

DEDICATION

I dedicate this study to both my late parents Noshumi Nophumzile Edith and Johnson Casi Mamatu whom their memories have been a source of inspiration to me. Their resolve to do everything in their power to ensure that although they were not much educated their children will receive much more education have been realised.

I also pray that this study will be a source of inspiration to my son Zuko Luxolo, my nephews and nieces and lastly my grandson Sophumelela that they can achieve whatever they set their minds too, academically.

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DECLARATION

I hereby declare that this thesis is my own work and it has not been submitted for a degree in any other university. I further give the University of Fort Hare permission to lend it to other students and institutes for purposes of scholarly research.

SIGNATURE

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ABSTRACT

Education policies remain a contested terrain in both the social and political environments. They are not neutral instruments and are used both to maintain the existing social order and also to promote varying kinds of change or mobility. The South African Schools Act, 1996 (Act 84 of 1996) hereafter SASA, which is the source of all policies that regulate school issues in South Africa promotes democratic methods of school governing and education provisioning that favours the previously disadvantaged groups. The NNSSF is one of the policies of SASA that makes schooling accessible to the poor through school fee exemptions while attempting to close the gap between the rich and the poor through differentiated school funding created according to researched poverty levels and standardized target lists. This has been designed to fulfil one of the essential human rights of man- education that has been entrenched in the Bill of Rights of the Republic of South Africa Constitution, 1996 (Act 108 of 1996) hereafter, Constitution. Thus, the study's objective is to evaluate the implementation of the NNSSF policy in public schools focussing on school fee exemptions. The extent to which poor parents and learners are given school fee exemptions as they are supposed to according to the policy will be indicators of whether the NNSSF is justly or unjustly implemented in public schools. Learners are the recipients of the right to education. Parents are given the responsibility to fund the education of their children. However, for poor parents to fulfil that they need advice and assistance from the teachers and SGBs to be able to access the school fee exemptions while they have a right to just administrative action and to human dignity in dealing with them. SGBs and teachers have to create a favourable environment for the just implementation of the NNSSF by advising and

assisting deserving parents and learners to access school fee exemptions so that the right to education is fulfilled. The duty of *in loco parentis* and acting in the best interest of the child enforce teachers to do everything possible to ensure that learners access education. EDOs are supposed to guide, monitor and supervise the implementation of the policy while legal bodies should assist parents and learners to demand their right when it is violated through litigation.

The study used the method of survey which is quantitative and interviews which are qualitative. Questionnaires and interview schedules were tools used to collect data that was analysed through statistical methods and represented in the form of tables and pie-charts. Various significant findings were made that had a bearing on the implementation of the NNSSF policy in public schools, most important to note is that some learners who have the right to education are aware of this right but do not know how to ensure that it is not violated. Parents are not given the opportunity to decide whether school fees should be charged in their schools. Above that they are not given the advice they need to be able to access school fee exemptions. Some teachers think that by advising and assisting learners and parents they will be buying cheap popularity- showing ignorance. EDOs do not know how schools implement the NNSSF, they are not involved in anyway. Thus the study views the implementation of NNSSF policy in public schools as unjust and recommends that SGBs and teachers need to be educated, guided and monitored by the EDOs on the policy and its implementation. They in turn will have to educate parents and learners so that they are able to access school fee exemptions thereby receiving education – their right.

KEY WORDS

National Norms and Standards of School Funding policy

Human rights

Human dignity

Human rights model

Just implementation

Education

School fee exemptions

Just administrative action

Child's best interest

In loco parentis

LIST OF ACRONYMS USED

ANC	African National Congress
BCM	Buffalo City Municipality
CALS	Centre for Applied Legal Studies
DoE	Department of Education
EC	Eastern Cape
ESAP	Economic Structural Adjustment Program
EDOs	Education Development Officers
GNP	Gross National Product
GEAR	Growth Employment and Redistribution Strategy
IMF	International Monetary Fund
NDoE	National Department of Education
NNSSF	National Norms and Standards of School Funding
PDoE	Provincial Department of Education
PED	Provincial Education Department
RDP	Reconstruction and Development Programme
SADC	Southern African Development Countries
SASA	South African Schools Act
SAHRC	South African Human Rights Council
SGBs	School Governing Bodies
SDF	Social Development Fund
SMTs	School Management Teams
UDHR	Universal Declaration of Human Rights
UNESCO	United Nations Education Scientific and Cultural Organisation
UN	United Nations