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## **SUBMISSION ON REGULATIONS IN TERMS OF THE FEE STATE EDUCATION ACT, 2000 (Act No. 2 of 2000) : ADMISSION OF LEARNERS TO PUBLIC SCHOOL HOSTELS**

### **Introduction**

The Catholic Institute of Education welcomes this opportunity to comment on the Regulations for the Admission of Learners to Public School Hostels in the Free State. While mindful of the need for these regulations the CIE has some serious problems with the wording of the regulations.

We have already engaged the MEC around the issue of human rights abuses with regard to the closure of schools and movement of learners to boarding establishments. We however remain committed to improving education in South Africa and especially the conditions of learners living away from home. We are deeply concerned that the value of family life is being diminished by moving learners to boarding establishments in this manner.

We will comment on the schedule in the order in which it appears.

### **Comment**

#### **Definitions**

1. We suggest that the word '**hostel**' be replaced with '**boarding establishment.**' The word hostel has particularly negative connotations in South Africa. It brings to mind the mine hostels which required miners to live in poor circumstances which demeaned their human rights. Using such a word allows for people to accept poor living conditions. **Boarding** describes living away from home in a dignified manner. The word hostel should be replaced throughout the document.

Replace '**hostel master**' with '**boarding supervisor**' which would include woman in a way that 'master' does not.

#### **Requirement for admission at hostels.**

In this and the following section Target List we are deeply concerned that parental rights and learner rights are undermined. This appears to be social engineering where someone other than the parent or learner decides on what is good for the learner. **We urge caution as a variety of other countries such as Canada and Australia currently face the repercussions of similar movements of children in earlier times.**

The best interest of the child is always to be with his/her family unless serious abuse is taking place.

### **Requirements for admission at hostels.**

**3. (1)** We support that preference is given to poor or needy learners. We have however some concerns about the classifications listed.

**(b)** We are concerned about the process of deciding whether a poor or needy learner's parents have failed or are unable to look after them. This process needs to be clearly spelt out in conjunction with social welfare regulations and in consultation with a social worker.

**(c)** In order for a boarding establishment to cater for learners with disabilities, special facilities are necessary. A normal staff establishment will not be able to cater for such a learner.

**(d)** change 'farms' to 'farm' (grammar).

### **Target List**

**4. (b)** Multi grade teaching need not necessarily hamper effective teaching. Good support from regional officials can greatly improve teaching in all farm schools.

**(e)** The provision of learner transport is a contentious issue. In keeping with the statement above with regard to the best interests of the child being with their parents, reliable learner transport should be always preferable. It is the obligation of the province to provide transport. Other constraints such as poor tender candidates or fraud should not make it necessary to place learners in boarding establishments.

**(f)** We refer again to the statement made above in 3 (1) (b). Who decides this and on what criteria?

### **Payment of hostels**

We support Section 5.

### **Conduct of learners staying at public school hostels.**

The code of conduct for a boarding establishment is very important. It should always be linked to the code of conduct of the school to which it is attached and a code of conduct should include clear standards of behaviour as well as a disciplinary process.

### **6 (1)**

**(a)** The South African Schools Act (1996) Section 8 makes a learner code of conduct mandatory. No such regulation exists for boarding schools. Such a code needs to be mandatory for all boarding establishments.

**(c)** Non-hostel residents should never be allowed in a learners' room. A common room must be provided for such visits. The same rule should apply to learners of opposite genders.

### **(3)**

**(c)** A fine seems out of place in regulations referring to poor learners.

**(4)** This section is muddled. The use of the requirements of the Promotion of Administrative Justice Act does not apply to learner conduct but to a person's right to information. The disciplinary process requires that a learner should know what misconduct they are charged with and must always have a parent or guardian present at any enquiry.

Please do not hesitate to contact me should you require further clarity.

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