

THE ROLE OF SCHOOL GOVERNING BODIES IN
THE EFFECTIVE GOVERNANCE OF SCHOOLS IN
THE KLERKSDORP DISTRICT:
A PUBLIC ADMINISTRATION PERSPECTIVE

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ABSTRACT

Since the new dispensation, all stakeholders in the school are expected to play an active role in the governance of schools. It is not the responsibility of government alone to see that schools are up and running. Parents, educators, non-teaching staff, learners (in Secondary Schools) and the community must also share their ideas on how the school is to be administered.

This study has focused on the knowledge that the School Governing Bodies (SGB's) should possess in relation to legislations and the application of the knowledge make an impact in the administration and management of the school in the Klerksdorp-area.

For schools to function effectively, the School Governing Bodies need to know that the Constitution (Act 108 of 1996) is the supreme law that has an impact in all education legislations, policies and regulations. Therefore, whatever school policy is to be developed should take cognizance of the Constitution.

Central to the study is the SGBs' understanding of their roles and functions as stipulated in the Schools Act, (Act 84 of 1996) to avoid conflict of interest and administer the school efficiently and effectively. It is expected that the SGBs should transfer their knowledge into action by formulating policies that govern the school. By formulating school policies the SGB will then be able to have an influence since clear directions will be stipulated in the school policy on how the school is to be managed and administered.

School Governing Bodies, as governors of the school are also accountable to people that elected them. It is their responsibility to provide feedback to their constituency and to inform them on the progress made.

CHAPTER ONE

THE ROLE OF SCHOOL GOVERNING BODIES IN THE EFFECTIVE GOVERNANCE OF SCHOOLS IN THE KLERKSDORP DISTRICT: A PUBLIC ADMINISTRATION PERSPECTIVE

KEY WORDS: School Governing Bodies, Public Administration, Management, School

1.1 ORIENTATION AND PROBLEM STATEMENT

During the apartheid era the political system in South Africa allowed little education input from stakeholders regarding the governance of their schools. This was also the case with black schools and the approach by government has been top-down and authoritarian. The parent's community representatives, at best, only participated in an advisory capacity regarding the governance of their schools (Christie, 1991:34-48; Cosser, 1991:45).

The Bantu Education Act 1953 introduced the abovementioned state of affairs and specifically paved the way for the black communities to be eradicated from the decision-making process regarding black education. The so-called Bantu Education, as referred to by Hartshorne (1999:25) and Dekker & Van Schalkwyk (1995:456-457), was specifically meant for black children to be educated to serve their own communities. They consequently did not form part of the mainstream of the education system in South Africa.

Eventually these poor education standards, as well as the issue of non-representation in the governance of schools, led to wide opposition in black communities. This combined with the fact that Afrikaans was the medium of education in schools, led to the up-rise during 1976, when pupils started to boycott classes (Christie, 1991:240; Hartshorne, 1999:27-28). In 1985 a state of emergency was introduced and black education started to collapse completely in several areas. In Soweto parents formed a committee, called the Soweto Parent's Crisis Committee, to organise a national

conference to address the exclusion of blacks in the decision-making process regarding education. The outcome of the conference was a strong negotiating team, called the National Education Crisis Committee (NECC). The NECC strived for the creation of an education system along the lines of people's education and the active involvement of black people in education matters (Cosser, 1991:59). The State was obliged to take notice of the NECC, and the Department of Education and Training (DET) lost its authority in many of the urban schools (Marcum, 1982:81).

The Human Science Research Council (HRSC) was requested to investigate the problem of the education system. The HRSC formed a commission, called the De Lange Commission, and in their report they suggested a single education department for the entire country. The Commission also recommended a system of educational decision-making and management to be designed to ensure participation of all interested parties in governance at local, regional and national level (Cosser, 1991:57; Marcum, 1982:81).

The foundation was thus laid for changes in the education system and for black communities to participate in the decision-making process regarding the governance of black schools (Human, 1998:12). Since 1996 the Constitution, Act 108 of 1996 determined that the school education system had to be transformed and democratised in such a way that everyone has the right to participate in the governance of schools.

The transformation of the education system includes, inter alia, the principle that stakeholders, such as parents, educators, learners and communities, must participate in the governance and management activities of schools. The introduction of the South African School Act, 1996 co-here with the Constitution and determined that all communities had to be empowered so that they could participate in the governance of schools. The vehicle to reach this objective was the establishment of School Governing Bodies (SGB's). By giving the SGB's powers to govern schools, the situation has been created that communities are now co-responsible for the delivery of effective education to children (Human, 1998:53).

A major problem with the new system is, however, that it seems that the SGB's experience several difficulties in reaching some of their objectives. One such a

problem seems to be that these bodies do not have the capacity or know-how to govern schools effectively. Another problem appears to be the ignorance or manipulation of the decisions being made by the SGB's and school management structure (Human, 1998:53). If this is the case the new education is in jeopardy and the purpose of this analysis is to determine whether the role of the SGB's is currently experienced positively by the SGB members and whether they indeed play an effective role in the governance of schools.

From what has been discussed, the following research question can be asked; *“Is the role and functions played by the School Governing Bodies (SGB's) in the governance of schools effective according to public administration standards, and do the SGB members understand their role to secure effective governance in their schools?”*

With the above-mentioned discussion as background the following research questions can be asked:

- What are the legislative requirements for the effective governance of schools by School Governing Bodies?
- What does 'effective' governance mean in public administrative terms?
- What is the role and functions of the SGB's in the effective governance of schools?
- Do the members of SGB's understand their role to secure effective governance in schools?
- Do the SGB's in the selected Klerksdorp schools function effectively?

1.2 OBJECTIVES OF THE STUDY

The objectives of this mini-dissertation are to establish the following:

- To determine what legislative requirements are for effective governance of school by School Governing Bodies?
- To determine what 'effective' governance means in the context of Public Administration.

- To establish whether the SGB's have adequate knowledge of current legislation and policies on the governance of schools.
- To establish whether the members of the SGB's understand their role to secure effective governance in schools with specific reference to the selected schools in Klerksdorp

1.3 CENTRAL THEORETICAL STATEMENT

The South African Schools Act, (No. 84 of 1996), brought a new governance system in schools, which determines that effective school governance should be the responsibility of all stakeholders in order to enhance quality education. The Act also stipulates that a school should be governed democratically and that all stakeholders must have the right to partake in the decision-making process (Carrim, 2001:102).

1.4 RESEARCH METHODOLOGY

To realise the aim of this study a qualitative method of research was deemed necessary since it will allow the researcher to observe the respondents' understanding of their roles and responsibilities and how they implement the knowledge for effective governance in schools in the Klerksdorp-area. Data will be collected through a structured questionnaire. Quantitative research uses statistics as a method of determining facts and interpretation of numbers obtained from measuring the perceptions of participants. A quantitative method of research will allow the researcher to assign numbers to observations by counting and measuring the current state of affairs regarding the perceptions of SGB members about their role in the management of schools (May, 1997:172 -173).

1.4.1 Literature study

Literature in the form of printed and electronic data will be used and investigated to qualify the proposed study. The following databases has been consulted to make certain that enough literature is available for this purpose:

- South African School Act of 1996.

- Dissertations and thesis of South African University.
- Ferdinand Postma Library (North-West University).
- Departmental School Governing Body workshop documents.
- Literature focusing on the historical background of the education system in South Africa.
- The South African Journals have been studied to put the research problem at hand into context, since the concept is still new.

1.4.2 Population

The research will consist of two schools in the Klerksdorp-area. The total number existing in the area is forty.

1.4.3 Sample

The two schools that were selected are Are-Fadimeheng Secondary School and Milner High School, because one school was an ex-Bantu school and the other one an ex model-C school.

1.4.4 Respondents

Structured questionnaires will be held with the SGB chairperson (parent), deputy chairperson (parent), three additional parents, the secretary, three teachers, the treasurer, the learner representative, one non-teaching staff member, the principal (ex-officio) and a co-opted community member from each school. In total twenty-eight respondents will thus take part in the study. This represents the core members of an SGB and would give a clear idea of the role and influence that the SGB's have on the governance of schools. Structured questionnaires will be based on the theory as discussed in Chapters Two and Three.

1.4.5 Data analysis

In this research design responses to questions contained in the questionnaire are displaced in tabular order to report statistics obtained from the research instrument.

1.5 CHAPTER HEADINGS

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| CHAPTER 1 | ORIENTATION AND PROBLEM STATEMENT |
| CHAPTER 2 | LEGISLATION AND THE ROLE OF SCHOOL GOVERNING BODIES |
| CHAPTER 3 | GOVERNANCE IN SCHOOLS: A PUBLIC ADMINISTRATION PERSPECTIVE |
| CHAPTER 4 | EMPIRICAL STUDY: THE SCHOOL GOVERNING BODY FOR EFFECTIVE GOVERNANCE IN SCHOOLS IN THE KLERKSDORP AREA |
| CHAPTER 5 | SUMMARY AND RECOMMENDATIONS |

CHAPTER TWO

LEGISLATION REGARDING THE ROLE AND FUNCTIONS OF THE SCHOOL GOVERNING BODIES (SGB's)

2.1 INTRODUCTION

Oosthuizen and Roos (2003:20) define legislation as the “the written legal rules drafted by a competent organ of state”. Oosthuizen and Roos (2003:21,47) further define the word “legislation” (also indicated in Section 2 of the Interpretation Act 33, 1957) as any statute, proclamation, ordinance or other measure, which give, inter alia, guidelines to an institution to govern. Education legislation is a vehicle used by the state to regulate the functioning of the education system to ensure an effective education system (Burger, 2002:6; Oosthuizen and Roos, 2003:35).

Legislation during the apartheid era had different objectives for the different racial groups. A racially and ethnically based system of governance has been at the heart of apartheid education (Jansen, 2001:13). Different education laws were applicable for the four racial groups in South Africa. As mentioned, the approach of governance during the apartheid regime was a top-down and non-consultative system that was not acceptable to all the inhabitants of the country (Jansen, 2001:42).

Prior to 1994, the education system had nineteen operating departments and each implementing their own regulations in terms of twelve Education Acts. This led to the creation of a large, fragmented and badly co-ordinated system and thus creating different and sometimes contradictory policies (NEPI, 1992:7-8; ANC, 1996:21; Jansen, 2001:43). Burger (2002:67) argued that legislation should not be a “perfunctory vehicle for engaging in *small talks*, but rather its purpose should be to confer a benefit...”. Consequently the new legislation was promulgated since 1996 to address the problems and to lay down new guidelines for a new educational system for South Africa.

This chapter will give an overview of the old educational policies and legislation and will also analyse education legislation after 1994. The reason for this is to contextualise the development of the education system. Legislative changes after 1994 will also be

discussed and emphasis will be placed on the South African Schools Act of 1996 as well as the school governing bodies and their responsibilities.

2.2 LEGISLATION CHANGES

Christie (1991:244) argued that the 1976 uprising was not only embedded in the then education legislation, but also because of the political situation in the country. According to Van der Walt and Helmbold (1995:30) government realised that there was a need to make constitutional changes to ensure peace and stability in South Africa. In response to the grievance of Blacks, as indicated in Chapter One, the State introduced the Education Act 1979 (Act 90 of 1979) and it came into operation on the 1st January 1980. The Act made provision for new developments in Black education, such as compulsory and free education, subject to co-operation of the parents and the choice of the medium of instruction from standard three (grade v) onwards. It also repealed all the existing legislation related to black education promulgation between 1953 and 1978 (Behr, 1984:200; Vos & Brits, 1990:67). This means that changes regarding the education system already started in the late seventies and early eighties.

The Coloured Person's Education Act of 1963 was amended in 1983 and became Act 85 of 1983, which brought the Coloured education in line with that of White education. The Indian Advanced Technical Education Act, 1968 (Act 12 of 1968), the South African Indians Council Act, 1968 (Act 67 of 1968), were amended and replaced by the South African Indian Council Amendment Act of 1972. The purpose of the South African Indian Council Amendment Act (Act 67 of 1972) was to create a body representing the Indian community to advice government and to make recommendations on all matters affecting the Indian people. The Indian Education Act of 1965 was amended and became the Indian Education Amendment Act of 1997, which allows the State to finance the Indian schools. The National Education Policy for General Education Affairs was passed in 1984. This brought education structures in line with the new Constitution of 1983 (Christie, 1991:54).

Although the apartheid government tried to repeal the acts that were seen to be a hindrance to democracy, the system was still divided according to race and colour and there was no representation of Blacks in the three houses of parliament. The State established the De Lange Commission in 1981 to investigate the education crises and

recommend to the State any changes that might be effected. In 1983, government issued a White Paper accepting the De Lange guiding principles except for a notion of a single department of education for all (Christie, 1991:58,64; Hartshorne, 1999:72).

The Black community exerted significant pressure on the State to grant policy concessions. According to Van der Waldt and Helmbold (1995:32) the State did not only receive pressure from the community but also from the international community by way of sanctions and diplomacy. This led to the total transformation of the education system in South Africa. The transformation of the education system will be discussed in the next section.

2.3 TRANSFORMATION OF THE EDUCATION SYSTEM IN SOUTH AFRICA

According to Soudien *et al.* (2001:80), “transformation in South Africa has been called upon to address and to overcome obstacles perceived to impede the achievement of equity”. In December 1991, the first negotiations, called the Convention for democratic South Africa, took place. The Multi-Party Negotiating Process resumed in April 1993 and its purpose was to review the Constitution of 1983 and to develop a new constitution for South Africa. This resulted in the Interim Constitution of 1993 and the final Constitution in 1996 (Basson, 1995: xxi). The relevancy of a constitution for a subject such as Public Management and Administration is to regulate activities such as education. This will be emphasized in the next section.

2.3.1 Constitution, education and public administration

The Constitution of 1996, (Chapter Ten (10)), Section 195, states that within the public administration, there is a public service for the Republic, which must function, and be structured, in terms of national legislation, and which must loyally execute the lawful policies of the government of the day.

The Constitution states that everyone has a right to have access to education. The State must therefore take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of this right. The State can achieve its commitments only through effective and efficient government activities, which forms the basis for public administration

The Constitution, Chapter 10, Section 195 (1) states that public administration must be governed by the democratic values and principles enshrined in the Constitution, including the following principles:

- A high standard of professional ethics must be promoted and maintained.
- Efficient, economic and effective use of resources must be promoted.
- Public administration must be development-oriented.
- Services must be provided impartially, fairly, equitably and without bias.
- People's needs must be responded to, and the public must be encouraged to participate in policy-making.
- Public administration must be accountable.
- Providing the public with timely, accessible and accurate information must foster transparency.
- Good human resource management and career-development practices to maximise human potential, must be cultivated.
- Public administration must be broadly representative of the South African people, with employment and personnel management practices based on ability, objectivity, fairness, and the need to redress the imbalances of the past to achieve broad representation.

A Constitution, if there is one, is the highest law in a country. All legislations passed in parliament are embedded in the principles found in a Constitution. Any policy development should not contradict such Constitution. In the South African Constitution there is, for instance, a section included which states that the child's best interest is of paramount importance in every matter concerning a child. This means governance of schools must at all times be in the interest of the learners. Section 29 of the Constitution protects the right of education and it states, "Everyone has the right to basic education". The Constitution is also the cornerstone of the South African Schools Act (SASA). Therefore, it provides a school governing body with the powers to run the school by law and in accordance with the Bill of Rights, 1996.

The principle about education, which is embedded in the current South African Constitution of 1996, was laid down in the Interim Constitution of 1993. The principles on education, as founded in the Interim Constitution, will be discussed briefly in the next section to contextualise the final contents on education in the Constitution of 1996.

2.3.2 The Interim Constitution, 1993 as foundation for the new education

After 1990 it was obvious that South Africa was on course for renewal. The then Minister of Education, Professor Sibusiso Bengu, had a major task of dismantling nineteen ethnically based education state departments and establish a unitary, non-racial system of education. The system he established was based in nine newly demarcated provincial administrations in the country. These provinces were, according to government policy, responsible to start to develop the new education system for the new democracy (Manganyi, 2001:25). Section 126(3) of the Interim Constitution (Act No.200 of 1993) specifically empowered the Minister of Education to establish efficient management structures to develop the new system in line with the new democratic country (SA, 1994:42).

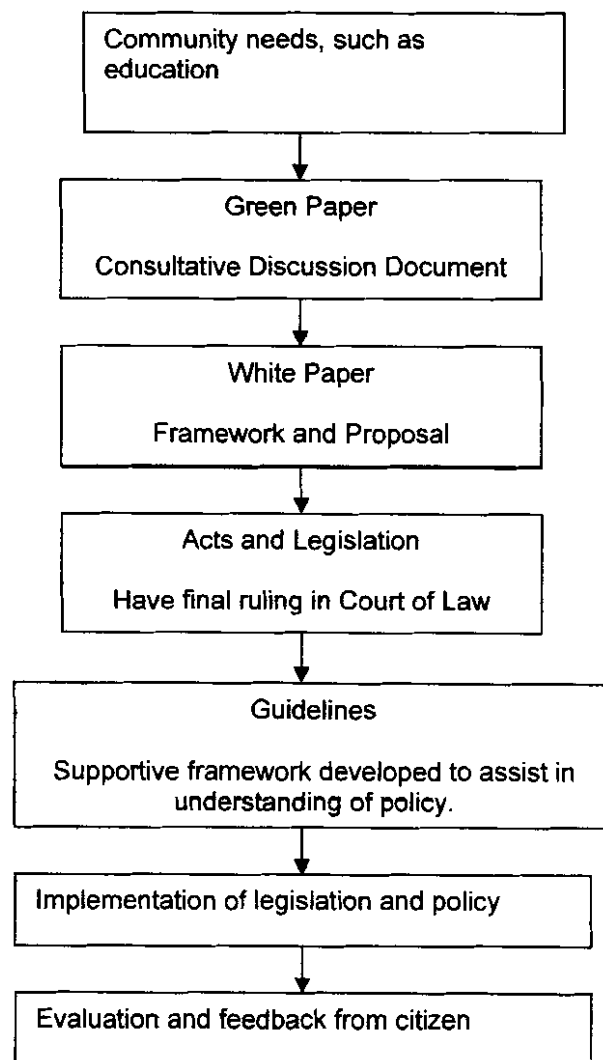
The apartheid education legislation was totally inappropriate to the new national and provincial systems and had to be replaced with new or revised legislation. Before the Minister could make any changes in the education system and its policies, Section 247 of the Interim Constitution (Act No.200 of 1993) required him to enter into bona fide negotiations with all stakeholders (Basson, 1995:335). It was on this basis that he invited the participation of parents, students, community leaders, religious bodies, NGOs, academic institutions, workers, business, the media and development agencies to design a new system to meet the personal and social needs as well as economic challenges to build a democratic nation (SA, 1994:4).

Because of the limited scope of a mini-dissertation, such as this, the study will further focus on the development of legislation on education; specifically legislation that addresses the governance of schools.

2.4 EDUCATION POLICY DEVELOPMENT IN SOUTH AFRICA

Manganyi (2001:28) viewed policy development and implementation of legislation as the vehicle of reforming the social services arena and adding sufficient value in establishing ways of running the national agenda, which Sayed and Carrim (1997:92) viewed as a process that is geared to enhance the participation of all stakeholders and citizens in the process of policy formulation. Manganyi (2001:28) further said that effective legislation and policies should facilitate the enactment of sound government action. Therefore, education legislation and policies are products of consultation with all stakeholders in the process of developing legislation and policies. The development of legislation and policies can be depicted as follows:

Diagram 2.1 The legislative processes



Source: (NCS Orientation: Facilitator's Manual: 2005:20).

This process will, in most cases, lead to the enactment of legislation and policies that are legitimate, non-racial and democratic. The current legislation on educational matters was developed according to the mentioned process and was open. Citizen's input was taken into account with the development thereof and although there are still identifiable problems, the new education system seems to be on track and in line with the citizen's wishes.

The legislation and policies that have an impact on the education system and governance of schools and which serve as guidelines to govern schools will be discussed next. This will give more insight on government's policies on education and will also lay the foundation on SGB's and their role in the governance of schools, the focus of this study.

2.4.1 Relevant legislation and policies since 1994

Legislation and policies that had an influence and gave guidelines to the development of education will be mentioned and then the actual legislation on governance will be analysed.

- The Draft Education and Training White Paper of 1994 outlined the macro principles for the development of the new education system.
- White Paper on Education and Training, 1995 outlined the macro principles for education in depth.
- The Labour Relation Act, 1995 providing a framework for the relationship between employees and their unions on the one hand, and employers and their organisation on the other.
- The South African Qualification Authority Acts, 1995. It provides a national qualification framework (NQF), which integrates all formal and informal learning programmes and qualifications in the country.
- The National Education Policy Act, 1996 gives the basis of the relationship between the National Department of Education and the Provincial Education Departments. It also empowers the Minister of Education to intervene if problems develop in provincial education departments.
- White Paper 2 (February 1996) the Organisation, Governance and Funding of

Schools.

- The South African Schools Bill (SASA), which directly addresses school governance (April 1996). It became the South African Schools Act, 1996.
- The Constitution Act, 1996 (Including Chapter 2, the Bill of Rights).
- The Employment of Educators Act of 1998. It had an impact on the powers of governing body, vis-à-vis teacher employment.
- The National Guidelines on School governance: First Steps: School Governance Starter Pack, 1997.
- The National Guidelines for SGB in adopting a Code of Conduct for Learners.
- The National Admission policy for ordinary public schools (1998) provides a framework to all provincial education departments and governing bodies for developing admission policies in schools.
- The Promotion of Administrative Justice Act 3 of 2000. In terms of the Constitution of 1996 (Act 108 of 1996) Section 33 every person is entitled to the lawful and procedurally fair administrative action where any of his/her rights or interests is affected or threatened. In terms of Section 1 of the Promotion of Administrative Justice Act of 2000 it means any act that negatively affects the person's right and is performed by:
- The Promotion of Access to Information Act 2 of 2000. The Act gives effect to Section 32 of the Constitution of the Bill of Rights that any information held by the State and any information, which is held by another person that is required for the exercise of protection of rights, should be available. The Act promotes a culture of transparency and accountability of private bodies.
- The Education Law Amendment Act, 2005, which empowers the SGB to suspend learners who commit serious misconduct, prohibit them from charging any other fee except schools and empowers the HoD to appoint candidates despite the recommended order of preference of the SGB.
- The Provincial Schools Act, 1997. This Act governs individual province according to their own environment and should no be in conflict with the National laws.
- North-West Department of Education SGB at a Glance Facilitators guide (2006). The document provides necessary resources for SGB's to develop and function effectively. Assist the SGB's to develop key competency they need to

perform core functions effectively.

The governance of schools should take place within the parameters of these legislation and policies. The legislation that addresses the governance of school directly will be analysed next.

2.5 SPECIFIC LEGISLATION AND POLICIES ON SCHOOL GOVERNANCE

The following legislation on school governance is applicable.

2.5.1 The White Paper on Governance and Management, 1995 and 1996

The first White Paper on education was published in February 1995, which led to the appointment of the Hunters Commission. The Commission was mandated to review the Organisation, Governance and Funding of Schools. The Hunters Commission presented its report in August 1995 that, in essence, proposed (Hartshorne, 1990:112-113; Sayed & Carrim, 1997:92-93):

- That there are two broader categories of schools to operate in South Africa. These would be public schools, meaning schools under the control of the nine education departments and independent schools, referring to private schools.
- That parents or guardians, students (in secondary schools only), teachers, non-teaching staff and the principal (*ex-officio*) should serve on the governing bodies of public schools.
- That member of the community should be represented and suggested that this could accommodate the owner of the school or the local traditional authority.
- That community representative should be elected on the basis of their 'expertise' that will enable them to contribute meaningfully to the school.

The report also suggested that political party representation should not be allowed and that learners to be excluded from the discussions about the principal or teaching staff; parents and guardian should have the largest representation of the constituencies represented on

the governing body (SA, 1995b: 16,17). According to Sayed and Carrim (1997:93) the most controversial aspect of the report were the models of school governance financing. Three such models were proposed, namely,

- The minimalist-gradualist approach which would allow most existing governing bodies to continue to function including the ex-Model C schools.
- The equitable school-based formula approach that is similar to the previous approach but argues for equal per capita expenditure and prohibits schools from raising additional monies.
- The partnership funding approach that included an equal per capita expenditure but where the state's commitment to operate costs is reduced depending on parental contribution.

White Paper Two rejected the financial recommendations proposed by the Hunter report and opted for a 'Fourth Option'. This option maintained the commitment to a uniform formulae-based system of funding, but enabled some schools to raise additional monies.

White Paper Two, however, also suggested a similar composition of governing bodies to that of Hunter Report. The main difference was the community representation, which was to be elected by the governing body and not the community. White Paper Two stated that parents should be in the numerical greatest stake in schooling. The Paper also suggested capacity building programmes for new governing bodies, since large numbers of members will serve on SGB's in future.

2.5.2 The South African Schools Bill 1996

In 1996, White Paper Two was presented as a bill, the South African Schools Bill to be read in parliament. This bill amalgamated, inter alia, the proposals from the Hunter Report and the two White Papers. While all previous actions to create an effective education system for the country were in a sense absolutely clear and with more guidelines, the Bill was completely clear and direct. It outlined and directly addresses governance structures in schools and set clear guidelines for schools to act on. For example, the Bill clarifies the conditions under which admissions and language policy can be determined. There is also

clarity on funding and school fees and public schools are defined. The Bill made it possible for governing bodies to determine the ethos and missions of their schools (Hartshorne, 1990:113 – 114; Sayed & Carrim, 1997:93).

2.5.3 The South African Schools Act, No. 84 of 1996 (SASA)

The South African Schools Act, 1996 set the new governance system in schools formally in motion and it urged all stakeholders to enhance a quality education system. The Act covers the funding, organisation and governance of schools. SASA outlines the powers and duties of governing bodies, the nature of their composition and the procedures and activities they need to follow to secure, as mentioned, quality education and governance. SASA also stipulates that all major decisions of the school need to be democratically decided upon by all stakeholders and that an attempt should be made of obtaining their views. The Constitution depicts democratic representation at national level, and NEPA at provincial level and SASA take representative democracy to the level of the school (Carrim, 2001:102).

The South African Schools Act (No. 84 of 1996) deals with the following aspects:

- The structural place of a School Governing Body in the governance of the school;
- The nature and functions of the governing body;
- The management of finances and other sources of the school;
- Admission of learners to the school;
- Language and religious policies of the school and
- School discipline.

The first two aspects are obviously of more importance to this study than the others, although all aspects are the responsibility of the SGB's. The activities of SGB's will be elaborated on next, as indicated in the act.

2.6 THE ACTIVITIES OF A SCHOOL GOVERNING BODY

A school is normally defined as an institution where children are educated. However, legislation further states that a school is a juristic person, with legal capacity to perform its functions in terms of the Schools Act. As such a school must also take responsibility for its activities (SASA, Section 15). Because the school is a juristic person, it may buy, sell, hire or own property, enter into contracts, make investments, and sue or be sued. It is the responsibility of the SGB to act on behalf of the school, since they are the decision makers. The governing body of a public school exists thus because of specific legal provisioning and can only perform its functions as it is allowed by the law.

The composition, functions and activities of SGB's will now be discussed to serve as basis, in the next sections.

2.6.1 Membership of the SGB

An SGB should comprise of three entities of people:

- Elected members.
- The principal.
- Co-opted members.

Each of these entities will be discussed next.

2.6.2 Members that are elected consist of:

- Certain parents of learners at the school, elected by the parents themselves during a parents meeting;
- Educators at a particular school, elected by themselves during a staff meeting;
- Members of staff at the school who are not educators, elected by their colleagues and
- Learners in the eighth grade or higher at the school, elected by the Representative Council of Learners (RCL).

Section 23 (9) of the Schools Act states that there must be one more parent in the governing body than the combined total of other members with voting rights. The reason for this is to secure that democracy is emphasised. Section 23 (3) of Schools Act stipulates that parents who are employed at the school may not act on the SGB's on behalf of the parents.

The Schools Act (Section 11) requires the establishment of the Representative Council of Learners (RCL) in grade eight and higher. The guidelines for establishment, election and functions of the RCL are determined by the MEC. The RCL has the duty to elect the learners who must serve on the school governing body.

2.6.3 The Principal

The principal by virtue of being the manager of the school forms part of the SGB. The Act (SASA, Section 23 (1b)) stipulates that in his/her capacity as an official is an *ex-officio* member in the SGB. He/She serves as chief of operations of the school and acts as professional advisor to the SGB. The principal also effectively implements all policies adopted by the SGB.

2.6.4 Co-opted members

In addition to the elected members the School Governing Body may co-opt other members of the community to become members on the SGB (SASA, Section 23 (5-6)). These members are co-opted on the SGB, based on the skills that they possess and the reason for this is that they act as advisors to strengthen the capacity of the SGB. They, however, do not have voting rights (SASA, Section 23(8)). If the school is situated on a private property, the owner of the property should be nominated to be part of the SGB (SASA, section 23(7)).

2.6.5 Electing office-bearers of a governing body

It is expected from the SGB that they work as a team. To ensure that the SGB governs effectively, it must elect office-bearers to co-ordinate its activities. Therefore, members of

the governing body should amongst themselves, elect office-bearers who must include a chairperson, a treasurer (to look after financial matters) and a secretary. The chairperson must be a *parent* who is not employed at the *public* school (SASA, Section 29). A governing body may choose whether to have additional office-bearers, such as a vice-chairperson or a vice-secretary (Potgieter *et al*, 1997:26).

In order to reach its objectives a SGB may establish committees, such as an executive committee, finance committee, education committee, disciplinary committee and any other committee depending on the needs of the school (SASA, Section 30). The chairperson, secretary, treasurer, principal and one or two members, who can be reached easily to make urgent decisions, may serve on the executive committee. The role of the executive committee is to perform the administration functions (not management functions) of the SGB and the tasks allocated to it by the entire SGB. The various committees' decisions must be approved at a full sitting of the SGB (Potgieter *et al*, 1997:27).

2.6.6 Term of office of members and office bearers of SGB's (SASA, Section 31)

A member of a governing body who is not a learner may not serve on the SGB for longer than three years, unless he/she is re-elected or co-opted. The term of office for learners (students) may not exceed one year. An office-bearer of the governing body may not hold an office for a period longer than one year unless re-elected.

The specific office bearers and their election on a SGB are clearly stated in legislation and a school may not deviate from this. The SGB has a specific function to fulfil, which will be discussed next.

2.7 FUNCTIONS OF THE GOVERNING BODY

The SGB operates according to the specific functions given to it by the Schools Act, (Act 84 of 1996). These functions fall into two categories, namely:

- The General Ordinary Functions, which are given to all SGB's and they are compulsory (SASA, Section 20).

- The allocated functions are the additional functions, which are given to SGB's that have the ability and means to handle additional responsibilities (SASA, Section 21).

These two categories of functions will be highlighted next to clarify the functions of the SGB's further.

2.7.1 General ordinary functions (SASA, Section 20)

The Schools Act (Act 84 of 1996) stipulates that a governing body shall:

- Promote the best interests of the school and ensure its development;
- Adopt a constitution;
- Adopt the mission statement of the school, which is a brief document setting out the goals of the school, based on shared values and beliefs;
- Adopt a code of conduct for learners at the school; assist the principal and educators as well as all the other staff in performing their professional functions;
- Decide on the school times, which must be consistent with the conditions of employment of the staff;
- Administer and manage the school's property, buildings and grounds, including hostels;
- Encourage parents, learners, educators and other staff at the school to offer voluntary services to the school;
- Make recommendations to the Head of Department (HoD) on the appointment of educators and non-educators;
- At the request of the HoD, allow the school facilities to be used for educational programmes not offered by the school;
- Carry out all functions given to governing bodies by the Schools Act and
- Carry out functions that are set out by the MEC in a Provincial Gazette.

These functions are, as mentioned compulsory and should be addressed with care by any school in order to deliver effective educational services.

2.7.2 Allocated functions (SASA, Section 21)

Schools that wish to be allocated additional functions must apply to the Head of the Department (HoD) who then will allocate those functions in writing if he/she is satisfied that the SGB can perform the functions. Allocated functions include the following:

- To maintain and improve the school's property, buildings and grounds;
- To determine the extra-mural curriculum of the school and the choice of subject options according to the specific provincial curriculum policy;
- To purchase text books, educational materials or equipment for the school and
- To pay for services to the school.

The HoD may refuse an application of a governing body to be allocated these functions, only if the governing body does not have the capacity or ability to carry them out. The decision of the HoD must be given in writing to the governing body and the HoD must also provide reasons for the decision (SASA, Section 21 (2)). Any person aggrieved with the decision of the HoD not to allocate functions to the governing body, he or she may appeal to the Member of the Executive Council (MEC) and request that the decision be changed (SASA, Section 21 (5)).

The MEC also has the power to allow some governing bodies to exercise one or more functions without having to apply to the HoD, if he or she is satisfied that a governing body is capable of performing the functions and that there is good reason for doing so (SASA, Section 21 (6)). These two categories of functions will be highlighted in the next chapter to clarify the functions of SGB's further.

2.7.3 Withdrawal of functions from governing bodies (SASA, Section 22)

The HoD may, on reasonable grounds, withdraw a function from a governing body. He or she may only take that decision if he or she has:

- Informed the governing body of his or her intention to do so, and the reasons

therefore;

- Given the governing body a reasonable opportunity to make presentations to him or her relating to such intention and
- Given due consideration to any such representation received.

In urgent cases, the HoD may withdraw a function of a governing body without first contacting the governing body. Therefore the HoD must:

- Furnish the governing body with reasons for taking away the function;
- Give the governing body a reasonable chance to make representations to him or her relating to such actions and
- Duly consider any such representations received.

2.7.4 Failure of the governing body to perform its functions

If a governing body, for whatever reason, fails to perform its functions, the HoD is empowered by the Schools Act to appoint a sufficient number of people to perform those functions for a period not exceeding three months. The HoD may further extend the functions of the appointees for three months, but the total period may not exceed one year. Within a year of the first appointment, the HoD must ensure that a new governing body is elected (SASA, Section 25).

2.8 CONCLUSION

The political contestations that were prevalent in schools during the seventies compelled the apartheid regime to change its oppressive laws. The introduction of the South African Schools Act (No. 84 of 1996) brought fundamental changes in school governance. The establishment of the school governing body gave all stakeholders and community, powers to govern the schools and to take ownership of schools. The Act stipulates functions that the SGB are to implement and that the governing body must perform effectively. Parental participation is of paramount importance, since they are expected to be in the majority in the governing body. The inclusion of learners as representatives on the SGB's of secondary schools was probably implemented in response to a very specific need and

pressure in Black schools. The South African Schools Act of 1996 brought about and developed a partnership based on trust and respect between all stakeholders.

Individuals who agree to serve on the SGB should be able to devote his time and act in good faith and avoid a conflict of interest. Each member of the SGB should bring his unique knowledge, insight, skills and personal contact. Therefore, members of the SGB should be carefully elected for effective governance in schools. In the next chapter governance in schools and the functions of the SBG will be discussed in detail.

CHAPTER THREE

GOVERNANCE IN SCHOOLS: A PUBLIC ADMINISTRATION PERSPECTIVE

3.1 INTRODUCTION

Disputes over the effective governance of schools in education have been a feature of the South African political life throughout the past century. There was always a need by the majority of the people in the country to have a unitary form of education system, which would lead to all the children in the country to gain equal education opportunities. This demanded a democratic system of schooling that facilitates the participation of all legitimate interest groups in school governance. Institutions and structures needed a system of governance that allows democratic participation (NEPI, 1992:1).

Emanating from this new political order, were protracted processes that culminated in the enactment of the new educational structures and systems. The new educational system places public participation as an important aspect in the activities of schools. An important feature of the new system is the space it offers to ordinary people to become actively involved in governance. Public participation is being entrenched as a permanent practice in the affairs of schools. It should be confirmed that public participation is a statutory obligation. In simple terms, to uphold the constitution and the laws of the country, school structures have to generate sustainable ways of interacting with the public and also allow for public participation.

This chapter will outline the theoretical framework and basis of school governance and how effective governance can be reached. The empirical study at the mentioned schools cannot be undertaken without this framework. Focus will also be placed on the reconstruction of the education system, through governing bodies. It will also indicate the function of the SGB in detail and explain the difference between governance and management within the context of the school and stakeholders participation for effective school governance.

3.2 DEFINITION OF GOVERNANCE

Different authors interpret governance differently. Kjaer (in Ahrens, 2002:121) said governance signifies “the capacity to define and implement policies”. Chazan (in Ahrens, 2002:121) sees governance as the “capacity to establish and sustain workable relations between individuals and institutional actors in order to promote collective goals”. According to Beckmann and Visser (1999:155) governance is regarded as the “formal system which provides for the exercise of authority” by governing bodies. Potgieter *et al* (1997:11) define school governance as “determining the policy and rules by which a school is to be organised and controlled”.

Auditor-General in Maile (2002:326) defines governance as the exercising power of the management of resources. Within the context of a school Maile (2002:326) defines governance “as an act of determining policy and rules by which a school is to be organised and controlled”. Elected members of the SGB are, according to the Schools Act, the governors of schools (Section 16-32).

Governance, within the school contexts for the purpose of this study can thus be defined, as the power of the School Governing Bodies to establish school policies and the school development programmes that will assist SGB’s to have coordinated activities for proper administration and management of the school.

The SGB has the responsibility of establishing policies according the Constitution, education laws and regulations and must see to it that the school is functioning effectively. The SGB as the governors are the stewards of the community and should have the ownership of the school and preserve the school assets (SASA, 1996 Section 13). The SGB members are the representation of different stakeholders. Therefore, they need to be accountable to people that have elected them. Their accountability is indicated by giving reports to their different constituencies (First Step, 1997:33).

3.3 DEFINITION OF MANAGEMENT

According to Piek (1991:1) the word “management” has a literal Latin-English origin, namely, “manage” which means, “to control and direct a horse”. Therefore, the term

“manage” can be interpreted as, *to control, to guide or to lead*. According to Kroon (in Van der Waldt & Du Toit, 1997:12) management may be considered one of the most important human activities, because it is the task of all managers at all levels in all enterprises and institution. All managers in the performance of their duties must create circumstances, in the form of management, in which people can cooperate to achieve stated goals.

The management task is to combine, convert, coordinate and use an institution's, such as a schools', resources effectively so that the institution's objectives are achieved as economically as possible (Van der Waldt & Du Toit, 1997:1180). Managers are to carry out certain functions, which are characterised as follows (Van der Waldt & Du Toit, 1997:182, 188,196, 2001):

- Planning is aimed at determining an institution's purpose, mission and ways of obtaining the objectives.
- Organising is to develop a framework or organisational structure in an orderly pattern aimed at achieving the objectives.
- Leading focuses on leadership which is about guiding, motivating and inspiring people in the manner that there are actions that are directed towards the goal and plans.
- Control is to check and to ensure that the actual activities do correspond with the planned activities. The process of controlling should also be seen as a monitoring process to secure effective results.
- Coordination is aimed at ensuring that there is no overlap of activities and that institutions function according to objectives stipulated by legislation.

The school, like any other institution must have leaders who contribute to the effectiveness of the school activities (Squelch & Lemmer, 1994:1). Therefore, the principal as the person who is employed by the department is responsible for the day-to-day running of the school and has to coordinate the activities of the department of education and governance as designed by the SGB. Section 3.4 will outline the difference between management and governance while Section 3.6 outlines the functions of the SGB. The next section will clarify management at a school base.

It is important to establish the difference between governance and management. This study concentrates on the governance of a school, which is the responsibility of SGB's. Management of a school is the task of the school principal and his/her team. The two 'activities' form, however, a unit when it comes to the delivery of an effective school system in which learners can reach their objectives.

3.4 THE DIFFERENCE BETWEEN SCHOOL GOVERNANCE AND SCHOOL MANAGEMENT

It is important that the SGB of a school and school management work together for the benefit of the school and to secure effective education.

The SGB's role is to oversee and support the school by setting policies, which will guide activities of the school. This is the governance function in a nutshell. As governors they are elected and not involved in the day-to-day running of the school, but they need to support educators in whatever way they can. Managers on the other hand, are qualified educators who have been employed to perform the day-to-day educational functions of the school. The next table/diagram indicates how a governor differs from a manager within the context of a school.

Table 3.1: The difference between governance and management

| Governors (SGB) | Managers (Principals and team) |
|---|---|
| They are elected | They are employed |
| They design policies and guidelines for the organisation | They implement policies |
| They are usually volunteers and are not paid for their services. They can be refunded costs which they incurred if this is the policy of the school | They are paid for their services. |
| The constitution of the school and related laws of the country regulate | They are regulated by their employment contract and |

| | |
|---|--|
| function. | relevant legislation of the country. |
| Their term of office is for a specific period, though they may be re-elected for further terms. | They are permanent employees and will only leave the organisation if they have been dismissed, they retire or if their contract was for a stipulated period. |

Source: (North-West Handbook for the SGB in Public school: Page 12)

The above table gives a clear indication of the difference between governance and management. Take for instance the first two differences, namely:

- Governors are elected and are responsible for policy-making, while managers are employed and responsible for the implementation of those policies.

The SGB can, however, not function effectively without the inputs of a principal and his/her management team. This will be discussed next, which will also conclude the role of the principal and management team, for the purpose of this study.

3.4.1 School-base management and governance

School principals are regarded as managers and they are responsible for day-to-day management activities, such as the planning, organising, financial management and control of the activities of a school (Potgieter *et al*, 1997:14). A principal is answerable to the SGB when it comes to governance issues and to the DoE when it comes to the professional management of the school. The principal, together with the school management team (SMTs), are instructional leaders and they must take the lead and putting the school curriculum into practice (DoE: Instructional Leadership, 2000:1).

Because the school comprises of a diverse community, which has to be lead, controlled, managed and coordinated, the principle and SMT must be skilled in managing diverse people with different behaviour, beliefs, language and cultures (DoE: Managing Diversity, 2000:16). The school principle should function within the constraint of the law. The SGB, together with the principal, has to develop a strategy for promoting and managing diversity

and to implement the strategy. The following steps could be followed in this process (DoE: Managing Diversity, 2000:19-23):

- Step 1: Examine the conditions and needs of the school.
- Step 2: Get people to agree to the need for a diversity strategy in the school.
- Step 3: Set up Diversity Working Group.
- Step 4: Draw up a Diversity Code of Conduct.
- Step 5: Set goals for change.
- Step 6: Come up with some logical steps for reaching the identified goals (Plans).
- Step 7: Decide how to monitor and report on progress.
- Step 8: Be prepared for obstacles.

For effective schooling these steps are important for the principal, SMT and SGB so that they should work as a team. With this in mind the nature of SGB's will be analysed.

3.5 NATURE OF THE SCHOOL GOVERNING BODY

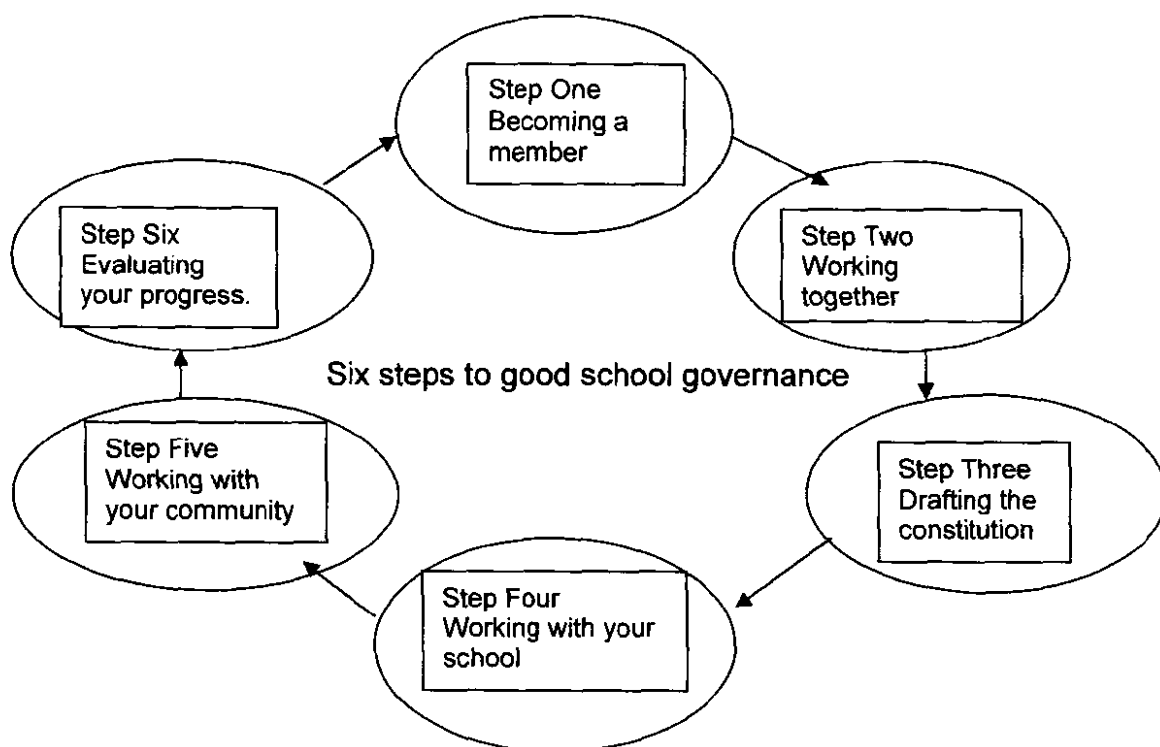
Section 16 (1) of SASA regards SGB's as statutory bodies who are elected to govern a school. The SGB, or so-called governors, are policy-makers and serve the school and its school community. SGB does thus have a specific purpose.

3.5.1 Purpose of a School Governing Body

The general purpose of a governing body is to perform its functions effectively and in terms of the Schools Act and on behalf of the school and for the benefit of the school community. Therefore, the SGB is placed in a position of trust. It is expected that the SGB should act in good faith and to know what their duties and functions are and how they should cooperate school principals (Potgieter *et al*, 1997:23).

There are certain steps that SGB's should take, which will help them to become effective members that are able to influence and to take proper decisions to address the educational needs of the community. This can be depicted as follows:

Diagram 3.1: Steps to good governance in a school.



Source: (First Steps, 1997:2).

By following these steps a SGB's effective governance is theoretical a possibility.

3.5.2 The Governance Structure

The school governance structure consists of three components that are partners in education and each makes a specific contribution towards school governance. Each 'partner' has his/her own responsibilities and roles that they play in the effective governance of schools.

Table: 3.2 Entities in effective school governance

| | | |
|---|---|--|
| The State | The Principal | The School Governing Body |
| The State, as the governing body of the country, is | The Principal is the manager of the school. | The SGB is the official mouthpiece or "the |

| | | |
|---|---|---|
| <p>responsible for the education of its citizens. The National Department of Education is given a budget to ensure that its citizens receive equitable education. The DoE delegates this responsibility to the Provincial DoE.</p> <p>The responsibilities of the State in education include the following:</p> <ul style="list-style-type: none"> • Drafting and passing laws governing education in the country. • Allocation of budget for education. • Ensuring that there are sufficient schools. • Employing and paying salaries, and subsidised service conditions of teachers. • Ensuring that enough teachers are trained by subsidising training institutions. • Empowering SGB's. <p>Each Province has its own Department of education, through the leadership of the</p> | <p>He/She is responsible for the professional running, administration management of the school and its educational activities.</p> <p>The key management responsibilities of the principal involve:</p> <ul style="list-style-type: none"> • Advertising Teaching posts and staff positions. • Being part of the interview panel for educators. • Supervising educational, clerical and maintenance staff. • Providing leadership to draw up or update the curriculum. • Being accountable to the Department of Education and to the SGB for the quality of teaching and the school results achieved. | <p>government" of the school. It represents the parents, educators, non-teaching staff and the learners of the school on all matters except those relating to the professional administration of the school.</p> <p>The main aim and responsibility of the SGB</p> <p>Is to create a positive environment in which the school can operate effectively to achieve its main objectives of teaching and learning and to carry out all the activities which help support these objectives.</p> <p>The SGB may achieve These by:</p> <ul style="list-style-type: none"> • Making good policies. • Taking the right decisions. |
|---|---|---|

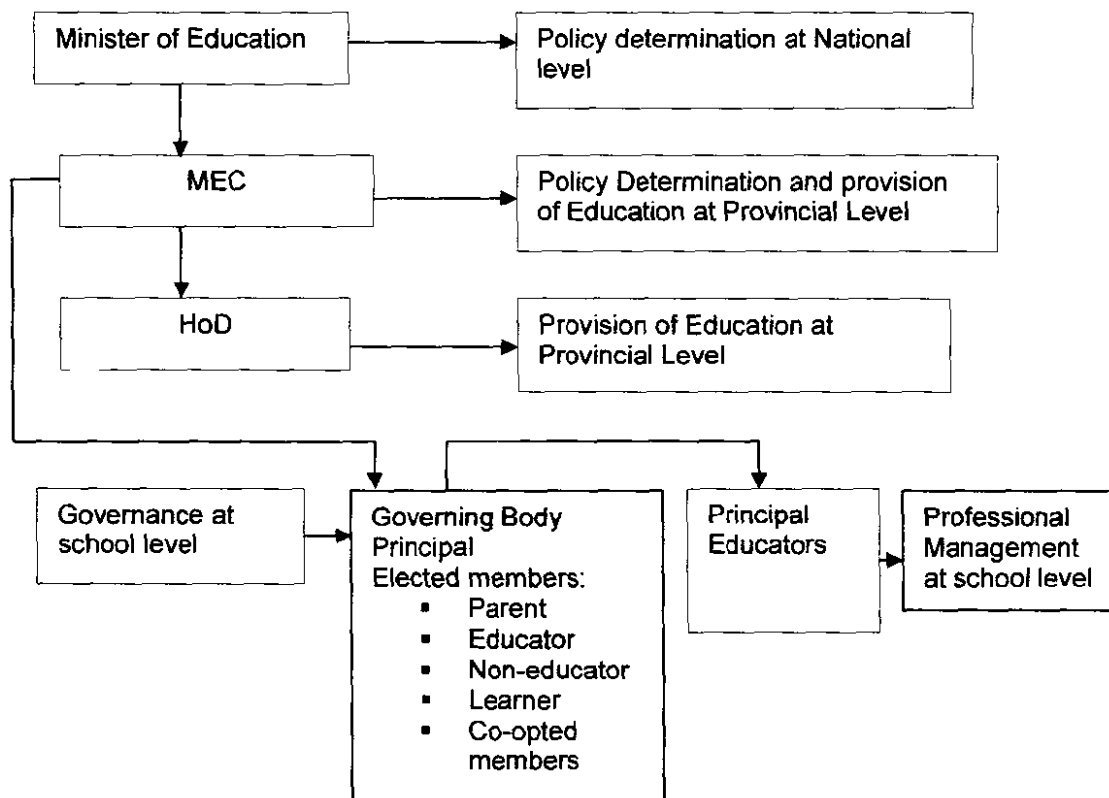
| | | |
|--|---|---|
| <p>MEC for Education and the Staff of the department. Each Province addresses the educational needs of the province.</p> | <p>Because of his/her position and responsibilities, the principal is a member of the SGB of the school.</p> <p>The Principal and Educators are employed by the Department of Education and are answerable to the Department for their performance.</p> | <ul style="list-style-type: none"> • Looking after the school's resources. • Giving support to principal and the educators in the running of the school. <p>The SGB governs the school in partnership with the Department of Education. There are certain functions which the SGBS are authorised to perform, others on which they can only advise or make recommendations to the to the Department of Education.</p> |
|--|---|---|

Source: (North West Handbook for the SGB in Public schools: Page 11).

According to Ahrens (2002:131), governance structure is effective if it ensures that policies and projects conducted by government are properly implemented and enforced. Therefore, for the SGB to thrive in its policy formation and implementation it has to monitor the activities and that the school functions in line with the laws and policies of government. The diagram below indicates that the governing body, as part of governance at school level under the authority of the national and provincial structures and it also shows the composition of the SGB and the management team at the school. Potgieter et al (1997:21) encourages co-operative governance for the successful functioning of the school

and that all stakeholders must ensure that a culture of learning and teaching is fostered in the school.

Diagram 3.2: The structural hierarchy of the system of governance



Source: (Potgieter *et al*, 1997:15).

3.6 THE SGB AND ITS GOVERNANCE FUNCTIONS

A school governing body is not involved in the day-to-day running of the school, but is expected to support and to give guidance to the principal as the manager of the school who is responsible for the day-to-day running of the school, while the SGB's function is to establish policies that will govern the school. For the SGB to be effective in executing their functions and to help the school to run effectively, every member of the SGB must be prepared to play an active role.

All members of the SGB should bring their experience, knowledge and skills to the task of governing the school (First Step, 1997:11). When the members of the SGB work as a

team they will have a goal to achieve that will assist them in developing the vision and the mission and the constitution that give clear direction on how the school should be run for effective governance. The following sections will analyse each function that the SGB has to perform as enshrined in the SASA (Act 84 of 1996).

3.6.1 Establishment of a vision and mission for a school

The school, as an institution of learning, is expected to be vigilant of the needs of its customer, namely the learners. The school is expected to offer quality education that will benefit learners and prepare them for employment. Therefore, it is incumbent upon the SGB to develop a mission and a vision statement that will pave way or give direction to the school as to how the school needs to be run in this changing environment (First Step, 1997:45).

3.6.1.1 What is a vision?

Thompson and Strickland (1998:5) define “a vision is a roadmap of a company’s future”. The formulation of a vision is one of the prerequisites to secure the setting of future goals and effective leadership. The vision of each school will have to be guided by the broader vision of the DoE. A sound vision statement should include the following (Fist Steps, 1997:47):

- The vision should be communicated through a written statement.
- Be realistic, credible and contain an attractive picture of what the school should be in the future.
- Be shared by all stakeholders.
- It should be clearly stated so that all the stakeholders are able to determine the contribution they can make to achieve the vision.
- The vision should place the school in the community.
- The vision should be dynamic and adapt itself to the changes in society and the environment at large.
- The vision should inspire the stakeholders and give direction to the school.

3.6.1.2 What is a mission?

A mission refers to the actual work, which the school has to do in order to realise its vision. It describes how the vision of the school will be realised by indicating the following (First Steps, 1997:47-48):

- Purpose of the school.
- People it wants to serve.
- The manner in which the people will be served and the values underpinning it.
- Guide policy decision at the school.
- Changed over time.
- Easy to read.

The mission statement must also be in line with the national and provincial governments policies. The vision and mission of the school should form part of the constitution of the SGB.

3.6.2 Constitution of governing body

Oosthuizen (2003:206) defines a constitution as “written document that explains how an organisation must be run”. Section 18 the Act (SASA of 1996) requires that each SGB should draw a school constitution, which complies with the rules and requirements determined by the Member of the Executive Council (MEC) laid down in a Provincial Gazette. The constitution is aimed at helping the SGB to run the school effectively and to ensure that the education that the learners received at school is of high quality that develops the ability and the talent of all learners. The SGB constitution must agree with the principles of the 1996 Constitution. The views of the parents, learners, educators and local community must be represented in the constitution (First Step, 1997:38).

The following provisions serve as an example of the headings that may appear in a typical constitution of a governing body (Atkinson in Oosthuizen, 2003:206; First Step, 1997:39):

- Descriptions and definitions of concepts
- The name and objectives of the governing body
- Membership

- Composition of the governing body
- Election procedures
- Term of office
- Suspension and appeal of members
- Resignation and termination
- Procedure for filling of the vacant position
- Functions of the governing body
- Finance
 - Members of the finance committee
 - Procedure for dealing with the income and expenditures
 - Signatories for the cheques and legal documents
- Administration
 - Office bearers and their roles
 - Voting rights
 - Committees of the governing body and their roles
- Meetings
 - How many members form a quorum?
 - Regular meetings of the governing body at least once per school term
 - Annual general meeting with parents, learners, educators and other staff members of the school
 - Recording of minutes of the meetings
 - Availing minutes for inspection by the Head of Department
- Amendment of the constitution
 - By vote and what percentage is needed?

A copy of the draft constitution should be presented to the school community for debate, changes and adoption. In terms of section 18 of SASA (Act 84 of 1996) a copy of the constitution must be submitted to the Head of the Provincial Education Department within 90 days after the election of the governing body.

3.6.3 Development of school development plan

The development plan is a record of what the school wants to achieve. School development is about changing for the better or improving the performance of the school.

The SGB should plan to achieve the vision of the school and the plan must be practical with short-term and long-term goals.

3.6.4 Recommendation of staff appointments

The governing body makes recommendations for the appointment of educators and non-teaching staff at the school concerned.

3.6.5 Administration of school property

The governing body is responsible for the management and administration of all property (moveable and immovable) of the school (including the schools hostel). The governing body may, for example, decide on the reasonable use of the school facilities for community and social purposes or to collect fees. The governing body must encourage parents, learners and educators to offer voluntary service to the school.

3.6.6 Establishment of school policies

Policy has numerous definitions. Van der Waldt and Du Toit (1997:208) define policy as "a series of related decisions, taken after liaison with public managers and political office-bearers, which convert certain needs of the community into objectives to be pursued by public institutions". Therefore, Chapter Three of the SISA defines the school as public institution. The SGB as the political office-bearers liaise with the principal as the manager of the school to find out what the needs of the school and the community could be in order for them to address them in a form of a policy being guided by the acts that governs the education system. According to Hanekom and Thornhill (1986:21) "policy finds its expression in various acts and the legislator will usually lay down broad guidelines only and sometimes also the method for a goal realisation". The key function of the SGB is to determine school policy such as, admission policy, language policy, financial policy and the code of conduct for the learners that will help the school to achieve its objectives and goals. All these policies need to be enshrined in the constitution of the school. Before deciding on a policy, the SGB needs to ask the following questions as indicated by Botes *et al* (1995:192):

- What must be done to attain the defined goal?
- Who must be involved in achieving the aim?
- When must the various programmes of the policy be implemented?
- What impact will this policy have on the school in the long term?
- Why must this specific policy be followed?
- What is the outcome they would like to see when policy is implemented?

3.6.6.1 Steps in developing a policy

A policy is future orientated and is subject to continuous review by the SGB. There are three steps that need to be considered when developing a policy, namely:

- Policy making.
- Policy implementation.
- Policy analysis and evaluation.

3.6.6.1.1 Policy making

At this stage the SGB has to develop policy guidelines by defining problems, which they want the policy to solve. They should know the goals that they want to achieve and to think of alternatives or choices in reaching those goals. They should also remember limitations and opportunities meaning what people, power, resources, etc that they have or do not have to achieve their goals (Van der Waldt & Du Toit, 1997:223; First Step, 1997:50). The SGB should develop policies that are clear, feasible, flexible and adaptable, enforceable, public and authoritative (Botes *et al*, 1995:198-199).

3.6.6.1.2 Policy implementation

After the SGB has considered the number of options or developed guidelines, it is the responsibility of the principal as the school manager to implement the decisions. The principal should remember that as a leader when implementing the policy, he/she might encounter resistance or certain obstacles that require solutions. It will be imperative that continuous monitoring of the course and result of the decisions to form part of the principals tasks (Van der Walt & Du Toit, 1997:223; First Step, 1997:50).

3.6.6.1.3 Policy analysis and evaluation

Every policy will be found to have advantages and disadvantages. Therefore, every policy must remain subject to continuous analysis and evaluation because a policy is usually made to meet the needs of the moment and unfortunately sometimes of the past.

The following are policies that the SGB develops which must adhere to the Constitution of the country, the South African Schools Act and other relevant national and provincial laws.

3.6.6.2 Admission policy

The SGB drafts the admission policy of the school in terms of Section 5 of the Act (SASA, 1996) also taking cognisance of the right to education as enshrined in the Bill of Rights (Section 29). In drawing the admission policy the SGB must adhere to the requirements of the South African Schools Act that stipulate the following:

- No learner may be discriminated on the basis of race.
- No tests should be administered when admitting a learner to a school.
- No learner may be refused admission on the basis that his parents cannot afford to pay school fees, do not subscribe to the mission statement of the school or refuse to sign an indemnity provided by the school.
- The age requirements for admission are determined by the Minister of Education in consultation with the Council of Education Ministers and publishes the age in the *Government Gazette*.

3.6.6.3 Language policy

The SGB must draft a language policy for the school. It should be borne in the minds of the governing body that South Africa is a multilingual country with eleven official languages. Section 6 of the Act (SASA 1996) stipulates that the Minister of Education, after consulting with the Council of Education Ministers, determines the norms and standards for language policy and publishes it in the *Government Gazette*. Therefore, the governing body must

also take cognisance of the Constitution that states that all languages must enjoy equal status and respect (Section 9), and that everyone has the right to receive education in the official language(s) of his choice in public schools provided such education is reasonably practicable (Section 29(2)). Section 30 of the Constitution stipulates that everyone has the right to use the language and to participate in the cultural life of their choice, provided it is not in conflict with any other provisions of the Bill of Rights. The governing body must ensure people belonging to a cultural, religious or linguist community are not discriminated or denied the rights to practice their religion and use their language with other members of the community, provided it is not inconsistent with other provision of the Bill of Rights (Section 31).

However, the SGB must ensure that the language policy is not used to discriminate on the basis of race and must act carefully and be sensitive where language preferences are racially linked (SASA, Section 6(3)). The SGB may determine the language to be used for teaching and learning (LOLT). In deciding on the LOLT, the SGB must comply with the Constitution (section 9) and the rules and regulations of the province (SASA, Section 6(2)).

3.6.6.4 Religious policy

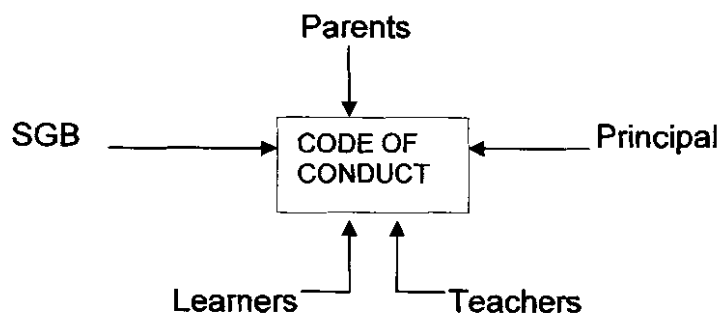
In terms of Section 7 of the Act (SASA 1996) the SGB has been given powers to develop rules for religious observance at the school. It means the SGB may choose to hold or not to hold religious services and meeting at the school. Although the SGB has been empowered to decide on the religious policy they need to take cognisance of the Constitution (Act 108 of 1996). Section 15 of the Constitution (Act 108 of 1996) determines that everyone has the right to “freedom of conscience, religion, thought, belief and opinion”. Section 31 determines, *inter alia*, that persons belonging to a religious community may not be denied the right to establish, join and maintain associations and bodies in the community. Section 7 of South African Schools Act (Act 84 of 1996) further stipulates that religious observance should be conducted on an equitable basis and attendance by the learners and staff members should be free and voluntary.

3.6.6.5 Code of Conduct

Good school discipline is an important feature of effective schools and a crucial aspect of school and classroom management. Discipline is essential for maintaining order and harmony in a school (Squelch & Lemmer, 1994:40). For the school to have well behaved learners and to maintain discipline there is a need that a set of school rules should be developed. In terms of Section 8 of the Act (SASA 1996) the governing body of a public school must draft the code of conduct for learners. Therefore, a code of conduct is a clear written statement of rules and principles concerning discipline (Oosthuizen & Roos, 2003:38; Potgieter *et al*, 1997:60). The SGB should consider the guidelines and regulations on school discipline determined by the Minister of education when developing a code of conduct for learners (Section 8 (3)).

The SGB must adopt the code of conduct after having consulted with the parents, learners and educators of the school (SASA 1996, Section 8(1)). Oosthuizen and Roos (2003:42) indicated the importance of bringing the school rules to the attention of all stakeholders on time before they come into effect for parties to have adequate time to note and adopt them. The diagram below indicates parties that are involved when formulating a code of conduct.

Diagram 3.3: Parties involved in formulating a code of conduct



Source: (Squelch & Lemmer, 1994:43).

In terms of South African Schools Act (Section 9 (1)), the governing body may suspend the learner after a fair hearing from attending school for the following purposes:

- As a correctional measure for a period not longer than a week.

- Pending a decision as to whether to be expelled from the school by the Head of Department.

Potgieter *et al* (1997:61) explain expulsion as a permanent ending of a learner's right to attend a school. In terms of Section 9(2) of the Schools Act (Act 84 of 1996) no governing body or principal may expel a learner – only the Head of Department is entitled to do so.

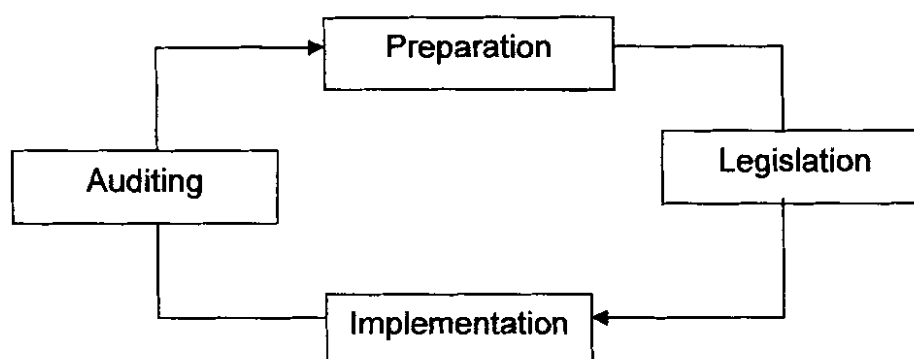
3.6.6.6 Financial policy

No organisation can be run without funds. In order for the school as public institution to manage its finances effectively and efficiently, the school will have to develop a financial policy to be adopted by all stakeholders and implemented accordingly. The policy must comply with the South African School Act (Act 84 of 1996). As cited by Ryan in Mestry (2004:131) a good policy should inform the administrator what is required and set broad objectives that should be reached in managing the school's finances. The principal as the manager is expected to implement the SGB decisions; therefore the policy should set clear directives (Mestry, 2004:131).

In terms of Section 37(1) of SASA, 1996 the governing body of a public school must establish a school fund and administer it in accordance with directions issued by the Head of Department. The governing body must open a bank account and keep financial records and statements (Section 37(3) & 42). The school banking account consists of compulsory school fees (Section 41) and voluntary contributions (Section 37(4)). The amount of the school fees to be charged compulsory is determined by the majority of parents meeting during the budget presentation (Section 38(2)) and in terms of Section 39(3) the governing body is expected to implement the resolution as adopted by the meeting.

Van de Walt and Du Toit (1997:303) view a budget as one way of managing public funds, identifying objectives and attaching financial value. According to Section 38(1) the governing body is expected to prepare a budget annually in line with the guidelines determined by the Head of Department indicating the estimation of income and expenditure of the school for the next financial year. The school financial year commences on the first day of January and ends the last day of December of each year (Section 44). The following diagram illustrates a budget cycle as cited by Starling in Van der Walt and Du Toit (1997:303).

Diagram 3.4: Cyclical process of a budget



Source: (Van der Walt & Du Toit, 1997:303).

The budget serves as one of the important control mechanisms that assist the governing body to detect that expenditure might exceed the budget. In terms of Section 43(1) the governing body must appoint a registered auditor in terms of the Public Accounts and Auditors Act, 1991 (Act 80 of 1991), to audit the school financial books. After the financial books have been audited, the SGB will arrange for a parents' meeting to present the report and six months after each financial year a copy of the audited statement will be submitted to the Head of Department (Section 43(5)).

For policies developed by the SGB to find expression, it will be vital that they be clearly outlined and each member of the governing body knows and understands their roles and responsibilities. The emphasis of the functional environment in which the SGB must function is an environment where participation of all stakeholders plays an important role.

3.7 STAKEHOLDERS PARTICIPATION

Pateman (1975:69) defines participation as a process in which two or more parties influence each other on making decisions. He also defines influence as individual A affecting individual B without B subordinating his wishes to those of A. Therefore, stakeholders have influence at school through their participation as members of the school governing bodies (SGB) by formulating policies that are to be implemented by the principal together with the staff. Participation plays a critical role in strengthening governance

structures. Participation also provides channels to make policies more responsive to the needs of the beneficiaries (Ahrens, 2002:134-135).

The participation of parents and the community in the activities of schools is to ensure that the culture and values are maintained and promoted in schools. Democratic participation of stakeholders has been legitimised by the introduction of the election of school governing body (SASA, Section 28) and it should be encouraged. Participation should not be assessed on representation but also on the ability to influence decisions taken in SGB activities. The SGB is expected to take full responsibility on financial and legal matters (Edunews, 2003/2004: 16-17). The Schools Act (Act 84 of 1996) stipulates training of the SGB members for effective governance and management.

3.8 PARTNERSHIP

Lutz and Merz (1992:5) define partnership as "working relationship that is characterised by a shared sense of purpose, mutual respect and the willingness to negotiate". When people become partners they have something that they value which contributes towards the achievement of a common goal. Previously parents in schools were seen as clients not partners (Heystek & Louw, 1999:21). Both parents and learners were not involved in decision making of the school but rather seen as dependent and in need of the direction. With the advent of the Schools Act (Act 84 of 1996) they are expected to be part of the decision-making and its implementation in schools. Thus the school should see them as partners taking an active role that is central in decision making and its implementation, perceive them as having equal strengths and equivalent expertise, able to contribute and to receive service. According to the Schools Act (Act 84 of 1996) parents are expected to be in majority in the SGB. Therefore, it is imperative that they should be partners, since SASA (Act 84 of 1996) has empowered them to participate in the governance of schools. Partnership requires a shared sense of purpose and willingness to negotiate shared understanding of what is needed and how it may be achieved and to pursue goals together. Not only parents that are to play an active role in decision making but also other stakeholders that are members of the SGB.

3.9 CONCLUSION

The changing education environment has requested democratic participation in schools and that parents as well as the community should be partners in education for the advancement of teaching and learning in school. Governance has to be operational in public institutions being directed by national and provincial government policies and laws. The school as a public institution regulated by the Schools Act (Act 84 of 1996) has to establish school governing bodies to have governance at lower level. The SGB with the powers that has been vested in them are to formulate policies for the smooth running of the school, which is goal orientated. There must be a balance of powers of the school governing body and the principal to accomplish quality education service delivery. Every stakeholder or member of the SGB must take an active role for the betterment of the school. Schools must acknowledge the experience, knowledge and skills of the parents to improve or maintain the standard of education. The next chapter will attempt to discover the understanding of the governing body with regard to their role and participation in school activities for effective school management and administration

CHAPTER FOUR

EMPIRICAL STUDY: THE SCHOOL GOVERNING BODY FOR EFFECTIVE GOVERNANCE IN SCHOOLS IN THE KLERKSDORP AREA

4.1 INTRODUCTION

This chapter outlines the methods employed to ascertain the role and the function of the School Governing bodies (SGB's) of Are-Fadimeheng Secondary School and Milner High School as well as their influence in the governance of schools. The first part of this chapter deals with the study that has been undertaken, as well as the reason for selection of the methodology used in conducting the study. The second part of the chapter focuses on the empirical research and finding of the study.

The empirical investigation embraces the development of a questionnaire, determination of a sample from population, measurement of responses and analysis and interpretation of results. The main aim of the questionnaire is to determine whether the SGB's in the Klerksdorp-area understand their role and function as stipulated in the South African Schools Act, 1996 (Act 84 of 1996) for effective school governance and to assist the principal with the day-to-day running of the school.

4.2 RESEARCH METHODOLOGY

Research methodology, or methods of collecting data, necessitates a reflection on the planning, structuring and execution of research in order to comply with the demands of objectivity. Research methodology focuses on the process of research and the decisions that the researcher has to take to execute the research project. This includes which method and techniques of data collection and data analysis should be used (Bynard and Hanekom, 1997:28).

All social researchers systematically collect and analyse empirical evidence to understand and explain social life (Neuman, 1997:327). In the human science two basic research methods can be used, namely the qualitative and quantitative methods. For the purpose of this study, the qualitative research method will be used which focuses on the phenomena

that occur in natural setting, meaning “the real world” (Leedy and Ormrod, 2001:147). The qualitative method uses words, sentences and paragraphs to collect data rather than numbers (Neuman, 1997:327). In this study a questionnaire has been designed to collect data in order to determine what the effect of the SGB’s are on the effective running of schools. The results will be analysed, tabulated and discussed to determine whether the SGB’s are governing the schools effectively.

4.3 QUESTIONNAIRES AS A RESEARCH TOOL

O’Leary (2004:85) defines tools as a device that helps the researcher to collect data. In this research a questionnaire has been designed to collect valid and reliable information to test the hypothesis scientifically and to reach the objectives of the study. A questionnaire is also used to convert data gained during the empirical study into valid information. The researcher uses the questionnaires to measure some characteristics or opinion of the respondents (May, 1997:85). According to Hakim (1987:26) and Huysamen (1994:128) questionnaires are utilised to obtain the following kinds of information:

- Biographical particulars.
- Behaviour.
- Perceptions, beliefs, views.
- Attitudes.

In this study the perceptions, beliefs and views of the respondents are tested to determine their understanding with regard to their roles and responsibilities as enshrined in the South African Schools Act (Act 84 of 1996) and whether they have developed policies that governs the SGB’s and the school.

4.3.1 Advantages and disadvantages of questionnaires

A questionnaire as a tool for research has certain advantages and disadvantages. Some of the advantages and disadvantages will be discussed below.

4.3.1.1 Advantages

The following advantages can be identified (May, 1997:90; Leedy and Ormrod, 2001:197; O'Leary, 2004:154-155):

- Distribution of questionnaires is relatively cost-effective in terms of time, money and travelling.
- A researcher can send questionnaires to a wider geographical area.
- The respondent can complete the questionnaire when it is convenient and can check personal records if necessary.
- People can respond to questions with the assurance that their response will be anonymous and they may be more truthful than they would be in a personal interview, particularly when they are talking about controversial issues.
- Less articulate or less literate respondents are not at a disadvantage.

4.3.1.2 Disadvantages

Although questionnaires are commonly used in current researches, they should not be misconstrued as being without flaws. The following disadvantages of questionnaires can, *inter alia*, be identified (Nueman, 1997:251-252; Leedy and Ormrod, 2001:197):

- Respondents often fail to complete and return the questionnaire. Therefore, the biggest problem with mailed questionnaires is low response rate.
- The researcher is unable to control the environment in which a mail questionnaire is completed. Questionnaires can be completed by people who are not representative of the original selected sample.
- People may be willing to participate in a questionnaire study but not understanding the questions. Because of lack of guidance they may give inaccurate information.
- Questionnaires are rigid and they limit the kind of questions that a researcher can ask. Open-ended questionnaires and interviews may however, address this disadvantage to an extent.
- Mail questionnaires are ill-suited for the illiterate or near illiterate. Questionnaires mailed to illiterate respondents are most likely not to be

returned. If they are returned, the questions were probably misunderstood and the answers are meaningless. In this regard language may also play a role and the language of the questionnaire may not necessarily suit the respondent.

4.4 QUESTIONNAIRE CONSTRUCTION FOR THIS STUDY

In constructing the questionnaires for the purpose of this study, the researchers paid attention to the type of questions formulated in order to secure valid information. Questions were designed to determine the SGB's understanding and knowledge of the legislation that governs them and the development of school policies for implementation, which should result in effective administration and management in schools. May (1997:98-100) and O'Leary (2004:157-158) indicated the following guidelines that the researcher should take cognisance of when constructing a questionnaire:

- Use the simplest language possible to convey the meaning of the question, taking cognisance of the intended audience.
- Avoid leading questions which may influence the respondent to reply in a particular manner for example, "You don't have a language policy, do you".
- Avoid ambiguity, that is, using different meanings several times, double negatives or double-barrelled question for example, "Did the SGB develop a constitution and a code of conduct for its members?" or "Your SGB haven't got policies".
- Ensure that questions are not too general or insufficiently specific.
- Avoid offensive questions since it may lead to refusal to respond to the rest of the questionnaire.
- Be careful not to assume that your respondents know about or are familiar to the type of questions you are researching.
- Pre-test your questionnaire and elicit the opinion of a sub-sample before the final sample. The group that is tested should be people who are familiar with the design and analysis of the questionnaire. They should constructively criticise the instrument and give effective feedback.

In compiling the questionnaire for the purpose of this study, the researcher carefully took cognisance of the theoretical guidance as indicated above in soliciting the honest response

of the questionnaire from the respondents. The structure and the contents of the questionnaire for this study are discussed in the next section.

4.5 STRUCTURE AND CONTENTS OF THE QUESTIONNAIRE

The most important part of the study is to construct questions that are unambiguous, clear in the researchers mind and what they are for. The researcher must know who the respondents are and how the results will be analysed (May, 1997:92-93). The questionnaire in this study consisted of four sections. Section A addresses the biographical information and consists of four questions. Respondents were requested to indicate their gender, whether they are elected or co-opted and number of years on the SGB and the level of education. The respondents had to indicate with an X next to the appropriate question.

Section B items ranged from question 1-5, which established the knowledge that the School Governing Body (SGB) members have regarding the legislation and policies that stipulate the roles and the functions of the SGB's.

Section C focused on school governance and covers questions 1-12. The purpose of this section is to determine the understanding of the SGB's with regard to school governance and formulation of school policies.

Section D covers question 1-12 and focused on the roles and responsibilities of SGB member's attitude towards effective governance.

4.5.1 Pre-testing of the questionnaire

May (1997:93) points the importance of establishing clearly defined concepts or variables in the hypothesis that can be identified or measured. He further mentioned the importance of not only having clearly defined concepts in the hypothesis, but also other concepts to be used in the construction of the questionnaire. Leedy and Ormrod (2001:200) also advise the researcher to fine-tune the questions before data collection because questions might be ambiguous or misleading and yield uninterpretable or useless responses. The purpose of the pre-test is to ascertain the validity of the questionnaire, whether there is a need to

restructure the questions, eliminate ambiguity or add other questions and to determine the administrative viability. A questionnaire was distributed to the Education, Management and Governance Department (EMGD) in the Klerksdorp Area Project Office (APO) as they are experienced in the research field and did not form part of the research project. The EMGD made responses that required alterations to the questionnaire for valid results and easy administration. The next item will indicate changes made for final construction of the questionnaire.

4.5.2 Final construction of the questionnaire

After the pre-test, the response from the EMGD required changes in section C, D and the rating scale (see Appendix A), to yield results that will be able to test the hypothesis of this research project. Sections C (School Governance), items were changed to deal only with the understanding of the concept of school governance. In section D (Roles and responsibilities of the SGB's towards effective school governance) items change to find out from the respondents whether they had developed policies, held meetings and consulted with parents before taking decisions.

The researcher used the four-point rating scale rather than five-point scale to avoid neutrality from the respondents so as to get valid results. The rating scale for section B and C respondents has to indicate their choice from the following items:

SA = Strongly agree.

A = Agree.

D = Disagree.

SD = Strongly disagree.

In Section D the respondents have to indicate their choices from the following items:

SA = Strongly agree.

ATE = Agree to an extent.

DTE = Disagree to an extent.

SD = Strongly disagree.

A letter was written to the department of education in the Klerksdorp Area Office (APO) requesting permission to distribute questionnaires to the two schools that were randomly selected amongst the forty schools in the Klerksorp-area. After the correction of the questionnaire a covering letter was written informing the respondents of their anonymity and honest completion of the questionnaires.

4.6 POPULATION AND SAMPLING

Normally the total population regarding a specific study topic is so large that from a technical point of view it is impossible to conduct research on all of them. Consequently only a sample of total population is used in a specific study (Huysamen, 1994:38). Due to the number of schools in the Klerksdorp and the limited scope of a mini-dissertation a total of two schools serve as base for the study.

In this survey the questionnaires were administered to twenty-eight SGB members in two secondary schools in the Klerksdorp-area, namely, Are-fadimeheng Secondary School and Milner High School. The two schools were randomly selected from all the schools in the area. This means that each school has the same chance of being included in the sample. This was also the case when the SGB members were selected in each school. The method secured population validity, so that the results obtained from the sample can be generalised to the total population.

The researcher distributed 28 questionnaires to the sampled schools. Respondents were expected to complete the questionnaires within two days but they took a period of a week to complete them. From the total number of 28 (100%) questionnaires distributed, only 24 (87.7%) questionnaires were received from the respondents. This indicates the disadvantage of mailed questionnaires' low response that might be caused by the failure of the respondents to complete the questionnaire.

4.7 EMPIRICAL STUDY: DATA ANALYSIS AND INTERPRETATION

In this section the researcher carefully examine the empirical information to reach a conclusion. The researcher collects data, records it in a tabular form, analysed and

discussed. The discussion will be in line with the last two questions asked in Chapter One, namely:

- Do the members of the SGB's have adequate knowledge of current legislation and policies on the governance of schools?
- Do the members of the SGB's understand their role to secure effective governance in schools?

4.7.1 Section A: Profile of Respondents

Section A of the questionnaire focuses on the respondents' profile as it relates to gender, elected member or co-opted member, number of years in the SGB and their level of education. The information in this regard will give the researcher a clear picture of the profile of SGB members in the two schools in the Klerksdorp-area.

A1. Gender of the respondents

| Gender | Frequency | Percentage | Cumulative Frequency | Cumulative Percentage |
|--------|-----------|------------|----------------------|-----------------------|
| Female | 12 | 50.00 | 12 | 50.00 |
| Male | 12 | 50.00 | 24 | 100.00 |

A2. Elected members and co-opted members

| Responses | Frequency | Percentage | Cumulative Frequency | Cumulative Percentage |
|--------------------|-----------|------------|----------------------|-----------------------|
| Parents | 11 | 45.83 | 11 | 45.8 |
| Learners | 5 | 20.83 | 16 | 66.7 |
| Non-teaching Staff | 2 | 8.33 | 18 | 75.0 |
| Educators | 4 | 16.67 | 22 | 91.7 |
| Ex-officio | 1 | 4.17 | 23 | 95.8 |
| Co-opted | 1 | 4.17 | 24 | 100.00 |

| | | | | |
|---------|--|--|--|--|
| Members | | | | |
|---------|--|--|--|--|

A3. Number of years in the SGB

| Years | Frequency | Percentage | Cumulative Frequency | Cumulative Percentage |
|--------------|-----------|------------|----------------------|-----------------------|
| 1 – 2 | 15 | 62.5 | 15 | 62.5 |
| 3 – 4 | 6 | 25.0 | 21 | 87.5 |
| 5 – 7 | 1 | 4.2 | 22 | 91.7 |
| 8 – 10 | 1 | 4.2 | 23 | 95.8 |
| More than 10 | 1 | 4.2 | 24 | 100.0 |

A4. Level of education

| Grade | Frequency | Percentage | Cumulative Frequency | Cumulative Percentage |
|----------------|-----------|------------|----------------------|-----------------------|
| 1 – 5 | 1 | 4.2 | 1 | 4.2 |
| 6 – 7 | 0 | 0 | 0 | 0 |
| 8 – 10 | 2 | 8.3 | 3 | 12.5 |
| 11 – 12 | 13 | 54.2 | 16 | 66.7 |
| Higher than 12 | 8 | 33.3 | 24 | 100.0 |

4.7.1.1 Interpretation of the respondents' profiles

Question A1: Both male (50%) and female (50%) has equal representation in the SGB's. It was expected that more males than females would have formed the basis of the SGB's. The reason for this equal distribution between males and females may have its foundation in government policies. The school governing body is directed by education legislation and policies and also by other formal policy documents. These legislation and policy documents demand affirmative action and equity regarding gender in all school systems and structures.

Question A2: Parents constitute 45.8%, learners 20.8%, non-teaching staff 8.3%, educators 16.6%, ex-officio 4.1% and co-opted members 4.1%. SASA (Act 84 of 1996)

requires that parents should form the majority in the SGB whilst the school manager, by virtue of his/her position, is automatically part of the SGB as an ex-officio member. The Act (SASA, 1196) also requires the SGB to co-opt a person from the community with the expertise to assist in the SGB. Therefore, both the ex-officio and the co-opted members will form the minority in the SGB. This is also enshrined in the South African Schools Act of 1996. In most instances the non-teaching staff will also be in minority, since most of the schools had a limited number of this population group.

Question A3: The result denotes that 15 (62.5%) of the respondents have been serving in the SGB for 1 – 2 years, 6 (25.0%) of the respondents serve the SGB for a period of 3 – 4 years, 1 (4.2%) of the respondents serve for a period of 5 – 7 years, 1 (4.2%) of the respondents serve for a period of 8 – 10 years and 1 (4.2%) of the respondents is also serving for a period of more than 10 years. 87.5% of the SGB members in this study have less than five years experience in the SGB, whilst 8.4% are serving less than ten years of which only 4.2% is serving more than ten years. It is difficult to put this statistics into context, but they may have an impact on the effectiveness on the governance function due to lack of experience of the majority of the SGB members in the schools.

Question A4: The majority of respondents, namely 13 (54.2%) have their level of education ranging from grade 11 – 12, 8 (33.3%) respondents have a qualification that is higher than grade 12, 2 (8.3%) of the respondents are ranging from grade 8 – 10 and 1 (4.2%) of the respondents ranges from grade 1 – 5. Although legislation does not determine the qualification for SGB members, the research wants to get this information, because the level of education may have an influence on the effectiveness of these bodies. When compiling this question the researcher expected the SGB members to have low qualifications, such as Grade 10 and lower. The education profile, however, indicates that the majority of the SGB members have relatively high qualifications. The assumption might be that there should thus be no reason for the SGB members to 'under perform' in their duties as members of the SGB. The relatively high level of education is an indication that the respondents should be in a position to understand and interpret the questionnaire.

Analysis of the biographical information indicates that the respondents represent the school community as required by the South African Schools Act of 1996. The result denotes that some members of the SGB have been in the school governance for more than four years,

which might have a negative impact on the smooth running of the school, although there is no existing correlation between effectiveness and the term of service in the SGB. In the final analysis the assumption can, however, be made that the respondents are well equipped to understand the role and functions of the SGB's. In this regard the study can be regarded as valid.

4.7.2 SECTION B (Questions B1 – B12): To determine whether the SGB members in the Klerksdorp-area understand and know the legislation and policies that govern them.

The results of the abovementioned question are discussed below.

Question B1: The Constitution (Act, 108 of 1996) is the supreme law that determines all education legislation and the school policies.

| Responses | Frequency | Percentage | Cumulative Frequency | Cumulative Percentage |
|-------------------|-----------|------------|----------------------|-----------------------|
| Strongly agree | 12 | 50.0 | 12 | 50.0 |
| Agree | 11 | 45.8 | 23 | 95.8 |
| Disagree | 0 | 0.0 | 0 | 0.0 |
| Strongly disagree | 1 | 4.2 | 24 | 100.0 |

The statistics indicate that 23 (95.8%) of the respondents know the Constitution (Act 108 of 1996) to be the supreme law that governs the all education legislation and the school policies. Only 1 (4,2%) strongly disagrees. This shows that the respondents understand the importance of the Constitution (Act 108 of 1996) and how it influences all policy processes and also that it governs all legislations of this country.

Question B2: The role of the SGB is to develop the school constitution based on the Constitution (Act 108 of 1996).

| Responses | Frequency | Percentage | Cumulative Frequency | Cumulative Percentage |
|-----------|-----------|------------|----------------------|-----------------------|
|-----------|-----------|------------|----------------------|-----------------------|

| | | | | |
|-------------------|----|------|----|-------|
| Strongly agree | 12 | 50.0 | 12 | 50.0 |
| Agree | 8 | 33.3 | 20 | 83.3 |
| Disagree | 3 | 12.5 | 23 | 95.8 |
| Strongly disagree | 1 | 4.2 | 24 | 100.0 |

The results denote that 20 (83.3%) of the respondents understand their role and take cognisance of the Constitution (Act 108 of 1996) when developing the school constitution. Only 4 (16.7%) indicate that there is no relationship between their school constitution and the Constitution of the country. This implies that schools have a constitution that adheres to the requirements of the Constitution (Act 108 of 1996).

Question B3: The South African Schools Act of 1996 stipulates the roles and functions of the SGB.

| Responses | Frequency | Percentage | Cumulative Frequency | Cumulative Percentage |
|-------------------|-----------|------------|----------------------|-----------------------|
| Strongly agree | 12 | 50.0 | 12 | 50.0 |
| Agree | 11 | 45.8 | 23 | 95.8 |
| Disagree | 1 | 4.2 | 24 | 100.0 |
| Strongly disagree | 0 | 0 | 0 | 0 |

The statistics indicate that 23 (95%) of the respondents have the knowledge of the requirements of the South African Schools Act of 1996 with regard to their roles and functions. Only 1 (4.2%) of the respondents disagrees. The respondents' understanding of SASA (Act 84 of 1996) in relation to their roles and responsibilities should thus assist them to be effective members in the administration and management of their school.

Question B4: The Education Law Amendment Act of 2005 empowers the HoD to appoint recommended candidates at his/her discretion.

| Responses | Frequency | Percentage | Cumulative Frequency | Cumulative Percentage |
|-------------------|-----------|------------|----------------------|-----------------------|
| Strongly agree | 4 | 16.7 | 4 | 16.7 |
| Agree | 10 | 41.7 | 14 | 58.3 |
| Disagree | 7 | 29.2 | 21 | 87.5 |
| Strongly disagree | 3 | 12.5 | 24 | 100.0 |

The results indicate that 4 (16.7%) strongly agree whilst 10 (41.7%) agree with the notion of the Head of Department (HoD) being empowered by the Act of 2005 to use his/her discretion when appointing educators into vacant post. 7 (29.2%) of the respondents disagree and 3 (12.5%) of the respondents strongly disagree with the notion. 58.4% of the respondents are thus sure of this fact. The appointment of qualified candidates is the foundation of effective school governance. A lack of knowledge in this regard is unacceptable and the SGB members should be well aware of their duties and responsibilities. The assumption can also be made that some members of the SGB were not informed or trained by the education on the new developments or either they resist the change. The assumption could thus be made that a large quantity of SGB members must be trained to secure effective governance by the SGB.

Question B5: Learners as members of the SGB cannot enter into any legal contracts that the school is undertaking.

| Responses | Frequency | Percentage | Cumulative Frequency | Cumulative Percentage |
|-------------------|-----------|------------|----------------------|-----------------------|
| Strongly agree | 10 | 41.7 | 10 | 58.3 |
| Agree | 10 | 41.7 | 20 | 83.3 |
| Disagree | 3 | 12.5 | 23 | 95.8 |
| Strongly disagree | 1 | 4.2 | 24 | 100.0 |

The majority of the respondents, about 20 (83.3%) know the interpretation of the SASA (Act, 84 of 1996) in relation to legal contracts. Only 4 (16.7%) disagree and strongly disagree. It could be assumed that the majority of the respondents understand their role with regard to legal contract. They therefore, inter alia, know that the learners are classified

as minors by the education legislation, social welfare legislation and criminal laws and that the as minors they cannot take responsibility for any debts incurred at the school since they depend on their parents for funding in the school.

4.7.3 SECTION C (Questions C1 – C12): To determine the understanding the SGB with regard to school governance

Chapter Three of the study deals with school governance and the policy processes that should be undertaken by the school governing body. The SGB members need to understand their roles and functions as outlined in SASA (Act 84 of 1996). They also need to be able to distinguish between school governance and school management for effective running of the school. Below are the results of the research in determining the knowledge of the SGB members regarding school governance.

C1: The SGB governs the school whilst the Principal deals with the day-to-day running of the school.

| Responses | Frequency | Percentage | Cumulative Frequency | Cumulative Percentage |
|-------------------|-----------|------------|----------------------|-----------------------|
| Strongly agree | 15 | 62.5 | 15 | 62.5 |
| Agree | 9 | 37.5 | 20 | 100.0 |
| Disagree | 0 | 0 | 0 | 0 |
| Strongly disagree | 0 | 0 | 0 | 0 |

The result reflects that the respondents agree 100% with the notion that the Principal deal with day-to-day running of the school whilst the SGB concentrate on school governance. This finding indicates that there is a clear separation between management and governance, which creates the opportunity for each entity to concentrate on its own functions. This is theoretically an ideal situation in a school and it results into effective education. There may, however, be a situation in schools where politics and management closely interlink.

C2: SGB members are elected and function on voluntarily without remuneration.

| Responses | Frequency | Percentage | Cumulative Frequency | Cumulative Percentage |
|-------------------|-----------|------------|----------------------|-----------------------|
| Strongly agree | 17 | 70.8 | 17 | 70.8 |
| Agree | 7 | 29.2 | 20 | 100.0 |
| Disagree | 0 | 0 | 0 | 0 |
| Strongly disagree | 0 | 0 | 0 | 0 |

The results denote that 17 (70.8%) strongly agree and 7 (29.2%) agree to function voluntarily without remuneration and none of the respondents disagree. This means in fact that all respondents are aware of the fact they are voluntary workers. From the results it could be deduced that the SGB members are more than prepared to assist in the governance of school and the education of their children without being remunerated.

C3: The school governance structure consists of the state, SGB and the principal.

| Responses | Frequency | Percentage | Cumulative Frequency | Cumulative Percentage |
|-------------------|-----------|------------|----------------------|-----------------------|
| Strongly agree | 12 | 50.0 | 12 | 50.0 |
| Agree | 11 | 45.8 | 23 | 95.8 |
| Disagree | 1 | 4.2 | 24 | 100.0 |
| Strongly disagree | 0 | 0 | 0 | 0 |

Out of 24 (100%) respondents, 23 (95.8%) agree that they understand the interaction between the state, principal and the SGB. Only one respondent does not understand this relationship. Chapter Three outlines the responsibilities and functions of each component of the structure. The assumption can be made that respondents know and understand the education structures and is aware of the fact that the central government and provincial legislature may have an important influence on school governance and that legislation and policies may be amended at will. An example is the new policy development from the Education Law Amendment Act of 2005.

C4: The SGB formulates policies for the school in line with the National and Provincial policies and regulations.

| Responses | Frequency | Percentage | Cumulative Frequency | Cumulative Percentage |
|-------------------|-----------|------------|----------------------|-----------------------|
| Strongly agree | 11 | 45.8 | 11 | 45.8 |
| Agree | 9 | 37.5 | 20 | 83.3 |
| Disagree | 4 | 16.7 | 24 | 100.0 |
| Strongly disagree | 0 | 0 | 0 | 0 |

In this item, 20 (83%) of the respondents know that they formulate policies in line with the National and Provincial policies and regulations whilst only 4 (16.7%) are not aware of this situation. Since the majority of the respondents understand the protocol, it can be assumed that policies that the SGB has formulated are in congruent with the National and Provincial policies. The fact that 16.7% are not aware of this situation needs attention, because these members may have a negative impact on policy formulation in schools.

C5: The SGB develops the vision and mission of the school that is guided by the broader vision and mission of the Department of education (DoE).

| Responses | Frequency | Percentage | Cumulative Frequency | Cumulative Percentage |
|-------------------|-----------|------------|----------------------|-----------------------|
| Strongly agree | 10 | 4.7 | 10 | 41.7 |
| Agree | 12 | 50.0 | 22 | 91.7 |
| Disagree | 1 | 4.2 | 23 | 95.8 |
| Strongly disagree | 1 | 4.2 | 24 | 100.0 |

The result denotes that the majority being 22 (91.7%) of the respondents agree that the broader vision and mission of the DoE guide the vision and mission of the school. Only 2 (8.4%) disagree. This is a good sign because it indicates that there is co-ordination between the DoE and the SGB's. This impression will eventually lead to effective governance in schools.

C6: For effective and efficient management of funds, the SGB should develop the financial policy.

| Responses | Frequency | Percentage | Cumulative Frequency | Cumulative Percentage |
|-------------------|-----------|------------|----------------------|-----------------------|
| Strongly agree | 15 | 62.5 | 15 | 62.5 |
| Agree | 7 | 29.2 | 22 | 91.7 |
| Disagree | 2 | 8.3 | 24 | 100.0 |
| Strongly disagree | 0 | 0 | 0 | 0 |

One of the critical aspects that can cripple the objectives of the school is poor financial administration. It is therefore imperative that proper finance systems should be in place for smooth running of the school. The SGB should be held responsible for effective financial policy, which will lead to effective management practices. The result denotes that 15 (62.5%) of the respondents strongly agree, while 7 (29.2%) of the respondents are well aware of their responsibility to develop an effective financial policy for the school. The effectiveness of these policies are, however, not being tested in this study.

C7: The SGB, together with the parents determine the school fees.

| Responses | Frequency | Percentage | Cumulative Frequency | Cumulative Percentage |
|-------------------|-----------|------------|----------------------|-----------------------|
| Strongly agree | 20 | 83.3 | 20 | 83.3 |
| Agree | 3 | 12.5 | 23 | 95.8 |
| Disagree | 1 | 4.2 | 24 | 100.0 |
| Strongly disagree | 0 | 0 | 0 | 0 |

The statistics indicate that the majority 23 (95.8%) of the respondents agree with the notion of the SGB together with the parents determining the school fees. Only 1 (4.2%) of the respondents is not aware of this fact. The indication is that the SGB form a team with parents when determining the school fees. The teamwork will create a situation of school fees not becoming a source of disagreement in school.

C8: The SGB is accountable to all funds contributed to the school and is entitled to open a school banking account.

| Responses | Frequency | Percentage | Cumulative Frequency | Cumulative Percentage |
|-------------------|-----------|------------|----------------------|-----------------------|
| Strongly agree | 14 | 58.3 | 14 | 58.3 |
| Agree | 9 | 37.5 | 23 | 95.8 |
| Disagree | 1 | 4.2 | 24 | 100.0 |
| Strongly disagree | 0 | 0 | 0 | 0 |

The statistics indicate that 23 (95.8%) of the respondents strongly agree that the SGB is accountable to all funds contributed to the school and that a bank account must be opened for the school. Only 1 (4.2%) of the respondents disagrees with the statement. This implies that the majority of the respondents know and understand the role and function of the SGB regarding school finances as enshrined in Section 37(3) of SASA (Act 84 of 1996) whilst the minority needs a through explanation regarding school finances.

C9: The SGB holds annual parents meetings and presents the audited financial report, school governance report and academic report.

| Responses | Frequency | Percentage | Cumulative Frequency | Cumulative Percentage |
|-------------------|-----------|------------|----------------------|-----------------------|
| Strongly agree | 19 | 79.2 | 19 | 79.2 |
| Agree | 5 | 20.8 | 24 | 100.0 |
| Disagree | 0 | 0 | 0 | 0 |
| Strongly disagree | 0 | 0 | 0 | 0 |

All the respondents, namely 24 (100%) strongly agree that during the annual general parents meeting (AGM) the audited financial report, school governance report and academic report should be presented. None of the respondents disagree with the notion of presenting reports to the parents during the AGM. Therefore, the assumption will be that all the schools in the Klerkdorp-area present reports to the parents on school matters. This

situation is exceptional and will lead to close co-ordination between the SGB and the community.

C10: A learner should not be denied admission to schooling on the basis of his/her religion, race and language.

| Responses | Frequency | Percentage | Cumulative Frequency | Cumulative Percentage |
|-------------------|-----------|------------|----------------------|-----------------------|
| Strongly agree | 15 | 62.5 | 15 | 62.5 |
| Agree | 7 | 29.2 | 22 | 91.7 |
| Disagree | 1 | 4.2 | 23 | 95.8 |
| Strongly disagree | 1 | 4.2 | 24 | 100.0 |

In the previous section (Question B2) the majority of the respondents indicated that their school constitution is guided by the principles of the Constitution (Act 108 of 1996). Therefore in this section their response is incongruent with section B that investigated their knowledge regarding legislation and policies. Fifteen (62.5%) strongly agree and seven (29.2%) agree that no learner should be denied admission to schooling on the basis of his/her religion, race and language. Two (8.4%) of the respondents, however, indicated that these factors should not play a role in the admission of learners in schools. The reason for this phenomenon has not been determined.

C11: The school development plan should change or improve the performance of the school and must be practical with short-term and long-term goals.

| Responses | Frequency | Percentage | Cumulative Frequency | Cumulative Percentage |
|-------------------|-----------|------------|----------------------|-----------------------|
| Strongly agree | 13 | 54.2 | 13 | 54.2 |
| Agree | 10 | 41.7 | 23 | 95.8 |
| Disagree | 1 | 4.2 | 24 | 100.0 |
| Strongly disagree | 0 | 0 | 0 | 0 |

The result denotes that 23 (95.8%) of the respondents strongly agree and agree that the school development plan should improve the performance of the school and must be practical with short-term and long-term goals that are realistic. It is only one respondent that disagrees with the notion. The assumption will be that the SGB understand their short-term and long-term goals to create effective education. This results can, however, be tested only at the end of each year when the grade 12 results are announced and measured with similar results of other schools.

C12: Corporative governance improves administration and management in the school.

| Responses | Frequency | Percentage | Cumulative Frequency | Cumulative Percentage |
|-------------------|-----------|------------|----------------------|-----------------------|
| Strongly agree | 16 | 66.7 | 16 | 66.7 |
| Agree | 6 | 25.0 | 22 | 91.7 |
| Disagree | 1 | 4.2 | 23 | 95.8 |
| Strongly disagree | 1 | 4.2 | 24 | 100.0 |

Corporate governance means participation of all stakeholders for the advancement of the school. The statistics above indicate that twenty-two (91.7%) of the respondents strongly agree and agree with the notion that corporative governance improves administration and management in the school. This means that recognition of individual abilities and capabilities irrespective of their academic achievement will improve the function of the SGB since qualification is not a prerequisite. This is a positive result and will lead to a more effective education system.

4.7.4 SECTION D (Question D1 – D12): To determine the roles and responsibilities of the SGB towards effective school governance.

In this section the researcher investigates the implementation of the legislation requirements with regard to their roles and functions of the school governing body in their specific school. The section further establishes whether indeed the school governing body

has developed school policies as outlined in Chapter Three with specific reference to policy formulation and implementation. Below is a table indicating the responses:

Key: SA = Strongly agree
 ATE = Agree to an extent
 DTE = Disagree to an extent
 SD = Strongly disagree

| Statements | SA | | ATE | | DTE | | SD | |
|--|--------|------|--------|------|--------|------|--------|------|
| | n = 24 | | N = 24 | | n = 24 | | N = 24 | |
| | F | % | F | % | F | % | F | % |
| 1. The SGB has compiled the budget for the next financial year | 13 | 54.2 | 5 | 20.8 | 4 | 16.7 | 2 | 8.3 |
| 2. The SGB has developed the financial policy | 9 | 37.5 | 11 | 45.8 | 2 | 8.4 | 2 | 8.4 |
| 3. The SGB has developed the admission policy | 10 | 41.7 | 8 | 33.3 | 5 | 20.8 | 1 | 4.2 |
| 4. The SGB has developed the language policy | 5 | 20.8 | 10 | 41.7 | 6 | 25.0 | 3 | 12.5 |
| 5. The SGB has developed the religious policy | 6 | 25.0 | 4 | 16.7 | 9 | 37.5 | 5 | 20.8 |
| 6. The SGB has developed the code of conduct for the learners | 13 | 54.2 | 6 | 25.0 | 4 | 16.7 | 1 | 4.2 |
| 7. The SGB has developed the code of conduct for its members | 9 | 37.5 | 7 | 29.2 | 3 | 12.5 | 5 | 20.5 |
| 8. The SGB constitution has been developed. | 13 | 54.2 | 8 | 33.3 | 2 | 8.4 | 1 | 4.2 |
| 9. Meetings of the SGB are held at least once per quarter | 16 | 66.7 | 7 | 29.2 | 0 | 0 | 1 | 4.2 |

| | | | | | | | | |
|---|----|------|---|------|---|------|---|------|
| 10. Annual general meetings (AGM) are held once a year with parents | 15 | 62.5 | 3 | 12.5 | 3 | 12.5 | 3 | 12.5 |
| 11. The SGB respect and acknowledge views and differences of individual members | 16 | 66.7 | 7 | 29.2 | 1 | 4.2 | 0 | 0 |
| 12. I understand my roles and responsibilities as the member of the SGB | 17 | 70.8 | 6 | 25.0 | 1 | 4.2 | 0 | 0 |

4.7.4.1 Interpretation of the responses

Looking at the above table, the results indicate to what extent the SGB in the two schools implement specific policies as part of their roles and functions.

Question D1 School budget for the next financial year: The result implies that thirteen (54.2%) strongly agree and five (20.8%) agree to an extent that the SGB has indeed compiled a budget for the next financial year whilst four (16.7%) disagree and two (8.3%) strongly disagree with it. The results are to an extent of concern because 25% of the respondents are not aware of a budget for the school. The assumption might be that the minority did not form part of the team that compiled the budget. This calls for the relevant SGB's to make a follow-up.

Question D2 Financial policy: The results indicated that the majority of respondents, namely twenty (83.3%) are strongly agreeing and agreeing that the financial policies have been compiled. Once again four (16.7%) of the respondents disagrees that a financial policy has been compiled. As with D2, the SGB must take note of the situation and should address the causes thereof.

Question D3 Admission policy: The statistics denotes that eighteen (75%) of the respondents strongly agree and agree to an extent that the SGB has developed the admission policy whilst six (25%) are not aware of such a policy. This situation must also be addressed by the relevant SGB.

Question D4 Language policy: In most instances language is regarded as one of the controversial aspects in the country. South Africa has eleven official languages that enjoy the same status and need to be respected. It is therefore the prerogative of the SGB to develop the language policy to provide guidance on which language to be used in the school for teaching and learning. The result indicates that fifteen (62.5%) of the respondents strongly agree and agree to an extent that the SGB has developed language policy and only nine (37.5%), disagree to an extent and strongly disagree with it. Because language is such an important aspect it is of concern that the SGB members in schools are not aware that the language policy has been developed. This aspect should be addressed by each SGB so that all members should be on board with the language policy.

Question D5 Religious policy: There is a perception that the Department of Education has done away with religious instruction or biblical studies in the schools. The South African Schools Act of 1996 has empowered the SGB to formulate policies around religion. The result of the study denotes that ten (41.7%) of the respondents strongly agree and agree to an extent that the SGB has developed the religious policy for the school. Although the majority of the respondents, namely fourteen (58.3%) disagree to an extent and strongly disagree with the notion of the SGB having developed the religious policy. The implication might be that the SGB's and the communities do not take religion in specific schools serious. The assumption has, however, not been verified.

Question D6 Code of conduct for learners: There is a belief in the society and the community that since the inception of democracy, learners are having too many rights that has resulted in them behaving in an unbecoming manner. The SASA (Act 84 of 1996) has empowered the SGB to have control and to guide learners in a way that will make them responsible adults and citizens of this country. It is therefore the prerogative of the SGB as the body that represent all stakeholders of the school community to develop the code of conduct for their learners. The statistics indicate that nineteen (79.2%) of the respondents strongly agree and agree to an extent and that indeed the SGB has developed the code of conduct for the learners. Only five (20.9%) are disagreeing with the notion of the code of conduct for learners has been developed.

Question D7 Code of conduct for SGB members: Members of the school governing body come from different backgrounds. Therefore, it is imperative for them to design a

code of conduct that will provide guidance in the manner in which they should conduct themselves. The majority of the respondents, namely sixteen (66.7%) strongly agree and agree to an extent that the code of conduct for the members of the SGB has been developed. Other respondents, which is eight (20.9%) disagree to an extent and strongly disagree with the notion of having developed the code of conduct for SGB members.

Question D8 The SGB constitution: The result indicates that thirteen (54.2%) strongly agree and eight (33.3%) agree to an extent that the SGB has developed the constitution. Three (12.6%) disagree to an extent and strongly disagree with it. The fact that 12.6% of the respondents are not aware of a constitution for their specific school is also of concern. A question that can be asked is why three members of the SGB are not aware of the SGB constitution.

Question D9 SGB quarterly meetings: Different stakeholders constitute a school and therefore communication between them should play a pivotal role. There should be communication amongst the members of the SGB as well as their constituency by holding meetings to give feedback and to communicate new ideas for the effective running of the school. The result indicates that sixteen (66.7%) of the respondents strongly agree and seven (29.2%) agree to an extent that the SGB holds a meeting once quarterly. Only one (4.2%) strongly disagrees with the notion that SGB meetings are held quarterly. The fact that one member is not aware of any quarterly meetings, may have several reasons. The researcher will not be examining these reasons.

Question D10 Annual General Meetings (AGM): Parents need to be informed annually of any progress made or any obstacles encountered by the SGB. The result of the study indicates that the majority eighteen (75%) of the respondents strongly agree and agree to an extent that annual general meetings are held with the parents. Only six (25%) disagree to an extent and strongly disagree that with the notion that an AGM is held annually with the parents. The fact that 25% of the SGB members are not aware of the annual general meeting is of concern and should be addressed by various SGB's.

Question D11 The SGB respect and acknowledge the views and differences of individual members: Every South African citizen has a right and a responsibility as enshrined in Chapter Two of the Bill of Right (Act 108 of 1996). Therefore, members of the

SGB should have tolerance to one other and respect each other's views for effective coordination of its activities as well as team building. The statistics indicate that the majority twenty-three (95.9%) of the respondents are respecting and acknowledging the views and the differences of individual members. Only one (4.2%) of the respondents disagrees to an extent with the views of the majority.

Question D12 SGB members understand their roles and responsibilities: 95% of the respondents strongly agree and agree to an extent that they understand their roles and responsibilities as members of the SGB. Only one (4.2%) of the respondents disagrees to an extent of understanding his/her roles and responsibilities as a member of the SGB. The implication is that the SGB is constituted of members that understand their roles and functions that might bring positive influence in the running of the school.

4.8 SUMMARY OF THE EMPIRICAL RESULTS

In this research study a questionnaire has been used to measure some characteristics or opinions of the respondents (May, 1997:85). The aim of collecting the data is to determine the understanding and knowledge of the roles and responsibilities of members of the SGB regarding legislations and policies to secure effective governance of schools. Below is the interpretation of the findings of different sections.

4.8.1 SECTION B: The reason for the question asked in section B is to determine whether the SGB members in the Klerksdorp-area understand and know the legislation and policies that govern them.

The study reveals that 83.3% of the respondents agree or strongly agree that they understand and know the legislation and policies that governs them. This statistics are highly satisfactory and the notion is thus that education on this matter is of high standard. Only 16.7% of the respondents seem not to understand legislation and policies that governs them.

Of concern, however, is the result of question B4: The Education Law Amendment Act of 2005 empowers the HoD to appoint recommended candidates at his/her discretion. Only 58.4% of the respondents indicated that they have knowledge of the Education Law

Amendment Act of 2005. This means that 41.6% of the respondents do not have the knowledge on the contents of this Act and is not aware of the fact that the HoD is empowered to use his/her discretion to appoint despite the preference of the SGB recommendation. A recommendation in this regard will follow in Chapter Five.

4.8.2 SECTION C: The reason for the question asked in this section was to determine the understanding of the SGB members regarding school governance.

The study indicates that 94.4% of the respondents understand their role as SGB members in the governance of schools. The statistics are highly satisfactory, but does not correlate with the results of section D where it seems that the SGB members, or SGB's do not implement this knowledge satisfactory.

4.8.3 SECTION D: The reason for the questions asked in this section was to determine whether the SGB members understand their roles and responsibilities towards effective school governance in their respective schools.

The study indicates that 77.8% of the respondents understand their roles and responsibilities towards effective school governance in their schools. The study also indicates that 22.2% of the respondents indicated that they do not have the necessary knowledge on the governance of their own schools. The reasons for these statistics can be identified by the following questions:

| Statements | SA | | ATE | | DTE | | SD | |
|--|----------|------|----------|------|----------|------|----------|------|
| | <i>F</i> | % | <i>F</i> | % | <i>f</i> | % | <i>F</i> | % |
| 1. The SGB has compiled the budget for the next financial year | 13 | 54.2 | 5 | 20.8 | 4 | 16.7 | 2 | 8.3 |
| 3. The SGB has developed the admission policy | 10 | 41.7 | 8 | 33.3 | 5 | 20.8 | 1 | 4.2 |
| 4. The SGB has developed the language policy | 5 | 20.8 | 10 | 41.7 | 6 | 25.0 | 3 | 12.5 |

| | | | | | | | | |
|---|----|------|---|------|---|------|---|------|
| 5. The SGB has developed the religious policy | 6 | 25.0 | 4 | 16.7 | 9 | 37.5 | 5 | 20.8 |
| 7. The SGB has developed the code of conduct for its members | 9 | 37.5 | 7 | 29.2 | 3 | 12.5 | 5 | 20.5 |
| 10. Annual general meetings (AGM) are held once a year with parents | 15 | 62.5 | 3 | 12.5 | 3 | 12.5 | 3 | 12.5 |

Recommendations in this regard will be made in the next chapter.

4.9 CONCLUSION

The questionnaire was designed to solicit information on the perception that the SGB has regarding the knowledge, understanding and the implementation of the legislation and policy requirements that might exist for them to have positive and effective influence in the running of the school in the Klerksdorp-area. Two schools were randomly selected to investigate understanding of the SGB's in the Klerksdorp-area regarding the legislations and policies that governs schools. Twenty-eight (28) questionnaires were distributed to the selected schools. Although not all respondents have returned the questionnaire a sufficient number 85.7%, against 14.3% of the respondents did return the questionnaire, which has made it possible for the researcher to draw conclusions of the perception that might have exist there.

The respondent agreed unanimously that the daily running of the school is the responsibility of the principal and their role is to govern the school. The study revealed that policies have been formulated although some of the respondents do not agree. They also acknowledge the fact that although the principal deals with the day-to-day running of the school, it is the responsibility of SGB's to open a banking account and to deal with all financial matters of the school and not the principal.

Statistics in itself cannot be regarded as the means to an end to investigate the knowledge that the SGB has regarding legislation and policies that governs them. They must be utilised as guidelines that could assist to further investigate on how education department

could plan the capacity building and how well the SGB's implement the knowledge of legislation and policies for effective school administration and management.

The empirical investigation revealed that the SGB has the knowledge of the legislation and policies that govern them and that they are fairly adequately implementing them. However, it has also been revealed that some of the SGB members are not on the same wavelength with majority of the respondents and they seem to be not aware of some policies (paragraph 4.8.3) having been established. The conclusion to this study and recommendations for future research will be discussed in more detail in Chapter Five.

CHAPTER 5

SUMMARY AND RECOMMENDATIONS

5.1 INTRODUCTION

In the previous chapter the response revealed that the majority of the respondents have the understanding and the knowledge of their roles and responsibilities as outlined in SASA (Act 84 of 1996). Although section B indicated that the respondents are not aware of the amendments of the education legislation and that there is also no correlation between section C and D since some of the respondents are not aware of policies that have been developed.

The purpose of this chapter is to summarise findings and to give recommendations on issues that will have a positive influence in the running of schools in the Klerksdorp-area. The findings of the empirical study will be put into context with the objectives of the study.

5.2 SUMMARY OF THE CHAPTERS

Chapter One gives a brief outline of the statement of the problem and the rationale behind this study. In trying to find ways for positive influence of the SGB, more focus should be put on the roles and functions of the SGB as outlined in the South African Schools Act of 1996. The research methodology was explained in this chapter.

Chapter Two discusses previous education legislation that has a bearing in school governance and the introduction of SASA (Act 84 of 1996) that stipulates the roles and the functions of the SGB. It also highlights the importance of the Bill of Rights in school governance. The chapter explained how the SGB members are elected and how the executive is constituted and their term of office.

Chapter Three dealt with governance in schools giving a Public Administration perspective. The concept governance and management has been defined. It outlines the role of the school governors and the principal for smooth running of the school to avoid conflicts. The systems of school governance structures and their roles are explained. The chapter

focuses on the development of the vision and mission, the SGB constitution, code of conduct for learners, administration of school property and the establishment of school policies. Participation of stakeholders and partnership with a view of involving parents in the school activities is highlighted.

Chapter Four outlined the methods of the design and the empirical research with the presentation of data in the form of tables. An analysis of the data has also been undertaken. The questionnaire formed the basis of this discussion.

5.3 OBJECTIVES OF THE STUDY

The objectives of this mini-dissertation are to establish the following:

- To determine what legislative requirements are for the effective governance of schools by the School Governing Bodies.
- To determine what 'effective' governance means in the context of Public Administration.
- To establish the role and functions of the SGB's in the effective governance of schools.
- To establish whether members of the SGB's understand their role to secure effective governance in schools.
- To determine whether members of the SGB's have adequate knowledge of current legislations and policies on the governance of schools.

5.4 FINDINGS OF THE STUDY

Taking the problem statement in Chapter One into account, the researcher expected that the study would reveal major problems with SGB's in the governance of their schools. It was also expected that SGB's would experience capacity problems and that these bodies were totally ineffective when it comes to governance of schools. With this in mind the following research question has been asked: *"Do School Governing Bodies (SGB's) know what school governance is about and do they understand their roles for effective governance of schools at the hand of relevant education legislation and policies?"* With the research question as the background, the following questions were asked:

- What are the legislative requirements for the effective governance of schools by the School Governing Bodies?
- What does 'effective' governance mean in Public Administrative terms?
- What are the role and functions of the SGB's in the effective governance of schools?
- Do members of the SGB's understand their role to secure effective governance in schools?
- Do the members of the SGB's have adequate knowledge of current legislation and policies on governance?

The study revealed that since the inception of the new democratic governance in schools, members of the SGB have been capacitated on the role and functions of the SGB's as required by SASA (Act 84 of 1996). It also revealed that the SGB's took cognisance of other legislation to govern their schools since they agree that the Constitution (Act 108 of 1996) is the supreme law that determines all education legislation and the school policies and the SGB constitution is formulated on it. In January 2005 the National Education Department introduced the Education Law Amendment Act of 2005, which made amendments to the SASA (Act 84 of 1996) and gave the Head of Department (HoD) the prerogative to use his/her discretion when appointing a candidate that is recommended by the SGB. Below the summary of findings as outlined in Chapter Four of the study will be addressed.

SECTION B: The reason for the question asked in section B is to determine whether the SGB members in the Klerksdorp-area understand and know the legislation and policies that govern them. The results revealed that 83.3% of the respondents agree or strongly agree that they understand and know the legislation and policies that govern them. Only 16.7% of the respondents seem not to understand legislation and policies that governs them.

SECTION C: The reason for the question asked in this section was to determine the understanding of the SGB members regarding school governance. The response revealed that 94.4% of the respondents understand their role as SGB members in the governance of schools.

SECTION D: The reason for the questions asked in this section was to determine whether the SGB members understand their roles and responsibilities towards effective school governance in their respective schools. The study revealed that 77.8% of the respondents understand their roles and responsibilities towards effective school governance in their schools. Only 22.2 % of the respondents indicated that they do not have the necessary knowledge in the governance of their own schools.

5.5 RECOMMENDATIONS

The following recommendations based on the findings of this study are made to allow the school governing body to function effectively and influence the running of the school in the Klerkdorp-area:

Recommendation 1:

Question B4: The Education Law Amendment Act of 2005 empowers the HoD to appoint recommended candidates at his/her discretion. Forty-two point six (42.6%) of the respondents indicated that they do not have the knowledge of the contents of this Act and is not aware of the fact that they should appoint candidates in consultation with the HoD. It is recommended that all members of the SGB's should be exposed to training on all legislation that have a direct impact to school governance and the changes that are taking place on the governance of school governance. This will empower the SGB's to be able to run the school effectively.

Recommendation 2:

The reason for the question asked in section D was to determine whether the SGB members understand their roles and responsibilities towards effective school governance at their respective schools. The study revealed that seventy-seven point eight (77.8) % of the respondents indicated that they understand their roles and responsibilities towards effective governance at their respective schools. The negative figure of twenty-two point two (22.2) % is unacceptably high to claim that SGB's function effectively in this regard. The reason for these statistics can be identified in the results of the following questions:

| Statements | SA | | ATE | | DTE | | SD | |
|---|--------|------|-------|------|--------|------|--------|------|
| | n = 24 | | N= 24 | | n = 24 | | N = 24 | |
| | F | % | F | % | f | % | F | % |
| 1. The SGB has compiled the budget for the next financial year | 13 | 54.2 | 5 | 20.8 | 4 | 16.7 | 2 | 8.3 |
| 3. The SGB has developed the admission policy | 10 | 41.7 | 8 | 33.3 | 5 | 20.8 | 1 | 4.2 |
| 4. The SGB has developed the language policy | 5 | 20.8 | 10 | 41.7 | 6 | 25.0 | 3 | 12.5 |
| 5. The SGB has developed the religious policy | 6 | 25.0 | 4 | 16.7 | 9 | 37.5 | 5 | 20.8 |
| 7. The SGB has developed the code of conduct for its members | 9 | 37.5 | 7 | 29.2 | 3 | 12.5 | 5 | 20.5 |
| 10. Annual general meetings (AGM) are held once a year with parents | 15 | 62.5 | 3 | 12.5 | 3 | 12.5 | 3 | 12.5 |

Recommendations, which may address the identified problem area, are as follows:

1. The SGB has compiled the budget for the next financial year: Finances are the backbone of any organisation and they need to be taken seriously. The compilation of the budget for the next financial year will assist the SGB's to have projections of their finances and be able to cost and prioritise school activities. It is recommended that all the members of SGB's should be taken on board whenever a budget is compiled. The Department of Education should train SGB's on how to compile a budget and also show them the importance of financial planning for effective management and administration of school finances.

4. The SGB has developed the language policy: All eleven languages are official and they enjoy the same status. It is therefore imperative that the school should have to develop a language policy for effective teaching and learning in the school. It is recommended that all members of the SGB should be taken on board on policies that the

school that has been developed and workshops be conducted for all SGB's on how to develop the language policy taking cognisance of education policies regarding the language of learning and teaching as well as the Constitution (Act 108 of 1996).

5. The SGB has developed the religious policy: The Constitution respects all forms of religious practices. Because of the diverse community beliefs, the SGB's must develop the religious policy to accommodate different religions for the smooth running of the school. It is therefore recommended that all members of the SGB should be taken on board on issues of religion and be trained on how to develop a religious policy.

7. The SGB has developed the code conduct for its members: Members of the SGB come from different backgrounds and for them to have mutual understanding and to govern the school effectively they must develop a code of conduct for its members. The study has revealed that not all members agree with the notion of them having a code of conduct for the SGB members. It is recommended that all members be exposed to the code of conduct as some agree to have been developed and further to capacitate SGB's on the development of the SGB code of conduct.

10. Annual general meetings (AGM) are held once a year with the parents: Parents are considered to be in partnership with the school. It is important that they be given feedback on the progress of the school. It is recommended that the Education Department should monitor whether the SGB's are holding AGM's at their respective schools.

Problems that are identified forms part of this study. The reasons why these problems occur need a comprehensive study that will address them. This has to a large extent to do with policy implementation or lack thereof. The Department of Education (DoE) and the schools should, however, take note and address these problems. Chapter 3 (c.f. 3.6.6.1) give guidance on policy development processes. Therefore, the SGB's could use these guidelines to assist them with the development of school policies that will result in effective school effectively governance with clear set of goals that they need to achieve.

5.6 CONCLUSION

Central to the theoretical statement, the South African Schools Act, (No. 84 of 1996), brought new governance systems in schools, which determine that effective school governance should be the responsibility of all stakeholders in order to enhance quality education. The Act also stipulates that a school should be governed democratically and that all stakeholders must have the right to partake in the decision-making process.

For effective school governance SGB's must formulate school policies in line with the National and Provincial Department of Education to provide guidance to its members and the school community. All SGB members need to be capacitated on all legislation that has a direct impact to school governance. They need to be made aware of changes in the legislation to influence the decisions at higher structures before an amendment is finalised by Parliament or Provincial legislature. Training should be ongoing and all members be trained not done selectively.

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TO : RESPONDENTS

QUESTIONNAIRES

My name is Nomsa Nong, a graduate student in the Masters Programme of Public Management and Administration Programme (MPG) at the North-West University.

- I am conducting a study on **“To establish whether School Governing Bodies understand their roles and responsibilities and implement policies for effective governance in schools as expected”**.

You have been randomly selected in schools to participate in the study.

Your honest and sincere responses to this questionnaire will assist in assessing and establishing the role and the functions of the School Governing Body to ensure effective school governance in schools.

Information regarding your identity has been omitted to ensure confidentiality.

Your participation is highly appreciated.

QUESTIONNAIRE

SECTION A

Respondents profile

Indicate with an (X) the statement applicable to you.

1. Gender

| | |
|--------|--|
| Female | |
| Male | |

2. Are you an elected member or a co-opted member?

| | |
|----------------------------|--|
| Elected parent | |
| Elected Learner | |
| Elected Non-teaching Staff | |
| Elected Educator | |
| Ex-officio | |
| Co-opted parent | |

3. Number of years on the SGB

| | |
|--------------------|--|
| 1 – 2 years | |
| 3 – 4 years | |
| 5 – 7 years | |
| 8-10 years | |
| More than 10 years | |

4. Your level of education (highest qualification)

| | |
|------------------------------------|--|
| Grade 1 – 5 | |
| Grade 6 – 7 | |
| Grade 8 – 10 | |
| Grade 11 – 12 | |
| Higher qualification than Grade 12 | |

SECTION B

Legislation and policies on School Governing Bodies (SGB's)

Indicate the extent to which you agree or disagree with the statements below with regard to legislation and policies on School Governing Bodies (SGB's).

| STATEMENT | Strongly agree | Agree | Disagree | Strongly disagree |
|--|----------------|-------|----------|-------------------|
| 1. The Constitution (Act, 108 of 1996) is the supreme law that determines all education legislation and the school policies. | | | | |
| 2. The role of the SGB is to develop the school constitution, based on the Constitution (Act 108 of 1996). | | | | |
| 3. The South African Schools Act of 1996 stipulates the role and the functions of the SGB. | | | | |
| 4. The Education Law Amendment Act of 2005 empowers the HoD to appoint recommended candidates at his/her discretion. | | | | |
| 5. Learners, as members of the SGB, cannot enter into any legal contracts that the school is undertaking. | | | | |

SECTION C

SCHOOL GOVERNANCE

Indicate the extent to which you agree or disagree with the statement below with regard to the functions of the school governors in your school.

| STATEMENT | Strongly agree | Agree | Disagree | Strongly disagree |
|--|-----------------------|--------------|-----------------|--------------------------|
| 1. The SGB governs the school whilst the principal deals with the day-to-day running of the school. | | | | |
| 2. SGB members are elected and function voluntarily without remuneration. | | | | |
| 3. The school governance structure consists of the state, SGB and the principal. | | | | |
| 4. The SGB formulate policies for the school in line with the National and Provincial policies and regulations. | | | | |
| 5. The SGB develops the vision and the mission of the school that is guided by the broader vision and mission of the Department of Education (DoE). | | | | |

SECTION D

THE ROLES AND RESPONSIBILITIES OF THE SCHOOL GOVERNING BODIES TOWARDS EFFECTIVE SCHOOL GOVERNANCE

Indicate the extent to which you agree or disagree with the statement regarding the implementation the functions of the SGB.

| STATEMENT | Strongly agree | Agree to a large extend | Disagree to a large extend | Strongly disagree |
|---|----------------|-------------------------|----------------------------|-------------------|
| 1. The SGB has compiled the budget for the next financial year. | | | | |
| 2. The SGB has developed the financial policy. | | | | |
| 3. The SGB has developed the admission policy. | | | | |
| 4. The SGB has developed the language policy. | | | | |
| 5. The SGB has developed the religious policy. | | | | |
| 6. The SGB has developed the code of conduct for the learners. | | | | |
| 7. The SGB has a code of conduct for its members. | | | | |

| | | | | |
|--|--|--|--|--|
| 8. The SGB constitution has been developed. | | | | |
| 9. Meetings of the SGB are held at least once per quarter. | | | | |
| 10. Annual general meetings (AGM's) are held once a year with parents. | | | | |
| 11. The SGB respect and acknowledge views and differences of individual members. | | | | |
| 12. I understand my roles and responsibilities as the member of the SGB. | | | | |

THANK YOU VERY MUCH FOR YOUR TIME!