

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

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

In the matter between:

**EQUAL EDUCATION AND THREE OTHERS**

**APPLICANTS**

and

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

**RESPONDENTS**

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**SUPPLEMENTARY AFFIDAVIT**

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I, the undersigned,

MAKHAYA BOPHI Bopi

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state under oath the following:

1. I am a member of School Governing Body (SGB) of Sakhikamva Senior Secondary School (the school). I am the guardian of two children who attend the school in grades eight and nine. I have been a member of the SGB since 2009 and have been involved in the school's affairs prior to that as a member of the community surrounding the school.
2. The facts in this affidavit are true and correct and, unless otherwise stated are within my personal knowledge.

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Handwritten initials: J.S.

3. This affidavit will address three issues:
  - a. The history of Sakhikamva High School
  - b. The poor state of infrastructure at Sakhikamva High School;
  - c. Its impact on teaching and learning;
  - d. Efforts to obtain assistance from the Department of Basic Education

#### **THE HISTORY OF SAKHIKAMVA HIGH SCHOOL**

4. Established in 1999, Sakhikamva High School is located in Nompumelelo township in East London near Beacon Bay. When the school first opened it operated from a farm house. Later, in 2004 the school was moved to prefabricated temporary structures in another part of the township to make space for a housing development. The conditions at the new site were deplorable because there was insufficient ventilation in the classrooms, no electricity, and no sanitation facilities. The area around the temporary structures was not paved and the roofs leaked so badly that we had to stop school on rainy days.
5. By pleading with the Eastern Cape Education Department district office in King William's Town, learners, teachers and the School Governing Body tried to put pressure on the DBE to build permanent structures. The average number of learners in each classroom was between 60 and 70, and in some cases there were over 100 learners in a single classroom.



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After growing increasingly frustrated with the DBE's inaction, learners marched on the school on 9 July 2010 and completely destroyed the school. The learners smashed all of the windows, ripped the ceilings and broke down the walls of the temporary structures. Approximately one week later the learners set the school alight.

2. The destruction of the school was a consequence of the frustration that learners feel about the poor quality of the school structures and the overcrowded conditions in the school. They had complained and reported their concerns to the DBE which were met with little response and no action from the DBE. I do not condone the actions of the learners in destroying the school, but I completely understand their frustration.

3. After the destruction of the school in 2010, the DBE moved the learners of Sakhikamva High School to two different schools until new structures were erected. Some learners were moved to Gonubie High School in Gonubie, East London and others were moved to Zwelibanzi Soga High School in Mdanstane, East London. The distance between the two schools was approximately 27 kilometres. This made it very difficult for the principal as he had to travel between the two schools on a daily basis.

4. The effect of splitting the school into two locations at Mdanstane and Gonubie resulted in approximately 300 learners leaving the school

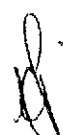
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5. In October 2010, after the school was burnt, the DBE promised to build permanent cement structures with construction scheduled to begin in April 2011. This, however, did not materialise. In June 2011, two years after the destruction and consequent division of the school into two, the DBE began erecting 14 prefabricated temporary structures on the old site where the previous buildings had been destroyed. Although it is not the permanent structures the school was promised, it is better now because the school is on one site and the structures have electricity. There is also better ventilation because the windows are bigger in the new temporary structures than in the old one's preceding the destruction in 2009. While the conditions are a little better and we hope that learners who left in 2009 will return to the school, the lack of quality permanent structures remains a barrier to effective teaching and learning.

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#### **CONDITIONS AT THE SCHOOL**

6. The school currently has 28 teachers and 645 learners in grade 8 to grade 12. At the present time, the average size of a class is between 50 and 60 learners.
7. The Department of Education ('DOE') places schools in quintiles by using the poverty ranking system prepared by the National Treasury. The school



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is placed in the third of five quintiles. As the school is located in a township, many learners live in conditions of poverty. Many parents are unemployed and have never been to school. For many households, their primary source of income is social grants and/or seasonal farm work. Some learners at Sakhikamva High School have families that do not care about their education. Their parents are very poor, and often illiterate and uneducated. It is very difficult for these learners to study at home because they are not supported. Yet when they come to our school the conditions are such that they cannot learn properly here either.

8. The most serious problem at Sakhikamva High School is overcrowding. The new structures have fourteen (14) classrooms for the six hundred and forty five (645) learners in the school. This means that we need at least two more classrooms, but ideally more.
9. The overcrowding is particularly bad in grades eight and nine. We have only one grade nine classroom and it has 90 learners. There are supposed to be two or three classrooms for grade nine. There is also only one grade eight classroom and it has 80 students when there should be two classrooms.
10. To make matters worse, we were not provided with any staffroom or offices; we were thus compelled to allocate one of the classrooms for this purpose which further reduces the number of classrooms for learners.

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11. There is neither a library nor laboratory facilities. There is no space for a library or science laboratory. Learners can't enrich their knowledge and can only rely on teachers and textbooks. There is a library in the suburb of Beacon Bay that learners can go to which is about 6 kilometres away. When they go there they are exposed to busy roads and accidents. That library is very crowded. This often dissuades learners from going there.

12. We also don't have a science laboratory and this means our learners only know the theory. You cannot teach this subject properly without a laboratory. Last year we had approximately 40 learners taking science for matric and only two passed and both got an E symbol or lower. It is unlikely that the results will be any better in 2011, but we live in hope.

13. In 2010 the overall matric pass rate was 43% and in 2009 it was 48%.

14. Another infrastructural problem is with the toilets. Sakhikamva High School only has six toilets. Although they are flushing toilets, six is not enough for all the learners. During short breaks the learners try to relieve themselves, but there is not enough time. This means that many learners arrive late to class because they have been waiting to relieve themselves. The toilets also often break. The school has a regular plumber who fixes the toilets, however a sustainable solution is for the DBE to build more toilets so as to ease the pressure and avoid over use.

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15. There is one water tap at the school. During breaks, there is not enough water for all the learners because they all have to use the one tap. Sometimes students cannot get water during their break and so come back to class while still thirsty.

16. The school has never had a telephone, and therefore never had a fax machine or internet facilities. If the teachers need to use a telephone, they have to use their personal cell phones. The only other alternative is to leave the school grounds and use a public telephone. They have no way of receiving phone calls except on their personal cell phones.

17. There are five computers in the school, however only three of them work. The members of staff use the computers to prepare lessons. Our learners have no exposure to the computers themselves and will leave the school with no computer skills. This directly and negatively impacts on their ability to study further or seek employment that is better than irregular physical labour.

**IMPACT ON TEACHING AND LEARNING**

18. The overcrowding means that learners do not do their work properly. On average, three learners share one desk. Before 2009 learners used lap desks, a device which provides a flat surface on the learners lap so that they can write. We no longer use lap desks because three learners can fit

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into one desk. While the situation currently is not as bad as it was before 2009, it remains very difficult. It is difficult for teachers to give learners individual attention. Classes are crowded and there is poor ventilation so classes are hot and stuffy. There have been instances where learners are taking drugs at the back of classes and fighting. But teachers can only teach from the door as they can't move around the over-crowded space.

19. The school is right in the community and it is easy for drugs to be sold through the fence to learners during break.

20. The large number of learners we have in grades eight and nine make it especially difficult for the teachers to teach effectively in such conditions. Learners do not concentrate and the teacher is unable to monitor each and every learner. This causes teacher frustration and despondency as there is a sentiment that that there is nothing more that we can do to improve the conditions the school.

21. We particularly notice the impact of poor infrastructural conditions when learners get to grade 10 and later. We notice that learners have not learnt the things that they should have learnt in grade 8 and grade 9 as teachers cannot practically ensure that most learners have achieved an adequate academic standard. It is unfair to expect a teacher with a class size of 70 learners to ensure that each learner has achieved the requisite learning outcome to pass. It is very difficult to go back and teach learners 10 things



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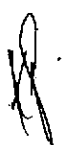



they should have learnt in grades eight 8 and 9. This problem then continues to grade 12 and explains why the school had a 43 % pass rate in 2010.

22. We know that having better infrastructure can help us. Since moving to our current buildings, we have a reliable source of electricity. This means that we can make rooms available in the evening for learners to study in. In previous years, some learners were requesting classrooms to study in, and asked us even to bring in portable lamps. We are now able to provide this for learners who are unable to study at home, which greatly improves their learning.


**ATTEMPTS TO SECURE ASSISTANCE FROM THE DEPARTMENT**

23. In February 2011 the DOE promised to build us permanent structures on a different site. The DOE have told us that they have now secured a permanent site. However, they have not yet started building at the new site. Although we have repeatedly asked them for information, they are not sure when they will actually start building permanent structures. We believe it may be a year or two, or longer.

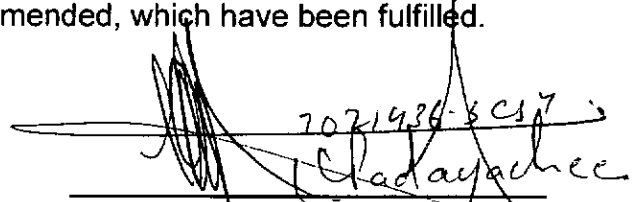
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24. With proper infrastructure, we will be able to encourage our learners to go to school. We as teachers are very, very willing to assist the learners in their studies. We have seen that even though they come from a poor background, we cannot say that they are below average learners. Some of them are very bright. In previous years some learners even achieved As in subjects like maths, despite the poor facilities. Since moving, we have seen that even just the availability of electricity in our current buildings has made a huge difference. We hope that our learners will be able to achieve even more when the new school has been built.

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**MAKHAYA BOPHI BOPHI**

I certify that on the 15<sup>th</sup> day of **DECEMBER 2011** and at Deacon Bay the deponent appeared before me and that he acknowledged to me that he knows and understands the contents of the above Affidavit, which Affidavit was signed and sworn to in my presence in accordance with the requirements of Regulation No. R1428 dated 16 November 1984, as amended, which have been fulfilled.

  
 2071436-3 CS17  
 Gladys Mee  
**COMMISSIONER OF OATHS**  
 Constable.

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