

31 March 2013

TO: THE DIRECTOR GENERAL
Private Bag X895
Pretoria
ATT: MR C LEDWABA

PER E-MAIL: ledwaba.c@dbe.gov.za
AND PER FAX: 012 323 9430

APPENDIX

TO THE COMMENT ON THE DRAFT REGULATIONS RELATING TO MINIMUM UNIFORM NORMS AND STANDARDS FOR PUBLIC SCHOOL INFRASTRUCTURE GG 36062; GN 6 of 2013; 8 JANUARY 2013



✉ **Postal:** PO Box 40114, Elonwabeni, 7791 🏢 **Office:** Washington Square, Capital Drive, Thembokwezi, Khayelitsha

✉ **E-mail:** info@equaleducation.org.za ~ 🌐 **Website:** www.equaleducation.org.za

☎ **Telephone:** 021 387 0022 ~ 📠 **Fax:** 0865169396

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)

APPENDIX CONTENTS

I)	<i>INTRODUCTION</i>	3
	A. <i>PURPOSE AND METHODOLOGY</i>	3
	B. <i>STRUCTURE OF APPENDIX AND COMMON THEMES</i>	4
II)	<i>EDUCATIONAL SPACES: OVERCROWDING AND FAILINGS IN THE PHYSICAL INFRASTRUCTURE</i>	5
	A. <i>OVERCROWDING</i>	5
	B. <i>SHORTCOMINGS IN THE PHYSICAL SPACE</i>	8
	C. <i>CONCLUSION: EDUCATIONAL SPACES</i>	10
III)	<i>EDUCATIONAL SUPPORT SPACES AND SPORTS FIELDS</i>	11
	A. <i>LIBRARIES, LABORATORIES, AND MEDIA CENTRES</i>	11
	B. <i>SPORTS FIELDS</i>	14
	C. <i>CONCLUSION: EDUCATIONAL SUPPORT SPACES AND SPORTS FIELDS</i>	16
IV)	<i>BASIC SERVICES: WATER AND SANITATION</i>	16
	A. <i>WATER</i>	16
	B. <i>SANITATION</i>	18
	C. <i>CONCLUSION: WATER AND SANITATION</i>	20
V)	<i>SAFETY AND SECURITY</i>	21
	A. <i>SAFETY AND SECURITY</i>	21
	B. <i>CONCLUSION: SAFETY AND SECURITY</i>	23
VI)	<i>ACCESS FOR LEARNERS</i>	24
	A. <i>SCHOOL TRANSPORT</i>	24
	B. <i>ENERGY AND CONNECTIVITY</i>	26
	C. <i>CONCLUSION: ACCESS FOR LEARNERS</i>	28
VII)	<i>SCHOOLS BUILT “AFTER THE DAWN OF DEMOCRACY”</i>	28
VIII)	<i>CONCLUSION</i>	29

I. INTRODUCTION

“Our future is lying in your hands minister. We are really hoping to get help from you. Seeing as you are the minister. Some of us might be a President of tomorrow.”

-Palesa Motlane, Mathukulula High School, KZN

A. PURPOSE AND METHODOLOGY

This appendix compiles and summarizes 532 submissions from learners, educators, and parents across the Eastern Cape, KwaZulu-Natal, Gauteng, Limpopo, and the Western Cape regarding the 2013 draft norms and standards for school infrastructure (“Draft”). While each of these submissions will also be submitted individually, this appendix analyzes the submissions as a coherent unit, focusing on particular themes and issues that recurred across all submissions. The purpose of this appendix is to ensure that the voices of these individuals are heard—as learners, educators, and parents, they are on the frontlines of the struggle for quality education, and their opinions represent the views of those most impacted. In other words, these are the most important voices to hear and to heed.

Equal Education (EE) hosted public hearings in Nquthu, KwaZulu-Natal on March 2nd, in King Williams Town, Eastern Cape on March 10th, in Polokwane, Limpopo, jointly with SECTION27, on March 10th in Johannesburg, Gauteng on March 14th, and in Cape Town, Western Cape on March 20th, at which EE received the submissions that form the basis of this appendix. The writers of the submissions included learners, mostly from grade 9 to grade 12, educators, and parents from across the country. This appendix outlines key topics that emerged from these submissions, using quotations directly from learners and educators themselves to highlight powerful examples of the need for clear and precise minimum norms and standards for school infrastructure. Specifically, it focuses on five recurring areas of concern: Educational Spaces, Educational Support Spaces, Water and Sanitation, Safety and Security, and Access.

B. STRUCTURE OF APPENDIX AND COMMON THEMES

“[Y]ou have said that there must be administration spaces, basic safety, educational spaces, educational support spaces and enrichment. I can not understand all of these things stated here because they are not specified.”

-Sixolisiwe Panda, Kuyasa High School, EC

This appendix details particular issues that emerged as patterns across the numerous submissions received by EE. Part II outlines the issue of educational spaces, in particular overcrowding and other shortcoming in the physical infrastructure, as well as the impact on the learning experience. Part III details frustrations with inadequacies in educational support spaces and sports fields. Part IV analyzes the lack of potable water and sanitation. Part V examines the lack of safety and security. Part VI focuses on the lack of access to schools, in particular regarding school transport, as well as lack of access within schools to basic needs such as electricity and connectivity. Finally, Part VII critiques the Draft Preamble’s assertion that schools built “after the dawn of democracy” exceed the minimum norms and standards.

Each section focuses on a particular issue that negatively impacts learners, yet together they highlight the common failings of the Draft regarding a lack of specificity and lack of accountability. Writers of the submissions repeatedly critique the vagueness of each requirement in the norms and standards, as the Draft “give[s] us no promises, it is not clear. We want a law, something we can put on the table.” (Evidence Mothoung, Mathukulula S.S., KZN). Specific requirements are essential to ensure accountability. As Mtila Sibongiseni notes, “you should at least provide us with law, so that if you don’t follow we will be able to go to court and charge you for that.” (Dimbaza J.S.S., EC). In addition, Vikelo Mgadle argues that the Minister “must be specific, like setting dates for your promises.” (Mzontsundu S.S.S., EC). Specific minimum thresholds and timelines are vital to give norms and standards meaningful content and ensure that they are enforceable. Learners who wrote submissions recognize the Draft’s current weaknesses and powerfully request changes in order to improve the state of their schools. Mtila Sibongiseni eloquently explains their desire for change: “We are children and for us to reach our goals or dreams we need your support.” (Dimbaza J.S.S., EC).

II. EDUCATIONAL SPACES: OVERCROWDING AND FAILINGS IN THE PHYSICAL INFRASTRUCTURE

“What do you mean about educational spaces? Because we do not need just a space, we need classrooms with proper resources.”

-Nombilo, Ekucabangeni High School, KZN

In Section 1 Definitions of the Draft, “educational spaces” are defined broadly as “critical teaching and learning places in a school, that are essential to carry out the core teaching and learning functions in a school and include classrooms.” This definition is overly vague in that it allows the government merely to provide classrooms, and does not provide any direction with respect to, for example, how many learners should be in a classroom, how many classrooms should be in a school, or how much space should be available for each learner. Moreover, classrooms are not required to be of a certain quality or size, and are not required to facilitate teaching and learning through adequate lighting, ventilation, or acoustics. Schools require more than classrooms, Sisipho Sixabayi explains, “What is a school without toilets, desks, chairs, libraries etc? It is not fair for some schools to have all the facilities and the others not.” (Livingstone High School, WC). The Draft fails to address the needs of learners with respect to the problems of overcrowding in classrooms and necessary infrastructure such as windows, doors, and desks. About 40 percent of submissions described the problems of overcrowding and dilapidated infrastructure in great detail and asked for the Minister to address these specific concerns.

A. OVERCROWDING

“We need more classrooms in our school because we are overcrowded, can you imagine 65 learners in one classroom? That is why we are asking for your help.”

-Nothando Mbatha, Maceba Secondary School, KZN

i. Description of the Problem and Its Impact

Many learners expressed concern with the number of learners per classroom at their schools. For example, Maceba Secondary School has 63 students in one classroom

and 70 students in another classroom. (Tholakele Butheleai, Nqobese Bajabulile Maceba Secondary School, KZN). Bisho Primary School has 1207 learners in 15 classrooms (Mrs Ndileka Mqobongo, Educator, Bisho Primary School, EC). Tholakele Butheleai poses a difficult question: “How can a single small class accommodate 70 learners?” (Maceba Secondary School, KZN). Grade 9 learner, Mtiki Litha, explains that Sobi L/HP School does not have enough classrooms for Grade 11 or Grade 12; accordingly, those learners must travel to another school. (EC). These problems are pervasive across the nation and need to be addressed in minimum norms and standards to enable an adequate learning environment.

Students describe the impact that overcrowding has on their education: they are unable to focus on their studies or effectively comprehend the lessons in the midst of a chaotic classroom, and cannot engage with their teachers when there is such a high learner to teacher ratio. For example, Ngalo Nokuthula explains, “How about those who are 60 in a class and some are suffering to hear the teacher and they are afraid to ask a question because some will say he or she is a slow learner[?]” (Kuyasa High School, EC). Similarly, Mtila Sibongiseni argues that “a class with more than 30 or 35 learners is no longer a class. It is only crowd and noise expected from that classroom.” (Dimbaza J.S.S., EC). Overcrowding in classrooms causes chaos and inhibits educational success. Learners repeatedly expressed frustration with this reality. “Our classrooms are overcrowded, in one class there are 75 learner[s], it is disturbing the learning process.” (Evidence Mothoung, Mathukulula S.S., KZN). Learners are asking for the right to learn in classrooms with an adequate learner to teacher ratio such that they can effectively comprehend the lessons, engage with their teachers, and succeed in their studies.

ii. Requests by Learners

Many learners submitted requests asking for specific changes in order to address overcrowding. For instance, Mafani Zubenathi writes that the Draft “should specify number of learners per classrooms.” (Mzontslindli S.S.S., EC). Other learners made their own recommendations: “schools must have classrooms large enough to accommodate 30-40 learners with desks for all learners.” (Xhasumzi Mrwashu, EC). These requests are not onerous; learners ask for the basic necessities to have an enabling learning environment. For example, Ngalo Nokuthula makes the reasonable request that “in a school of 1000 learners, I expect more than 20 classes.” (Kuyasa High School, EC). That Ngalo needs to

request a ratio of less than 50 students per class demonstrates the severity of the overcrowding problem. Ngalo's request is reiterated by Mtila Sibongiseni, who merely asks for "classrooms that are enough for the numbers of learners we have at our schools." (Dimbaza J.S.S, EC). Children cannot learn in these overcrowded environments and the draft norms and standards will be meaningless if they fail to address this pervasive issue. These learners represent the future of South Africa and they are asking for help in creating environments where they can learn, grow, and thrive.

iii. Failure of the Draft Norms to Address Overcrowding

The 2013 draft norms and standards fail to specify the amount of learners per classroom or the size of classrooms. Nothing in the Draft addresses the problem of overcrowding or learner to teacher ratios. The definition of educational spaces as "critical teaching and learning places in a school . . . that includes classrooms" does not provide any direction regarding class size when building new schools or improving existing schools. The vague definition evades any accountability to address real problems that learners face in their classrooms. Learners immediately noticed this ambiguity, writing, "the draft doesn't specify the maximum number of pupils per classroom. At my school we have a minimum of 50 learners per classroom, making it difficult to concentrate. I think we need more classrooms so that we can study freely and increase the pass rate." (Nonkonzo Malakoana, Ekucabangeni S.S., KZN).

The Draft should detail specific requirements such that students' concerns can be addressed and alleviated. As Evidence Mothoung critiques, "you mention educational spaces but you don't give a clear understanding of how you are going to change the situation." (Mathukulula S.S., KZN). Norms and standards must be designed to provide a framework to remedy the overcrowded infrastructure within schools and offer learners an enabling learning environment. As Tsewu Sesthu notes, "educational spaces' should have specified how many learners per classroom." (Kuyasa High School, EC). Classroom overcrowding must be addressed to enable a conducive learning environment.

B. SHORTCOMINGS IN THE PHYSICAL SPACE

“Why focus on having a sign with the name of the school rather than the facilities of the school? “I can go under the tree and put a board which says ‘Yanga’s school’ what about the building? The school will not function.”

-Yanga Ngcese, Bisho High School, EC

i. Description of the Problem and Its Impact

While Section 9 of the Draft is emphatic that a school “shall have a name board which is clearly visible to the public,” the Draft neglects to address any structural requirements of a classroom or a school, thereby failing to create guidance for schools that lack windows, doors, ceilings, or ventilation. Children cannot learn properly in schools that are too hot in the summer, too cold in the winter, and flood in the rain. Yet across the country, crumbling infrastructure makes it impossible for students to comfortably attend school or focus on their learning in a variety of weather conditions. Babalwe Bulani describes Iqonce High School as an old building with its roof falling apart and holes in the floors where snakes can bite children. (Iqonce High School, EC). Mngana Simthembile, Slindokuhle Mkhize, Snenhlala Magubane, Thembaletu Lesia, and many others write about the broken windows in their classrooms and the impact this infrastructure has on their ability to learn. (Mzontsundu S.S.S., EC; Maceba S.S, KZN; Mathukulula S.S, KZN; Iqonce High School, EC). Many learners at schools with broken windows or crumbling roofs cannot attend when it rains because their classrooms flood. Sinalo Nbanta explains, “When it is raining or winding we will not go to school because of our classroom.” (Iqonce High School, EC).

The outside temperature greatly impacts the experience of learners in these dilapidated buildings. Many schools lack proper ceilings. For instance, at Cassino Primary School, 17 classrooms need ceilings. (F. Butelezi, Cassino Primary School, KZN). The cold affects Evidence Mothoung because there is glass missing from the windows and the rooms have holes in the walls, resulting in “classes [that] are very cold in winter.” (Mathukulula S.S., KZN). Life does not necessarily get better in the warmer weather. Iqonce High School lacks proper ventilation and learners are sent home when it is too hot because they faint in the classrooms. (Babalwe Bulani, Iqonce High School, EC). Kgaogeo Tjege writes, “whenever we have a broken window that can lead to

sickness” and Andiswe adds, “I was the one who was getting the flu, because when it is raining we can’t close the door.” (Ingqayiaivele High School, GP; Masiyile Senior Secondary School, WC). Learners should have the ability—and in fact are required—to attend school every weekday, regardless of the season. Their ability to comfortably focus on their studies should not be dependent on the weather and other external factors.

Crumbling infrastructure not only affects the ability of students to attend school and learn, it also impacts their self-confidence and mental well-being. Siphesihle Guma explains, “some students laugh at us and sometimes gossip because of our small school, dirty and bad environment we are living in.” (EC). These conditions significantly impact the experience of learners and their ability to succeed. Mrs. Ndileka Mqobongo, an educator, explains the broader concern that “learners must not feel that they are poor by just looking at their education.” (Bisho Primary School, EC). The conditions of these schools have a devastating impact on learners; their socioeconomic conditions should not determine their ability to learn and succeed. Norms and standards must address the infrastructure of schools and impose specific requirements to improve these unacceptable conditions.

ii. Requests by Learners

Learners wrote submissions requesting that the norms and standards adequately address educational spaces by improving the conditions of classrooms and schools. For example, Pikoli Lindela writes that “a school must be built by strong bricks, have a roof, safe yard, and big classroom.” (Mzontsundu S.S.S., EC46). Khanya Ngazele explains, “educational spaces should include windows, doors, writing boards, chairs, and tables.” (Bisho High School, EC). Enabling learning environments require these basic necessities and minimum norms and standards should set thresholds for these conditions. Classrooms should have adequate ventilation, doors, windows, ceilings, and other aspects of basic infrastructure. Mahlatse Sekgala also requests a school hall that they can use when holding all-school functions rather than standing outside where “the sun is always hot.” (Seshego Khaiso, LP). Many other students request a school hall to hold functions, or simply so that “during parents meetings, they could be able to sit down.” (Mashao Raymond, Khaiso High School, LP). The norms and standards must draw from the needs of learners and ensure that they can attend schools that keep them safe and comfortable in a variety of conditions, thereby allowing them to succeed.

iii. Failure of the Draft Norms to Address Physical Spaces

The Draft does not address the physical conditions of educational spaces. These spaces will never be sufficient as long as they contain broken windows, doors, roofs, and walls. Learners cannot attend school when it is too hot, too cold, too rainy, or too windy if the buildings are not secured against these external factors. Learners noted this failure in the Draft, writing, “you didn't specify on which kind of classrooms . . . should have windows, doors, heaters when it comes cold weather and for when it comes hot days.” (Poni Sinouuyo, Mzontsundu S.S.S., EC). The draft norms and standards need to set these minimum requirements in order to create safe and productive learning environments. Zukiswa Pityi likewise critiques the ambiguities in the Draft: “you haven't made any specifications as to what you mean regarding certain necessities in our schools, this puts us at a disadvantage.” (Bisho H.S., EC). Specific requirements are essential to improve the failing conditions of these schools and ensure that newly built schools meet the basic needs of their learners and educators.

C. CONCLUSION: EDUCATIONAL SPACES

Given the comments in individual submissions, it is clear that the Draft must provide greater clarity when it comes to “educational spaces.” Learners require classrooms that are, at a minimum, appropriately sized, not overcrowded, sufficiently furnished, and temperature-controlled. Learners consistently voiced dissatisfaction with the status quo, saying they cannot be expected to learn in overcrowded classrooms with 60 or more students in a single class, or in freezing or scorching conditions. Yet the Draft does not include any details that would specify concrete improvements to their current educational spaces. Learners thus request that minimum norms and standards contain sufficient detail and clarity to ensure that their needs for an adequate learning environment are met.

III. EDUCATIONAL SUPPORT SPACES AND SPORTS FIELDS

“You must do all these things we need in order to improve on our studies and have all the resources required. We will greatly appreciate your help cause we really need these things.”

–Simamkele Gwentsha, Bisho High School, Eastern Cape

About seven out of every ten submissions expressed disappointment in the Draft’s description of educational support spaces. The Draft, in Section 1 Definitions, defines “educational support spaces” as “resources in some form of a library *or* laboratory *or* media centre” (emphasis added). The submissions overwhelmingly rejected the use of “or” instead of “and,” as each of the resources listed were seen as critical components of a basic education. Moreover, many submissions criticized the Draft for deferring any specifics regarding requirements for these resources.

Similar concerns were expressed with regards to the Draft’s description of sports fields, which states that “[w]here reasonably practicable, a school should have a sport field for soccer *or* rugby *or* another selected sport and ground *or* a court for netball *or* volleyball” (emphasis added). Learners consistently reiterated the need to have access to sports fields at their school. Many went further to suggest that regulations should provide access to multiple types of fields that cater to the multiple talents at any given school. In short, the clear message to the Minister was that the regulations must go further to ensure that all additional support resources necessary for learner success are provided.

A. LIBRARIES, LABORATORIES, AND MEDIA CENTRES

“We must have science labs, we want to be scientist[s], but how can we become scientists if we don't have science labs?”

–Abongile Nokkele, Bisho Primary School, Eastern Cape

i. Description of the Problem and Its Impact

The majority of submissions expressed some form of shock, anger, and disappointment with the Draft’s lack of understanding and clarity regarding widespread shortages of library, laboratory, and media resources available in schools. The problem,

as expressed by hundreds of learners, parents, and educators, is the complete lack of or insufficient provision of such resources. For example, Simamkele Gwentsha writes, “we have computers, but they are not enough for us.” (Bisho High School, EC). Nomfundo Mabaso complains of not having libraries, “if I want to get knowledge I must travel a long distance to get to the libraries.” (Maceba Secondary School, KZN). As a result, learners are forced to travel long distances and incur additional costs to access these resources elsewhere: “In my school, there are no libraries, if I have to find some research, I have to go to town, and to get to the town it cost[s] a lot of money.” (Nokwanda Buthelleza, Maceba Secondary School, KZN).

ii. Requests by Learners

Learners, parents, and educators expressed a virtually unanimous opinion that *all* educational support spaces listed were necessary for their education. As Xolisani Bagnai put it, “[A] school needs a library, a laboratory, and a media center (computer labs) not one of them but all of them. They go together.” (Mbulelo Benekane School, EC). Libraries are needed in schools to facilitate research and remove barriers such as transport time and additional costs to use libraries elsewhere. Bongisiwe Khumalo, for example, says “we need a laboratory and a library, so that learners do not have to travel so far to collect information when we are given research projects and assignments.” (Ekucabangeni Secondary School, KZN). Phomolong Secondary School has a library but it is currently being used “as a storage room.” (Kuhle Mtana, Gladwell Sello, GP).

Science laboratories are also needed so that learners have an opportunity to experiment and apply knowledge in the classroom, thereby enhancing the general learning of science concepts. Zondo Samkelo writes that it would help to overcome the problem that, “usually we hear about things in science classes but are never able to see them or prove these theories.” (Ekucabangeni Secondary School, KZN). Xhasumzi Mrwashu, an educator from Iqonce High School, emphasizes that science laboratories must be “fully equipped.” (Iqonce High School, EC).

Media centres with sufficient computers are also needed to train students in basic computer literacy and provide skills needed for the 21st century job market. Many submissions reported having some computers, but not nearly enough. Learners from Cassino Primary School in Kwazulu-Natal request more computers because their school’s lab “has got little computers and we have to share them and that is difficult because we

don't get enough time to learn how to use them.” Mahlakwanu Mandla asks for a computer lab in his school so that his school “can be just like other schools in town.” (Seshago Khaiso High School, LP). Kgaogeo Tjege writes about the need for all three types of educational spaces: “laboratories so that we can experience and research and a library and computer lab so that we can know more about things we want to know or don't know.” (Inqayiavele High School, GP). In short, throughout the submissions a strong need and justification was expressed for having *each* of the education support spaces, making clear that the lack of any one type of support space inhibits learners' education.

iii. Failure of the Draft Norms to Address these Problems

The Draft defines “educational support spaces” as “resources in some form of a library *or* laboratory *or* media centre” (emphasis added). Section 8 of the Draft mentions that within 18 months of commencement of the regulations the Minister will publish a “framework document” that provides further technical details about educational support spaces. Unlike the Minimum Norms and Standards regulations, it appears the “framework document” is not meant to be binding on the government.

In light of the problems and needs identified by the submissions, many learners and educators expressed frustration with the use of the conjunction “or” to describe educational support spaces. A majority of submissions suggested that the better conjunction to use would have been “and.” For example, one learner says, “[W]hat makes [me] angry is that you always use 'OR' as if at some situations some school facilities are not important. But no!!! That's where you're wrong. Each and every facility is important.” (Gwayishe Ekhonawo, Bisho High School, EC). Ntokozo Khumalo reiterates, “on these rules they should subtract all the ORs and add the ANDs.” (Tembisa High School, GP). Moreover, submissions demanded that the Minister add further details and specificity to adequately address issues such as ensuring sufficient computers were available at a school. “In your draft you said there must be some form of library whereas you were suppose[d] to say in school there must be libraries and laboratories. When you set a draft you must be specific so that we can all know what you are talking about.” (Mayaya Nolusindiso, Kuyasa High School, EC). Nolusindiso expressed particular frustration with the lack of specificity around computers: “There are schools that are suffering from [a lack of] computers but in your draft you did not say in schools there must be

computers you said school should be provided with some form of connectivity which mean if we are 300 students we can have 4 computers that is not well balanced.” (Kuyasa High School, EC). The consistency in the questions and doubts raised about educational support spaces in the submissions calls into serious question the ability of the Draft to provide sufficient guidance to provinces to implement meaningful regulations.

B. SPORTS FIELDS

“Each and every school must have different playground[s] as much as learners have different talent[s].”

–Mayaya Nolusindiso, Kuyasa High School, Eastern Cape

i. Description of the Problem and Its Impact

Many of the submissions from learners expressed frustration with not having access to sports fields. Problems identified largely fell into three categories. First, many learners indicated that their schools lacked *any* sports field or equipment. For example, Simamkele Gwentsha wrote, “[O]ur schools do not have [an] area to play sports.” (Bisho High School, EC). Second, learners stated that their access to sports was limited because they had to travel far from their school to be able to play a sport. “There are schools that are suffering from [a lack of] play ground[s]. When they want to play they have to walk many km away from their schools which is totally wrong.” (Mayaya Nolusindiso, Kuyasa High School, EC). Finally, learners that did have sports areas in their schools found their access to sports limited either by the poor quality of the field or the lack of sports arranged by the school. Slindokuhle Mkhize experienced poor quality in her school, saying, “[G]rounds for playing during sports are very poor. We need more grounds and everything for sports.” (Maceba Secondary School, KZN). Vuyani Ngculu expressed frustration at not having access to certain kinds of sports: “We need sport fields in our schools because I can’t play tennis on a soccer field and I cannot play rugby on a volleyball field, and that is totally wrong.” (Qhaga S.S. School, EC).

ii. Requests by Learners

The requests of learners and educators with respect to sports fields varied across submissions. Some, like Maxhegwana Nongewlselo, an educator from Qaga Secondary

School in the Eastern Cape, demanded that “every school must have sport facilities.” Some, like Sonwabiso Kolweni of Bisho Primary School in the Eastern Cape, specified which sports they wanted in their schools: “We must have a field so we can play soccer, rugby and netball.” Others went further in saying that “[e]ach and every school must have different playground[s] as much as learners have different talent[s].” (Mayaya Nolusindiso, Kuyasa High School, EC). Ngalo Nokuthula, another learner from Kuyasa High School, echoed this sentiment, saying, “In a school of 1000 learner[s] I expect . . . sports fields of all sports.” Thus, the minimum expectation expressed by submissions desired at least one sports field physically located at the school, while many expressed that multiple sports fields were needed at each school to cater to learners’ different talents and interests.

iii. Failure of the Draft Norms to Address these Problems

Section 6(1) of the Draft states that “[w]here reasonably practicable, a school should have a sport field for soccer *or* rugby *or* another selected sport and ground *or* a court for netball *or* volleyball.” (emphasis added). In light of the problems and needs identified, the major criticisms of the Draft largely targeted the wording “where reasonably practicable,” the use of the conjunction “or,” and the general lack of specificity in the Draft about the requirements for sports facilities. The submissions suggested that the language “where reasonably practicable” did not accord with the needs of learners and should be struck from the final draft. For example, Vingi Andile, an educator from Sobi L/H Primary School in the Eastern Cape, said, “You said [where] reasonably practicable, a school should have a sporting facility, whereas each school should have [its] own sporting facilities according to codes provided by that community.” Anxiety about the “or” language and the level of specificity in the regulations was reflected in submissions asking how this type of regulation could ensure that learners with different talents had access to appropriate sport facilities. For example, Sanelisiwe Sibis, a learner at Ekucabangeni Secondary School in Kwazulu-Natal said, “You mention that each school should have a sports field but you are not specific on what type of sports field. What about learners who play different sports?” Sinovuyo Poni expressed the same worry: “You did not specify directly that there must be [a] soccer field, netball field, rugby field. You just said there should have a sport field. But at schools there are learners

have different talents.” (Mzontsundu S.S.S., EC). In sum, submissions demanded a higher minimum standard for sports field and further specificity around technical requirements.

C. CONCLUSION: EDUCATIONAL SUPPORT SPACES AND SPORTS FIELDS

Learners consistently expressed dissatisfaction with the way educational support spaces were defined in the Draft. They rejected the notion that their educational needs could be met by having either a library or a laboratory or a media centre. They made explicit the need to have all three types of support spaces at their school. Likewise, learners and educators made similar arguments about sports fields. They not only wanted each school to have a sports field, but requested access to different types of sports fields to cater to various talents and interests of learners at the school. As with other parts of the Draft, learners demanded greater specificity and detail to ensure that they received the minimum adequate resources needed for their education.

IV. BASIC SERVICES: WATER AND SANITATION

Section 4 of the Draft on “Provision of teaching and learning environment” states: “A school must be provided with adequate sanitation facilities that promote health and hygiene standards and that comply with all applicable laws.” In addition it states: “A school must be provided with basic water supply which complies with all relevant laws.” Regrettably, the regulation does not go any further than this. It does not set any minimum thresholds regarding the access to basic water and sanitation services. The submissions suggest that learners are routinely subject to abhorrent water and sanitation conditions which greatly affect their ability to attend school, stay safe, and thrive in their environment.

A. WATER

“We need more taps. Currently when it rains we pray and sing!”

– Slindokuhle Mkhize, Maceba Secondary School, KZN

i. Description of the Problem and Its Impact

An overwhelming majority of submissions highlighted a lack of access to a clean and constant water supply at school. These comments are consistent with the 2009 report by the Department of Basic Education on the National Education Infrastructure Management System in which ten per cent of the 24 493 public schools surveyed had no water supply at all.

Many learners expressed concern over their dependence on rainwater tanks to supply their schools with water, and noted how this becomes particularly problematic in the dry winter months. Sitembile Mottoung says, “We drink water from rain so this means if there is no rain there is no water for us.” (Mathukulua High School, KZN). H. Hlatshalayo, an educator at Sitembile’s school shares, his concern: “There is no running water we rely on rain water which causes problems in the winter months.” (Mathukulua High School, KZN).

Even in schools where running water has been installed, it often fails to meet the needs of the learners. For example, in Nonjabillo Thabetha’s school, there are close to 750 learners who share two taps. As a result, “In my school we don’t have taps to drink from or to wash our hands after we go to the toilet.” (Maceba Secondary School, KZN). A group of Ubonhumenzi learners similarly describe the failings of their school’s water supply: “We have only one tap and the sometime the water is not there.” (Ubonhumenzi Primary, KZN). Learners at Tembisa High School leave early when the water runs out at the tap. (Lerato Rakgalakane, GP). Children will not be able to learn when they are thirsty or dehydrated. Thozama Jojo writes about his past experiences at Kwa Qondo J.S.S., “most of us were suffering in cholera because there were no water” (EC). Potable water is a basic necessary for health and sanitation in schools.

ii. Requests by Learners

Most requests from learners were for greater access to running water. For example, SP Ndaba reasonably asks for “one tap or borehole.” (Mathukulua High School, KZN). Nonkwanda Buthelleza says: “We need more taps, currently learners at my school stand in line in order to get a drink and many go home without drinking.” (Maceba Secondary School, KZN). Zandile Catsha states, “In the case of water, we would like to know how many taps she will put in our school.” (Nyanga East, WC). Nonvuyiso Gonyela says, “In our school I have to have water that is clean so that learners are not

getting sick” (Khanyolwethu Secondary School, WC). These learners are merely asking for access to water, which is a basic necessity.

iii. Failure of the Draft Norms to Address the Lack of Access to Water

Section 4 of the Draft on “Provision of teaching and learning environment” simply states that a school must be provided with a “basic water supply which complies with all relevant laws.” There is great ambiguity here. What constitutes a basic supply? What about the quality of the water? Also, which laws would be relevant? Many learners picked up on these deficiencies in the draft regulations. Could a rainwater tank be a “basic water supply”? While the Draft may allow for such a rainwater tank, the students at Mathukulua High School understand that it is inadequate. As they know from experience, such a supply is erratic and falls short of satisfying their needs. The Draft must make clear that learners are entitled to an adequate, permanent, clean, and potable water supply in order to thrive in school.

B. SANITATION

“Our school uses pit toilets, and that is dangerous because they are dirty and full of worms.”

– Learners from Cassino Primary School, Eastern Cape

i. Description of the Problem and Its Impact

Learners and educators report a shortage of toilet facilities at schools. For example, Nqobese Bajabulile pointed out that at her school, 740 learners share six toilets. (Maceba Secondary School, KZN). Likewise, F. Butelezi says, “Our school has insufficient toilets, considering the enrollment of our school.” (Cassino Primary School, KZN). Similar sentiment was shared by Lelethu Gavu: “[W]e are almost 3000 but we have only three toilets and two taps so that is not enough.” (Mzontsundu Secondary School, EC). Andile Vingi explains, “Learners and educators depend on the bushes and open fields to relieve themselves.” (Sobi L/H Primary School, EC). This is neither safe nor sanitary. Toilet facilities are vital to satisfying basic human needs, and therefore to creating an environment conducive to learning and development.

Those who have access to toilets often describe the condition of these facilities as appalling. “There are pit toilets which are unhygienic and dangerous.” (Ubonhumenzi Learners, KZN). Many schools are outfitted with pit toilets which have long outlived their usefulness. Learners from Cassino Primary school say, “[O]ur toilets are full and that is no longer healthy.” (Cassino Primary School, KZN). Other schools have toilets which do not flush or are poorly maintained and rarely cleaned. The toilets at Phomolong Secondary School are “in very bad condition”, “rusty,” and “very stinky.” (Nicholas Izaks, Priscilla Masuku, Phomolong Secondary School, GP). L. Yamile points out that it is “difficult to learn because the smell of the toilets is so bad.” (iQonce High School, EC). Thulani Kok says, “We have toilets but if you can just enter inside and just look around you can see the mess that we go to relieve ourselves. And the walls there are like a place no one can exist in.” (Harry Gwala S.S.S., WC). These toilets are also potential health hazards. As one student explained, she and other female learners got an infection from the toilet at their school. (iQonce High School, EC).

The submissions also reveal that the toilet facilities currently installed in schools provide little to no privacy. There were multiple accounts in the submissions of males and females, students and staff, all making use of the same toilet. This practice can create an unsafe and intimidating environment. For example, Gcobisa Makeleni explains that learners fear for their safety and instances of sexual harassment are common. (iQonce High School, EC). Learners such as Reanatse Sholoko and Pontsho Marobebe write that the toilets at their school don’t have doors causing an invasion of their privacy. (Hopolong Combined School, WC). Evidence Mothoung said: “The issue of toilets is very bad. There are no door and no wash-basins. How can you use the toilet when there is someone looking and laughing at you?” (Mathukulula Secondary School, KZN). These dangers are realities which learners face on a daily basis, and which severely impact the safety and utility of their learning environment.

ii. Requests by Learners

Many learners identified the dire need for safe, sanitary toilets and suggested that the best way to solve this problem would be to install new toilets. Mlambo Neliswe humbly requests just “one more toilet.” (Siyabonga Primary, KZN) Sonwabiso Kolweni, on the other hand, says, “Toilets need to be clean and there need to be enough for learners, in our school we have 5 toilets and more than 1207 learners.” (Bisho Primary,

EC). Axolile Ngcodomba raised the point that, “The toilets are poorly maintained, we want the school to have some toilet cleaners.” (Bisho High School, EC).

Others, like F. Butelezi, requested that their plain pit and bucket latrines be upgraded to flushing toilets. (Cassino Primary, KZN). Luyanda Mpungose outlines another issue: “We need toilet paper.” (Maceba Secondary School, KZN). Pikoli Lindela submits, “[T]oilets must have a seat and sink, must flush, have doors and bins, also toilet paper holder.” (Mzontsundu Secondary School, EC). Ntombizodwa E Makhoba asks, at the very least, that toilet seats should be provided for Grade R learners. (Siyabonga Primary School, KZN).

iii. Failure of the Draft Norms to Address Sanitation

There was clear sentiment amongst the submissions that the Draft did not adequately explain what constitutes “adequate sanitation facilities.” Anda Nyibi asks a critical question: “[W]hat are adequate sanitation facilities?” (Bhiso High School, EC). As Zukiswa Bodla points out, “The Minister of Education said ‘adequate sanitation facilities’ but didn’t say ‘we must have flush toilets.’” (Mbulelo Benekane, EC). The current sanitation conditions at these schools are untenable. Regretfully, the Draft fails to create minimum thresholds to ensure that toilet facilities at schools are numerically sufficient, accessible, durable, private, safe, functional, hygienic and dignified.

C. CONCLUSION: WATER AND SANITATION

Learners require adequate water and sanitation, and, in order to achieve this, the Minister must set out precise standards that provide clear guidance to provinces and to schools as to what exactly is required. With respect to water, schools require a sufficient number of taps based on the number of learners and educators at the school. Further, they require a reliable supply of water that is not dependent on whether the area receives rain or not. With respect to sanitation, schools require a sufficient number of toilets based on the number of learners and educators at the school. Learners and educators should not be forced to rely on the bushes given the security and health concerns this poses. In addition, taps and toilets must be maintained in good working condition. Given the lack of clear guidance, learners and educators emphasize the need for greater detail and clarity in the

final standards, and particularly request specific ratios of toilets and taps to people at the school.

V. SAFETY AND SECURITY

A. SAFETY AND SECURITY

“I am now afraid of walking alone through the bush. The dark bush scares me a lot since someone was killed at that place.”

-Luvuno Mzuvela, Grade 12, Maceba Secondary School, KZN

The state of safety and security in South Africa is an area of active concern throughout the country. This year several high profile cases have sparked widespread indignation at the intolerable levels of crime and insecurity afflicting South African society. The widely reported gang-rape of Western Cape teenager Anene Booysen illustrated the particular vulnerability of children and of young people. Concern surrounding security issues, particularly at school, was reflected in over one out of every four submissions. Learners lamented the lack of security guards, security fences, and effective control on access to schools. They requested immediate measures to alleviate the fear for their safety that many of them carry to school each day. The general theme throughout these submissions was that the Draft completely neglects the security of staff and learners at schools and must be revised to include such provisions.

i. Description of the Problem and its Impact

Approximately 3 out of every 10 submissions emphasised security problems at schools. Grade 12 learners Mzukisi and Qhamani from Bisho High School succinctly outline the need for “sufficient safety and security to ensure that students are not afraid to go to school because of vandalism and crime.” The safety concerns felt by South African learners was a common theme throughout the submissions. “I am now afraid of walking alone through the bush. The dark bush scares me a lot since someone was killed at that place.” (Luvuno Mzuvela, Maceba Secondary School, KZN). Luvuno’s chilling testimony paints a vivid picture of the feeling of insecurity that is commonplace at schools.

The submissions also made clear that the security threats were both internal as well as external. Several students identified a problem with the abuse of drugs and possession of weapons by fellow students. Samla Sibabalwe of Mbulelo Benekane School even suggested the implementation of random drug tests to prevent substance abuse and the associated violence. On the other hand, some submissions emphasised an external threat. Students from Iqonce High School drew attention to the fact that their school was close to a local tavern: “We are not safe from the people who come out of the tavern. You don’t know if you will get raped.” (Babalwe Bulani, Iqonce High School, EC). Pontsho Marobele explains that the fence at her school is broken and ineffective. (Khayletisha Site C, WC). The simple message contained in all the submissions is that learners and teaching staff at South African schools operate in a state of fear that is caused by a very real deficit in security measures. This environment is not conducive to teaching or learning.

ii. Requests by Learners

Throughout the submissions on safety and security, requests for adequate fencing, security personnel, and alarm systems were recurrent. Many learners suggested that provision be made for the erection of electrified fences, and most suggested that static measures such as fences and alarms be used in combination with active measures such as security guards. The submissions also recognised a need for “24/7 security to protect our school or students from criminals or any other things.” (Nkanyuza Zikhona, EC). At Mmatshipi High School, “the thieves are always breaking in and steal everything.” (Teffo Annikie, GP). Teffo Annikie explains that the school responded by hiring security but the learners are forced to pay R50 every term. Security should not be contingent on outside funds but rather should be guaranteed. Wendy Ramodike writes, “we need security because at night some people broke into our school and take stuff.” (Khaiso High School, LP). Mothapo Mosima, also at Khaiso High School, requests “an electric fence because people like to take advantage of stealing.” Effective security outside school hours is also important to protect the school’s property from vandalism and theft, in addition to securing the safety of its community.

iii. Failure of the Draft Norms to Address Safety and Security

Section 1 Definitions of the Draft defines “basic safety” as “means creating a safe environment for learning and teaching.” However, the only further mention of “basic safety” outside of the long title is in section 7(b), which provides:

“Notwithstanding these regulations, basic minimum norms and standards contained in these regulations must be applied to education facilities which exist when these regulations take effect, in order to determine all those schools or facilities at schools that fail to meet the norms and standards for basic safety and minimum functionality contemplated in the framework, or other minimum requirements contained in these regulations.”

When placed in this context it appears that the standard of “basic safety” refers to the structural safety of infrastructure, and does not include separate security infrastructure to protect learners and staff. Security is not mentioned at all in the Draft, including the provisions relating to the creation of the technical framework in section 8.

The submissions showed a clear inconsistency between the needs of learners and staff and the absence of any specific provision for security in the Draft. “[The Minister] did not mention that there should be security,” laments Mavaleliso Elethu, a learner from Mzontsundu Secondary School in the Eastern Cape. Another learner writes, “You again mention basic safety but people need to hear more about basic safety and what that really means in terms of teaching and learning.” (Tamsanqa Siphokazi, Mzontsundu Senior Secondary School, EC). Clearly the Draft must be corrected to include an area of such relevance to the success of our schools.

B. CONCLUSION: SAFETY AND SECURITY

Learners face both internal and external safety concerns at school, ranging from the danger of assaults and rapes, to the fear of weapons and drugs used by fellow learners. These situations create barriers for students to attend school and to engage fully in their education while at school. For this reason, all schools need to provide adequate levels of safety and security to remove these barriers to education. Yet, learners and

educators fault the Draft for not providing any meaningful guidelines for schools to follow to ensure that a minimum level of basic safety is provided. Thus, learners and educators request that the Minister address their concerns with greater detail and clarity so that schools have a goal to work toward and can be held accountable for not providing a safe learning environment.

VI. ACCESS FOR LEARNERS

“We are in plea for you to upgrade our schools, we are in plea for you to put your mind in our situation.”

-Siphesihle Guma, Eastern Cape

About one in four submissions focused on the difficulty of access to education. This access assumes different forms. Some learners and educators struggle for the most basic access—to travel to school and home again. The Draft does not mention school transport or clarify what constitutes an acceptable distance to travel to school, thereby failing to remedy access problems faced by learners across the nation. Others attend school but then cannot access the Internet or basic forms of electricity, inhibiting their ability to do independent research, study in proper lighting, or operate fans to properly ventilate classrooms. Electricity and connectivity are essential to modern education and a vital part of access for learners. The Draft merely states in sections 4.5 and 4.6 that schools should have “some form of energy” and “some form of connectivity.” These vague requirements do not set meaningful minimum thresholds to ensure that learners and educators have access to resources such as basic electricity, telephone lines, fax machines, and Internet. The lack of access impacts the ability of learners to engage with materials and succeed in a functioning school environment.

A. SCHOOL TRANSPORT

“We as learners travel to school by foot and we travel long distances and we walk through the forest. And on the way to school children got raped.”

-Adons Nonqaba, Mbulelo Benekane S.S.S., EC

i. Description of the Problem and Its Impact

Many learners—particularly in rural areas—are forced to walk long distances to and from school each day because school transport is not provided, nor are hostels. For example, Thoninhhlala Sibiyi wakes up at 3:00 AM every morning in order to walk to school and arrive on time. (Maceba Secondary School, KZN). Luvuno Mzuvela explains, “I travel round about 15km to school and only to find that I arrive at school late.” (Maceba Secondary School, KZN). Learners walk extraordinary distances, taking precious time away from focusing on their actual studies, helping at home, or getting enough sleep. They should not be deprived of the opportunities equal to other learners who have easier access to their schools solely due to the proximity of their homes. “How can learners travelling 5km to school be expected to keep up with work if no transport is provided?” (Tholakele Butheleai, Maceba Secondary School, KZN). These learners are at an immediate disadvantage when merely accessing school is such a burden. Qhamani Mako explains that some youth arrive late due to the distance they walked and find that, when they arrive, the gates are already closed and they cannot attend school. (Iqonce High School, EC). No learner should be denied the right to education due to the difficulty in getting to and from school. This transport burden on learners also has grave safety implications. “Students can be raped on their long walks,” explains Qhamani Mako from Iqonce High School. Especially when learners are forced to walk in the dark, they face dangerous conditions. Accessing school should not endanger learners.

ii. Requests by Learners

The requests made by learners are simple—they are asking for free or affordable transport to enable them to access their schools in a timely and safe manner. Axolile Ngcodomba clearly states, “I want the school to have some buses, because there are rural children who are walking to school.” (Bisho High School, EC). Samkolo Mbatha walks five hours from his home to his school because there is no free transport available. (Maceba Secondary School, KZN). Mthokozisi Khoza pays R300 a month for transport, money that could help take care of her family’s other needs. (Maceba Secondary School, KZN). The ability to access schools should not depend on a family’s ability to pay for transport. In addition, learners ask for transport to provide protection and keep them safe. “We need a school bus because we as learners who stays far away we are no longer safe in this lifetime of the world.” (Mncube Hlengiwe, Maceba Secondary School, KZN)

iii. Failure of the Draft Norms to Address School Transport

The draft norms do not address the issue of school transport or access to schools in general. They fail to comment on the distance between learners and schools or the need for hostels and/or buses. By neglecting this issue, learners will continue to face grave difficulty in simply attending school on a daily basis. Mtila Sibongiseni explains, “We are children and for us to reach our goals or dreams we need your support.” (Dimbaza J.S.S., EC). Norms and standards for school infrastructure are meant to provide the conditions needed to enable children to learn and succeed. Until the ability of all children to easily access their schools is addressed the norms will fail to support children in their attempt to achieve their goals and dreams.

B. ENERGY AND CONNECTIVITY

“Some form of connectivity’ is too vague; should specify fax, internet, telephone as we are really in need of them.”

- Nobuhle Madikane, Sobi L/H Primary School, Educator, EC

i. Description of the Problem and Its Impact

Many schools across South Africa lack electricity and basic connectivity. Without electricity, learners are inherently limited in their ability to access information, to stay after-hours to study or complete further lessons, and to operate fans that would improve ventilation. Learners at such schools are disadvantaged in comparison to other South African students. Mhambi Siyakudmisa notes these inequities: “Minister we have the right of equality, therefore we want to be treated equal, if you don’t give us better schools you discriminate our right and our future. So Minister please help us so we can build our future.” (Qhaga S.S.S., EC). Resources such as electricity, internet, faxes, and telephones distinguish learning experiences and create more opportunities for learners. Minnie Booysen explains that Eden Park does not have any telephones and they are reliant on the principal’s cell phone (Minnie Booysen, Eden Park Khoisan Community Council, GP). Nicholas Izaks explains the need for electricity, during the winter season “our classes becomes dark too because we don’t have lights.” (Phomolons Secondary School, GP). Mantswa Mashola suffers from the same problem, “there are no lights in our classroom,

when outside is dark we suffer to see what the teacher has written.” (Seshego Khaiso High School, LP). Fikiswa Mncedeni explains that Nyanga East does not have electricity, thus they are forced to open the doors to allow light in to see. (WC). Electricity is essential to a child’s education. The impact of access to resources from basic electricity to the internet cannot be overestimated; they enable children to learn and expose children to new worlds of opportunity. All South African children have a right to an equal education and deserve access to these resources.

ii. Requests by Learners

Learners and educators request specificity; they want to ensure that they have adequate and dependable access to electricity and connectivity. “I want electricity for my school,” says Maxhegwana Nongewlseo, an educator at Qaga Secondary School in the Eastern Cape. Andiswe Ngcakaza reiterates, “We are the learners, we want electricity not other form of energy” (Uxolo High School, WC). These requests are clear; electricity is required, not simply any form of energy. In addition, Nobuhle Madikane asks for specific forms of connectivity, “for fax, internet, and telephone as we are really in need of them.” (Sobi L/H Primary School, Educator, EC). At Heinz Park Primary, teachers “can’t give children tests or handouts” even though there is a printer and copy machine at the school because there is no ink (Luzoko, WC). Beduza Anelisa requests “clarity regarding connectivity, there is a need for hardware for those without computers.” (Archie Velile S.S.S., EC). Learners and educators ask for access to technology and increased opportunities by having electricity and connectivity in their classrooms. Ineeleng Mothapo exclaims, “having these things provided for us will be a dream come true.” (Seshego Kahiso High School, LP).

iii. Failure of the Draft Norms to Adequately Address Energy and Connectivity

The draft norms fail to set minimum thresholds for energy and connectivity, avoiding any real obligations to provide access for learners. Many writers of submissions noticed this failure. Bongisiwe Khumalo states: “[Y]ou mentioned a need for some form of connectivity for communication, but you do not specify what connectivity for communication is.” (Ekucabangeni Secondary School, KZN). The purpose behind the norms and standards is to create accountability in order to hold provinces and the national

government to account for providing the basic necessities to all classrooms. Without specificity, this accountability does not exist. Schools can meet these standards by providing one telephone for hundreds of staff and students while failing to provide Internet, faxes, and other necessities. In addition, “some form of energy” is vague to the extent that a candle may satisfy the requirement. (Poni Sinouuyo, Mzontsundu S.S.S., EC). Beduza Anelisa asks for “clarification as to what constitutes ‘energy which complies with the relevant laws’.” (Archie Velile S.S.S., EC). Sanelisiwe Sibis also expresses frustration with the vague definitions in the draft, explaining, “in the draft you mentioned that a school should be provided with some form of energy that meets the standard of the relevant laws, but you are not specific on what energy or on the relevant laws.” (Ekucabangeni Secondary School, KZN). The norms fail to create any specific requirements for electricity and neglect to provide schools with needed resources.

C. CONCLUSION: ACCESS FOR LEARNERS

Access to a 21st century education does not simply entail having walls for a classroom; access, as described by learners and educators, also entails having proper transportation to and from school, electricity, and internet and phone connectivity. Many learners expressed concern over the Draft’s silence on transportation, though having affordable and safe transportation was essential for learners to access education. Learners described walking distances of 5 to 15 km to attend school, and requested that the Minister set a minimum acceptable distance for walking, beyond which the government should provide support for learner transport. With respect to energy, learners complained of not having sufficient lighting in winter because of lack of electricity. Similarly, many learners discussed the lack of internet connectivity at their schools or insufficient access because of a limited number of computers. In all cases, learners and educators demanded greater attention to these issues, more specificity in outlining the standards, and a higher minimum standard that would allow students to build skills for the 21st century.

VII. SCHOOLS BUILT “AFTER THE DAWN OF DEMOCRACY”

The part of the Draft preamble most discussed in the submissions is the section that addresses schools built after 1994. The text states:

AND WHEREAS the state continues to provided infrastructure, water, sanitation and electricity to the majority of schools that were previously disadvantaged and all schools built after the dawn of democracy have exceeded the minimum norms and standards[.]

Many submissions criticized the assumption in the above section that schools built “after the dawn of democracy” exceeded the minimum norms and standards. A learner from Bisho High School wrote, “You said schools that were built after 1994 are still on standard, that’s not true look at our school (Bisho High School) it was built in 1994 but you can’t say so, it looks like it was built in 1940s.” (Tyakume Somila, EC). Others called the assumption an outright “lie.” (Lelethu Gavu, Mzontsundu S.S.S., EC). Andile Vingi, an Educator from Sobu L/H Primary School in Eastern Cape, explains the reason for the current dilapidated state of these schools: “Even those schools that were built after the dawn of democracy, most of them are now in critical conditions because there is no Human Resource employed by the Department to look after them (the facilities).”

Unlike for other parts of the Draft, submissions did not provide a specific requested change to this section, other than to revise it to adequately reflect the fact that not all schools built after 1994 necessarily comply with the minimum norms and standards. Accordingly, this inaccurate section of the Preamble should be expunged from the finalized regulations.

VIII. CONCLUSION

“I want the Minister to know that Basic Education is the most important in the lives of all children no matter the colour, race, religion, able or disable and education is not a luxury in our country but a right to all children to have this basic education.”

– Anneline Adams, Parent, GP

Vivid accounts of adversity and suffering in South Africa’s schools emerge from the submissions summarised in this appendix. Every day, learners and teachers are forced to work in an environment that is lacking in proper facilities, and is unsanitary and unsafe. In these schools the path to success is blocked not merely by having to pass

exams, but by overcrowded classrooms, a shortage of learning tools, and a constant battle with thirst, filth, and fear. Learners and teachers are done a disservice by the government's Draft, which fails to present clear and specific norms and standards as a solution to these obstacles.

This appendix allows the voices of those most affected by the Draft's shortcomings to speak for themselves about their educational challenges and needs. It presents a succinct overview of the submissions received from learners, educators, and parents in relation to the Draft—remaining authentic to the individual voices contained in the submissions, in particular by quoting directly from numerous submissions, while also presenting them in a more manageable format.

Five key areas of concern were prevalent across the submissions: Educational Spaces, Educational Support Spaces, Water and Sanitation, Safety and Security, and Access. The concerns of learners and educators in relation to each of these areas are summarised above, and are placed in the context of the Draft to highlight the document's deficiencies in relation to each issue.

The submissions identified shortcomings in the Draft in relation to every element of school infrastructure. They highlighted the vague wording of the Draft's provisions, its lack of specific minimum standards and time targets, and in some case such as security, a complete failure to make any provisions at all. These concerns were eloquently and powerfully articulated in the submissions of teachers, parents, and learners, some of them as young as thirteen.

The submissions make clear that the current state of school infrastructure is an unacceptable hindrance to the development of our society. The State is under an obligation to the people of South Africa to remedy this inequity—an obligation that it has failed to discharge with the current draft regulations, and that must be addressed before the norms and standards become binding.