



National Council: Yoliswa Dwane (Chair), Ntuthuzo Ndzomo, Buhle Boozi, Sean Feinberg, Brad Brockman, Doron Isaacs, Daphne Erosi, Andiswa Kolanisi, Thando Dyamara, Sinekhaya Mbengo, Lwando Mzandisi, Mpho Motloung, Phathu Manwadu, Lovey Mthethwa, Professor Peliwe Lolwana, Professor Paula Ensor, Zackie Achmat, Mawande Mzizi

23 February 2015

To:

MEC for Education in KwaZulu-Natal

Ms Neliswa Peggy Nkonyeni

Email: phaka.maphanga@kzndoe.gov.za

To:

MEC for Transport in KwaZulu-Natal

Mr Thembinkosi Willies Mchunu

Email: thobekile.ndzimande@kzntransport.gov.za

Cc:

Head of Department: KwaZulu-Natal Department of Education

Dr. SNP Sishi

Email: nkosi.sishi@kzndoe.gov.za

kehologile.connie@kzndoe.gov.za

Cc:

Head of Department: KwaZulu-Natal Department of Transport

Mr Sibusiso Gumbi

Email: Sibusiso.gumbi@kzntransport.gov.za

RE: PROVISION OF SCHOLAR TRANSPORT IN KWAZULU- NATAL

Dear MEC Nkonyeni and MEC Mchunu,

1. Equal Education (EE) is a movement of learners, parents, teachers and community members. It advocates for quality and equality in the South African education system and engages in evidence-based activism for improving the nation's schools. EE leads campaigns based on detailed research and policy analysis aimed at achieving quality education for all. Its national office is in Khayelitsha in the Western Cape.



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Registered S10(1)(cN) and S18A(1)(a) Public Benefit Organisation (PBO) (Exemption Number 930 027 221)

Registered Non-Profit Organisation (NPO) (Registration Number 068-288-NPO)

2. Since EE was established in 2008 it has successfully campaigned for improved school infrastructure, additional textbooks and teachers, and improved school sanitation. EE has also successfully campaigned against late-coming, corporal punishment, and the illegal exclusion of learners. In November 2013, Minister Angie Motshekga adopted Minimum Norms and Standards for School Infrastructure, following an EE campaign. We have also opened more than 40 school libraries through our Bookery project, and run after-school meetings for 3 000 high school learners each week.
3. Section 29 of the Constitution guarantees that “everyone has the right to a basic education.” It is submitted that as a component of this right, learners are entitled to reasonable access to schools, which includes the provision of scholar transport for learners who live far distances from school, especially in rural areas, and who have no other means to get to school.
4. We appreciate that the Kwazulu-Natal Education Department and the KwaZulu Natal Transport Department adopted the *Policy on Learner Transport for Public Schools* in 2013. Section 6(f) of this policy notes that one of its strategic objectives is the provision of ‘universal access to learner transport.’ We also draw your attention to the following section of this policy:

12.2 Criteria for learner on Dedicated Transport

As mentioned, the identification of beneficiaries for dedicated wholly subsidized transport is the responsibility of both the department of Education and the Department of Transport. The following criteria is recommended by this policy:

1. *Beneficiaries must be learners from Grade R to Grade 12*
 2. *The distance traveled must be more than 3km between home and school*
 3. *Learner transport must be to the nearest appropriate grade school*
5. EE has high school learner members in the Nquthu area, many of whom have raised the lack of scholar transport as a major obstacle to their being able to access their schools, and enjoy their Constitutional right to a basic education. EE also has campaign organisers, who live and work in the Nquthu area.
 6. In November 2014 and again in January 2015, a team of staff members from EE and our sister organisation, the Equal Education Law Centre (EELC) joined EE’s members and organisers in Nquthu. The purpose of these visits was to understand the problems relating to accessing schooling in rural KwaZulu Natal, and in particular, the issue of scholar transport.

7. While in the Nquthu area, the team visited 13 schools and spoke to a wide selection of learners, teachers, principals, parents and members of School Governing Bodies. The schools we visited were:

- i. Ekuphumuleni High School
- ii. Esikhumbuzweni High School
- iii. Hlubi High School
- iv. Langazela Senior Secondary School
- v. Maceba Secondary School
- vi. Magogo Primary School
- vii. Mangeni High School
- viii. Manzolwandle Primary School
- ix. Mgazi Senior Secondary School
- x. Ngwane High School
- xi. Nhlalakhane Secondary School
- xii. uBongumenzi High School
- xiii. Magogo Primary School

8. These are the findings of our visits to the Nquthu area in November 2014 and January 2015:

- a. Large numbers of learners are walking in excess of 3km to get to school, and no scholar transport is being provided
 - i. At all of the schools we visited, a large number of learners were walking in excess of 3km in one direction in order to get to school. In some instances, learners were walking up to 15km in one direction, and 30km in total every day. This included primary school learners.
 - ii. None of the schools we visited were being provided with scholar transport.
- b. Dangers learners face whilst walking include:
 - i. Sexual assault, kidnapping, robbery and rape.
 - ii. Inclement weather such as torrential rains, lightning and thunderstorms. Weather poses additional dangers where learners and teachers have to cross overflowing rivers. At least 2 incidents of drowning (one learner and one teacher) were reported to us.

c. Terrain:

- i. Learners often have to walk over mountains, hills, dongas and through bushes to get to school. This increases their risk of encountering dangerous creatures such as poisonous snakes and increases their exposure to criminal elements.

d. Impact on access to education:

- i. Learners reported that they often have to wake up as early as 4h00 to enable them to complete their morning chores and prepare for the day before they make the long journey to school.
- ii. Learners often arrive late for school and are not able to participate in extra lessons before and after school, which particularly affects learners in grades 10 to 12.
- iii. Learners find it hard to concentrate during class due to the long and arduous journey to school, which leaves them tired and hungry.
- iv. Educators at primary schools we visited reported that learners who walked to school often arrived after 10h00 and fell asleep in class
- v. When it rains and learners have to walk to school they arrive wet, and are either asked to return home or have remain in wet clothes for the entire day. This makes it difficult for them to concentrate and often their textbooks have also been damaged by the rain.
- vi. Learners also arrive very late at home and often still have to cook or herd cattle before they can do their homework. Many learners reported that they are often too tired to do their homework, or can only start doing homework as late as 22h00.
- vii. Educators reported a high drop-out rate in Grade 10 and above.

e. Schools unaware of provincial policy on scholar transport

- i. Most schools we visited were unaware of the KwaZulu-Natal Provincial Policy on Scholar Transport.
- ii. Many schools we visited did not apply for scholar transport in 2014 because they were not aware of the application process.
- iii. Some schools reported having received application forms from the District office, but were given an unreasonably short space of time within which to apply.

9. The *National Household Survey (2013)* published by *Statistics South Africa* notes that out of all the provinces Kwazulu-Natal has the highest number of learners who walk all the way to

school. It notes that more than 2 million school-going learners walk all the way to school, while 659 000 of these learners walk for between 30 – 60 minutes to get to school, with a further 210 000 learners walking for more than 1 hour to get to school.

10. Despite Kwazulu-Natal having the greatest demand for learner transport, it currently spends less than all other provinces on scholar transport with the exception of only the Free State, Limpopo and Northern Cape provinces (although the Northern Cape still provides transport to more learners than Kwazulu-Natal).
11. According to replies to questions in Parliament, the Minister of Transport, Ms Dipuo Peters, stated in November 2014 that only 22 045 learners in the Kwazulu-Natal Province who live more than 5km from school where being provided with scholar transport, at a cost of R 168 430 000, 00. In comparison, the Eastern Cape spends more than double this amount - R356 076, 00 – and transports 57 176 learners, more than double the number of learners which KZN transports to school.
12. On Monday 26 January 2015 Mr Dmitri Holtzman, the Executive Director of the Equal Education Law Centre met with the Director of the Umzinyathi Education District, Mr. Mandla Majola. During this meeting, Mr Majola informed Mr Holtzman that out of the 506 schools in the district, only 15 were being provided with scholar transport. This he said was the maximum amount of schools which could receive scholar transport given the budget allocated for this purpose to his district. Mr Majola also confirmed that given the severely limited budget, any additional schools which applied for scholar transport – however deserving – would not receive transport.
13. EE is seriously concerned by the lack of provision of scholar transport, not only in Nquthu, but in most rural areas in KwaZulu-Natal. We believe that the provision of scholar transport should be urgently prioritised and expanded in KwaZulu-Natal, and that the lack of scholar transport in the province constitutes a violation of learners' Constitutional right to a basic education.
14. Equal Education requests the following information:
 1. What steps has your department taken to inform schools in KwaZulu-Natal, particularly those in rural areas, about the Provincial Policy on Scholar Transport?

2. How do you determine your quotas for the allocation of scholar transport and what criteria do you use to determine which learners and schools should benefit from the programme?
3. How many schools and how many learners are currently being provided with scholar transport in Nquthu and KwaZulu-Natal?
4. How many schools have applied for scholar transport for this year in Nquthu and KwaZulu-Natal?
5. What plans are in place to monitor and implement the KwaZulu-Natal Scholar Transport policy?
6. What has been the budget allocation, and expenditure, on scholar transport in Kwa Zulu-Natal since 2013?
7. Are there plans to increase the budget allocation for scholar transport for this fiscal year?

We recognise the multiple pressures that your departments face and that there are competing priorities. Our aim in engaging you is to be of assistance to learners without transport, and we would equally hope to be of assistance to yourselves. We would be willing to meet with you in person to engage on these issues.

We believe this is to be an urgent matter and therefore request a response to our letter by no later than Friday 5 March 2015.

Sincerely,



Yoliswa Dwane
Chairperson



Brad Brockman
General Secretary