

**IN THE EASTERN CAPE HIGH COURT, BHISHO  
(REPUBLIC OF SOUTH AFRICA)**

CASE NO. \_\_\_\_\_

In the matter between:

**EQUAL EDUCATION AND TWO OTHERS**

**APPLICANTS**

and

**THE MEC FOR BASIC EDUCATION: EASTERN CAPE  
AND ELEVEN OTHERS**

**RESPONDENTS**

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**SUPPLEMENTARY AFFIDAVIT**

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I, the undersigned,

**NORMAN BENJAMIN DANIELS**

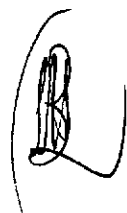
state under oath the following:

1 I am the principal at Meadowridge Primary School ("the school" or "Meadowridge"). I have been employed at the school for 28 years, and as the principal for 9 years.

2 The facts in this affidavit are true and correct and, unless otherwise stated are within my personal knowledge.

3 This affidavit will address three issues:

3.1 The poor state of infrastructure at Meadowridge Primary School;

 *Norman Benjamin Daniels vs*



- 3.2 Its impact on teaching and learning;
- 3.3 Efforts to obtain assistance from the Department of Education

#### MEADOWRIDGE PRIMARY SCHOOL

- 4 The school was built and established 29 years ago, in 1982. It is situated in Lentegour, Mitchells Plain. There are 38 members of staff altogether. It caters for Grade R to Grade 7. There are a total of 1192 learners, consisting of 593 boys and 599 girls. Around 600 of these learners come from Mitchells Plain, around 450 from surrounding townships, and about 20 are foreign nationals who also live in the townships. About 80% of the learners come from impoverished homes. Of these, about 30% have virtually nothing, and about 40% are orphaned or live off social grants.

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- 5 About 50% of the parents are not able to pay school fees for their learners. However, we do raise funds by hosting activities like taking parents to the local swimming pool.
- 6 The school is a Section 21 school and is ranked as quintile 5. This ranking indicates that the school is situated in a wealthier community, and that the parents/guardians are able to take complete financial ownership of the education of their children and make a significant financial contribution to the school.

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7 This year, 2011, the quintile 5 ranking meant that we received R216 per learner. This will increase by R4 next year to R220, which is not enough to provide physical and other resources for the school. While our electricity rates are going up by 25%, the increase in the money we receive from the Department of Education (DoE) increases very little. Our quintile ranking does not allow us to improve infrastructure where it is needed.

7.1 In 2002 I formed the Lentegour Education Foundation with 9 other principals in the area who are in a similar situation and we lodged an appeal against the quintile ranking. We need to show the DoE that the ranking system is not working, and that we feel like there is no concern shown for poor children.

7.2 According to the national budget, we should be in quintile 4, but the provincial department has placed us in quintile 5. About 3 years ago, we wrote to the Minister of Education at the time, Naledi Pandor, and she replied with an acknowledgement of this.

## PHYSICAL CONDITIONS AT THE SCHOOL

8 There are 13 toilets for the boys and 19 toilets for the girls. It is not so much the number of toilets, as the quality of toilets that is a problem. The pipes are very old and have corroded, the lids are broken, there is no tiling, and there is urine seeping into the cement. It is unhygienic, and some parents instruct their children not to use the toilets at the school. It is almost impossible to keep the toilets clean simply because they are so old and are in a state of disrepair.

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9 We do not have a school hall.

9.1 We hold assembly in the quad. If it rains, we do not have assembly. I believe it is very important to hold an assembly because these learners come from fragmented backgrounds with drugs and poverty, and the assembly provides a time and space to bring the whole school together.

9.2 This also means the learners are forced to write exams in their classrooms.

10 There is a big problem with overcrowding. Every year the number of learners at the school increases. The DoE only allows us to restrict the number of learners coming in if we employ our own teachers. Therefore, to control numbers, we have employed 3 teachers, who are not paid a sufficient amount. On average, there are 40 learners in a class. We do not have enough classrooms to accommodate our learners. Because of the number of learners, we have to use the art room, technology room, science lab and one of our 2 store rooms as classrooms.

11 We do have a science lab but the equipment is very old, the chemicals are outdated and the cupboards are falling apart. However, because the shortage of classrooms we have to use the lab as a normal classroom and cannot really use it as a science lab.

12 We do have a library, but it is very old, and is also situated in a small room. The last time we received new books was around two decades ago, during the

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apartheid era. The DoE has not provided us with books and the money allocated to us is very little and not enough to buy books.

- 13 The DoE has not provided us with a kitchen. Four years ago the school built a kitchen out of corrugated iron with the school funds that we had raised ourselves. Before it was built, we used the sick bay as a kitchen. There is nowhere for the learners to sit and eat. We have placed some old desks outside for this purpose. There are only 133 learners who are listed as part of the feeding scheme, although we feed closer to 400 learners because many more than 133 learners actually need to be fed at school. We have been unable to raise the official numbers of learners on the feeding scheme due to our quintile ranking. This means we physically do not have the resources to feed all the learners that need to be fed. It is important to feed these learners because for many of them this is the only meal they receive and the only reason they come to school. It is also very important for learners to be able to get at least one meal a day. It is impossible for a learner to concentrate properly on lessons when they are extremely hungry. The hunger also makes them weak and in some cases disruptive.

- 14 There is a rugby field but there is no lawn on it. There are many rocks and glass which makes it dangerous to play on. We help hire out the Lentegour Sports Grounds for the use of schools in the area, because these are the only usable sports fields. 'Bok Smart,' which is a sports NGO, has assessed our field and concluded that it is too dangerous to play on, which means we will be stopped from using it next year.

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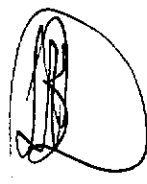
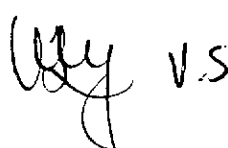


- 15 We do not have proper fencing around the school, but do not experience many break-ins because we have formed a close relationship with the neighbourhood watch. Despite this it is still a problem not to have proper fencing because it places the school and its facilities at a risk of vandalism and theft.

### IMPACT ON TEACHING AND LEARNING

- 16 The poor state of the toilets means that many learners do not go to the toilet all day which also then affects their concentration in class. It is also extremely unhygienic and we even had two separate cases where learners caught Hepatitis C from the toilets. This was verified by their doctors, who told the parents that it was most likely from a toilet, and since the toilets at their homes were hygienic, it was likely to be the school's toilets that caused the diseases. An adequate learning environment is one in which there is no health risk.

- 17 Not being able to write exams in a hall is very disruptive. The classes are overcrowded as it is, which means that learners are not given enough space in which to write their exams, and it is noisy with tables and chairs moving around in the confined space. As a result of these physical conditions it is not always possible to properly monitor exams nor is it conducive to ensuring that learners perform at optimum levels. The fact that exams are not always properly monitored means that it is sometimes possible for learners to cheat in exams. The result of this is that we are not then able to pick up where learners are having problems if their exam results are not a fair reflection of their level of

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achievement or under-achievement. This will be detrimental to their education in the long run.

18 Because we have limited space for the learners, we are not able to use many of the classrooms for the purposes they were designed for. For example, we cannot offer art because the art room is used as a classroom, and we cannot use the science lab for that purpose, because it needs to be used as a classroom. We cannot be expected to teach science lessons properly where we do not have the facilities to do practicals and exemplary experiments. This places our learners at a server disadvantage. It also perpetuates the cycle of disadvantaged, Black and Coloured learners not being able to enter into professions where a good grasp of the sciences is required. Without more classrooms and without us being able to use the science lab for what it is originally intended means that we are only able to provide a most basic – even below basic, standard of education to our learners.

19 The lack of a proper library means that the learners do not have safe or adequate access to research. It is unsafe for the learners to travel to the public libraries because of the crime in the area, and many parents do not allow their children to travel to those libraries [how far away is the closest library]. Because most of these learners do not have books, research materials or even internet access at home, school is the only other place where they should expect to have access to these things. It places our learners at a severe disadvantage since we are not able to pride them with the resources they need to develop their reading and research skills, which are fundamental skills required for further learning. These are fundamental components for teaching and learning

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