THE ROLE OF SCHOOL DISCIPLINE IN COMBATING VIOLENCE IN SCHOOLS IN THE EAST LONDON REGION

Submitted in fulfilment of the requirements for the degree of

MASTER OF EDUCATION

at

THE UNIVERSITY OF FORT HARE
EAST LONDON

By

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January 2010

DECLARATION

I hereby declare that *The Role of School Discipline in Combating Violence in Schools in the East London Region* is my own work, and that all the sources that I have used or quoted have been indicated and acknowledged by means of complete references.

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ACKNOWLEDGEMENTS

ABSTRACT

This study focuses on the role of discipline in the establishment and maintenance of a safe school environment for learners and educators. In a mainly qualitative investigation, empirical data from four primary schools and five high schools in the East London Region of the Eastern Cape Province were collected by means of individual interviews and questionnaires. Historico-legal research also formed part of the literature review, thus law reports and articles from South Africa and other countries were included as part of the research process. This was done to shed light on the legal consequences of school violence and discipline, affecting the safe learning environment of learners.

Perceptions of educators and learners in the selected schools regarding discipline and violence at their schools were collected by means of a survey. Three hundred and thirty questionnaires were completed by learners from the selected schools, and nine interviews were conducted with either the principal or a member of the senior management team of each school. The researcher also conducted further in-depth interviews with twenty learners from four schools (two primary and two high schools). These data were analysed in accordance with accepted procedures for qualitative data processing.

The data revealed that a culture of violence exists in these schools, and that corporal punishment is still practised. Learners' perceptions on safety and discipline at their schools revealed that bullying persists, especially when there is no teacher supervision. Participating educators' experiences suggested the need for promoting positive discipline, and creating a safe learning environment for all, by involving parents in the education process and involving them in drawing up a code of conduct for the school.

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CHAPTER ONE

INTRODUCTION TO THE STUDY

1.1   OVERVIEW

This chapter will focus on the rationale, the context, the problem statement and the purpose of this study. The background and legal grounding on which the research is conducted will also receive attention. The study's paradigmatic perspective will be discussed, together with the clarification of the key concepts. This introductory chapter sets out the background for this study. It clarifies its main research problem, the aims of the research, the main research question and the subsidiary research questions. It further explains the purpose and objectives of the research, and it provides an introduction to the succeeding chapters.

1.2   BACKGROUND OF THE RESEARCH

As an educator in a school in East London, the second-largest city in the Eastern Cape, the researcher has noted the high rate of violence-related incidents in schools during the past number of years. This was confirmed by various media reports, which have highlighted a number of incidents of physical violence, bullying and victimization in schools in the Eastern Cape. In a country-wide investigation by the national education ministry, it was found that secondary schools in the KwaZulu-Natal and Eastern Cape provinces suffered the most because of crime and violence (Jonker-Bryce, 2001:1).

One of the goals of discipline which can be also seen as a challenge for many schools, not only in the Eastern Cape, is to provide a safe environment for all learners and educators. The South African Institute of Race Relations (SAIRR) published statistics from the 2006 Progress in International Reading Literacy Study (PIRLS), a study by the U.S.-based Institute for Education Sciences (IES) in 30 countries worldwide. This study revealed that South Africa was ranked last in school safety.

According to the study by the SAIRR, when South African pupils were asked whether they felt safe when they were at school, and whether they had experienced incidents of stealing, bullying and injury to themselves or to others, only 23% said that they felt safe (South Africa: School safety influences literacy rate, 2008:1). It also seems that violence and crime are not limited to either high or primary schools. A Western Cape survey by Eliasov and Frank (2000:5) re vealed that violence and crime are endemic to both primary and high schools, incidents of theft, vandalism, burglary, bullying, verbal abuse and assault with a weapon were reported in the researched schools. These types of disruptive behaviour must certainly have a definite negative influence on the maintenance of discipline. In another study it was reported by Finsterlin, (as cited in De Wet, 2003:90) that approximately 50% of all reported crimes in South Africa are committed by youths between the ages of 14 and 18 years of age. Therefore it was deemed appropriate to include primary as well as high school learners from Grade 7 to Grade 11, a range which caters for this age group, in the scope of this study.

From another point of view, De Wet (2003:95) examined the perceptions and experiences of educators regarding safety at their schools, and from the educators' responses in the Eastern Cape it was found that the environment in which the schools were located constituted a problem regarding safety. Some potential problem areas were identified, namely the school grounds, empty classrooms, parking areas, and learner bathrooms (De Wet, 2003:95). It was also reported in this study that even though many educators try their best to maintain discipline in their classes, a number of teachers are finding it hard to enforce discipline, and complain that learners are unruly, disrespectful and have a "don't care" attitude towards their work. De Wet (2003:95) further reported that in some of the researched schools, the educators complained that they often found themselves in classroom situations where they could not handle certain behavioural problems.

The researcher will argue that schools where there are clear, written school rules, which are enforced fairly and unambiguously and which are in line with the 1996 Constitutional principles of equity, human rights and democracy, prove to be more successful in combating violence in their schools.

Roper (2000:73) states that

> *"less disorder is found in schools where learners know and understand the school rules, where these rules are enforced fairly and unambiguously, and where there is a clear reward and recognition system for compliance with the rules."*

In many of the researched schools the learners complained that rules were not consistently applied.

According to Gaustad (1992:1), schools have two main goals, firstly to create an environment conducive to learning, and secondly, to ensure the safety of learners and educators. Failing to make schools safe and compatible for learners, without fear of harassment and bullying, could result in serious discipline problems. It is also a teacher's legal responsibility to act *in loco parentis* where it concerns the safety of learners while they are placed under the teacher's care by the parents. In relation to matters concerning learners' physical welfare, Stewart (2004:321) says that schools are required to implement management systems to protect learners from harm, including incidents of bullying. The law expects of educators that they will act like *diligens paterfamiliae* and *reasonable persons* in the education situation at all times. Dealing with children requires a higher degree of care than is normally the case when professionals deal with adults, so their conduct as professional persons will be subject to more stringent tests (Beckman and Russo, 1998:53). Nevertheless it has been reported that some educators act irresponsibly by leaving their classes unattended, and that this creates an opportunity for bullying to take place when the teacher is not present. In East London a teenager from a local high school died, partly because his class was left unsupervised while the teacher was at a workshop (Donian, 2006:6). The youth of South Africa are often spoken of as representing our hope for the future, and it is reasonable to expect that they will be protected and nurtured in the community where they live and go to school.

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Chapter 2 of the Constitution, The Bill of Rights, Sections 12 and 24, states clearly that everyone has the right to be free of all forms of violence in a safe environment. This right needs to be protected and universally recognized, and it implies that every learner has a constitutional right to learn in a safe environment, so that those who want to study can do so without disruption.

Although it is the responsibility of educators to maintain a culture of teaching and learning in schools, they cannot do this if discipline and safety are not given due consideration in the school environment.

1.3   STATEMENT OF THE PROBLEM

Violence is clearly prevalent in many South African schools. Learners cannot learn, and teachers cannot teach effectively in an unsafe environment, and therefore order and discipline are necessary in schools. A lack of discipline in a school creates an environment that can become violent and unsafe. Learners and educators have a legal right to learn and teach in a safe environment. It seems that this right is violated in many schools, and many learners feel unsafe at school. Failing to provide a safe environment can lead to violent situations and serious discipline problems. Therefore, different discipline strategies in class management need to be explored to provide educators with the necessary skills to manage discipline problems at school. Discipline problems need to be addressed at an early stage to prevent violence from escalating.

1.4   OBJECTIVES

1.4.1 Main objective

This research aims to examine the role of discipline in creating a safe environment and combating violence in nine schools in the East London Region of the Eastern Cape. It seeks to provide guidelines and recommendations pertaining to the effective involvement of educators, learners and other stakeholders in successfully maintaining discipline in order to establish a safe learning environment.

1.4.2 Sub-objectives

- To establish the extent to which the application of school rules, codes of conduct and disciplinary strategies comply with the right to learn in a safe and secure environment.

- To determine whether the school rules and codes of conduct of the selected schools make adequate provision for the protection of the victim and the punishment of the perpetrator.

1.5 RESEARCH QUESTIONS

1.5.1 Main research question

Is the maintenance of discipline in a sample of Eastern Cape schools seen by the educators and learners in those schools as adequate to ensure a school environment in which learners may feel safe from violence, so that the state's obligation to provide a safe learning environment can be fulfilled?

1.5.2 Sub-questions

- What can be learnt from relevant law cases and disciplinary policies and procedures in other countries?

- To the extent that there may be shortcomings in the discipline of some schools, does this constitute a neglect of the right of learners to study in a safe environment?

- What are learners' perceptions of how violent behaviour in schools affects their ability to learn?

- What disciplinary approaches are employed in the selected schools, and how successful are they seen as being in reducing or eliminating violence and restoring discipline in those schools?

- What support is provided to schools by the relevant authorities to combat school violence and to address its psychological consequences?

- What are educators' and learners' perceptions of what needs to be done to ensure the safety of learners and restore discipline in schools?

1.6 CLARIFICATION OF TERMS

In this section the concepts of discipline, punishment, learner and teacher will be explained, as well as the meaning of the legal terms used throughout the study.

There are several definitions of the word "discipline", but in this study it will refer to what educators do to assist learners to behave appropriately in classroom situations. The root word of discipline is "disciple", which means follower. Thus, Rossouw (2003:420) maintains that when educators discipline learners they are making disciples (or disciplined persons). In this sense discipline is regarded as training that develops self-control. For this reason discipline must always be prospective – directed at the development of the adult of the future (Oosthuizen, 1998:66). Thus discipline is about positive behaviour management aimed at promoting appropriate behaviour and developing self-discipline and self-control in learners (Squelch, 2000:2).

The word "punishment" is defined as systematic training in obedience to regulations and authority. It forms part of an authority-based approach in managing discipline. Punishment involves actions taken in response to inappropriate behaviour in order to correct or modify behaviour that is not appropriate or acceptable (Joubert *et al.,* 2004:78).

The word "learner" as used in the Schools Act (RSA 1996b) refers to those attending school in South Africa from Grade R to Grade 12, and is used throughout this study. (In certain quotations that refer to learners in other countries, the words "pupil" or "student" are used.)

The word "teacher", as used in the NCS (National Curriculum Statement, 2005) refers to those who teach in schools. The word "educator", as used in the Schools Act (RSA 1996b), will also be used in certain contexts.

Legal terms

The Latin words "*in loco parentis*" are translated as "in place of the parent".

The Latin words "*audi alteram partem*" are translated as "hear the other side".

The Latin words *"nullum poene sine lege"* are translated as "no punishment without a rule".

The Latin words *"diligens paterfamilia"* are translated as "like a reasonable, caring father".

1.7 METHODOLOGY IN BRIEF

1.7.1 Research design

In order to describe how educators and learners experience discipline retrospectively in some primary and high schools in East London, an ethnographical study were used. According to McMillan and Schumacher (1989:36), an ethnographical study relies on observation, interviewing and document analysis.

The researcher made use of a combination of qualitative, quantitative and historico-legal research methods to analyse the data collected. The use of more than one method to investigate the different perceptions of educators and learners on discipline from the past and the present enhanced the reliability of the research. Cohen *et al.* (2000:112) agree that the use of more than one method will provide different sets of data which will in turn ensure the reliability of the research. The overall research method used in this study was however, mainly qualitative. The use of historico-legal research provided actual documentation such as relevant law reports, actual law cases, and law articles as primary information sources to obtain a better understanding of the problems that schools are facing regarding violence in schools, in South Africa and abroad. This also emphasized that the current problem is not limited to only some schools in East London, but that problems regarding discipline and violence in schools are universal.

1.7.2 Data collection

Data was collected from different legal documents, and by conducting interviews and handing out questionnaires.

Legal documents and related literature

Sections 9, 10, 12, 14, 15, 16, 24, 28 and 36 on the limitation of a learner's right(s) in the Bill of Rights, the amended sections in the Education Law Bill of 2007 on search and seizure legislation, as well as the South African Schools Act (No. 84 of 1996) sections 8 (1-5) were reviewed. Different relevant law reports on cases recorded involving the invasion of the individuals' constitutional rights and unfair discipline practices at school was also discussed.

In addition, recent media reports on violence and discipline in schools were employed to complement the primary legal information. Other relevant literature such as research reports on school discipline from Australia, the United States of America, and England, and the Code of Conduct for schools in Ontario (Canada) served as a basis for the review of legal and related literature.

Interviews

Nine individual interviews were conducted with senior staff members or principals from four primary schools and five high schools in the East London region. The schools chosen all differ from one another in regardto their infrastructure and school culture.

The following were determined in the interviews:

- Educators' views on successful disciplinary approaches to reduce violence and restore discipline in schools.
- Educators' perceptions on the implementation of discipline and the role of safety in schools.

Questionnaires

Learners of both genders, different races and from different backgrounds were included as participants in this study to reflect an acceptable degree of diversity. A pilot questionnaire was piloted in two schools which were not included in the final research (one primary, one high school). After refinement of the pilot study, questionnaires were distributed in the same schools where the interviews were conducted. The survey included one Grade 7 class in each of the four primary schools, and ten learners from each of the following grades: Grades 8, 9, 10 and 11 from five high schools. Grade 12

learners were purposefully not included in the survey, as at the time the questionnaires were distributed they were busy preparing for their preliminary Senior Certificate exams.

The questionnaires sought to determine the following:

- Whether the learners had knowledge of the content of their school rules and codes of conduct.
- The views of learners on discipline at school, and on how successful disciplinary procedures are in combating violence at school.
- What are the learners' suggestions on how to combat violence and reinstall discipline in schools?

1.7.3 Data Analysis

Data analysis consisted of identifying emerging themes and patterns throughout the data.

1.8 RATIONALE

Legally it is a child's right to study in a safe environment in which learning and growth can take place, without feeling threatened and scared. However, research done by De Wet (2003:4) indicates that learners and educators are often terrified to attend school, and that even when they are at school, they are scared to go to the toilets or move around on the school grounds.

Chapter 2 of the Constitution of South Africa, 1996 (Act 108 of 1996), the Bill of Rights, contains various rights that are applicable to a safe school environment – that is, one that is conducive to effective teaching and learning. Prinsloo (2005:7) concurs that the purpose of any school is to ensure that effective teaching and learning take place in an orderly environment. Furthermore, South African educators have an important duty towards the safety and protection of learners, not only in terms of the Constitution and other legislation, but also in terms of their in *loco parentis* status.

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The South African Schools Act, 1996 (Act 84 of 1996) seeks to ensure a safe school environment by making the following provisions:

- Section 10 prohibits the use of corporal punishment.
- Section 8 (1) places an obligation on school governing bodies to draw up a code of conduct for learners.
- Section 8 (2) stipulates that the school's code of conduct must be aimed at establishing a disciplined and purposeful school environment.
- Section 8 (4) places a legal obligation on learners to comply with the code of conduct of the school they attend.
- Section 8 (5) stipulates that a code of conduct must make provision for legal process to safeguard the interest of the learner and any other party involved in disciplinary proceedings.

According to these provisions, learners have a constitutional right to study in a safe school environment (Prinsloo, 2005:8). Rossouw (2003:414) asserts that currently one of the most prominent factors influencing the learning environment in South African schools is the conduct of learners. Stewart (2004:318) points out that maintaining discipline is seen by educators to be a major problem and source of stress. Oosthuizen (1998:29) states that a school's code of conduct could play a significant part in the case of a law suit, as school rules constitute a particular form of subordinate legislation; therefore it is important that schools should have a legally defensible code of conduct.

1.9   SIGNIFICANCE OF THE STUDY

It seems from the press, personal observation and scholarship, that violence is increasing in schools across South Africa. Thompson, who conducted comprehensive research into discipline in primary and secondary education in South Africa (2002:7), confirms that there has been a breakdown in discipline in schools, and suggests that this should be rectified as soon as possible. This research is therefore relevant to parents, educators and all stakeholders who regularly have to deal with violence-related crises. It is not about judging educators for the lack of discipline in their schools,

but rather to contribute to an understanding of the importance of the role of discipline, and awareness of the legal aspects concerning the maintenance of discipline and violence in schools. Hopefully educators will critically analyse the systems and disciplinary procedures at their own schools in order to improve discipline, and shape learning environments in which violence is less likely to take root.

1.10   DELIMITATIONS

This study concentrates on only nine schools in the East London Region, which includes four primary schools and five high schools. While a whole class of Grade 7 learners from each primary school was selected, high school learners from Grade 8 to 11 were asked to participate in this study on a voluntary basis. The choice of participants, and the use of purposive sampling of grades, will be discussed in more detail in Chapter 4 in the research methodology. The findings cannot be generalised to the whole of the East London Region or the entire Eastern Cape Province. However, the findings may be an indication that there is a serious problem existing in managing discipline in schools in the East London region, and possibly more widely.

1.11   STRUCTURE OF THE STUDY

CHAPTER 1: Introduction of the study
CHAPTER 2: A contemporary overview of existing literature regarding the extent of
            school violence and the role of discipline in schools
CHAPTER 3: A theoretical perspective on discipline and punishment in schools aimed
            at maintaining a safe learning environment.
CHAPTER 4: Research methodology and design.
CHAPTER 5: Presentation and discussion of findings.
CHAPTER 6: Conclusions and recommendations

1.12   CONCLUSION

This chapter clarifies the main objective of the study: to examine the role of discipline in creating a safe learning environment for all, and it describes the approach taken to achieve this objective. This study is motivated by the need to create a safe environment for all learners and educators to study and teach in. By addressing the maintenance of discipline in schools, an awareness of the current problems schools are facing to create a safer environment for learners could be established. In the following chapter, local as well as international literature will be reviewed to examine the legal duty of care of teachers. The literature review will also include an analysis of different disciplinary methods to obtain an overview of classroom management, providing strategies that are employed by educators to successfully maintain discipline.

CHAPTER 2

A CONTEMPORARY OVERVIEW OF EXISTING LITERATURE REGARDING THE EXTENT OF SCHOOL VIOLENCE AND THE ROLE OF DISCIPLINE IN SCHOOLS

2.1. INTRODUCTION

The review of literature supports the view that there is an increase in violence, drug and alcohol abuse in schools globally, making teaching a daunting task for educators. The various forms of school-based violence, bullying, gang-related violence, drug and alcohol abuse, and the use of illegal weapons and sexual harassment in schools are discussed as part of the literature review.

The fact that learners have a legal right to study in a safe environment makes it the legal duty of educators to provide an environment in which learners are protected against various forms of violence in schools. The legal rights of learners and the duty of care of teachers in their role as *in loco parentis* are therefore examined by referring to various law cases, and to the role of subordinate legislation such as school rules and codes of conduct in schools. For the sake of safety and security in schools, schools are now forced to implement security measures such as searches, drug tests and closed-circuit cameras (CCTV). The researcher will discuss the legal implications for schools regarding safety measures and how schools manage to include these in their school safety policies.

An environment that is full of violence, chaos and unruly behaviour is not conducive to learning. Discipline underpins every aspect of successful teaching and learning; therefore it is important to examine the different forms of discipline that might form the basis of good classroom management and orderly schools. Therefore the various forms of discipline used in schools, punitive measures including detention, suspension and expulsion, and preventative and positive measures, are all brought under the spotlight

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in this study. The theoretical framework which emerges from the review of literature includes a legal perspective on school violence, relevant disciplinary approaches and learner safety.

2.2   THE NATURE AND EXTENT OF SCHOOL VIOLENCE

- **The breakdown of school discipline globally**

De Wet (2003:89) states that school violence is not a new phenomenon; even in the 17th century, French schools were faced with sword and fist fights, unrest and attacks on educators. The World Health Organisation (as cited in De Wet, 2003:90) defines violence as,

> *"…the intentional use of physical force or power, threatened or actual,   against oneself, another person, or against a group or community, that either results in or has a high likelihood of resulting in injury,   death   and psychological harm".*

According to Blandford (1998:ix), it seems as though there is a perceptible breakdown of school discipline worldwide. In the United States of America, the Annual Gallup Poll of the Public's Attitudes toward the Public Schools concluded that a "lack of discipline" has been identified as the most serious problem facing the nation's educational system (Cotton, 1990:4). In a Harvard Education Letter (cited in Cotton,1990), many educators and learners are said to be gravely concerned about disorder and danger in the school environment. It was further reported that school personnel, pupils and parents call attention to the high incidence of such problems in the school environment as drug usage, cheating, insubordination, truancy and intimidation, which result in countless school and classroom disruptions, and lead to nearly two million suspensions per year in the United States of America. In addition to these school discipline issues, United States classrooms are frequently plagued by other more minor kinds of misbehaviour which disrupt the flow of classroom activities and interfere with learning. Furthermore, it was reported that approximately half of all classroom time is taken up by activities other than instruction, and discipline problems are responsible for a significant portion of this lost instructional time (Cotton, 1990).

According to Osborne (as cited in Du Plessis,2008), school violence should be considered broadly as a group of undesirable behaviours that result in a significantly negative outcome for another learner or entity (such as the school building itself).

These behaviours can include:

- acts against objects, such as theft, vandalism, and arson.
- acts against same-sex peers, such as intimidation, bullying, assault, battery, and homicide
- acts against opposite-sex peers, such as sexual harassment, sexual assault, intimidation, bullying and rape, and
- acts against staff and faculty, such as intimidation, bullying, assault, battery, theft, sexual offences of various types, and homicide.

Teachers in South African schools are familiar with the disruption and harm that are caused in schools by violent behaviour, and would therefore recognise more than one of these above-mentioned undesired behaviours in the schools where they teach. The South African Human Rights Commission reports in their inquiry into school-based violence in South Africa (Wa Kivilu and Wandai, 2009:2) that such violence takes the following forms and patterns:

1. Physical violence and fighting
2. Racially motivated violence
3. Verbal abuse
4. Bullying and intimidation
5. Gang violence
6. Drug and alcohol abuse-related violence
7. Theft of property and vandalism
8. Student protests that turn violent
9. Sexual violence in schools and gender-based violence
10. Violence undermining the education of girls by forcing them out of school.

In the South African context, one needs to understand that various factors contributing to the risk of violence are present, such as poverty, neglect, ineffective parenting,

dysfunctional family life, high-density housing in townships and informal settlements, diverse racial, ethnic or tribal composition, organised crime, as well as childhood exposure to violence, crime, and the abuse of alcohol and drugs (De Wet, 2003:89). According to Du Plessis (2008:18), all these factors reverberate in our schools.

De Wet (2003:89) concluded that not only could all of these factors spill over into the schools, with serious consequences for education; they also could lead to a collapse of a learning culture. Blandford (1998:ix) claims that some of the causes of violence in schools are the effects of a poor socio-economic environment, and factors such as drug abuse, child abuse, neglect, and community- and media-related violence, all of which reverberate in many classrooms worldwide. At the same time, however, there are many schools in the world which, regardless of their size, socio-economic influences, student composition or geographic setting, have safe and orderly classrooms and school grounds.

- **Legal duty of educators**

Educators, however, are not trained to be social workers or psychologists ; therefore schools need the involvement of other professionals in the community to provide support in whatever way is needed. Nevertheless, educators cannot ignore the violent disruption of education and, indeed, are expected to provide learners with a positive climate that has a protective influence in a potentially violent situation. Educators are not only held responsible for the learners that are entrusted to them due to their *in loco parentis* role; they also have the authority vested in them to create a sound disciplinary environment that is conducive to teaching and learning (Oosthuizen *et al.,* 2003:471).

Educators need to intervene in attacks on learners in schools and, according to Geffner *et al.* (2001:183), it is crucial to report incidents of violence in order to combat violence successfully in schools. Lack of action could lead misbehaving learners to further acts of violence because they see that there are no consequences for their misbehaviour. According to Geffner *et al.* (2001:186), what could create an environment in which violence might become even more prevalent, is that many teachers are reluctant to

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report or respond to cases of violence, resulting in many perpetrators getting away without being reprimanded. Furthermore, Geffner *et al.* (2001:186) conclude that ineffective or non-existent disciplinary measures for dealing with violence and bullying in schools could, in fact, be interpreted as giving approval to the perpetrators.

The reasons that are given for some teachers not wanting to intervene is that they feel ill-equipped to deal with the issue; others believe that if they intervene it would make the attacks more covert. It is therefore important that programmes to assist educators in their efforts to become more effective in reducing aggression in the form of bullying and other violent behaviour should be implemented. Theories from different educationists on the use of different disciplinary approaches or strategies to manage disciplinary problems in schools, including violent behaviour, will be discussed in Chapter 3.

The presence of school violence is not restricted to schools that are situated in poor areas; instead, it is widespread among schools in different communities, income, cultural and language groups, and it is present in all nine provinces of South Africa. In a study by Eliasov and Frank (2002:2) on the nature and extent of crime and violence in twenty schools in South Africa, the researchers found that, although problems were reported across all school categories, disadvantaged schools persistently experience more severe problems, particularly relating to vandalism, physical violence, gangsterism and the possession of drugs and weapons.

- **Safety and security at school**

A national study on victimization against children by the Centre for Justice and Crime Prevention (CJCP), in which 45 000 young people between the ages of 12 and 22 were interviewed nationally during 2006, showed some significant results. In the case of assaults against children and youth, as well as the theft of children's property, the school was the single most common site reported for these crimes to occur (Leoschut and Burton, 2006:4). It was reported that 52,4% of these reported thefts occurred during school hours, and that 26% of assaults on learners also occurred while they

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were at school, and furthermore, 21,1% of sexual assaults on learners also occurred while these youngsters were at school (Leoschut and Burton, 2006:4). How can learners do their best and concentrate on their work when they are afraid and do not know who is going to wait for them at break or after school, whether it will be to take their money or to steal their lunch? Not feeling safe and secure at school could result in psychological harm for learners. Furthermore, Parker (2003:6) concludes that it seems that when children do not feel safe in their learning environment, not only could their scholastic achievement be affected, but exposure to violence could have significant consequences for the development of their emotional functioning and socialisation. It might seem as though the causes of violence as discussed heretofore lie outside the influence of schools. However, the effects usually affect the school climate directly; therefore school violence could be seen as both a school and a community problem.

Gale *et al.* (as cited in Du Plessis,2008*)* define the meaning of safety and security as follows*:*

> *"'Safety' is defined as freedom from danger, harm, or loss. The close companion term 'security' is defined as freedom from anxiety or apprehension of danger or risk"* *(Gale et al., 2004:259).*

These factors contribute to the understanding of safety by not only associating it with the physical harm that results from violence, but by noting that harm is also caused by anxiety or apprehension about impending harm, thereby constituting psychological harm.

Taking all these facts into consideration, it seems fair to ask the question "How safe are South African schools compared with other countries?" According to a study by the SAIRR, when South African pupils were asked whether they felt safe when they were at school, and whether they had experienced incidents of stealing, bullying and injury to themselves or to others, only 23% said that they felt safe (School safety influences literacy rate, 2008:1). South Africa was ranked last in school safety. The report also revealed that there was a positive relationship between school safety and reading achievement and that, besides safety, South Africa also scored last in literacy (School safety influences literacy rate, 2008:1).

There is no recorded data base to provide statistics on violence in South African schools; therefore it is very difficult to establish a comprehensive picture of school-based violence in South Africa. As far as the extent of school violence in Eastern Cape schools is concerned, the researcher had to make use of various media reports to obtain a general view of the current situation. The Western Cape Department of Education is the only provincial department that has recorded cases of abuse, burglary, vandalism, robbery and assault, and gang-related incidents (Crime wave at our schools, 2007).

2.3   FORMS AND PATTERNS OF SCHOOL-BASED VIOLENCE

According to Du Plessis (2008:22), it is important to distinguish between the different kinds of violence, as it can easily be perceived as a single or general problem in society. Du Plessis (2008:65) claim that a clear distinction can be drawn between political violence, gang violence, general criminal violence, and violence in relationships. All of these types of violence in some way affect many of our South African schools, and are often interrelated. Drawing on a mix of South African legal cases as well as international court cases to examine the effects of school-based violence on learners, the researcher allows the reader a global insight into the perceptions of each form or pattern of school-based violence.

2.3.1   Bullying and intimidation

Bullying can be either overt or covert. According to Shariff (2004:223), overt bullying involves physical aggression, such as beating, kicking, shoving, and sexual touching which could be accompanied by covert bullying, in which victims are excluded from peer groups, stalked, stared at, gossiped about, verbally threatened, or harassed. Covert bullying can also be random or discriminatory, racial, sexual, homophobic or based on social class, abilities, or disabilities (Shariff, 2003:224). Gale *et al.* (2004:12) warn that intimidation and bullying could cause psychological harm, not only to victims but also to bystanders. In addition to the psychological harm caused through violence or situations in which there is a threat of violence, developmental harm may also occur in the form of anxiety about the threats of harm. This happens because anxiety of this

sort can disrupt the educational process.

Developmental harm has been defined as

> "*harm that occurs due to events or conditions that prevent or inhibit children from achieving their maximum physical, social or academic potential*" (Gale *et al.*, 2004:13).

A Johannesburg-based educational psychologist, Wendy Sinclair, said that she dealt with four to five cases of bullying a month, and that this had become "the norm rather than the exception" in schools (Govender, 2008:1). Often parents have to intervene before anything will be done about the problem by the school, as is illustrated in the following East London case: "Bullied boy refuses to go back to his school".

Prince (2008:3) reported that a boy at a local high school in East London was attacked with a welding rod by another boy, and that his attacker had threatened to kill him. The accused had a record of violence at the school, but was only given a warning. When the victim's parents asked for a disciplinary hearing to be called, this request was refused because it was said that "it would take too long and would be drawn out". As a result, the parents of the victim had to resort to lodging a criminal case with the local police.

Failing to ensure that the school environment is safe and conducive for learners to learn, without fear of harassment and bullying, can result not only in serious disciplinary problems, but could also require the victims' parents and the Department of Education to engage in high legal costs. In 2007, judgment was reserved in a landmark bullying case in East London. Attorney Harry Pretorius, who appeared for a Grade 9 pupil, argued that the alleged bully should be immediately suspended. He alleged that the boy was guilty of serious misconduct over an ongoing period starting in 2006, (Bullied boy refuses to go back to his school, 2007:3). A report by a psychologist stated that the applicant, Pretorius's client, was suffering from post-traumatic stress disorder as a result of persistent bullying. Pretorius argued that the case involved violations of Constitutional Rights, the Children's Act and the Bill of Rights (Legalbrief Today, 2007).

This goes to show that when schools fail to address the issues of bullying in whatever form it takes, or they do not take action against the perpetrators, not only is the victims' constitutional right to dignity infringed, but bullying could lead to serious psychological problems.

A form of bullying other than physical bullying, which has become increasingly common, especially among girls, is "Cyber-bullying". This is a form of covert bullying that involves the use of mobile phones or the Internet. Perpetrators make anonymous, malicious comments or threats, tease and engage in gossip through online chat rooms such as "Facebook" and "Twitter", or use e-mail or mobile phones to intimidate others (Shariff, 2004:223). Govender (2008:1) states that "it is an easier way to humiliate abuse and threaten others because mobile messages can remain anonymous." It was reported that many victims of cyber-bullying are so traumatised and disempowered by the bullying that they often express, in therapy, a desire to die rather than suffer further humiliation and abuse (Govender, 2008:1).

Shariff (2004:223) points out that often the consequences for victims can be psychologically devastating. Cyber-bullying poses new challenges for teachers because it is more difficult to detect than direct physical bullying, since it is conducted in a virtual environment. However, one could argue that if the aim of cyber-bullying is to poison the psychological school environment for victims, it should be the duty of schools to prevent it as far as possible.

According to studies that were published in a supplement to the *Journal of Adolescent Health*, aggression via electronic media such as blogs, instant messaging, chat rooms, e-mails and text messaging is affecting many children in the United States (Henderson, 2008:1). International statistics on Internet and mobile phone use reported that 16% of British children/adolescents claimed to have been cyber-bullied over the Internet (Shariff and Johnny, 2002). Furthermore, school authorities are becoming more aware of the negative psychological consequences of verbal harassment (Shariff, 2004:226). In Canada, the suicide case of a teenager, Dawn Marie Wesley (*R.v.D.W. and K.P.D. 2002),* set a precedent when the court ruled in 2002 that verbal harassment is deemed criminal under the Canadian Criminal Code if it causes a victim to perceive a real threat

of harm. Beckmann and Russo (1998:7) concluded that educators should act as *bonus pater familias* (one for whom the interests and the safety of the learner is most important) since it is the educators' responsibility to ensure that learners understand the importance of respectful, inclusive and nondiscriminatory discourse, whether it is face-to-face, over the telephone or on the Internet, for the sake of their own safety (Shariff, 2004:226). It is, however, impossible to enforce disciplinary steps in most cases of cyber-bullying because educators cannot intervene on the Internet (Beaver, 2008:1).

2.3.2 Gang-related violence

Dissel (as cited in Crawage,2005:45) defines gangsterism as,

> *"the evolution of an urban identity determined along racial and economic lines. It includes the formation of groups with the aim of committing violence and crime, and to defend themselves physically against violence of other groups."*

Musick (1995) classifies gangs into three different categories. In the first category, named the *scavenger gang's* crimes, transgressions are usually not planned, and this group's members are often low achievers or school dropouts. Secondly, *territorial gangs* are well-organised gangs that have initiation rites which separate members from non-members. Often, prospective members have to prove their loyalty to the group by fighting. The third category is the *corporate gangs* which are highly structured criminal conspiracies that are organised to sell drugs. It is believed that teenagers as young as fourteen could become members. All gangs have names and recognisable symbols. The presence of gangs in schools in the United States of America has been reported as having doubled between 1989 and 1995 (Gasa, 2005:70).

Howell and Lynch (as cited in Huizinga,1997:1) reported that youth gangs are linked to serious crime problems in elementary and secondary schools in the United States, and that scholars report much higher drug availability when gangs are active at their schools. Schools that have a presence of gangs have a higher violent victimization rate than those that do not have a gang presence. Huizinga (1997:1) stated that teenagers who are gang members are far more likely to commit serious and violent crimes than other teenagers.

It was suggested by Lal (1996:27) that, because gang activity has become prevalent at many schools, school districts must implement policies to regulate the behaviour of gang members. Moreover, school administrators should develop site-specific, gang-related policies that are aligned with district policies, the school's philosophy and general policies. It was also suggested that gang-related policies should appear in a specially allocated section of the students' handbook, and this section should be displayed in all campus offices as well as all classrooms. However, it seems that all the best-developed policies in the world are worthless if incidents of violence are not reported to those who could make a change.

In South Africa, many preventive measures were introduced into schools. It was suggested that a police presence in the school area would prevent troubling situations from escalating, and that police officers can be "adopted" through the *Adopt-a-cop* programme for the school (Segoe and Mokgosi, 2006:5).

However, many South African schools will not report incidents because of a fear of victimization. What is rather upsetting is that, according to Kodluboy (2004), school systems are prone to ambivalence about or outright denial of gang presence or the significance of a gang presence in schools. Thompkins (2000:7) points out that learners believe that if they retaliate against an act of aggression that is committed by one gang member, they will have to deal with the entire gang; therefore they refuse to report gang activities at their schools.

According to research that was conducted on the perceptions of Eastern Cape educators regarding the course and the scope of violence in the province, the presence of gangs in schools and in the townships increases the incidence of victimization of non-gang members (De Wet 2003:93). The results of this study showed that learners and educators are fearful, not only at school, but also on their way to school and back home. They are afraid (not without reason) that they will be attacked by gang members. According to the Western Cape Education Department (WCED, 2003), gangs appear to choose the arrival and departure times of educators and learners deliberately, and they wait for learners at the school gate.

This brings with it a terrorising "fear factor" which traumatises educators, learners and parents. Threats, intimidation and harassment engender fear, and result in the absenteeism of both educators and learners (Segoe and Mokgosi, 2006:5). The WCED (2003) reported that not only does violence have a serious impact on learning, but educators are often absent because they need time off for trauma counselling and debriefing.

According to a procedural manual for managing safety and security within WCED institutions, activities outside the school can often have a disruptive influence on what happens inside the school in a variety of ways (WCED, 2003). De Wet (2003:93) points out that gang violence is therefore both an internal and an external problem. Other school gang-related incidents in township schools involve assaults, threats, fighting, vandalism, trespassing and disruptive behaviour (Trump, 1998:6).

One has to agree with Dissel (1997) that gangs in schools should be seen as a community problem in South Africa and, since schools are a part of the community, they reflect the problems of that community (Crawage, 2005:45). Gangs which cause violence in schools is, however, not restricted to one province but are found in schools throughout South Africa. In South Africa, urbanisation has been characterised by a history of repression and poverty, especially of people living in townships, informal settlements and single-sex migrant hostels. This confinement, according to Crawage, (2005:45) could create an opportunity to form gangs along racial lines. Crawage (2005:45) argues further that what often happens is that when families become dysfunctional and discordant; many children choose to leave the family home, opting to spend their time on the streets where they are gradually drawn into gang-related and criminal activities. The sad fact of the current situation in South Africa is that, as Donald *et al.* (2006) point out, "gang violence is often born out of need and a socially disadvantaged situation". Thompkins (2000:7) states that sometimes, innocent learners can be drawn or forced into violent behaviour, alcohol and drug abuse by joining gangs, as this provides them with a sense of belonging.

Furthermore, Thompkins (2005:5) points out that one of the reasons that learners in the Western Cape, for instance, easily identify with street gangs is that they believe that such associations fulfil the need for the transition from childhood to adolescence and adulthood; they are also made to feel accepted by and important in a society that is ruled by gang leaders. Barbarin and Richter (2001:203) argue that youngsters may, on the other hand, suffer psychological trauma and encounter social alienation, resentment and suspicion from their families and community as a consequence of their involvement in gang-related activities. It is important that teachers understand the nature of all these feelings of aggression when developing a disciplinary plan for their schools. The theories of different educationalists will be discussed in this regard in the next chapter.

2.3.3   Violence related to drug and alcohol abuse

Researchers Fagan and Wilkinson (1998:74) state that there is a relationship between violent crimes in schools and the abuse of alcohol and drugs. In township communities, where alcohol and drugs are easily available to under-age children, the availability of these commodities places those who live in these communities at higher risk of violent encounters. Ensink *et al.* (1997:1527) agree that the use of alcohol makes a person less inhibited, and thereby increases the likelihood of violence in situations where violence is not frowned on.

It is also found that alcohol is most commonly used by South Africans of all ages. More than one in four South Africans (28%) aged 15 years and over currently acknowledge that they consume alcohol. Among adolescents, aged 15-19 years, 11% are current drinkers (Ensink *et al.*, 1997:1527). The Crime Intelligence Unit of the South African Police Services, for instance, is of the opinion that alcohol abuse plays an important contributing role in crime and violence. The risk of being involved in violent behaviour at school also increases with alcohol consumption; this was confirmed by Rossouw *et al.* (1999:2), especially in the case of boys.

It was found that in South African schools, dagga (cannabis) is the most common drug of choice because it is cheap and easy to access.

The research findings of Neser *et al.* (2000) showed that dagga was easy to get hold of and could be bought within an hour. This ready availability has contributed to a widespread substance abuse market. According to Neser *et al*. (2001), one third of the respondents in their survey admitted to having smoked dagga. Learners in more affluent schools who receive more pocket money can afford to buy drugs, while poorer learners who reside in the townships and who have developed the habit could easily become involved in violence to obtain the money to pursue it. This suggests that the proportion of illegal drug use is not negligible, and it places young people at risk of negative health and legal consequences that could impact on their education.

In an article on drugs in schools, the National Institute on Drug Abuse Survey researchers found that 50% of high school seniors in South Africa partake of an illicit drug at some stage of their lives (McEntire, 2007:1). The Bureau of Justice also reports that 85% of teenagers know where to access drugs such as marijuana, and 55% know how to obtain amphetamines. The fact that drugs, such as marijuana, LSD, heroin, cocaine, methamphetamines (tik), inhalants, Ritalin, prescription and over-the-counter medicines are readily accessible to youngsters in South African township and suburban schools is bound to impact negatively on education in general, and on what happens in the school in particular. Furthermore, knowledge of drug availability is similar, regardless of race or location. However, McEntire (2007:1) states that what is more shocking is that 29% of students said that someone had offered, sold or given them an illegal drug while they were at school.

Alston (2007:9) makes it clear that South Africa has one set of laws which is equally applicable inside and outside the school fence; learners must never gain the message that the school will protect them when they engage in any criminal activity. Furthermore, Alston argues (2007:9) that if a learner's continued presence in a school threatens the safety of other learners or exposes them to danger through the selling of illegal drugs, the other learners deserve protection, and parents have a right to expect a school to act to ensure the maximum safety of their children. School rules, as subordinate legislation, are applicable to all learners of the particular school. Alston (2002:2) concludes that this is to ensure that all such learners can know in precise

terms what the law expects of them.

In the Eastern Cape, a few cases have been reported of drug and alcohol abuse at school, the latest being in 2008 between Queen's College and the Department of Education. In a dispute between the school and the Department of Education, the school reacted according to its code of conduct and safety policies, and suspended eleven learners for drinking alcohol and smoking dagga on the school's premises, requesting the Department of Education for assistance to expel them. The Department of Education, however, refused to expel the learners and reacted as though it was a minor offence. Queen's College took the case to court and won the case against the Department of Education (Prince, 2008:3).

In another case, fifteen boys from a prestigious school in East London were caught drinking alcohol while dressed in their school uniform, outside the gate of the school. The school took action according to its code of conduct. However, the learners were not expelled. According to one of the pupils, the boys referred to themselves as "men" because they had undergone traditional circumcision and were celebrating this fact (Prince and Makapela, 2007:5). Such cultural traditions, applied in the school context, do not have any legal basis and do not meet the requirements of *laws of general application*. However, in this case, the learners were effectively outside the boundaries of the school property and, despite wearing school uniform, there was strong legal opinion that the school had no legal hold on learners once they were outside the school gates, in the same sense that the school is not responsible for damages if learners are injured on their way home from school.

The point to be made in referring to the above cases is that they show that schools could refer to their code of conduct for support in legal cases. The fact is that if these schools had had no code of conduct or school rules, they would not have been able to claim that they did not permit the drinking of alcohol by pupils on the school premises or when dressed in school uniform.

2.3.4 The use of Illegal and other weapons contributing to violence in schools

According to Walker (as *cited in* MacDonald *et al*.,1996:84), learners carry weapons to school for a variety of reasons, including protection, security, power and status, or to sell them. A study by Eliazov and Frank (2000:22) of twenty schools in the Western Cape Province showed that the carrying of weapons was particularly widespread where intimidation, drug abuse and gangsterism were present. Thus, early intervention methods addressing bullying, drug abuse and gangsterism may well help to eliminate the use of weapons in schools. Furthermore, 40,9% of the respondents said that the relative availability of firearms is an important factor contributing to learner violence.

In their findings, Eliazov and Frank (2003:22) showed that most of the twenty schools that they researched seemed to have a "weapon-free policy", and that most schools confiscated all weapons found on school premises. However, educators reported that possession was commonly accepted and often overlooked. Teachers explained that pupils might need to defend themselves on their way to and from school; teachers also said that they sometimes felt too intimidated to confront learners, particularly those affiliated to gangs (Eliazov and Frank, 2000:22).

In the past, educators and principals have frequently found it necessary to search learners for items which may be harmful to them or to others. Today, however, the prevalence of drugs and guns or other dangerous weapons has increased the importance of school searches as being in the best interest of all learners. The study by Eliazov and Frank (2000:22) shows that knives were identified as being present in all schools while, in 11 out of 20 schools (55%), pupils were found to be in possession of firearms. However, Walker (as cited in MacDonald,1996:84) reported that other items such as razors, box cutters, metal knuckles, chemical irritants, mace, and pepper spray are also used as weapons.

Incidents of school stabbings are commonly reported in the media in the Eastern Cape: "Boy stabbed to death at rural school" near Qumbu in the Eastern Cape (Ngcukana, 2007:2); "Teenager in teacher assault suspended after stabbing", in East London (Prince, 2008:1); "Schoolboy from Peddie in the Eastern Cape stabbed after bad joke";

"Classmates watch in horror as pupil stabbed to death" in Mthatha, Eastern Cape (Ngcukana, 2008:1) and "Pupil tries to save his friend stabbed at school" in East London, Eastern Cape (Sokopo, 2009:1). These are just a few of the incidents that have caught the public's attention. It is a pity that unfortunate incidents like these first have to happen before people become aware that there might be a problem. One incident that caused a major call to action by teachers to search for weapons was the case of the Krugersdorp "ninja death". Here, a matric boy killed a fellow learner with a sword and attacked another three people: "School boy appears over sword death" (Sapa, 2008:1). Such incidents are not unusual in other countries as well. The result of incidents like the 1999 massacre of pupils at Columbine High School in Columbia, USA, caused a national outcry and increased the emphasis, not only on school safety, but on the availability of weapons and bullying as a nationwide problem. In another incident in South West Germany, a teenager went on a rampage at his former high school, killing sixteen people by discharging his father's gun (Yeoman and Charter, 2009:9).

Also, in South Africa, school shootings are periodically reported: "Horror school shooting with police service pistol of 14-year-old at a Pretoria private school" (as cited in Prinsloo,2005:5). In Delft in the Western Cape, a teacher was held at gunpoint in a classroom, and in Umlazi in KwaZulu-Natal, a high school learner went on a shooting spree. In this case, no one was reported to be hurt (Dibetle, 2008:7). The reasons behind these shocking attacks are still in dispute. However, the seriousness of these incidents has provoked extensive debate about the safety of schools in South Africa. It has also provoked an attempt to ensure that schools are safe places by erecting fences around all schools, installing alarm systems, burglar bars and security gates, with security guards on duty.

Taking all of this into consideration, one cannot ignore the reality that violence in our schools does occur, emphasising the proactive role that teachers, principals, parents and all stakeholders need to play to address high levels of violence in schools and to provide a safer learning environment for every learner and teacher. The governing

bodies in schools should stress the importance of disciplinary policies and interventions that need to be implemented in schools so that all children can have the full benefit of education.

2.3.5 Sexual violence and harassment

Naylor (2002:1) states that South Africa reportedly has one of the highest rates of violence against women in the world. Schools have to consider the fact that some of the children whom they teach frequently have to endure abuse and violence or even rape at home. This makes education a daunting task.

It appears that there are no reliable statistics or data on violence against women and girls at school since not all incidents are reported. Educators, however, have to keep in mind that, although "rape" legally refers only to girls, one should remember that boys could also be victims of sexual abuse. There also appear to be no data or statistics of the incidence of sexual violence perpetrated against boys within the school system. Since the legal definition of rape does not include the rape of a male, the statistics that are available do not include males (Naylor, 2002:1).

The Human Rights Watch Report (2001) found that South African girls of every race and economic class encounter sexual violence and harassment at school; this impedes their realisation of the right to education (Naylor, 2002:1). For girls in particular there are high levels of sexual violence and abuse. The Human Rights Watch Report (2001) further concluded that, until schools themselves are places in which children are safe in an environment that is conducive to learning and equally accessible to all children, the prevention of abuse and neglect will be impossible, and the rights of children to education will not be protected and realised.

What is really alarming is the fact that the Human Rights Watch (2001) further found that, at most of the previously disadvantaged schools, there was very little or no monitoring of what happened on school premises during and after school hours. Learners were being abused in toilets or secluded classrooms where there was no supervision. Naylor (2002:1) claims that the misuse of alcohol and drugs on school premises also contributes to the problem of sexual violence.

A school which tolerates such behaviour from learners clearly compromises and jeopardizes the equal right and opportunity of all the learners to study in a safe environment.

It is therefore clear that there is a duty for the state to take "preventive measures" and "reasonable steps" when dealing with sexual harassment and sexual violence against learners in schools. It is the school's legal duty, not only to protect the learners from sexual violence, but also to include forms of sanctions and punishment for offenders, including instituting a criminal case against such perpetrators and providing support to the victims.

2.4   SCHOOLS' LEGAL OBLIGATIONS AND STUDENT RIGHTS IN OTHER COUNTRIES

Some school districts in the United States of America make it clear that teachers could face potential liability for a variety of reasons such as claims asserting the violation of a student's constitutional rights under the Fourteenth Amendment (guaranteed in due process and equal protection), as well as a variety of civil rights claims when violence occurs (Bailey and Ross, 2001:8). A school may be liable under the American Constitution for harm imposed on a pupil by a private actor or employee if the school's actions "created" the danger of possible harm. However, liability depends on several factors.

According to Bailey and Ross (2001:10), the following factors must be present for the school to be liable: the environment created by the school must be dangerous; the school officials must know that it is dangerous; and school officials must have used their authority to create an opportunity that otherwise did not exist for the crime to occur. For instance, when school districts fail to supervise a specific area at school where prior instances of violence have occurred, or neglect to inform learners of potential or existing hazards on the playground or in the classroom, including the violent propensities of a pupil, they could face liability charges in the case of a further incident. Bailey and Ross (2001:8) point out that the absence of supervision must have contributed directly to the crime for the school to be held liable.

The Supreme Court of the United States of America stated in the Gault case in 1967 that children have rights, and that these rights include the right to education (Brody and Vardin, 1979:28). The court further stated in *Tinker vs Des Moines Independent School District* that children are persons just like adults under the constitution, and are entitled to the protection of that right (Brody and Vardin, 1979:29). However, according to the American Constitution, pupils do not have a fundamental right to a free and public education; to exercise this privilege the students have to comply with the rules and disciplinary methods of the authorities (Bailey and Ross, 2001:5). Educationalists have different theories on the effectiveness of zero tolerance policies, which will be discussed in the next chapter.

To accommodate pupils' rights, Beyer (2002:63) recommends that searches must be credible, based on some type of recent evidence, not based upon hunches, guesses or unreasonable surmises. Furthermore, those who conduct any search should also clearly articulate the school rule or law that has allegedly been violated, since a school official who wilfully violates a student's rights can be criminally prosecuted in the United States (Beyer, 2002:64).

In the case of *Acton vs Vernonia School District 47J (1991),* the parents of James Acton refused to sign for consent to test their son for having consumed a variety of drugs. The school's authorities admitted that James was not suspected of drug use and explained that, in an effort to maintain school order and discipline, students were randomly selected to be tested for drugs. Nevertheless, James was subsequently denied a place in the school's football team. The 9th Circuit Court of Appeals agreed with the Actons. It found the urinalysis policy to be an "unreasonable search", and stated that students do not have to surrender their right to privacy in order to secure their right to participate in sport. However, the U.S. Supreme Court disagreed and took the side of the school, giving it credit for trying to maintain discipline at its school and against the preservation of an individual student's right to privacy as guaranteed by the Fourth Amendment.

In a final appeal, the court also found that the district's policy conformed to the Fourth and Fourteenth Amendments, and that the search was "reasonable" because legitimate governmental interests outweighed any intrusion on a student's privacy rights, and that a random drug testing policy was better than suspicion-based testing (Beyer, 2002:71).

In the case of bullying, Shariff (2004:227) argues that American courts expect educators to have the foresight to recognise instances of psychological harm resulting from bullying, which may lead to suicide or ill health in learners, as in the case of Hamel *et al.* vs the State of New Jersey *et al.* (2001). Psychiatrists confirmed that Cecilia Hamel suffered traumatic stress as a result of bullying, and the court confirmed that these were, indeed, tangible and foreseeable circumstances.

In Australia, the same principle was confirmed when the High Court awarded compensation to a plaintiff after two teachers and a principal failed to take appropriate action to prevent bullying by several female learners. The plaintiff had become seriously traumatised and distraught because of this bullying (Stewart, 2004:322).

The important message from this legal case *(Lisa Eskinazi vs State of Victoria, Unreported, No 06471 of 1999)* is that when educators have knowledge of a particular learner's aggression, they need to intervene and try to prevent it from escalating further. Also, there is a need for the acceptance of responsibility on the part of the school principal for the learners' welfare, rather than claiming that it is the responsibility of the staff (Stewart, 2004:322).

These cases, according to Stewart (2004:322), serve to illustrate the point that failure to maintain adequate discipline in classrooms or on school grounds can have far-reaching effects on learners' lives, as far as legal obligations of schools and pupils' rights are concerned.

2.5   LEGAL OBLIGATIONS OF EDUCATORS' AND LEARNERS' RIGHTS IN SOUTH AFRICA

2.5.1   The duty of care

The school has a duty of care towards all its learners, according to which the child's best interests should be upheld. To this end, educators need to act *in loco parentis*, as if they assume the position of a responsible parent. While Section 29 of the South African Constitution provides that everyone has the right to a basic education, children's rights are protected in The Bill of Rights 12(1) C [RSA 1996 Section 29 and 12 (1) C]. The common law principle that a child's best interests are of paramount importance in every matter concerning the child, has been included in Section 28(2) as a basic fundamental right (Oosthuizen *et al.*, 2003). This makes it the duty of the state to protect learners from violence and to ensure their safety so that educational obligations can be fulfilled.

Prinsloo (2005:9) states that schools and educators are, as representatives of the state, responsible to report and even intervene whenever they become aware of a child's ights being violated under Section 28 of The Bill of Rights.   According to Beckmann and Russo (1998:3), breach of duty is *not acting* when there is a duty to act. Therefore, educators cannot pass their duty to supervise learners onto learners to monitor other learners, and make them liable when there is an accident. Moreover, if educators are aware that their colleagues are failing to meet their duties, they could also be held liable for negligence.

2.5.2   The protection of learner rights in South Africa

After the advent of democracy in 1994, South Africa passed legislation which required a paradigm shift for educators in South Africa in the way discipline was conducted in schools. The change in the Constitution of South Africa (Act 108 of 1996) laid the foundation for education in South Africa, with the emphasis on human rights and dignity, meaning that no one should be punished or treated in an inhuman way. This was followed by the passing of the Law against Corporal Punishment (Act 33 of 1997)

which legislated that corporal punishment is unlawful, and that if an educator is found guilty of such an offence, he or she could be liable, on conviction, to a sentence which could be imposed for assault. The Schools' Act of the Republic of South Africa (Act 84 of 1996) also clearly stated that no person may administer corporal punishment to a learner at a school. Furthermore, it was required that, in terms of Section 8(2) of the South African Schools' Act, a code of conduct must be adopted by the school's governing body. The implication of these changes for education was that, not only did several legislation documents have to change, but also discipline measures in schools had to be adapted.

It is stipulated in the Bill of Rights (Act No. 108 of 1996, Section 24) that every person has the right to an environment that is not detrimental to his or her health or well-being. This right also applies to learners and, in principle, protects them from being exposed to harmful environments, including the school.

Oosthuizen (1998:33) defines a secure school environment as follows:

> *"When a learner behaves within the ambit of school rules, a secure and tensionless environment is created, enabling the learner to concentrate on his schoolwork. This secure environment provides the educator (who acts with reasonableness and fairness within the confines of the school rules) with a level of certainty and security in his attitude towards a learner".*

Furthermore, Section 12(1)(c) of the South African Constitution (No. 108 of 1996) provides that all persons have the right to freedom and security of the person, which includes the right to be free from all forms of violence from either public or private sources (RSA 1996c: Section 12(1). The right to bodily and psychological integrity, dignity, privacy and equality enshrined in the Bill of Rights further protects learners (Oosthuizen, 1998:33). According to the South African Schools' Act (RSA 1996: Section 15); "Every public school is a juristic person, with legal capacity to perform its functions".

According to Sithole (2007:1), it is important to maintain the founding pillars of the Bill of Rights, namely *dignity* (Section 10), *equality* and the *freedom and security of the*

person (own italics*)* Section 12(1), especially when it comes to random searches of learners' private property. According to the Constitution, everyone has inherent dignity and the right to have one's dignity respected and protected (RSA 1996c: Section 12(1).

The passing of the Education Laws Amendment Act 31 of 2007 (Government Gazette, 2007) included new measures to strengthen safety regulations at schools, including random searches and drug testing at schools. Empowering schools to conduct random searches for drugs and weapons as well as enforcing drug tests will certainly be welcomed by most schools. However, one needs to keep in mind that learners have a right of privacy and to be secure in their person as stipulated in the Bill of Rights, and this right protects them against unreasonable searches and seizures, not to have their property searched nor their possessions seized (RSA 1996c: Section 14(b)(c). It is also not necessary for the school to ask for a learner's consent to conduct a search, but in serious criminal cases, if the police are involved, they need a warrant to conduct a search.

Clear guidelines about the circumstances under which random search and seizure and drug testing should be conducted are amended in the Schools Act, 1996 in Section 8A (RSA: 1996). What the law makes very clear in these cases is that safety and security in schools are of paramount importance for all concerned, undertaken in the best interests of the learner or any other learner at the school, recognising the rights of each individual.

2.6   SAFETY AND SECURITY IN SCHOOLS

The South African Institute for Race Relations' report (2008) claimed that only 23% of children felt safe in South African schools. It was also found, according to data from the report, that 24% of schools have no burglar bars fitted to their windows, 35% have no security gates and 80% have no alarm systems (Blaser, 2008:9). This means that the Department of Education urgently needs to look at ways to make schools safer places for children to learn without fear.

Beckmann and Russo (1998:2) state that, once officials know that children are present at school, they must take precautions to ensure their safety.

A safe school environment, according to Stevens *et al.* (2001:148), can only be established "in a warm and welcoming environment, free of intimidation and fear of violence, a place where students can learn and teachers can teach". One obvious way to ensure such an environment when it is threatened by violence among learners is disciplinary exclusion or, in more familiar terms, suspension from school.

Oosthuizen *et al.* (2003:476) states that once the ill-discipline or misconduct of one learner becomes a threat to or disturbs the harmony of education and learning, one has to ask oneself: "should the collective right of the learners to a secure environment, conducive to learning, not be protected against the ill-discipline and misconduct of the individual?" Oosthuizen *et al.* (2003:476) concluded that the High Court of South Africa has repeatedly found in favour of the collective rights of learners to an orderly environment that is conducive to teaching and learning. This implies that although the emphasis on learner discipline is a prospective approach that focuses on being preventive and corrective rather than on punishment, there are times when the collective interests of the group outweigh those of the individual perpetrator, and there remains no alternative but to punish (and even temporarily remove) the perpetrator (Oosthuizen *et al.,* 2003:477).

2.6.1   Searches, tests and seizure of items not permitted in schools

The Education Laws Amendment Act, no. 31 of 2007 hereafter referred to as the Amendment Act, deals with the seizure of items found during the course of a search. Furthermore, it makes it lawful for certain school staff to search suspected groups of pupils for illegal drugs, knives or other weapons without the learners' consent (Government Gazette, 2007:8). Nevertheless, even though teachers have had the legal right to search suspected learners since 1996, former Education Minister Naledi Pandor stressed that searching learners had to be done on the basis of a reasonable suspicion of finding a weapon or drugs (School weapons search bill passed, 2007:4).

The Amendment Act stress that searches must be conducted in a manner that is reasonable and proportional to the suspected illegal activity (Government Gazette, 2007:5). Furthermore it also prescribes that principals have to inform parents, within one day, that a urine test was conducted in cases where there is a suspicion of any illegal drugs. It also stipulates that parents should be informed of the result of the urine testing within a reasonable time.

Section 8A (9) of the Amendment Act, which states that drug tests may only be the taking of a urine sample or other another non-invasive test, this would mean no blood may be tested (Government Gazette, 2007:5). (Sithole, 2007:1) recommends that schools should draft a consent form to grant permission for such testing, which could be signed by all parents at the beginning of the school year. Furthermore, Sithole (2007:1) stresses the fact that, although school authorities do not need the consent of the learners in order to conduct a search when the police participate in the search, they must have a warrant or obtain the learners' consent.

Any search must be specific in terms of what is being sought by the search and the location where a specific item is thought to be as specified. Section 8A of the Amendment Act (Government Gazette, 2007:5) states that the principal should take the following relevant factors into consideration before conducting a random search of a learner's property: (a) the best interests of the learner or any other learner at the school; (b) the safety and health of the learner or any other learner at the school; (c) reasonable evidence of illegal activity; (d) all relevant evidence received; (e) the fact that the search must be conducted in a manner that is reasonable and proportional to the suspected illegal activity. There must also be a balance between a learner's freedom from unreasonable search and the need for school officials to maintain order and discipline to protect the health and welfare of all learners (Sithole, 2007:1).

In terms of the Amendment Act (Government Gazette, 2007:5), when a dangerous object or illegal drug is found in the learners' possession or when his or her sample tested positive for an illegal drug, disciplinary proceeding in terms of the school's code of conduct should be contemplated.

Furthermore, Section 7 (14) of the Amendment Act (Government Gazette, 2007:5) states that no criminal proceedings may be instituted by the school against any learner. This would mean that the only consequence the learner will face will be the disciplinary process at their school.

2.6.2 CCTV cameras in schools

Two of the major issues that teachers have to deal with on a daily basis are the bullying and sexual harassment of learners in many schools in the country. This has led to the installation of CCTV cameras in schools in South Africa. However, schools that are fitted with CCTV cameras could open themselves to serious charges of offending the constitutional right to privacy (Donald, 2008:1). There are regulations offering clear guidelines as to the use and maintenance of a legally admissible surveillance system of CCTV in other countries ("Guidance: CCTV and Schools", 2007) and ("Data Protection guidance for schools", 2008). Unfortunately, there are no similar guidelines regarding the use of CCTV in South Africa, and schools are not informed of the legal implications of submitting surveillance footage in legal cases. There is also no written policy from the Department of Education on this matter.

Currie and De Waal (2001:362) reminds schools to respect the human dignity and privacy of the learner as an individual. The importance of this principle is illustrated in a case in Overton County, Tennessee, where parents filed a law suit, charging the school authorities with $4,2 million in damages for the violation of scholars' rights by placing hidden cameras in the boys' and girls' locker rooms, and recording video footage of the children in the act of undressing (Riley, 2003:1). As the data was saved onto a hard disk, it was then made available on the Internet and was accessed widely. The school authorities were charged with allowing surveillance cameras to be installed without the knowledge of learners and parents, and without properly securing the images.

2.6.3 School safety policies and implementation

Gaustad (1992:3) comments that disciplinary policies should distinguish between different categories of offences. Each category should also have different degrees of offence, and offences should be treated according to how serious the situation is.

Furthermore, the principal should ensure that the full written policy is available on hand and, perhaps, published in the handbook for the governing body's disciplinary committee as well as being placed in the library for pupils to familiarise themselves with. Policy or key principles could also be clearly set out in the school prospectus, home/ school agreement, websites, information for prospective pupils and information for staff who apply for positions of employment at the school, or in pupil and staff planners if these are used (Education and Inspection Act, 2006, United Kingdom).

One of the key points in the above-mentioned policy which South African schools can learn from is the idea of making policies available in a range of accessible formats and languages to reflect the community served by the school (Department of Education and Skills Development, U.S.A, 2003). The policy also states that schools may choose to have key messages displayed on classroom walls and posters in staffrooms as well as in the reception areas and public rooms of the school so that anyone using the school site is clear about the principles and reminded about them. Although many schools in East London (South Africa) do display their school rules, codes of conduct and mission statements in entrance halls, passages and school halls, this should be encouraged as compulsory practice for all schools so that learners, teachers, parents and anyone visiting the school knows that the school is serious about order and discipline.

The Department of Education provided schools with a policy document "Signposts for Safe Schools" that is meant to serve as support material for schools and to provide guidance on school safety-related issues (Department of Education, 2007). However, an individual policy needs to be established by each school that addresses its unique circumstances. The objective is to prevent physical violence in schools, thereby providing safer teaching and learning environments. However, the Department of Education has no official anti-bullying policy in place for schools to use. It was reported that teachers and even principals in South Africa are confused about what constitutes bullying at school (Enoch, 2006:1).

Schools in England and Wales must have an anti-bullying policy by law, and the Department for Education and Skills helps to ensure that schools adopt a proactive approach to bullying, suggesting that schools work together with the community to deal

with bullying (Beat Bullying Toolkit for Teachers (schools), 2003). In the United States of America, states such as Colorado, New Hampshire and West Virginia also require their schools to adopt anti-bullying policies (Lumsden, 2002). Lewis (staff attorney for the American School Boards' Association) warns: "If you have a law, you'd better have a policy" (Hymowitz, 2000:2).

However, the onus still rests with schools to implement the policy in their schools. Netshitahame *et al.* (2002:313) found that most principals in rural areas in South Africa did not have a clear understanding of what was meant by the terms "mission statement and policies", nor the importance thereof.

The existence of policy documents, when making use of a CCTV system, is also very important as the latter could possibly infringe on the constitutional rights of a learner. A high school in Oak Bluffs, Massachusetts, was advised by its attorneys to disconnect its cameras until it had a written policy in place that laid down when and where the cameras or future cameras may be used (Luening, 2004). Schools in the United States have a policy which indicates the entire do's and don'ts when using a CCTV system ("Data Protection CCTV code of practice", 2008) for exactly this reason. Sithole (2007) pointed out that it should be incumbent upon all schools to develop and implement their own individual safety and security policies suited to their needs. Writing up new policies is one of the sure ways of creating a safe learning environment for all.

2.7   PUNITIVE AND PREVENTIVE DISCIPLINARY MEASURES IN OTHER COUNTRIES

There can be no doubt that schools have a duty to use all effective means needed to maintain a safe and disciplined environment. However, great controversy has developed since the 1980's over the measures used by educators to achieve this aim (Skiba and Edl, 2004:2).

Punitive measures such as corporal punishment, and exclusionary methods such as suspension and expulsion, came under the spotlight as research has raised questions

about the effectiveness and equity of these methods as punitive measures. Corporal punishment has been abolished in all countries in Europe (apart from the United Kingdom), along with other countries outside of Europe, which include Israel and Japan. In Australia, corporal punishment has also become unlawful in most states since 1989, and teachers are using other disciplinary methods to ensure appropriate learner behaviour (Stewart, 2004:326). However, in some jurisdictions, corporal punishment is still permissible. In the United States of America, there are still 30 states where corporal punishment is allowed (Brister, 1996:2).

Slee (as cited in Stewart,2004:319) argues that the removal of corporal punishment in Australian public schools has very little to do with discipline as an educational concept. Replacing corporal punishment with more pervasive and mostly preventive actions such as reprimands, detention, loss of privileges, and punitive measures such as suspension and expulsion, is giving principals more authority to manage discipline within their schools (Stewart, 2004:328). However, even though principals at government schools are given the authority to suspend learners after a fair hearing, they do not have the authority to expel learners. Such action can only be granted by the education authority and it has to be established by legislative provision. The same procedure is also followed by the Department of Education in South Africa. Independent schools establish their own procedures, depending on the provisions of a contract between the school and the parents.

On the other hand, teachers in Victoria, a state in Australia, felt that when corporal punishment has been abolished from schools it has now been replaced by expulsion and suspension (Brister, 1996:8). Furthermore, Brister argues that policies on expulsion and suspension are behaviourist in conception and practice, and are supposed to reflect consistency between pedagogical, curriculum and school governance objectives.

Nevertheless, authorities still had to find new strategies to deal effectively with undisciplined and disruptive learners. Stewart (2004:331) suggests that learners need to be taught the principles contained in the United Nations Convention on the

Rights of the Child, since there is no Bill of Rights in Australia that gives recognition to rights or responsibilities that are contained in the articles of the Convention or similar documents. Teaching learners that rights are not absolute and that there is a sound balance between rights and responsibilities seems to have a positive effect (Stewart, 2004:331). Many schools in Australia have included in their behaviour development plan for the school, other programmes such as combating bullying, to assist with the maintenance of discipline and to make learners more aware of their rights and responsibilities.

However, Skiba *et al.* (2006:2) concluded that since the early 1990s, the national discourse of school discipline has been dominated by the philosophy of zero tolerance, which is intended to be applied regardless of the seriousness of the behaviour, circumstances or situational context. Zero tolerance policies therefore assume that by removing learners who disrupt classes with their unacceptable behaviour, schools can create a conducive and safe learning environment for the other learners. This has raised concerns about equity in education and taking away learners' right to an education. Furthermore, when the effectiveness of suspension and expulsion as a disciplinary measurement was examined by the American Psychological Association Zero Tolerance Task Force, (Skiba *et al.*, 2006: 5), it was found that school suspension, in general appears to predict higher future rates of misbehaviour and suspension among those learners who are suspended. In the long term, suspension and expulsion are moderately associated with a higher likelihood of school dropout and failure to graduate on time. It also seems that, according to the findings of this research, despite the removal of a huge number of troublemakers in schools in the United States of America, zero tolerance policies have still not guaranteed a safe school environment.

It has been suggested by the authors of the above-mentioned study that other alternatives should be found without refusing many learners an education (Skiba *et al.,* 2006:12). It is also interesting to learn that zero tolerance policies and the law regarding the management of discipline in schools are not the same all over the globe. The reason for this is that there is not one general zero tolerance policy that is suitable

for all schools, therefore each school district has to make its own amendments to its policies governing discipline. Some states, for instance Canada, follow a zero tolerance policy governing the use of foul language and the writing of graffiti. Also, the Ontario Education Act mandates blanket suspension of K-12 students for swearing or threatening another learner.

This legislation allows schools to "dispose of" perpetrators who cause disciplinary problems or those who refuse to obey the rules of the schools, through temporary suspension or expulsions (Shariff, 2004:226). Theories on the disadvantages and effects of punishment are discussed in the next chapter.

2.8   DISCIPLINE AND PUNISHMENT IN SOUTH AFRICAN SCHOOLS

Before 1996, South African schools were mostly founded on autocratic-authoritarian disciplinary models, and corporal punishment was a legal way of effecting discipline. However, in 1996, the School African Schools' Act 84 banned the use of corporal punishment in all South African Schools. This was received with mixed feelings. Some parents and teachers were positive about the banning of corporal punishment, while others felt, like Oosthuizen (1998:4), that "the abolition of corporal punishment has left a gap which cannot be filled, and this has led to all kinds of disciplinary problems in schools". The abolition of this law reflected the rights to freedom and security of the person, which includes the right (d) not to be tortured in any way and (e) not to be treated or punished in a cruel, inhuman or degrading way as stated in the Bill of Rights 12(1) (RSA 1996 Section 29, 12 (1) (d) and (e). The Department of Education launched a project on discipline in 2000. It furnished all schools with a booklet entitled "Alternatives to Corporal Punishment" (DOE: 2000). This publication also contained examples of the correct disciplinary action for dealing with misconduct, ranging from verbal warnings to suspension from all school activities (Pienaar, 2003:262).

The question is, whether discipline is concerned with punishing misconduct, or with preventing it? According to Cotton (1990:3), "discipline could be training that is expected to produce a specified character or pattern of behaviour" or "controlled resulting from such training"; however, it could also be "punishment intended to correct

or train". Nelson and Quick (2003:185) prefer discipline to punishment. They describe the traditional consequences for disciplinary infractions as typically punitive, reactive, and meted out in stages, such as: warning, detention, student and parent conference, suspension, transfer to another school, and expulsion. This is also similar to the disciplinary measures suggested by Mohapi (2007:131) (see p.101). Asmal (1999:7) elaborates further that corporal punishment does not achieve a culture of learning and discipline in the classroom, instead it leads to violent behaviour and it does not build a culture of tolerance, human rights and respect. Furthermore, it contributes to truancy and high dropout rates in South African schools.

It also, according to Asmal (1999:7), undermines the self-esteem and confidence of learners who have learning or behavioural problems; and does not improve the behaviour of difficult learners; instead, they are punished over and over again for the same offence. Furthermore, Asmal (1999:8) concluded that punishment does not nurture discipline in learners but evokes a feeling of aggression or revenge, and leads to anti-social behaviour. From personal experience the researcher would say that it also takes the learners' focus away from the act of committing wrongdoing to the act of beating.

Some learners even brag about being beaten as something to be proud of, as a badge of bravery or success. This is in line with what Lewis (1999:113) says when he points out that physical punishment is not effective in disciplining a child, as it does not teach the child what he or she should have done instead, or should do in future.

However, there is no doubt that corporal punishment continued to be used in many schools, even after it was declared illegal. A study done by Mentz *et al.* (2003) found that 10% of schools still used corporal punishment as a method of discipline in their schools (De Klerk and Rens, 2003:458).

Morrell (2001) also found that the use of corporal punishment was still in relatively common use on learners in black townships, even after five years of being abolished (as cited in De Klerk and Rens, 2003:458). Furthermore, Morell states that corporal

punishment persists because many parents use it at home and support its use in schools.

Nevertheless, in a democratic South Africa, one has to respect the fact that different theories of child-rearing exist, including the fact that many parents believe in the saying, "spare the rod and spoil the child", and some might feel that their right to religious freedom has been infringed, and that corporal punishment with the consent of the parent is consistent with any provision of the Bill of Rights.

In the well-known *Christian Education* case, (*Christian Education South Africa vs Minister of Education* 1999 (2) SA 83 (CC) 1998(12), independent schools attended by approximately 145,000 learners in South Africa challenged the ban on corporal punishment in the Constitutional Court on the grounds that, according to the Constitution, the protection of rights of individuals to practise their religion is guaranteed. The applicants claimed that the ban was unconstitutional as it interfered with the democratic right of a parent, as an individual, to grant his or her consent for corporal punishment, on the grounds that it is an integral part of Christianity.

The application was, however, dismissed on the grounds that corporal punishment violates the right to equality and the right to dignity and therefore forfeits any claim to constitutional regard. Roos (2003:507) added that because the school is a legal organ of the state, schools are legally compelled to comply with the rules of the Constitution and act in accordance with other laws of the land. This also shows that people are entitled to freedom of religion only insofar as the practice of their religion does not infringe on human rights.

Research done by Rossouw (2003:413) on learner discipline in South African schools, shows that a wide variety of learner misconduct has a negative influence on discipline in South African public schools. This study also shows that the majority of respondents from eight secondary schools and six primary schools situated in rural and suburban areas mentioned that there has been a clear decline in the level of discipline during the last five years.

The problem most commonly reported by learners and educators was the disrespectful behaviour towards educators that manifests itself in numerous forms of misconduct, and which has a negative influence on the culture of learning and teaching. Theories of different educationalists on punishment and discipline are discussed in the next chapter.

2.9   CODES OF CONDUCT AND SCHOOL RULES

It is the duty of a school's governing body to adopt a code of conduct that will be a legal instrument, regulating the maintenance of discipline in the school.

The South Africa Schools Act (1996b) requires in Section 8 that the governing body of a school has to adopt a code of conduct for learners after consultation with learners, educators and parents. In many states and countries all over the world, however, there are many school districts that have a single code of conduct for all the schools in their districts. For instance, Ontario in Canada has a single code of conduct for the whole district, and it seems to have significant advantages, such as equity and equality for all, and presents a clear balance of rights and responsibilities for all schools. The Ontario Code of Conduct includes the specific reasons for law enforcement and the conditions for re-accepting learners after suspension from school, in accordance with school board policies (Ministry of Education, 2006). It goes to show that one national code of conduct for schools can be drawn up to include all the rights and responsibilities of principals, educators and school staff as well as the learners to ensure Constitutional compatibility.

The Department of Education in South Africa provides schools with an example of a code of conduct as part of its guidelines for constructing their own codes of conduct (Department of Education, 2007). Duties of parents, disciplinary steps, accepting responsibilities, and the payment of school fees are some of the matters that need to be discussed with learners, parents and educators of the school (RSA, 1996b) before drawing up a code of conduct for the school. The governing body is also empowered to maintain and enforce school discipline in accordance with the code.

For instance, in the case of serious misconduct, the governing body can suspend a learner for a maximum of seven days after a fair hearing (RSA, 1996b). However, the punishment must be clearly understood and accepted by the perpetrator. The effectiveness of the punitive measures described in such a document will largely depend on the content of the document, the involvement of parents, and learners and teachers implementing the rules of the school. The national behaviour policy guideline for schools in England suggested that schools may choose to have key messages that are highlighted in their school rules, displayed on classroom walls and staffroom posters and in the reception areas and public rooms of the schools (Department of Education and Skills Development, 2003). What is important is that everybody that comes to the school could see the messages and be reminded of the rules every day.

Alston (1998:1) warns, however, that the legitimacy of school rules could be in question in the event of a court case arising over the application of school rules. Schools today are challenged, not only in the application of their school rules, but also in the drafting of their school rules, which need to serve as a legally valid document. Therefore, this implies that those responsible for drafting the school rules need to have a knowledge and understanding of the basic law principles to draft rules that will conform to such original legislation.

Parental involvement in the drafting of a code of conduct could, in fact, play an important role in establishing a safe school environment. The positive input of parents in the drafting of school rules is crucial in establishing a safe environment for their children, also in ensuring that they understand and agree with what is expected of their children, regarding the rules of the school.

Thus, the duties of parents, as stipulated in the South African Schools Act 84 of 1996 should also be listed in the code. Language and parental illiteracy should be taken into consideration so that everybody involved in the school will be able to understand the rules of the school as clearly stipulated in the code of conduct. The wording should therefore be as simple as possible, so that even younger learners would know what is expected of them and what is permitted at their school.

Furthermore, school rules should not just be a set of legal rules that are designed to avoid future law suits rather than to establish classroom order. Alston (1998:51) suggests that parents and learners should at least give a moral if not legally binding agreement to abide by the rules and support the school in their application; the school may also request parents and learners to sign their acceptance of the rules.

To ensure that parents receive and review schools' discipline codes, the State of Virginia in the United States of America enacted a law effective from May 1995 requiring parents, under penalty of a fine, to sign and return a copy of the school rules to the school. The law also requires parents of suspended students to meet with school officials or face a fine of up to five hundred dollars. Similarly, a 1994 Alabama law holds parents liable when students damage school property; this is a written school rule (Cotton,1990:33).

As one could learn from these recommendations, a school's code of conduct could play a significant part in the case of a law suit as school rules constitute a particular form of subordinate legislation; therefore it is important that schools should have a legally defensible code of conduct (Oosthuizen, 1998:29).

Where there is a lack of effective behaviour management and disciplinary practices, Cotton (1990:33) advises that teachers should recognise vague or unenforceable school rules, and address these immediately. Cotton (1990:34) found that both learners' behaviour and attitudes are adversely affected when teachers ignore violations of school or classroom rules.

2.10   PUNITIVE DISCIPLINARY MEASURES IN A CODE OF CONDUCT AND SCHOOL RULES

2.10.1 Detention

Detention is a method that teachers, in many countries, including South Africa, use as a punitive measure to punish learners who misbehave. In the United States of America, it is more often referred to as "exclusion". Oosthuizen *et al.* (2003:473) describe detention as: "where a learner has to sacrifice his/her free time due to misconduct or unruly behaviour from his/her side".

Stewart (2004:327) says that procedural fairness and equal opportunity laws need to be considered when there is a possibility of a learner being excluded. Usually, detention would take place after school or during break-times, but some schools even run it over a weekend (Stewart, 2004:328). Research conducted in the United States of America on the effectiveness of detention showed that lunchtime detention appears to be a potential alternative programme that could be effective because it places less of an administrative burden on teachers than some other punitive methods (Oosthuizen *et al.,* 2003:473). However, more restricted programmes may be needed by educators as violence in schools increases.

2.10.2 Suspension and expulsion

Oosthuizen *et al.* (2003:82) defines the difference between suspension and expulsion as follows:

> "*Suspension is the temporary refusal by a school governing body to admit a learner to a school and/or its hostel, while expulsion is the permanent removal of a learner from a school or hostel. Usually suspension precedes expulsion.*"

Suspension and expulsion as forms of punitive measures are, according to Oosthuizen *et al.* (1998:66), aimed at correction, and not at retribution as in the case of corporal punishment. Oosthuizen *et al.* (1998:66) argue that discipline should be administered in a prospective way, directed at the development of the adult of the future.

The improvement of behaviour might also change after a learner has reflected on his behaviour during the time of suspension, and he or she might decide to change his or her behaviour. However, Klump (2007:2), in research on the effectiveness of out-of-school suspensions, found that suspension does little to change a learner's behaviour. The findings in this research also showed that out-of-school suspension seems to "push" students out of school for relatively minor infractions.

Out-of-school suspension practices in the United States of America indicate that suspension is not only used for what would be considered as serious misconduct, such as drug possession and the carrying of illegal weapons, but is also often used for offences such as poor attendance and truancy (Klump, 2007:2). In South Africa, learners may be suspended for any offence from rape or the carrying of dangerous weapons, to arriving late for classes. There are variations from school to school, depending on the severity of the misconduct and what is stipulated in the school's code of conduct.

Looking at suspension procedures in some other countries, it seems as though the disciplinary procedures are much less tolerant than those in South African schools. The Code of Conduct of Ontario, Section 23 of the Education Act of Canada, gives a principal the right to suspend a learner on the grounds "of persistent truancy, persistent opposition to authority, habitual neglect of duty, the willful destruction of school property, the use of profane or improper language, or conduct injurious to the moral tone of the school or to the physical or mental wellbeing of others in the school". The suspension period could be established by the principal, but should not exceed twenty school days (Ministry of Education, 2006:14). While, in South Africa, in terms of Section 9 of the S.A. Schools Act, a learner may be suspended by the governing body of the school after a fair hearing for a maximum period of seven days, and the learner can only be expelled by the Director General or the head of the relevant provincial education department.

The second punitive measurement used in schools is expulsion. There are two kinds of expulsion. Firstly, out-of-school expulsion is where a learner is permanently refused

admission to the school where he or she is enrolled, by the Director General or the head of the relevant provincial education department, and not by the principal of the school (The South African Schools Act 84 of 1996). Such an expulsion would only be valid after the learner is declared guilty of serious misconduct following a fair hearing. Secondly, out-of-class expulsion is where a learner is expelled from a specific class because of misconduct.

Oosthuizen *et al.* (1998:68) conclude that, when considering suspension or expulsion, it is important for educators to be reminded that the security of the group is weighed against the security of the individual offending learner. Therefore, one should agree with Oosthuizen *et al.* (1998:66) that the role of discipline "is to protect the learner against the unruly behaviour of his fellow learners and against his own waywardness". Dewey (as cited in Connell, 1994:2) also argues that unruly, rebellious children cannot be permitted to stand permanently in the way of the educative activities of others.

Nevertheless, one need to be reminded that all children have the right to education, as stated by the court in *Tinker vs Moines Independent School District*,

> *"children are persons under the Constitution who are entitled to the protection of that right (to education)" (Brody and Vardin, 1979:18).*

Alternatives to exclusion from school need to be addressed in order to find ways of helping children who have shown signs of behavioural problems. The following is a list of alternatives to suspension as recommended by Peterson (cited in Klump, 2007:5):

- Problem-solving by identifying alternative behaviour choices and following up with developing a contract that reminds students to engage in a problem-solving process and that includes reinforces for success and consequences for not following the contract.
- In-kind restitution could be required, which is related to the problem caused by the student's misbehaviour (for example, removing graffiti or improving the appearance of the school's environment).
- Mini-courses or modules that are related to the inappropriate behaviour and should facilitate behavioural change should also be encouraged.

- Parental involvement regarding more frequent communication about issues can be formalised into a disciplinary consequence.
- Counselling, focusing on problem-solving relating to behavioural issues and community service could be used as more effective ways of achieving discipline. It is important that behaviour that permits rewards for successful performance of specified objectives, and an alternative programme such as permitting the pupil to make short- or long-term changes in his/her schedule.
- Alternative classes, or participating in independent study or work-experience programmes could also help to alter misbehaviour.
- Learners should be able to receive appropriate credit and progress towards graduation. Appropriate in-school suspension should include academic tutoring, skills-building related to the behavioural problem and a clearly defined procedure for the learner returning to class, contingent on his/her progress or behaviour.

2.11   PREVENTIVE DISCIPLINARY MEASURES

2.11.1 Positive discipline

In order to increase positive discipline, disruptive behaviour needs to decrease in schools to create an environment that is conducive for learning. Cotton (2006:2) suggests that rules and the consequences of breaking them should be clearly specified and communicated to parents, learners, and teachers. Once rules have been communicated, the fair and consistent enforcement of the school rules, and providing a hearing process for students to present their side of the story, will also increase learners' and parents' perceptions of fairness. Disciplinary policies should also set out the different categories of offences, depending on the circumstances or seriousness of the offence.

Gottfredson and Gottfredson (as cited in Gaustad, 1992:1) report on research in 600 secondary schools in which they found that unclear or unfair rules which are inconsistently enforced are associated with poor discipline in schools.

Duke (as cited in Gaustad,1992:1), states that although "good behaviour is necessary, it is not sufficient to ensure academic growth". Gaustad (1992:1) argues further that effective school disciplinary strategies should seek to encourage responsible behaviour and provide all learners with a satisfying school experience as well as discouraging misconduct.

There are learners, however, who, in spite of schools trying their best to make education a satisfying experience for them, still dislike school. Research has shown that learners, who dislike school, perform poorly academically, have limited career objectives, and are more likely to be disruptive (Cotton, 2006:2). Therefore, researchers believe that social involvement in school activities could help learners to be more positive about attending school. Cotton (2006:2) recommends that underachieving learners should be helped through a remedial programme, which would also create a more positive attitude towards schoolwork if the learners in question start to show signs of improvement.

Teachers' positive attitude to their profession also plays a significant role in learners' attitudes toward school. Researchers Duke, Lasley, Wayson, Short, Smedley and Willower (as cited in Gaustad,1992:2) all have found that commitment, on the part of the staff, to establish and maintain appropriate learner behaviour as an essential precondition of learning, is the chief component of preventive discipline. According to Gaustad (1992:2), the creation of an accepting social climate, characterised by a genuine concern for learners as individuals, is also typical of a well-disciplined school.

Making the curriculum interesting for learners, so that they will want to come to school to learn and also be prepared and well-trained, shows that teachers are serious about what they say and, in turn, earns them respect as professionals. Charlton and David (1997:223) concur that learners' misbehaviour may be a logical and not unreasonable response to a timetable which includes subjects and material in which they have little or no interest, and/or which is administered to them in a manner that is uninteresting and which discourages their involvement.

Bumbarger (1999:3) concluded by saying that to train teachers in effective classroom management may increase the consistency of discipline, potentially reducing unnecessary exclusions and preventing the erosion of the deterrent effect of suspension and expulsion.

2.11.2 Behaviour modification programmes

To improve the behaviour of misbehaving learners, there are many educational programmes on the market. Researchers Brophy and Luke (as cited in Gaustad, 1992:4), found that rewards and punishments based on the behaviour of individuals in a group are effective in remediating misbehaviour. However, there is not much research into the effectiveness of all of these programmes

It seems, though, that contemporary behaviour modification approaches, in which learners are more actively involved in shaping their own behaviour through participation with teachers who will help them to change and evaluate their own behaviour, provide successful results. Theories of positive discipline will be discussed in more detail in Chapter 3.

It is important that teachers should teach appropriate behaviour to learners. Duke (as cited in Cotton,2006:10) found that an orderly school is characterised by commitment to appropriate student behaviour and clear behavioural expectations for learners. Furthermore, Duke also recommends that rules, sanctions, and procedures should be discussed, debated, and frequently formalised into classroom management plans and school disciplinary codes. By doing so, the school shows its commitment to creating orderly discipline and shows concern for the learners by involving learners as decision-makers, creating an environment that is learner-centered and incorporating students' problem-solving activities (Cotton 2006:10).

2.12 CONCLUSION

This chapter gives a view of the current disciplinary problems experienced in schools nationwide. The researcher examined the nature of different forms of school-based violence, providing an overview of what seems to be a worldwide phenomenon in playing an integral role in the breakdown of school discipline. The legal rights of learners and disciplinary methods in schools were also examined from an international as well as a South African perspective. Punitive measures, as stated in the schools' code of conduct and school rules, such as detention, suspension and expulsion, are also discussed, as are different preventive measures for positive discipline. In order to come to a better understanding of what perpetuates aggression in learners and violence in schools, different theoretical perspectives will be discussed in the next chapter.

CHAPTER 3

A THEORETICAL PERSPECTIVE ON DISCIPLINE AND PUNISHMENT IN SCHOOLS AIMED AT MAINTAINING A SAFE LEARNING ENVIRONMENT

3.1   INTRODUCTION

This chapter will be divided into three sections. In the first, the researcher identifies two perspectives regarding guiding and managing learners' behaviour. According to one perspective, agreed-on rules are the basis of discipline, where if learners transgress they have to accept the consequences of their actions, whereas the other sees discipline as based on the reinforcement of desired behaviours, and ignoring (as far as possible) undesired ones. In the first section the assertive discipline approach and the behaviour modification approach are briefly discussed to provide a theoretical framework with regard to establishing a peaceful learning environment in schools. The choice of discipline methods used in schools is therefore important, especially in a diverse society such as South Africa.

In the second section the researcher briefly discusses the theories of Kounin, Adler and Glasser on the prevention of disruptive classroom behaviour. This will link with the third section, which discusses punishment, and its positive and negative effects. The researcher will link theories of discipline with existing intervention approaches in schools to highlight the importance of good management of discipline aimed at ensuring a safe learning environment for learners today. In this research, not only does theory provide broader insight into school discipline in particular; it also highlights the importance of the right choice of approaches to establish a school environment that is conducive to learning.

3.2 BROAD APPOACHES OR TECHINIQUES AIMED AT MANAGING DISCIPLINE AT SCHOOL

Approaches to managing discipline and violence in schools have changed throughout the years; some have been found to be more effective than others.

3.2.1 Assertive discipline approach

Assertive discipline is an approach to the management of discipline in schools which was introduced to primary and secondary schools in the United States of America during the 1980's by Lee and Marlene Canter (Blandford, 1998:100). Canter and Canter (1992) suggest the following limit-setting approaches that could be followed as a discipline plan in schools. Their assertive discipline plan requires that the teacher sets limits on learners' behaviour so that order is maintained in an effective and efficient learning environment through teaching obedience to authority, but at the same time giving support to their learners.

Blandford (1998:101) explains that the assertive discipline technique has three essential components: clear, unambiguous rules, continuous feedback, and a recognised hierarchy of sanctions which are consistently applied when the rules are broken. Learners should come to believe that when they behave in an unacceptable manner they will be treated appropriately.

Assertive discipline is different from many other models in that it provides a system of dealing with behaviour at the time it occurs, through a plan that makes the learners responsible for their own behaviour and resulting consequences. Ginott (1972), who supported the assertive discipline method even before it was introduced in schools by Canter and Canter, has contributed substantially to thinking about the management of discipline and setting the tone for the system of classroom discipline (Charles, 2002:25). Ginott advises educators to have a solid, reliable system of discipline in place; class rules need to be discussed and formulated into class agreements.

Furthermore he suggests that teachers need to make sure that they have the power to put an immediate stop to behaviour that is offensive or disruptive. Canter and Canter (1992) conclude that the following actions could be followed when misbehaviour occurs: tell the child to stop the particular behaviour, set out the sanctions that will occur if he or she does not, and offer the child a choice.

Blandford (1998:103), however, warns that all innovations will fail if the school staff is not fully trained and ready to introduce assertive discipline. Canter and Canter (1992) furthermore stress the fact that assertive discipline can only be effective in schools where the school community has been involved in the implementation and development of the discipline plan for the school. This is also recommended in Section 3 of the South African Schools Act 84 of 1996, (RSA: 1996b), i.e. that school governing bodies should involve all stakeholders (parents, educators, learners, and non-educators at the school) to contribute when drawing up a code of conduct and school rules.

However, Robinson and Maines (as cited in Blandford,1998:103) state that assertive discipline could be applied in such a way as to neglect some of the rights of learners and parents. These include the right to be listened to, the right to participate in the design of the learning structure , and the right to express needs which may conflict with school or classroom norms without fear of punishment, for example, on the basis of cultural differences. Willower (1986) concludes that schools need to recognise their own defined school culture and sub-cultures before imposing rules on others. It is important to understand that in a country with a diverse society like South Africa, discipline methods will also differ by race. Nevertheless Moss (as cited in Blandford,1998:102) concludes that positive changes in learner behaviour have been noted in primary schools where assertive discipline was implemented.

3.2.2 Behaviour modification approach

The behavioural psychologist BF Skinner believed that consequences are what shape an individual's behaviour. The Skinnerian model assumes that behaviour is conditioned and that reinforcements contribute towards achieving good behaviour when

reinforcement procedures are used systematically to direct learners' behaviour in a desired direction (Mohapi, 2007:24). Covaleskie (2008) concludes that in this approach learners are shaped through the coercion of disciplinary power, but that because they are unaware of being disciplined, they do not resist.

Positive reinforcement means rewarding positive behaviour with praise and enjoyable rewards, while negative reinforcement is based on the 'eradication' of the undesired behaviour rather than on punishment, i.e. to take away the reward or something that the learners like. Eventually, the repeated positive rewarding of desired behaviour combined with the non-rewarding of the undesired behaviour leads the desired behaviour to become associated in the mind of the learner with good experiences. However, the philosopher Immanuel Kant (as cited in Morrison *et al.,*2007:48), would have disagreed with such behaviourist methods and states that

> *"If you punish a child for being naughty, and reward him for being good, he will do right merely for the sake of the reward, and when he goes out into the world and finds that goodness is not always rewarded, nor wickedness always punished, he will grow into a man who only thinks about how he may get on in the world, and does right or wrong according as he finds an advantage to himself."*

Still, many primary grade teachers use behaviour modification to teach learners desirable behaviour, rewarding students who behave acceptably and withholding rewards from those who misbehave. Mohapi (2007:27) observes that more overtly *punished* learners might get the negative attention they are seeking from their peers, and then persist with negative behaviour in the hope of gaining more attention. Behaviour modification seems to work well with younger children, especially with more difficult cases, but as learners mature they might feel embarrassed to be singled out for praise in front of their classmates, and punishments in the form of withheld rewards may lose their "sting".

3.3   CHOICE OF DISCIPLINE APPOACHES

In a diverse society such as South Africa it is important that teachers understand those

differences in culture which may directly influence the effectiveness of discipline measures.

Therefore the choice of punishment may not be effective due to differences in culture, and other disciplinary methods will then need to be considered. A survey done by the Human Sciences Research Council between 2003 and 2006 showed significant results. It was found that disciplinary methods differed by race.

Compared with other race groups in South Africa, whites were found to be the least likely to support the use of reasoning or discussion, while Indians and other Asians were four times more likely than whites to do so. It was also found that white and coloured respondents tended to support methods that caused pain such as corporal punishment, rather than Africans, Indians and Asians. African respondents were least likely to support giving additional learning tasks as punishment (Wa Kivilu and Wandai, 2009:1).

Therefore one could conclude that one choice of punishment may not be equally effective for all learners due to differences in culture, with the result that other disciplinary methods may need to be considered. Unfortunately, however, no single discipline approach or technique will guarantee a disciplined, violence-free environment. The degree of success will depend on the school management's application of the approach, and on how consistently they see it through.

It is important that education should move away from the authoritarian point of view where only the teacher controls the situation. However, the role of the teacher needs to be reinstated, not in an authoritarian way, but rather as leading learners toward self-discipline. It is not acceptable to leave a child to decide for himself without any guidance. Young learners especially need guidance in order to learn to think for themselves, and to make their own choices, but in accordance with socially accepted norms and values.

3.4 DIFFERENT THEORIES ON PREVENTING DISRUPTIVE CLASSROOM BEHAVIOUR

3.4.1 Kounin's theory

Kounin (1976) agrees with Skinner that learners will adopt good behaviour and eliminate bad behaviour in an attempt to gain rewards and avoid punishment (Mohapi, 2007:28). However, he states that a key concept of his theory is that what is more important is not only the manner in which educators address the misbehaviour of learners, but rather the way in which educators *prevent* misbehaviour. This, according to Kounin, is the key to successful classroom management.

Kounin's work places emphasis on how educators can manage students, lessons and classrooms so as to reduce the incidence of misbehaviour. Kounin (1976:74) emphasizes the fact that the best way to maintain good discipline is to keep students actively engaged in class activities, while simultaneously showing the individual attention. He identifies a number of strategies that educators can use to engage students in lessons and thus reduce misbehaviour. One such technique is, when an educator is busy with one group of learners and simultaneously also observes that two other learners are not busy with their class work. Kounin believes that it is far better to stop a behaviour when one child engages in it than to wait until the entire class has begun imitating it. He refers to this technique as the "ripple effect".

Furthermore Kounin (1976:74) recommends that educators should have an attitude of "with-it-ness", which implies that the educator must be able to know and see what is happening in the class at all times. Although Kounin provides good suggestions on classroom management, he does not tell educators how to deal with a situation when a learner is misbehaving.

3.4.2 Neo-Adlerian theory

Neo-Adlerian theory, on the other hand, suggests a number of ways to *prevent* classroom behaviour problems. According to Ginott (as cited in Charles,2002:25), praising learners tells them that the teacher is judging them and that his/her opinions

are more important than their own. This could interfere with learning and could discourage learners, making them afraid of failing to meet high expectations, and also making learners dependent on the teacher, rather than themselves, for evaluating their behaviour. They end up behaving well (if they do) for the sake of the teacher, not for themselves or for the sake of others, in turn leading them to misbehave when the teacher is absent. Porter (2000:99) summarises the disadvantages of praise as follows.

> *"…Praise and other rewards imply that teachers know everything in all domains, and so have a right and are able to judge whether students' achievements are adequate."*

Learners might also feel that they will not be accepted by their teachers because they know that they are being judged. This could lower their self-esteem when they do not succeed in being "good" all the time. Teaching learners skills to regulate their own behaviour enhances their self-esteem; therefore Neo-Adlerians advise teachers to acknowledge learners' success and not to praise their efforts. In doing so they will encourage learners to regulate their own behaviour.

According to Porter (2000:99), praise can lose credibility if learners' evaluations of their work do not match that of their teacher. Many learners also come to resent being manipulated by praise. Neo-Adlerians argue that praise can also *provoke* disruptive behaviour, and does not teach learners to monitor their own behaviour. Instead teachers are advised by this theory to identify the goals of the learners' disruptive behaviour, and then respond by giving guidance and encouraging more appropriate behaviour. Osborne (as cited in Du Plessis,2008:16) views schools as restrictive institutional environments that rigidly impose laws on students, leaving them with little choice and freedom to decide for themselves.

The Neo-Adlerian approach also criticizes authoritarian discipline methods for not giving learners freedom of choice and not preparing them to live by the democratic values of equality and social justice for all members of society.

Learners should instead be taught to take responsibility for their actions and not to

depend so much on adults to solve their problems. Usually the person whose rights are violated and who is being inconvenienced by the behaviour of another learner who causes the problem, is not the person performing the behaviour. However, learners have to decide this for themselves and therefore the person being inconvenienced needs to take responsibility for asserting his or her needs and seeking a solution (Gordon, as cited in Porter,2000:125). Whereas from an authoritarian point of view, the teacher would control the situation without allowing any input from the learners to solve the problem by themselves. This in turn could create resentment and a feeling of unworthiness on the part of the learner.

3.4.3   Choice-and-consequences theory

De Klerk and Rens (2003) argue that the problem with discipline in South Africa is that the consequences of ill-disciplined behaviour are not brought home to the transgressors. They conclude, "Learners should learn that they have freedom of choice, but not freedom from the consequences of their choices." Glasser (1992), who developed choice theory, contends that learners have a choice to follow the appropriate behaviour or not, and that nobody can *force* you to choose. However, he insists that educators should not accept excuses for misbehaviour, but that learners should experience the consequences, pleasant or unpleasant, for the choices they make (Mohapi, 2007:36).

Glasser (2000:78) states that unhappiness, combined with the strong feeling in the perpetrator that others should be punished for the way he or she feels, is by far the main reason why anyone strikes out at another human being. He furthermore says that the reasons why an unhappy learner would lash out at a particular time cannot be predicted. However, what can be predicted is that almost all unhappy learners carry within them the potential for violence. This could be a factor in many of our most violent South African schools.

Glasser (2000:79) recommends that the key to reducing violence is to do what he believes can be done in every school, to reduce the number of unhappy learners.

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Glasser's *reality therapy* method of counselling describes that learners can be persuaded to empower themselves by providing an environment that is warm,

friendly, supportive, encouraging initiative and being non-punitive. Glasser (1992) advocates that in such an environment learners will learn to trust others and in turn will want to contribute positively to the school (Mohapi, 2007:35). Glasser (2000:80) believes that the fewer unhappy learners there are in a school, the fewer school problems, including violence, will there will be.

3.5   CHOICE OF DISCIPLINE APPROACHES

In a diverse society such as South Africa it is important that teachers also understand the differences in the culture of their learners which may directly affect discipline measures. Therefore one could conclude that the choice of punishment may not be effective due to the difference in culture and other disciplinary methods will then need to be considered. However, the choice of discipline approaches or techniques will unfortunately not guarantee a disciplined, violence-free environment. The degree of success will largely depend on school management's application of the approach, and how consistently they will see it through. It is important that education moves away from the authoritarian point of view where only the teacher controls the situation. The role of the teacher needs to be reinstated, not in an authoritarian way but rather leading learners to self-discipline. It is not acceptable to leave a child to decide for himself without any guidance. Young learners especially need guidance in order to think.

3.6   THE DISADVANTAGES AND THE POSITIVE EFFECTS OF PUNISHMENT AND OTHER DISCIPLINE MEASURES

Punishment may produce an immediate change in disruptive behaviour; however, the costs of punishment need to be considered over the long term. John Dewey, one of the founders of the humanist approach to discipline, believed that punitive measures used in schools affect students negatively, in the sense that they create an aversion to study and a belief that using the mind is disagreeable (Connell, 1994:1). Dewey furthermore

associated the concept of discipline with *self-discipline* and argued that as part of reflection, or weighing up the pros and cons, learners must become self-directed without being directed by authority, or by fear of punishment. Fearing punishment is often the only reason why some learners behave well. They then need to be constantly supervised, which places more pressure on teachers.

Ginott (1972) concluded that while punishment is supposed to stop unacceptable behaviour, it is more likely to enrage learners and make them prone to lie out of fear of punishment. This often attracts more punishment (Porter, 2000:57). Ginott (1972) made the following statement:

> *"Punishment does not deter misconduct. It merely makes the offender more cautious in committing his crime, more adroit in concealing his traces, more skilful in escaping detection. When a child is punished he resolves to be more careful, not more honest and responsible".*

3.6.1 Authoritarian discipline and punishment

De Wet (2003) points out that several researchers (Bemark and Keys, 2000; Finsterlin, 1999; Van den Aardweg, 1987; Gottfredson and Gottfredson, 1985; Bybee and Gee, 1982), all found that an authoritarian approach that enforces too strict or rigid discipline, with punishments attached, can cause learners to rebel against it, while on the other hand a lack of discipline, or the inconsistent application of discipline, could create chaos, and that both of these factors can contribute to learner violence.

Similarly, McCaslin and Good (as cited in Porter,2000:122) reject the authoritarian goal of teaching obedience. According to them, this dilutes and obstructs the educational goals of teaching democratic values, problem-solving skills and critical thinking. According to Porter (2000:122), authoritarian methods and punishments have two negative effects on students' self-esteem: they are likely to teach students that they are accepted only if they conform, and they rob students of control over themselves, which is a key component of self-esteem. Epp (1996) and Noguera (1995) (as cited in Pieters, 2000:1) research findings showed that, "… authoritarian discipline is a form of systemic violence that can foster resistance, alienation, disengagement and overt violence among learners".

Thus, one can gather from the above theories that authoritarian discipline and punishment have only a limited effect on "learning". It seems as if learners under threat of punishment learn to behave appropriately, not because it is the right way to act, but simply to avoid being punished.

3.6.2 Corporal punishment

Even though many teachers are encouraged by the South African Schools Act 84 of 1996 to use positive discipline, self-discipline and exemplary conduct as learners learn by observation, they are often pushed by learners "to see how far the teacher might go", forcing teachers to use quicker, and more direct approaches such as corporal punishment. Despite the fact that corporal punishment has been illegal in South Africa since 1997, research studies show that it is still used in primary and high schools throughout the country (Burton, 2008:29). Recently, however, other researchers have studied the effectiveness of corporal punishment in reducing misbehaviour and have found that, in addition to the moral and psychological arguments against its use, it is indefensible on grounds of efficacy. Researchers such as Docking (1982), Doyle (1989), Maurer and Wallerstein (1984), all cited in Mohapi (2007), have found, however, that the results of corporal punishment are unpredictable, notwithstanding the fact that it may sometimes be successful at inhibiting inappropriate behaviour.

Nevertheless, corporal punishment still does not foster appropriate behaviour, since teachers are supposed to reduce aggressive behaviour, not reinforce it. Bandura *et al.* (1986) investigated observational learning by studying children's reactions to observing a model behaving aggressively towards an inflatable doll (a Bobo doll). After observation, all the children were frustrated to increase their aggression through being denied a chance to play with toys. However, Bandura *et al.* (1986) found that those in the aggressive model group showed significantly more imitations of the models' aggression than the other groups. This demonstrates that aggression can be learnt via social interactions. Bandura furthered his studies through studying the effect of vicarious reinforcement on aggression. Vicarious reinforcement occurs when the model is seen to be rewarded.

Bandura found that those children who had seen the model rewarded had behaved more aggressively towards the doll than those who had seen the model punished. Even though Bandura was criticized for teaching young children ill behaviour, these findings nevertheless have important implications for our understanding of the role of models (such as teachers and parents) in reducing aggressive behaviour. As a result of Bandura's experiment, we can see that through the reinforcement of aggressive behaviour, aggressive tendencies can be increased. One could therefore conclude that "aggression breeds aggression". Bandura pointed out that high aggression occurs if children are aggressively punished (Bandura *et al.,* 1986). Porter (2000:57) adds that corporal punishment may also provoke retaliation against the teacher, and that learners often imitate the apparent aggression of the teacher by bullying others, as they think they are being bullied. Thus, teachers can unknowingly increase the number of violent situations.

Other possible side-effects of corporal punishment are accident-proneness, suicidal tendencies, 'neurosis', low self-esteem, shyness, poor peer relationships, increased worry and poor relationships with adults (Porter, 2000:55). It is also found that often learners will become submissive and compliant out of fear of punishment, but at the same time they lack self-esteem because they become the ones that inform on their peers. This often results, according to Porter (2000:57), in friends despising their actions and excluding them from the peer group.

3.6.3   Suspension and expulsion

According to Morrison (2007:179), one way of keeping schools safe, and of minimizing the prospect of litigation from individuals who are bullied, is to cast out the perpetrators.However, Morrison (2007:179) argues that even though this may be effective in the short-term, it is seldom effective in the long term.

Out-of-school suspension is a popular punitive disciplinary method used since corporal punishment is prohibited in most countries by law. Skiba (2000) analysed school discipline practices and noted that "there appears to be little evidence, direct or indirect,

supporting the effectiveness of suspension or expulsion for improving behaviour or contributing to overall school safety".

Slee (1986) argues that suspension does not help the suspended student, nor does it help the other students, because school staff simply get rid of troublesome students for a while by sending them home, where they might not receive the appropriate guidance from their parents and peers. Morrison *et al.* (2007:179) agree that those who offend in the classroom will potentially offend in the community as well. Also, research shows that many learners receiving suspensions are repeat offenders and that suspension can actually reinforce negative behaviours rather than punish them (Klump, 2007:2). Morrison *et al.* (2007:180) state further that suspensions put the most vulnerable learners further at risk, since often suspension is the end result of poor social and emotional support. Morrison *et al.* (2007:180) conclude that when suspended learners return to class they are often more likely to disrupt classes and re-offend because the root cause of the problem has not been addressed. A recent report from the National Dropout Prevention Center in the USA confirms this, and indicates that suspensions are considered a predictor for students dropping out of school altogether (Hammond, as cited in Klump,2007:2).

In South Africa suspensions can be carried out by the governing body of a school after a disciplinary hearing; however, learners can only be expelled in cases of serious misconduct by the Head of Department after a fair hearing, and not by the principal or school. Also, according to the South African Schools Act 84 of 1996, section 9(5), the Head of Department has to make an alternative arrangement for placement of the expelled learner at a public school. The problem is, however, that the chances that the expelled learner will not commit the same crimes in a new school environment are very slim. Thus by expelling learners, schools are not solving the problem, but only passing it on to another school. Suspensions have been found effective only when the learner has received support or participated in a programme that aids the transition from one school to another. Morrison *et al.* (2007:181) thus suggests that schools need to invest

in a range of responsive interventions that truly address the causes of harmful behaviour in schools.

3.7   CONCLUSION

This chapter provides a framework of theories of behavioural approaches and discipline methods used by many schools in South Africa. Taking the historical background of South Africa into consideration, one could apprehend that authoritarian disciplinary measures might not work in many schools in South Africa, and could in fact contribute to violent behaviour in schools. As the theories of different behaviourists have shown, authoritarian disciplinary measures do not resolve and suppress conflicts; instead newer and more pervasive conflicts tend to emerge.

However, the focus of this study is not to examine the causes of violence schools, nor is the purpose of the researcher to argue in favor of any of the approaches. The researcher is concerned about the management and effects of punishment, which may well contribute to increasing violent behaviour in schools. Kounin argues that the manner in which educators address the misbehaviour of learners is not the key to successful classroom management, but rather the way in which educators prevent misbehaviour, emphasizing the relationship between effective management and effective teaching.

The Neo-Adlerian theory introduced other ways to prevent classroom behaviour problems, some of which may be more effective than others. However, in South Africa, with our diverse society and differences in cultures, educators might need to consider a variety of discipline methods in a school. Educators' overt reliance on punitive disciplinary techniques may have a disproportionately negative impact on the learners they teach. By rigidly enforcing punitive disciplinary methods and by using corporal punishment, teachers could create a school environment full of fear – an unsafe, intimidating, alienating and impersonal place.

Other punitive measures such as suspension and expulsion may have the effect of pushing students out of school or fostering school drop-outs, and by doing so only

contribute to the broader problem of violence in our country.

The aim in the subsequent chapters is to explore the learners' perceptions on discipline and violence, and that of educators to obtain an overall view of the maintenance of discipline in schools.

CHAPTER 4

RESEARCH METHODOLOGY AND RESEARCH DESIGN

4.1   INTRODUCTION

The research design is set out in detail and justified in terms of its appropriateness to the research objectives and the theoretical framework. This chapter outlines a mainly qualitative research methodology, but also describes historico-legal research as a research method employed in this study. The data collection instruments used to examine how principals and learners respectively experienced violent incidents; disruption and discipline in their schools (interviews and questionnaires) are discussed in detail. Measures taken to ensure validity and reliability, as well as ethical acceptability, are also discussed in this chapter.

4.2   RESEARCH DESIGN

4.2.1   Historico-legal research

Firstly, the researcher explored the principles and values implicit in law cases from countries such as the United States of America, Canada and Australia, in addition to law cases and non-case law situations in South Africa, as part of the research process. This was done to shed light on the legal consequences of bullying, and possession of illegal weapons and drugs in schools, which could result in school violence, affecting the safe learning environment of learners. *Lisa Eskinazi v State of Victoria, Unreported, No 06471 of 1999* (Australia)*, Acton v. Vernonia School District 47J (1991* (Canada*),* and the Krugersdorp "ninja death" (South Africa) are just some of the cases and incidents relating to violence in schools that are briefly discussed in the literature study. Secondly, other legal documents such as schools' codes of conduct, school rules and departmental policies are part of subordinate legislation and were therefore incorporated in the historico-legal research to shed light on the role these documents play in the maintenance of discipline in schools.

Safety policies used in South African schools were compared to those operating in other countries, highlightin, for instance, the lack of an anti-bullying policy in South Africa. The South African Schools Act 84 of 1996, with specific reference to corporal punishment and school searches, and the Bill of Rights in the Constitution of RSA Sections 12(1) (c), 14(b)(c), and 24 formed important sources of the legal research as the researcher focused on the legal right of learners to study in a safe environment.

4.2.*2* Qualitative research

According to McMillan and Schumacher (2006:316), qualitative research design involves relatively small-scale studies for in-depth investigations with the aim of understanding social phenomena from the participants' perspectives, using interactive strategies in real-life situations. The researcher selected an essentially qualitative approach for data collection and analysis, as this study investigates the perspectives of learners and principals or senior managers (SMT members) on the current management of discipline in primary and high schools. The aim of the researcher was to examine the discipline challenges that primary and high schools and their staffs in the East London area actually face on a daily basis regarding the provision of a safe environment for learners to study. Therefore the researcher made an effort to gather as much of the true feelings, beliefs and ideals, experiences, thoughts and actions of the participants as possible, as suggested by McMillan and Schumacher (2006:373). Qualitative research was considered appropriate for this study because it enabled the researcher to gain understanding and insight into the challenges teachers and learners experience regarding discipline issues, and into how this can be addressed to promote a safe learning environment for all.

The researcher is a teacher herself and has experience of working with learners of all ages, thus she could relate to the experiences of her colleagues. Perhaps as result of this, participants seemed willing to share and discuss their problems and solutions with the researcher on a personal level during the interviews. By interacting directly with the principals and senior management, the researcher focused on what the issues or problems were regarding the maintenance of discipline at the level of each school as a whole.

The researcher used the qualitative data from the principals' interviews to develop questionnaires, in which many of the questions were closed and therefore enabled the researcher to present a simple statistical analysis of what were essentially perceptions and opinions of the young respondents. According to Cohen *et al.* (2000:172), surveys typically rely on the large-scale collection of data by such means as questionnaires. They point out that this does not mean surveys cannot be undertaken on a small-scale basis, but warn that the generalisability of such a survey will be slight. In the case of this research, the researcher used the quantitative aspects of the analysis for explication rather than to arrive at generalisations.

In this study questionnaires were completed by 196 learners in the high schools and 134 learners in the primary schools. This enabled the researcher to further explore relationships and issues encountered in the interview data. The responses to two of the questions in the questionnaire (Annexure B, question 18 and 19) made the researcher aware that there was a need to go back to some of the schools where the learners had indicated that they would like to contribute their own experiences in person. The researcher then conducted further in-depth interviews with twenty learners from four schools (two primary and two high schools).

The use of this combination of qualitative and historico-legal research methods in the research design helped the researcher to come to a better understanding of the role played by discipline, not only in the present but also in the past, in creating a safe environment for all learners, and of how schools and their staff go about creating such an environment.

This research is situated in the interpretive paradigm as the study was characterized by a concern for the individual so as to understand the subjective world of experience of the respondents. Cohen *et al.* (2000:23) say that interpretive researchers begin with individuals and set out to understand their interpretations of the world around them. The researcher in this case focused on the shared experiences of the principals or SMT members and the learners in order to learn how they interpret discipline problems

in their schools. The theory in this study also arises from current situations in the schools. Cohen *et al.* (2000:22) suggest that theory should be grounded on the data generated by the research act.

4.3 RESEARCH METHODOLOGY

4.3.1 Literature study

First, a literature study was made of South African as well as international literature that examines the role of discipline in securing a safe learning environment in schools. Various schools' codes of conduct from different countries, as well as relevant law reports, policy documents, media reports, articles and legislation helped the researcher to build a global perspective of laws, policies and practices in different countries. The literature study also focuses on the various forms of violence that occur in schools, and on how teachers deal with discipline matters in their specific environments. The theories of different educationalists presented in Chapter 3 helped the researcher to develop a theoretical perspective on violence and discipline in schools, taking into consideration the diversity of learners in our country.

4.3.2 Sampling

The researcher made use of purposive sampling in collecting data via interviews and questionnaires. In selecting information-rich cases for a small-scale study, there is no need to generalise, and the purpose is to understand the perceptions of the participants in some depth. This is also non-random sampling, as only ten learners per class in the high schools were asked to take part in the research. Purposive sampling allows the researcher to choose a case because it illustrates some feature in which the researcher is interested, and in terms of its relevance to the study (Silverman, 2000:104). Probability sampling, on the other hand, is about selecting a random or statistically representative sample for generalisation to a larger population, for which this study was too small (McMillan and Schumacher, 2006:318).

According to a study done by Eliasov and Frank (2000:11), the twenty schools in the Cape Metropole (South Africa) that were chosen for their study all differed from one

another in regard to their infrastructure and capacity; however, they all experienced similar problems in relation to crime and violence. Eliasov and Frank (2000:23) stated that any school could be a site where incidents of crime and violence could flourish, and that anyone could be a victim; however, disadvantaged schools were worst affected.

Based on this knowledge, the researcher took external factors such as the political and socio-economic environment of the schools into consideration when she selected the schools for this study. For instance, Makapela (2007:1) claims that according to a survey done in 2006, by SMM Development and Engineering Consultants, out of 64 schools in East London, 39 were in areas where between 76 and 100 rapes had been recorded the previous year. Five of the schools chosen for this study fell within the 76-100 bracket, i.e. in the most hazardous rape-prone zone areas (see Fig.1, p.77): Map of crime in schools in 2006).

- **Choice of participants**

In this research project the researcher contacted the schools involved, and informed them about the research project. She asked principals to become involved in the project voluntarily and mentioned that the information gained from the questionnaires could help schools with discipline. All of the principals saw the research as informative and wanted to become involved.

After the interviews with the principals or the SMT members, one class of Grade 7 learners in the primary schools and ten learners of Grade 8, 9, 10 and 11 learners, were selected by their teachers. It was decided that the class teachers would select one Grade 7 class in each of the four primary schools (134 learners in total), and ten learners each from the Grade 8, 9, 10, and 11 classes in each of the five selected high schools (196 learners in total). Grade 12 learners were not included in the survey because at the time they were busy preparing for their preliminary exams. Patton (1990:378) supports the use of purposive sampling and states that purposive sampling should search for samples that are likely to be knowledgeable and informative concerning the phenomena about to be investigated.
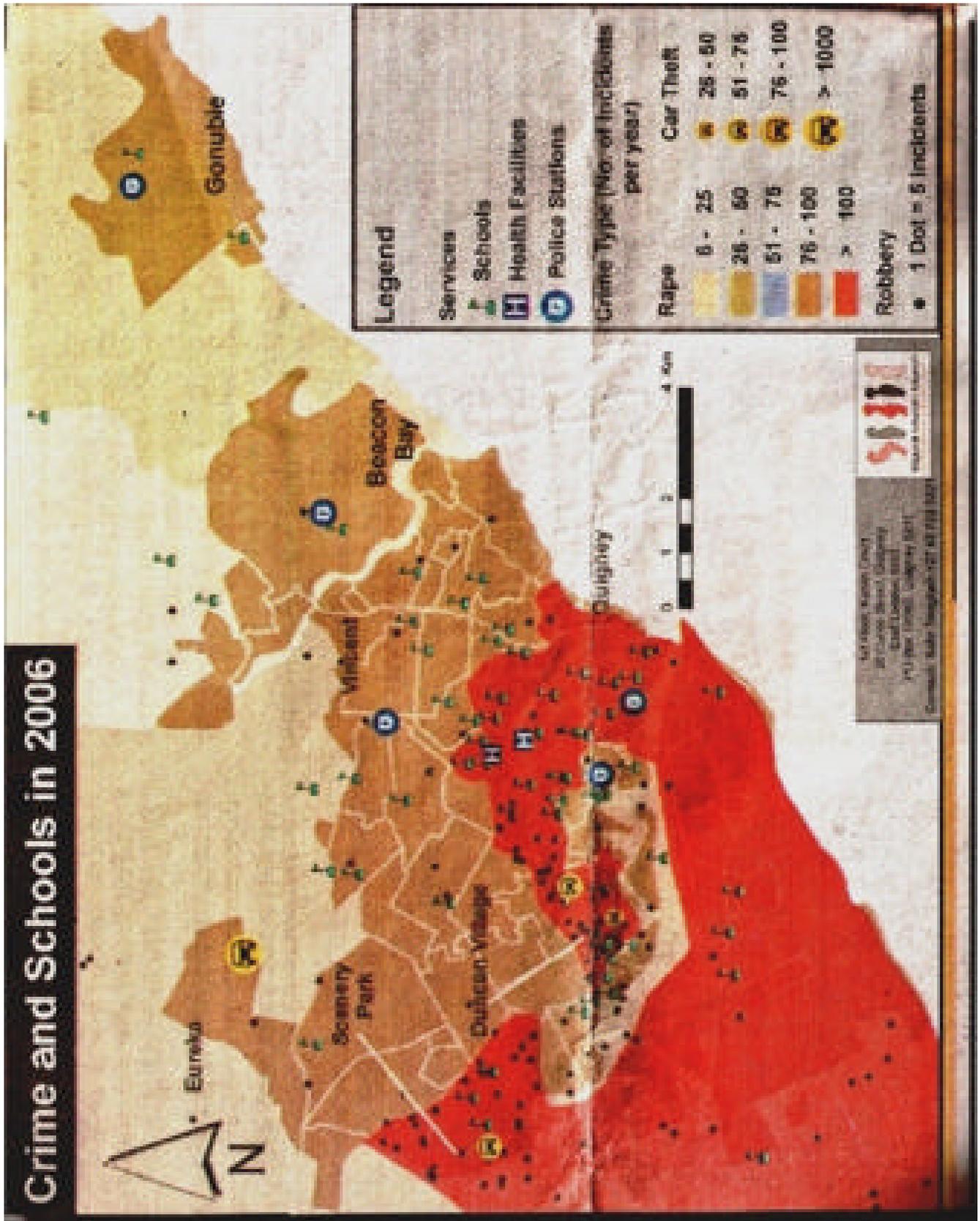
Fig. 1. Map of crime in schools in 2006. (Makapela, 2007:1)

The researcher realized that by asking schools to make their own selection of who would complete the questionnaires, she was placing the validity and the reliability of the study at risk. However, in the interview with the principals or SMT members, she did request that the teachers doing the selection should bear in mind that the classes should include, as far as possible, learners from different races, genders and abilities. Consequently, the researcher had to trust that they would take these issues into consideration when selecting the participants to complete the questionnaire.

In retrospect, this was recognised to be a serious planning error; however, since the overall emphasis of the research design was qualitative, and since the search does not aim at generalisability, the effect of possible bias on the part of the selectors was minimised.

4.3.3 Pilot study

A pilot study is indispensable for the appropriate administering of the data. It also helps the researcher to think well in advance about the analysis of the results. Strydom (1998:179) states that a pilot study can be viewed as a "dress rehearsal" for the main investigation.

The questionnaire was pre-tested in a pilot study with one Grade 7 class from a primary school (35 learners) and one Grade 9 class (30 learners) from a high school. The principals of the two schools selected the classes themselves, to complete the questionnaires. The researcher requested the principals that teachers should include learners from different races, gender and abilities in the selection of the classes. In the interview with the principal the researcher asked the principals to request the educators to read through the questionnaire together with the learners in case anything needed explanation. The researcher also discussed the appropriateness of the questions posed in the questionnaires with the principals to determine if the desired information would be gained. Some of the questions were then refined and reformulated in simpler language before the questionnaire was finalised. Interviews were conducted with principals in two schools which were not included in the final research (one primary and one high school). The two schools were both situated in high crime areas and both

experienced problems with crime and violence in their schools. However, the infrastructure of both these schools was far superior to that of some of the disadvantaged schools selected in the main research. Individual interviews were conducted with the principals of the high school and the primary school where the questionnaires were handed out, to determine if the desired in-depth information would be gained in response to the questions posed. The pilot study enabled the researcher to correct shortcomings in the interviews and the questionnaires.

The researcher also took note of the time required to conduct the interviews and the questionnaires. The pilot interviews made the researcher aware of the importance of structuring the questions appropriately in the final interviews, to make it easier for analysing the data afterwards.

The researcher realised that too many irrelevant questions would make the interview too long, and some questions were adjusted in the final schedule. The researcher requested the interviewees to comment on the questions asked, and to feel free to make suggestions and to recommend other questions that might enhance the validity of the research. The interview guide was then modified to produce data that were more closely suited to what the researcher was after.

According to Hughes (2002:211), when respondents all answer the same questions in structured interviews, it increases the comparability of the responses; however, there is little flexibility in relating the interview to particular individuals and circumstances. Thus, the researcher used a semi-structured interview format. The advantage of using an interview guide, according to Patton (1990:283), is its flexibility and that it helps to make interviewing across a number of different people more systematic and comprehensive. An interview guide is thus prepared in order to make sure that basically the same information is obtained from a number of people covering the same material (Patton, 1990:283). All the respondents were asked the same questions; however, the interviewer adapted some of the questions during the interviews, depending on the flow of the conversation. Probes were also used to clear up vague responses and encourage interviewees to elaborate on incomplete answers.

4.4 DATA COLLECTION STRATEGIES

4.4.1 Questionnaires

Questionnaires were handed out to learners in the same four primary schools and five high schools from which the interviewees were drawn. In each of the primary schools, one class of Grade 7 learners per school was chosen to participate in the study by the schools themselves, and in the high schools ten learners from Grades 8, 9, 10 and 11 were chosen to complete the questionnaires. The learners in the high schools could take part voluntarily, but only ten learners per grade were chosen by the class teachers. The researcher wanted a selection of learners preferably not from one class, and from different grades.

A selection of learners representing different schools' perspectives on discipline was likely to be informative. The classes and learners chosen also displayed all the features that are normally associated with discipline i.e. both good and poor behaviour. The number of participants in each grade was more or less the same, making analysis easier. A total number of 151 males and 179 females completed the questionnaires. The total number of returned questionnaires was 330 learners. The following tables illustrate the distribution of the data.

Table 1(a)

Primary Schools	*Gr.7*		*Total*
Gender	*M*	*F*	
School A	*18*	*21*	*39*
School B	*15*	*21*	*36*
School C	*15*	*18*	*33*
School D	*14*	*12*	*26*
Total	*62*	*72*	*134*

Table 1 (b)

High Schools	*Gr.8*		*Gr. 9*		*Gr. 10*		*Gr. 11*		*Total*
Gender	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*	
School E	6	4	4	5	4	4	5	5	37
School F	4	6	5	5	5	5	4	6	40
School G	5	5	3	7	5	5	4	6	40
School H	3	7	4	5	5	5	5	5	39
School I	5	5	5	5	5	5	3	7	40
Total	23	27	21	27	24	24	21	29	**196**

According to the study of Eliasov and Frank (2000:24), respondents from the primary school generally felt that older children (11-14 years, Grades 4-7) were more likely to perpetrate acts of crime or violence, while secondary school respondents conversely felt that it was the younger age groups (13-16 years) and intermediate grades (Grades 8-10) who were more likely to be involved.

According to another study done by Finsterlin (as cited in De Wet, 2003:90), 50% of all reported crimes in South Africa are committed by youths between the ages of 14 and 18 years of age. On the grounds of this information, the researcher purposively selected only Grade 7 to 11 learners in the age group 13-17 years for this research. The purpose of the questionnaire was then to determine whether appropriate action or disciplinary steps were taken in the case of misconduct or criminal acts, to ensure that the rights of learners and teachers were taken into consideration. The questions were compiled with the help of the literature review, and were categorized into the following themes:

- School rules and school conduct
- Safety at school regarding bullying and violence
- Role of discipline
- Punishment
- Classroom management

The researcher made use of a combination of open-ended and closed questions to collect the data in the questionnaires. For some of the questions the researcher made use of 5-point ranking scales, and checklists where respondents had to select what applied to them were also used. A total of twenty-four questions were asked (see Appendix B). Cohen *et al.* (2000:248) suggest that one should often consider open-ended questions, which will enable the respondents to respond freely on their own terms. The open-ended questions gave the learners a chance to explain what they truly felt, and avoided the limitations of pre-set categories of response.

The researcher also made use of multiple-choice questions, taking the respondents' literacy levels into consideration. Welman and Kruger (2001:167) argue that one should take into consideration the command of language of the respondents when formulating the questions. Steps were taken to ensure that the language of the questionnaire was easy to understand, and that respondents knew exactly what was being asked of them. All questions were asked in English because the language of instruction in all the schools was English. However, the researcher took into consideration that the home language of some of the learners might not be English.

Therefore the researcher attempted to keep the questions brief, simple to understand and to the point, without being ambiguous. The researcher asked some of the teachers to indicate which of the questions the learners in the pilot survey had difficulty with. Those questions were adjusted and changed before the final questionnaire was set.

Questionnaires were given by the researcher to either the senior management team member or the principal, to be handed out to the different grades. Schools contacted the researcher by phone when they had completed the questionnaires, and the researcher then collected them personally at the various schools. All of the schools responded very positively, and most questionnaires were received back within two weeks. Only one high school neglected to return all their completed questionnaires.

Teachers were very cooperative, and asked to be informed of the outcome of the

questionnaire. To hear the "other side", (*audi alteram partem*) from the learners' perspectives, was indeed very interesting and informative for both the schools and the researcher.

Most of the principals suggested that teachers complete the questionnaires in their Life Orientation lesson; other principals suggested that it be done whenever they have a free period. The researcher would assume that some of the questions might have triggered some discussion from the learners, and hoped that the educators would give the learners the opportunity to discuss some of the issues that might come up. What could be seen as a weakness in the research is that the researcher had no control over the discussion that took place before or during the completion of the questionnaires. The researcher does not know whether the teachers could have influenced the learners' decision on how they would answer some of the questions, and therefore the reliability of the research might have been affected. However, there was less threat to the validity of the research because the researcher asked the teachers to explain to the learners that the questionnaire was part of a research project and not school-related. Therefore the learners knew that they dd not need to impress anybody with their answers and that they would not be assessed in any way.

Learners completed the questionnaire of twenty-four questions in thirty-five minutes, the normal time allocation for a school period, so disruption of lessons was minimized.

4.4.2 Interviews

According to Patton (1990:347):

> *"No matter what style of interviewing is used, and no matter how carefully one words interview questions, it all comes to naught if the interviewer fails to capture the actual words of the person being interviewed."*

It is crucial that one determines in advance what style of interviewing will be suitable and also, according to Greenfield (2002:214), which form of recording will be most suited for one's research.

Therefore the researcher made use of a combination of tape recordings and note-taking to record the data. Patton (1990:348) puts great emphasis on field notes, especially those made immediately after the interview.

The researcher audio-taped the interviews with senior management and transcribed them directly afterwards. Cohen *et al. (*2000:280*)* warn that transcribing will inevitably lose data from the original live interview situation, and that there is a potential for distortion and the reduction of complexity. On the other hand Patton (1990:379) argues that verbatim transcription is regarded as the essential raw data for qualitative analysis. One of the questions the researcher asked herself was whether some of the questions could be too sensitive for senior management members to answer. The researcher realised that it could not have been easy for a senior management team member to discuss discipline problems in his/her school with a total stranger, and this could in fact affect the validity and reliability of the data.

The literature review enabled the researcher to compile questions suitable for addressing the research problem, and in analysing the data, the theories of different educationalists were used to corroborate or challenge the views held by principals and SMT members as they emerged in the interviews.

The researcher conducted in-depth personal interviews with principals and other members of the senior management teams of the reviewed schools, focusing on the participants' individual circumstances in their own setting. The interviews aimed at understanding these subjects' perceptions and discovering the meanings that they attached to school violence and discipline.

According to McMillan and Schumacher (2006:350).

> *"In-depth interviews are open-response questions to obtain data from participants' meaning - how individuals conceive of their world and how they explain or make sense of the important events in their lives."*

Questions were categorized in the following broad areas: school rules and school conduct, safety in the school, bullying, violence, discipline and punishment. The units of data from the interviews with the principals or senior management members were

grouped on the basis of similarity in the data analysis process. Some of the questions showed similarities in more than one theme. Six themes were identified (See Appendix A).

- Safety at school (Questions 6, 7, 11, 18, 22,)
- The role of discipline (Questions 8, 12, 20, 23)
- Disciplinary measures and punishment (Questions 13, 14, 17, 21, 22)
- Training needs regarding discipline in schools (Questions 18, 24,)
- School rules, codes of conduct (Questions 4, 5,10, 11,15, 16)
- Prevalence of violence and bad behaviour in schools (Questions 7, 9, 19).

McMillan and Schumacher (2006:315) explain that qualitative research is a form of inquiry in which the researcher collects data in face-to-face situations by interacting with selected persons in their settings. It was therefore important that the researcher went in person to each school during school time to conduct these interviews.

All interviews were tape-recorded, and the researcher wrote field notes of other observations made while conducting the interviews. Hughes (2002:215) suggests not using the tape recorder for at least the first five minutes of the interview in order not to make the respondents edgy, and to create a relaxed atmosphere. This advice was followed, and it proved to be successful. Permission was granted by the interviewees to use a tape recorder during all the interviews, but several interviewees requested the researcher to switch off the recorder when they wanted to say something off record.

Individual interviews were conducted with a senior management team member or principal from each of four selected primary schools and five selected high schools in East London. In most of the schools the principal offered to be interviewed, but in some of the high schools a discipline officer, who was in charge of the discipline of the school, was appointed to be of assistance. These people deal on a daily basis with discipline problems and have a good knowledge of the current situation regarding discipline and violence in schools.

Furthermore it was expected that they would be familiar with all the policies concerning

discipline and the code of conduct and school rules, and would be able to inform the researcher on this. It could be assumed that the selected people would have an educated, informed view of the discipline situation in their schools and therefore that they would be able to assist the researcher in the information she was looking for.

The researcher also made use of direct observation while conducting interviews with principals and SMT members, listening attentively to the respondents' responses, and looking for changes in body language such as laughter, nervous shifting on the chair, or hand movements and refusing eye contract.

This observation took place in a naturalistic way while the interviews were actually being conducted. Henning (2004) mentions that while interviews are being conducted the researcher should take notes about how the interview develops structurally. These notes are intended to harness some of the contextual factors that are not verbalised, such as gestures, facial expressions, tone of voice, change in tempo of speech and general body language. The researcher used this strategy of note-taking or making field notes as unobtrusively as possible.

Only when the researcher started interpreting and analysing the data from the questionnaires, did she realize that more detailed information was needed from the learners themselves. Henning (2004:34) argues that deeply-held beliefs and feelings cannot truly be determined through quantitative survey questionnaires. Henning (2004:37) also agrees that participants can narrate their experience more efficiently when asked to do so in their own words in interviews. Therefore the researcher thought to interview some of the learners who indicated in their questionnaires that they would like to speak about being bullied at school. In this stage interviews were conducted with 20 learners from four schools. The four schools were selected according to the information gathered from the responses in the questionnaires in which the learners indicated that they would like to speak to someone about being bullied.

The researcher telephoned the principals of the schools and asked if she could come to the school to speak to some of the learners. She also asked the principals to remind

the learners that the discussion would be about the questionnaires they have completed. Because the researcher did not know the names of the learners who indicated that they wanted to speak about being bullied, there was no certainty that the learners that she spoke to were the ones who indicated so in their questionnaires. Also, all that the researcher knew about the learners was the grade and school in which they were. The learners were informed before the time by the class teachers that she would be available during break-time in the school hall. The principals made an intercom announcement that all learners that would like to talk to the researcher could meet in the school hall. Only a few learners came forward (ten learners from two high schools, which included three boys and seven girls, and ten from two primary schools, which included four boys and six girls).

The interviews with the learners were conducted in an informal conversational manner, and no tape recorder was used. The researcher knows from her experience working with children that they will be more co-operative in a more informal setting, and that using a tape recorder and making notes would place them in a stressful situation, especially considering the information they wanted to share with me. Thus, a report on the collected data from these interviews with the learners was written immediately afterwards. Patterns were confirmed, notes were compared, and similarities and differences were noted.

The information from these interviews, however, was not notably more informative than what had already been gathered from the questionnaires – definitely less so than had been anticipated.

The researcher could see the weakness in the design, for these learners were mainly learners who seemed not to have serious problems regarding bullying, but only wanted to report on others in the hope of getting them in trouble.

4.5   DATA ANALYSIS AND INTERPRETATION

Data analysis is the process of systematically searching and arranging the raw data, with the aim of increasing one's own understanding of the data (Miles and Huberman, 1994). In analysing the data the researcher followed the process suggested by Miles and Huberman that consists of five phases i.e. data collection, data reduction, data display, conclusion drawing and verifying findings.

- **Data collection**

Compilation of information (literature review, Chapter 2) enabled the researcher to compile questions for the interviews and questionnaires suitable for the research problem that she used. The analysis process in fact begins at this stage.

- **Data reduction**

Data reduction refers to the process of selecting, focusing, simplifying and transforming the data in the field notes, transcriptions and questionnaires. Writing a summary of each individual interview transcription was necessary because it helped the researcher to identify the themes and the individual differences; then she wrote a composite summary of the interviews. This was suggested by Cohen *et al.* (2000:286) as useful, as it "captures the essence of the phenomenon being investigated". After the researcher had gone through every sentence of the interview transcriptions systematically, each response was coded using descriptive abbreviations. The next stage was to categorise the data to identify differences and similarities, and relations between data elements. Clustering the different codes also helped to reduce and organise the amount of data. Organising and ordering the data in such a way helped the researcher to answer the research questions.

To reduce the data from the questionnaires, similarities in the data were identified, coded and grouped together according to themes. Cohen *et al.* (2000:265) suggest that questionnaires should be checked prior to coding, and they refer to this process as "editing". Doing editing of the questions prior to coding was very helpful, because it helped with analysing the data later on, as well as data reduction – eliminating irrelevant data that could, according to Cohen *et al.* (2000:265), reduce the validity of

the data. The researcher had to identify mistakes made by the respondents in the questionnaires which could influence the validity of the research, for example ticking the obviously wrong box, questions not filled in, and irrelevant answers that had nothing to do with the research. These were expected because of the immaturity of the respondents. Being a teacher herself and having knowledge of working with children, made the researcher more aware of what could be expected from the learners from each age group.

- **Data display**

The data from the interviews and the questionnaires were organised into different categories so that they could be displayed in graphs and tables to make the data more presentable. A display in this sense is an organised, compressed assembly of information that permits conclusions to be drawn. After counting the data from the closed questions in the questionnaires, the researcher then transferred the results onto appropriate graphs. Open-ended questions were analysed by creating categories such as positive, negative and neutral answers. The data from the open-ended questions were then also represented in graph form.

- **Draw conclusions**

After the researcher had coded and categorised the data in the questionnaires and interviews, she was able to establish relationships and linkages between the domains. This also made it easier to draw conclusions about the key issues, and to indicate the major themes and problems that had arisen from the data, as well as topics for further investigation. Cohen *et al.* (2000:149) commented that at this stage of the research, the researcher can make speculative inferences based on evidence, to posit some explanations for the situation, or even the causes.

- **Verify findings**

Referring to the schools' codes of conduct, school rules and policies helped to corroborate some of the data from the interviews with principals and senior management members. In this research, the researcher asked the principals of the schools for copies of documents such as school rules, codes of conduct and safety policies for learners. This was useful in verifying some of the findings.

4.6   VALIDITY AND RELIABILITY OF THE RESEARCH

It is of great importance that the researcher has to be aware of validity threats from the design stage to the data gathering, data analysis and data reporting stages. Cohen *et al.* (2002:129) say that "one central issue in considering the reliability and validity of a questionnaire survey is that of sampling". Morrison (as cited in Cohen e*t al.,*2002:129) adds that an unrepresentative, skewed sample, either too big or too small, can easily distort the data. Therefore a good researcher enhances the validity of the research by choosing the right sample for the research. The size of the sample for the questionnaire survey in this study was very small, as the purpose was not to generalise from the survey findings but rather to understand the perceptions of the participants in order to answer the research questions.

Patton (1990:14) states that in qualitative inquiry, "the researcher is the instrument", therefore validity and reliability hinge to a great extent on the skills and competence as well as the sensitivity and integrity of the researcher doing the fieldwork. Bias can be minimized at the stage of data gathering by, among other measures, taking steps to avoid the non-return of questionnaires.

It is important that the researcher enhance the reliability of the research by making use of extended closed questions in the interview guide. By carefully structuring the questions in order of importance the interviewer allowed the interviewees to elaborate on what they want to say. Also people could easily get off the topic when answering questions, and the use of extended closed questions could help to bring the conversation back to the main idea.

Furthermore, Cohen *et al.* (2004:121) state that interviewers and interviewees alike will unconsciously bring their own experiences and often biographical baggage with them to the interview situation. Kitwood (cited in Cohen *et al.,*2002:124) claims that some kind of conversation needs to be generated in order for the respondent to feel at ease, and therefore the distinctively human element in the interview may be necessary to its validity in recording respondents' perception and experiences.

According to Cohen *et al.* (2002:117), threats to validity can be minimised in the design stage by selecting appropriate instrumentation for gathering the type of data required. The researcher made sure that each interviewee understood the questions; however, she did not change the wording of the questions to elicit the so-called "desired data". Silverman (cited in Cohen *et al.,*2002:121) suggests that it is important that each interviewee must understand the questions in the same way in order to enhance the reliability of the interviews. The researcher gave a copy of the interview guide before the scheduled interview to each participant to study. She also asked the participants to feel free to contribute or share any other relevant information during the interview. This gave the participants an opportunity to speak freely. Miles and Huberman (1994:38) question the reliability of colleagues as an information gathering instrument. The fact that the researcher is a colleague of the interviewees was in this case actually a contributing factor, for discussing the lack of discipline and the increase of violence in schools was a topic of mutual concern to all.

The researcher also took factors such as the age of the learners and their language skills into consideration when analysing the questionnaires. Being a teacher herself, the researcher understood the immaturity and abilities of the learners. Teachers from the schools were asked to read through the questionnaires with the learners so that they understood all the questions, and to check that they answered all the questions. It is also important, according to Cohen *et al.* (2002:117), that all the research questions are answered to minimise invalidity. To strengthen the validity of this study, the researcher made use of multi-data collection methods to build a strong line of evidence to answer the research question.

Researchers McMillan and Schumacher (1993:388) advocate the use of a combination of strategies to enhance validity. One of the most important of these is triangulation, which enables the researcher to study the data from more than one perspective in addition to her own perspective as researcher. According to Patton (1990:466), triangulation of qualitative data is a form of comparative analysis. Triangulation can enhance the strengths and minimise the weaknesses of one's data collection techniques. Marshall and Rossman (1995:99) state that using a combination of

different data gathering methods has the potential to increase validity, as the strengths of the one approach can compensate for the weakness of another. Thus, different methods of data gathering were employed, to enhance the validity and reliability of the research.

4.7   THE ROLE OF THE RESEARCHER

In this study the researcher attempted to put all preconceived ideas aside to allow the interviewees to speak freely, to capture what they truly felt and experienced regarding discipline in their schools. The researcher is a teacher, with twenty-one years' teaching experience, teaching primary and high school learners. According to Hoberg (1999:25), in qualitative studies the researcher is seen as the key "instrument" gathering the data, which is why the researcher's role and status in the research situation should be identified from the start. The role of the researcher in this case was to find answers to the research questions that might help to improve education for all, and not to be judgmental in any way. Initially the learners were skeptical about the researcher's intentions, but as soon as they had realised that she was not an informer that would tell teachers, parents and especially the other learners their secrets, they became more co-operative.

4.8   RESEARCH ETHICS

4.8.1 Informed consent

Cohen *et al.* (2000:61) assert that if researchers intend to probe into the private aspects of individuals' lives, their intentions should be made clear and informed consent should be sought from those who are involved. For this study, official permission was obtained in writing from the Department of Education to conduct this research (Annexure C). Letters were also written to all the schools asking for their consent to conduct a survey at their schools, and explaining the purpose of the study as well as the procedures to be followed during the research process (Annexure D and E).

4.8.2 Privacy

The participants in this study were informed in writing that their anonymity and privacy would be treated ethically and confidentially. Participants completing the questionnaire were given the assurance of confidentiality by asking them to stay anonymous. On each questionnaire and interview guide the following was printed: *"Participation in this study is voluntary and anonymity will be protected. The identity of participants will not be linked to their experiences, views or opinions that they provided"* (Annexure A and B). Because the questionnaires had no identifying marks, names, addresses, or coding symbols to identify the participant, total anonymity was assured.

In the case of the interviews, anonymity could not be expected if someone agreed to a face-to-face interview (Cohen *et al.,* 2000:61); however, the interviewer could and did promise confidentiality. This means that although the researcher knew who provided the information, she would not make the connection known publicly.

The researcher also asked permission before doing the interviews to use a tape recorder; the recordings were only used to transcribe the data and then securely stored where they would not fall into the hands of others. The assurance was given to the participants that the completed questionnaires (raw data) would be kept until safely entered into a secure database and would be destroyed afterwards. They were also assured that none of the information used for the purpose of the study would compromise their identity in any way.

4.9   CONCLUSION

In this chapter the researcher has given an overview of the two methods use in the research design, the historico-legal research and the qualitative research methods.

The use of the data collection tools, namely interviews and questionnaires, is also described. The suitability of the mainly qualitative method in the research design was emphasised and the choice of the participants in the interviews and questionnaires was discussed. The researcher also described the logical procedure employed in analysing

the data to arrive at answers to the research questions. The themes that emerged from the data analysis will be discussed in chapter 5.

CHAPTER 5
RESEARCH RESULTS: PRESENTATION AND DISCUSSION OF FINDINGS

5.1   INTRODUCTION

This chapter focuses on the specific themes that emerged during the study, and presents the results of the analysis of the interviews and questionnaires. The data obtained from the individual interviews and questionnaires have been analysed and are presented and interpreted in tables, and in one case, bar graphs. Written documents collected from the selected schools, such as the school rules, codes of conduct and safety policies were also reviewed to extend the theory generated in the research, and has been included in the data reflected in this chapter. Deliberate attempts are made to connect the findings to existing literature on the topic.

5.1.1   THE SCHOOLS IN THE RESEARCH
Individual school profiles are summarised in the table below:
Table 2:

	High schools				*Primary schools*				
Schools	A	B	C	D	E	F	G	H	I
learners per school	1090	900	1040	460	1350	710	505	676	321
teachers per school	60	56	28	21	43	25	21	25	15
learners per teacher	18	16	37	21	31	28	24	27	21

Five high schools (A-E) and four primary schools (F-I) were chosen for this research. School B and School I were situated in what is considered to be a safer area, as lower

crime is reported there. Schools A, C, D, E, F, G, and H are all situated in the most hazardous rape zones (see Fig.1, p.77), where a variety of crimes are reported. All nine schools' principals or SMT members reported that they experienced at least two or more serious incidents of violent behaviour, which involved mostly knives or sharp objects, per year (Appendix A). Only one school (School C) reported learners bringing guns to school. As far as the principals or SMT members knew, all serious incidents were reported and disciplinary steps were taken, involving parents being called in, and most of these incidents resulted in the suspension of the perpetrators.

Furthermore all the researched schools in this study are situated in lower-middle class and low-income areas, where most of the learners come to school either by taxi or by walking to school. In a Western Cape study done by Eliasov and Frank (2000:25), it was found that out-of-school youth often intimidate and harass learners on the way to and from school.

Eliasov and Frank (2000:24) furthermore found that schools with inadequate security systems tend to be more vulnerable to burglary, vandalism, gangsterism and the infiltration of trespassers. Two of the researched schools in this East London study were situated in high crime areas, yet also showed a lack of security at their schools (Schools C and D). At School C the fence was broken, and in places it was completely open. School D had a fence and security gates; however, the gates were wide open for anyone to enter, including at break-time. School C reported that they do have a problem with trespassers, especially past learners who come and go as they want to. The Deputy Principal reported that the school had repaired its own fence several times with money from school fees; however, when they had asked for financial assistance from the Department of Education, it was refused (see Appendix A, School C). The fence is now open at several points, and because of financial problems it cannot be repaired by the school.

Another contributing factor that could increase violence in a school, according to Eliasov and Frank (2000:25), is the overcrowding of classes, as reduced personal space could heighten tension and the potential for conflict.

It is interesting to note that in this study the school with the most learners per teacher is also the school that is reported to have the most violence and a serious lack of discipline (School C).

5.2   RESULTS AND DISCUSSION

5.2.1 INTERVIEWS

- **Discussion of the results of the interviews with the principals and SMT members from primary and high schools**

Interview data were collected from either principals or senior management members, as well as from learners in the respective schools. The researcher interviewed six principals and three senior management team members from primary and high schools. An interview guide was used (Appendix C) and some of the questions were adapted during the interview if required. A copy of the interview guide was given to the interviewees beforehand to read in their own time, and an opportunity was given to ask questions if something was not clear before the interview started. All interviews were recorded, after permission was granted. The verbal data were transcribed verbatim after each interview.

The interview guide consisted of 26 questions. Questions 1 to 7 were closed questions, gathering general information about the schools' structure, and requiring a yes or no answer, setting the right atmosphere for the interview. Questions 8 to 26 were open-ended questions in response to which the interviewees were asked to speak freely and give their own opinions. Often a follow-up question was asked, whenever the researcher felt that more information was needed. A key objective of the interviews was to elicit the educators' perspectives on the relationship between the behaviour and discipline of learners, and the different disciplinary strategies used by educators to punish learners.

The researcher mostly made use of qualitative research, and therefore had to immerse herself in and familiarise herself with the qualitative data through reading the educator

interview transcriptions. The data was then grouped together (using codes for responses, or elements of responses, that were similar) creating categories. Finally the categories were grouped together to identify themes. The method referred to by Cohen *et al.* (2000) as 'unitising' data was followed and the steps followed are explained as follows:

- **Unitising interview data**

This procedure involves dividing the data into different units according to words, phrases or sentences that are similar in meaning. The researcher used copies of the transcribed interviews to do the unitising. Cohen *et al.* (2000:285) state that once the units of general meaning have been noted, they are then reduced to units of meaning relevant to the research question. The units were then refined to find a common theme that united several discrete units of relevant meaning, and subsequently grouped accordingly. This was done in order to find relationships and emerging patterns with regard to discipline and safety/violence in schools.

- **Key themes**

The following seven key themes emerged from the responses of the participants in nine schools, and are clustered according to the data derived from the interviews.

i)   **Safety at school**

It seems as if all the primary school managers interviewed take their duty to create a safe environment for all their learners very seriously. However, the high school educators tend to leave playground duty to prefects or monitors, and to rely on the CCTV camera system to watch over the learners at break-time. Nevertheless, it seems that all the schools do have some kind of structure in place to protect their learners. How efficient and structured they are, is however, questionable. When the respondents were asked whether they thought that the educators and learners felt safe at school, there were very different reactions (Annexure A, Question 6). The responses from the interviews with the educators showed that the educators like to believe that the learners are safe. Some of the principals and SMT members commented that it seems that

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inside the school, learners do feel safe, but they're not sure about how safe they feel on the way to or from the school.

As one principal said:" …*most of them are scared to come to school on the bus early in the morning; also because of the area, they are also scared when they are dropped off outside the gate, mainly of gangsterism*" (Appendix A, School E).

Nevertheless, the majority of respondents said that their learners should feel safe because all the schools were fenced in, and most schools had alarm systems and camera systems, except for School E. Two of the schools also had security guards on duty at the gates.

On the other hand, the responses of the learners show that even though almost 60% of the learners in the primary and high schools indicated that they did feel safe at school, there were almost 40% that felt that they only sometimes felt safe at school (Appendix B, question 2).

Oosthuizen *et al.* (1998:75) state that

> "… *the lack of supervision of learners and the failure to take precautionary measures to protect learners are the causes of the majority of problems regarding the safety of learners at school or during school activities.*"

Therefore educators need to be inside their classrooms teaching, and not leave their learners on their own, especially in places where dangerous equipment is used during craft and woodwork lessons, or where bullying is known to take place. As was mentioned in Chapter 2, teachers could be held legally liable when a child gets hurt in the classroom or on the playground when there is no teacher on duty. The following information was gathered from the interviews (Appendix A, Question 6) with principals and SMT members, and reflects the playground duty of teachers in high schools and primary schools respectively, as indicated on the table below.

Table 3: Playground duties in high schools

High schools	School A	School B	School C	School D	School E
Playground duty in the mornings	0	Security guard at gate	0	0	0
Duty after school	0	0	0	0	0
Playground duty at break	Prefects, teachers and CCTV	Prefects and teachers	Prefects and teachers	Prefects	Prefects and teachers

Table 4: Playground duties in primary schools

Primary schools	School F	School G	School H	School I
Duty in the mornings	Scholar patrol	0	Teachers and scholar patrol	0
Duty after school	Scholar patrol	0	Teachers and scholar patrol	0
Duty at break	Teachers and prefects	Teachers and prefects	Teachers and prefects	Teachers and prefects

ii)   Discipline problems that occur the most in schools

The researcher wanted to find out the most common discipline problems teachers have to deal with in schools. The principals and SMT members reported that the following constitute the most common discipline problems: substance abuse, violence (mostly stabbings), disrespect towards teachers, not doing homework, coming late to school and sexual harassment. It seems as if the lack of parental involvement is of great concern to many teachers, since the latter see the role of the parent as playing an important part in how learners react towards discipline at school.

This was confirmed by the responses to Question 20, in which respondents were asked what they thought could improve discipline at school. All respondents replied that one of the things that would definitely improve discipline would be for parents to become more accountable and involved in their children's school activities. These responses tend to support Ngcobo's finding (1988:19) that if parents did not involve themselves in disciplining their children, any attempt from the school to change the undesired behaviour would fail. Ngcobo (1988:24-5) also states that discipline at home forms part of school discipline. As one principal commented: *"…I think it's the breakdown between the parents and the child, that in my opinion is the reason why we have discipline, the code of conduct and all those, but at the end of the day it is how the parents equip their child for school"* (Annexure A, School I).

iii) Support from the Department of Education to public schools with regard to discipline

Question 18 was posed to find out from the interviewees what support the national and provincial education departments are giving teachers regarding the psychological consequences of bullying, harassment and school-based violence (Annexure A, Question 18). All the respondents said that they had never received any support from the Provincial or National Departments of Education, and most said that they found it difficult to make contact with the Provincial Department regarding discipline problems.

They also commented that they often have to resolve matters themselves. Workshops presented by different teacher unions, a private organisation called "Rape Wise", and an NGO-run workshop on bullying have all been attended by most of the teachers from schools in East London, the expenses being paid by the schools themselves. The researcher observed that all the principals and SMT members responded negatively in the interviews when they were asked whether the Provincial Department of Education had given them any assistance in maintaining discipline in their schools when they requested it. Some laughed in response, and others who made comments about not ever receiving any feedback from the Department, commented on how difficult it was to get hold of the Department of Education to report violent incidents (Appendix A).

iv) Disciplinary procedures and punishment in schools

To find out whether the educators have control of the discipline situation in their schools was a sensitive issue to embark on, and required a genuine, honest response from the respondents. In response to Question 12 most respondents replied that teachers have discipline under control at their school; however, two respondents (from Schools E and G) disagreed. As one SMT member (School E) replied: *"No, the kids know that the teachers are scared to punish them and they use that against them. Corporal punishment is the only way that they will listen, and it works. They come in here very big, but when I'm finished with them they're not so tough anymore"* (Appendix A).

It is the mindset of educators such as these that could in fact contribute to a climate in which bullying becomes endemic in a school. However, it is not only educators that are guilty of using physical punishment to make learners do as they say; children frequently learn from parents or caregivers how to behave and interact with others, and they may internalise inappropriate guidelines regarding acceptable and unacceptable behaviour.

Another SMT member responded that "… *For a number of families, violence is the order of day. The children step out of line, and the parents beat them into submission, and that's how they learn to use their fists, not their mouths. It is different to the values that we try to teach them at school"* (Appendix A, School F).

The National Department of Education states that corporal punishment promotes the notion that it is okay to hurt children (DOE, 2007), and advises adults who are concerned with the disciplining of children to negotiate with young people to set limits, consequences and rewards; this empowers children and gives them a sense of responsibility. According to a manual on the alternatives for corporal punishment by the National Department of Education, young people and adults need to know that children have a right to express their views (DOE, 2007).

This is in accordance with the United Nations (UN) Convention on the Rights of the Child, Article 12 (1989) which states that

> "*the child who is capable of forming his or her own views, has the right to express those views freely in all matters affecting the child, and … the views of the child should be given due weight, in accordance with the age and maturity of the child".*

Even if the views of learners differ from those of educators, as seems to be the case in School E (Appendix B) as mentioned above, channels of communication need to be kept open and young people should be allowed to develop their own ideas and visions. A difference of opinion between learners and educators should not make the latter feel threatened so that they resort to corporal punishment as the only way they can control the situation.

The principal from School G replied that "…*a lot of teachers struggle with learners that have no respect for adults; often a teacher will start crying because of the way they treat her"* (Annexure A). Goodman (2003:20) explains that some teachers appear to express exasperation and rebuke, as well as a desire to protect the authority of the disciplinarian. According to Goodman (2003:20), what discipline means to them is a temporary "fix", not a solution for the problem. In its manual (DOE, 2007), the Department of Education advises educators that it is vital to treat any person, including a child, with respect. If there is respect for a child's thoughts and feelings, he/she will be more likely to act respectfully, even when punishment is being meted out to him/her.

However, according to the principals and SMT members, the disciplinary methods that are used in most of the researched schools are mostly positive rather than negative, and respondents said that positive measures form the basis of their schools' disciplinary procedures. It seems that after a series of interventions to solve a discipline problem, most schools would take serious misconduct such as violence with the intent to do bodily harm to their governing bodies, so that further steps could be taken according to the schools' codes of conduct.

Intervention methods that were most commonly used were a demerit system, detention, placing learners on special report and community service, depending on the

seriousness of the offence. Respondents from one school said that placing learners on special report seemed to have positive results, where a written report of the learners' progress must be given by the teachers and signed by the parents on a daily basis.

The South African Schools Act of 1996 recommends a non-retributive approach, and Section 9 determines the procedures that should be followed when a learner is suspended or expelled from a public school. The learner must be given a fair hearing before he/she can be suspended, and then the suspension should not last for more than one week. The suspension period should be regarded as a correctional rather than a retributive measure. This process also concurs with the responses of most of the learners in the questionnaires and individual interviews. According to the diagram below Mohapi (2007:131) suggests that the above-mentioned measures should be followed.
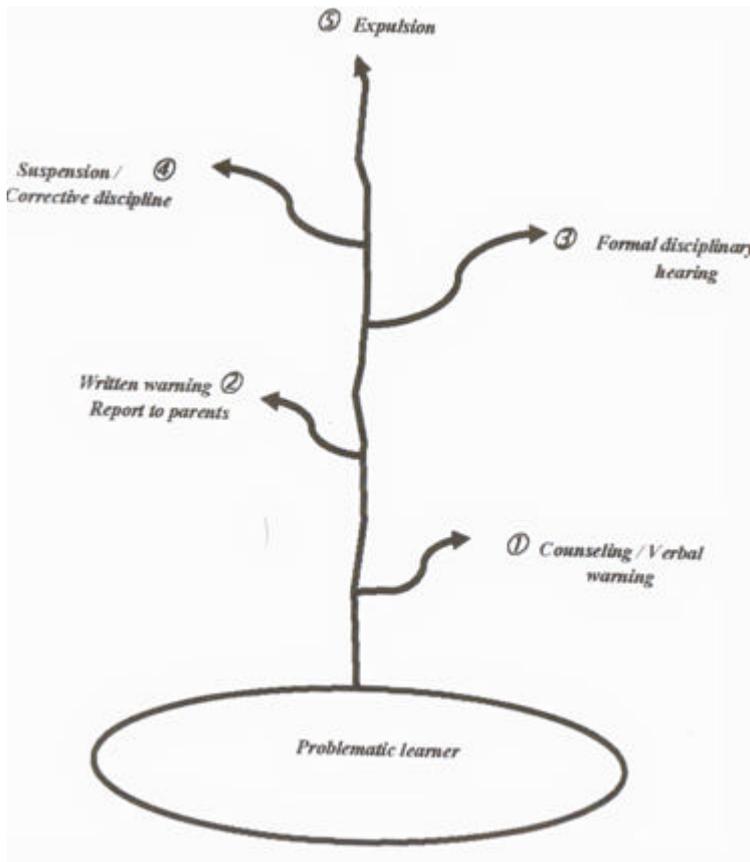
Fig. 2 (Mohapi, 2007:131)

It seems that according to the findings based on Question 13, educators seem to struggle to decide which discipline approach is to be favoured – preventive or punitive. However, there was consensus that no matter which approach is used; learners need to be helped to take responsibility for their actions. One principal (Appendix A, School C) said that learners should take responsibility for their school property. In his school the rule is that whenever there is a case of vandalising of school property, perpetrators are told to fix it themselves, whether it is by cleaning walls, fixing windows or sanding desks. On the other hand, Gosselin (2003:308) cautions educators that instructing learners to do something they do not want to do could result in anger and resentment against those who handed out the punishment and it does not always change the attitude of the learner nor create the responsibility that educators want learners to develop. Gosselin draws on Dewey's notion of responsibility, that a person should be held responsible or accountable for his or her actions in order for that person to become responsible towards others.

Furthermore, Dewey (1934) states that the one who holds the other accountable, the educator, must make these demands in such a manner that it holds the greatest possibility for the development of responsibility in the learner. Otherwise the learner may turn away from the opportunity. Thus, according to Gosselin (2003:310), educators need to make learners understand that the punishment they receive is there to guide them into changing their behaviour and learning something about themselves. Lastly, according to Gosselin (2003:309), it is Dewey (1934) who points out that the learner bears responsibility in this relationship as well, and that the learner's responsibility lies precisely in the development of good habits and the change of bad tendencies.

The reported success of the implementation of the different disciplinary methods used in the researched schools was compared. Two respondents from the high schools (Schools E and G) admitted that suspension as a disciplinary method was not successful in their schools (Appendix A, Question 14). An SMT member from one school (School E, Appendix A) said "…*learners think of it as a holiday.*" The concern was shared by all the respondents that some of the suspended learners might not be

supervised by their parents when they are sent home for a week, and that these learners could become the target of school drop-outs selling drugs. A few respondents agreed that this could create

further discipline problems when the suspended learners return to school. Respondents were of the opinion that only some learners have learnt their lesson, or changed their behaviour after one week of suspension. Holding the learner accountable for his or her own actions in order to compel the learner to understand the meaning of his or her actions is a strategy that seems to work in some cases but not in all, since it entails the learner admitting that she/he was in the wrong, and it also usually requires that the learner be helped to change his or her behaviour.

Four of the nine principals or SMT members (in Schools A, F, G, I) testified that in their schools a verbal warning is first given to the perpetrator if the case is not regarded as a serious misdemeanor, and that if this fails the parents would be contacted, either by phone or by letter. "Serious misdemeanors", in terms of Subsection 3 of the South African Schools Act of 1996, means that the Provincial Executive Council responsible for education must, by notice in the Provincial Gazette, indicate which conduct of the learner would constitute serious misconduct in a public school in the specific province (Oosthuizen *et al.* 1998:68). Serious misconduct is regarded as Grade 3 and 4 offences, according to an example of a code of conduct from the National Department of Education (DOE, 2007).

It was reported by all the respondents that holding the learner accountable for his or her own actions in order to come to understand the meaning of those actions, and what those actions mean with respect to the teacher, seems to work in some cases but not in all. The learner needs to take responsibility for his or her actions and therefore has to admit that she/he was in the wrong and should be helped to change his/her behaviour or actions. Nevertheless, all respondents agreed that learners must be made fully aware that all misdemeanors have consequences, and that this should instill a sense of responsibility rather than fear among learners. Only in one school (School E) did the respondent say that "*the only way learners would listen is when they are given a hiding*"

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(Appendix A). However, the other schools all agreed that if the misdemeanors were to continue, the disciplinary action would gradually become more serious, which could lead to suspension and eventually, depending on the severity of the misdemeanours, to expulsion. Oosthuizen *et al.* (1998:476) point out that one should take into consideration the seriousness of the misconduct, but also the age, attitude, the time of the misconduct, and the impact of the misconduct on the teaching-learning environment. It was reported by all the respondents that only a few cases go as far as a disciplinary hearing and result in suspension and expulsion (Appendix A).

v)   Training needs regarding discipline in schools

All the principals and SMT members were very eager to receive training in how to handle discipline in their schools, how to assist learners that had to cope with bullying and assault, and how to handle violent situations, trauma counseling and crime prevention. The interviewees had to answer only 'yes' or 'no' to the options offered, and all the respondents responded positively towards all the options, except for trauma counseling, apparently because most schools had a counselor coming in once or twice a week (Annexure A, Question 24).

Seven of the eight respondents said that they did not need assistance on how to write a code of conduct; however, all said that they would like to know more about aspects of educational law. One could gather from these responses that school managers experience a definite need for more education or assistance in this field. Question 25 was a follow-up question to Question 24, and was aimed at finding out whether there was anything else that the interviewees considered to be of importance regarding these issues.

The following topics were suggested by principals or SMT members, in no particular order of preference.

- How to deal with parents with problem children
- How to deal with cultural differences within the school
- The legal rights of teachers
- All educational matters
- Human rights, gender and violence issues.

One could gather from this information that most of the interviewed educators would like to receive more training regarding the handling of discipline.

Three of the five topics brought up by either the principals or the SMT members (the first, third and fifth topics above) were about the discipline of learners, or the legal rights of teachers or learners in cases of disciplinary hearings.

vi)   School rules and codes of conduct

Copies of the schools' codes of conduct and school rules for learners were available in all nine schools. Six of the nine schools in the research include in their schools' codes of conduct the procedures to be followed in the event of serious misconduct. Oosthuizen *et al.* (1998:34) state that "codes of conduct must contain provisions of due process which must be followed in disciplinary proceedings against learners who have transgressed the code of conduct". These authors furthermore state that fair procedures safeguard the interest of the accused and ensure the promotion of fairness and lawfulness. Since school rules can be considered to be subordinate legislation, educators and governing body members should be aware of the fact that certain regulations apply to the drafting of school rules, and that they should comply with these regulations when drafting the school rules (Oosthuizen *et al.* 1998:37). One respondent (School F) said that their school rules are based on four human rights, and that each human right has sub-divisions which relate to that right. As the Principal said: "… *we keep saying to them that, if you violate somebody's human right, you have broken a school rule"* (School F). Some of the primary school interviewees mentioned that their schools had taken the trouble to write their school rules in a language that was comprehensible for younger learners.

The aim of the subsequent question (Question 26) was to explore how schools apply their school rules and codes of conduct when it comes to serious misconduct. Different procedures for handling misconduct were apparent in all the schools, and reflected the particular schools' codes of conduct and school rules.

Question 26 was divided into three scenarios; the researcher read these out loud to the

respondents and gave the respondents the opportunity to answer without any comments from the interviewer. The respondents had to respond to each scenario by explaining how they would deal with each case which involved bullying, violence (with a weapon) and physical fighting. The respondents agreed that most cases have to be examined individually, and that the punishment would be according to how serious the situation is. However, as Goodman (2006:14) points out, teachers often differ on what they consider to be morally wrong and right. For instance, some schools might see stealing odd things like a pen here or fifty cents there as minor incidents. Some even "accept" bad language because they see it as part of the learners' vocabulary at home and perhaps not intended as an insult, so there is no harm in it. One of the respondents commented as follows: "Other schools might consider a slap on the wrist just as harmful as a punch in the face" (Interview, School F).

Nevertheless, all the respondents agreed that in cases of serious misconduct such as assault with or without a weapon or illegal drug-dealing, they would not hesitate to call the police. It seems as if there is a good relationship between the schools and the South African Police Service. All respondents agreed that the parents of the perpetrator(s) would be called in, and that the case would be referred to the governing body. All the schools' codes of conduct stipulated that a hearing would be held to discuss the situation, attended by the perpetrator and his or her parents, and that the schools' governing body would then determine what the verdict would be.

According to Oosthuizen *et al.* (1998:46), the *audi alteram partem* rule (to hear the other side) has to be applied, and the learner needs to be given a reasonable opportunity to state his or her case in front of the governing body. Oosthuizen *et al.* (1998:46) further state that the accused may be allowed legal representation in certain instances; however, none of the respondents said that they had ever experienced a disciplinary hearing where the accused was accompanied by a legal representative.

Most the schools introduced their school rules to their learners at the beginning of the year and reminded learners of it again during the year in the weekly assembly.

Two schools had their school rules printed inside the learners' diaries. The diaries were printed by each school with the school logo, school rules and codes of conduct from the school and handed out at the start of the term. There is also a section inside the diary

where the parent had to sign to acknowledge whenever their child transgresses the rules and had to sit in detention. It seems as if it is standard procedure in most of the schools for newly-enrolled learners to receive a copy of the school rules and a code of conduct.

Four of the schools requested that their learners had to sign an agreement that they understood the code of conduct. One school said that they also send a copy of the code of conduct home, and that the parents have to sign a return slip to confirm that they have read it.

vii)　Prevalence of violence and bad behaviour in schools

As discussed in the literature review (Chapter 2, p. 29), over the past two years the public media seem to have highlighted school violence and made the accusation that teachers have no control in the classroom. To determine whether this was true, the researcher wanted the respondents to share their perceptions as to whether violence had increased or decreased in schools during the last two years (Annexure A, Question 19). Five schools' respondents said that there had been an increase, while four schools' respondents said that there had been a decrease in violence in the schools. Respondents generally blamed a lack of parental involvement for the increase in school violence and bad behaviour. Learners don't do their homework and assignments, and in general have a "don't care attitude" because, as one principal said, "…*that is why these children are like this; they don't worry because the parents don't worry*" (Appendix A, School D). Another SMT member said that violent incidents that involved fighting over girls, and that included knives and pangas, had increased (School E). The increase in the number of learners in the school was also given as a reason for an increase in violence and discipline problems (Appendix A, School C). Four of the respondents said that a possible reason for a decrease in violence could be because of the installation of a CCTV camera system, which improved the behaviour in classes

and on the playground. (Appendix A, schools A, B, G, and I). However, it was mentioned that bullying now occurred in "blind" areas which are not covered by the cameras. This is supported by the responses of the learners in the questionnaires (Appendix B).

- **Discussion of the results of individual interviews with learners**

Some of the respondents in four of the nine schools indicated in Questions 19 and 20 of their questionnaires that they would like to speak to someone about being threatened or bullied at school. However, not all of those who indicated that they would like to talk to someone actually came forward, thus only twenty learners in total were interviewed. The researcher conducted ten in-depth interviews with learners from two primary schools, and with five Grade 9 and 10 learners from each of two high schools. Because the questionnaires were completed anonymously, the researcher had to rely on the learners to come forward to be interviewed. What could be seen as a weakness in the research and could influence the sample's reliability was the fact that the interviewees were self-selected, and therefore selection was neither random nor sociologically representative.

Nevertheless, the purpose was to examine the views or perceptions of the learners on safety at school regarding bullying, and on how educators dealt with the misbehaviour of those that constantly bully others, so self-selection by those who had a story to tell was at least partly justifiable. As it turned out, all the primary school respondents were girls, and in the high schools only three boys came forward to talk about their experiences of bullying or violence, although there were many boys that indicated in their questionnaires that they would like to talk about this. It was found that the learners were more willing to talk about other learners than about themselves.

Several respondents from one particular school mentioned the names of the same bullies during the interviews. However, it was not obvious whether the respondents were targeting a particular person to get him into trouble, or whether these accusations were true. Bullying was not the only topic that came up for discussion in the interviews; physical violence and general harassment were also mentioned. The researcher was

more interested in what disciplinary approaches were used by the educators when learners' right to safety had been jeopardized than in the situations themselves. The following cases were reported.

Two Grade 10 girls claimed that they had been sexually molested at school. One girl said that a boy kept touching her breasts. She had reported him to her class teacher, and the boy had stopped, but afterwards the boys and even other girls laughed behind her back and called her a "tattle-tale". In another high school a girl reported a boy who tried to touch her private parts. When she told the teacher, the teacher allegedly became very angry and wanted to know all the details. The learner said that as a result, everybody in her class knew about it, and that she felt cheap. This suggests that educators need to handle situations such as these with integrity and sensitivity, so that other victims will feel free to come forward to report similar cases, or else the purpose of trying to create a safer environment for all will be thwarted. Nevertheless, at least it can be said that the teachers in these instances did do something to ensure a safer environment for these "victims" by disciplining the culprits, using the discipline procedures which were available to them.

Cases of violence were also reported. One boy from a high school told the researcher that he had been stabbed in class with a pen, but nothing had happened to the person who attacked him. The respondent said that the attacker had not even been put in detention. He furthermore said that the wound was not too deep, but that it had bled a lot. When the researcher asked him if he had reported it, he replied that he had not wanted to because he was scared that his attacker would come after him again. Many of the respondents reported that they did not really want to tell their teachers of such incidents, because they feared that if it came out that it was they who had informed the educators, they would only be bullied more. As one learner said: "*I was warned if I tell, then I'll be dead*". Even the high school learners were not eager to talk about being bullied at school. Some said that they had been bullied, but had "sorted it out" themselves.

What one can gather from the information gathered in the twenty individual interviews

is that very few learners seemed to report incidents of bullying or violence. The reasons for this seem to be that many learners are scared to inform on others out of fear that they will be harassed again. Secondly, when learners reported these incidents they were either ignored, or the teacher concerned did not handle the situation in a discrete, professional way, and therefore the learner felt disinclined to report similar incidents again because of the teachers' reactions.

It was reported that sometimes when adults intervene, it could cause embarrassment and even more trouble for them. Some of the respondents therefore said that they would talk to their friends rather than their parents or teachers about violent incidents. The main reasons appear to be fear of retaliation, or that they have had bad experiences of the way some adults handle such situations.

5.2.2 QUESTIONNAIRES

In total, nine schools participated in the survey, four were primary schools in which a total of 134 questionnaires were completed, and five were high schools in which 196 learners completed the questionnaires. The total number of questionnaires returned was 330.

The data collected from the questionnaires was made more manageable to analyse, and is presented in a visual format of graphs and tables. The sample was constituted according to the age, grade and gender of learners, and is presented in Table 5 below.

Table 5: Overview of the distribution of questionnaires

Variable	Frequency
Age:	
12-13 years	100
14-15	84
16-17	85
18	61

Grade:	Frequency
7	134
8	50
9	48
10	48
11	50
Gender: **Boys**	146
Girls	184

The questionnaire was designed to obtain information from the learners. Respondents from primary and high schools were asked to identify issues concerning their safety at school with regard to bullying, fighting, teachers who are not on duty or at school, and discipline at school. The respondents also had to identify places at school which they considered to be the most likely sites for violence. Respondents defined safety at their schools broadly, incorporating psychological as well as physical violence. Violent behaviour included insolence, intimidation, bullying, physical fighting (including with knives and guns), and aggressive outbursts. Furthermore, the respondents were asked to identify what disciplinary methods teachers used to punish learners.

The following six themes were identified that emerged from the data, and questions were clustered accordingly.

i)   Safety at school (Questions 2, 3, 4)
ii)   Bullying and fighting (Questions7, 14, 20, 22)
iii)   Supervision of learners (Question 7, 13)
iv)   Discipline (Questions5, 6, 7, 8, 9, 17, 23, 24)
v)   Serious misconduct (Questions 15, 16, 18, 19, 22)
vi)   School rules and punishment (Questions10, 11, 12, 15).

i)   Safety at school

According to recent research done by the South African Institute of Race Relations (SAIRR), only 23% of learners in South African schools feel safe when they are at

school (School safety influences literacy rate, 2008:1). Therefore the researcher wanted to test the learners' response by asking the question: "Do you feel safe at school?" (Appendix B, question 2). The question was analysed in two parts. Firstly to determine how the different genders regard safety at school separately and secondly, what the overall response was. The responses of Grade 7 learners were separated from those of the Grade 8 to 11 learners in the presentation of the findings to show comparison between the primary and high school learners.

Table 6: Primary school responses: Safety at school
(Appendix B, Question 2)

Do you feel safe at school? Total: 130 learners		Frequency		Total percentage %
Grade 7	Male=66	Yes	39	
		No	3	
		Sometimes	24	
	Female=64	Yes	40	
		No	0	
		Sometimes	24	
Total :		Yes	79	61%
		No	3	2%
		Sometimes	48	37%

Although 61% of all the learners in the primary schools did feel safe at school, almost 40% said that they only sometimes felt safe at school or in a few cases that they did not feel safe at all.

Table 7:   High school responses: Safety at school

(Appendix B, Question 2)

Variable:Total: 179 learners		Frequency		%
Grade 8-11	Male=70	Yes	47	26,3%
		No	3	1,7%
		Sometimes	20	11,2%
Grade 8-11	Female=109	Yes	63	35,2%
		No	5	2,8%
		Sometimes	41	22,9%
Total :	179	Yes	110	61,5%
		No	8	4,5%
		Sometimes	61	34,1%

Again, even though 61,4% of the high school learners said that they felt safe at school and only 4,4% said they felt unsafe at school, 34% of the learners indicated that they only sometimes felt safe in their school environment. As far as safety is concerned, there should be no reason for learners not to feel safe at school, seeing that there are trained, professional adults that are supposed to create a safe environment for them to learn in. Also, as one can see from the table above, more girls (37,6%) than boys (28,5%) in the high schools feel unsafe some of the time. The reasons for this phenomenon were further explored by asking respondents where at school learners felt most unsafe (Appendix B, Question 4).

Question 4 states: Where at school do you feel most unsafe? Learners had to choose only one of the following: classrooms, toilets, corridors, school bus, playground, and "feel safe everywhere".

Table 8: Places where primary school learners felt most unsafe at their schools.

Grade 7 Total:134	Male = 69	Female = 65	Total	%
classrooms	5	2	7	5,2%
toilets	9	16	25	18,6%
corridors	4	3	7	5,2%
bus	8	10	18	13,4%
playground	3	4	7	5,2%
feel safe everywhere	29	35	64	47,7%

A similar study conducted by Burton showed that the experiences and fears of males and females relating to victimization are often very different. Therefore the researcher decided to differentiate between the genders in her research. Burton (2008:6) further found that girls were more inclined to be fearful of classrooms, sport fields and the principal's office, while boys were more likely to identify corridors, toilets and open grounds as places where they felt most unsafe.

In Burton's study (2008:6), when the participants were asked whether there was a place at school of which they were most fearful, nearly half (49,3%) reported the toilet as the place where most bullying, fights, etc. took place. Other areas included open grounds (16%), playing fields or sports areas (10,7%), and the principal's office (11,5%).

According to the findings in this study, it seems that more girls than boys in Grade 7 feel unsafe in the toilets. Boys in general seem to feel safer at school, however, more high school girls feel unsafe on the bus to or from school than boys. Burton (2008:8) found that more than half of the responses (51,3%) were from girls that responded that they feared traveling to and from school. The findings in Burton's study echo the researcher's own findings concerning the safety of transport after school, with 14,1% of the learners saying that they that felt unsafe in the bus.

The data revealed that 61% of the Grade 7 learners responded "yes" to the dichotomous question (Question 2), indicating that they felt safe everywhere at school. Youngman (1984:163) suggests that it is a natural human tendency to agree with a statement rather than to disagree with it. The researcher also asked herself if a yes/no response provided enough information required. Nevertheless, the responses to Question 2 were useful in sorting data for the subsequent question (Question 4). The results of Question 4, on the contrary, showed that when given a range of choices, only 47,7% of the Grade 7 learners indicated that they feel safe at school. Therefore one could agree with Cohen *et al.* (2000:251) that in some instances it is more appropriate to have a range of responses to choose from when one wants to capture the complexity of a situation. The table below points out the difference between primary and high school respondents' opinions about where at school they feel most unsafe.

Table 9: Places where high school learners felt most unsafe at their school.

Total: 184	Male=74	Female=110	Total	%
classrooms	4	4	8	4,3%
toilets	19	16	35	19%
corridors	4	10	14	7,6%
bus	6	20	26	14,1%
playground	4	5	9	4,9%
feel safe everywhere	37	55	92	50%

The number of questionnaires distributed was 196, and 184 responded to this question. The results of the survey showed that more girls in the primary schools than boys indicated that toilets seem to be a place where they did not feel safe. However, more boys than girls in the high schools found toilets to be unsafe. This was consistent with the findings internationally and locally, that males tend to be victimised more often than females (Burton, 2008:7). One could argue that younger learners might be more willing to report incidents of bullying, and that when educators teaching younger learners act *in loco parentis* by investigating and trying to sort out the problem, bullies might, out of

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fear of punishment, avoid toilets as a place to pick fights. In the case of high schools, older learners can insist on their right to their privacy being respected, therefore closed circuit cameras are not placed in dressing rooms and toilets. Bullies know that there is no "silent witness" to their actions, and might take advantage of this, which often seems to be the case as discussed in Chapter 2, p.18. One could expect from older learners that they would be more responsible and not in need of constant supervision, referring to the interviews with the high school principals and SMT members, in which four of five felt that placing prefects on duty at break-time was sufficient to ensure the safety of the learners at their schools.

Intimidation by bullies still seems to contribute to fear, especially on the part of learners in the lower grades (Grade 8 and 9). Also, more girls in the high schools than in the primary schools indicated that the bus is an unsafe place to be. Seeing that educators do not supervise learners after school by accompanying them on their way home, it seems as if sexual harassment could be a reason why so many more girls are afraid to go on the bus. Eliasov and Frank's survey (2000:21) showed that pupils also described incidents of intimidation internal and external to the school, usually at the hands of older youths and gang members. A recurrent theme that emerged in three secondary schools in that study was the growth of the phenomenon of 'taxi queens'. Schools reported that taxi drivers selected particular girls to be their "queens" on the way to or from school. This would entitle the girls to particular privileges (sitting in front) in return for sexual favours. It was reported that some of these men were more than double the age of the girls involved.

ii) Bullying and fighting

Question 18 (Annexure B) was a multi-pronged question to determine firstly, whether learners are being bullied in schools in East London, and secondly, whether they have told anyone about it. Respondents only had to answer "yes" or "no" to the questions, but they could elaborate on these questions if they wanted to. These questions were linked to one of the research questions, to find out how violent behaviour and bad discipline in schools might affect learners' safety in schools.

The respondents consisted of male and female learners from primary and high schools, but genders were not separated in analysing this question. The reason for this was that it was not one of the objectives of this study to differentiate between the genders, but rather to differentiate between the perceptions of the primary and high school learners. Therefore the Grade 7 responses were separated from the Grade 8 to 11 responses, to determine whether bullying and physical violence occurred more frequently in the primary schools than in the high schools, and *vice versa*. A total of 47 (28%) of the 132 Grade 7 respondents said that they had been bullied or attacked at school by other learners, while 85 (64,3%) said that they had never been bullied or attacked at school.

This confirms that violent behaviour is prevalent in all the researched schools, and the last part of the question provided valuable information regarding why some learners do feel unsafe at school.

It is, however, alarming that only 50 of the 132 Grade 7 respondents (37.8%) said that they had reported an incident if they were being victimised or bullied at school. Nine learners did not complete this question. Some respondents said that they thought it was wrong to "tell on" others (called "pimping" by some of the learners), and some said that if it should come out that they were "pimping", they would be hit by the perpetrators.

The significance of this phenomenon could again support the theory discussed in the theoretical framework of this study (Chapter 3, p.60) that learners will often become submissive and compliant out of fear of punishment, while at the same time they lack self-esteem because they become the ones that inform on their peers. This often results, according to Porter (2000:57), in friends despising their actions and excluding them from the peer group.

The same questions were asked of the Grade 8–11 learners: "Have you ever been physically bullied or attacked at school by other learners, and have you told anyone about it"? The responses are presented in graph form to indicate the difference between the grades. The Grade 7 responses were not put onto the graph. There were 162 high school learners responding to question 18 (Appendix B).

Fig. 3: Experiences of bullying or attacks in high schools
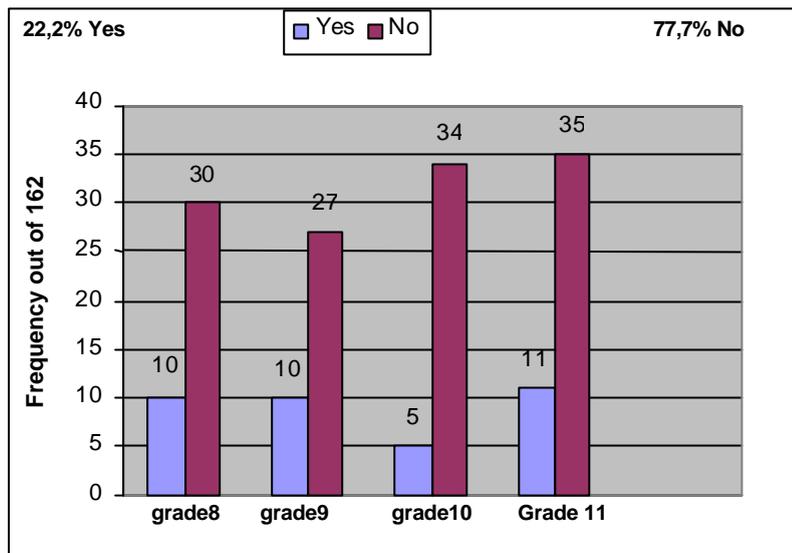
The data revealed that fewer Grade 10 respondents, compared with the other grades, reported being victims of bullying. A total of 36 (22,2%) of the 162 Grade 8 to 11 respondents said that they had either been bullied or attacked at school by other learners, while 126 (77,7%) said that they had never been bullied or attacked at school. One could assume from the low number of "yes" responses that there might be a possibility that these respondents had never been physically bullied or attacked at school by other learners, or on the other hand it could be that the learners were not very eager to admit that they had been bullied at school.

In the high schools, only 23 of the 162 Grade 8 to 11 respondents (14%) admitted that they would report being victims of attacks and bullying at school. According to the data received, one could come to the conclusion that more primary school learners were ready to report incidents than was the case with high school learners.

It could be that when the learners become older, they prefer to fight their own battles, and do not readily report incidents of violence because of the fear of what might happen to them if they do, or of what others might think of them.

- **Witnessing violent behaviour at school**

The next question (Question 19, Appendix B) was asked in order to find out whether learners witness violent incidents in their schools and whether they report it. Once again this question consisted of multi-pronged questions: "Have you ever seen someone being physically bullied or attacked at school by other learners? If so, have you told anyone about it"? The third part of the question was an open-ended question to find out whether the respondents would like to share their experiences regarding bullying at school. All the responses from the primary school learners to the question as a whole were placed onto one graph because this was easier to interpret. The high schools' responses were separated from those of the primary schools in order to identify differences and similarities.

Fig. 4: Grade 7 Learners witnessing violent behaviour at school and reporting it.
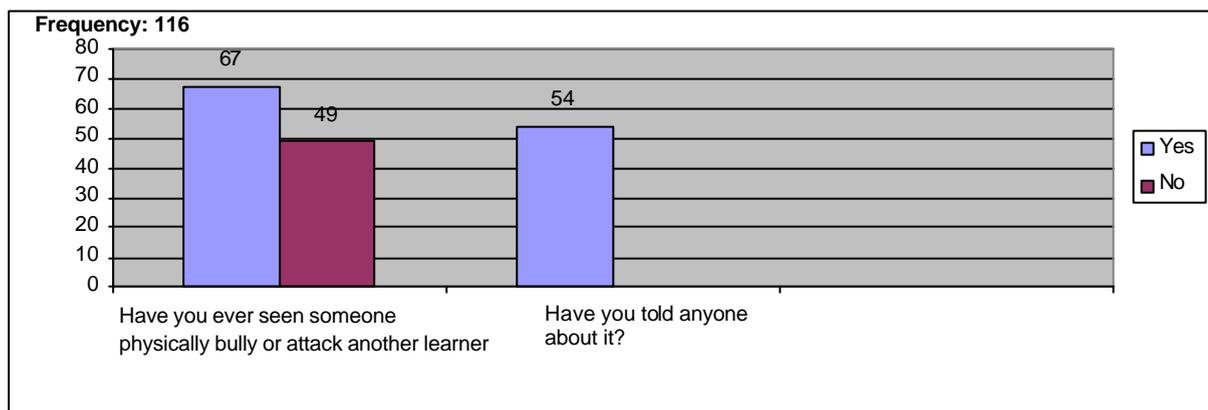
There were 116 responses to these questions. The first question is of such nature that when the participant answered "no", it is obvious that the second part of the answer will not be completed. 67 of the participants (57,7%) replied that they had seen someone being bullied or attacked at school, yet only 54 of the participants (46,5%) reported the incident, and almost 9% did not. De Wet (2003:90) concluded that the victims of bullies in particular are unwilling to talk about their victimization, out of fear that if the bully finds out, it will make the situation much worse.

Fig. 5: Grade 8 to 11 learners witnessing violent behaviour at school
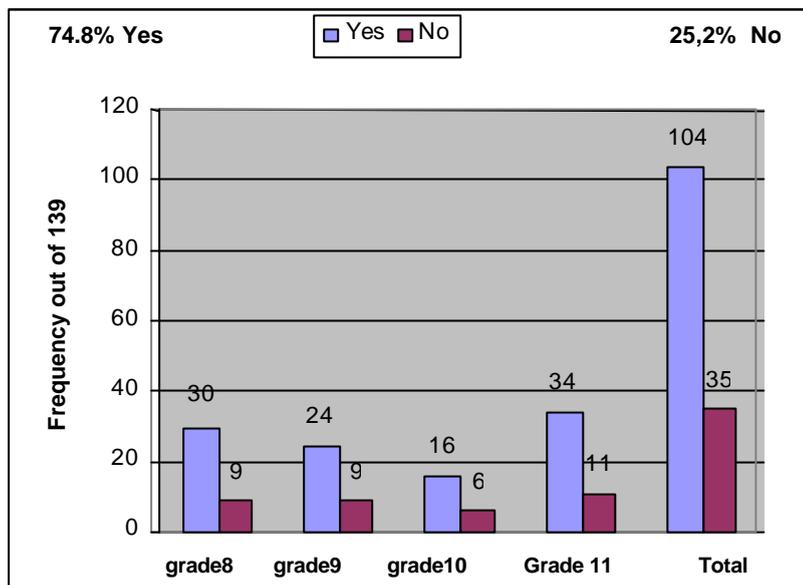
According to the data received, although bullying is witnessed by more than half of the respondents in both primary and high schools, a relatively smaller percentage in both primary and high schools reported the incident of violence or bullying. In the primary schools, 46,5% of the participants reported incidents of violence or bullying and 22,4% said that they never had reported an incident. In the high schools, 51% reported incidents, and 27,3 % said that they had never reported an incident.

In addressing the research question of how violent behaviour in schools might affect learners' safety, the survey confirms that various violent incidents, including bullying and victimization, were taking place at each of the primary and high schools visited. Thus, the data reveals that a significant number of learners in the researched schools felt unsafe while at school, with good reason. The fact that many incidents were not reported to the teachers would suggest that either the incidents were not regarded as particularly serious by most of the "victims", or that most of the "victims" felt that nothing would be done in response to their reports; this was confirmed by primary and high school respondents as one of the main reasons for not reporting incidents (Question 2, Appendix B).

Furthermore, some learners thought that they had good reason to believe that they would be further victimised by the perpetrators, as they often have been threatened.

- **Educators' response to bullying or fighting at school**

In light of the above, the way educators respond towards learners reporting incidents of violence and bullying most definitely will have an impact on the role of discipline in combating violence in schools. In analysing the responses of the primary and high school participants to Question 20, about how teachers react when being told that someone is constantly bullying others, the learners' responses were categorized and recorded on a sliding scale of positive, negative and neutral. The results of the responses of the primary and high school learners to Question 20 were separated to make it easier to draw comparisons and to see the differences in the data.

Fig. 6: Grade 7 responses: Educators reacting towards learners reporting violent incidents and bullying
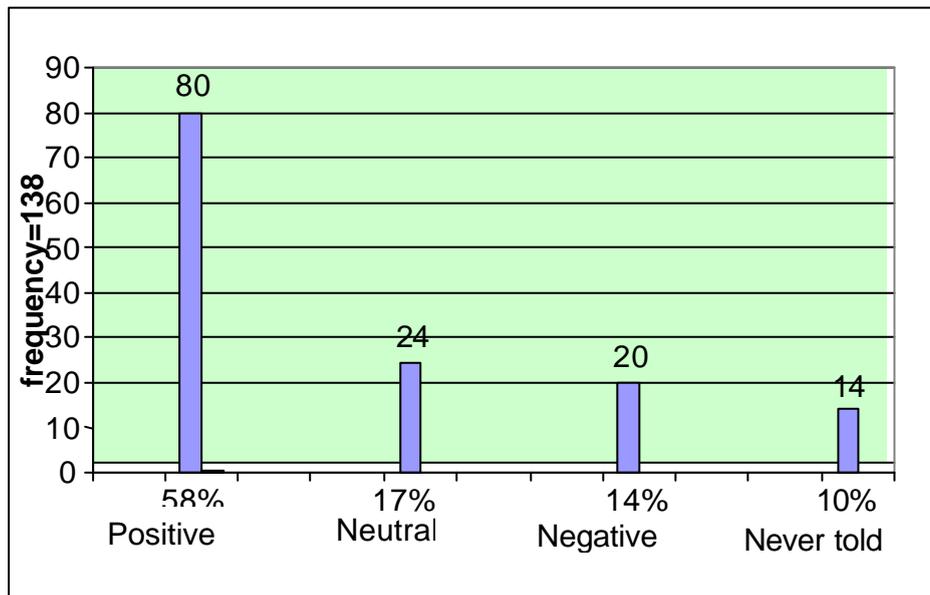
According to the primary school learners, even though many educators were perceived as reacting positively (58%) when learners reported a bullying incident, some educators

only responded by saying that the learners must start growing up and stop being "tattle-tales". The neutral responses indicated that some educators reacted to learners' complaints by talking to the perpetrators or giving them demerits.

Learners also believed that educators were not consistent in their approach when it came to disciplining a learner who misbehaved. Some of the responses mentioned by the learners were: *"They only talk but take no action*", "*They say you deserve it*", "*Nothing I can do about it*", while some just laugh and others show real concern. Another high school *(School F)* commented; *"Some teachers tell you they'll handle the situation, then they don't do anything. Others don't care, and the rest blow it totally out of proportion"* (*Appendix B, Question 20).*

In answering the research sub-question concerning what disciplinary approaches educators employ and how successful they are in reducing violence in their schools, it seems that not all educators have the ability to manage discipline in their classrooms. Amongst other things, this study reveals that some educators are not consistent in applying disciplinary measures against learners. It also seems that some educators are lacking in appropriate strategies for handling certain behaviour problems in class. The possibility exists that many educators have limited knowledge of disciplinary strategies, therefore there is a definite need for training in this regard.

Significant differences were noted between the responses to this question of the primary and high school respondents. Again the results are displayed in graph format. The number of high school participants was 174.

Fig. 7:   Grade 8-11 responses: Educators reacting towards learners reporting violent incidents and bullying
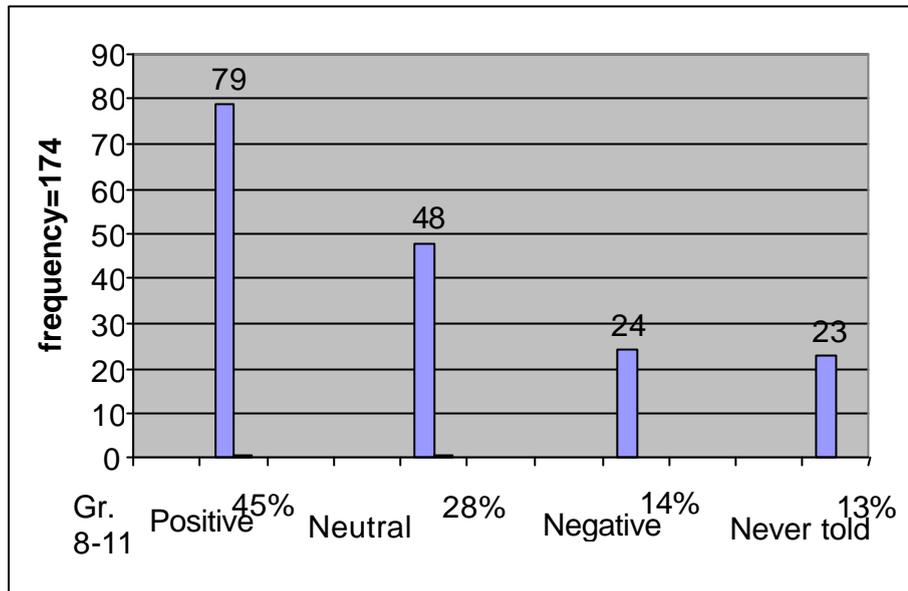
The percentage of learners that responded positively in the high schools (45%) was much lower than that of the primary school (57%); also, more respondents in the high school gave neutral (28%) responses than those in the primary school (17%). One high school respondent wrote, *"Depends on who you are. They take some pupils more seriously than others."* Another said, *"They (the teachers) don't do much except tell the pupils to stop the bullying"* (Appendix B).

The poor relationships between educators and learners were noted from the responses to this question. One can derive from the responses that educators can do much to improve a positive school climate by listening to the learners and responding in a more positive way, without shouting or being sarcastic. Crawage (2005:261) reported in her study on adolescent learners that when educators support learners coping with violence at school, namely by showing an interest or counselling them, the learners trend to cope better at school. Crawage (2005:265) further found that learners who were traumatised indicated that they wanted to communicate with someone they knew, and therefore she states that authorities should ensure that people are properly trained and skilled to support learners, and accessible.

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- **Places at school where fighting or bullying occur most or least**

  Bullying and often fights constitutes an infringement of the right of learners to learn in a safe environment; therefore the researcher wanted to establish when and where at school the most violence occurs. The researcher once again separated the primary school and high school learners' responses to highlight the differences and similarities in the data. Learners were given five options that they had to rate from 1 to 5 (1 for the most fighting or bullying occurring, and 5 for the least). The responses in block 1 and 2 were calculated together to indicate where at school the learners thought the most fighting or bullying occurred, and those in block 4 and 5 to indicate where bullying or fighting occurred the least (Appendix B, Question 7). The total number of responses is indicated in the table below.

  Table 10: Where the most and least fighting or bullying occur in primary schools

	MOST	LEAST
In the class	35 (26%)	76(56,7%)
No teacher supervision	72 (53,7%)	25(18,6%)
Outside the gate	87 (64,9%)	31(23,1%)
toilets	44 (32,8%)	44(32,8%)
bus	37 (27,6%)	78(58,2%)

  64,9% of the Grade 7 respondents said that the most fighting occurs outside the gate, and 53,7% said that fighting starts when there is no teacher to supervise. The least fighting appears to occur in the bus (according to 58,2%) and in the classroom (according to 56,7%). The responses from the interviews with the principals or SMT members showed that there were almost no teachers on duty after or before school in most of the schools (Appendix A, Question 6). Therefore one could come to the conclusion that the absence of adult supervision could be a reason why more fighting occurs outside the school gate.

In most of the researched primary schools, prefects or monitors are on bus duty in the mornings and afternoons, and therefore learners are more likely to behave. Presumably, primary school learners using public transport are also less likely than high school learners to misbehave in the presence of strangers. However, Burtons' study (2005:7) revealed that other people not related to the school are often implicated as the perpetrators victimising learners on the bus, and this could explain why a number of the respondents, especially girls, reported being fearful of travelling to and from school. The same questions were put to the high school learners.

Table 11: Where the most and least fighting or bullying occur in high schools?

	MOST	LEAST
In the class	Total 48(24,4%)	Total 91(46,4%)
No teacher supervision	95(48,4%)	52(26,5%)
Outside the gate	92(46,9%)	47(23,9%)
toilets	69(35,2%)	57(29%)
bus	61(31,2%)	90(45,9%)

Two circumstances in which the high school learners said the most fighting occurred, are when there is no teacher in the classroom, and outside the school gate – the same circumstances as those identified by the primary learners, though in reverse order. And only 46,9% of the high school learners said that most fighting occurred outside the school gate, compared with 64,9% of the primary school respondents. One could say that these findings could have been anticipated because primary school learners in general need more supervision in view of their relative immaturity.

48,4% of the respondents in the high schools said that when there is no teacher to supervise a class, fights will often break out; as one respondent said, (in answer to Question 24), *"When a teacher is absent, there is usually chaos".*

Two places where the least fighting or bullying takes place in both the primary and high schools, is in class when there *is* a teacher present, and in the bus after school. In conclusion, one could say that according to the responses of both primary and high school learners, the least fighting or bullying happens when there is some kind of adult supervision or monitoring. Whether it is inside the classroom or outside the gate, it seems that supervision by trained professionals is needed to improve safety in schools.

iii) Supervision of learners

Playground duty plays an important role in ensuring the safety of the environment of learners, and the duty of teachers is to fulfil this role. The breach of duty of care is discussed in Chapter 2, p.34.

Therefore the researcher wanted to find out whether teachers are on duty at break, before and after school. Oosthuizen (1998:75) states that "the lack of supervision of learners and the failure to take precautionary measures to protect learners are the causes of the majority of problems regarding the safety of learners at school or during school activities."

Question 13 (Appendix B) sought to find out from the learners who is on duty at break-times, as a lot of fighting incidents were reported to be happening while learners were not supervised. The researcher divided the responses of the primary and high schools to indicate the differences and similarities in the data.

Table 12:   Playground duty in primary and high schools

Who is on duty at break-times?	Percentage of Gr 7 responses	Percentage of Gr 8-11 responses
Only teachers	5 (3,7%)	18 (10,3%)
Prefects	11 (8,2%)	80 (45,9%)
Teachers and prefects	118 (88%)	62 (35,6%)
Nobody	0 (0%)	14 (8%)
Sample size	134	174

Comparing the data received from the primary and high schools, there is a difference between who is on duty at break-times in the primary and high schools. The data show that more prefects are on duty in the high schools than in the primary schools. In the high schools the learners reported that teachers will occasionally patrol the grounds during break in schools where there is a camera system trained on the playground. Two of the five high schools and two of the four primary schools had a CCTV system in their schools to monitor the learners' behaviour. It seems that it is accepted practice on the part of many of the high schools to entrust older learners with the responsibility of supervising younger learners. It is significant that, according to the responses to Question 7, 53% of the primary school respondents and 48% the high school respondents indicated that most fighting occurs when there is no *adult*supervision.

 This suggests that the supervision of primary and high school learners should not entirely be entrusted to prefects or monitors. In the law case Dowling v Diocesan College, 1999 SA (3) 847 9c), the father of a Grade 8 boy took the school and two Grade 12 prefects to court after his son was repeatedly assaulted and bullied by the prefects that were supposed to be on duty during break-time. Furthermore, the judge also held that the school would be "vicariously" liable for damages occurring as a result of unlawful assaults by duly appointed prefects as it would be for assaults by a teacher employed by the school. Thus, it could be argued that adult supervision is indeed

necessary in all schools during break-times and class time, to ensure learners' safety.

iv)   Discipline and punishment

Ten general discipline problems were identified by the interviewees (principals or SMT members) as possible problems that could contribute to an increase in discipline problems. These were then listed in the questionnaire (Appendix B, Question 6). The respondents (the learners) were asked to rate these problems as causes of discipline problems at their schools on a rating scale: 1 – definite, 2 – not always, 3 – sometimes, and 4 – never. In analysing the data, the researcher clustered the responses of 2 (not always) and 3 (sometimes) together as these categories seemed very closely related. However, only six problems that were considered to be of high importance were selected from the primary school findings indicated in the tables below. The same Question 6 (Appendix B) was asked of both primary and high school learners, and the responses were divided to indicate differences and similarities.

Table 13: Causes of discipline problems in primary schools (Grade 7)

Discipline problems Sample: 134 learners	1- definite	2- sometimes/ not always	3 - never
Teachers absent	16	82 (61,1%)	36
No textbooks	21	61 (45,5%)	52
Work is boring	20	60 (44,7%	54 (40,2%)
Teacher have no control	37	57 (42,5%)	40
Unprepared teachers	40	44 (32,8%	50
Gangsters	34	36 (26,8%)	64 (47,7%)

61,1% of the Grade 7 respondents said that teachers' absenteeism could sometimes be the cause of discipline problems in class. The significance of this phenomenon once again shows that adult supervision is needed during school time. This also reflects on the data received from the high school respondents. The findings showed that 58,1% of the respondents in high schools thought that classes that are left unsupervised lead to

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discipline problems, while 63,7% thought that a lack of supervision on the playground did the same.

The survey reveals a similar pattern in that in both primary and high schools, teacher absenteeism is considered by the learners as a possible factor that could contribute to discipline problems. The Western Cape Education Department (DOE, 2003) as well as the National Department of Education confirms this, and report that not only does violence have a serious impact on learning, but educators are often absent because they need time off for trauma counselling and debriefing.

What is of great concern is the implications of the response that textbooks are considered by 45% of the primary school learners and 49,3% of the high school learners to sometimes be the cause of discipline problems. The sample of schools in this research was selected from an urban community, which should not have had difficulty in accessing textbooks.

The response to the factor 'work is boring", from 44.7% of the primary school learners and 62,5% of the high school learners, places educators in the limelight with regard to the lack of discipline in their classes. According to Bennett (1992:6) a boring, lifeless or irrelevant lesson or educator might cause learners to be frustrated, and out of boredom they may look for ways to entertain themselves, often at the expense of the educator and other learners. 42,5% of the primary school respondents also identified teachers' lack of control over disobedient learners, and 32,8% of the learners said that teachers that are not prepared for their lessons could cause discipline problems. Educators that are well-prepared for classes also have the confidence to maintain discipline in their classes.

The same question was also asked of the Grade 8-11 learners. The number of respondents that completed this question was 160, which is much less than the responses to the other questions. The reason could be that the required answer seemed to be more demanding than the others. In this case seven of the ten discipline problems were considered in the presentation of the high schools. This indicates that high school learners also experience similar difficulties, however, on a different scale and ratio.

Table 14: Causes of discipline problems in high schools (Grade 8-11)

Discipline problems Sample: 160	1 - definite	2 - sometimes/ not always	3 - never
Teachers absent	4	102 (63,7%)	54
No supervision on playground	33	102 (63,7%)	25
Work is boring	31	100 (62,5%)	29
Unprepared teachers	22	82 (51,2%)	56
No textbooks	35	79 (49,3%)	46
Classes left unsupervised	36	93 (58,1%)	31
Teachers have no control over disobedient learners.	40	81 (50,6%)	39

The perceptions of learners on how well their teachers handle discipline were combined in the presentation of the findings below. Questions 8, 19, and 24 in the questionnaire (Appendix B) all had to do with how learners think about the maintenance of discipline in their particular schools. These open-ended questions required more in-depth information from the respondents regarding discipline in schools. Responses of the primary and high school learners were measured on a sliding scale of positive, neutral and negative remarks.

Table 15: Effective management of discipline in primary and high schools?

Response	Grade 7 learners = 133 responses	Grade 8-11 learners = 184 responses
positive	62 (46,2%)	76 (41,3%)
neutral	46 (34,3%)	68 (36,9%)
negative	25 (18,6%)	40 (21,7%)

Even though 46,2% of the primary school responses responded positively that teachers are handling discipline well, some responses (34,3%) indicated that they were not always sure that educators handle all situations particularly well in their schools. Only 18,6% said that teachers do not handle discipline well.

In the high schools when the same question was asked, as one could anticipate from older learners, the high school respondents were more confident and outspoken than their primary school counterparts, and therefore more high school learners indicated that they did not think teachers handled discipline well. Some responded that teachers are scared to discipline learners, especially to punish the bigger boys, and some learners said that the naughty learners do not react towards soft-hearted teachers when they try to enforce discipline (Appendix B, Question 20).

Question 9 sought to find out whether the respondents themselves thought that schools which ensured good discipline had less violence. The findings of this open-ended question showed that most of the respondents agreed that discipline is needed in a school, or else there would be chaos. Learners from both primary and high schools said that schools need discipline because they (the learners) need to know that if they transgress the rules, there will be consequences. Furthermore, respondents concluded that discipline teaches them to respect each other, and to learn wrong from right.

They also said that without discipline and with no rules, there will be more fighting, and a few respondents from the same schools said that they needed more discipline in their own schools to keep them safe.

The responses to Question 14, linked with the responses to Question 9, indicated that the majority of the learners agreed with the idea of punishment in some form. One of the learners from a high school commented that learners are tired of a few learners that disrupt class for them by fighting and behaving insolently towards teachers. This was also reflected in the way most of the primary learners responded to the question about how they would punish learners. Almost all of the respondents in the primary schools suggested more severe punishment and gave some suggestions, such as "hard labour"

or writing out the school rules. The older high school learners were more realistic, and said that they would not do anything differently, other than enforcing the school rules more consistently; however, they also said that learners who make them feel unsafe in their schools should be expelled. Interestingly, some also commented that there are *too many* rules in their schools (Appendix B, Question 24).

- **Suggested disciplinary actions for those that disrupt school**

An open-ended question was asked in order to find out what disciplinary actions learners in primary and high schools would consider to be the most successful in cases of misconduct. The researcher differentiated between the responses of the primary and the high school learners. The main purpose of question 14 was to define the disciplinary actions mostly used in each school. One of the disciplinary actions suggested by some of the Grade 7s was to have a "cool down place" for angry learners, and others said that taking away certain privileges such as break-time could be successful in punishing some learners. Others said that perpetrators should do physical work at school such as working in the garden or cleaning the school. Many of the younger respondents said those who misbehave should write out the school rules, and that their parents should be called in then. Detention was also mentioned as a disciplinary method, while others agreed that for serious misconduct learners should be suspended, and that if they continue misbehaving, they should be expelled. The high school learners agreed mostly with the idea of community service on a Saturday and detention as the best ways of punishment.

Research by De Klerk and Rens (2003:458) shows that corporal punishment is still used in schools. Question 21 showed the following differences between the primary and high school responses when the learners were asked to give their personal opinion on whether corporal punishment should be allowed as punishment in schools.

Table 16: Responses to corporal punishment

Responses	Grade 7: responses = 134	Grade 8-11: responses = 162
yes	56 (41,7%)	80 (49,3%)
no	68 (50,7%)	60 (37%)
unsure	10 (7,4%)	22 (13,5%)

Some Grade 7 respondents said that corporal punishment was hurtful and "against" their human rights, and some said that some teachers at their schools would abuse corporal punishment, and therefore it should not be brought back. Although 41,7% of the primary school respondents and 49,3% of the high school respondents said that corporal punishment should be brought back, there are still some learners that feel it is not the best way to punish learners.

However, many high school respondents said that corporal punishment is in any case being used to punish learners in schools, even though teachers know it is unlawful. Some respondents agreed that it is not the right thing to do; however, they think that it is the only way to ensure that learners will listen and respect the teachers. It is not the intention of this study to take sides on the use of corporal punishment in schools, but to find out the different disciplinary methods actually in use in schools, and how successful they are in maintaining discipline, from the point of view of the learners.

The same question was also asked in the interviews with the principals and senior management team members (Appendix A, Question 13). What one could gather from the learners' view is that almost half of the learners see corporal punishment as an acceptable way of discipline. However, almost all the educators responded that corporal punishment is not an acceptable form of discipline, and responded that the responsibility should lie with the parents to punish their own children, and to decide whether to give them a hiding or not when they misbehave. The role of the school is not to punish but to educate.

v)   **Serious misconduct**

The use of drugs or alcohol, and the possession of knives, guns or any harmful object that could be used as weapons have been established as serious misconduct (DOE, 2008). To find out whether these incidents were reported to the educators was an important part of this research, as it concerns the safety of learners at school. In this study physical violence involving a fist or a weapon of some form was mostly reported in this study. However, the respondents from both the primary and high schools responded that they would get suspended or expelled if they brought drugs to school. The high school respondents also said that the police would be called in, and that perpetrators would be arrested and then be suspended or expelled.

In Question 16 (Appendix B) the respondents were given five options of whom they would tell if someone brought a knife or gun to school. Burton (2008:4) indicated in his research study that incidents of violence in schools often go unreported. Once again the data showed a difference between the responses of primary and high school learners as indicated in the tables below.

Table 17: Reporting incidents

Grade 7 = 112 responses		Grade 8-11 = 171 responses
Most likely to inform	Total %	Total %
Friends	23 (21%)	46 (27%)
teachers	56 (50%)	75 (44%)
prefects	11 (10%)	21 (12%)
no one	6 (5%)	19 (11%)
parents	16 (14%)	10 (6%)

Question 11 explored whether the respondents thought that school rules were being followed in their schools. A total of 317 responses were received from Grade 7 to Grade 11. The responses from the primary and high schools were aggregated, because the researcher was seeking a general opinion from all the respondents.

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Table 18:   Adherence to school rules (Grade 7-11)

	Yes	No	Total
Grade 11	11	55	66
Grade 10	7	30	37
Grade 9	9	30	39
Grade 8	5	33	38
Grade 7	37	98	135
Total	69 (21,9%)	246 (78,1%)	315

Only 69 of 315 respondents (21,9%) thought that learners at their schools followed the school rules, and 246 (78,1%) responded that learners do not follow the school rules. The perception of most of the learners can be interpreted as positive towards school rules. Schools in this research all had written school rules and a code of conduct. Question 10 was asked to determine whether learners did have a copy of their school rules, and whether they had either read it themselves or whether it had been read to them by someone. For the sake of a disciplined environment, learners must have knowledge of their school rules and codes of conduct or else it serves no purpose. 317 participants responded to this question.

Table 19: School rules and codes of conduct (Grade 7-11)

Have read the schools rules and have a copy	199	(62,7%)
Have not read school rules but do have copy	35	11%
Never read school rules no copy	28	8,8%
Teacher read school rules but don't have copy	55	17,3%

The data showed that 62,7% of the respondents have read the school rules, and do have a copy, while 8,8% have never read the school rules and don't have a copy of it. A code of conduct can serve as a legal document in a case of serious misconduct, and therefore should be regarded as an important document explaining which disciplinary

procedures would be followed in case of suspension and expulsion. Although the procedures of the disciplinary actions were not explained in any of the researched schools' codes of conduct, learners should however be informed by teachers of the procedures of a disciplinary hearing and what their legal rights are in cases of serious misconduct. School rules are not only supposed to indicate the appropriate behaviour that is accepted at school; learners should also know what the consequences will be for transgressing these rules. Without clear, written and unambiguous rules, schools cannot claim that learners know what is expected of them.

5.2.3   Discussion of written documents

The Constitution of the Republic of South Africa (Act 84 of 1996)

As already discussed in Chapter 2 (p.35), learners have a constitutional right to receive education in a safe school environment, according to Section 24 of the Constitution. Therefore educators have a legal duty in terms of the common law principle, *in loco parentis*, to ensure the safety of learners in their care.

Teachers who are not on playground duty, or who leave their classes unattended, seem to be, according to the learners' responses, contributing to the creation of an unsafe environment for learners. Bullies that are waiting for a chance to attack or threaten innocent learners, and other learners who want to address unresolved break-time issues, might make use of the time when educators choose to leave the classroom. Thus, teachers should accept that they could be legally accountable for not protecting learners' rights. Section 12(1)(c) of the Constitution in turn provides that all persons have the right to freedom and security of the person, which includes the right to be free from all forms of violence from either public or private sources. Notwithstanding the fact that the rights to bodily and psychological integrity, dignity, privacy and equality are enshrined in the South African Bill of Rights and therefore protect learners, bullying is still being ignored by many teachers as just "children's nonsense", and many learners must face the psychological consequences on a daily basis.

The South African Schools Act (SASA) (Act no 108 of 1996)
National legislation fulfils its constitutional duty to ensure a safe school environment by making a number of provisions in the South African Schools Act, 1996 (Act 84 of 1996). In Section 8(1) of the South African Schools Act, 1996 (Act 84 of 1996), school governing bodies are obligated to draw up a code of conduct for learners after consultation with learners, parents and educators. In terms of Section 8(2), the code of conduct must be aimed at establishing a disciplined and purposeful school environment dedicated to the improvement and maintenance of the quality of the learning process. Section 8(4) places a legal obligation on learners to comply with the code of conduct of the school they attend, and in terms of Section 8(5) a code of conduct must make provision for due process to safeguard the interests of the learner and any other party involved in disciplinary proceedings. This implies that the school's disciplinary committee must take certain procedural steps in accordance with the rules of natural justice (e.g. the *audi alteram partem rule* or "listen to the other side") before taking action against a learner (Prinsloo, 2005:7). The Act also includes expulsion of learners as a corrective measure where serious misconduct has been committed.

School rules, code of conduct, safety policies from schools
With regard to discipline, school governing bodies also have a duty to ensure that their codes of conduct include policies and procedures that are appropriate for dealing with matters such as drugs, sexual harassment, bullying and other forms of abuse, and that these policies are implemented and revised on an ongoing basis. Therefore the code of conduct is central to discipline in any school. The researcher requested a copy of the school rules and code of conduct from each of the participating schools. Each of the nine schools provided a neatly typed code for their particular school. Even though all the schools had codes of conduct, not all of them were comprehensive to the extent of detailing how they would provide the learners with a safe environment. They all had long term goals, although not all stated short term goals clearly, nor indicated ongoing school improvement activities. In all the schools, the code of conduct, except for the vision and mission statement, seemed to present a list of do's and don'ts, and the consequences of not following the rules. Most of the school rules seemed to be based on the individual preferences of teachers, for instance those concerning hairstyles,

short nails for girls, school uniform, etc. that had nothing directly to do with maintaining order in the school, or maintaining the safety of the learners for the sake of ensuring that learning takes place.

The purpose of the study was, however, not to examine the content of each code of conduct and set of school rules in detail. The researcher was more interested in investigating to what extent the application of school rules, the code of conduct and disciplinary strategies complied with the constitutional right to learn in a safe and secure environment. For instance, the researcher was concerned as to whether the measures dealing with bullying and harassment were explained, or whether the procedures in case of suspension and expulsion were stipulated in the code of conduct. Learners and parents are entitled to be informed as to how these issues will be addressed, for the sake of the safety of their children. Seven of the nine schools did indicate disciplinary steps followed for suspension or detention in their code of conduct.

Only one of the nine schools (School A) required their learners and parents to sign an agreement between staff, parents, learners and governing body to acknowledge that they had read the school rules, and to undertake to support the authority and discipline of the school. While in some schools only punitive disciplinary measures are used, other schools did have in place more preventive disciplinary measures, providing counselling and explaining the corrective measures that would be taken in cases of misconduct. However, in most schools' rules, misconduct and punishment were clearly defined, for instance to inform learners what will happen in case of suspension and expulsion, and reference is often made to the SA Schools Act 84 of 1996.

Different forms of punitive discipline include writing out, demerits, detention, fatigue duties, community service, order marks, loss of privileges, special reports, disciplinary interviews and hearings, and for serious misconduct, suspension and expulsion. Only one school admitted that they use corporal punishment (School E), notwithstanding the fact that it is prohibited by law. The same school also did not address disciplinary measures, or explain the disciplinary procedures which will be taken in case of misconduct, in their school rules or code of conduct. Only in some schools (Schools F, G, H) were the code of conduct and school rules reviewed annually; one school had

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had the same code of conduct for more than ten years. Schools normally don't include the safety regulations for the school in their codes of conduct, but would have these as a separate document. School B and School I, however, do include safety regulations in their codes of conduct, concerning what would happen in the event of an accident involving school buses, swimming pool, trees, roofs and pedestrian crossings. This seems to be of great value for parents, caregivers and the school in case of an accident at school involving one of the learners.

The national policy on Health and Safety for Learners in Public Schools (2006:13) clearly advises schools that a school's code of conduct should specify the procedures that should be followed in case of sexual harassment and fighting; however, bullying is not included. Bullying is regarded as a Grade 2 offence by the Department of Education Code of Conduct (2007:25), and it is recommended by this code that the corrective measures should be a phone call to the parents and a warning letter following detention (2007:26). The National Department of Education sees bullying as just as serious an offence as stabbing someone with a sharp object such as a pencil, as it would also be regarded as a Grade 2 offence, according to the National Department of Education's Code of Conduct. It is important to acknowledge these matters in the school's code of conduct, in order to make it clear that behaviour which includes harming fellow learners or teachers will not be tolerated from learners while they are at school.

All schools except one said that they had a safety policy for their schools; however, only one safety policy was received by the researcher, which merely turned out to be the Health and Safety Policy guideline from the Department of Education.

5.3   INFORMAL OBSERVATION

The researcher made field notes of general observations while visiting the different primary and high schools. Certain factors were observed that were significant for this research and are worth mentioning. At certain schools the researcher could freely drive or walk into the school unannounced, and without any difficulty could have access to any of the classrooms without anyone noticing. At other schools, security measures

were in place; for example, a visitor's book had to be signed at the security guard's kiosk at the front gate before entering the premises. Other schools had an intercom service which required one to announce oneself at the gate before the gate would be opened. One of the schools was not properly fenced right around the school, and had damaged fences; this school was situated in a high crime area. Respondents of this school also experienced problems with trespassers. When the researcher asked about the broken fences, the Deputy Principal at the school said that the school had repaired it, but that it had been damaged again. The Deputy Principal replied that the teachers were aware that they would be liable if something happened to one of the learners, but they were prepared to take the chance anyway: no-one had yet laid a formal legal complaint against the school.

Another significant observation was that during the interviews with the learners, most of the learners seemed to hold back on information about themselves, but were very keen to inform on others, even giving their names, as if they wanted to get them into trouble. As a teacher working with adolescent learners, the researcher anticipated this behaviour and interpreted it as something that could be expected from children between the ages of 13 to 17 years. She then also handled the situation accordingly as required from a trained professional.

5.4   CONCLUSION

This chapter has discussed the responses of learners and senior management members to the questionnaires and interviews. The data collected from this mixed-method survey are presented according to the following themes that were identified in the interviews: safety at school, the role of discipline, support from the Department of

Education to public schools with regard to discipline, disciplinary procedures and punishment in schools, training needs regarding discipline in schools, school rules, and codes of conduct. The data obtained from the interviews are only concerned with the educators' perceptions of discipline in their own school. The data from the questionnaires were also presented according to themes, and contributed to the

analysis of both the questionnaires and the interviews. The following themes were established: safety at school, bullying and fighting, supervision of educators, discipline and punishment, serious misconduct, school rules and codes of conduct. Here the responses were based on the learners' personal perceptions of discipline and violence in their own schools.

Written documents that were consulted were the Bill of Rights in the South African Constitution and the South African Schools Act. This was to make sure that the school rules, codes of conduct and safety policies from the different schools were legally sound. The information gathered from the informal observations provided useful information that contributed to the analysis of the interviews and questionnaires. The following chapter will discuss the conclusions and recommendations based on the survey.

CHAPTER 6

CONCLUSIONS, LIMITATIONS AND RECOMMENDATIONS

6.1   INTRODUCTION

This chapter concludes the study by drawing conclusions about the possibility of the successful intervention of disciplinary strategies in the classroom and school in order to reduce or eliminate violence, making some policy recommendations and recommendations for further study, and discussing the limitations of the study.

6.2   CONCLUSIONS

6.2.1 The role of educators and other role players in the establishment and maintenance of discipline in the classroom.

The data collected should provide evidence of the efficacy of establishing preventative disciplinary measures as a means of preventing inappropriate violent behaviour or changing it to behaviour that is more acceptable. It is of paramount importance that all school role players understand that without discipline a school cannot function properly. The educator interviewees concurred that violent behaviour constitutes a definite problem among learners in primary and high schools, and that bullying is a common problem that needs to be addressed. This general concern about a lack of discipline in classes and schools was also shared by most learners in all of the schools researched. Most of the learners and educators also agreed that it is important that discipline measures need to be in place to punish those who disrupt classes. This also applies to "less serious" offences such as vandalism, insolence against educators such as disrespect, and verbal abuse. The goals of discipline are to provide a safe environment for all learners and educators, but it is also the responsibility of the learners to show respect and accept discipline from their educators.

While positive school rules are imperative for effective schools, it is vital that rules should be clearly understood by learners, teachers and parents, and be openly

discussed. Schools should also keep in mind that it is important to keep the founding values of the Constitution, namely human dignity, equality and freedom in mind when exercising learner discipline in schools. The responses of the learners to the questionnaires showed that they felt that consistency is very important for effective discipline. It seems that learners react to what teachers do, and not to what they say they are going to do. It is the duty of parents, teachers and the community to identify behaviour problems at an early stage and implement effective behaviour modification or preventive programmes in order to help learners cope with aggressive behaviour.

6.2.2 The experiences of learners and educators in the maintenance of discipline in the classroom

The objective of this study was to obtain insight into how educators and learners maintain discipline in their primary or high schools with regard to the different forms of violence at school. The results in this study revealed that both the primary and high school educators experienced violence in their schools as a serious reality. Although educators do not always do the "right" thing according to the learners, they are facing huge challenges on a daily basis, perhaps more than many other occupations, and therefore they need the support of parents and other role players in education to help them to succeed. All the interviewees agreed that the involvement of parents would definitely improve discipline in schools.

The very nature of the violence experienced at school would seem to have escalated to the extent that those who want to learn are too disempowered through intimidation and physical force to actually perform academically to the best of their ability. Sadly, it would seem that the inability of one generation to unite in creating or preserving a culture of responsible education might be removing the opportunity from the next generation, of knowing the benefits of discipline and respect in a responsible, supportive learning environment.

6.2.3 The role of school rules and codes of conduct

The responses in both the interviews and questionnaires revealed that many learners in the researched schools did not have much knowledge of their school rules, and

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many learners commented on teachers who were not consistent when it came to discipline. While positive school rules are imperative for effective schools, it is vital that rules should be clearly understood by learners, teachers and parents, and be openly discussed. In addition, codes of conduct and school rules seem meaningless to learners, parents and educators when it is not written in a language everyone can understand.

Schools should also keep in mind that it is important to keep the founding values of the Constitution, namely human dignity, equality and freedom in mind when exercising learner discipline in schools. When there is a clear understanding of what is expected from the learners as stated in the school rules and code of conduct, learners seem to accept the consequences of their actions. Furthermore, school rules seem worthless to many learners if they are not implemented consistently by the teachers in charge. Often learners know the consequences of unacceptable behaviour, but because of the inconsistency of teachers when administering punishment, many learners ignore the rules, because they know they will get away with bad behaviour anyway. Joubert *et al.* (2004:83) state that

> *"School rules, especially those that relate to acceptable behaviour and the consequences of breaking them, should be clearly specified and communicated to staff, learners and parents by means of a copy of the code of conduct, newsletters and discussions during assemblies and in classes".*

Once the rules have been communicated, fair and consistent enforcement is necessary to maintain learners' respect for the school's disciplinary system. Educators should also support principals by ensuring that the learners know the school rules as stated in their code of conduct, and be held responsible for any misbehaviour.

6.3   RECOMMENDATIONS OF THIS STUDY

- The empirical survey in this study was limited to one city in the Eastern Cape Province. Further research should be done which includes more respondents from other provinces to provide more generalisability.

- School management should implement Life Orientation support programmes focusing on parent guidance to help parents with educating their children on anger management and the prevention of violent behaviour at school. Parent involvement needs to be encouraged, as the lack of parent involvement was highlighted by all the interviewees.

- Educators should be made aware of the damaging consequences of being inconsistent or ambiguous in their responses to misbehaviour.

- The Department of Education needs to ensure that all schools in its jurisdiction have well-published discipline policies, a code of conduct and school rules for their school which clearly specify the consequences of misbehaviour.

- The Department of Education needs to give support to schools with discipline problems, even supporting cases where expulsion is required, for the sake of learners' safety.

- Educators should know the law concerning education, to protect themselves and their learners. Workshops need to be run by the Department of Education on educational law.

- The Department of Education needs to run workshops regarding bullying, how to handle violent situations at school, and effective strategies to cope with class discipline.

- Effective management workshops for principals and SMT members should be held frequently to help improve management and discipline in schools.

- Educators should adopt various strategies to motivate and encourage learners to learn by making the learning content interesting so that learners will want to learn.

6.3   LIMITATIONS OF THE STUDY

The main limitation lies in the scope of this study. Schools in all provinces in South Africa need to be researched to enhance the generalisability of studies such as this one. The limited use of specific grades for this study might fail to expose certain differences that could occur at different phase or grade levels.

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6.4   CONTRIBUTION OF THE STUDY

This study should contribute to the field of educational management and educational law by enhancing our understanding of the role of discipline in combating violence in primary and high schools.

The study extends the existing literature by providing insight into the perceived causes of school violence and lack of discipline in schools. It provides further insight into educators' and learners' experiences of violence at school, and into the importance of using school rules and codes of conduct to maintain discipline and safety in schools. A further contribution of this study may be seen in the perceptions of the learners and educators of what really works in practice, and what does not. Codes of conduct and school rules seem meaningless to learners, parents and educators when it is not written in language everyone could understand.

Lastly, it gives an indication of possible preventative strategies to counter an escalation of school violence. It also provides insight into the nature of educators' experiences with regard to maintaining a safe, disciplined school environment.

6.5   FINAL WORD

To ensure the safety of the learners and to create an environment that is conducive to learning are the two goals of discipline which form the basis of this study. Discipline and safety are related to schools' success, and they cannot be separated. Schools that do not maintain discipline create an unsafe environment where the ability of learners to learn is impaired; therefore they cannot develop to their full potential. This would mean that a school's success is therefore derived from the good behaviour of the learners. Furthermore it is also the legal duty of an educator to protect learners against any danger while they are under the educator's supervision. Therefore the lack of supervision of learners, and the failure to take precautionary measures to protect learners, defeats the goals of school discipline.

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APPENDIX A: INTERVIEW GUIDE

Participation in this study is voluntary and anonymity will be protected. Identity of participants will not be linked to their experiences, views or opinions that they provided.

INTERVIEW WITH PRINCIPAL OR SENIOR STAFF MEMBER

1. How many learners are at your school?   ……………
2. How many educators are on your teaching staff?……………
3. What are the average numbers of learners per class?……………
4. Do you have a written copy of your schools code of conduct and school rules to share with me?
   YES/NO
5. Do you have a safety policy for your school?
   YES/NO
6. Do your teachers do playground duty at both breaks and before and after school?
   YES/NO
7. Do you have a visible substitute timetable for whenever a teacher is absent?
   YES/NO
8. What creates the most discipline problems at this school?
9. Did you have any learners recently who were involved in violent acts, sexual harassment, drug or alcohol related at school?
   Can you tell me more about any of the incidents?
10. Please explain what procedures you follow in case of a school fight where weapons were used?
11. Would you say that these procedures are efficient enough? Why?
12. Would you say that the teachers in your school have discipline under control? Explain.
13. What disciplinary methods do you use in your school?
14. Do you think they are successful?
15. Do the learners know the school rules and what is stated in the code of conduct of your school?

16. How did you make the learners aware of the expectations of the code of conduct and of the consequences for not following the rules at the school?

17. How did you inform the parents of the disciplinary methods and the expectations of the code of conduct?

18. Have you or your staff ever received any training in regard of how to deal with violence at school?

19. Would you say that discipline problems in your school increased or decreased during the last two years, and what would you say could be the reasons behind this?

20. In your own opinion what would you say could improve discipline at schools?

21. a) What would you do when a learner vandalizes school property ?

  b) Threatens the school staff?

  c) Attack one of your staff members at school?

22. a) Do you think the learners in your school feel safe? Why do you say so?

  b) Do you think your staff members feel safe at school? Why do you say so?

23. Are you actively involved in the process of helping your staff members deal with misconduct in their classes? How do you do that?

24. Please indicate which of the following workshops you or your staff would consider attending? *Say yes or no*

• Improving discipline in schools.
• Training, on how to handle violent situations at school.
• Crime prevention awareness
• How to write a code of conduct
• How to assist learners that have to cope with bullying, assault, etc.
• Aspects of educational law
• Trauma counseling

25. Do you want to add another or other topic?

26. Please read the following scenarios and feel free to respond how you would react if a situation similar would occur in your school.

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Scenario 1:

A mother complains to you in a letter that her daughter is bullied at school during break time by another girl in the toilets. Her daughter is now afraid to come to school; the accused has been in trouble before for picking on smaller children. What will you do?

Scenario 2

A boy brought a sharp knife to school; he showed it to various learners and said that he is going to stab another boy who owes him money. A learner comes to you and tells you about it but, she asks you not to say it was her that told you. What would you do?

Scenario 3;

A learner got angry with another because he called him fat and stupid, a fight broke out between the two learners, classroom furniture was thrown around and the other learner got badly hurt and had to be taken away by ambulance. The rest of the class witnessed this and was really upset about the incident. What would you do?

Thank you for your time.

APPENDIX B: QUESTIONNAIRE FOR LEARNERS

Participation in this study is voluntary and anonymity will be protected. Identity of participants will not be linked to the experiences, views or opinions that they have provided.

(GR.7, 8, 9, 10, 11). *Put a circle around the grade you are in.*

QUESTION 1:

How old are you? …………….. Male/Female …………….

QUESTION 2:

Do you feel safe at school? *Please tick one.*

Yes ☐ *No* ☐ *sometimes* ☐

QUESTION 3:

What does a safe school mean to you? Explain.

……………………………………………………………………………………………

……………………………………………………………………………………………

………………………………………………………………………………………

QUESTION 4:

Where at school do you feel most unsafe? *Please tick one.*

Classroom ☐ toilets ☐ corridors ☐ bus ☐ playground ☐ I feel safe everywhere ☐

QUESTION 5:

Do you think discipline is necessary in a school? Explain.

……………………………………………………………………………………………

……………………………………………………………………………………………

………………………………………………………………………………………

QUESTION 6:

On a scale of 1-4, what would you consider is the cause of discipline problems at your school? **1-definite, 2-not always, 3- sometimes, 4- never**

Please tick in the correct block

Discipline problems	1-definite	2-not always	3- sometimes	4- never
Teachers absent				
Gangsters				
Too many learners in one class				
No textbooks				
No supervision on playground				
Unprepared teachers				
Work is boring				
Teacher can't teach subject				
Classes left unsupervised				
Teachers have no control over disobedient learners				

QUESTION 7

Where do you think the most, fighting or bullying occur at school?

Rank from 1-5: 1 for the most and 5 for the least.

In the classroom	
When there's no teacher supervision	
Outside the school gate	
In the toilets	
In the bus	

QUESTION 8:

Do you think there is good discipline at your school? Explain.

………………………………………………………………………………………………

………………………………………………………………………………………………

………………………………………………..……………………………………………

QUESTION 9:

Do you think that schools that enforce good discipline have less violence in their schools? Motivate your answer.

………………………………………………………………………………………………

………………………………………………………………………………………………

QUESTION 10:

Please tick one.

I've read the schools rules and I do have a copy of the rules and code of conduct.　☐

I have not read the school rules or code of conduct, I do have a copy.　☐

I've never read the school rules or code of conduct and don't have a copy of either one.　☐

I've never read the school rules or code of conduct but my teachers have read it to us,

I don't have a copy.　☐

QUESTION 11:

Do you think that learners at your school follow the school rules as written down?

Please tick one.　Yes ☐　　No ☐

QUESTION 12:

Is there any school rule that you would like to add to your school's list of school rules?

………
………
………
………………

QUESTION 13:

Who is on duty at break times?

...……
………...…………
…………………………………………………..……………………………………………………………………
………………

QUESTION 14:

 What would you say would be the best way to punish those who disrupt school by fighting, swearing, bullying and teasing?

………
………
……………………………………………………………………………….……………………………………………
………………

QUESTION 15:

What would happen to you if you bring drugs to your school? Explain.

………
………
………………

QUESTION 16:

Who would you tell if someone brings a knife/gun to school? *Please tick one.*

Friends ☐　　　　teachers ☐　　　　prefects ☐　　　　no one ☐ my parents ☐

QUESTION 17:

Does learner's co- operate with the prefects at your school? *Please tick one.*

Yes ☐　　*No* ☐　　　*sometimes* ☐

Explain.

………………………………………………………………………………………………………

………………………………………………………………………………………………………

………………………………………………………………………………………………………

………………….

QUESTION 18:

Have you ever been physically bullied or attacked at school by other learners?

Please tick one. Yes ☐　　　　*No* ☐

Have you told anyone about it? *Please tick one. Yes* ☐　　*No* ☐

Tell me more about it.

………………………………………………………………………………………………………

………………………………………………………………………………………………………

………………………………………………………………………………………………………

……………….

QUESTION 19:

Have you ever seen someone being physically bullied or attacked at school by other learners?

Please tick one. Yes ☐　*No* ☐

Have you told anyone about it? *Please tick one. Yes* ☐　　*No* ☐

Tell me more about it.

………………………………………………………………………………………………………

………………………………………………………………………………………………….……

QUESTION 20:

How do teachers react when you tell on someone that is constantly bullying others?

………

………

………

………………

QUESTION 21:

Do you think corporal punishment should be brought back in schools? Explain.

………

………

………

………………

QUESTION 22:

How would you deal with someone who is stealing from you all the time, (the person is known as the school bully).

………

………

………

………………

QUESTION 23:

Do you think teachers at your school handles discipline well? Explain.

………

………

………

QUESTION 24:

If you were a teacher at your school how would you handle discipline differently?

………

………

………

Thank you for your time!

26 Pell Street

Beacon Bay

East London

5241

5 May 2008

Mrs. N. Mahanjana/Mr. J. Makgato (MEC)

The Eastern Cape Department of Education

Bhisho

Eastern Cape

5608

To whom it may concern:

REQUEST FOR PERMISSION TO DO RESEARCH IN SCHOOLS

I am currently busy with an M.Ed degree at the University of Fort Hare, in the field of Education Law. My propose research title is: ***The role of school discipline in combating violence in schools in the East London Region, Eastern Cape***. You will have to agree with me that this is a very relevant topic and of great concern to all in the educational field. I've been doing research on this matter for three years now, and would like to complete the study by the end of the year.

In order to provide an analysis of the present situation regarding discipline and safety in our schools I intend to do a small scale survey on the topic. A questionnaire will be issued to gain information from learners in Grade 7, 8, 9, 10 and 11 to obtain a general viewpoint from learners themselves. Interviews will be conducted with principals and senior staff from the same schools on their perceptions of the current situation to complete the study.

I therefore request permission to use the attached questionnaire in Primary and High schools. Schools will take part on a voluntarily basis and confidentiality and anonymity will be protected. Furthermore I hereby undertake that;

- No school would be identified in the thesis writing or subsequent writing I should undertake.
- No principal or senior staff member shall be named or identified.
- No learner shall be named or identified.
- A copy of the completed thesis will be made available to the Department.
- Findings and feedback would be shared with the schools involved in the research.

I would sincerely appreciate a reply to this request as soon as possible. For further information regarding this study, feel free to contact my supervisor Mr. Mike Adendorff or Dr. Duku at the University of Fort Hare (043 7047020).

The reply could be send by e- mail to me: mariesmit@mweb.co.za

Thank you for your assistance in this matter.

Yours faithfully

Marie Smit (Mrs.)   Cell nr. (0824196956)

Province of (toe
EASTERN CAPE
DEPARTMENT OF EOUCATtQN: EAST **LONDON** DiSTRtCT

Dr. **VV8** Ratasana Building * NU 1 Mdantsane' Pr.vate Bag X900T • East London * 5203 REPUBLIC OF SOUTH **AFRICA** " Tel:*27 W>43 70S 6208 **Fax:** +27 (Q)43 760 0545 *Wefesfte: **eq0fov.gov .za** " Smsii:Date. 2S May 20C8

Mrs M Smit 26 Pell Street
BEACON BAY
5241

FAX NO: 043-7485100

Dear Madam

REQUEST FOR PERMISSION TO CONDUCT **RESEARCH IN SCHOOLS**

Your tetter dated 05 May 2008, received on 16 May 2008 has reference.

Permission is hereby granted for you to conduct research in some schools of your crwice in the East London District.

Yours faithfully

W M NGWANYA
DISTRICT DIRECTOR

APPENDIX D: A LETTER TO SCHOOL PRINCIPALS OF HIGH SCHOOLS
LETTER OF REQUEST FOR PERMISSION TO CONDUCT RESEARCH

26 Pell Street
Beacon Bay
East London
5241
3 June 2008

The Principal

Dear Mr. ….

I am currently busy with an M.Ed degree at the University of Fort Hare, in the field of Education Law. My propose research title is: THE ROLE OF CLASS DISCIPLINE IN COMBATING VIOLENCE IN SCHOOLS IN THE EAST LONDON REGION, EASTERN CAPE. You will have to agree with me that this is a very relevant topic of great concern to all in the educational field. I've been doing research on this matter for three years now, and would like to complete this study by the end of the year. Permission was also granted by the district director Mr. Ngwanya to conduct research in schools of my choice.

In order to fulfill the requirements for this degree I kindly request to conduct a small scale research project, consisting of two parts in your school. **The first part** of the research is to conduct **interviews with yourself or a senior staff member** which I will arrange in a suitable time for you. I also request that interviews would be recorded in order to save time. I assure you complete anonymity and confidentiality of your responses.

The second part of this research is to obtain information from **questionnaires, completed by the following learners in your school:**

10 Learners from any Grade 8 class

10 Learners from any Grade 9 class

10 Learners from any Grade10 class

10 Learners from any Grade 11 class.

 It would be greatly appreciated if the questionnaires could be completed by the 27th of June. **All completed questionnaires will be collected at your school, you can contact me as soon as you have completed it.**

I hope that the information gained from this research will be of great help to you and your staff and that together we might find solutions for our current discipline problem in schools in order to provide a safe study environment for all concerned. I am willing to share my findings and feedback on this research should you be interested. If you require further information in consideration to my request feel free to contact my supervisor, Mr. Mike Adendorff at The University of Fort Hare. Should you have any difficulties or queries regarding the questionnaire, please feel free to contact me on my mobile **0824196956.**

I have attached an interview schedule for yourself and a copy of the questionnaire for the learners for you to study beforehand and will contact your office soon, to arrange an interview.

Your assistance by taking part in this research is greatly appreciated and valued.

Kind regards

Marie Smit (Mrs.)

Teacher at Parkland Special School (043 7485749)

APPENDIX E: A LETTER TO SCHOOL PRINCIPALS OF PRIMARY SCHOOLS
LETTER OF REQUEST FOR PERMISSION TO CONDUCT RESEARCH

26 Pell Street
Beacon Bay
East London
5241
3 June 2008

The Principal

Dear Sir

I am currently busy with an M.Ed degree at the University of Fort Hare, in the field of Education Law. My propose research title is: ***The role of school discipline in combating violence in schools in the East London Region, Eastern Cape.*** You will have to agree with me that this is a very relevant topic of great concern to all in the educational field. I've been doing research on this matter for three years now, and would like to complete this study by the end of the year. Permission was also granted by the district director Mr. Ngwanya to conduct research in schools of my choice.

 In order to fulfill the requirements for this degree I kindly request to conduct a small scale research project, consisting of two parts in your school. **The first part** of the research is to conduct **interviews with yourself or a senior staff member** which I will arrange in a suitable time for you. I also request that interviews would be recorded in order to save time. I assure you complete anonymity and confidentiality of your responses.

The second part of this research is to obtain information from **questionnaires, completed by one Grade 7 class in your school.** It would be greatly appreciated if the questionnaires could be completed by the 27th of June.

All completed questionnaires will be collected at your school as soon as you have completed it.

I hope that the information gained from this research will be of great help to you and your staff and that together we might find solutions for our current discipline problem in schools in order to provide a safe study environment for all concerned. I am willing to share my findings and feedback on this research should you be interested. If you require further information in consideration to my request feel free to contact my supervisor, Mr. Mike Adendorff at The University of Fort Hare. Should you have any difficulties or queries regarding the questionnaire, please feel free to contact me on my mobile **0824196956.**

I have attached an interview schedule and copy of the questionnaire for learners for you to study beforehand and will contact your office soon to arrange an interview.

Your assistance by taking part in this research will be greatly appreciated and valued.

Kind regards

Marie Smit (Mrs.)
Teacher at Parkland Special School (043 748 5749) or (0824196956)