

Briefing on Seekoegat Petition and Rural Education Policy

Prepared by Hon. M.E. Sukers for PCBE meeting 03.05.2022

1) Background

- 3000 rural schools have been closed in the last 3 to 5 years. Schools under 135 learners are considered non-viable by the DBE and PEDS and are closed and learners sent to consolidated “Mega Schools”.
- Seekoegat (“SKG”) is a deep rural community. The learner’s parents are predominantly landless farm workers living on isolated farms. In many cases roads are only accessible by 4x4.
- The distance from these farms to SKG can range up to as much as 50 kms.
- The nearest alternate school is in Beaufort-West (approx. 90 kms away)
- SKG has been in existence for 115 years. Originally a mission school.
- SKG is a public school on private property.
- It consists of two dormitories, a number of classrooms, A church/school hall and several other buildings.
- Learners from nearby farms board at SKG on a more or less weekly basis.
- In 2021 SKG had one acting head/teacher and approximately 40 pupils.
- Just under twenty learners have requested conditional exemption from school attendance at a registered school on condition they attend school at SKG (in terms of s4 of the SASA). Independent schools with under twenty learners cannot legally register in the Western Cape. This places the school in a legal grey area at present.
- SKG has extensive facilities, a computer lab, catering facilities, hostel amenities and is a fully functional school.
- One critical function the school performs in the community is as an informal “place of safety”. The school has boarding facilities and welfare agencies place at risk children in the school so that they can board at the school. These children are more in need of basic care and are “at risk” rather than being suitable for placement in a more advanced care setting.
- They are usually placed at Seekoegat because they have not been attending school, require basic regular care and due to the inability, even if it is temporary, of parents or relatives to care for them. Essentially, first tier institutional social support.

- There is a critical shortage of places of safety in the greater Karoo area and therefore there is substantial demand.

2) The Closure Process

- Move to close the school was initiated in 2020. Although rumours of closure go back many years.
- WCED conducted a formal engagement process prior to closing the school.
- The WCED offers no evidence that they answered or considered the representations made by the community in that process.
- Community believes the process was a tick-box exercise, unfair, lacking in transparency, performed under duress and that the closure of SKG had been decided before the process started.
- Consultation did not take place in a way in which parents in this vulnerable position could express their true feelings. Being landless workers that are easily subject to intimidation.
- Some of the community are illiterate, do not speak or understand standard Afrikaans and did not have transport to attend SGB and consultative meetings with the WCED.
- There is no evidence that views of the children were canvassed or considered.
- No alternatives were tabled or contemplated by the WCED.
- The school was formally closed at the end of 2021.
- Learners were offered places at other schools and could board at Teske Gedenk Primary School (TGPS) in Beaufort-West approx. 90 kms from SKG and other schools in towns a similar or greater distance away.
- The WCED undertook to transport learners once a month to their homes from TGPS. The reliability of this is doubtful because of the condition of roads and distances.
- DBE & WCED lack research on the long-term impact of such a move on the intellectual, education, emotional, psychological, moral development and health of learners who have been removed from their families. Anecdotal evidence is that these learners are prone to school drop, drug abuse and recruitment into gangs following their forced removal from their family and rural environment.
- These are young children ranging from Grade R to Grade 7. The oldest being 14.

- No consideration as given to the “at risk” children placed in the boarding facility.

3) The Rights of the Child

- **The right to family or parental care.** Section 28 (1)(b) of the Bill of Rights states that “Every child has the right ... to family care or parental care”. “Care” as defined in the Children’s Act includes:

“(e) guiding, directing and securing the child’s education and upbringing, including religious and cultural education and upbringing, in a manner appropriate to the child’s age, maturity and stage of development;

(f) guiding, advising and assisting the child in decisions to be taken by the child in a manner appropriate to the child’s age, maturity and stage of development;

(g) guiding the behaviour of the child in a humane manner;

(h) maintaining a sound relationship with the child...”

- The removal of their children to a remote school will limit the parents or guardians ability to perform their duty of care to their children as set out in the Constitution and the Children’s Act.
- **Children’s rights cannot be protected in isolation from family and community.** The preamble to the Children’s Act states “ it is neither desirable nor possible to protect children’s rights in isolation from their families and communities ...” and that “the child, for the full and harmonious development of his or her personality, should grow up in a family environment and in an atmosphere of happiness, love and understanding ...”
- **WCED process and decisions do not take account of the factors that constitute the Child’s Best Interest.** s29(2) of the Bill of Rights states “A child’s best interests are of **paramount** importance in every matter concerning the child.” The Children’s Act lists the factors that must be taken into consideration when the “Best interests of child” standard is applied. These include “*the need for the child to (i) to remain in the care of his or her parent, family and extended family; and (ii) to maintain a connection with his or her family, extended family, culture or tradition...*”s7(1)(f).
- The continued closure of Seekoegat Primary School/Primêre Skool will isolate children from their families and their community. This will not only negatively impact on the children’s rights and well-being but also negatively impact the community as a whole as it will lose contact with the youth of the community who are this community’s future.
- It is the contention of the parents, guardians, learners and the community that the consultation concerning the closure of the school did not take all of these factors into account or give them their due weight and importance.

- **Failure to consult the child.** No effort was made by the WCED to consult the older children as is required by the Children's Act: *"Every child that is of such an age, maturity and stage of development as to be able to participate in any matter concerning that child has the right to participate in an appropriate way and views expressed by the child must be given due consideration," s10.*
- The consultation was not thorough and insufficient consideration was given to the difficulties and barriers that the parents and guardians experienced in making their concerns known.
- **No options considered.** Parents were told that there was no alternative to the school closing and the children being sent to the boarding school in the town. No other options were put forward, researched or considered. All affected parties, therefore, contend that this engagement was not meaningful.
- Learners have and are thriving and happy at the school and parents, guardians and community valued the contribution the school made to the children's education.
- Having the children nearly 90 kilometers away and only seeing them once a month will be a severe limitation of family life and ability to care for the children especially as these are very young children.
- Many families do not have transport to travel to Beaufort-West to see children, assist them, consent to medical care, represent their interests to the school in town, ensure their children are treated fairly in disputes and disciplinary matters and in general advocate for their children.
- Parents or guardians and children lack means of regular communication and are unable to afford cellphones, data etc. Many children are not able to communicate as effectively telephonically and parents fear they will be unable to effectively parent their children over the phone.
- Parents fear that if the children are forced to board at a school in town they will be exposed to social ills such as gangsterism and drug-abuse. They are relatively free of these in their rural community.
- Contact with extended family, aunts, uncles, cousins, and grandparents will be severely impaired.
- **Officials seek to forcibly close school by removing equipment.** At a meeting facilitated by Hon. Sukers with the WCED's Superintendent-General Mr. Brent Walters (07/02/2022) it was requested the WCED not remove its property and to give an opportunity for the community to look at other options. This was after the schools formal closure and these events have taken place in the period when the community were keeping the school open themselves.

- It's not clear if that plea was ignored or the message from head office was not communicated to officials. On 10 February, officials from the WCED came without any warning to the school to remove WCED property.
- They were refused entry and the WCED called the police. The children were upset because they realized that if all WCED property was removed they would be without a place to sleep, food to eat and equipment to continue their schooling. This action was completely without notice or warning.
- The property itself and the permanent buildings are privately-owned, and the community was advised to continue to refuse entry until the WCED officials could produce proof that the landowner had given permission to enter the property.
- Hon. Sukers had to phone the SG to ask him to get his officials to not remove the property. Her appeal succeeded, but only "for now", and the officials left.
- This attempt to remove property and leave children without food, accommodation and access to learning was a gross violation of the Best Interests of the Child.

4) Current Status

- SKG has been closed and the position of the WCED is that it cannot be reopened, and that decision is final. The Minister of Education in the Western Cape is apparently powerless to re-open the school in any form. The WCED states that the community must rather take legal action to challenge the school closure.
- The community is opposed to the closure and refuse to allow their children to be removed from their care and placed at schools where they will see them only once a month.
- Approx. 15 to 20 learners are currently attending the closed school with no supervision by a qualified educator. Retired teachers and learning assistants are assisting. After the school closed the WCED delivered work and textbooks and the community is grateful for this. The community has repeatedly asked for a temporary teacher and learning assistants to be assigned to the school until a proper process of consultation can be completed.
- The learners have been recipients of feeding under the School Feeding scheme. This ceased with the official closure of the school. Learners are currently being fed by the community and through charitable contributions. Landless workers with support from a local community that is not wealthy, and a few private donors are keeping children fed. Not just with school meals but with all the meals normally provided by a hostel. This shows that this community values the school and takes responsibility for it.

- Existing WCED staff have been warned not to assist the community in keeping the school running.

5) Concerns of the community

- Limitation of family life and ability to care for their children especially as these are very young children.
- A monthly visit home is insufficient to maintain family bonds.
- Families do not have transport to travel to distant towns to see children, assist them, consent to medical care, represent their interests to the school, ensure their children are treated fairly in disputes and disciplinary matters and in general advocate for their children.
- Parents/Guardians and children lack means of regular communication and are unable to afford cellphones, data etc.
- Fear for the well-being of the children in town. Exposure to social ills.
- Fear for the emotional and mental well-being of the children/lack of confidence and embarrassment due to their poverty. Some learners have already not wanted to communicate with their families who they may now come to perceive as poor and unworthy of respect.
- Damage to community life.

6) Community's Plea

- Community would like the school re-opened.
- At least temporary teaching, supervision and care at the school while discussion takes place with the WCED on the future of the school and alternatives are considered.
- Resumption of school feeding.
- School assets owned by WCED are not removed as their removal would render it impossible to restart the school or interest third-party backers.

7) Broader Policy Considerations

- The WCED refers to the Regulations Relating to Minimum Norms and Standards for Public School Infrastructure. SKG meets all relevant physical norms and standards.
- SKG is merely considered not "cost effective" but there is no analysis to prove that other than the notion that if other schools have a 40:1 learner/educator ratio then

Seekoegat must have the same and that poor rural children can't justify a single teacher's salary. To expect a rural school to follow the norms and standards of an urban school or to apply the same standard to both is completely unreasonable and unfair. There are Quintile 5 schools that have school grounds that include some of the most valuable real estate in the Western Cape & school buildings that are historic buildings worth tens of millions. To use a single measure is by no means pro-poor.

- The WCED would rather have a poor community take them to court, an action which will cost both those supporting the community and the WCED millions of Rands, rather than work with the community to find a solution. Yet, they close the schools on grounds of economy.
- The WCED and the DBE believe that multi-grade learning is ineffective. What proof do they have for that statement? Montessori schools and many other educational approaches advocate multi-grade learning as beneficial. There are hundreds of unregistered micro-schools or cottage schools in the suburban Western Cape that use multi-grade learning, have less than 30 learners and have 20:1 learner ratios. There are a number of curricula that allow self-paced learning which makes multi-grade education possible. There are also homeschooling curricula that could be used in this environment.
- DBE and WCED appear to be inflexible and lack the ability to approach rural education with the innovation required.
- **Policy environment underdeveloped:** The constant references to Policy by the WCED are largely irrelevant as these are not policies aimed at rural education. The draft Policy on Rural Education was gazetted for public comment in 2017. It is not known how long the DBE and PEDs worked on that Policy prior to gazetting it but nearly 5 years have passed and no Policy has been published. Rural communities are dying and cannot wait 5 years for a Policy
- The national draft Rural Education Policy explains that *“(t)he implications of closing small schools in rural areas are far bigger than closing small schools in urban settings. For example, in sparsely populated areas where distances between schools and poor road conditions are not conducive to public transport use, small schools can be the only means of access to education.”*
- Small schools are also centres of community life, especially where landless people have no access to any spaces for meeting, recreation, or accessing services. It is between 90 and 100 kilometres to the nearest towns. This is recognised by the Policy that stresses that rural schools have an important role in fostering a *“sense of belonging (both to the community and the school) and connectedness among stakeholders.”* The WCED does not understand this nor seem to be willing to follow the spirit of the draft Policy.

- Policy and action should “address the isolation, disconnectedness, shame and distrust, as well as the lack of development often associated with rural communities and schools” which is one of the aims of the draft Policy on Rural Education.
- Rural Education Policy must be integrated and must recognise the different character of the rural environment. Education, Health, Social Development, Economic development and rural development policies and plans must be integrated to create a holistic solution. This requires the collaboration of various government departments, NGOs and the community.

8) Financial Considerations

- It is conceded that the system faces budget constraints. This can only be addressed through flexible innovative Policy development.
- Billions of tax-payer Rands have been spent on upgrading rural schools like Seekoegat. This Capital Expenditure is ignored when financial decisions are made. As can be seen in the SKG case crude measures like pupil ratio are used, not careful financial planning and assessment and no consideration is given to the wasted capital expenditure.
- **Unexpected effects are not planned for.** Planning does not contemplate that the very act of closing small rural schools may trigger more rural people to move to towns. Lack of farm workers then leads to the collapse of the rural economy. Then in a few years they will have to leave the towns that used to serve the isolated farms because the rural economy has collapsed and then the schools the children are being sent to now will also be empty and must close triggering further population movement and deepening rural collapse. Just as with soil erosion if you allow it to start then it becomes worse and worse until all the soil is washed away. While it may seem expensive to deal with the first signs it is cheaper in the long run.
- The WCED quotes s29(3) of the Bill of Rights concerning independent schools but doesn't quote it in full because if you look at the full section s29(3)(4) states that *“Subsection (3) does not preclude state subsidies for independent educational institutions.”* If a school like Seekoegat cannot be accommodated within the inflexible public system then we need hybrid solutions that are public-private partnerships. The WCED already has “collaboration schools” but seems unwilling to consider SKG as a candidate.

9) Possible actions for the Committee to consider

1. The children need food - the community cannot keep supporting the school out of its meagre resources. How can the NSFS support be reinstated.
2. The children need a regular teacher. At the moment retired and unemployed teachers are driving to the school to help out. The school needs at least one teacher

temporarily assigned to the school and 4 assistants i.e. a chef and a cleaner and one supervisor for the boys hostel and one for the girls hostel.

3. Funds are available in the frozen bank account to help the community meet costs such as electricity, water and other utility bills.
4. School situation needs to be regularised. Unless school is registered, the community cannot get broader support from NGOs.
 - 4.1. Current WCED regulations do not allow for the registration of schools with less than twenty learners.
 - 4.2. HOD in WC should approve the individual learners s4 applications for conditional exemption which have been sent to the WCED.
 - 4.3. The WCED provides the school with a letter explaining that the learners are individually registered, the special status of the school, that the WCED is working with the community to register the school.
5. The report on consultation (point 3 Slide 31) of the WCED presentation be provided to the PCBE.
6. Departmental and inter-governmental (Local, Provincial and National) structures interact with the community to develop a plan for SKG and to report back to the PCBE. This can provide a model for implementing rural policy in an integrated fashion.
7. When BELA Bill was discussed, the DBE assured the committee that the current community engagement processes were adequate and constitutionally sound. This is clearly not the case. It is requested that the PCBE schedule a session where experts in community engagement and engagement with children make suggestions on how we strengthen the Bill.
8. Rural Education Policy has in development since 2017. It is requested that the DBE updates the PCBE on both the status and substance of the Policy. Ms. Geyer has updated Hon. Sukers on the process, it is proposed the whole committee would benefit.
9. PCBE needs to conduct close oversight of all Policy and Regulation making processes. We need detailed quarterly reports on progress. Proposed that DBE must urgently produce an audit report on all policies and regulations under development.
10. The DBE needs to conduct urgent research into the long-term impact on poor learners from rural areas who are separated from family and forced to board. The intellectual, education, emotional, psychological, moral development and health of learners needs to be assessed.

10) Articles on rural school policy and closure

<https://www.dailymaverick.co.za/article/2021-11-11-our-rural-education-system-is-broken-we-must-learn-from-our-ancestors-that-it-takes-a-village-to-educate-a-child/>

<https://www.citizen.co.za/news/south-africa/education/2158038/over-3k-schools-to-close-due-to-dwindling-numbers/>