

An investigation into disciplinary methods in Secondary Schools of Jouberton

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DEDICATION

This study is dedicated to my late father,
George Jabavu Ndamase, who made sure that I get my
Tertiary education and to my grandparents, Mercy Ndamase
and Daisy Matome and my mother,
Magdeline Hobonemang Ndamase.

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ABSTRACT

AN INVESTIGATION INTO DISCIPLINARY METHODS IN SECONDARY SCHOOLS OF JOUBERTON

Learner misconduct in public schools appears to be a serious problem worldwide. In South Africa there appears to be a deterioration of sound conduct and self-discipline among learners. Moreover, this situation seems to have a negative effect on the learning and teaching environment in our schools.

The objectives of this research were to investigate learner misconduct and to determine:

- What the nature of learner misconduct is by means of a literature study;
- What causes learner ill-discipline in general;
- The forms and frequency of learner misconduct ;
- What methods are used by educators in disciplining learners in general and in particular at Jouberton Secondary Schools;
- Which additional methods can be implemented to deal with learner misconduct; and
- The legal environment in dealing with learner misconduct.

A literature study, the quantitative method and the empirical investigation were applied in order to achieve the above-mentioned objectives. The target population comprised 509 Learners and 50 educators in the Secondary Schools of Jouberton. The study revealed that discipline is characterized by factors such as fairness, protection, order, total development, and correctiveness and none punitiveness.

The empirical research was conducted by means of a structured questionnaire. It revealed that there was some consensus between the teachers and learners concerning the effectiveness of methods in dealing with learner misconduct. However, pertaining to the majority of methods there was no consensus between the teachers and the learners. Some of the most effective methods identified were proper preparation of lessons, positive discipline, reward, discussions with the parents, visits to the principal, regular prayers by educators, a system of classroom rules, and referring to the principal. Some of the methods

deemed not to be successful were detention, isolation outside the classroom, isolation within the classroom, referral to the school governing body and community service.

Legal determinants relevant to learner misconduct were entered into in this study. These determinants entailed statutory law, common law and case law. It was dealt with through the S.A Constitution, the Schools Act, the National Education Policy Act, Subordinate legislation and a number of examples of international law such as Convention on the rights of the child, African charter on the Rights and Welfare of the child, Declaration on Social and Legal Principles Relating to the Protection and Welfare of the learner, with Special Reference to Forster Place and Adoption Nationally and Internationally and Declaration in the Promotion Among Youth of the Ideals of Peace, Mutual Respect and Understanding Between People's Rights.

The findings showed that both teachers and learners agree to the fact that proper lesson preparation by the teacher and meetings with parents of learners are to be rated as very effective. However, in general, teachers and learners differed in their view pertaining to the effectiveness of the various methods. On the other hand, taken as a whole, both learners and teachers gave preference to a positive approach , rather than a punitive in dealing with learner misconduct.

Key concepts:

Learners misconduct/student misconduct; suspension; expulsion; school; disciplinary methods; teaching and learning; legal determinants; code of conduct; public school.

OPSOMMING

‘N ONDERSOEK NA DISSIPLINÊRE METODES IN SEKONDÊRE SKOLE VAN JOUBERTON

Leerling-wangedrag in openbare skole blyk wêreldwyd 'n ernstige probleem te wees. In Suid-Afrika wil dit voorkom of daar agteruitgang in goeie gedrag en selfdissipline onder leerders te bespeur is. Bowendien blyk hierdie situasie 'n negatiewe uitwerking te hê op die leer- en onderrigomgewing in ons skole.

Die doelstelling van hierdie navorsing was om leerder-wangedrag te ondersoek en om te bepaal:

- Aan die hand van 'n literatuurstudie, wat die aard van leerder-wangedrag is;
- Wat swak dissipline onder leerlinge in die algemeen veroorsaak;
- Wat die vorme en frekwensie van leerder-wangedrag is;
- Watter metodes deur opvoeders aangewend word om leerders in die algemeen te dissiplineer en in die besonder by Jouberton Sekondêre Skole;
- Watter bykomstige metodes kan geïmplementeer word om leerder-wangedrag te hanteer; en
- Die regsomgewing waarin leerder-wangedrag hanteer word.

'n Literatuurstudie, die kwantitatiewe metode en 'n empiriese ondersoek is aangewend om bogenoemde doelstellings te bereik. Die teikenpopulasie is uit 509 leerders en 50 opvoeders in die Sekondêre Skole in Jouberton saamgestel. Die studie het aan die lig gebring dat dissipline gekenmerk word deur faktore soos regverdigheid, beskerming, orde, totale ontwikkeling en korrektief en nie-straffend.

Die empiriese navorsing is aan die hand van 'n gestruktureerde vraelys uitgevoer. Dit het aan die lig gebring dat daar 'n mate van konsensus was tussen die onderwysers en leerders met betrekking tot die effektiwiteit van metodes vir die hantering van leerder-wangedrag. Wat betref die meerderheid metodes was daar egter geen konsensus tussen die onderwysers en die leerling nie. Sommige van die effektiwste metodes wat geïdentifiseer is, was deeglike voorbereiding van lesse, positiewe dissiplinering, beloning, besprekings met die ouers,

besoeke aan die hoof, gereelde gebede deur opvoeders, 'n stelsel van klaskamer-reëls, en verwysing na die hoof. Sommige van die metodes wat beskou was as dat dit nie geslaagd is nie, was skoolsit, isolasie buite die klaskamer, isolasie binne die klaskamer, verwysing na die skool se bestuursliggaam en gemeenskapsdiens.

Daar is in hierdie studie ingegaan op die regs-determinante wat van toepassing is op leerderwangedrag. Hierdie determinante het statutêre reg, gemenereg en regspraak behels. Dit is behandel deur middel van die S.A Grondwet, die *Schools Act*, die *National Education Policy Act*, Ondergeskikte wetgewing en 'n aantal voorbeelde van internasionale reg soos die *Convention on the rights of the child*, *African charter on the Rights and Welfare of the Child*, *Declaration on Social and Legal Principles Relating to the Protection and Welfare of the Learner*, met spesiale verwysing na *Forster Place and Adoption Nationally and Internationally* en *Declaration in the Promotion Among Youth of the Ideals of Peace, Mutual Respect and Understanding Between People's Rights*.

Uit die bevindinge blyk dit dat onderwysers sowel as leerlinge die effektiwiteit van die volgende twee metodes beklemtoon vir die effektiewe hantering van leerderwangedrag: deeglike voorbereiding deur die onderwyser en vergaderings met die ouers van die leerder. Oor die algemeen verskil die onderwysers en die leerlinge egter met betrekking tot die effektiwiteit van die meeste ander metodes. In die geheel blyk dit egter tog dat beide onderwysers sowel leerlinge van mening is dat 'n positiewe, in plaas van 'n negatiewe gerigtheid tot die hantering van leerderdissipline die meer wenslike benadering is.

Sleutelwoorde:

Leerderwangedrag; uitsetting; skorsing; skool; dissiplinêre metodes; regsomgewing; regs-determinante; gedragskode; openbare skool.

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CHAPTER 1:

ORIENTATION

1.1 Introduction

Steyn *et al.* (2003: 230) observes that there is a growing worldwide concern about the deterioration of learner discipline due to the fact that learner misconduct seems to be a worldwide problem. Steward (2004:320) reveals that bullying arising from lack of discipline on the part of learners has serious consequences in Australia. Learner misconduct is also described as a huge problem in the United States of America and the most difficult problem faced by educators in Great Britain (Steyn, 2003: 225). According to Bru *et al.* (2001:715), learner misconduct has escalated in Norwegian and other Western countries.

The Constitutional right to basic education of South African learners places a legal obligation as well as a collective responsibility on the state to ensure the well-being of learners in schools (Smit, 2009: 14). In addition, learner discipline is a necessary ingredient for successful education and it should inspire an orderly environment and harmonious climate in which learners take responsibility for their actions and accept the consequences therefore (Travis, 2001:13).

1.2 Problem statement

Wolhuter and Oosthuizen (2003:1) refer to the evidence found in the research by De Wet (2003:1; 2003:2), Rossouw (2003), Mentz *et al.* (2003) and Geyser and Wolhuter (2001:94) that learner discipline constitutes a problem in South African schools. Mabeba and Prinsloo (2000:34-41) affirm this point of view that presently the situation in South African Schools regarding the lack of discipline and self-discipline among high school learners contribute to unsuccessful learning and teaching.

In some areas in South Africa, learner discipline has deteriorated to such a degree that the country's schools are regarded as the most violent in the world (Oosthuizen *et al.* 2003:457, Steyn *et al.* 2003:230-231). Mabeba and Prinsloo (2000:34) reveal that in secondary schools in South Africa, the lack of discipline has been a worrying phenomenon for educators. Some examples of violence and lack of discipline among learners are the following:

- Squelch (2000:308) mentions an incident in which a secondary school learner was suspended for allegedly stabbing a fellow learner with a pair of scissors.
- Rademeyer (2002:6) and Magnus (2002:2) list serious disciplinary problems which take different forms such as rape, physical assault, violence and theft.
- Meyer (2005:15) cites a recent incident in which a learner was stabbed to death while being held down by other learners of a different race.
- Two schoolmates were shot and injured with an unregistered gun by their fellow schoolmate on a bus (SAPA, 2006:15).
- The Klerksdorp Record (2007:4) reported an incident in which a learner at Are-Fadimeheng Secondary School in Jouberton was purportedly badly assaulted by three schoolmates and died. The three learners were arrested instantly.

Learner misconduct such as violent incidents mentioned in the previous paragraph impacts on the rights of others to a basic education, as depicted in Section 29 of the South African Constitution (SA, 1996(a)), and article 26 of the Universal Declaration of Human Rights (UN, 1948), affords every learner the right to basic education. In addition, in terms of Section 12(1) (c) of the SA Constitution, everyone is afforded the right to freedom from all forms of violence, as well as the security of the person.

In terms of Section 8 of the South African Schools Act (SA, 1996(b)) the governing body of a public school must adopt a code of conduct for learners which aims at establishing an orderly climate conducive to the culture of learning, teaching and service.

In order to establish and maintain a disciplined and a purposeful environment for effective education and learning in schools, educators apply disciplinary methods such as (Oosthuizen *et al.*, 2004:81):

- detention after school,
- suspension,
- corporal punishment (even though it was abolished),
- consult Representative Council of Learners (RCL),
- consult School Governing Body (SGB),
- extra writing-out,
- referral to the principal,
- strenuous acts such as standing on toes,
- extra homework,
- isolation,

- chasing out of class,
- denying privilege,
- talking privately to misbehaving learners,
- expulsion,
- facing the wall,
- recording transgressions in a book, and
- tending of the school grounds and raising your voice.

Even though educators have such a variety of measures available, it seems that learner misconduct remains a problem in schools, and educators are in need of effective measures to deal with it. Even though much research has been done pertaining to the application of disciplinary methods in South African schools, no focused research in this regard has been conducted in the schools of Jouberton.

1.3 Problem questions

The nature and extent of learner misconduct, as discussed above, prompts the following questions:

- what is the nature of learner misconduct, in general?
- what are the causes of learner misconduct in general, and in Jouberton secondary schools in particular?
- what measures are applied to deal with learner misconduct in general, and in Jouberton secondary schools in particular?
- which additional methods can be implemented to deal with learner misconduct?

1.4 Objectives of the research

The objectives of this research are to investigate learner misconduct and to determine:

- what the nature of learner misconduct is by means of a literature study;
- what causes learner ill-discipline in general (by means of a literature study);
- what the forms and frequency of learner misconduct entails (by means of a literature study and a questionnaire);
- what methods are used by educators for disciplining learners in general (by means of a literature study) and in particular at Jouberton Secondary School (by means of a questionnaire);

- which additional methods can be implemented to deal with learner misconduct (by means of a literature study); and
- the legal environment when dealing with learner misconduct.

1.5 The research design

The theory of this research is embedded in the onticity of the subject Education Law which entails the security (*geborgenheit*) of the learner, the security (*geborgenheit*) of the learning teaching environment and the Constitutional imperative of the “best interests of the child.” The research paradigm of this study is positivistic in order to obtain an overview of the phenomenon “learner misconduct” in the depicted study population.

A literature study as well as an empirical research was used as methods in this investigation.

1.6 Methods

1.6.1 Literature study

The aim of this literature study was to determine different causes of and remedies for learner misconduct. To reach this objective the following approaches will be utilized:

- The rules for the interpretation of the legislation;
- The historical legal method in the analysis of court cases: rules pertaining to the interpretation were applied and suitable cases were selected as well as analyses done in order to establish relevance to investigate disciplinary methods and alternative methods to corporal punishment based on the legality thereof.
- The comparative legal method: Recent international (and national journals and papers presented at conferences) were used, as well as books on disciplinary methods for learners.

National as well as international primary and secondary sources were consulted to obtain as much recent and relevant information as possible with regard to the questions provided in the problem statement. An appropriate theoretical framework for research on learner discipline is embedded in the philosophical concept of security and *geborgenheit* (German) (Oosthuizen (ed.), Botha, Roos, Rossouw & Smit, 2009:18). The educator, due to his or her role as *diligens paterfamilias* (a diligent father), has to procure a secure environment in order to enhance proper learning and teaching. This kind of environment necessitates the non-appearance of disorder as well as the absence of physical and mental turbulence in the

school setting. Applicable computer searches such as EBSCO-host were conducted with key words such as: “learner misconduct”, “suspension”, “expulsion”, “school”, and “disciplinary methods”.

1.6.2 Empirical research

1.6.2.1 Study Population

The study population consists of all grade 10 learners of all Jouberton secondary schools as well as all the educators teaching grade 10 in all the Jouberton secondary schools.

1.6.2.2 Sampling

A sample of learners (N=509) of the population will be included by randomly selecting one class of grade 10 learners from each school. All the learners in a class will be considered a cluster. The whole study population of educators will be examined (n=50).

1.6.2.3 Measuring instruments

In addition to the literature study, data was collected by means of a closed, structured questionnaire. The questionnaire was designed to investigate misconduct of learners as well as methods used by educators to discipline learners as the dependent variables. Independent variables included biographics and demographics with items such as grade, gender, age.

1.6.2.4 Data collection procedures

In a pilot study, separate sets of questionnaires were handed to (i) 6 learners and (ii) 6 educators to complete in order to determine whether they have any difficulty understanding the questions. Thereafter the questionnaires were finalized. The researcher took the questionnaires to all the secondary schools of Jouberton in person. She distributed these to learner and educator respondents for completion. The researcher collected the completed questionnaires from the respondents. This data was analysed and interpreted.

1.6.2.5 Statistical techniques

Descriptive statistics including frequencies and mean scores were used to describe the data, while explanatory techniques such as factor analysis and Cronbach alpha were utilized to describe the data. Effect sizes were calculated to determine whether the responses of learners and educators differed in practice.

1.6.2.6 Ethical considerations

The Klerksdorp Area Project Office (APO) manager was approached by the researcher to obtain permission to conduct the research involving a sample of learners in Jouberton secondary schools under her jurisdiction. Confidentiality as well as anonymity of respondents was guaranteed. Their participation was voluntary and they had the right to withdraw at any stage/time during the course of the study.

Informed consent was obtained from all participants.

1.7 Conclusion

Chapter 1 concentrated on the problem statement, the setting of objectives and the explanation of the research design. Chapter 2 will focus on the legal determinants that pertains learner misconduct.

CHAPTER 2:

LEGAL DETERMINANTS FOR LEARNER MISCONDUCT

2.1 Introduction

In chapter one the focus was on the problem statement of this study as well as the research design for the envisaged research on learner misconduct. In this chapter the focus is on the legal determinants for learner misconduct.

The legal determinants relevant to learner conduct entail statutory law, common law and case law (Oosthuizen, 2009:25). Pertaining to statutory law we will deal with the S.A. Constitution, the S.A Schools Act, the National Education Policy Act, Subordinate legislation as well as a few examples of international law.

2.2 The South African Constitution

The constitutional rights of learners mentioned below are important when disciplinary proceedings are considered.

2.2.1 Discrimination

In terms of section 9(10a) of the Constitution of the Republic of South Africa (SA, 1996(a)) and article 26 of the Universal Declaration of Human Rights (UN, 1948) every learner is granted the right to basic education. Section 9(3) of the South African Constitution (SA, 1996 (a)) clearly stipulates non-discrimination on the basis of both sex (gender) and pregnancy among those stated grounds. In KwaZulu-Natal a learner called *Veronica Shabane* was discriminated against on the basis of both gender and pregnancy (Mubangizi, 2000:143). Moreover, this entails that measures in dealing with misconduct have to be based on equality and fairness.

2.2.2 Best interests of the child

Section 28 of the Constitution of the Republic of South Africa (SA1996(a)) focuses on children's rights. Section 28(2) of the Constitution (SA, 1996(a)) emphasizes the children's

best interests to be taken seriously in every matter concerning the child. This entails that disciplinary measures at school have to be conducted in such a manner that it is done fairly.

2.2.3 Human Dignity

Section 10 of the South African Constitution (SA, 1996(a)) states that everyone has inherent dignity and the right to have their dignity respected and protected. Therefore under no circumstances may disciplinary measures violate a learner's dignity (SA, 1996(a)). De Waal et al. (2001:362) stated that human dignity is a core value against which any action or the violation of rights may be measured.

2.2.4 Freedom and security of their person

In terms of section 12 of the S.A. Constitution (SA, 1996(a)) learners have the right to freedom and security of person. They have the right not to be subjected to any form of forcefulness, any private or public place of the body. They have the right not to be harmed or made to suffer pain. Learners may not be punished in a harsh, heartless, or humiliating way (SA, 1996(a)).

2.2.5 Privacy

In terms of section 14 of the S.A. Constitution (SA, 1996(a)) the right to the privacy of the child should also be respected and protected. Departmental officials and teachers have the right to search, based on reasonable suspicion, and such searches should be conducted to reasonable methods (SA, 1996(a)).

2.2.6 Fair Administrative Procedures

In terms of section 33(1) of the Constitution of the Republic of South Africa (SA, 1996(a)) the law guarantees everyone the right to:

- a legal and procedurally fair organizational act
- everyone whose right has been dishonoured by administrative action has the right to ask for written explanations
- National legislature must be implemented to effect these rights and must:
 - a. make provision to review the legislative action by a court or where suitable, an independent and impartial trial
 - b. assign a duty on the state to give effect to the rights in (1) and (2) and
 - c. promote the effectiveness of administration

This entails that a learner who is accused, for example of serious misconduct, is entitled to a fair administrative act.

2.3 National Education Policy Act

In terms of section 6(2) of the National Education Policy Act (SA, 1996(b)) the law stipulates that no person shall administer corporal punishment or subject a learner to psychological abuse at any educational institution (Masite & Vanida, 2003:10).

2.4 South African Schools Act

Various provisions of the S.A. Schools Act (SA, 1996(c)) are of relevance in dealing with learner misconduct:

- **Code of conduct for learners**

The main purpose of the code of conduct for learners is *to ensure order and discipline and to build self-control and personality. Therefore school discipline* cannot be separated from the code of conduct (Joubert & Squelch).

Section 8 of the South African Schools Act (SA, 1996(c)) requires that:

- a code of conduct be adopted by the school governing body in consultation with the learners, parents and educators of the school
- the contents in the code of conduct must include the establishment of a sound environment, dedicated to improve and maintain the quality of the learning process
- The Minister in consultation with the council of Ministers, determine guidelines for the consideration of school governing bodies in adoption of a code of conduct for learners
- Learners must conform to the code of conduct of the specific school attended by learners

- **Due process**

Due process protecting the interests of the learner must be included in a code of conduct and parties involved in disciplinary proceedings indicated.

- **Representation**

A learner must be represented by his or her parent or guardian at a disciplinary hearing unless indicated otherwise by the governing body of continuation of the proceedings. In the absence of the parent, a person chosen by the parent will represent the child.

The governing body may, if possible, assign a competent person before a hearing as a witness if a child is younger than 18 years. Effective criteria must be used on basis of educationally sound implementation to ensure:

- a. admission of the learners is done honestly
- b. reasonable discrimination to learner
- c. fair admissions to the individual learner or other learners in the classroom
- d. diversity in terms of language, culture and economic background be recognized
- e. urban and rural environmental differences are taken into consideration
- f. and physical, psychological and mental development of the child is taken into consideration.

- **Suspension and Expulsion**

Suspension is defined by Oosthuizen et al. (2009:159) as temporary refusal of the admission of a learner to a school or its hostel. Rosen (2005:56) agrees with the definition given by Oosthuizen et al. (2009:159) that suspension is defined as a temporary arrangement. In terms of section 9(1b) of the South African Schools Act (SA, 1996(c)) a suspension may be viewed as a corrective measure, and a learner may be suspended for a period not exceeding a week.

Section 9(1) of the South African Schools Act (SA, 1996(c)) stipulates that the suspension of a learner from school may be done after a fair hearing. In terms of section 9(1)(b) of the S.A. Schools Act (SA, 1996(c)) the expulsion of a learner in consultation with the Head of Department, who may affect the expulsion of a learner, if the learner is found guilty of a serious misconduct.

In accordance with section 9(2)(a) of the S.A Schools Act (SA, 1996(c)) expulsion of a learner may be effected only by the Head of Department, and section 9(2)(b) of

the South African Schools Act (SA, 1996(c)) after a fair hearing. If the learner is found guilty, the Head of Department may expel the learner.

Serious misconduct that may lead to suspension or expulsion includes (Joubert & Squelch, 2005:52):

- a. behaviour which jeopardizes the safety and violates the rights of others; possession,
- b. intimidation or use of a dangerous weapon;
- c. possession, use, show or visible evidence of narcotic or illegal drugs, alcohol or intoxicants of any kind;
- d. fighting, attack and battery;
- e. immoral behaviour or profanity;
- f. incorrectly identifying oneself;
- g. harmful graffiti, hate talking, sexism, racism;
- h. theft or possession of stolen property including test or examination papers prior to the writing of tests or examinations;
- i. unlawful action, vandalism, or eradicating or defacing school property;
- j. disregard, intolerable behaviour and verbal abuse directed at educators or other school employees and learners;
- k. repeated violations of school rules or the code of behaviour;
- l. criminal and cruel behaviour such as rape and gender based harassment;
- m. oppression, harassment and bullying of others;
- n. contravention of examination rules; and
- o. knowingly and wilfully supplying false information or fabricating documentation to gain an unfair advantage at school.

In terms of section 9(3) of the S.A. Schools Act (SA, 1996(c)) the disciplinary procedures have to be followed when applying expulsion, namely:

- (a) notifying learner and parent in writing the behaviour which may constituted serious misconduct
- (b) convene meeting with the school governing body to afford learner opportunity to be represented
- (c) after a fair hearing, findings of guilt of misconduct a correctional action,
- (d) a suspension not exceeding one week be imposed

2.5 Subordinate legislation

Subordinate legislation entails legal provision which is subordinate to parliamentary legislation and which is based on promulgated parliamentary legislation (Oosthuizen, 2009:84)

Although it is to be regarded as guide-lines, the guide-lines for Governing Bodies in Adopting a Code of Conduct serve as a good example in this regard (SA, 1998(b)).

2.5.1 Guidelines for the School Governing Bodies

Code of conduct for learners

The main purpose of the code of conduct for learners is to build order, guarantee discipline and, for them to develop self-control and character.

- In terms of section 8 of the South African Schools Act 84 of 1996(c)) the law has stipulated that a code of conduct for learners must be adopted by a governing body of a public school. The aim must be to establish a sound environment conducive to learning and teaching.
- The Code of Conduct for learners must guarantee that there is order and discipline in schools.
- The Code of Conduct must focus on the Constitution of the Republic of South Africa, 1996(a)), the South African Schools Act, 1996(c)) and provincial legislation. It must show the constitutional democracy, human rights and clear communication which support South African society.
- The code of conduct must enlighten the learners regarding the way they should conduct themselves at school in training for their behaviour and safety in civil society. It must set a standard of moral behaviour for learners and provide them with the knowledge and skills they will be expected to demonstrate as worthy and responsible citizens. Leadership must be encouraged and civic responsibilities of the school must be promoted. The main focus must be positive discipline which is not punitive and punishment orientated but, must facilitate productive learning.
- When developing a code of conduct there should be a proper consultation of the parents, learners, educators and non-educators at the school. Each of the above-mentioned stakeholders should receive a copy of the code of conduct once the adoption of this code of conduct has been reviewed annually, or then changes are made.

- A code of conduct has the purpose of promoting positive discipline, self-discipline and exemplary conduct, as the learners learn by observation and experience.
- Despite the fact that the code of conduct is being directed specifically at the learners, all key stakeholders should be dedicated to the code of conduct.
- The code of conduct must be equivalent to the development of learners and be appropriate to the different school levels.
- The code of conduct must enclose a set of moral values, norms and principles which the school and community should uphold. The code of conduct is only enforceable against learners – no other person.
- There should be clarity on the promotion of the roles and responsibilities of different stakeholders in the creation of a suitable learning environment in schools.

The ultimate responsibility for the child's behaviour lies with the parents of the child.

2.6 International Law

Masite and Vanida (2003:20) point out that South Africa is bound by all the conventions signed by Section 39(1)(c) of the South African Constitution (SA, 1996(a)), which determines the consideration of international law. Observation in this regard is found in terms of section 39(i)(b) of the Bill of Rights which does not deny the existence of any other rights of freedom recognized or conferred by ordinary law, customary, or legislation, to such an extent that they are consistent with the Bill of rights.

Some of the relevant international laws are as follows:

2.6.1 Convention on the rights of the child

- Article 3(1) of the United Nations (UN, 1989:306) Convention on the Rights of the Child, explains that parties should ensure that the best interest of the child is a primary concern whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies.
- Article 3(2) of the United Nations (UN, 1989:307) indicates that parties should safeguard the protection, care and welfare of the child, taking into consideration the rights and duties of the child's parents, legal guardians or other individuals legally responsible for the child and should, to this end, take all appropriate legislative managerial actions
- Article 19 of the Convention (UN, 1989:310) states parties shall ensure all proper legislative, administrative, social and educational action to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment,

maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the upkeep of the child

- Article 28(2) of the Convention (UN, 1989:314) states that parties should consider all proper measures to ensure that school discipline is done fairly and the child's human dignity is respected and in compliance with the present Convention.
- Article 29(2) of the Convention (UN, 1989:315) state parties agreed that the education of the child shall focus on the development of respect for human rights and fundamental freedoms, and for the principles preserved in the Charter of the United Nations.
- Article 37(a) of the Convention (UN, 1989:316) guarantees safety of children against torture or other cruelty, inhumanity or humiliating treatment or chastisement. No capital punishment or life imprisonment shall be imposed for offences by committees for persons under the age of 18 who are likely to be released.

2.6.2 African Charter on the Rights and Welfare of the child

In terms of the African Charter on the Rights and Welfare of the child states that parties should warrant respect for a child exposed to school or parental discipline and human dignity for the inherent of the child.

2.6.3 Declaration on Social and Legal Principles Relating to the Protection and Welfare of the learner, with Special Reference to Forster Place and Adoption Nationally and Internationally

- Article 18 of the Convention (UN, 1965:304) Declaration on Social and Legal Principles Relating to the Protection and Welfare of the learner, with Special Reference to Forster Place and Adoption Nationally and Internationally (1965:304). Governments should established policy, legislation and effective supervision for the protection of children concerned in intercountry adoption. Intercountry adoption possible, only be undertaken when such processes have been established in the States involved.
- Article 19 of the United Nations (UN, 1965:304) policies should be introduced and laws ratified, where necessary, for the prevention of abduction and of any other act of unlawful placement of children.

2.6.4 Declaration in the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between People's Rights

- Principle I of the Declaration in the Promotion Among Youth of the Ideals of Peace, Mutual Respect and Understanding Between People's Rights, the spirit of peace, justice, freedom, mutual respect and understanding should be imparted in young people to encourage equal rights for all human beings, nations, economic and social progress, demobilization and the maintenance of international peace and protection (UN, 1989:32).
- Principle VI of the Declaration (UN, 1989:322). The key aim in educating the youth should be to develop all their faculties and to teach them to acquire higher moral qualities, to be deeply attached to the noble ideas of peace, liberty, the dignity and equality of all men, and instilled with respect and love for humanity and its creative accomplishments. To this end the family has an important role of play. The Youth must become aware of their responsibilities in the world they will be depended on to manage and should be inspired with confidence in a future of happiness for mankind.

2.7 Conclusion

In this chapter the focus was on legal determinants for learner misconduct. In the next chapter the focus is on the nature of learner misconduct. Learners do not understand what kind of behaviour exactly constitutes serious misconduct. The ultimate aim is that it is the responsibility of both the school, especially the teachers, and the parents of the child to see to it that the learner knows his or her ultimate responsibility.

CHAPTER 3:

THE NATURE OF LEARNER MISCONDUCT

3.1 Introduction

In the previous chapter we dealt with legal determinants when dealing with learner discipline. In this chapter we will, in addition, define relevant concepts relating to learner discipline, its nature and its characteristics, and the methods for dealing with learner misconduct and reasons why the various methods are applied will also be discussed.

Section 8 of the South African Schools Act (SA, 1996(c)) empowers governing bodies of public schools to adopt a code of conduct for learners after consultation with the learners, parents and educators of the school. It is recognised and admitted that learners, like all other human beings, are not perfect, but fallible. In the event that a learner transgresses the provisions in the code of conduct, disciplinary steps have to be taken in order to create a positive learning environment (SA, 1996(c)). The code of conduct may include expected standards of clothing, timekeeping, social behaviour and work ethics (Grootman, 2003:1). According to Mabeba (2000:34), learner misconduct is a great matter of concern which holds consequences for educators in South Africa. However, discipline is not inborn – it can be taught to children (Grootman, 2000:5).

3.2 Defining discipline

The concept “discipline” means to assist children by developing self-control, motivating them, leading them and assisting them so that they feel good about themselves and develop their thinking skills (Grootman, 2003:1). The Collins English Dictionary (2003:472) defines discipline as training or situations compulsory for the improvement of physical powers, regular training and self-control in compliance with rules and authority, the state of improving behaviour resulting from such training or situation, punishment or reprimand or a classification of rules for behaviour and methods of practice. Waterburger (2006:2) agrees with the above-mentioned definition of discipline. According to his definition, “discipline” means to teach. Furthermore, discipline means to teach children the rules people live by and to become socialized into their society. The discipline guide for children explains that

discipline deals mostly with teaching, which includes teaching a child what is right, from what is not right. It also entails:

- to value other people's rights as important,
- to identify acceptable and non-acceptable behaviour,
- to aim at the development of a secured and loved self-confident, self-disciplined child who knows how to control his temper and who is strong enough to manage frustration and daily life stress.

Mabeba and Prinsloo (2004:34) remarked on discipline that it refers to learning orderliness, guidance and regulated scholarship.

Taking all of the afore-mentioned definitions into consideration, it could be said that discipline is to develop self-control and to acquire skills and to learn to live peacefully with other people.

3.3 Characteristics

Oosthuizen *et al.* (2004:80) postulate that the concepts below form characteristics of discipline within the learning and teaching milieu:

- order,
- lawfulness,
- balance,
- protection,
- future direction,
- and improvement and teaching milieu.

■ Discipline creates order

Discipline is training which builds or attains more character and is also a punishment to correct bad behaviour (Travis, 2001:3). Education does not function in a vacuum, but in a disciplined environment. According to Prinsloo and Beckmann (1990:48), the administration of discipline ensures that human activities are ordered and the wilful and wayward behaviour of each individual is checked. Children are entitled to a safe educational environment. The responsibility of the school is to ensure that safety (Varnham, 2001:110). Various forms of misbehaviour may threaten that safety and are wide spread in their nature and in their seriousness (Varnham, 2001:10). Hence

Section 28(2) of the Constitution (SA, 1996(a)) emphasises children's best interest to be taken seriously in every matter concerning the child. Article 3.1 of the United Nations Convention on Rights of the Child (UN, 1989) provides that actions concerning interests of the child shall be a first priority. Institutions must also ensure that there is care and protection of children's health (Varnham, 2001:10)

■ **Discipline ensures fairness**

All stakeholders in education are legal subjects and are bearers of rights and obligations. In the event that the rights and obligations of one stakeholder violate the rights or competencies of unfairness of another stakeholder it disturbs the legal balance and constitutes unfairness (Oosthuizen *et al.*, 2004:80).

■ **Discipline protects the learner**

Once a protective orderly learning environment has been created, learners are protected from unruly, bullying and ill-disciplined fellow learners. Similarly, a learner also stands protected against his/her own waywardness (Oosthuizen *et al.*, 2004:80).

■ **Discipline contributes to the learner's holistic development**

The aim of education is to develop learners holistically (Oosthuizen *et al.*, 2004:80). Discipline is explained by Travis (2001:3) as training that builds, rectifies, attains moral character and is also a punishment to correct bad behaviour. According to Grootman (2003:1), the aim of discipline is to develop children to:

- be safe,
- be loved,
- have self-confidence,
- be self-disciplined,
- control themselves,
- be able to adjust with various normal stresses of daily life.

■ **Discipline is prospective**

The main objective of education is to prepare learners for adulthood and subsequently to bring about a positive and disciplined learning environment conducive to a disciplined working environment (Oosthuizen *et al.*, 2004:80). Oosthuizen (2003:457) elaborates on this and explains that the most effective methods of discipline in a certain instance should be determined by its situational context. The seriousness of the

offence would depend on the transgression committed, considering factors such as the learner's attitude, age and impact on the learning and teaching situation.

■ **Discipline is primarily corrective, and not retributive**

Punishment is retributive, unlike discipline which is corrective and is intended for the development of the child (Van der Westhuizen, 1990:12). According to Davis (2003:13), the differences between punishment and discipline are vast:

DISCIPLINE	PUNISHMENT
Emphasis on what the child should do	Emphasis on what the child should not do
Is a continuous process	Once happening
Gives guiding principles	Fosters obedience
Directed at self-control	Underweakens independence
Assists to mould children	Depends on adult release
Is positive	Is negative
Recognizes children's needs	Makes children behave
Encourages thinking skills	Decides for the child
Supports self-esteem	Destroys self-esteem
Moulds behaviour	Forbids misbehaviour

3.4 Forms of misconduct

The importance of learner discipline is that it is more correctional and educative than punitive (Oosthuizen *et al.*, 2003:457) Fields (2000:73-87) explains that an exceptional amount of time is spent on controlling learner misbehaviour. The survey conducted by Fields (2002:73-87) indicates that 55% of secondary school teachers realized that they spent an extraordinary amount of time on the control of learner misbehaviour. The report on Langdon-

poll, countrywide, reveals that 58% of teachers' classes are regularly disrupted by misbehaviour and is a countrywide problem. The following forms of misbehaviour by learners were reported in Australia (Steward, 2004:317-335; Fields, 2000:73-87):

- failure in showing attention in class
- learners who have lack of respect to other learners, to staff, or property and flagitious breaches of school regularly by wearing unacceptable clothing or jewellery items.
- verbal disruption in the class
- physical distractions
- unwelcome teasing
- verbal and physical resistance against authority
- impertinent language
- interruption of teachers and other people

Mabeba and Prinsloo (2000:34) also mention the following disciplinary problems to be dealt with by educators and parents in South Africa.

- noise
- physical violence
- threat
- theft
- graffiti and vandalism
- verbal abuse
- lack of consideration
- boisterousness and disrespect for authority

It seems that educators have serious problems when maintaining discipline. However, this causes them stress and the majority of teachers are resigning from the profession. The federal minister for Education was concerned about a quarter of teaching graduates who train for three to four years and then decide not to teach after graduating. The departure of those teacher graduates is mostly caused by a lack of learner discipline and advanced levels of teachers' stress (Wikipedia, 2006:3).

3.5 Reasons for ill-discipline

A wide variety of complex misbehaviour factors are found behind learner misbehaviour. In some schools occurs due to the ineffective senior management team, a useless behaviour policy, a complete weight of numbers of children from difficult backgrounds or due to learners with serious special needs (Cordington, 2000:31). Watenberger (2006:2) commented that ill discipline of children is caused by a multiplicity of reasons, and identifies the following reasons:

- **Parentless Homes**

According to Cordington (2000:31), there is no one to help children when they return to their homes or an authority figure to help them with what they have experienced during the day, and no one to discipline them when necessary. The situation leads to ill-disciplined children or learners. It might be that they are (Cordington, 2000:31):

- still learning how to differentiate between right and wrong;
- distressed, depressed, or feeling unwanted; or
- simply performing their age.

- **Boredom**

If children learn to see school as a trap – a place where they were forced to stay despite their lack of interest – it is likely that they may misbehave when they are bored (Leedy & Ormrod, 2006:111). Schools should be made more interesting. Therefore the focus should be on prioritization to deal with boredom Cowley (2006:111).

- **Special Needs**

There are learners with special educational needs that may need to be placed in a mainstream education. The reason could be that if they were disciplined within the normal learning and teaching processes there would be a duty of care towards their physical and mental well-being (Oosthuizen *et al.* (2010:22)Where the child is struggling with the work and the teacher does not manage to make it accessible, it is almost inevitable that problematic behaviour will surface (Watenberger, 2006:2).

- **Peer Pressure**

Peer pressure can be a crucial factor in student misbehaviour, especially for those classes where the number of problematic children is quite high. There is a great deal

of pressure on people to follow their friends, to win the approval of those who work along them. By misbehaving, a learner can achieve a great deal of reinforcement from his/her peers. Bakang (2006:78) argues in his report on learner discipline in secondary schools that those learners left alone at home, and peer pressure, are causes of ill discipline.

3.6 Disciplinary Methods

Disciplinary measures could be taken in the event that a learner disobeys the code of conduct at school (Department of Education, 2000:22).

Morrison (2007:96) postulates that learner discipline, both in and outside the classroom, is closely linked to regulating school communities and the broad legislation and policy framework.

Some disciplinary measures listed in terms of the National Legislation are:

- suspension and expulsion;
- limitation;
- referrals to support services;
- placement in alternative school environment;
- correction or remedial education;
- warning or reprimand;
- additional schoolwork under supervision;
- tasks in support of prejudiced persons;
- payment of damages;
- replacement of damaged property;
- suspension from school activities;

Some of the additional methods include the following:

3.6.1 Extra work

Hereby learners are given extra relevant work to do as a form of disciplinary action. Learners often refuse to do assigned homework because of its degree of difficulty, or because it is too simple or simply because they just want to upset the authority (Gootman, 2008:115). According to Oosthuizen et al (2010:16), homework should be checked regularly and controlled consistently. Completion of assignments should be given submission dates.

3.6.2 Counselling

Learners are referred to a school counsellor as a matter of positive approach. It is necessary to have good planning methods to be able to deal with a learner. Counselling requires supreme care and diplomacy (Oosthuizen, Roux & Van der Walt, 2003:384).

3.6.3 Verbal and written warnings

Records of learners who continue to break the code of conduct have to be kept safely. Such records include verbal warnings and written warnings.

3.6.4 Menial tasks

Such disciplinary actions include orders whereby learners are instructed to keep their classroom clean and neat.

3.6.5 Detention / Constructive Detention

Detention is defined by Oosthuizen (2006:40) as detainment of a person or a learner in order to punish. Constructive detention is a form of disciplinary action that could be meaningful if time spent is constructive. Detention is a system whereby a learner sacrifices his or her free time due to his or her misbehaviour or unruly behaviour. Detention takes place after school and is the oldest and most commonly used punishment for misconduct. However, although it is being used by many schools it could become boring in the way they apply this method (Rosen, 2005:39).

3.6.6 Constructive detention

This form of disciplinary action could be meaningful if the time is spent sensibly.

3.6.7 Community services

This form of disciplinary measure has been accepted by both the school and the community at large.

3.6.8 Standard/grade tutor

The tutor is in charge of all affairs of a certain grade/s including disciplinary problems. Serious problems beyond his parameters can be referred to a disciplinary committee (Schulze & Dzivhani, 2002:118).

3.6.9 Reprimand

This method is often applied verbally by both educators and parents as a reminder for disciplinary problems such as littering, throwing stones or seed pods, frequent classroom disruption, tardiness, being out of class, improper clothing, or use of foul language (Rosen, 2005:29). Four guidelines for verbal reprimand are listed below (Rosen, 2005:29):

- focus on a clear goal as to what is anticipated.
- focus on issues, not personalities.
- focus on the present, not the past.

focus on consequences

3.6.10 Isolation of the learner outside the classroom

Isolation outside the classroom is convenient for both the learner and the teacher. This entails that the learner is positioned in a spot where he or she can still hear and see the teaching process. It is a prevention of many serious problems that might occur. The reason for isolation can be because of the learner-teacher conflict, or frequent problems with other learners in the class. When the learners are far behind with their work and they realize that they will never catch up, or when there is boredom among learners, it can all result in learner misconduct. There should be a consultation with learners before removing a learner from the class to make them understand the necessity of the removal from the classroom (Rosen, 2005:40).

3.6.11 Deprivation of privileges

Rosen (2005:40) comments that loss of privileges is one of the most commonly used methods by many parents and educators. The rights of the learners should be respected and clearly indicated in the code of conduct.

3.6.12 Regular prayers by educators

Prayers change things, Oosthuizen (2010:65) believes, and further explains that parents have taken some initiative in praying for the school regularly in some areas. Prayer groups are suddenly formed in other instances by both parents and learners praying for the school. Christian educators realized that to deal with discipline at school, depends entirely on prayer and doing the Lord's will (Oosthuizen, 2008:31).

3.6.13 Reward

The purpose of rewarding, as explained by Oosthuizen (2010:46), is to strengthen good conduct. When positive conduct is shown by the learner that resulted in the cancellation of negative points scored earlier on, this is regarded as a form of reward. Rewarding can be an effective instrument to make learners behave properly. There are two types of reward plans in place: planned as well as unplanned rewarding. The planned rewarding is assured ahead of time before the learners do what they are requested to do. Learners receive prizes and food for good behaviour. Spontaneous rewarding or unplanned rewarding is done without informing learners in advance that the learner will be awarded a prize (Grootman, 2008:53). When rewards such as stars, stamps and sweets are shown, learners react impulsively in the foundation phase when they see them (Oosthuizen, 2010:46).

3.6.14 Parental involvement

Lengua and Mahon (2000:501) discovered that parental involvement is directly associated with more positive behaviour of learners in the school environment. Kohn (2006:24) comments that in certain instances threatening letters are sent to the learners' homes. Parents should take full responsibility for the discipline of their children both at home and at school and participate in the school activities as well as in the activities of their children (D.o.E., 2000:22). Schulze and Dzivani (2002:129) suggest that there should be developmental programmes for parents to learn strategies of maintaining discipline at home in order to improve discipline at school. The United States Department of Education (Masite and Vanida, 2003:1) enquires into how young children learn self-control, self-help, a way to get along with others, and family and school procedures. Their view was that such learning occurs when parents and teachers are continually mutually involved in setting limits, encouraging desired behaviours, making decisions about managing children.

3.6.15 Referrals to the School Governing Body

Serious matters of discipline such as suspension and expulsion of learners are referred to the school Governing Body to deal with (Van Wyk, 2001:200). In the study conducted by the North-West University (Potchefstroom Campus) on learner discipline, Oosthuizen (2007:18) reported that apart from hearings on suspensions and expulsions, there are other less serious forms of misconduct that are often referred to the governing body's committee for disciplinary hearing. It is evident that on many occasions this had a positive effect on learners.

The correct procedures need to be followed when considering referral of suspension and disciplinary hearings to the governing body for expulsion.

3.6.16 Suspension

Disciplinary procedures have to be followed also when applying suspension. These measures should only be utilized as the last option when other opportunities have been observed.

In accordance with the South African Schools Act (SA, 1996(c)), suspension is the refusal by the school governing body (SGB) to allow a learner school attendance on a temporary basis for a period not exceeding a week. Oosthuizen (2003:82) agrees with the definition of suspension as the temporary refusal of admission of a learner to a school or hostel of a school. Section 9(3)(b) of the South African Schools Act (SA, 1996(b)) stipulates that after a fair hearing a learner may be suspended. In terms of Section 9(3) the Minister of the Executive Council must specify by notice in the Provincial Gazette:

- (a) notifying learner and parent in writing the behaviour which may constitute serious misconduct
- (b) convene a meeting with the school governing body to afford the learner the opportunity to have a fair hearing
- (c) after a fair hearing, finding of guilty of misconduct a correctional action, a suspension not exceeding one week imposed

When a learner is suspended, his/her right to education is temporarily denied and Oosthuizen (2004:82) extends the area to include hostel facilities. Skiba and Knesting (2002:17) argue that suspension is the most often used form of discipline in schools.

Oosthuizen (2004:82) postulates that usually suspension precedes expulsion, which is defined as a removal of a learner from a school or a hostel. In terms of Section 9(4) of the South African Schools Act (SA, 1996(b)) a learner is guaranteed the right to appeal against the decision made by the Head of Department, to the member of the Executive Council.

3.6.17 Expulsion

Expulsion could be considered the last option and should be utilized when other opportunities have been observed. Learners, whose conduct poses a threat to other learners and educators and impact negatively on the smooth running of the school, may be excluded

from school by authorities. The exclusion may in this case be of a permanent nature (Joubert & Squelch, 2002:51). The following serious offences may lead to expulsion, as pointed out by Rademeyer, 2002:6; Magnus, 2002:2):

- Criminal offence
- Physical assault
- Violence
- Rape etc.

In certain instances police officers must investigate serious offences and make referrals to court if necessary. The offences must be treated in terms of the government notice and regulation promulgated by the Members of the Executive Council in the Provincial Gazette of that province (SA, 1996(b)).

3.6.18 Due Process

Joubert and Squelch (2005:41) explain the “due process” as a process whereby the standards of fundamental fairness are considered. Due process comprises procedural due process which refers to reasonable procedures, and substantive due process which refers to correctness and reasonableness of rules. This process guarantees a learner a fair hearing before suspension can be applied and a learner be suspended for a period of one week or be expelled from the school by the Head of the Department. In occurrences where a learner may be suspended or expelled, the rights of the learner during due process should be recalled (Oosthuizen, 2003:82).

Joubert and Squelch (2005:42-43) declare the following steps, when applying due process:

The South African Schools Act (SA, 1996(c)) affirms and makes the following provisions for due process to take place, prior to suspension:

- a fair hearing before suspension is applied
- the suspension of a learner may not exceed a period of one week
- if a learner has contravened school rules, he/she may be brought to the principal
- the principal shall seek evidence and decide on the procedure to be followed
- a parent must be informed in writing regarding the suggested action and fair hearing by tribunal
- no intimidations by the committee may occur
- learner representation must also must be considered

- the hearing must be conducted in accordance with the regulations laid down by the Member of the Executive Council
- A written notice must be given at least five days before the hearing with date, time and place of hearing indicated. Before disciplinary hearing takes place, a learner must be informed, especially in the language understood by him/her, such particulars as he is entitled to, according to the law.
- The learner must be given an opportunity to state his/her case. This acknowledges the *audi alteram partem* rule.
- A learner must be given full representation, for example parents, guardian and educator.
- A written decision taken by the school governing body as to whether or not the learner is guilty of misconduct as well as the penalty to be imposed must be available to the learner.
- During the process, the learner's dignity must be respected.
- The learner has the right to appeal against the decision taken.

In terms of Section 9(2)(a) and (b) of the South African Schools Act (SA, 1996(b)), expulsion of a learner may be effected by the Head of Department only and after a fair hearing, if found guilty of a serious misconduct. The learner's right to education in terms of Section 29(a) and Section 28(2) of the Constitution of the Republic of South Africa (SA, 1996(a)) is taken seriously when dealing with learner discipline. The disciplinary procedures have to be followed when applying expulsion, which are:

- The kind of misconduct created by the learner in a public school in a specific province must be indicated by notice in the provincial Gazette. The procedures pertaining to the expulsion of a learner must be clearly stated in that province.
- Interests of the learner need to be protected
- A parent or guardian must accompany a learner at the disciplinary hearing, unless the governing body can motivate the absence of the parent or guardian
- A parent of a child who has been expelled has the right to appeal to Director General of Education against expulsion.

3.6.19 Corporal Punishment

Corporal punishment was prohibited in 1996 by the Education Department to instil positive values, protection of learners from maltreatment and abuse and also from being treated in a

degrading or inhuman manner (Mabalane, 2007:31). Kohn (2006:24) also believes that this kind of punishment humiliates a person.

Wolhuter and Oosthuizen (2003:438) comment that the abolishment of Corporal Punishment has left a distinct vacuum in disciplinary methods dealing with serious learner misconduct. The issue of corporal punishment is still in some teachers' minds. In the UK the infliction of corporal punishment still exists and there is a belief that bullying pupils into submission while at school is an acceptable manner of supervising pupils (Gribble, 2006:26). Section 10(1) of the South African Schools Act (SA, 1996(c)) instructs that no educator may administer corporal punishment to a learner at a school. Section 10(2) of the South African Schools Act (SA, 1996(c)) further indicates that an educator who contravenes the provisions of Section 10(1) is guilty of an offence and, on conviction, is liable to a penalty that could be imposed for assault. Learners should no longer be subjected to corporal punishment in schools.

The empirical study of Mentz, Steyn and Wolhuter (2003) as well as that of Morrel (2001) found that corporal punishment is still administered in South African black township schools despite the fact of abolishment, and that administering it holds serious criminal charges and prosecution for educators.

The department of Education North West Province (NWDE, 2001) circular no. 1 of 2001 reminded educators of Section 10 of the South African Schools Act (SA, 1996(c)) pertaining to the abolishment of corporal punishment and the result of suspension and dismissal if a teacher is found guilty of such assault. Ramadino *et al.* (1998:1) believe that discipline can be affected without power and boisterousness.

According to the respondent in *Christian Education SA v Minister of Education* 1999, corporal punishment is intrinsically violent and involves degrading and assaulting physically, emotionally and psychologically. Morrel (2001:214) rightfully asks why, despite corporal punishment having been abolished by law, does corporal punishment persist in schools.

In the case of *State v Williams* 1995 and others the court ruled that a juvenile was faced with a sentence of three strokes of the birch, and that the birch amounted to degrading punishment. Such an action contravened Section 12(1e) of the Constitution of the Republic of South Africa Act 108 of 1996 which provides that everyone has the right not to be treated or punished in a cruel, inhuman or degrading manner. Furthermore, the Bill of Rights, Section 10 of the Constitution of the Republic of South Africa states that everyone has inherent dignity and the right to have their dignity respected and protected. Therefore the infliction of corporal punishment as sentence on juveniles is unconstitutional. The court

upheld the girl and her father's objection to corporal punishment. Furthermore, no parent may lawfully permit the administering of corporal punishment to his/her child.

3.7 Conclusion

This chapter focused on the essentials of learner conduct as well as the various forms of learner misconduct and the methods in dealing with learner misconduct. Chapter 4 will deal with the empirical findings

CHAPTER 4:

THE EMPIRICAL STUDY

4.1 Introduction

The previous chapter focused on the legal determinants that pertaining to learner misconduct. This chapter deals with the empirical findings derived from the questionnaires.

4.2 Format and content of the questionnaire

The questionnaires were divided into the following sections:

SECTION A I: Biographical particulars of teachers

Table A 1: Biographical Particulars of teachers

SECTION B I: Teachers: The nature and frequency of disciplinary problems that need to be addressed

Table B I: Nature and frequency of disciplinary problems

SECTION C I: Teachers: Effect of learner discipline on educators

Table C I: Disciplinary problems

SECTION D I Teachers: Methods used to maintain discipline

Table D I: Disciplinary methods

SECTION A II: Learners: Biographical particulars of learners

Table A II: Learners: Biographical Particulars of Learners

SECTION B II: Learners: The nature and frequency of discipline of learners

Table B II: Nature and frequency of disciplinary problems

SECTION C II: Learners: methods used to maintain discipline

Table C II: Disciplinary methods

TABLE D: Effect sizes of the methods

4.3 Response rates

Of the 62 questionnaires distributed among the educators, and 519 among the learners, 559 in total were returned to the researcher of which 50 were from educators and 509 from learners.

TABLE 4.3.1: Educators' and learners' response rates

	NUMBER OF QUESTIONNAIRES SENT OUT	NUMBER OF QUESTIONNAIRES RECEIVED	PERCENTAGE QUESTIONNAIRES RECEIVED
Educators	62	50	80.64%
Learners	519	509	98.07%

The number of questionnaires received back is crucial since it enables the researcher to draw valid and reliable conclusions of his/her study. The above table, Table 4.3.1, indicates that 80.64% of questionnaires sent out to educators were received back and that 98.07% of questionnaires sent out to learners were received back. Ary *et al.* (1990:453) and Anderson (1990:167) indicate that a minimum response rate of 70% is required to draw valid and reliable conclusions.

4.4 Interpretation of data

SECTION A I: BIOGRAPHICAL PARTICULARS OF TEACHERS

TABLE A 1: Biographical Particulars of teachers

BIOGRAPHICAL PARTICULARS OF TEACHERS	FREQUENCY	PERCENTAGE
2. GENDER		
Male	23	42.59
Female	31	57.41
TOTAL	54	100
3. LEVEL		
1	41	78.85
2	6	11.54
3	3	5.77
4	2	3.85
TOTAL	52	100
4. PHASE TEACHING		
1 Foundation phase (Gr. 1-3)	4	8.00
2 Intermediary phase (Gr. 4-6)	46	92.00
TOTAL	50	100
BIOGRAPHICAL PARTICULARS OF TEACHERS	FREQUENCY	PERCENTAGE
5. KIND OF SCHOOL		
Historically White	0	0
Historically Black	54	98.18
Historically Indian	0	0
Historically Coloured	0	0
Historically Multicultured	1	1.82
TOTAL	55	100
6. HIGHEST PERCENTAGE OF LEARNERS IN THE SCHOOL		
White	0	0
Black	54	100
Indian	0	0
Coloured	0	0
TOTAL	54	100

The biographical particulars in the area of research, as reflected in the table, are subsequently discussed.

Biographical data

1. Gender

As far as gender is concerned:

- 42,59% of the respondents were male teachers
- 57.41% are female teachers.

2. Post level

As far as post levels are concerned:

- 78.85% are post level 1 teachers.
- 11.54% are post level 2 teachers.
- 5.77% are post level 3 teachers.
- 3.85% are post level 4 teachers.

3. Phase

As far as phase is concerned:

- 8% are foundation phase teachers.
- 92% are intermediate phase teachers.

4. Kind of school

From the responses in the table it emerges that:

- 0% of the respondents indicated that there were any historically white learners in the research area.
- 98.18% of the respondents were historically black learners in the research area.
- 0% of the respondents indicated that there were any historically Indian learners in the research area.
- 0% of the respondents indicated that there were any historically Indian learners in the research area.
- 1.82% was historically multi-cultured learners in the research area.

This information suggests that the majority of learners in the area of research were black learners.

5. Highest percentage of learners in the school

From the responses in the table it emerged that:

- 0% of the respondents indicated that there were any white learners in the area of research.
- 100% of the respondents were black learners in the area of research.
- 0% of the respondents indicated that there were any Indian learners in the area of research.

SECTION B I: TEACHERS: THE NATURE AND FREQUENCY OF DISCIPLINARY PROBLEMS THAT NEED TO BE ADDRESSED

This section focuses on the nature and frequency of disciplinary problems

TABLE B I: Nature and frequency of disciplinary problems

NR.	PROBLEMS	RANK	N	GENERAL MEAN SCORE	DAILY AVERAGE ONCE A DAY	WEEKLY AVERAGE ONCE A WEEK	MONTHLY AVERAGE ONCE A MONTH	YEARLY AVERAGE ONCE A YEAR	NEVER
1.1	Disruptive behaviour	6	49	1.83	46.94	32.65	14.29	2.04	4.08
1.2	Rudeness	15	48	2.20	31.25	33.33	25.00	4.17	6.25
1.3	Dishonest	8	49	1.97	40.82	28.57	24.49	4.0	2.04
1.4	Improper language (swearing)	5	51	1.82	54.90	21.57	13.73	5.88	3.92
1.5	Moodiness	14	49	2.18	30.61	34.69	24.59	6.12	4.08
1.6	Cheekiness	7	50	1.86	48	28	14	10	0
1.7	Provoking behaviour	12	47	2.14	34.04	29.79	25.53	8.51	2.13
1.8	Disrespect towards educator	11	51	2.05	37.25	31.37	23.53	3.92	3.92
1.9	Untidy/incorrect clothing	10	51	2.03	39.22	29.41	21.57	7.84	1.96
1.10	Neglect of duty	3	53	1.69	56.60	26.42	11.32	1.89	3.77
1.11	Telling lies	4	52	1.73	44.23	42.31	9.62	3.85	0
1.12	Tardiness	9	44	2.02	31.82	43.18	18.18	4.55	2.27
1.13	Absenteeism	2	53	1.66	58.49	24.53	13.21	0	3.77
1.14	<i>Crimen iniuria</i> against learners	20	49	2.75	22.45	22.45	24.49	18.37	12.24

NR.	PROBLEMS	RANK	N	GENERAL MEAN SCORE	DAILY AVERAGE ONCE A DAY	WEEKLY AVERAGE ONCE A WEEK	MONTHLY AVERAGE ONCE A MONTH	YEARLY AVERAGE ONCE A YEAR	NEVER
1.15	<i>Crimen iniuria</i> against educators	24	48	3.43	12.50	12.50	18.75	31.25	25.00
1.16	Graffiti	17	45	2.31	37.78	22.22	17.78	15.56	6.67
1.17	Vandalism	18	51	2.50	21.57	25.49	37.25	11.76	3.92
1.18	Theft	16	52	2.25	26.92	34.62	26.92	9.62	1.92
1.19	Bullying	13	52	1.15	34.62	32.69	19.23	9.62	3.85
1.20	Violence	19	51	2.41	25.49	25.49	29.41	13.73	5.88
1.21	Gang activities	21	52	2.82	19.23	23.08	26.92	17.31	13.46
1.22	Pornography	26	51	3.88	15.69	1.96	13.73	15.69	52.94
1.23	Smoking	1	53	1.47	75.47	13.21	3.77	3.77	3.77
1.24	Use of alcohol at school	23	49	3.38	6.12	16.33	24.49	38.78	14.29
1.25	Drug abuse	22	50	3.28	14.00	14.00	22.00	30.00	20.00
1.26	Sexual harassment of fellow students	25	50	3.88	6.00	14.00	18.00	10.00	52.00

- **Quantitative Analysis**

The respondents had to indicate forms of misconduct at their schools, as well as the frequency of each form (Daily average1, Weekly average2, Monthly average3, Yearly average4, or Never5).

Wolhuter and van Staden used a reversed scale where 1 was Never and 5 Daily. So to compare the means of the different studies, the means of Wolhuter and van Staden were transformed to have the same meaning as the present study.

The statistical outcomes of this section, focusing on nature and frequency of disciplinary problems, are reflected in Table B1 and it amplifies the following:

- The most common form of misconduct is **smoking**, with the overall mean score of 1.47. This finding differs from Oosthuizen's finding in his report on discipline in the Kenneth Kaunda district of NW (2008:11) in which it was ranked 18th with a mean score of 3.55. The finding in Wolhuter and van Staden's report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007:398) reports that smoking was ranked 17th with an overall mean score of 2.45.
- **Absenteeism** is ranked 2nd with an overall mean score of 1.66. This finding differs somewhat from the finding of Oosthuizen in his report on discipline in the Kenneth Kaunda district of North West (2008:5) where **absenteeism** was ranked 4th with an average mean score of 2.06. The above findings differ from those of Wolhuter and van Staden in their report on learner misconduct in the Free state, Eastern Cape and Vaal Triangle (2007:398) in which absenteeism with an overall mean score of 2.30 was ranked 7th.
- Ranked 3rd is **neglect of duty** with an overall mean score of 1,69, which is close to the finding of Oosthuizen in his report on discipline in the Kenneth Kaunda district of NW (2008:5) which is an indication in the finding is an overall mean score of .2,03, ranked 2nd. It was ranked 1st as the most frequent form of misconduct with a mean score of 1.85 from the finding of Wolhuter and van Staden, which does not differ much in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007:397).
- Ranked 4th is **telling lies**, with an overall mean score of 1.73. There is little difference in the finding of Oosthuizen in his report on discipline in the Kenneth Kaunda district of NW (2008:6) where it was ranked 5th with the overall mean

score of 2.06. Wolhuter and van Staden agree with Oosthuizen's finding in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007:379) in which telling lies was ranked 5th with an overall mean score of 2.21. The former findings are close to that in the present finding.

- Ranked 5th with an overall mean score of 1.82 was the **improper language** usage, which is also the most common form of misconduct in the form of swearing. This finding differs from Oosthuizen's in his report on discipline in the Kenneth Kaunda district of NW (2008:5) in which **improper language** was ranked 2nd with an overall mean score of 2.03. The above-mentioned findings are close to the finding of Wolhuter and van Staden in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007:397) in which it ranked 4th with an overall mean score of 2.03.
- **Disruptive behaviour** is ranked 6th with an overall mean score of 1.83, which does not differ much from the finding of Oosthuizen's report on discipline in the Kenneth Kaunda district of NW (2008:7) in which disruptive behaviour ranked 7th with an overall mean score of 2.38. Wolhuter and van Staden's finding differs somewhat in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007:397) in which disruptive behaviour ranked 2nd with an overall mean score of 1.91.
- **Cheekiness** was ranked 7th with an overall mean score of 1.86. This finding is comparable with that of Wolhuter and van Staden (2007:398) report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle in which it was ranked 8th with an overall mean score of 2.71. Oosthuizen's finding in his report on discipline in the Kenneth Kaunda district of NW (2008:7) reported very similar results with an overall mean score of 2.41 and a ranking of 8th position
- With an overall mean score of 1.97, **dishonesty** was ranked 8th. This differs from the finding of Oosthuizen's report on discipline in the Kenneth Kaunda district of NW (2008:7) in which it was ranked 7th with an overall mean score of 2.38. The above findings differ from that of Wolhuter and van Staden (2007:397) in their report on learner misconduct in the Free State Eastern Cape and Vaal Triangle, showing **dishonesty** was ranking 2nd with an overall mean score of 1.91.
- **Tardiness**, with an overall mean score of 2.02, was ranked 9th. This differs somewhat from the finding of Oosthuizen in his report on discipline in the Kenneth

Kaunda district of NW (2008:6) with an overall mean score of 2.36, and was ranked 7th. The above findings differ from that of Wolhuter and van Staden (2007:398) in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle in which tardiness was ranked 12th with an overall mean score of 2.96.

- Ranked 10th was **untidiness** as well as **incorrect clothing**, with an overall mean score of 2.03. This finding differs from that of Oosthuizen in his report on learner discipline in the Kenneth Kaunda district of NW (2007:398) in which **untidiness and incorrect clothing** ranked 3rd with an overall mean score of 2.04. It also differs from Wolhuter and van Staden's finding in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle in which it was ranked 3rd with an overall mean score of 1.98.
- **Disrespect towards teachers** was ranked 11th with an overall mean score of 2.05. This finding corresponds with those of Wolhuter and van Staden (2007:398) in which it was ranked 11th with an overall mean score of 2.49 in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle. It also corresponds with the finding of Oosthuizen in his report on discipline in the Kenneth Kaunda District of NW (2007:9) in which the overall mean score was 2.94 and the ranking in 12th position.
- Ranked 12th was **provoking behaviour** with an overall mean score of 2.14. This finding corresponds with the following finding of Oosthuizen in his report on discipline in the Kenneth Kaunda district of NW (2008:9) in which it was ranked 11th, with an overall mean score of 2.61. It also corresponds with the finding of Wolhuter and van Staden (2007:398) in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle in which **provoking behaviour** was ranked 10th with an overall mean score of 2.47.
- **Bullying** is ranked 13th with an overall mean score of 2.15. Wolhuter and van Staden (2007:398) agrees with this finding in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle in which **bullying** was also ranked 13th with an overall mean score of 2.73. The above findings differ from that of Oosthuizen in his report on learner discipline in the Kenneth Kaunda district of NW (2008:6) in which **bullying** was ranked 6th with an overall mean score of 2.37.

- **Moodiness** was ranked 14th with an overall mean score of 2.18. This finding differs in terms of responses reported in Oosthuizen's finding of his report on discipline in the Kenneth Kaunda district of NW (2008:8) in which it was ranked 10th with an overall mean score of 2.55. Wolhuter and van Staden's finding differs from that of the present study, but virtually corresponds with the former finding. According to the finding in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007:398), **moodiness** was ranked 9th with an overall mean score of 2.44.
- Ranked 15th was **rudeness**, with an overall mean score of 2.20. This finding differs from the below-mentioned findings: In Oosthuizen's finding in his report on discipline in the Kenneth Kaunda district of NW (2008:8) it was ranked 9th with an overall mean score of 2.50. In Wolhuter and van Staden's finding in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007:398), **rudeness** was ranked 6th with an overall mean score of 2.26.
- Ranked 16th was **theft**, with an overall mean score of 2.25. The latter was ranked 13th, with an overall mean score of 2.07, in the report by Oosthuizen on learner discipline in the Kenneth Kaunda district of NW (2008; 9). Wolhuter and van Staden's finding in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007:398) differs from Oosthuizen's finding, but corresponds with the present study where **theft** was ranked 16th with an overall mean score of 3.14.
- With an overall mean score of 2.49, **violence** is ranked 19th. This finding differs from that of Wolhuter and van Staden in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007:398) in which **violence** was ranked 14th with an overall mean score of 2.91. It also differs from Oosthuizen's finding in his report on discipline in the Kenneth Kaunda district of NW (2008:10) in which it was ranked 14th with an overall mean score of 3.40.
- With an overall mean score of 2.75, **crimen iniuria against learners** was ranked 20th. This finding virtually corresponds with the finding of Wolhuter and van Staden on their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007:398) in which it was ranked 19th with an overall mean score of 3.42, but differs from the finding of Oosthuizen in his report on discipline in the Kenneth Kaunda district of NW (2008:11) in which **Crimen Iniuria against learners** was rated 16th with an overall mean score of 3.47.

- In the finding of Oosthuizen in his report on discipline in the Kenneth Kaunda district of NW (2008:11), **gang activities** seem to have had an effect on the disciplinary school climate and was ranked 20th with an overall mean score of 4.25. The ranking corresponds with the following findings: In the present study the latter was ranked 21st with an overall mean score of 2.82. With an overall mean score of 4.02, **gang activities** was ranked 22nd in the finding of Wolhuter and van Staden's report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007:398).
- **Drug abuse** was rated 22nd with an overall mean score of 3.28. This finding differs to a lesser degree with the finding of Oosthuizen, in this report on discipline in the Kenneth Kaunda district of NW (2008:12) **drug abuse** was rated 23rd with an overall mean score of 4.30 but virtually corresponds with Wolhuter and van Staden's finding in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle(2007:398) **drug abuse** was ranked 21st with a mean score of 3.86.
- **Use of alcohol at school** rated 23rd with an overall mean score of 3.38. This present finding corresponds with that of Wolhuter and van Staden in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007:398) in which **use of alcohol at school** was also ranked 23rd but with an overall mean score of 4.21, but differs to a lesser degree from Oosthuizen's finding, in his report on discipline in the Kenneth Kaunda district of NW (2008:12) in which it was rated 21st with an overall mean score of 4.38.
- With an overall mean score of 3.43 **crimen iniuria against educators** was ranked 24th. This finding differs from that of Oosthuizen in his report on discipline in the Kenneth Kaunda district of NW (2008:11) in which the latter was ranked 19th, with an overall mean score of 4.08. Wolhuter and van Staden's finding differs from that of the present study regarding their finding in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle(2007:398) in which **crimen Iniuria against educators** was ranked 20th with a mean score of 3,82, but virtually corresponds with the above-mentioned finding.
- Ranked 25th is **sexual harassment of fellow students** with an overall mean score of 3.88. This finding virtually corresponds with the finding of Wolhuter and van Staden in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007:398) in which it was ranked 24th with an overall mean

score of 4.25. These findings differ somewhat from Oosthuizen's in his report on discipline in the Kenneth Kaunda district in NW (2008:4) with a ranking of 22nd for **sexual harassment of fellow students** was ranked 22nd with an overall mean score of 4.39.

- **Pornography** was ranked 26th with a mean score of 3.88. This finding virtually corresponds with the following findings: In Wolhuter and van Staden's (2007:398) finding in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007:398) the latter was ranked 25th with an overall mean score of 4.27. Oosthuizen's finding in his report on discipline in the Kenneth Kaunda district of NW (2007:4) ranked pornography 24th with a mean score of 4.44.

SECTION C I: TEACHERS: EFFECT OF LEARNER DISCIPLINE ON EDUCATORS

TABLE C I: Disciplinary problems

NR	Problems	Rank	N	General mean score	Almost never	Sometimes	Often	Almost always
1.	Made you unhappy in your work	1	53	2.37	15.09	47.17	22.64	15.09
2.	Resulted in stress in your family life	5	51	1.80	47.06	29.41	19.61	3.92
3.	Caused you health problems	6	51	1.64	54.90	31.37	7.84	5.88
4.	Caused you to consider leaving the profession	2	52	2.09	38.46	30.77	13.46	17.31
5.	Caused you to react violently/aggressively	3	52	1.96	25.00	53.83	21.15	
6.	Caused you to take to an intoxicating substance	4	51	1.19	88.24	5.88	3.92	1.96

- Quantitative report**

The statistical outcomes of this section focusing on the effect of learner misconduct on educators are reflected in Table CI.

The ranking order pertaining to the negative effects of learner misconduct on educators is indicated in Table CI.

- ▮ The most common effect of learner misconduct is that it makes educators unhappy in their work (a general mean score of 2.37), an average between sometimes and often.
- ▮ Educators sometimes feel like leaving the teaching profession (a general mean score of 2.09), an average sometimes.
- ▮ With a mean score of 1.96, learner misconduct causes educators to treat them violently or aggressively, an average sometimes.

- Educators' health is sometimes affected badly by them taking intoxicating substances (a general mean score of 1.19) caused by learner misconduct, an average almost never.
- Educators live with stress in their family lives (a general mean score of 1.80) caused by learner misconduct, an average between almost never and sometimes.
- Learner misconduct sometimes causes health problems for educators (a general mean score of 1.64), an average between almost never and sometimes.

SECTION D I TEACHERS: METHODS USED TO MAINTAIN DISCIPLINE

TABLE D I: Disciplinary methods

NR	METHOD:	RANKING	N	GENERAL MEAN SCORE	VERY INEFFEC- TIVE	INEFFEC- TIVE TO SOME DEGREE	EFFECTIVE TO SOME DEGREE	VERY EFFECTIVE TO SOME DEGREE
1.	Reprimand	10	49	2.76	10.20	18.37	57.14	14.29
2.	Isolation within the classroom	19	45	2.17	26.67	35.56	31.11	6.67
3.	Isolation outside the classroom	18	44	2.18	25.00	38.64	29.55	6.82
4.	Merits-demerits points system	13	39	2.59	15.38	23.08	48.72	12.82
5.	System of classroom rules	5	49	2.94	8.16	14.29	53.06	24.49
6.	Positive discipline	2	45	3.07	6.67	11.11	51.11	31.11
7.	Learner participation in the compilation of the code of conduct	11	47	2.74	10.64	27.66	38.30	23.40
8.	Encouraging learner pride amongst the learners	6	47	2.85	8.51	14.89	59.57	17.02
9.	Encouraging traditions	9	44	2.77	11.36	20.45	47.73	20.45

NR	METHOD:	RANKING	N	GENERAL MEAN SCORE	VERY INEFFEC- TIVE	INEFFEC- TIVE TO SOME DEGREE	EFFECTIVE TO SOME DEGREE	VERY EFFECTIVE TO SOME DEGREE
10.	Referring to governing body's disciplinary committee	15	43	2.44	16.28	30.23	46.51	6.98
11.	Discussion/meeting with parents of learners	4	52	2.98	9.62	15.38	42.31	32.69
12.	Emphasizing values	8	49	2.82	6.12	20.41	59.18	14.29
13.	Regular prayers by educator	14	44	2.57	18.18	18.18	52.27	11.36
14.	Proper preparation by educator	1	50	3.34	6.00	8.00	32.00	54.00
15.	Reward	3	49	3.02	8.16	12.24	48.98	30.61
16.	Deprivation of privileges	17	39	2.21	25.64	33.33	35.90	5.13
17.	Community service	20	37	2.14	29.73	35.14	27.03	8.11
18.	Extra work	12	45	2.73	8.89	24.44	51.11	15.56
19.	Detention	16	40	2.35	25.00	25.00	40.00	10.00
20.	Corporal punishment	21	37	2.03	45.95	18.92	21.62	13.51
21.	Refer to the principal	7	46	2.85	10.87	19.57	43.48	26.09

Quantitative report

The focus on this section was on the effectiveness of different disciplinary methods used in schools. The statistics from the quantitative research are depicted in Table DI.

The ranking order pertaining to the methods used by the responding educators are as follows:

- **Proper lesson preparation** by educators was ranked by the respondents as the best method to maintain learner discipline with a very high overall mean score of 3.34 (out of a possible 4). This finding corresponds with that of Oosthuizen in his report on discipline in the Kenneth Kaunda district of NW (2008:25) in which it was ranked 1st with a mean score of 3.49.
- **Positive discipline** is ranked in 2nd with an overall mean score of 3.25 (out of a possible 4). Teachers viewed it as an effective method for dealing with learner discipline. This finding virtually corresponds with that of Oosthuizen in his report on discipline in the Kenneth Kaunda district of NW (2008:24) in which it was ranked 3rd with an overall mean score of 3.35.
- With the overall mean score of 3.02 (out of a possible 4) **reward** was ranked 3rd, rating it also as a very effective method for dealing with learner discipline. The latter was ranked 6th with an overall mean score of 3.08, but differs somewhat from the finding of Oosthuizen in his report on discipline in the Kenneth Kaunda district of NW (2008:25).
- **Discussions and meeting with parents** of learners were ranked in 4th with an overall mean score of 2.98. This finding corresponds with Oosthuizen's in his report on discipline in the Kenneth Kaunda district of NW (2008:25) in which **discussions and meetings with parents** were ranked 4th with a mean score of 3.11.
- An effective way of dealing with learner discipline is by having a **system of classroom rules** and its effectiveness was ranked 5th, with a mean score of 2.94 (out of a possible 4). This finding corresponds with the finding of Oosthuizen in his report on discipline in the Kenneth Kaunda district of NW (2008:24) in which it was ranked 5th.
- With an overall mean score of 2.85 out of a possible 4, **encouraging learner pride amongst the learners** was ranked 6th and was rewarded as one of the effective methods for dealing with learner discipline. This finding differs to a lesser degree from that of Oosthuizen in his report on discipline in the Kenneth

Kaunda district of NW (2008:24) in which **encouraging learner pride amongst the learners** showed 8th position with an overall mean score of 2.91.

- **Referring learners to the principal** was rated 7th, with an overall mean score of 2.85 which proves that it is an effective method for dealing with learner discipline. This finding virtually corresponds with that of Oosthuizen in his report on discipline in the Kenneth Kaunda district of NW (2008:25) in which **referring learners to the principal** was ranked 8th with a mean score of 2.91.
- Rated 8th, with an overall mean score of 2.82, **emphasizing values** was viewed as one of the effective methods for dealing with learner discipline. This finding corresponds with that of Oosthuizen in his report on discipline in the Kenneth Kaunda district of NW (2008:25) in which the latter was rated 7th with an overall mean score of 3.01.
- **Encouraging traditions** was also regarded as a very effective method for dealing with learner discipline and was rated 9th with an overall mean score of 2.77. With a ranking of 14th and with a mean score of 2.70, was the finding in Oosthuizen's report on discipline in the Kenneth Kaunda district of NW (2008:25), which differs from the present finding.
- **Reprimand**, with an overall mean score of 2.76, implies that it is regarded as a very effective method for dealing with learner discipline and was rated 10th, but differs to a lesser degree with the finding of Oosthuizen in his report on discipline in the Kenneth Kaunda district of NW (2008:24) in which it was ranked 12th with an overall mean score of 2.76..
- **Learner participation in the compilation of the code of conduct** was placed 11th with the overall mean score of 2.74, was understood by the respondents to be an effective method for dealing with learner misconduct. This finding corresponds with that in Oosthuizen's report on discipline in the Kenneth Kaunda district of NW (2008:24) in which it was ranked 11th with an overall mean score of 2.84.
- **Extra work** was rated 12th and regarded to be one of the effective methods for dealing with learner misconduct with an overall mean score of 2.73. This finding virtually corresponds with the finding of Oosthuizen in his report on discipline in the Kenneth Kaunda district of NW (2008:25) in which it was rated 13th with an overall mean score of 2.75.
- **Merits-demerits points system** proves to be an effective method for dealing with learner misconduct. Its effectiveness is rated 13th, with an overall mean score of 2.59 (out of a possible 4). **Merits-demerits points system** ranked 15th with an overall mean score of 2.65 in Oosthuizen's finding in his report on

discipline in the Kenneth Kaunda district of NW (2008:24). The two above findings are close to each other.

- **Regular prayers by educators** was ranked 14th with an overall mean score of 2.57 (out of a possible 4). **Regular prayers by educators** was ranked 10th with an overall mean score of 2.87. This finding differs to a lesser degree from the finding comparable with Oosthuizen's in his report on discipline in the Kenneth Kaunda district of NW (2008:25) in which it was ranked 17th with an overall mean score of 2.51..
- Rated in 15th position, with an overall mean score of 2.44, is **referring to the school Governing Body's disciplinary committee**, and was perceived by respondents as an effective method for dealing with discipline of learners. This finding differs somewhat from that of Oosthuizen in his report on discipline in the Kenneth Kaunda district of NW (2008:25) in which it was ranked 17th with an overall mean score of 2.51.
- In position 16th **was detention** with an overall mean score of 2.35 and viewed by respondents as a less effective method for dealing with learner misconduct. This finding differs somewhat from that of Oosthuizen in his report on discipline in the Kenneth Kaunda district of NW (2008:25) in which **detention** was ranked 19th with an overall mean score of 2.21.
- **Deprivation of privileges** with an overall mean score of 2.21 was rated 17th and was regarded as effective. It ranked 16th with an overall mean score of 2.56 in Oosthuizen's finding in his report on discipline in the Kenneth Kaunda district of NW (2008:25). Both findings indicate a slight difference when compared with one another.
- With an overall mean score of 2.18, **isolation outside the classroom** was rated 18th and still regarded as a very effective method for dealing with learner discipline. This finding is close to that of Oosthuizen in his report on discipline in the Kenneth Kaunda district of NW (2008:24) in which it was ranked 21st with an overall mean score of 1.96.
- **Isolation within the classroom** was rated 19th with a mean score of 2.17. The latter was rated 20th with a mean score of 2.19 in Oosthuizen's finding in his report on discipline in the Kenneth Kaunda district of NW (2008:24). The above findings are virtually the same.
- With an overall mean score of 2.14, **community service** was rated 20th and this implies that the respondents consider it an effective method. This finding differs to a lesser degree from that of Oosthuizen in his report on discipline in the

Kenneth Kaunda district of NW (2008:25) in which community service was ranked 18th with an overall mean score of 2.36.

- In position 21, **corporal punishment** with an overall mean score of 2.03 shows a lesser effect on learner discipline as a method. It was ranked 22nd with an overall mean score of 2.91 in the finding of Oosthuizen in his report on discipline in the Kenneth Kaunda district of NW (2008:25). These findings are virtually the same.

SECTION A II: LEARNERS: BIOGRAPHICAL PARTICULARS OF LEARNERS

TABLE A II: Learners: Biographical Particulars of Learners

BIOGRAPHICAL PARTICULARS OF LEARNERS	FREQUENCY	PERCENTAGE
2. GENDER		
Male	146	40.22
Female	217	59.78
TOTAL	363	100
3. KIND OF SCHOOL		
Historically White	40	11.24
Historically Black	55	15.45
Historically Indian	220	61.80
Historically Coloured	12	3.37
Historically Multi-cultured	29	8.15
TOTAL	356	100.01

Biographical data

1. Gender

As far as gender is concerned:

- 40.22% of the respondents were male learners and
- 59.78% of the respondents were female learners

2. Kind of School

From the above table the following response can be assumed:

- 11.24% were historically white learners in the research area.
- 15.45% were historically black learners in the research area.
- 61.80% were historically Indian learners in the research area.
- 3.37% were historically coloured learners in the research area.
- 8.15% were historically multi-cultured learners in the research area.

SECTION B II: LEARNERS: THE NATURE AND FREQUENCY OF DISCIPLINE OF LEARNERS

This section focuses on the nature and frequency of disciplinary problems

TABLE B II: Nature and frequency of disciplinary problems

NR.	PROBLEMS	RANK	N	GENERAL MEAN SCORE	DAILY AVERAGE ONCE A DAY	WEEKLY AVERAGE ONCE A WEEK	MONTHLY AVERAGE ONCE A MONTH	YEARLY AVERAGE ONCE A YEAR	NEVER
1.1	Disruptive behaviour	26	336	2,28	43.45	20.24	11.01	15.18	10.12
1.2	Rudeness	2	329	2.13	43.77	25.23	11.55	12.46	6.99
1.3	Dishonesty	5	319	2.21	42.32	21.00	15.99	14.11	6.53
1.4	Improper language (swearing)	6	326	2.22	45.71	16.56	15.34	14.72	7.67
1.5	Moodiness	4	325	2.20	43.69	23.38	12.62	9.85	10.46
1.6	Cheekiness	8	325	2.35	37.23	24.92	14.77	11.08	12.00
1.7	Provoking behaviour	9	320	2.37	33.44	27.54	17.54	11.56	10.00
1.8	Disrespect towards educator	15	332	2.55	36.14	18.37	14.76	15.36	15.36
1.9	Untidiness/ incorrect clothing	7	332	2.33	43.37	18.98	10.54	15.06	12.05
1.10	Neglect of duty	3	317	2.15	44.48	20.19	17.67	10.41	7.26
1.11	Tell lies	1	338	2.08	50.89	19.23	7.69	14.79	7.40
1.12	Tardiness	12	303	2.43	33.66	26.40	15.84	10.89	13.20

NR.	PROBLEMS	RANK	N	GENERAL MEAN SCORE	DAILY AVERAGE ONCE A DAY	WEEKLY AVERAGE ONCE A WEEK	MONTHLY AVERAGE ONCE A MONTH	YEARLY AVERAGE ONCE A YEAR	NEVER
1.13	Absenteeism	10	320	2.38	36.88	21.25	17.54	15.63	8.75
1.14	<i>Crimen iniuria</i> ¹ against learners	19	333	2.78	27.63	19.52	19.22	13.81	19.82
1.15	<i>Crimen iniuria</i> against educators	21	322	3.27	21.12	15.22	13.98	14.29	35.40
1.16	Graffiti	16	310	2.62	36.77	13.55	18.39	12.58	18.71
1.17	Vandalism	20	311	2.81	26.69	17.04	22.19	16.40	17.68
1.18	Theft	13	327	2.44	42.20	14.98	11.93	17.74	13.15
1.19	Bullying	14	328	2.50	33.84	22.56	16.16	14.02	13.41
1.20	Violence	17	332	2.74	28.31	21.99	15.66	15.36	18.67
1.21	Gang activities	18	335	2.74	31.34	20.00	9.55	21.19	17.91
1.22	Pornography	24	325	3.61	19.38	9.54	9.23	13.85	48.00
1.23	Smoking	11	335	2.42	51.34	6.57	5.07	22.09	14.93
1.24	Use of alcohol at school	25	344	3.80	10.76	6.69	19.77	17.15	45.64
1.25	Drug abuse	23	335	3.59	20.00	10.45	8.06	12.84	48.66
1.26	Sexual harassment of fellow students	22	340	3.45	21.76	10.88	10.29	14.41	42.65
1.27	Sexual harassment of educators	27	333	4.19	10.51	4.50	8.71	7.21	69.07

The statistical outcomes of this section, focusing on nature and frequency of disciplinary problems one has to address are reflected in Table BII amplifies the following:

- The most common form of misconduct is **telling lies**, with the overall mean score of 2.08. There is a slight difference in the finding of Oosthuizen in his report on discipline in the Kenneth Kaunda district of NW (2008:6) in which it was ranked 5th with the overall mean score of 2.06. Wolhuter and Van Staden agree with Oosthuizen's finding in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007:379) in which **telling lies** was ranked 5th with an overall mean score of 3.79.
- Ranked 2nd with an overall mean score of 2.13 was **rudeness**, which is also the most common form of misconduct. This finding differs from the following findings. In Oosthuizen's finding in his report on discipline in the Kenneth Kaunda district of NW (2008:8) it was ranked 9th with an overall mean score of 2.50. In Wolhuter and van Staden's finding in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007:398), **rudeness** was ranked 6th with an overall mean score of 3.74.
- Ranked 3rd was **neglect of duty** with an overall mean score of 2.15, which does not differ much from the finding of Oosthuizen in his report on discipline in the Kenneth Kaunda district of NW (2008:5) in which it was ranked 2nd with an overall mean score of 2.03. **Neglect of duty** was ranked 1st on the most frequent form of misconduct with a mean score of 4.15 from the finding of Wolhuter and van Staden in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007:397).
- **Moodiness** was ranked 4th with an overall mean score of 2.20. In terms of responses reported in Oosthuizen's finding in his report on discipline in the Kenneth Kaunda district of NW (2008:8) it was ranked 10th with an overall mean score of 2.55. Wolhuter and van Staden's finding is comparable with the former finding. According to their finding in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007:398) **moodiness** was ranked 9th with an overall mean score of 3.56.
- **Dishonesty** was ranked 5th with an overall mean score of 2.21. This is comparable with the finding of Oosthuizen in his report on discipline in the Kenneth Kaunda district of NW (2008:7) in which it was ranked 7th with an overall

mean score of 2.38. The finding of Wolhuter and van Staden (2007:397) in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle showed **dishonesty** was ranked 2nd with an overall mean score of 4.09.

- Ranked 6th was **improper language (swearing)** with an overall mean score of 2.22. This differs from Oosthuizen's finding in his report on discipline in the Kenneth Kaunda district of NW (2008:5) in which **improper language** was ranked 2nd with an overall mean score of 2.03. The above-mentioned finding differs somewhat from that of Wolhuter and van Staden in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007:397) in which it ranked 4th with an overall mean score of 3.97.
- Ranked 7th was **disruptive behaviour** with an overall mean score of 2.28. This study corresponds with the finding of Oosthuizen in his report on learner discipline in Kenneth Kaunda district of NW (2007:7) in which **disruptive behaviour** was ranked 7th with an overall mean score of 2.38. Wolhuter and van Staden's finding differs greatly from other findings. In their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007:397) **disruptive behaviour** was ranked 2nd with an overall mean score of 4.09).
- **Untidiness / incorrect clothing** was ranked 8th with an overall mean score of 2.33. This finding differs from Oosthuizen's whereby **untidiness and incorrect clothing** were ranked 3rd with an overall mean score of 2.04 in his report on learner discipline (2008:3) in the Kenneth Kaunda district. Wolhuter and van Staden's (2007:397) finding also differs from the present finding and ranked **untidiness/incorrect clothing** 3rd with an overall mean score of 4.02 in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle.
- **Cheekiness** was ranked 9th with an overall mean score of 2.35. This finding differs somewhat from that of Wolhuter and Van Staden (2007:398) in their finding in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle, in which it was ranked 8th with an overall mean score of 3.69. Also Oosthuizen's finding in his report on discipline in the Kenneth Kaunda district of NW (2008:7) differs somewhat from that of the present research, with an overall mean score of 2.41 and a ranking in 8th position.
- **Provoking behaviour**, with an overall mean score of 2.37, was ranked 10th. This finding differs somewhat from Oosthuizen's finding in his report on learner

discipline in the Kenneth Kaunda district in NW (2008:8) in which **provoking behaviour** was ranked 11th with an overall mean score of 2.61. These findings agree with that of Wolhuter and van Staden (2007:398) in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle, in which **provoking behaviour** was ranked 10th with an overall mean score of 3.53.

- Ranked 11th was **absenteeism** with an overall mean score of 2.38. This finding differs from that of Oosthuizen in his report on discipline in the Kenneth Kaunda district in North West (2008:5). **Absenteeism** was ranked 4th with an average mean score of 2.06. The above findings differ from that of Wolhuter and Van Staden in their report on learner misconduct, in the Free State, Eastern Cape and Vaal Triangle (2007:398) in which **absenteeism** was ranked 7th with an overall mean score of 3.70.
- **Smoking** was ranked 12th with an overall mean score of 2.42. This finding differs from that of Oosthuizen in his report on discipline in the Kenneth Kaunda district of NW (2008:11) in which smoking is ranked 18th with an overall mean score of 3.55. It also differs from the finding of Wolhuter and van Staden on their report on learner misconduct in the Free State Eastern Cape and Vaal Triangle (2007:398) in which **smoking** was ranked 17th with an overall mean score of 3.55.
- Ranked 13th was **tardiness** with an overall mean score of 2.43. The finding of this study does not differ much from that of Wolhuter and van Staden (2007:398) in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle, in which **tardiness** was ranked 12th with an overall mean score of 3.04, but it differs from the finding of Oosthuizen in his report on discipline in the Kenneth Kaunda district of NW (2008:6) in which it was ranked 7th with an overall mean score of 2.36.
- **Theft** was ranked 14th with an overall mean score of 2.44. Oosthuizen's finding differs somewhat from that of Wolhuter and van Staden in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007:398) in which **theft** was ranked 16th with an overall mean score of 2.8, which in turn differs somewhat from this study in which it was ranked 13th with an overall mean score of 2.07.
- Ranked 15th was **Bulling** with an overall mean score of 2.50. This finding differs from that of Oosthuizen in his report on discipline in the Kenneth Kaunda district

of NW (2008:6) in which **bullying** was ranked 6th with an overall mean score of 2.37. Wolhuter and van Staden's (2007:398) finding differs to a lesser degree with the present study in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle, in which bullying was ranked 13th with an overall mean score of 3.23.

- **Disrespect towards educators** was ranked 16th with an overall mean score of 2.55. This differs from that of Oosthuizen in his report on discipline in the Kenneth Kaunda district of NW (2008:9) in which the latter was ranked 12th with an overall mean score of 2.9. Wolhuter and van Staden's (2007:398) finding differs from the present finding in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle, **disrespect towards educators** was ranked 11th with an overall mean score of 3.51
- Ranked 17th was **Graffiti** with an overall mean score of 2.62. This finding agrees with that of Oosthuizen (2008:10) in his report on discipline in the Kenneth Kaunda district NW in which the latter was ranked 17th with an overall mean score of 3.50. Wolhuter and van Staden (2007:398) differ somewhat from the above-mentioned finding in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle, in which **graffiti was** ranked 15th with an overall mean score of 2.88.
- **Violence** was ranked 18th with an overall mean score of 2.74. This finding differs from the finding of Oosthuizen in his report on discipline in the Kenneth Kaunda district of NW (2008:10) in which the latter was ranked 14th with an overall mean score of 3.40. The finding of the present research also differs from that of Wolhuter and van Staden in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007:398) in which **violence** was ranked 14th with an overall mean score of 2.91.
- In the finding of Oosthuizen **in** his report on discipline in the Kenneth Kaunda district of NW (2008:11), **gang activities was** ranked 20th with an overall mean score of 4.25, which differs to a lesser degree from the present study in which it was ranked 19th with an overall mean score of 2.74. **Gang activities** was ranked 22nd with an overall mean score of 1.98 in the finding of Wolhuter and van Staden's report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007:398) which differs somewhat from the present study.

- Ranked 20th was ***crimen iniuria against learners with*** an overall mean score of 2.78. This present finding is virtually the same as that of Wolhuter and van Staden in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007; 398) in which the latter was ranked 19th with an overall mean score of 2.58. It differs from Oosthuizen's finding in his report on discipline in the Kenneth Kaunda district of NW (2008:11) in which ***crimen iniuria*** was ranked 16th with an overall mean score of 3.47.
- **Vandalism** was ranked 21th with an overall mean score of 2.81. This present finding differs largely from that of Oosthuizen in his report on discipline in the Kenneth Kaunda district of NW (2007:11) in which **vandalism** was rated 15th with an overall mean score of 3.46. Wolhuter and van Staden's finding in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007:398) differs somewhat from the present finding. Vandalism was rated 18th with an overall mean score 2.72 in Wolhuter and van Staden's report.
- ***Crimen iniuria against educators*** was ranked 22nd with an overall mean score of 3.27 compared to the finding of Oosthuizen in his report on discipline in the Kenneth Kaunda district NW (2008:11) in which the latter was ranked 19th with an overall mean score of 4.08. Wolhuter and van Staden's finding is virtually the same: In their finding in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007:398) ***crimen iniuria against educators*** was ranked 20th with an overall mean score of 2.18. This entails that both these findings differ somewhat from the present study.
- Ranked 23nd was **sexual harassment of fellow students** with an overall mean score of 3.45. This present finding differs to a lesser degree with the finding of Oosthuizen in his report on discipline in the Kenneth Kaunda district of NW (2008; 4) in which **sexual harassment of fellow students** ranked 22nd with an overall mean score of 4.39. It differs to a lesser degree from Wolhuter and van Staden's finding in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007:398) in which it was ranked 24th with an overall mean score of 1.75.
- **Drug abuse** was ranked 24rd with an overall mean score of 3.59. The finding of this study differs somewhat from that of Wolhuter and van Staden in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007:398) in which **drug abuse** was ranked 21st with an overall mean

score of 2.14 but differs to a lesser degree from Oosthuizen's finding in his report on learner discipline in the Kenneth Kaunda district of NW(2008:12) in which the latter was ranked 23rd with an overall mean score of 4.30

- **Pornography** was ranked 25th with an overall mean score of 3.61. The finding of this study differs to a lesser degree from the finding of Oosthuizen in his report on learner discipline in which the latter was ranked 24th with an overall mean score of 4.44 According to the finding of Wolhuter and van Staden in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007:398), **pornography** was ranked 25th with an overall mean score of 1.73, which corresponds with the finding of this present study.
- **Use of alcohol at school** ranked 26th with an overall mean score of 3.88. Compared to the finding of Oosthuizen in his report on learner discipline in the Kenneth Kaunda district of NW (2008:12) it was rated 21st with an overall mean score of 4.38. The finding in Wolhuter and van Staden differs somewhat: In their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007:398) **use of alcohol at school** was ranked 23rd with an overall mean score of 1.79.
- **Sexual harassment of educators** was ranked 27th with an overall mean score of 4.19. This finding differs from that of Oosthuizen's in his report on discipline in the Kenneth Kaunda district of NW(2008:4) in which the latter was ranked 25th with an overall mean score of 4.86. Wolhuter and van Staden's finding is virtually the same in their report on learner misconduct in the Free State, Eastern Cape and Vaal Triangle (2007:398) **Sexual harassment of educators** was ranked 26th with an overall mean score of 1,29

SECTION C II: LEARNERS: METHODS USED TO MAINTAIN DISCIPLINE

TABLE C II: Disciplinary methods

NR.	METHOD:	RANK	N	GENERAL MEAN SCORE	VERY INEFFECTIVE	INEFFECTIVE TO SOME DEGREE	EFFECTIVE TO SOME DEGREE	VERY EFFECTIVE
1.	Reprimand	11	271	2.69	26.20	16.61	19.19	38.01
2.	Isolation within the classroom	16	292	2.54	23.63	25.68	23.29	27.40
3.	Isolation outside the classroom	13	288	2.62	24.31	21.18	21.88	32.64
4.	Merits-demerits points system	17	268	2.53	26.49	21.64	23.88	27.99
5.	System of classroom rules	10	296	2.71	25.34	15.20	22.30	37.16
6.	Positive discipline ²	15	290	2.60	26.55	20.00	20.34	33.10
7.	Learner participation in the compilation of the code of conduct	18	295	2.49	27.46	22.37	23.39	26.78
8.	Encouraging learner pride amongst the learners	9	302	2.71	21.52	21.19	21.19	36.09
9.	Encouraging Traditions	8	288	2.71	24.31	17.01	12.18	37.50

NR.	METHOD:	RANK	N	GENERAL MEAN SCORE	VERY INEFFECTIVE	INEFFECTIVE TO SOME DEGREE	EFFECTIVE TO SOME DEGREE	VERY EFFECTIVE
10.	Referring to governing body's disciplinary committee	7	301	2.72	22.92	17.61	23.59	35.88
11.	Discussion/ meeting with parents of learners	1	309	3.07	15.53	13.59	18.77	52.10
12.	Emphasizing values	14	275	2.60	22.91	22.91	24.73	29.45
13.	Regular prayers by educator	5	301	2.79	25.58	12.62	1.94	42.86
14.	Proper preparation by Educator	3	299	2.92	16.39	16.72	24.41	42.47
15.	Reward	12	278	2.67	23.74	18.35	24.10	33.81
16.	Deprivation of privileges	21	262	2.31	33.59	22.14	23.66	20.61
17.	Community work	20	270	2.35	34.07	20.37	21.11	24.44
18.	Extra work	4	288	2.92	20.83	12.50	20.14	46.53
19.	Detention	19	269	2.47	28.62	22.68	21.56	27.14
20.	Corporal punishment	6	282	2.78	19.86	19.50	23.05	37.59
21.	Refer to the Principal	2	270	3.04	18.89	10.74	17.04	53.33

The quantitative report

This section focused on the effectiveness of different disciplinary methods in schools.

The statistical outcomes of this section focused on the effectiveness of different disciplinary methods in schools and are reflected in Table CII.

- **Reprimand** was rated 11th by the respondents, with an overall mean score of 2.69, and was regarded by them as one of the most effective disciplinary methods.
- **Isolation within the classroom** was rated 16th by the respondents, with an overall mean score of 2.54.
- **Isolation outside the classroom** was ranked 13th by the respondents, with an overall mean score of 2.62.
- **Merits-demerits points system** was ranked 17th by the respondents, with an overall mean score of 2.53.
- **System of classroom rules** was rated 10th by the respondents, with an overall mean score of 2.71.
- **Positive discipline** was ranked 15th by the respondents, with an overall mean score of 2.60.
- **Learner participation in the compilation of the code of conduct** was rated 18th by the respondents, with an overall mean score of 2.49.
- **Encouraging learner pride amongst the learners** was rated 9th by the respondents, with an overall mean score of 2.71.
- **Encouraging traditions** was ranked 8th by the respondents, with an overall mean score of 2.71.
- **Referring to governing body's disciplinary committee** was ranked 7th by the respondents, with an overall mean score 2.72.
- **Discussion/meeting with parents of learners** was ranked by respondents as the best disciplinary method, with a very high overall mean score of 3.07.

- **Emphasizing values** was rated 14th by the respondents, with an overall mean score of 2.60.
- **Regular prayers by educator** was rated 5th by the respondents, with an overall mean score of 2.79.
- **Proper preparation by educator** was rated 3rd by the respondents, with an overall mean score of 2.92, and was also considered to be one of the best disciplinary methods.
- **Reward** was rated 12th by the respondents, with an overall mean score of 2.67.
- **Deprivation of privileges** was rated 21st by the respondents, with an overall mean score 2. 31.
- **Community work** was rated 20th by the respondents, with an overall mean score of 2.35.
- **Extra work** was ranked 4th by the respondents and was also regarded as one of the most effective disciplinary methods, with an overall mean score of 2.92.
- **Detention** was ranked 19th by the respondents, with an overall mean score of 2.47.
- **Corporal punishment** was ranked 6th by the respondents, with an overall mean score of 2.78.
- **Refer to the principal** was rated the 2nd best disciplinary method by the respondents, with a very high mean score of 3.04.

EFFECT SIZES ON THE DIFFERENCE IN THE PERCEPTION OF TEACHERS AND LEARNERS ABOUT THE METHODS DEALING WITH LEARNER MISCONDUCT

This section deals with a comparison between the perceptions of the teachers and those of the learners regarding the effectiveness of the various methods in dealing with learner misconduct. In order to determine the significance of the statistical differences, Cohen's magnitudes were utilized (Maree, 2007:211):

d value	Effect
0,2	small effect
0,5	medium effect
0,8	large effect

TABLE D: Effect sizes of the methods

		MEAN		STD V		EFFECT SIZES
		TEACHERS	LEARNERS	TEACHERS	LEARNERS	
1	Reprimand	2.62	2.62	0.46	0.57	0
2	Isolation within the classroom	2.12	2.53	0.37	0.25	1.11
3	Isolation outside the classroom	2.14	2.60	0.52	0.19	0.88
4	Merits–Demerits points system	2.45	2.47	0.44	0.26	0.05
5	System of classroom rules	2.75	2.69	0.56	0.37	0.11
6	Positive discipline ²	2.89	2.37	0.63	0.25	0.83
7	Learner participation in the compilation of the code of conduct	2.58	2.47	0.53	0.32	0.21
8	Encouraging learner pride amongst learners	2.72	2.69	0.44	0.32	0.07
9	Encouraging traditions	2.63	2.62	0.49	0.45	0.02
10	Referring to governing body’s disciplinary committee	2.34	2.67	0.40	0.32	0.83
11	Discussion / meeting with parents of learners	2.85	3.05	0.58	0.35	0.34
12	Emphasizing values	2.67	2.55	0.50	0.27	0.24
13	Regular prayers by educator	2.41	2.78	0.46	0.27	0.80

14	Proper preparation by educator	3.29	2.92	0.59	0.27	0.63
		MEAN		STD V		EFFECT SIZES
		TEACHERS	LEARNERS	TEACHERS	LEARNERS	
15	Reward	2.91	2.60	0.58	0.35	0.53
16	Deprivation of privileges	2.15	2.31	0.40	0.12	0.4
17	Community service	2.13	2.37	0.35	0.22	0.69
18	Extra work	2.62	2.89	0.57	0.26	0.47
19	Detention	2.15	2.42	0.60	0.34	0.45
20	Corporal punishment	2.05	2.74	0.76	0.36	0.91
21	Refer to principal	2.82	3.02	0.34	0.41	0.49

- Pertaining to **reprimand** as a method for dealing with learner misconduct, no practical significant difference ($d=0$) was reported. This entails that the teachers and learners are of the same opinion regarding the effectiveness of this method.
- As far as **isolation within the classroom** is concerned, a large practical significant difference was reported ($d=1.11$). It also shows that learners are more convinced of the effectiveness of this method compared to the opinion of the teachers.
- A large practical significant difference is reported ($d=0.88$) to **isolation outside the classroom** as a method for dealing with misconduct. This also means that the learners are more convinced of the effectiveness of this method compared to the opinion of the teachers.
- **Merits–Demerits points system** .A statistical analysis indicated no practical significant difference ($d=0.05$) between teachers and learners, which means that the learners are of the same opinion regarding the effectiveness of this method.
- The effect size ($d=0.11$) shows no practical significant difference in the opinions of educators and learners pertaining to the effectiveness of the **system of classroom rules**
- As far as **positive discipline** is concerned, a large practical significant difference was shown ($d=0.83$). It indicated that the teachers are much more convinced of the effectiveness of this method compared to the opinion of the learners.
- Pertaining to **learner participation in the compilation of the code of conduct** as a disciplinary method applied for dealing with learner misconduct, a small practical significant difference of ($d=0.21$) was reported. This entails that the teachers are somewhat more convinced of the effectiveness of this method than are the learners.
- The effect size ($d=0.07$) indicates that there is no practical significant difference reported by statistical analysis, which proves no difference in the opinions of educators and learners regarding **encouraging learner pride amongst learners** as a method for dealing with learner misconduct?
- Compared to teachers, no practical significant difference ($d=0.02$) was reported. This indicates that the learners view this method of **encouraging traditions** less effective than do educators.
- With regard to **referring to governing body's disciplinary committee** as a method for dealing with learner misconduct, a large practical significant difference is reported ($d=0.83$). This shows a stronger opinion by learners than by teachers pertaining to the effectiveness of referring learners to the governing body's disciplinary committee.

- As far as **discussion/meeting with parents of learners** is concerned, a small practical significant difference is reported ($d=0.34$). This means that the learners tend to be more convinced of the effectiveness of this method than the teachers.
- The small practical significant difference ($d=0.24$) between the perceptions of teachers and learners also indicates that the learners may tend to perceive the method of **emphasizing values** to be less effective than do the teachers.
- **Regular prayers by educators** was reported as a large practical significant difference ($d=0.80$). It also shows that learners perceived this method to be more effective than educators.
- With regard to the opinions of educators regarding **proper lesson preparations by educators** compared to learners' opinions, a medium practical significant difference showed ($d=0.63$), which means that teachers view this method to be more effective than do the learners.
- The statistical analysis indicated that **reward** as a method for dealing with learner discipline has a medium practical significant difference ($d=0.53$). This also entails that teachers are more convinced of the effectiveness of this method than are the learners.
- Pertaining to **deprivation of privileges**, a small practical significant difference of ($d=0.4$) was reported. It shows that the learners are somewhat more convinced of the effectiveness of this method than are the educators.
- As far as **community service** is concerned, a medium practical significant difference is reported ($d=0.69$) and it shows that learners have a stronger view pertaining to the effectiveness of this method than teachers.
- There is a small practical difference of ($d=0.47$) and it also shows that learners hold a stronger viewpoint pertaining to the effectiveness of the method **extra work** than their teachers.
- Pertaining to the effectiveness of **detention** as a method, the statistical analysis showed (0.45) a small to medium practical significant difference and it also shows that the teachers view this method to be less effective than do the learners.
- **Corporal punishment** as a punitive method reported a large practical significant difference (0.91). The learners hold a stronger opinion pertaining to the effectiveness of this method compared to what teacher's believe regarding it.
- As far as **referral to the principal** is concerned, a medium practical difference was reported (0.49). It also shows that learners hold a stronger opinion pertaining to the effectiveness of referral to the principal than do the teachers.

4.5 CONCLUSION

Chapter 4 reported the outcome of the empirical study. The last chapter, chapter 5 will summarise and discuss the findings and add recommendations derived from the findings.

CHAPTER 5:

SUMMARY, FINDINGS AND RECOMMENDATIONS

5.1 Introduction

In this final chapter, an outline of the findings from the literature study (Chapters 2 and 3) and the empirical study (Chapter 4) will be succeeded by recommendations. Suggestions for further research are also included.

5.2. Reflection of the contents

Chapter 1 commenced with the research problem pertaining to learner misconduct. Based on the former, the research objectives were formulated. This chapter also included the research design.

Chapter 2 focused on legal determinants for the enhancement of sound learner conduct. The legal determinants relevant to the conduct entail SA statutory law such as the Constitution, the SA Schools Act, the National Education Policy Act, subordinate legislation and a few examples of international law.

Chapter 3 addressed the causes of learner ill-discipline in general; the methods used by educators in disciplining learners in general (by means of a literature study); and also methods which can be implemented for dealing with learner misconduct.

In Chapter 4 the empirical study was conducted based on the data collected from the completed questionnaires. The chapter includes tables that were used to show frequencies and percentages. Different statistical techniques such as frequencies, mean score rankings, and effect sizes were used to interpret and analyse data.

In this final chapter, Chapter 5, a summary is given of the preceding chapters. Findings of the research aims are presented, and then research recommendations and further recommendations are made for further research.

5.3 Research findings

The objectives of this study were to determine:

- What the nature is of discipline and learner misconduct
- What the reasons are for learner misconduct

- What forms of learner misconduct are found in schools
- What disciplinary methods are applied by educators to discipline learners and the effectiveness thereof
- What the legal determinants are in dealing with learner misconduct

(i) The nature of learner misconduct

The nature of learner misconduct was determined in Chapter 3 of this study. the aim of dealing with learner misconduct is to teach learners what is right from what is not right and to teach them and guide them to develop self-control. Moreover, it is also directed at the development of skills and a lifestyle of peaceful coexistence with other people (see par.3.2). Discipline was characterized as follows:

- It builds order (see par. 3.3).
- It ensures justice: In the event that the rights and obligations of one stakeholder violate the rights of the other stakeholder unfairly, justice must be done (see par. 3.3).
- It guards the safety of the learner: If a protective orderly learning environment has been created, learners are protected from unbecoming behaviour of fellow learners (see par. 3.3).
- It plays a vital role in the total development of the learner (see par. 3.3).
- It is primarily directed at correcting and not punishing (see par. 3.3).

(ii) The causes of learner ill-discipline

The causes of learner misconduct were also analysed in Chapter 3:

Some of the general reasons entail an ineffective senior management team in certain schools, ineffective codes of conduct, and learners from problematic backgrounds. Some of the more pertinent causes are:

- Homes without parents: When learners return to their homes there are no authority figures to assist them with the problems they have experienced during the day and no one to discipline them when needed (see par. 3.5).
- Boredom: When learners are not interested in school attendance, and experience the school as a trap, they often become bored and then misbehave (see par. 3.5).
- Special needs: Learners with special education needs need to be correctly placed in a special education institution (see par. 3.5).

- Peer pressure: Peer pressure can be a critical issue in learner misconduct, especially in those classes that accommodate an excess number of students (see par. 3.5).

(iii) The different forms of learner misconduct

The following forms of misconduct were reported in South Africa (see par. 3.4):

- noise,
- physical violence,
- threat,
- theft,
- graffiti and vandalism,
- verbal abuse,
- lack of consideration,
- respect for authority,
- improper language (swearing),
- dishonesty,
- cheekiness,
- disruptive behaviour,
- rudeness,
- moodiness,
- provoking behaviour,
- disrespect towards educator,
- untidiness / incorrect clothing,
- neglect of duty,
- telling lies,
- tardiness,
- absenteeism,
- smoking,
- use of alcohol at school,
- drug abuse,
- sexual harassment of fellow students,
- *crimen injuria* against educators,
- pornography.

It seems that educators have experienced many problems while attempting to maintain discipline, which causes constant concern for them, resulting in the majority of them resigning from the profession (see par. 3.4).

(iv) Methods for dealing with learner misconduct

Based on the empirical study presented in Chapter 4, the effectiveness of these methods were identified and ranked.

In some instances there was consensus in the ranking order of teachers and the learners pertaining to the effectiveness of the various methods, as becomes clear from the exposition below:

- **Proper lesson preparation** was regarded by teachers as the most effective method for maintaining discipline and ranked it 1st with an overall mean score of 3.34. Learners ranked the latter 3rd as an effective method for maintaining discipline with an overall mean score of 3.07. This proves that the educators and the learners are of the same opinion regarding the effectiveness of this method (see Tables DI and CII).
- **Discussion/meeting with parents** was ranked 4th by educators with an overall mean score of 2.98, and was regarded as one of the most effective methods for maintaining learner discipline. Learners regard this method to be the most effective for dealing with discipline and ranked it 1st with an overall mean score of 3.07. This entails that the teachers and the learners are of the same opinion regarding the effectiveness of this method (see Tables DI and CII).
- **Encouraging learner pride amongst the learners** was ranked 6th by teachers (mean score of 2.85) as an effective method for dealing with learner misconduct. Learners ranked it 9th with an overall mean score of 2.71. This indicates that the teachers and the learners are of the same opinion regarding the effectiveness of this method (see Tables DI and CII).
- Pertaining to the effectiveness of **encouraging traditions** both teachers and the learners perceived this method to be less effective. Teachers showed an overall mean score of 2.77 and ranked it 9th. Learners showed an overall mean score of 2.71 and ranked this method in 8th position. This entails that the teachers and learners are of the same opinion regarding the effectiveness of this method (see Tables DI and CII).

- Pertaining to the perceptions regarding the effectiveness of **reprimand**, both educators and the learners regard this method to be one of average effect for dealing with learner misconduct. Educators showed a mean score of 2.76 and ranked it 10th. Learners ranked it 11th with an overall mean score of 2.69. This means that the teachers and the learners are of the same opinion regarding the effectiveness of this method (see Tables DI and CII).
- **Referring to the school governing body's disciplinary committee**, it was rated 15th with an overall mean score of 2.44 by teachers and rated 7th with an overall mean score of 2.72 by the learners. This entails that teachers view this method to be the less effective method for dealing with learner misconduct. Learners view this method to be not so effective for dealing with learner discipline (see Tables DI and Table CII).
- **Detention** was regarded to be a rather ineffective method for dealing with learner misconduct. Teachers rated this method 16th with an overall mean score of 2.35. Learners rated this method 19th. This means that the teachers and the learners are of the same opinion regarding the effectiveness of this method (see Tables DI and CII).
- Pertaining to effectiveness of **Deprivation of privileges**, teachers rated it 17th with an overall mean score of 2.21 and learners rated it 21st with an overall mean score of 2.31. This shows that the educators and the learners are of the same opinion regarding the ineffectiveness of this method (see Tables DI and CII).
- **Isolation within the classroom** was rated 19th with an overall mean score of 2.17 by teachers and regarded as a less effective method for dealing with learner misconduct. It was ranked 16th with an overall mean score of 2.54 by learners and regarded as an ineffective method for dealing with learner misconduct. This indicates that the teachers and the learners are of the same opinion regarding the effectiveness of this method (see Tables DI and CII).
- Pertaining to the effectiveness of **community service**, this method was regarded to be an ineffective method by both the teachers and the learners. Teachers rated it 20th with an overall mean score of 2.14. Learners also rated the latter 20th with an overall mean score of 2.35. This proves that the teachers and the learners are of the same opinion regarding the ineffectiveness of this method (see Tables DI and CII).

In other instances there was **no consensus** between the teachers and the learners regarding the effectiveness of methods for dealing with learner misconduct:

- Educators regarded **Positive discipline** as the 2nd most effective method for dealing with learner discipline, with an overall mean score of 3.25. Learners viewed this method for dealing with discipline to be ineffective and ranked it 15th with an overall mean score of 2.60 (see Tables DI and CII).
- Educators regarded **reward** as one of the most effective disciplinary methods (ranked 3rd) with an overall mean score of 3.02. Learners ranked this disciplinary method 12th with an overall mean score of 2.67 as a less effective method for dealing with discipline (see Tables DI and CII).
- Educators viewed a **system of classroom rules** as one of the most effective methods for maintaining discipline and ranked it 5th with an overall mean score of 2.94. The method was ranked 10th with an overall mean score of 2.71 by learners, who considered it to be less effective (see Tables DI and CII).
- Ranked 7th by educators was **referring to the principal** with an overall mean score of 2.85. Learners had a different view and considered this method to be the 2nd best method for dealing with discipline with an overall mean score of 3.04 (see Tables DI and CII).
- Pertaining to the perceptions regarding the effectiveness of **Learner participation in the compilation of the code of conduct**, educators regarded it to be not so effective and ranked it 11th with an overall mean score of 2.74. Learners viewed it to be an ineffective method and ranked it 18th with an overall mean score of 2.49 (see Tables DI and CII).
- **Extra work** was rated 12th by educators with an overall mean score of 2.73 and they regarded it as a not so effective method for dealing with learner misconduct. Learners rated it 4th with an overall mean score of 2.92 and regarded it as one of the most effective methods for dealing with discipline (see Tables DI and CII).
- **Merits-demerits points system** was regarded by educators to be a not so effective method for dealing with learner misconduct and they rated it 13th with an overall mean score of 2.59. The latter was rated 17th by learners, with an overall mean score of 2.53 and it was regarded by them as an ineffective method for dealing with discipline (see Tables DI and CII).

- Pertaining to perceptions of the effectiveness of **regular prayers by educators**, teachers viewed this method to be not so effective for dealing with learner misconduct and ranked it 14th with an overall mean score of 2.57. Learners regarded it to be one of the most effective methods for dealing with discipline and ranked it 5th with an overall mean score of 2.79. (See Tables DI and CII).
- Ranked 18th by teachers was **isolation outside the classroom** with an overall mean score of 2.18, and learners ranked the latter 13th with an overall mean score of 2.62. Teachers perceived this method to be ineffective for dealing with learner misconduct and learners perceived it to be less effective for dealing with discipline (see Tables DI and CII).
- Pertaining to perceptions of the effectiveness of **corporal punishment**, teachers regarded this method to be ineffective for dealing with learner misconduct and rated it 21st with an overall mean score of 2.03. Learners rated it 6th with an overall mean score of 2.78 and regarded it to be one of the most effective methods for dealing with learner discipline. This indicates that learners differ totally from teachers with respect to the effectiveness of this method (see Tables DI and CII).
- **Emphasizing values:** The teachers and the learners viewed this method differently with regard to its effectiveness. Teachers ranked this method 8th with an overall mean score of 2.82 and viewed it to be not so effective. Learners ranked this method 14th with an overall 2.60 and regarded it to be not so effective. This entails that teachers and learners have different opinions on the effectiveness of this method (see Tables DI and CII).

(v) The legal determinants

The legal determinants in dealing with learner misconduct were conducted in Chapter 2.

The legal determinants relevant to learner conduct entail statutory law, common law and case law. Pertaining to statutory law it was dealt with by means of the S.A Constitution, the S.A. Schools Act, the National Education Policy Act, Subordinate legislation and a few examples of international law.

The South African Constitution

When disciplinary actions are taken against a learner, the learner's rights must be respected and taken seriously. It entails that teachers are to take cognisance of relevant sections from

the SA Schools Act such as discrimination, best interest of the learner, human dignity, freedom and policy, security of their person, privacy, fair administration procedure, National Education Policy

The reason for the fact that aspects such as reward was only rated in 12th position by the learners (see Table CII) might be due to the fact that it edges on unfairness, which is one of the prominent human rights in our Constitution. Offering a reward to one learner and not to another might possibly be deemed by some as unfair discrimination (see par.3.6.13). The same argument might be true in the case of deprivation of privileges being rated low (see Tables DI and CII).

Methods such as community service (ranked 20th by both teachers and learners) as well as isolation of a learner in the class (teachers ranked it 19th and learners 16th) were ranked very low (see Tables DI and CII). These methods could possibly also create the impression that it is linked to a form of unfair discrimination. Another possible explanation could be that it was interpreted by the respondents as a defiance of learner human dignity.

South African Schools Act:

- **Code of conduct**

The main reason for the code of conduct is to create order, ensure discipline and enhance self-discipline and character (see par. 2.4).

Section 8 of the South African Schools Act (SA, 1996 (c)) clearly stipulates that: learners, parents and the school must be consulted by the school governing body for the adoption of the code of conduct (see par. 2.4).

The contents of the code of conduct must include the establishment of an environment conducive to learning and teaching, committed to an enhancement and upholding of quality of the learning process (see par. 2.4).

Learners must comply with the code of conduct of the specific school attended by learners (see par. 2.4).

As such, the code of conduct is to be regarded as a vital legal instrument in the hands of the school environment for dealing with learner misconduct.

Especially the learners (see Table CII) rated participation in the drafting of a code of conduct as an ineffective method for dealing with misconduct. However, the code of conduct as such is to be regarded as one of the strongest instruments for dealing with misconduct in schools. The reason for this low ranking might be vested in ignorance and clearly needs to be explained to them.

In terms of section 10 of this Act corporal punishment was abolished in schools in 1996 (see par. 3.6.19). However, in terms of learner responses it is clear that they rated it as one of the most effective methods for dealing with misconduct (see Table CII).

- **Due process and Representation**

To safeguard the interests of the learner, due process must be included in a code of conduct and there should also be an indication of parties involved in disciplinary proceedings (see par 2.4).

At a disciplinary hearing, a learner must be represented by his parent or guardian, at a disciplinary hearing unless a good course is indicated by the governing body of continuation of the proceedings in the absence of the parent somebody else chosen will represent the child (see par.2.4).

If a child is younger than 18 years, a competent person must be chosen as a witness (see par. 4.2.4). Effective criteria must be adhered to (see par. 2.4).

In terms of this it becomes clear that teachers are to handle the learners' rights to a basic education with caution. They should bear in mind that proper procedures are to be adhered to in the event, for example, of the expulsion or suspension of a learner.

- **Suspension and Expulsion**

The concept "suspension" is defined as a temporary refusal of the admission of a learner to a school or its hostel (see par. 2.4).

Suspension may be viewed as a corrective appraisal and a learner may be suspended from attending school for a period not longer than five days (see par. 2.4)

The word "expulsion" is defined as a removal of a learner at a school or a hostel. Expulsion could be considered to be the last option and should be utilized when other opportunities have been observed (see par. 2.4).

Expulsion of a learner may be completed by Head of Department only, and after a fair hearing, if the learner is found guilty of a serious misbehaviour (see par.2.4).

Suspension and expulsion are to be regarded as reactive reactions to learner misconduct. Schools endeavour to implement productive measures to curb learner misconduct.

- **Subordinate legislature**

Subordinate legislature entails legal provision which is subordinate to parliamentary legislation and is based on promulgated parliamentary legislation (see par. 2.5).

- **Guideline for the school governing bodies**

The main purpose of the code of conduct for learners is to create order, ensure discipline and enhance self-discipline and character.

A governing body of a public school must adopt a code of conduct for learners.

The code of conduct must enlighten the learners of the way in which they should conduct themselves at school in training for their conduct and safety in civil society.

The main focus must be on positive discipline which is not punitive and punishment orientated which has to facilitate productive learning (see par. 2.6.1).

It is clear from these guidelines that the essence of learner discipline is to rotate around the enhancement of a sound learning and teaching environment and not to castigate the child. From the responses it also became clear that this approach is supported by both teacher and learner responses.

The following forms of positive discipline were identified by the teachers as the most effective methods (see Table D1): proper lesson preparation by the teacher (ranked 1st); positive discipline (ranked 2nd); reward (ranked 3rd); the utilization of classroom rules (ranked 5th).

The learners ranked the following positive approaches in dealing with learner misconduct as follows (see Table CII: discussion and meeting with parents (ranked 1st); referring to the principal (ranked 2nd); proper lesson preparation by the teacher (ranked 3rd); extra work (ranked 4th); and regular prayers by educators (ranked 5th).

International law

All the conventions signed by our government, bounds South Africa. (2.7)

The contents contained in section 39(1) (c) of the South African Constitution (SA, 1996 (a)) determines the consideration of international law (see par. 2.7).

Some of the relevant international law is listed below:

- **Convention on the rights of a child**

Article 3(1) of the United Nations (UN, 1989: 306) Convention on the Rights of the Child, clarifies that parties should guarantee that the best interest of the child is a major concern whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies (see par. 2.7.1).

It is important for educational management and governance to perceive that the best interest of the child entails an orderly school environment appropriate for teaching and learning.

- African Charter on the Rights and Welfare of the child

States parties should ensure that a child that is subjected to school or parental discipline shall be respected and treated with human dignity for the inherence of the child (see par. 2.7.2).

Parents of learners should be informed of their legal obligations to adhere to the disciplinary education of their children.

- Declaration in the Promotion Among Youth of the Ideals of Peace, Mutual Respect and Understanding Between People's Rights

According to the above-mentioned convention, the spirit of peace, justice, freedom, mutual respect and understanding should be instilled in young people to encourage equal rights for all human beings, nations, economic and social progress, disarmament and the maintenance of international peace and protection United Nations (UN, 1989: 321) (see par. 2.7.4).

It is important for schools to enhance the spirit of mutual respect and understanding among learners and between learners and teachers.

5.4 Recommendations and discussion

- Only two of the methods for dealing with learner misconduct were rated as very effective by both the responding educators and learners (see Tables DI and CII). These are proper lesson preparation by the educator and meetings and/or discussions with the parents of the offending learner. These two methods were also rated by various other reports on learner misconduct to be very effective (see DI AND CII). Educators in Jouberton are to be informed about this outcome and these two methods are to be recommended among all educators in Jouberton.
- Both parents and the learners need to be trained with respect to the value of learner participation in the compilation of a sound code of conduct for their schools.
- The mere fact that learners value corporal punishment as effective and the educators regard it as the least effective method, needs to be analysed by means of a follow-up qualitative approach.
- Moreover, the very fact that there is much dissimilarity between educators and learners regarding the effectiveness of a large number of the methods might be due to mutual understanding between educators and learners. There is a need for teacher training programmes, to be organized by Department of Education and Universities for teachers. This will assist teachers to know and to be able to use various skills on how to deal with learner misconduct and what method to apply as an alternative to corporal punishment.

- The essence of the constitutional rights of human dignity and equality needs to be amplified to learners, teachers and parents in order to reduce misconceptions about its application in education practice.
- A human rights culture and a proper understanding of all human rights need to be established in Jouberton schools.

5.5 Recommendations for further research

- There is a need to involve parents and learners in the compilation of the school code of conduct for learners.
- More alternatives to corporal punish should be found and utilised effectively
- The topic of corporal punishment needs to be revisited.
- The differences of opinion between learners and teachers pertaining to the effectiveness of the different methods need to be researched. This could for example be as a result of a lack of information or due to a lack of communication. A focus group interview among parents, learners and educators is likely to show the reasons for the vast differences of opinion.

5.6 Conclusion

In this research it became clear that not all methods applied by teachers to discipline learners are effective. The concern is the abolishment of corporal punishment. Learners knew that disciplinary problems are only addressed verbally, which could not harm them. Teachers need to have a thorough understanding of applying alternative methods to discipline learners. It may be concluded that the aim of this research has been attained.

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ADDENDUM A

LETTER FOR COLLECTING RESEARCH

DATA IN SECONDARY SCHOOLS

ACCESS TO SCHOOLS

42 Kielblock Str
La-Hoff
Klerksdorp
2571
28 September 2009

The APO Matlosana
Private Bag 823
Klerksdorp
2570

Dear Sir

REQUEST FOR COLLECTING RESEARCH DATA IN SECONDARY SCHOOLS IN JOUBERTON.

I am presently registered with the North West University (Potchefstroom) Campus for M.Ed. Education Law. The title of my dissertation is as follows: **An investigation into disciplinary methods in secondary schools in Jouberton.**

The aim of this letter is to request you to grant me the permission to conduct an empirical research in the nine secondary schools in Jouberton. These schools are Are-Fadimeheng, Chris-Hani, Cocekani, Matlosane, Mofatlhosi, Nkang-Mahlale, Tsamma, Tshedimosetso,

My intention is to visit and observe the daily activities of these schools as from the second week of October and hope to terminate the point of saturation is reached. Hopefully it won't be more than a month. All individuals and sites involved will remain anonymous.

Hopefully the findings of this study will help to improve quality education by means of effective discipline.

Yours faithfully

Serame NJ (Mrs) Principal of Are-Itshokeng Public School

.....

ADDENDUM B

RESEARCH ON LEARNER MISCONDUCT IN

JOUBERTON SCHOOLS

The undersigned hereby give consent in participating in the above-mentioned research project and understand the following:

- What the research entails.
- That participation is voluntary.
- That my name will not be reflected in any way.
- That confidentiality will prevail.

Signature:

Capacity: TEACHER LEARNER PARENT

ADDENDUM C

LETTER : REQUESTING RESEARCH DATA IN SECONDARY SCHOOLS

ACCESS TO SCHOOLS

42 Kielblock Str
La-Hoff
Klerksdorp
2571
28 September 2009

The APO Matlosana
Private Bag 823
Klerksdorp
2570

Dear Sir

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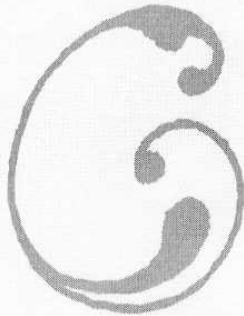
Hopefully the findings of this study will help to improve quality education by means of effective discipline.

Yours faithfully

Serame NJ (Mrs) Principal of Are-Itshokeng Public School

.....


ADDENDUM D
LETTER : EDITING



28 April 2011

I, Ms Cecilia van der Walt, hereby confirm that I took care of the editing of the dissertation of Mrs J Serame titled *An Investigation into Disciplinary Methods in Secondary Schools of Jouberton*.

MS CECILIA VAN DER WALT

HED, BA
Plus Language editing and translation at Hons level,
Plus Accreditation with SATI for Afrikaans
Registration number with SATI: 1000228

Email address: ceciliavdw@lantic.net

Cell phone number: 072 616 4943

ADDENDUM E

LETTER : DISSERTATION MS NJ SERAME



NORTH-WEST UNIVERSITY
YUNIBESITHI YA BOKONE-BOPHIRIMA
NOORDWES-UNIVERSITEIT
POTCHEFSTROOMKAMPUS
Privatebag X6001 Potchefstroom 2520
Tel (018) 299 1111 Fax (018) 299 2799
<http://www.puk.ac.za>

Statistical Consultation Services

Tel: (018) 299 2016

Faxes: (018) 299 2557

To whom it may concern

15 April 2011

Re: Dissertation Ms. N.J. Serame, student number: 11898879

We hereby confirm that the Statistical Consultation Service of the North-West University has analysed the data and assisted with the interpretation of the results.

Kind regards

A handwritten signature in black ink, appearing to read 'S M Ellis'.

DR. S M ELLIS (Pr. Sci. Nat)

Head: Statistical Consultation Service

ADDENDUM F

LETTER : PERMISSION TO CONDUCT RESEARCH IN MATLOSANA AREA



education
Lefapha la Thuto
Onderwys Departement
Department of Education
NORTH WEST PROVINCE

Alabama Secondary School Hostel
1 Nieuwenhoudt Street,
Alabama 2577
Klerksdorp
Private Bag A23, Klerksdorp
Tel. No.: (018) 467-9300
Fax No.: (018) 467-9309
e-mail: mot@lantic.net

DR KENNETH KAUNDA DISTRICT

MATLOSANA AREA OFFICE

TO: THE PRINCIPALS

FROM: THE ACTING AREA MANAGER

DATE: 01 OCTOBER 2009

**SUBJECT: PERMISSION TO CONDUCT RESEARCH IN MATLOSANA AREA
SECONDARY SCHOOLS**

This memo serves to confirm that **MS. NOMVULA JUDITH SERAME**, identity number 600203 0579 080 is granted permission to conduct research in Matlosana Area Secondary Schools. Her research title is:
"An investigation into disciplinary methods in secondary schools of Jouberton".

MS. NOMVULA JUDITH SERAME is currently studying for *Masters Degree in Education Law* at the University of North West, Potchefstroom Campus. She is given permission on the following conditions:

1. Teaching and learning must not be compromised.
2. All research ethics must be observed.
3. The results of this research must be shared with the DoE on completion.

I take this opportunity to wish her well in her self-improvement efforts.

THE ACTING AREA MANAGER
DR. S.H. VAN HEERDEN

"Together, through Education, doing more, better!"

ADDENDUM G

QUESTIONNAIRE FOR LEARNERS

ANNEXURE B QUESTIONNAIRE FOR LEARNERS

SECTION A: BIOGRAPHICAL PARTICULARS

1. Gender

Male

☐

Female

☐

2. At which school are you involved?

Historically White School

1

Historically Black School

2

Historically Indian School

3

Historically Coloured School

4

Historically multi-cultural

5

3. Number of pupils in your class?

--	--	--	--

1. Describe learner discipline at your school.

1	2	3	4
Excellent	Good	Bad	Very Bad

2. Do you feel learners are treated fairly when they misbehave?

1	2	3	4	5
Always	Most Times	Sometimes	Seldom	Never

3. Does the punishment normally match the transgression?

1	2	3	4	5
Always	Most Times	Sometimes	Seldom	Never

4. Are you aware that your school has a Code of Conduct?

1	2
Yes	No

5. Do you know what's in the Code of Conduct?

1	2
☐	☐
Yes	No

6. Why do learners misbehave?

7. What happens to you when you misbehave?

8. Are all children who are guilty of misbehaviour treated the same?

1	2
☐	☐
Yes	No

Explain

9. Do you feel the school environment is conducive to learning?

1	2
☐	☐
Yes	No

Why?

10. Do you feel your classroom environment is conducive to learning?

1	2
☐	☐
Yes	No

Why?

11. Have you ever been sent to detention?

1	2
☐	☐
Yes	No

SECTION B: THE NATURE AND FREQUENCY OF DISCIPLINE PROBLEMS

13. Indicate (with a cross) which of the following learner disciplinary problems are present at your school, and at which frequency?

Problem		Frequency				
		Daily (average once a day)	Weekly (average once a week)	Monthly (average once a month)	Yearly (average once a year)	Never
13.1	Disruptive behaviour	1	2	3	4	5
13.2	Rudeness	1	2	3	4	5
13.3	Dishonesty	1	2	3	4	5
13.4	Improper language (swearing)	1	2	3	4	5
13.5	Moodiness	1	2	3	4	5
13.6	Cheekiness	1	2	3	4	5
13.7	Provocating behaviour	1	2	3	4	5
13.8	Disrespect towards educator	1	2	3	4	5
13.9	Untidy/incorrect clothing	1	2	3	4	5
13.10	Neglect of duty	1	2	3	4	5
13.11	Tell lies	1	2	3	4	5
13.12	Tardiness	1	2	3	4	5
13.13	Absenteeism	1	2	3	4	5
13.14	<i>Crimen Iniuria</i> ¹ against learners	1	2	3	4	5
13.15	<i>Crimen iniuria</i> against educators	1	2	3	4	5
13.16	Graffiti	1	2	3	4	5
13.17	Vandalism	1	2	3	4	5
13.18	Theft	1	2	3	4	5
13.19	Bullying	1	2	3	4	5
13.20	Violence	1	2	3	4	5
13.21	Gang activities	1	2	3	4	5
13.22	Pornography	1	2	3	4	5
13.23	Smoking	1	2	3	4	5
13.24	Use of alcohol at school	1	2	3	4	5
13.25	Drug abuse	1	2	3	4	5
13.26	Sexual harassment of fellow students	1	2	3	4	5
13.27	Sexual harassment of educators	1	2	3	4	5
13.28	Other sexual transgressions-please specify:	1	2	3	4	5
13.29						
13.30						
Write down any other disciplinary problems- (Please specify)						
(i)						
(ii)						
(iii)						
(iv)						

1. *Crimen iniuria* refers to the intentional and serious violation of another person's privacy or dignity.

12. Do you feel detention works?

1

2

--	--

Yes

No

Why?

SECTION C: METHODS USED TO MAINTAIN DISCIPLINE

Which of the following methods are used in your school to maintain discipline, and what is your experience regarding the effectiveness thereof?

Used		Method	Effectiveness			
Yes	No		Very ineffective	Ineffective to some degree	Effective to some degree	Very effective
		1. Reprimand	1	2	3	4
		2. Isolation within the classroom	1	2	3	4
		3. Isolation outside the classroom	1	2	3	4
		4. Merits-demerits points System	1	2	3	4
		5. System of classroom rules	1	2	3	4
		6. Positive discipline ²	1	2	3	4
		7. Learner participation in the compilation of the code of conduct	1	2	3	4
		8. Encouraging learner pride amongst the learners	1	2	3	4
		9. Encouraging traditions	1	2	3	4
		10. Referring to governing body's disciplinary committee	1	2	3	4
		11. Discussion/meeting with parents of learners	1	2	3	4
		12. Emphasizing values	1	2	3	4
		13. Regular prayers by educator	1	2	3	4
		14. Proper preparation by educator	1	2	3	4
		15. Reward	1	2	3	4
		16. Deprivation of privileges	1	2	3	4
		17. Community service	1	2	3	4
		18. Extra work	1	2	3	4
		19. Detention	1	2	3	4
		20. Corporal punishment	1	2	3	4
		21. Refer to the principal	1	2	3	4
		Other: Please specify				
		22.				
		23.				
		24.				

2. Positive method is a method of discipline that builds up the self-image of the learner, and does not damage it.

Thank you for your kind cooperation.

ADDENDUM G

QUESTIONNAIRE FOR TEACHERS

ANNEXURE A: QUESTIONNAIRE FOR TEACHERS

SECTION A: BIOGRAPHICAL PARTICULARS

1. How many years have you been employed in education?

(Completed years)

2. Your gender

Male	1
Female	2

3. Post Level 1 _____

2 _____

3 _____

4 _____

1
2
3
4

Post description (e.g. school principal)

.....

4. Indicate the phase which you teach the most, time wise. Indicate **only** one.

Senior Phase (Grade 7 – 9) 1

Further Education and Training (Grades 10 – 12) 2

--

6. At which school are you involved?

Historically White School 1

Historically Black School 2

Historically Indian School 3

Historically Coloured School 4

Historically multi-cultured 5

7. The highest % of the learners in your school are

White	1
Black	2
Indian	3
Coloured	4

8. The average number of learners in the classes you are teaching.

--	--	--

9. The number of learners in your school

--	--	--	--

10.1 The total number of educators in your school
(SGB appointments included)

10.2 The number of male educators in your school

10.3 The number of female educators in your school

SECTION B: THE NATURE AND FREQUENCY OF DISCIPLINE PROBLEMS YOU HAVE TO ADDRESS

1. Indicate (with a cross) how often does the following problems occur among learners in your school?

Problem		Frequency				
		Daily (average once a day)	Weekly (average once a week)	Monthly (average once a month)	Yearly (average once a year)	Never
1.1	Disruptive behaviour	1	2	3	4	5
1.2	Rudeness	1	2	3	4	5
1.3	Dishonesty	1	2	3	4	5
1.4	Improper language (swearing)	1	2	3	4	5
1.5	Moodiness	1	2	3	4	5
1.6	Cheekiness	1	2	3	4	5
1.7	Provocating behaviour	1	2	3	4	5
1.8	Disrespect towards educator	1	2	3	4	5

1.9	Untidy/incorrect clothing	1	2	3	4	5
1.10	Neglect of duty	1	2	3	4	5
1.11	Tell lies	1	2	3	4	5
1.12	Tardiness	1	2	3	4	5
1.13	Absenteeism	1	2	3	4	5
1.14	<i>Crimen Iniuria</i> ¹ against learners	1	2	3	4	5
1.15	<i>Crimen iniuria</i> against educators	1	2	3	4	5
1.16	Graffiti	1	2	3	4	5
1.17	Vandalism	1	2	3	4	5
1.18	Theft	1	2	3	4	5
1.19	Bullying	1	2	3	4	5
1.20	Violence	1	2	3	4	5
1.21	Gang activities	1	2	3	4	5
1.22	Pornography	1	2	3	4	5

1 *Crimen iniuria* refers to the intentional and serious violation of another person's privacy or dignity.

4.

1.23	Smoking	1	2	3	4	5
1.24	Use of alcohol at school	1	2	3	4	5
1.25	Drug abuse	1	2	3	4	5
1.26	Sexual harassment of fellow students	1	2	3	4	5
1.27	Sexual harassment of educators	1	2	3	4	5
1.28	Other sexual transgressions- please specify.					
		1	2	3	4	5
		1	2	3	4	5
Any other disciplinary problems – please specify.						
(i)		1	2	3	4	5
(ii)		1	2	3	4	5
(iii)		1	2	3	4	5

3

(iv)		1	2	3	4	5
(v)		1	2	3	4	5

2. How would you evaluate the general learner discipline situation at **your school?**

1	2	3	4
Very bad	Bad	Good	Very good

3. How would you evaluate the general learner discipline situation in the **classes that you teach?**

1	2	3	4
Very bad	Bad	Good	Very good

Remarks:

.....

.....

.....

.....

.....

.....

.....

SECTION C: EFFECT OF LEARNER DISCIPLINE PROBLEMS ON EDUCATORS

Have the learner discipline problems at your school:

		Almost never	Sometimes	Often	Almost always
1.	Made you unhappy in your work?	1	2	3	4
2.	Resulted in stress in your family life?	1	2	3	4
3.	Caused you health problems?	1	2	3	4
4.	Caused you to consider leaving the profession?	1	2	3	4
5.	Caused you react violently/aggressively?	1	2	3	4
6.	Caused you to take to intoxicating substance.	1	2	3	4

Remarks:

.....

.....

.....

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Which of the following methods do you use to maintain discipline, and what is your experience regarding the effectiveness thereof?

		10.	Referring to governing body's disciplinary committee	1	2	3
		11.	Discussion/meeting with parents of learners	1	2	3
		12.	Emphasizing values	1	2	3
		13.	Regular prayers by educator	1	2	3

		14.	Proper preparation by educator	1	2	3	4
		15.	Thorough knowledge by educator	1	2	3	4
		16.	Reward	1	2	3	4
		17.	Deprivation of privileges	1	2	3	4
		18.	Community service	1	2	3	4
		19.	Extra work	1	2	3	4
		20.	Detention	1	2	3	4
		21.	Corporal punishment	1	2	3	4
		22.	Refer to principal	1	2	3	4
			Other: Please specify				
		23.		1	2	3	4
		24.		1	2	3	4
		25.		1	2	3	4

2 Positive discipline is a method of discipline that builds up the self-image of the learner, and does not damage it. Furthermore it lets the learner feel that he or she is seen as valuable. This encourages the learner to participate and co-operate. Learners are enabled to learn skills needed to take responsibility for what happens to them; to show initiative: to create successful relationship with others; and to solve problems. Eventually this encourages the development of self-discipline.

Positive discipline can be contrasted with damaging, negative (punishing) disciplinary methods, like criticism, discouragement, screaming, placing of barriers, blaming, causing shame, applying sarcastic or cruel humour, use of physical or other forms of punishment that is detrimental to the learner's self-image, for instance isolation from the group.

Remarks:

.....

.....

.....

.....

.....

.....

.....

.....

.....

[illegible]

SECTION E: GENERAL REMARKS

Please write down which arrangements you make to try to avoid lack of discipline in your classes. In other words, how are you **pro-actively** at work in creating a disciplined class environment?

[illegible]