ensure that the educational aims and objectives of the learning institution are met. By the same breath, management is about the day-to-day running of the business at the school. This means that management ensures that the business is managed effectively and efficiently.

2.5 SCHOOL GOVERNING BODY

A school governing body is a committee that is established or chosen at a learning institution through voting. A legally established governing body is comprised of representatives of all the stakeholders of that particular institution. The school governing body exercises delegated power through making decisions and forming policies in the interests of the school. This concept is also discussed in greater depth in chapter 3.

2.6 DEMOCRACY

There are various kinds of democracy, i.e. direct democracy, representative democracy, social democracy, consociational democracy, liberal democracy, people's democracy, pluralist democracy and participatory democracy (Hendricks, 2000: 23). All these types of democracy entail participation as the major principle in the decision-making process. Therefore, it is appropriate to say democracy means the involvement of people in the decision-making process.

It is worth noting that democracy is associated with decentralisation because of the contribution that is made by the people on the grassroots level and / or because power is more diffused. However, decentralisation can be described as delegation. The decentralisation of power does not guarantee greater popular involvement in decision-making. This is because a decentralised system may promote democratic participation at certain schools. For instance, at the local level a learning institution which has been given legal power, could have the power wrongly rendered because of the lack of knowledge or skills.

2.7 APPOINTMENT

The concept “appointment” is from the word “appoint” which, according to the Kagiso Active Dictionary (1980: 20), means to assign a job to a person(s). However in the educational sphere appointment means the education department’s approval of the nomination of an educator(s) done by the school governing body in an interview when they fill the vacant post after the candidates have been interviewed.

However, in this report these concepts, i.e. appointment, nomination and employment will be used with similar meanings. In other words all these concepts will be used to describe the process of giving a job to an educator, i.e. engaging an educator in a teaching post in a specific school. The focus of interest, in this study, is on the involvement of the school governing body in making such appointments.

2.8 SUMMARY

Having defined the key concepts above, in the next chapter the focus will be on the implementation of school governing bodies, i.e. the composition and structure of school governing bodies as well as their duties and responsibilities.

CHAPTER 3

THE IMPLEMENTATION OF SCHOOL GOVERNING BODIES (SGBs)

3.1 INTRODUCTION

In the past decision making power was centralised, leaving little room for community participation. Therefore, with the influence of democracy and the notion of greater parental involvement in education, the South African Schools Act of 1996 introduced the democratically elected school governing bodies for public schools. The first democratic elections for school governing bodies were held in 1997 (Karlson et al. 1999: 1).

According to Wolfendale and Bastiani (2000: 54) any government concerned to raise the standard of education should concerntrate on enhancing parental support, involvement and obligation to participate in their children's schooling. Therefore, in this chapter I will be looking at the composition and the structure of school governing bodies as well as their duties and responsibilities.

3.2 THE COMPOSITION AND STRUCTURE OF SCHOOL GOVERNING BODIES

The membership of a school governing body is clearly stated in many documents of the education department. For instance, the South African Schools Act of 1996 as well as the Education Laws Amendment Bill of 2000 indicates the composition and structure of school governing bodies very explicitly. Moreover, this legislation also states the procedure that needs to be followed and adhered to when establishing the governing body of a school (or a learning institution).

According to the South African Schools Act No. 84 of 1996 a legally established governing body should comprise the following groups of persons:

- (a) Elected members
- (b) The Principal (in his or her official capacity)
- (c) Co-opted members

Important to note is that the elected members of the governing body shall comprise a member or members of each of the following categories:

- (a) Parents of learners at the school
- (b) Educators at the school
- (c) Non-teaching staff at the school
- (d) Learners in the eighth grade or higher at the school

The elected members of the governing body have the voting rights in any issue, and they have the duty of accountability to their electoral body or people whom they represent.

The experience of many schools, especially in deprived communities, shows that in a governing body there are illiterate governors and literate governors. The literate governors are often those members of the governing body who are there by virtue of their jobs. This is to say, the literate governors are often the Principal of the school who is the ex-officio member in the governing body, and the teacher governors. This is not to suggest that all parent governors are illiterate. Of course, some if not all may be literate.

It has to be noted that governors who are elected by their constituencies are governors by virtue of their election. Thus, elected governors have a special kind of relationship to their constituencies. The representative link between governors and their constituencies is the basis of their legitimacy. Yet there is no legal obligation or requirement to report back to their separate constituencies.

However, it is important for governors to report back to their constituencies if they are to represent the views of their constituencies in the governing body. Without trying to echo what I have said earlier on, governors have a duty of responsibility to their electoral body. This means that governors have a duty to set up a system of reporting to their constituencies.

Many people would think that teachers have got no say in terms of how a school should be governed. This is a wrong kind of thinking because teachers, being stakeholders, have got a right to play a full and meaningful role in the governance of the school through their representatives in the governing body. The teacher governors need to set up a system to communicate with their colleagues before and after meetings, as they have a duty to do so (Creese, 1995: 29).

Simply put, teacher governors serve as liaison officers between the staff and the governing body, giving report either ways. Of course, teachers cannot have the final voice on whatever issue is being discussed in the governing body, but their voice or contribution in discussions is a significant one. The decision that is taken in a meeting is not a parent or teacher decision but a governing body decision as it has to be agreed by all the governors present in that particular meeting.

It is necessary to explain what co-opted members in the governing body mean. The co-opted members of the governing body are from the community, they are community members who are invited to be part of the governing body. Important to note is that, in normal circumstances where the elected members of the governing body represent the racial composition of the learners of the school, co-opted members do not have the voting rights. However, if the members of a governing body are not representative of the racial composition of the learners of the school then the governing body must co-opt parent members with voting right from the part of the community that is not represented (RSA, 2000: 2).

The co-opted members are appointed by the governing body to try and establish a balance of interests. Because of this co-option they are understandably confused about their responsibility and representativeness. In fact, co-opted governors do not have any duty to others. However, they are likely to have important and useful networks within the broader community. This is because, co-opted governors may be the source of skills and expertise as well as experience, which might not be represented on the governing body. This is to say, the choice of co-opted governors has to be broadly and consciously done.

In order to perform and execute its legal duties a governing body should be constituted of elected members, the Principal in his or her official capacity, as well as co-opted members. A legally established governing body should, from amongst its members, elect office-bearers. These office bearers must include at least a chairperson, a treasurer and a secretary. It is only the parent member of the governing body, who is not employed at the school, who may serve as a chairperson of the governing body.

Despite the office-bearers, a governing body may establish committees, including an executive committee, and appoint persons who are not members of the governing body to such committees on the grounds of expertise. In such instance, a member of the governing body must chair each committee (RSA, 1996a: 9).

Once a school governing body is established it has to serve the institution for a particular period. The term of office of a governing body is three years. However, the term of office of a member of a governing body who is a learner may not exceed one year. Equally so, the term of office of an office-bearer of a governing body must not exceed one year as well. Important to note is that a member of the governing body may be re-elected.

3.3 DUTIES AND RESPONSIBILITIES OF THE GOVERNING BODY

The legal responsibilities of the governing body are clear and well defined in various Education Acts. However, there are still much uncertainties about how governing bodies should operate and where the boundary should be between the work of the governors and head-teacher and staff of the school. It is clear that school governors and head-teachers need to work out, together, the division of their broader responsibilities on the basis of genuine partnership and to clarify their mutual roles to avoid misunderstanding.

Without any doubt, the first duty of a governor is to get to know the school of which he or she is a governor. This is because governors have a wide range of legal responsibilities and are required to make decisions on many issues affecting the future of their schools (Du Toit, 1998: 8). Therefore, it is necessary that an atmosphere of mutual trust and respect is established between governors and teachers. The relationship between governors and the staff, particularly the head-teacher, is vital in determining the effectiveness of the governing body. This is because, the relationship between governors and the head-teacher determines the extent to which a governing body is involved in the management of the school.

It is important for the school governing body to be aware of their legal duties and responsibilities as well as the legal rights of the parents. The head-teacher of the school should take the initiative in informing parents of their rights and, also, making sure that these rights are being exercised in an atmosphere of openness and trust (Wiles and Bondi, 1983: 275)

The right of the parents include the right to educate their children, the right to keep their children out of school for religious observances, the right to be fully informed of the educational process, i.e. what is being taught, how learners are grouped for instruction

and how the curriculum is organised, the right to be informed about school policies and even influence them, and the right to know about the strengths of teachers and of the head-teacher as well (Creese, 1995: 26).

One of the responsibilities of SGBs is to employ new educators. With regard to the employment of educators, school governing bodies are responsible for the recommendation of educators to be appointed by the education department (RSA, 1998c). However, in recommending an educator for an appointment the governing body needs to follow certain guidelines, i.e. advertisement of vacant posts, conducting interviews and the nomination of successful candidates. In the nomination of successful candidates the governing body need to be conscious of the right of individuals to fair and just administrative actions and, to be conscious of their legal responsibility.

Section 21 of the South African Schools Act No. 84 of 1996 indicates the following basic functions of school governing bodies (RSA, 1996a: 16):

- . To promote the best interest of the school and to strive to ensure its development through the provision of quality education for all learners of the school.
- . To adopt a Constitution.
- . To develop a mission statement for the school.
- . To support the Principal and other staff of the school in the performance of their professional functions.
- . To determine times of the school day consistent with any applicable conditions of employment of staff at the school.
- . To administer and control the school, including school hostels, if applicable.
- . To encourage parents, learners, educators and other staff at the school to render voluntary services to the school.
- . To recommend to the Head of Department the appointment of educators at the school, subject to the Educators Employment Act and Labour Relations Act.
- . To recommend to the Head of Department the appointment of non-educator staff at

the school, subject to the Public Service Act and the Labour Relations Act.

- . To allow the reasonable use, under fair conditions, of facilities of the school for the educational programmes not conducted by the school at the request of the Head of Department.
- . To discharge all other functions consistent with the South African Schools Act as determined by the Minister by notice in the Government Gazette, or by member of Executive Council by notice in Provincial Gazette.
- . To develop a budget for the school, which could include school fees, for approval at a parent's meeting. Once approved school fees become compulsory and all parents, except if granted exception, are obliged to pay them.

In order to effectively discharge all the functions mentioned above SGBs have to establish a mutual working relationship between all the stakeholders. It is important to highlight that all governors have the same powers and the same rights. However, there are few minor exceptions in the co-opted governors, as I have already mentioned on page 15 that if a governing body of a learning institution represents the composition of learners of the school then the co-opted members do not have voting rights.

Having highlighted the duties and responsibilities of the governing body, it is also vitally important to describe the role of the chairperson of the governing body. The Chairperson heads the governing body. The job of the chairperson can be divided into a number of parts. As Nigel Gann (1998) has put it: "First, the chairperson manages the governing body which, of course, includes ensuring that policies and planning are up-to-date, communicating with individual governors and committees, communicating with the head-teacher and other staff, evaluating the performance of the governing body, ensuring that all governors are trained and participate fully and, also, ensure that the decisions taken by the SGB are enacted."

Secondly, the chairperson leads meetings which, of course, includes inducting new governors, protecting vulnerable governors, preparing and planning for meetings, and

defining as well as practicing the qualities of a good meeting, i.e. construct and agree the agenda for meetings, together with the head-teacher and secretary, plan and keep good order in meetings, ensure that all governors receive relevant information and materials, ensure that the rules that keep governing bodies democratic are well known and followed by governors, listen and also be a critical friend to the head-teacher.

Thirdly, the chairperson has to lead the school. This includes maintaining good and close relationships with the head and other staff, mediating and listening to problems as well as complaints and, also, representing the school and speaking for it at public and internal events.

3.4 SUMMARY

It is clear that school governing bodies have a legal responsibility in terms of the law. In order to perform their legal duties school-governing bodies must be comprised of the various categories mentioned above as stipulated in the South African Schools Act No. 4 of 1996 and the various documents of the Education Department. Moreover, the administrative actions of school governing bodies must be in accordance with the responsibilities of school governing bodies as stipulated in the South African Schools Act.

CHAPTER 4

APPOINTMENT OF EDUCATORS

4.1 INTRODUCTION

The appointment process is one of the ways to initiate change and improvement in the services of an institution. Any vacancy in an institution offers an opportunity to improve the quality and effectiveness of the services of the institution. A well-planned and carefully executed appointment procedure can identify a candidate who will bring developments into the institution. On the contrary, a poorly planned appointment procedure can precipitate an endless flow of personnel problems (Webb, and Norton, 1999: 301). Therefore, in this chapter I will be looking at the process as well as the implementation of the education policy in the appointment of educators.

4.2 THE APPOINTMENT PROCESS

There is some background information, which the governing body ought to know about the school if they are to employ or appoint new educators. In order to obtain this important information, governing bodies need to equip themselves with a set of probing questions. This set of questions should include ones such as the following:

1. How big is the school, how many pupils on roll and how many teachers at present? Is the roll rising, falling or stable?
2. How is the school organized? What is the management structure?
3. What are the school policies on matters such as equal opportunities, ethnicity, race and gender?
4. What is the curriculum of the school? How is the National Curriculum

applied and what is additional provision in terms of the needs of the community?

5. What activities does the school offer after school e.g. sport, music and dramatic events?

Without a sound and detailed knowledge of the school, it is difficult to see how the governing body can make decisions on issues affecting the school, sometimes with far reaching consequences, like appointing new educators at the school. In order to have the sound and detailed knowledge of the school, the governing body needs to answer the five questions that I have stated above.

Once again, the governing body has to establish a good relationship with the whole staff at the school, and more particularly with the Principal. Without trying to echo the above, a good relationship between the governors and the Principal is crucial in determining the effectiveness of the governing body and the extent to which it is involved in the management of the school. This clearly shows that both the governing body and the staff of the school need to consider the nature of their relationship and, if necessary, take active steps to improve it.

In terms of appointments, all vacancies in a public school are advertised in a gazette, bulletin, a circular, or a newspaper (RSA, 1998a). The information to be contained in the latter advertisement should include offices and addresses where the gazette, bulletin or circular can be obtained. The gazette, bulletin or circular is circulated to all educational institutions within the province by the department of education.

The advertisement of vacant posts for educators must be self-explanatory and clear, and it must include the following:

- (a) Minimum requirements
- (b) Procedures to be followed for application
- (c) Names and telephone numbers of contact persons

- (d) Preferred date of appointment, and
- (e) Closing date for the receipt of applications.

The advertisement of vacant posts for educators must be accessible to all who may qualify or are interested in applying for such post(s). Moreover, the advertisement must be non-discriminatory and in keeping with the provision of the Constitution of the Republic of South Africa.

Educators who are interested in an advertised post complete the application forms and send them together with the application letters to the employing department, which is the education department. The employing department will handle the initial sifting process to eliminate applications of those candidates who do not comply with the minimum requirements for the post as stated in the advertisement. The employing department will then send the applications to the educational institutions concerned where they will be handled by the governing body or the interview committee of that particular institution.

In terms of the Educators Employment Act (RSA, 1998c) the interview committee of every school must be governing body members, and it should comprise the following persons:

- (a) One department representative, who may be the school Principal, as an observer and resource person.
- (b) The Principal of the school, if he or she is not the department representative, except in the case where he or she is an applicant.
- (c) Members of the school governing body, excluding educator governors who are applicants to the advertised post(s), and
- (d) One union representative that is a party to the provincial chamber of the Education Labour Relation Council (ELRC) as an observer.

Important to note is that the union representatives must be observers of short listing, interviews and the drawing up of a preference list. The governing body is responsible for

the establishment of the interview committee, and it must make sure that all relevant persons or organisations are informed at least 5 working days prior to the date, time and venue of the short listing, interviews and the drawing up of the preference list. In the case where the school Principal is an applicant, then a department official may assist the school governing body.

4.3 THE APPLICATION OF THE EDUCATION POLICY

At this stage it is necessary to explain the policy-making process even though in reality this is not the manner in which government departments set about policy-making. In the process of making policy the social forces, i.e. trade unions, civic bodies, teachers, students, youth, parents, and academics are supposed to set agendas for policy-making. The formulated policy will be accepted, implemented and evaluated. Therefore, the implemented policies result in new agendas being set up, and the cycle starts again (Badat, 1992: 21).

Since 1997 school governing bodies have experienced serious problems in the appointment of new educators because they did not understand the education policy very clearly. As already stated on page 2, this is evident from many of the incidents which happened in schools as they brought into question the legal role and authority of school governing bodies in the administrative actions that they have performed, particularly in the appointment of new educators. Schools A, B, F and H in the appendices of this report are typical examples of this.

In order to understand their administrative action, school governing bodies must take notice of certain basic principles of our Constitution, especially those in the Bill of Rights. The Republic of South Africa has had a democratic Constitution since 1996. The Constitution is the highest law in the country and all other laws and conduct must be in accordance with the Constitution.

The Constitution also requires that school education must be transformed, or changed for the better, and democratised in accordance with the aim and values in the Constitution, i.e. human dignity, non-racial and non-sexism. The democratisation of education includes the idea that stakeholders such as parents, teachers and other people (such as members of the community near the school) must participate in the activities of the school.

It is for this reason that the South African Schools Act No. 84 of 1996 brought about the reforms in education administration by decentralising school governance to the local school communities (Squelch, 2000: 309). In terms of the Act, parent governors should be the majority in the governing body, and they should be office-bearers or take the position of being the chairperson, secretary and treasurer.

Of course, the challenges posed to the decision taken by school governing bodies have shown the importance of the right to fair and just administrative action in the school context. It is clear as stressed on page 3 of this report that for school governors and managers in order to perform legally valid functions they ought to have a good understanding of the scope and context of the just administrative clause in the Bill of Rights and, also, to have a good interpretation of the education policy.

The governance and management of schools are determined and shaped by a variety of legislation and policies with which governing bodies need to be familiar. For instance, the 1993 Interim Constitution, the Bill of Rights and the South African Schools Act of 1996 have a great influence on how schools should be governed (Squelch, 2000: 308).

The Bill of Rights, in particular, forms the basis for the development and implementation of all schools policies (Squelch, 2000: 309). The right to just administrative action is one of the major provisions of the Bill of Rights that underpins school governance. For instance, the Bill of Rights provides that:

1. Everyone has the right to administrative action that is lawful and reasonable and

procedurally fair.

2. Everyone whose rights have been adversely affected by administrative actions has the right to be given written reasons.
3. National legislation must be employed to give effect to these rights mentioned above, and must:
 - (a) Provide for the review of administrative action by a court or, where appropriate, an independent and impartial tribunal (official judging committee);
 - (b) Impose a duty of the State to give effect the right in Sections (1) and (2) above,
 - (c) Promote an efficient administration.

The administrative clause in the Bill of Rights clarifies the manner in which administration must function. It does so in order to protect the individual from administrative abuse. Furthermore, it also ensures that administrative action is lawful, correctly performed, and adheres to certain standards of procedural and substantive fairness. In this fashion, the administrative clause contributes to administrative accountability, openness and transparency in management.

It is for this reason that in chapter 33 of the Bill of Rights administrative officials are compelled to provide reasons for their decisions. This is aimed at facilitating fairness, proper administration, accountability and openness. The reasons provided should measure up with the decision taken, i.e. the more drastic the action taken thus the more detailed the reason should be.

Once again, in terms of section 8 of the 1996 Constitution, the Bill of Rights applies to all law. However, school governing bodies are bound by section 33 of the Bill of Rights. This, therefore, means that the administrative powers and functions of school governing bodies must comply with the Constitution and can be tested against section 33 of the Bill of Rights to private persons and organizations such as independent schools.

Without any doubt, there is a need of educative governance for school governing bodies. Educative governance means the kind of governance that takes an account of the context, culture and values which inform the educational aims. In other words, educative governance goes far beyond merely governing for efficiency. Of course, no one can deny the importance of administrative and managerial efficiency because without these two a learning institution can quickly become out of control.

Most often, it is taken for granted that governors and managers in education will have a vision for education, and will work towards this through their own guiding values. However, vision and values can only become worth something when they are enacted. This means that governors and managers have that duty of fulfilling their educative goals.

Of course, most governors claim to have a vision of the way in which their schools might develop. Against this spirit, applicants in schools are often asked how they see the institution developing in the next five years, if they are unable to make a reasonable statement for improvement, expansion as well as greater prosperity, they are unlikely to impress the appointments committee.

It is true that successful applicants may well have a personal vision of what the future of the institution might be. However, if the vision is not shared with the majority, or all in the institution, then it is likely to be unrealistic. Without any doubt if a vision is unrealistic it remains a dream. Consequently, visionary applicants often find themselves wondering or left merely reacting to their own resentful feelings about being misunderstood.

4.4 SCHOOL GOVERNING BODIES AND HEAD-TEACHERS

A school governing body can be looked at in terms of accountability, duties of communication and networks, as well as any restrictions on this ability to play an active role in the working of the institution.

Being the *ex-officio* governors, or being part of school governing bodies by virtue of their positions as heads of their schools, head-teachers have the right to fully participate in decision-making. This means that all governing body members have the same and equal status. However, in many schools head-teachers do seem to dominate their governing bodies by making greater input than the rest of the governors, or even control the agenda in meetings.

The knowledge and expertise of head-teachers give them a vital platform and leverage which the other governors do not have. Of course, head-teachers have a complex duty of accountability, i.e. to their governing bodies, to the education department, to parents, to the profession and mainly to the students. They have to communicate the workings of the governing body to the department of education, to parents and others. As Nigel Gann (1998: 82) has put it, head-teachers represent the educational profession and, it is to be hoped for, its highest standards on their governing bodies.

For the highest standards of the profession, head-teachers have to network effectively with other head-teachers, education officers, teacher unions and, internally, with the staff. Even so, their primary responsibility is to implement the decision of the governing body, which they often influence.

In many instances, if not all, an institution that produces the highest standards of education is the one that enables to maintain a good and healthy relationship between the governance and managerial structure, particularly between the school governing body members and the head-teacher. This means that an institution can be able to realise progress and developments for as long as it is able to instill mutual understanding and respect, openness, honesty and trust between the stakeholders.

There is evidence to suggest that the relationship between the governing body and the head-teacher is determined by the attitude of the head-teacher (see appendix B). In most instances when the relationship between governing bodies and head-teachers is bad then

the heads are not open and welcoming to the governing body members and they are not involved in policy making. In such situations, when the heads behave in an autocratic fashion, or are defensive, and find communication difficult, the relationship is always not satisfactory.

Both the head-teacher and the governing body should implement strategic marketing so as to build a good relationship between the stakeholders of the institution. Davies and Ellison (1997: 3) emphasise that ,“marketing is about managing relationships through effective communication, ... it is the means by which the school actively communicates and promotes its purpose, values and products to the pupils, parents, staff and wider community”.

In fact, a head-teacher needs the ability and willingness to communicate openly and frankly with the governing body, especially about any perceived weakness in the school. There is evidence also to suggest that the management method adopted by the head-teacher when dealing with the staff reflects the method which he or she uses with the governing body (see appendix B). If the head-teacher adopts a consultative method, he or she does so with both the governing body and staff. Equally so, a head-teacher who adopts a more autocratic management method does so with both staff and the governing body.

It is important to recognise that there are no short cuts in improving a poor or unhealthy relationship between the governing body and the head-teacher. This is because a good and healthy relationships between the governing body and the head-teacher can only be built up over time, and through frequent meetings. Of course, if it is the governing body which distances itself from the head-teacher then the head-teacher should first try to understand the reasons for the governing body’s reluctance to work more closely with him or her before attempting to build up the good and healthy relationship.

The governing body might have had unfortunate experiences with head-teachers in the

past, or may be unaware of the changes in the responsibilities of governing bodies brought about by recent legislation, or may simply lack the confidence to take up the delicate information. This kind of information will definitely help the head-teacher to understand the governing body's actions and possibly find a solution to the problem.

It is fair to say that sometimes it is the head-teacher who is unwilling to work with the governing body. This is because sometimes head-teachers think that when the governing body is trying to play their role in the management of the school, they are seeking to usurp their authority. In this regard the governing body should cautiously try to persuade the head-teacher that they are in no way seeking to usurp his or her authority. The governing body should also point out that they are concerned about the best interest of the learners and that they wish to work with the head-teacher so as to make the school as effective as possible.

4.5 SUMMARY

In appointing new educators for employment to a post there is a specific procedure that needs to be followed. It is the governing body that has to begin the process by identifying the needs of the school and then advertise the post. Again, it is the school governing body that conducts the interviews for the appointment of the new educators.

However, these appointments of new educators have to be confirmed by the department of education. Unless the department of education has issued a letter of approval, the nominated candidate in the interview can not fill the vacant post as disputes might arise. This is because in the process of appointments all the applicants have to be treated in a just and fair manner. It is against this ethos that school-governing bodies must be conscious of the rights of individuals to fair and just administrative actions as stipulated in the Bill of Rights.

CHAPTER 5

INVESTIGATION

5.1 INTRODUCTION

In this chapter the focus is on the questionnaires distributed and the interviews conducted with the governing body members of the eight schools which were investigated. However, in the study, to ensure confidentiality schools' names will not be made. Even so, the questions and responses of both the questionnaires circulated and the interviews conducted are included in the appendices of this report (see appendix A and B). To ensure validity of the findings, the actual names of schools were retained in the examiner's copies but removed from all copies made available to the public (see appendix C).

5.2 THE PROCESS OF THE INVESTIGATION AT THE SCHOOLS

A request in the form of letter (see appendix C) was made to all the eight SGBs that I intended to investigate. The investigations were conducted in the same way in all the schools, i.e. each SGB was given a questionnaire to complete and one educator governor and one parent governor were interviewed.

It is important to mention that all the schools which were investigated are in the Western Cape province in three different areas, i.e. three schools from Kraaifontein, three schools from Stellenbosch, two schools from Kuils River. Due to the confidentiality of the information, instead of mentioning schools' names, letters are used, e.g. school A, school B, school C etc.

The schools that were investigated were selectively chosen. Many factors had to be considered before the selection, for instance, transport expenses (a school must not be

too far), racial composition of the school (in the selected schools I wanted to have both black and white schools) and the willingness of the SGB to be investigated (to get appropriate information).

There were some problems in the investigation process. Some of the schools wanted to see me in person as the services of an assistant had been used in the initial distribution of the letters to all the eight schools. Other schools wanted to see a letter from the University of Stellenbosch as a proof that I was a registered student, and they also wanted to see a letter from the education department giving permission to proceed with the investigation.

5.3 THE INTERVIEWS AND THE QUESTIONNAIRES

In the interview I spent about 20 minutes with each governor. There were twenty two main questions that I had prepared to ask the governors. However, there were some questions which arose during the course of the interviews, those questions were elicited by some of the responses that I was getting from the interviewees. This means that not all the interviewees were asked the same additional questions. After each question and response I had to give myself time writing down the response. All the questions and responses are included in the appendices of this report. After the interviews I requested that the completed questionnaires be returned to me in person on a return visit to the school.

5.4 THE FINDINGS

The questionnaires circulated to the various school governing bodies and the interviews conducted with the school governors from the various school governing bodies indicated that more problems are in the disadvantaged communities. These problems include disputes and corruption. Out of the four schools from the disadvantaged communities it is only one school that did not have a dispute in the appointment of new educators.

On the contrary, all the four schools from the previously advantaged communities had never had disputes.

There are various factors within the school governing bodies, particularly the SGBs from the disadvantaged communities, which cause disputes in the appointment of educators. The investigation indicates that most school governors in the disadvantaged communities are interested in their own personal gains, a factor which leads to the abuse of their power and corruption as they end up engaging themselves on bribes (see appendices)

It is against this background that at school A the parent governor joined the SGB because of the personal gains that he envisaged. Despite the corruption, most parent governors from the disadvantaged communities are not educated, a factor which leads to the misinterpretation of the education policies. As the result of this, the legal procedure of appointing educators is oftenly not followed.

5.5 DISCUSSION OF THE FINDINGS

For many SGBs the responsibility of employing educators is so difficult to discharge because in many schools, as one of the governors at school B has indicated in the interviews, the electoral process seems to be a mere formality. This could be supported by the fact that in many schools governors were sought and won the election on certain platforms. For instance, at school B the Chairperson of the SGB won the election because he was in support of the employment of the head-teacher. The making of such commitments is unrealistic. One might think that this is just politicking, however, it is a logical outcome of a system based on electoral bodies.

The South African Schools Act of 1996 (section 16 (1)) states that the professional management of a school lies with the Principal and school management team while the governance is vested in its governing body. This really seems to confuse or disturb many school-governing bodies, particularly the parent governors as they tend to think that no challenges could be taken against the decision that they have undertaken.

The SGB of school B is a typical example because the Chairperson has put it very explicitly "...my mission was to come and get a Principal for the school. Yes, I know that posts are advertised for everybody to apply and I know that it is the governing body that has to make the appointment". This is a misleading interpretation because as a result of it many decisions taken by governing bodies are challenged on the ground that school-governing bodies either failed to follow the correct administrative procedures or to apply the education policy accordingly.

Unless school governors and managers have a sound interpretation of the various education policies and relevant legislation, the problems in our education system will continue to prevail. Of course, the governance and management of schools are determined and shaped by a variety of legislation and policies with which SGBs and managers need to be familiar. For instance, they need to familiarise themselves with the Constitution of the Republic of South Africa, the South African Schools Act No. 84 of 1996 and the Education Labour Relations Council, i.e Resolution No. 5 and No. 6 of 1998. Without any doubt, all these policy documents have a great impact on all areas of school governance and management.

The school governing bodies, particularly parent governors, should be empowered with the right of entry and exit if they show not to have the best interest of the learners at heart. It seems undesirable to have governors like the one I have interviewed at school A. The governor had put it very plainly in the interview that he became an SGB member because he thought that he would benefit from it. Clearly, it is desirable that there should be democratic objections that make it possible to restrict governors who want to be part of school governing bodies purely for their own personal gain. All the governing body members should work towards stimulating competition between models of educational excellence.

The introduction of governing bodies had introduced a powerful dimension to the ability of parents to exercise choice within the publicly provided sector of education. Moreover, the department of education provides training sessions for school governing bodies. In

this respect, a scope for schools to develop different features is provided, and it enables the schools to compete for quality education.

As might be expected, not all governing body members behave inappropriately and seem to be interested in their own personal gains, corruption and so forth. However, it does seem to me that this is just a substantial minority, and they are in the so-called White schools as it is shown in the interviews in the appendices of this report. Out of the four white schools which were investigated none of them had a dispute. The reason for this could be that most of the governing body members of these schools are well educated or reached the tertiary level of schooling, some are educators at other schools, while others are doctors and nurses or working at the education department's offices. Therefore, one can only expect such institutions to become a center of excellence because the governing body will know exactly what is to be done for the development and progress of the institution.

In contrast in the so called Black schools it is only the Principal and the educator governors who either understand or know exactly what has to be done in accordance with the duties and responsibilities of school governing bodies as stipulated by the various education policies, legislations, circulars and so on. This could be supported by the fact that the investigation has shown that most governing body members in the black schools are not educated, some of them never went to school.

The question of the appointment of new teachers in the so-called Black schools is a worrying factor. During the process of interviewing the school governing bodies it became clear that the so-called Black schools appear to be experiencing certain problems in common, i.e. defunct governing bodies, corrupt governing bodies, corrupt Principals, and so on. The consequences of all these wrong doings are disputes.

In any institution, a dispute creates tension among the stakeholders. The culture of teaching and learning and the smooth running of the institution is disturbed to a greater

extent under such conditions.

If one were to identify one possible area in which the education authorities have erred, it would probably be in the shifting of all the decision-making powers to parents, i.e. to give the parents the responsibility of deciding the fate of an institution. It therefore did not come as a surprise when one chairperson of a governing body in the interviews during the investigation indicated that in his school they have experienced four disputes in a row within a quarter after making the nomination of candidates for appointment, and the department of education did nothing to that except coming for hearings and arbitrations in those cases. The fact that there were four disputes within a quarter suggests clear evidence that there is a problem that needs to be investigated within the governing body. An investigation after the second disputes would have helped a great deal

Similarly, the notion of quality public education seems to fade with the exercise of ineffective school governing bodies. The question of ineffective school governing bodies is a historic link between particular levels of education attainment and particular social classes. This could be supported by the fact that the predominantly black and working class populations never gained an equitable share of educational resources. Moreover, a huge number of the black community never went to school, as it is shown in the interviews in the appendix of this report.

The implication of this therefore is that many people from the working class populations is not taking education very seriously. This then means that the choice that school governing bodies have to make in employing an educator is likely not to make a difference in improving the quality of education in the disadvantaged communities, particularly in those schools where the governing body does not have a vision about the school. The relationship between, on the one hand, school governing bodies and their educational orientations in school governance and, on the other hand, the legal procedure of employing educators as well as the cultural assumption (or the school needs) embedded within it are to be taken into serious consideration.

5.6 THE POSSIBILITIES AND PROBLEMS IN THE APPOINTMENT OF NEW EDUCATORS

There are possibilities and problems regarding the employment of new educators at schools. This is because, in a fair and just process, the focus of employing new educators is on good educators. Therefore, the nomination of successful candidates in an interview is determined by the manifesto presentation, i.e. the responses that are conveyed to the appointment committee by each candidate through the interview process.

Many people believe that the low pass rate of students at schools is essentially the result of cognitive, linguistic and / or motivational defects which is the cultural consequence or the lack of early socialisation in the home (Edwards and Witty, 1992: 102). Therefore, the blame for class inequalities in educational outcomes is put upon the losers in the system, and the way in which the structure and culture of provision produce differential educational outcome is ignored.

Being an educator myself for the past six years I could realize that the contributory factors to the low pass rate of students at schools are the neutral mechanism of resource allocation, school governance and management as well as the efforts put by individual teachers and learners to their work. This means that failure at school can not only be blamed on teachers and learners but, also, on the school governing body or upon their irresponsible (or wrong) choices that they have made by employing the bad educators. By the same token, for educational improvement school governing bodies have to implement their right choice as well.

Certainly, the school which offers what the people want will prosper, and the schools which fail must not be protected against the effects of their unpopularity. This is to say, the schools where there is under-enrolment, or high failure rate, due to what happens in their premises, i.e. when schools are bad and no-one wishes to attend them, must improve or else close down.

Without any doubt, the manifestos that are presented by candidates in an interview are so crucial in the nomination process. However, this should not lead one to believe that

educators or candidates who present good manifestos and do well in the interview are always good teachers, or that popular schools are better at teaching. In fact, popular schools may be the beneficiaries of having more able and teachable pupils (Edwards and Witty, 1992: 103).

Despite the fact that the choice of successful candidates can be freely made, there are other factors which limit the nomination of candidates. The freedom to nominate a candidate could be constrained by an obligation to give preference to local candidates or to those with relatives already serving at the school, or by a more general obligation to secure a balanced staff.

Moreover, the equal status between schools which are related to different levels in terms of the subjects or learning areas that they offer is a powerful constraint on the choice of school governing bodies to nominate or employ the suitable candidate for a post. In no ways that the school governing body can nominate or employ a History educator to a Maths or Science post. This is in line with the principle that employment of educators has to be made in accordance of the needs of the school.

Some of the choices made by certain school governing bodies are questionable. This is not because such choices have been influenced by certain factors but, rather, because interviews are sometimes conducted for reasons of formality only. Of course, as implicated in the interviews, candidates are sometimes nominated before the actual interviews. In such instance the school's needs are not taken into serious consideration.

This means that some school governing bodies have no vision about their schools and they take for granted the prescribed measures for employment in the policies of the education department. Consequently, such actions results into a dissatisfying service provision.

Despite the ill actions of incompetent and corrupt school governing bodies, there are two mechanisms by which educators may be disadvantaged in their employment. In the first place, the competition in the subjects or the learning areas such as Mathematics, Science

and Technology could be one of the mechanisms which disadvantage educators as they are in great demand. This could be supported by the fact that those educators who are inclined to enter the competition but do not have the necessary experience or qualifications in those subjects in great demand, which might appear to be to their advantage, suffer the consequences of their lack of experience or qualifications.

In the society some learners are fortunate enough. As they have a good financial background and receive good advice at their homes for subject choices. As a result these learners tend to choose subjects that will be in great demand in the future, and which are vital in the drive to improve the quality of education of the school. This has tended to be the position particularly for White learners in South Africa. With their relative socio-economic advantages, White learners have on the whole been well placed to make subject choices. Furthermore, regarding school choice, they have examined and considered various schools on offer and been able to express preferences as their parents usually were able to afford the cost of attendance at the school of their choice.

Secondly, despite being privileged or disadvantaged by the extent of their respective experiences and qualifications to engage successfully in the competition, educators are also privileged or disadvantaged by the values which inform school governing bodies in their choice making. This is against the background that choices have different meanings in different communities, as it is shown in the interviews in the appendices of this report. Most of the schools which I have investigated, locality (or those staying nearby) was valued over and above other considerations when it comes to choosing an educator for employment.

Some of the educators who are disadvantaged of not being local educators may not be inclined to spend time pondering over a range of possible options but others, typically those who feel that they were unfairly treated, they often declare disputes. Important to note is that locality can be a positive value as well, rather than to be a constraint. This could be supported by the fact that many school governing bodies employ educators from the local community because of the convenience that it provides.

For instance, local educators will be well aware of the needs of the community and may be punctual in the morning and not rush home afternoon. Even so locality is neither a value nor a requirement that the education department set up. The department of education is against the ineffective ways of perpetuating the prevailing social system because it provides justification for social inequalities and gives respect to the inappropriate cultural heritage.

5.6 SUMMARY

A number of learning institutions experience similar problems, i.e. defunct school governing bodies, ineffective school governing bodies, corrupt governing bodies and head-teachers. In order to put quality education on track, the problems surrounding governing bodies at present, should be addressed as a matter of urgency and necessity, as an on going process, in order to eradicate the "ills" being experienced from the education system.

CHAPTER 6

CONCLUSION

6.1 SUMMARY

The problem of school governing bodies in employing educators is caused by the lack of knowledge and misinterpretation of the education policies, particularly the South African School Act of 1996. The Schools Act (Section 16(1)) states that powers of governance at school rests upon the school governing body, and it is the school governing body which has to appoint educators following the legal procedures as stipulated in the Educators Employment Act.

Most SGBs are aware that they are at liberty to set up their own additional criteria for the employment of new educators, but they are unaware that all laws are subject to the supreme Constitution of the Republic of South Africa. In the supreme Constitution, particularly in the Bill of Rights, as pointed out on page 23 of this report, all individuals are protected against unfair and unjust labour practices by the administrators (RSA, 1996b). It is against that background that in many schools there is dispute after dispute because many educators, if not all, are aware of their right to fair and just administrative actions.

It is logical, therefore, to say that the school governors in the disadvantaged communities are subject to problems of misinterpreting the education policies because most of them are uneducated. In many instances, as it is the case at school F, SGBs find themselves in skirmishes with their Principals because they hardly agree in their meeting if the Principals implement the education policies.

The education policy's influence on school governing bodies is very limited at certain schools when it comes to the appointment of new educators. Most often school governing bodies set up their own additional criteria for the nomination of candidates in

an interview. This criteria includes giving preference to the local candidates, or to secure a balanced staff in terms of race and ethnicity, and in some cases to accommodate the possibility of bribery in the process (as it was reported in the case of school A).

In the employment of educators the school governing body is likely to set up its own additional criteria for the nomination of successful candidates in the interview. These additional criteria is sometimes set up by certain individual governors in the governing body for their own personal gains, as it was the case at school B. At school B the chairperson of the governing body had set up the criterion which suited the person he wanted to be the Principal of that school. School governors are elected into school governing bodies not to serve their own personal needs, rather to serve the interests of all stakeholders of the institution. This means that school governors must show a deep commitment that can also be wonderfully fulfilling personally and professionally without engaging themselves into corrupt behaviours (Kaagan, 1997: 24).

6.2 RECOMMENDATIONS

It is acceptable that in an interview of employing educators the Department of Education has its representative in the person of the Principal of the school. However, it seems reasonable to argue that if a school experiences more than one dispute, then the Department of Education should intervene or participate in the interviewing process or even take over if needs be. This is because, more than one disputes at a school indicates either a lack of knowledge or skill of facilitating the employment process of new educators and/or a possibility of corruption.

However, a take-over is not a solution and it is against the democratic principle of empowering the communities through meaningful participation in the education of their children. It is commendable that the department of education is conducting training workshops for newly elected SGBs. Even so, there is a dire need for more training workshops for all SGBs as this need is suggested in most of the schools that I have investigated. In relation to the focus of this study on the SGB's duty of staff appointments, it would be logical to specifically train the governors that will be participating in the employment process, i.e. the interview committee. This means that

school governing bodies must set up interview committees to facilitate the process of appointing new educators at the institutions.

Before the school can start the process of appointing new educators the department of education must make sure that the interview committee is in existence, and it has attended the training workshops. Below I have identified some of the points that need particular attention in the training workshops:

1. The identification of the post
2. The advertisement of the posts
3. Application form
4. Candidates list
5. Letter of acknowledgement, from the employing department
6. Sifting list
7. Shortlisting process
8. Letter to candidates on shortlisting
9. Interview questionnaire
10. Points evaluation scale
11. Average evaluation list
12. Preference list
13. Letter of appointment
14. Letter of non-appointment
15. Letter of acknowledgement, from the candidate
16. Nomination form
17. Rights to fair and just administration actions
18. Integrity
19. Responsible parenting without being paid for it
20. What it means to be a partner-in-education
21. Carrying responsibility for choosing suitable teachers
22. Implications for everyone's child at the school
23. South Africa's future

After the training workshops all interview committees will have to account if they are

found guilty of not intentionally followed the correct procedure of appointing new educator. This has to be stated or highlighted clearly at the training workshops, otherwise the training workshops will have a meaningless effect. Moreover, after the training workshops, the interview committees will have to be visited at least once by an official representative from the education department (not the Principal of the school) to observe how the interview committees conduct the whole process of appointments. This will enable the education department to determine if there is a need for more training workshops.

The education system cannot be viewed in isolation. The problems in the system reflect the problems in the socio-economic environment. The high rate of irresponsible, negligent and corrupt behaviour which is found at schools A, B, D, and H, in the appendices of this report, are symptoms of a deep social trauma. This trauma results from the failure of education and socio-economic policies to meet the needs and aspirations of millions of South Africans who have a history of being denied a life of security, dignity and happiness by racial and economic oppression.

By training school governing bodies the Education Department will have an opportunity to target the symptoms of an ill education system. This may provide a relief in many schools, i.e. the SGBs will know exactly the legal procedures of appointing new educators.

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APPENDIX A
QUESTIONNAIRE QUESTIONS AND RESPONSES

QUESTIONNAIRE

SCHOOL: A

IMPORTANT TO NOTE: Please shade black where applicable.

1. How many pupils on roll?
 - Between 500 and 1000 learners
 - Between 1000 and 2000 learners
 - 2000 learners and above
2. What grades are at the School?
 - Grade 8 to 12
 - Grade 4 to 7
 - Grade 1 to 3
3. How many educators at the school?
 - Between 5 to 20
 - Between 20 to 50
 - 50 and above
4. How is the roll of the School?
 - Rising
 - Falling
 - Stable
5. What is the management structure of the School?
 - It is only the Principal
 - It is the Principal & Deputies
 - Is Principal, Deputy & HOD
6. Does the School have policy on matters such as equal opportunities, race and gender?

Yes

No

Not all the policies

7. Has the School already started with the OBE?

Yes

No

In some of the grade

8. What activities does the School offer after school?

Sport

Music

other specify : Culture

QUESTIONNAIRE

SCHOOL: B

IMPORTANT TO NOTE: Please shade black where applicable.

1. How many pupils on roll?
 - Between 500 and 1000 learners
 - Between 1000 and 2000 learners
 - 2000 learners and above
2. What grades are at the School?
 - Grade 8 to 12
 - Grade 4 to 7
 - Grade 1 to 3
3. How many educators at the school?
 - Between 5 to 20
 - Between 20 to 50
 - 50 and above
4. How is the roll of the School?
 - Rising
 - Falling
 - Stable
5. What is the management structure of the School?
 - It is only the Principal
 - It is the Principal & Deputies
 - Is Principal, Deputy & HOD
6. Does the School have policy on matters such as equal opportunities, race and gender?

- Yes
- No
- Not all the policies

7. Has the School already started with the OBE?

- Yes
- No
- In some of the grade

8. What activities does the School offer after school?

- Sport
- Music
- other specify _____

QUESTIONNAIRE

SCHOOL: C

IMPORTANT TO NOTE: Please shade black where applicable.

1. How many pupils on roll?
 - Between 500 and 1000 learners
 - Between 1000 and 2000 learners
 - 2000 learners and above
2. What grades are at the School?
 - Grade 8 to 12
 - Grade 4 to 7
 - Grade 1 to 3
3. How many educators at the school?
 - Between 5 to 20
 - Between 20 to 50
 - 50 and above
4. How is the roll of the School?
 - Rising
 - Falling
 - Stable
5. What is the management structure of the School?
 - It is only the Principal
 - It is the Principal & Deputies
 - Is Principal, Deputy & HOD
6. Does the School have policy on matters such as equal opportunities, race and gender?

Yes

No

Not all the policies

7. Has the School already started with the OBE?

Yes

No

In some of the grade

8. What activities does the School offer after school?

Sport

Music

other specify : Dance, Athletics

QUESTIONNAIRE

SCHOOL: D

IMPORTANT TO NOTE: Please shade black where applicable.

1. How many pupils on roll?
 - Between 500 and 1000 learners
 - Between 1000 and 2000 learners
 - 2000 learners and above
2. What grades are at the School?
 - Grade 8 to 12
 - Grade 4 to 7
 - Grade 1 to 3
3. How many educators at the school?
 - Between 5 to 20
 - Between 20 to 50
 - 50 and above
4. How is the roll of the School?
 - Rising
 - Falling
 - Stable
5. What is the management structure of the School?
 - It is only the Principal
 - It is the Principal & Deputies
 - Is Principal, Deputy & HOD
6. Does the School have policy on matters such as equal opportunities, race and gender?

Yes

No

Not all the policies

7. Has the School already started with the OBE?

Yes

No

In some of the grade

8. What activities does the School offer after school?

Sport

Music

other specify : Cultural, Debating, Acting, Writing, Aids Education

QUESTIONNAIRE

SCHOOL: E

IMPORTANT TO NOTE: Please shade black where applicable.

1. How many pupils on roll?
 - Between 500 and 1000 learners
 - Between 1000 and 2000 learners
 - 2000 learners and above
2. What grades are at the School?
 - Grade 8 to 12
 - Grade 4 to 7
 - Grade 1 to 3
3. How many educators at the school?
 - Between 5 to 20
 - Between 20 to 50
 - 50 and above
4. How is the roll of the School?
 - Rising
 - Falling
 - Stable
5. What is the management structure of the School?
 - It is only the Principal
 - It is the Principal & Deputies
 - Is Principal, Deputy & HOD
6. Does the School have policy on matters such as equal opportunities, race and gender?

Yes

No

Not all the policies

7. Has the School already started with the OBE?

Yes

No

In some of the grade

8. What activities does the School offer after school?

Sport

Music

other specify: Cultural_____

QUESTIONNAIRE

SCHOOL: F

IMPORTANT TO NOTE: Please shade black where applicable.

1. How many pupils on roll?
 - Between 500 and 1000 learners
 - Between 1000 and 2000 learners
 - 2000 learners and above
2. What grades are at the School?
 - Grade 8 to 12
 - Grade 4 to 7
 - Grade 1 to 3
3. How many educators at the school?
 - Between 5 to 20
 - Between 20 to 50
 - 50 and above
4. How is the roll of the School?
 - Rising
 - Falling
 - Stable
5. What is the management structure of the School?
 - It is only the Principal
 - It is the Principal & Deputies
 - Is Principal, Deputy & HOD
6. Does the School have policy on matters such as equal opportunities, race and gender?

Yes

No

Not all the policies

7. Has the School already started with the OBE?

Yes

No

In some of the grade

8. What activities does the School offer after school?

Sport

Music

other specify _____

QUESTIONNAIRE

SCHOOL: G

IMPORTANT TO NOTE: Please shade black where applicable.

1. How many pupils on roll?
 - Between 500 and 1000 learners
 - Between 1000 and 2000 learners
 - 2000 learners and above
2. What grades are at the School?
 - Grade 8 to 12
 - Grade 4 to 7
 - Grade 1 to 3
3. How many educators at the school?
 - Between 5 to 20
 - Between 20 to 50
 - 50 and above
4. How is the roll of the School?
 - Rising
 - Falling
 - Stable
5. What is the management structure of the School?
 - It is only the Principal
 - It is the Principal & Deputies
 - Is Principal, Deputy & HOD
6. Does the School have policy on matters such as equal opportunities, race and gender?

Yes

No

Not all the policies

7. Has the School already started with the OBE?

Yes

No

In some of the grade

8. What activities does the School offer after school?

Sport

Music

other specify : cultural activities

QUESTIONNAIRE

SCHOOL: H

IMPORTANT TO NOTE: Please shade black where applicable.

1. How many pupils on roll?
 - Between 500 and 1000 learners
 - Between 1000 and 2000 learners
 - 2000 learners and above
2. What grades are at the School?
 - Grade 8 to 12
 - Grade 4 to 7
 - Grade 1 to 3
3. How many educators at the school?
 - Between 5 to 20
 - Between 20 to 50
 - 50 and above
4. How is the roll of the School?
 - Rising
 - Falling
 - Stable
5. What is the management structure of the School?
 - It is only the Principal
 - It is the Principal & Deputies
 - Is Principal, Deputy & HOD
6. Does the School have policy on matters such as equal opportunities, race and gender?

Yes

No

Not all the policies

7. Has the School already started with the OBE?

Yes

No

In some of the grade

8. What activities does the School offer after school?

Sport

Music

other specify

APPENDIX B
INTERVIEW QUESTIONS AND RESPONSES

SCHOOL = A INTERVIEW

NB: The purpose of the interview is to find out the experience that your school governing body is encountering in terms of governance. The information provided will be kept confidential, therefore be at liberty to give the necessary and reliable information.

1. Are you an educator or a parent at the school?
= Educator.
2. What is your portfolio in the SGB?
= Teachers' representative.
3. Since when were you a member of the SGB?
= About six months back.
4. What is the term of office of the SGB?
= 3 years.
5. Do you have a constitution?
= Yes.
6. How many members in your SGB?
= 2 Teachers; 1 Principal; 5 Parents; 2 Learners = 10 (2 co-opted members).
7. Is there any vacant post in your SGB?
= No
8. How is your SGB organized, are there any committees?
= No.
9. Is this school a primary or a secondary school?
= Secondary School.
10. Do you have learners in your SGB?
= Yes.
11. How often do you hold meetings of the SGB with the school management team and with the whole staff?

= 2 Times a month.

12. What are the educational qualifications of the governing body members, including yourself?

= Uneducated, only the Chairperson and his Vice-Chairperson went to school.

13. Did you ever attend a governing body workshop?

= Yes.

14. Do all members of your SGB understand your legal duties and responsibilities?

= No, all never attended a work shop.

15. Are you aware that one of the duties of SGBs is to employ educators at the school?

= Yes.

16. Can you highlight the procedure that you follow when employing educators?

= Yes, we follow the prescribed measures set up by the department of education and our own additional criteria.

17. Does the Principal of the school play any role in the process of employing educators, if yes what is it?

= Yes, he is one of the interviewing panel members.

18. What is the racial composition of the school, i.e for learners, educators, and for SGB ?

= Black and Coloured learners, Black, White and Coloured educators, SGB blacks only.

19. Does the SGB represent the racial composition of the learners of the school?

= No.

20. Have you ever had disputes at the school, if yes how many times and in which department ?

= Yes (once) in the employing department.

21. What is your personal vision about the school?

= Is to see the school being successful in all aspects.

22. Is there anything else that you would like to share with me about the school?

= No, maybe I can ask you one thing, what would you suggest to happen at our

school because we are so divided ?

"I think you need to find out the cause of the division and from there you can start looking for a solution "

SCHOOL = A INTERVIEW

NB: The purpose of the interview is to find out the experience that your school governing body is encountering in terms of governance. The information provided will be kept confidential, therefore be at liberty to give the necessary and reliable information.

1. Are you an educator or a parent at the school?
= Parent.
2. What is your portfolio in the SGB?
= Chairperson.
3. Since when were you a member of the SGB?
= 2 Years.
4. What is the term of office of the SGB?
= 3 Years.
5. Do you have a constitution?
= Yes.
6. How many members in your SGB?
= 10 members.
7. Is there any vacant post in your SGB ?
= No.
8. How is your SGB organized, are there any committees?
= No.
9. Is this school a primary or a secondary school?
= Secondary .
10. Do you have learners in your SGB?
= Yes.
11. How often do you hold meetings of the SGB with the school management team and with the whole staff ?

= Maybe three times a month.

12. What are the educational qualifications of the governing body members, including yourself?

= I am not sure, but I am bit educated myself.

13. Did you ever attend a governing body workshop?

= Yes.

14. Do all members of your SGB understand your legal duties and responsibilities?

= No, not all of us.

15. Are you aware that one of the duties of SGBs is to employ educators at the school?

= Yes.

16. Can you highlight the procedure that you follow when employing educators?

= We follow the department's procedure.

17. Does the Principal of the school play any role in the process of employing educators, if yes why is it?

= Yes, he also interview applicants.

18. What is the racial composition of the school, i.e for learners, educators, and for the SGB?

= Blacks and Coloureds for learners, Whites, Blacks and Coloureds for educators, . blacks only for SGB.

19. Does the SGB represent the racial composition of the learners of the school?

= No.

20. Have you ever had disputes at the school, if yes how many times and in which department?

= Yes in the employing department, only once.

21. What is your personal vision about the school?

= To improve the school in all educational aspects.

22. Is there anything else that you would like to share with me about the school?

= No

SCHOOL = B INTERVIEW

NB: The purpose of the interview is to find out the experience that your school governing body is encountering in terms of governance. The information provided will be kept confidential, therefore be at liberty to give the necessary and reliable information.

1. Are you an educator or a parent at the school?
= Educator.
2. What is your portfolio in the SGB?
= Treasurer.
3. Since when were you a member of the SGB?
= Since February this year, 2002.
4. What is the term of office of the SGB?
= Office bearers 1 year, and others three years.
5. Do you have a constitution?
= No.
6. How many members in your SGB?
= 7 Members.
7. Is there any vacant post in your SGB ?
= Yes, Vice -Chairperson, Treasurer and Vice-secretary.
8. How is your SGB organized, are there any committees?
= We have the office – bearers and the other members.
9. Is this school a primary or a secondary school?
= Primary.
10. Do you have learners in your SGB?
= No.
11. How often do you hold meetings of the SGB with the school management team and with the whole staff?

- = 2 Meetings per term.
12. What is the educational qualifications of the governing body members, including yourself?
- = Not sure of the other members, I reached the tertiary level of schooling.
13. Did you ever attend a governing body workshop?
- = Yes.
14. Do all members of your SGB understand your legal duties and responsibilities?
- = Not all members.
15. Are you aware that one of the duties of SGBs is to employ educators at the school?
- = Yes.
16. Can you highlight the procedure that you follow when employing educators?
- = Yes, we follow there procedure of the department.
17. Does the Principal of the school play any role in the process of employing educators, if yes what is it ?
- = Yes, he becomes part of the interviewing panel.
18. What is the racial composition of the school, i.e for learners, educators, and for the SGB ?
- = Black and Coloured learners, black and coloured educators, and black and coloured . SGB members.
19. Does the SGB represent the racial composition of the learners of the school?
- = Yes.
20. Have you ever had disputes at the school, if yes how many times and in which department ?
- = Not yet.
21. What is your personal vision about the school?
- = Is to offer quality education to all the learners of the school.
22. Is there anything else that you would like to share with me about the school?
- = Yes, the chairperson of the SGB was elected as an interim but now is acting as a permanent member.

SCHOOL = B INTERVIEW

NB: The purpose of the interview is to find out the experience that your school governing body is encountering in terms of governance. The information provided will be kept confidential, therefore be at liberty to give the necessary and reliable information.

1. Are you an educator or a parent at the school?
= Parent.
2. What is your portfolio in the SGB?
= Chairperson.
3. Since when were you a member of the SGB?
= 1 Year.
4. What is the term of office of the SGB?
= 3 Year.
5. Do you have a constitution?
= No.
6. How many members in your SGB?
= 9 members.
7. Is there any vacant post in your SGB
= No.
8. How is your SGB organized, are there any committees?
= No committees.
9. Is this school a primary or a secondary school?
= Primary.
10. Do you have learners in your SGB?
= No.
11. How often do you hold meetings of the SGB with the school management team and with the whole staff?

= 2 meetings per term, is only the SGB meetings.

12. What are the educational qualifications of the governing body members, including yourself?

= I'm bit educated, I do not know the other members

13. Did you ever attend a governing body workshop?

= Yes.

14. Do all members of your SGB understand your legal duties and responsibilities?

= Not all the members, I think.

15. Are you aware that one of the duties of SGBs is to employ educators at the school?

= Yes.

16. Can you highlight the procedure that you follow when employing educators?

= We follow the WCED prescribed procedure.

17. Does the Principal of the school play any role in the process of employing educators, if yes what is it?

= Yes, he is part of the interviewing panel.

18. What is the racial composition of the school, i.e. for learners, educators, and for the SGB?

= Coloureds and Blacks for learners, educators and SGB.

19. Does the SGB represent the racial composition of the learners of the school?

= Yes.

20. Have you ever had disputes at the school, if yes how many times and in which department?

= Yes, in the employing department.

21. What is your personal vision about the school?

= To see some development taking place at the school.

22. Is there anything else that you would like to share with me about the school?

= No.

SCHOOL = C INTERVIEW

NB: The purpose of the interview is to find out the experience that your school governing body is encountering in terms of governance. The information provided will be kept confidential, therefore be at liberty to give the necessary and reliable information.

1. Are you an educator or a parent at the school?
= Educator.
2. What is your portfolio in the SGB?
= Edditional member.
3. Since when were you a member of the SGB?
= 2 Years.
4. What is the term of office of the SGB?
= 3 years.
5. Do you have a constitution?
= Yes.
6. How many members in your SGB?
= 15 members.
7. Is there any vacant post in your SGB
= No vacant post.
8. How is your SGB organized, are there any committees?
= There are committees.
9. Is this school a primary or a secondary school?
= Secondary.
10. Do you have learners in your SGB?
= Yes.
11. How often do you hold meetings of the SGB with the school management team and with the whole staff?

- = It depends, usually twice a month.
12. What are the educational qualifications of the governing body members, including yourself?
- = We are educated almost all of us, if not all.
13. Did you ever attend a governing body workshop?
- = Yes.
14. Do all members of your SGB understand your legal duties and responsibilities?
- = Yes.
15. Are you aware that one of the duties of SGBs is to employ educators at the school?
- = Yes
16. Can you highlight the procedure that you follow when employing educators?
- = We follow the department's procedure
17. Does the Principal of the school play any role in the process of employing educators, if yes what is it?
- = No
18. What is the racial composition of the school, i.e. for learners, educators, and for the SGB?
- = Whites, Coloureds and Blacks for learners, Coloureds and Blacks educators and SGB.
19. Does the SGB represent the racial composition of the learners of the school?
- = No
20. Have you ever had disputes at the school, if yes how many times and in which department?
- = No
21. What is your personal vision about the school?
- = To improve the quality of education provision to the learners
22. Is there anything else that you would like to share with me about the school?
- = No

SCHOOL = C INTERVIEW

NB: The purpose of the interview is to find out the experience that your school governing body is encountering in terms of governance. The information provided will be kept confidential, therefore be at liberty to give the necessary and reliable information.

1. Are you an educator or a parent at the school?
= Parent.
2. What is your portfolio in the SGB?
= Chairperson.
3. Since when were you a member of the SGB?
= 2 Years ago.
4. What is the term of office of the SGB?
= 3 Years.
5. Do you have a constitution?
= Yes.
6. How many members in your SGB?
= 13 members.
7. Is there any vacant post in your SGB?
= No vacant post.
8. How is your SGB organized, are there any committees?
= Yes i.e employment committee, e.t.c
9. Is this school a primary or a secondary school?
= Secondary.
10. Do you have learners in your SGB?
= Yes.
11. How often do you hold meetings of the SGB with the school management team and the staff?

= Quarterly.

12. What are the educational qualifications of the governing body members, including yourself?

= What I know is that we all went to school.

13. Did you ever attend a governing body workshop?

= Yes, once.

14. Do all members of your SGB understand your legal duties and responsibilities?

= Yes.

15. Are you aware that one of the duties of SGBs is to employ educators at the school?

= Yes.

16. Can you highlight the procedure that you follow when employing educators?

= We conduct interviews and nominate successful candidates.

17. Does the Principal of the school play any role in the process of employing educators, if yes what is it?

= No.

18. What is the racial composition of the school, i.e. for learners, educators, and for the SGB?

= Whites, Blacks and Coloureds for learners, Whites and Coloureds for educators, and Whites and Coloureds for SGB.

19. Does the SGB represent the racial composition of the learners of the school?

= No, people are reluctant to attend meetings.

20. Have you ever had disputes at the school, if yes how many times and in which department?

= No.

21. What is your personal vision about the school?

= To see our school having a balanced staff.

22. Is there anything else that you would like to share with me about the school?

= Yes, but is not about the school, I just want to know what motivated you to this research.

SCHOOL = D INTERVIEW

NB: The purpose of the interview is to find out the experience that your school governing body is encountering in terms of governance. The information provided will be kept confidential, therefore be at liberty to give the necessary and reliable information.

1. Are you an educator or a parent at the school?
= Educator.
2. What is your portfolio in the SGB?
= Educator representative.
3. Since when were you a member of the SGB?
= 5 years now.
4. What is the term of office of the SGB?
= 3 years.
5. Do you have a constitution?
= Yes.
6. How many members in your SGB?
= 14 members.
7. Is there any vacant post in your SGB
= No.
8. How is your SGB organized, are there any committees?
= There are committees of course, i.e. executive committee, fund-raising committee, maintenance committee, e.t.c
9. Is this school a primary or a secondary school?
= Secondary, and is for Girls only.
10. Do you have learners in your SGB?
= Yes, 2 learners.
11. How often do you hold meetings of the SGB with the school management team and

with the whole staff?

= Once a month.

12. What are the educational qualifications of the governing body members, including yourself?

= The Chairperson and the Vice-Chairperson reached the tertiary level of schooling, one member is a Doctor and I am not sure about the others but they all went to school.

13. Did you ever attend a governing body workshop?

= Yes

14. Do all members of your SGB understand your legal duties and responsibilities?

= Yes, I suppose.

15. Are you aware that one of the duties of SGBs is to employ educators at the school?

= Yes

16. Can you highlight the procedure that you follow when employing educators?

= Yes, we follow the procedure set up by WCED.

17. Does the Principal of the school play any role in the process of employing educators, if yes what is it?

= Yes, is helping the panel where they need help.

18. What is the racial composition of the school, i.e. for learners, educators, and for SGB?

= Blacks, Coloureds and Whites for all three, i.e. learners, educators and SGB.

19. Does the SGB represent the racial composition of the learners of the school?

= Yes.

20. Have you ever had disputes at the school, if yes how many times and in which department?

= No.

21. What is your personal vision about the school?

= Is to maintain the provision of quality education to the learners.

22. Is there anything else that you would like to share with me about the school?

= No.

SCHOOL = D INTERVIEW

NB: The purpose of the interview is to find out the experience that your school governing body is encountering in terms of governance. The information provided will be kept confidential, therefore be at liberty to give the necessary and reliable information.

1. Are you an educator or a parent at the school?
= Parent.
2. What is your portfolio in the SGB?
= Chairperson.
3. Since when were you a member of the SGB?
= From two years back.
4. What is the term of office of the SGB?
= 3 years.
5. Do you have a constitution?
= Yes.
6. How many members in your SGB?
= About 15 members.
7. Is there any vacant post in your SGB ?
= No.
8. How is your SGB organized, are there any committees?
= Yes, sport, finance, e.t.c
9. Is this school a primary or a secondary school?
= Secondary.
10. Do you have learners in your SGB?
= Yes.
11. How often do you hold meetings of the SGB with the school management team and with the staff ?

= Quarterly.

12. What are the educational qualifications of the governing body members, including yourself?

= We are all educated

13. Did you ever attend a governing body workshop?

= Yes, twice.

14. Do all members of your SGB understand your legal duties and responsibilities?

= No, all never attended a workshop

15. Are you aware that one of the duties of SGBs is to employ educators at the school?

= Yes.

16. Can you highlight the procedure that you follow when employing educators?

= We follow the department's procedure.

17. Does the Principal of the school play any role in the process of employing educators,

= Yes, as a resource person.

18. What is the racial composition of the school, i.e. for learners, educators, and for the SGB?

= Whites, Blacks and Coloureds for all three.

19. Does the SGB represent the racial composition of the learners of the school?

= Yes.

20. Have you ever had disputes at the school, if yes how many times and in which department?

= No.

21. What is your personal vision about the school?

= Success.

22. Is there anything else that you would like to share with me about the school?

= No.

SCHOOL = E INTERVIEW

NB: The purpose of the interview is to find out the experience that your school governing body is encountering in terms of governance. The information provided will be kept confidential, therefore be at liberty to give the necessary and reliable information.

1. Are you an educator or a parent at the school?
= Educator.
2. What is your portfolio in the SGB?
= Educator representative.
3. Since when were you a member of the SGB?
= 2 years ago.
4. What is the term of office of the SGB?
= 3 years, depending on the child if is still there at the school.
5. Do you have a constitution?
= No.
6. How many members in your SGB?
= 10 members, including the Principal and co-opted members without voting rights.
7. Is there any vacant post in your SGB?
= No.
8. How is your SGB organized, are there any committees?
= There is an executive committee, Finance committee, Sport committee, e.t.c
9. Is this school a primary or a secondary school?
= Primary.
10. Do you have learners in your SGB?
= No.
11. How often do you hold meetings of the SGB with the school management team and with the whole staff?

= 3 Times a term, but not with the management and staff because they are represented in the SGB..

12. What are the educational qualifications of the governing body members, including yourself ?

= The Chairperson is educated because he was a Principal himself, 2 members are working at the department 's offices and the others have reached the tertiary level of schooling.

13. Did you ever attend a governing body workshop?

= Yes

14. Do all members of your SGB understand your legal duties and responsibilities?

= Yes

15. Are you aware that one of the duties of SGBs is to employ educators at the school?

= Yes

16. Can you highlight the procedure that you follow when employing educators?

= Yes, we follow the measures of the department.

17. Does the Principal of the school play any role in the process of employing educators, if yes what is it.

= Yes, as a resource person.

18. What is the racial composition of the school, i.e. for learners, educators, and for the SGB ?

= Whites, Blacks, Indians and Coloureds for learners, and Whites and Coloureds for the educators and SGB.

19. Does the SGB represent the racial composition of the learners of the school?

= No

20. Have you ever had disputes at the school, if yes how many times and in which department ?

= No.

21. What is your personal vision about the school?

= Is to improve the standard of education at our school.

SCHOOL = E INTERVIEW

NB: The purpose of the interview is to find out the experience that your school governing body is encountering in terms of governance. The information provided will be kept confidential, therefore be at liberty to give the necessary and reliable information.

1. Are you an educator or a parent at the school?
= Parent.
2. What is your portfolio in the SGB?
= Additional member.
3. Since when were you a member of the SGB?
= Last year.
4. What is the term of office of the SGB?
= 3 years.
5. Do you have a constitution?
= Yes.
6. How many members in your SGB?
= 10 members.
7. Is there any vacant post in your SGB
= No
8. How is your SGB organized, are there any committees?
= Yes, Finance and Sport committees.
9. Is this school a primary or a secondary school?
= Primary.
10. Do you have learners in your SGB?
= No.
11. How often do you hold meetings of the SGB with the school management team and the staff?

= Once a month.

12. What are the educational qualifications of the governing body members, including yourself?

= I think we are all educated.

13. Did you ever attend a governing body workshop?

= Yes.

14. Do all members of your SGB understand your legal duties and responsibilities?

= No, all never attended a work shop

15. Are you aware that one of the duties of SGBs is to employ educators at the school?

= Yes.

16. Can you highlight the procedure that you follow when employing educators?

= We conduct interviews.

17. Does the Principal of the school play any role in the process of employing educators, if yes what is it?

= No.

18. What is the racial composition of the school, i.e. for learners, educators, and for the SGB?

= Whites and Africans.

19. Does the SGB represent the racial composition of the learners of the school?

= Yes.

20. Have you ever had disputes at the school, if yes how many times and in which department?

= No.

21. What is your personal vision about the school?

= To see the school producing good products.

22. Is there anything else that you would like to share with me about the school?

= No.

SCHOOL = F INTERVIEW

NB: The purpose of the interview is to find out the experience that your school governing body is encountering in terms of governance. The information provided will be kept confidential, therefore be at liberty to give the necessary and reliable information.

1. Are you an educator or a parent at the school?

= Educator.

2. What is your portfolio in the SGB?

= Treasurer.

3. Since when were you a member of the SGB?

= 1999.

4. What is the term of office of the SGB?

= 3 years.

5. Do you have a constitution?

= No.

6. How many members in your SGB?

= 9 members.

7. Is there any vacant post in your SGB?

= No.

8. How is your SGB organized, are there any committees?

= No committees

9. Is this school a primary or a secondary school?

= Primary.

10. Do you have learners in your SGB?

= No.

11. How often do you hold meetings of the SGB with the school management team and the whole staff.

= We do not hold meetings with the teachers.

12. What is the educational qualifications of the governing body members, including yourself ?

= It is only the chairperson I think.

13. Did you ever attend a governing body workshop?

= Yes.

14. Do all members of your SGB understand your legal duties and responsibilities?

= Maybe some of us.

15. Are you aware that one of the duties of SGBs is to employ educators at the school?

= Yes.

16. Can you highlight the procedure that you follow when employing educators?

= Nobody can tell which procedure do we follow.

17. Does the Principal of the school play any role in the process of employing educators, if yes what is it ?

= Yes, he does interview the candidates.

18. What is the racial composition of the school, i.e. for learners, educators, and for the SGB ?

= Africans only in all three.

19. Does the SGB represent the racial composition of the learners of the school?

= Yes.

20. Have you ever had disputes at the school, if yes how many times and in which department ?

= Many times, in the employing department.

21. What is your personal vision about the school?

= To see transformation taking place at the school.

SCHOOL = F INTERVIEW

NB: The purpose of the interview is to find out the experience that your school governing body is encountering in terms of governance. The information provided will be kept confidential, therefore be at liberty to give the necessary and reliable information.

1. Are you an educator or a parent at the school?
= Parent.
2. What is your portfolio in the SGB?
= Chairperson.
3. Since when were you a member of the SGB?
= Since the year 2000.
4. What is the term of office of the SGB?
= 3 years.
5. Do you have a constitution?
= No.
6. How many members in your SGB?
= 9 members.
7. Is there any vacant post in your SGB
= No.
8. How is your SGB organized, are there any committees?
= No.
9. Is this school a primary or a secondary school?
= Primary.
10. Do you have learners in your SGB?
= No.
11. How often do you hold meetings of the SGB with the school management team and with the whole staff?

= We rarely hold meetings.

12. What are the educational qualifications of the governing body members, including yourself?

= Most of us are not educated, but I do not know how far others went at school.

13. Did you ever attend a governing body workshop?

= Yes, twice.

14. Do all members of your SGB understand your legal duties and responsibilities?

= No, not all of us.

15. Are you aware that one of the duties of SGBs is to employ educators at the school?

= Yes.

16. Can you highlight the procedure that you follow when employing educators?

= Sometimes we interview the people, sometimes the Principal just do it.

17. Does the Principal of the school play any role in the process of employing educators, if yes what is it?

= Yes, he also employs.

18. What is the racial composition of the school, i.e. for learners, educators, and for the SGB?

= Blacks in all three

19. Does the SGB represent the racial composition of the learners of the school?

= Yes.

20. Have you ever had disputes at the school, if yes how many times and in which department?

= Many times, in the employing department.

21. What is your personal vision about the school?

= To see the school developing.

22. Is there anything else that you would like to share with me about the school?

= No

SCHOOL = G INTERVIEW

NB: The purpose of the interview is to find out the experience that your school governing body is encountering in terms of governance. The information provided will be kept confidential, therefore be at liberty to give the necessary and reliable information.

1. Are you an educator or a parent at the school?

= Both.

2. What is your portfolio in the SGB?

= None.

3. Since when were you a member of the SGB?

= 1997.

4. What is the term of office of the SGB?

= 3 years.

5. Do you have a constitution?

= Yes.

6. How many members in your SGB?

= 15 members.

7. Is there any vacant post in your SGB ?

= No.

8. How is your SGB organized, are there any committees?

= The are committees, i.e. interview committee, fund raising committee, e.t.c.

9. Is this school a primary or a secondary school?

= Secondary.

10. Do you have learners in your SGB?

= Yes.

11. How often do you hold meetings of the SGB with the school management team and with the whole staff ?

= It depends, but none with Staff and Management because they are represented in the SGB.

12. What is the educational qualifications of the governing body members, including yourself ?

= We are all educated even though I am not aware of the level they reached.

13. Did you ever attend a governing body workshop?

= No.

14. Do all members of your SGB understand your legal duties and responsibilities?

= Yes.

15. Are you aware that one of the duties of SGBs is to employ educators at the school?

= Yes.

16. Can you highlight the procedure that you follow when employing educators?

= Yes, the interview committee runs the process.

17. Does the Principal of the school play any role in the process of employing educators, if yes what is it ?

= No.

18. What is the racial composition of the school, i.e. for learners, educators, and for the SGB ?

= White and Brown for learners and educators, and for SGB Whites only.

19. Does the SGB represent the racial composition of the learners of the school?

= No.

20. Have you ever had disputes at the school, if yes how many times and in which department ?

= No.

21. What is your personal vision about the school?

= Excellence.

22. Is there anything else that you would like to share with me about the school?

= No.

SCHOOL = G INTERVIEW

NB: The purpose of the interview is to find out the experience that your school governing body is encountering in terms of governance. The information provided will be kept confidential, therefore be at liberty to give the necessary and reliable information.

1. Are you an educator or a parent at the school?
= Parent.
2. What is your portfolio in the SGB?
= Chairperson.
3. Since when were you a member of the SGB?
= From 2 years back.
4. What is the term of office of the SGB?
= 3 years.
5. Do you have a constitution?
= Yes.
6. How many members in your SGB?
= 15 members.
7. Is there any vacant post in your SGB
= No.
8. How is your SGB organized, are there any committees?
= Yes, for example, we have sport committee and Maintenance committee.
9. Is this school a primary or a secondary school?
= Secondary.
- 10 Do you have learners in your SGB?
= Yes.
- 11 How often do you hold meetings of the SGB with the school management team and with the whole staff ?

- = Sometimes twice in a quarter and sometimes three times, but I do not remember meeting with the staff .
- 12 What is the educational qualifications of the governing body members, including yourself ?
- = We all went to school, I think.
13. Did you ever attend a governing body workshop?
- = Yes
14. Do all members of your SGB understand your legal duties and responsibilities?
- = Yes, I think.
15. Are you aware that one of the duties of SGBs is to employ educators at the school?
- = Yes.
16. Can you highlight the procedure that you follow when employing educators?
- = Yes, we interview applicants and nominate the successful ones.
17. Does the Principal of the school play any role in the process of employing educators, if yes what is it ?
- = No.
18. What is the racial composition of the school, i.e. for learners, educators, and for the SGB?
- = Black, White and Coloured learners, Black and White educators, and SGB Whites . only.
19. Does the SGB represent the racial composition of the learners of the school?
- = No
20. Have you ever had disputes at the school, if yes how many times and in which department ?
- = No.
21. What is your personal vision about the school?
- = Is to see progress.
22. Is there anything else that you would like to share with me about the school?
- = No.

SCHOOL = H INTERVIEW

NB: The purpose of the interview is to find out the experience that your school governing body is encountering in terms of governance. The information provided will be kept confidential, therefore be at liberty to give the necessary and reliable information.

1. Are you an educator or a parent at the school?

= Educator.

2. What is your portfolio in the SGB?

= Additional member.

3. Since when were you a member of the SGB?

= 2 years.

4. What is the term of office of the SGB?

= 3 years.

5. Do you have a constitution?

= No.

6. How many members in your SGB?

= 9 Members.

7. Is there any vacant post in your SGB?

= No.

8. How is your SGB organized, are there any committees?

= We have the office-bearers and the other members without portfolios.

9. Is this school a primary or a secondary school?

= Primary.

10 Do you have learners in your SGB?

= No.

11 How often do you hold meetings of the SGB with the school management team and with the whole staff?

= It depends, no set up program.

12 What is the educational qualifications of the governing body members, including yourself ?

= I have a teaching diploma, I don't know the other members.

13. Did you ever attend a governing body workshop?

= Yes, once.

14. Do all members of your SGB understand your legal duties and responsibilities?

= I am not sure.

15. Are you aware that one of the duties of SGBs is to employ educators at the school?

= Yes

16. Can you highlight the procedure that you follow when employing educators?

= Yes, we interview applicants.

17. Does the Principal of the school play any role in the process of employing educators, if yes what is it ?

= Yes, he is part of the interviewing panel.

18 What is the racial composition of the school, i.e. for learners, educators, and for the SGB ?

= Coloureds and Blacks for all three, i.e. learners, educators and SGB

19. Does the SGB represent the racial composition of the learners of the school?

= Yes

20. Have you ever had disputes at the school, if yes how many times and in which department ?

= Yes, in the employing department.

21. What is your personal vision about the school?

= Is to see our school on a map of progress and development

22. Is there anything else that you would like to share with me about the school?

= No

SCHOOL = H INTERVIEW

NB: The purpose of the interview is to find out the experience that your school governing body is encountering in terms of governance. The information provided will be kept confidential, therefore be at liberty to give the necessary and reliable information.

1. Are you an educator or a parent at the school?
= Parent.
2. What is your portfolio in the SGB?
= Chairperson.
3. Since when were you a member of the SGB?
= 2 years back..
4. What is the term of office of the SGB?
= 3 years.
5. Do you have a constitution?
= No.
6. How many members in your SGB?
= 9 members.
7. Is there any vacant post in your SGB
= No.
8. How is your SGB organized, are there any committees?
= No committee.
9. Is this school a primary or a secondary school?
= Primary.
10. Do you have learners in your SGB?
= No.
11. How often do you hold meetings of the SGB with the school management team and with the whole staff?

- = Not sure, but we do hold meetings even though not with the teachers.
12. What is the educational qualifications of the governing body members, including yourself ?
- = I left school very early, I do not know the others.
13. Did you ever attend a governing body workshop?
- = Yes.
14. Do all members of your SGB understand your legal duties and responsibilities?
- = I do not know.
15. Are you aware that one of the duties of SGBs is to employ educators at the school?
- = Yes
16. Can you highlight the procedure that you follow when employing educators?
- = Yes, the SGB employs teachers.
17. Does the Principal of the school play any role in the process of employing educators, if yes what is it ?
- = Yes, he also interviews the applicants.
18. What is the racial composition of the school, i.e. for learners, educators, and for the SGB ?
- = Coloureds and Blacks for learners, SGB and educators.
19. Does the SGB represent the racial composition of the learners of the school?
- = Yes.
20. Have you ever had disputes at the school, if yes how many times and in which department ?
- = Yes, in the employing department.
21. What is your personal vision about the school?
- = To see the school instilling respect to the learners.
22. Is there anything else that you would like to share with me about the school?
- = No.

APPENDIX C
LETTERS



UNIVERSITEIT STELLENBOSCH • UNIVERSITY
of Stellenbosch • 1913 • 1919 • 1926 • 1939 • 1949 • 1954 • 1961 • 1977 • 1984 • 1993 • 2000 • 2009

10 May 2002

TO WHOM IT MAY CONCERN

Mr JP Sigudla (Student registration no. 13723006) is currently registered at the University of Stellenbosch as a postgraduate student in the M Ed programme in Educational Policy Studies.

He is in the second year of the programme, during which he is conducting a research project focused on improving the effectiveness of school governing bodies (SGBs). His specific topic is *School Governing Bodies and their duty of staff appointments*. Although the research attempts to examine the overall responsibilities of school governance, the project particularly aims to analyse the experience of SGBs in performing the function of making recommendations for appointments to school posts. Of interest to the researcher are (a) to record and analyse experiences, difficulties and challenges to SGBs in performing the duty of staff appointments, (b) to establish whether SGB members have had help or training in this area and, if so, what were the strengths and shortcomings of such training, and (c) to evaluate whether this process is contributing to the transformation of schooling within the larger aims of democratisation.

To obtain his data, Mr Sigudla has based his method on using questionnaires and conducting interviews with representatives of key stakeholder groups in SGBs from a selection of schools. The findings from Mr Sigudla's research will hopefully help our understanding of the overall challenges of school governance. We hope he will be in a position to make recommendations that could be of assistance to all schools. In order to produce research that will improve the effectiveness of SGBs in all our schools, it is vitally important for him to receive as much help as possible in this process from the schools he visits.

The University appeals to schools and stakeholders in SGBs, especially Principals and Chairpersons, to give Mr Sigudla their generous co-operation in producing relevant and valid research findings.

Your assistance is greatly appreciated.

DR DJL TAYLOR
(RESEARCH SUPERVISOR)

Fakulteit Opvoedkunde • Faculty of Education

07

80 Vogelvlei Road
West Bank
Kuils River
7580
10 May 2002

The Chairperson
School Governing Body

I am a student at the University of Stellenbosch doing an MEd. degree. At the moment I am doing a research project in which my area of focus is on school governance and management. Therefore, I should like your school to be one of the schools that I will be investigating.

The investigation will be in the form of a questionnaire and interview. Accompanying this letter is the questionnaire form that has to be completed by the school governing body. The interview will be conducted with one parent governor and one educator governor.

Important to note is that the information provided will be kept confidential, and no mention of schools' names will be made. It is important to give appropriate information because in the long run the research might help in the upliftment of the standard of education at our schools.

I will be very glad if you can complete the questionnaire form as soon as you can.

Yours in the spirit of quality public education
JP Sigudla
Student Number: 13723006
Cell: 0824222033

80 Vogelvlei Road
West Bank
Kuils River
7580
19 June 2002

Head Office
Western Cape Education Department

ATTENTION: DR FRANCIS WESSELS

I am a student at the University of Stellenbosch as a postgraduate student doing an MEd. degree in Policy Studies.

It is my second year of the program during which I am supposed to conduct a research project focused on improving the effectiveness of school governing bodies (SGBs). My specific topic is **SCHOOL GOVERNING BODIES AND THEIR DUTY OF STAFF APPOINTMENTS.**

To obtain my data I have based my method on using questionnaires and conducting interviews with representatives of key stakeholders in SGBs from a selection of schools, i.e. *[here the names of eight schools appear, four primary and four high schools]*

Yours faithfully
Mr JP Sigudla
Student Number: 13723006
Cell: 0824222033

80 Vogelvlei Road
West Bank
Kuils River
7580
24 June 2002

ATTENTION: DR FRANCIS WESSELS
Western Cape Education Department

This is in response to our telephonic conversation on the 20th of June 2002 after I have faxed you the letter, dated the 19th of June 2002, asking permission to interview schools here in the Western Cape Province as part of my research studies at the University of Stellenbosch.

As your indication, accompanying this letter is the following:

1. The proposal of my research study
2. Questionnaire questions
3. Interview questions
4. Letter from the University of Stellenbosch
5. Names of the schools that will be investigated (mentioned in the Research Proposal)

I will be glad if you can positively respond as soon as you can.

Yours in education
Mr Sigudla
Student Number: 13723006
Cell: 0824222033

S P P L S C P I C O

Navne
Enquiries
IMibuzo
Telephone
Telephone 425 7400 ext 2238
IFoni
Faks
Fax 425 7445
Ifeksi
Verwysing
Reference 2002 0626-0024
ISalathiso



Wes-Kaap Onderwysdepartement

Western Cape Education Department

ISEBO leMfundo leNtshona Koloni

Mr J P Sigudla
80 Vogelvllei Road
Wesbank
KUILSRIVER
7580

Dear Sir

Re: GOVERNING BODIES AND THEIR DUTY OF STAFF APPOINTMENTS

Your application to conduct the above-mentioned research in schools in the Western Cape has been approved subject to the following conditions:

1. Principals, educators and learners are under no obligation to assist you in your investigation.
2. Principals, educators, learners and schools should not be identifiable in any way from the results of the investigation.
3. You make all the arrangements concerning your investigation.
4. Interviews and completion of questionnaires are allowed as long as these do not impinge on educators' programmes.
5. The investigation is to be conducted from 23 July 2002 to 23 August 2002.
6. Should you wish to extend the period of your survey at the schools, please contact P Wessels at the contact numbers above.
The investigation is not conducted during the fourth school term.
8. A photocopy of this letter is submitted to the principal of each school where the intended research is to be conducted.
9. Your research will be limited to *[here the names of eight schools appear, four primary and four high schools]*
10. A brief summary of the content, findings and recommendations is provided to the Director: Research.
11. The Department receives a copy of the completed report/dissertation/thesis addressed to:

**The Director: Research
Western Cape Education Department
Private Bag 9114
CAPE TOWN
8000**

We wish you success in your research.
Kind regards.

J. Wessels
HEAD: EDUCATION
DATE: 05/07/2002