

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

CASE NO. _____

In the matter between:

EQUAL EDUCATION First Applicant

**LEARNERS OF MOSHESH SENIOR
SECONDARY SCHOOL** Second Applicant

and

MINISTER OF BASIC EDUCATION First Respondent

**THE DIRECTOR-GENERAL, DEPARTMENT OF BASIC
EDUCATION** Second Respondent

MEC FOR EDUCATION: EASTERN CAPE Third Respondent

**THE HEAD OF DEPARTMENT OF BASIC EDUCATION:
EASTERN CAPE** Fourth Respondent

**DISTRICT DIRECTOR: MALUTI DISTRICT
EASTERN CAPE DEPARTMENT OF BASIC EDUCATION** Fifth Respondent

SUPPORTING AFFIDAVIT

I, the undersigned, **MADIMO EMILIA MOUTHLOALI**

state under oath the following:

1. I am an adult female aged 41. I was born on 24 March 1971.
2. I have lived in Queen Mercy Village for all my life, both my childhood and adulthood life (41 years).

S.N

E.M.M

3. The facts contain here are, to the best of my knowledge, true and correct and, unless otherwise stated or indicated by the context, are within my personal knowledge.
4. I have 4 children, one boy Zamxolo age 22 and three girls, Palesa aged 18, Etabeleng aged 16 and Mabotle aged 7. Zamxolo and Palesa are doing grade 11 at Moshesh High School, Etabeleng is doing grade 10 at Advent High School and Mabotle is doing grade 1 at Maria Linden Primary School.
5. I sent my children who go to Moshesh because I had no other choice. I had no money to send all of my children to other schools that are located outside our village. Moshesh is the only High School in Khubotswana Village. I have heard that the school is dysfunctional but it was the only school that is located in our village and I did not have money to send my children to other schools.

EDUCATION

6. I went to Maria Linden Primary School. I passed standard 7 in 1985.
7. I went to Moshesh High School in 1986 to do my secondary schooling. I dropped out of at Moshesh High School in standard 9 because we could not afford to pay school fees. In those days Moshesh was a fee charging school. My father was an old man and was not working at that time and I had to drop out of school.
8. Moshesh used to be a very good school with learners from all over the country coming to study there. Things over the past few years have deteriorated and it now has a bad record.

PROBLEMS AT MOSHESH SCHOOL

9. Since both of Palesa and Zamxolo are doing grade 11 at Moshesh High School I am well aware of the problems at the school.

SA

E.M.M

10. These are the problems at the school: The principal was away from the school since August 2011 up until May 2012. There was a strike by learners of Moshesh in August 2011 making certain demands to the school principal and teachers. The complaints from learners who were on strike were as follows: there is a shortage of teachers, the principal failed to fulfil a promise that learners will be sent to a sports outing.
11. In addition to the problems that the learners had a strike over I also know that one of the teachers, Ms Mlandu, the English teacher earns a full teacher salary but has been absent from the school for seven years.
12. The Principal abuses the learners by verbally insulting them, he suspends them from school whenever he likes and he administers corporal punishment at the school.
13. My children complain to me that some teachers stay in the staff room and do not come to class and teach although they are present at school.

PARENTAL INVOLMENT AT THE SCHOOL

14. When I previously received all these complaints from my children about their school, I did nothing because I knew the way in which the principal of that school behaves. I did not go to this school to ask for an explanation from the principal because I was scared of being insulted by the principal and also place my children's future at the school at risk because of fear of a possible expulsion.
15. In July when Equal Education visited the village they helped us as parents to organise to try and bring change at the school. They also told us about the importance of parents being involved in making the school better.

S.M.

E.M.M

16. Generally, the community as well as the School Governing Body has been silent on these matters. It is my opinion that parents and the community members do not raise these problems with the principal because they are scared of the principal and they do not want their children expelled from the school.

17. In August as part of Equal Education we approached the district office about the problems at the school. The official, Mr Bilibisi, said that he was aware of the problems but he did not know how to solve them. He said he would take note of our concerns and he would pass them on to the District Director who was not at the office at the time.

18. Recently, I was nominated into the School Governing Body (SGB). I'm now a new member of Moshesh High School Governing Body.

ABSENT TEACHER AND THE DISTRICT

19. Since my involvement in the SGB we have tried to resolve some of the problems at the school but most of the parents in SGB are afraid of the principal since he sits in all the meetings with us and so do the teachers. I am only one parent and everything that is done needs the support of all the other parents.

20. On the 6th of September 2012, I went to the District Office of Mr Mtatyana with two SGB members and the principal. We were going to find out from the District what steps had been taken against the teacher, Ms Mlandu, who has been gone for seven years and continues to receive a salary.

21. The district said that they needed a letter from the Principal about the teacher. I did not understand how the district can want a letter when they have known

S.N

EMM

about the problem for years. We left and to this day I don't know if the Principal has written that letter.

22. There is a shortage of teachers at that school and the salary going to that teacher could go to a teacher who actually stands in front of learners.

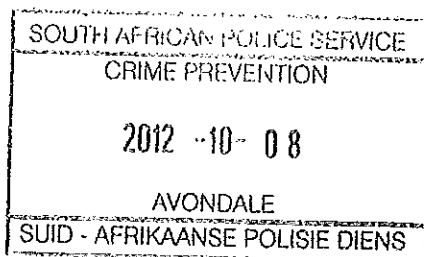
23. The SGB needs to be supported by the district in its functions, many of the parents are not educated and they do not believe they can stand up to the Principal about the bad things happening at the school. So far when we have approached the district office they have not been very helpful.

24. I want my children to complete matric and they can decide what careers they want to pursue. I want them to complete their matric with good marks that can enable them to get a bursary or better opportunities to study further.

EMILIA

MADIMO EMILIA MOUTHLOALI

I hereby certify that the deponent stated that she knows and understands the contents of this affidavit and that it is to the best of her knowledge both true and correct. This affidavit was signed and sworn to before me at **MATATIELE** on this the 08 day of **OCTOBER 2012**. The Regulations contained in Government Notice R.1258 of 21 July 1972, as amended, have been complied with.



2012/2209-4CS1
S. Noorisofo
COMMISSIONER OF OATHS
SANTLE NONSOFO
CONSTABLE
AVONDALE
MALUTI