



Minister Debbie Schafer's address in the Western Cape Provincial Parliament regarding the Consideration and Finalisation of the Western Cape Provincial Schools Education Amendment Bill

15th November 2018

Madam Speaker, it gives me great pleasure to stand here today – finally – to present this Bill to the House for adoption.

I believe it constitutes the biggest public education reform since 1994, and is designed to achieve excellence in education for every child, in every classroom, in every school in the Province, and open up opportunities for our youth and for meaningful partnerships.

As the Western Cape Government, we have identified accountability, transparency and innovation as important attributes, and this Bill embodies all of these.

The Bill itself is innovative, in that it represents a real exercise of a province's concurrent legislative competence in basic education.

If we are to be at the forefront of education, it is important that we are open to innovative ways of delivering education, that we have effective and efficient ways of assessing how well schools are performing, and we ensure that measures are put in place to improve those that need it.

The main focus areas of this Bill are:

- the establishment of an evaluation authority to be known as the Western Cape School Evaluation Authority (or "SEA");
- the specific provision for Collaboration Schools and Donor Funded Schools;
- the establishment of intervention facilities for learners who have been found guilty of serious misconduct, as an alternative to expulsion;
- the enabling of classroom observation, and;
- providing for an exception to the prohibition of alcohol on school premises, on application to the Head of Department, for adult events after hours.

I am going to start with the last issue that has been opportunistically distorted and misrepresented by the opposition and some media.

It is a fact that many schools have events for adults where alcohol is sold or consumed on or off the school premises. Many schools also hold fundraising activities where the same applies. Some schools rent out their halls for wedding receptions or parties. Currently, all of this is illegal.

Even the ANC's fundraiser for Ward 6 at Luckhoff High School in Stellenbosch on 5 May 2018 was illegal, where they advertised for people to "bring your own xyz".

The hypocrisy is astounding, given their vociferous opposition to this provision.

The current legislation also prohibits adult functions OFF school premises if they are classified as a "school activity", which would include things like a principal and staff going to a year-end function where alcohol is consumed.

I know some people don't like it, but we believe in giving adults a choice in how they wish to live their lives. And we also believe in people taking the responsibility they have been given seriously.

This is why we have provided that application MAY - not must – be made to the HOD for permission to hold certain adult functions on school premises where alcohol may be consumed or sold. The SGB must apply for general functions, and the principal for staff functions.

This puts the decision for school functions squarely in the hands of the governing body, which is largely elected by parents from the community.

I am intrigued by criticism from some quarters about the collaboration school model where parents do not have a majority on the governing body. And yet in this case, some people are criticising us for allowing governing bodies to make decisions for their school. If a governing body believes that it is not right for their school to allow alcohol on the premises for any reason, it is THEIR responsibility not to ask for permission – it's as simple as that. Those that wish to, may do so, and conditions may be imposed by them AND the HOD to make sure that the permission is responsibly exercised.

Section 45A of our existing Act, which is NOT being changed, provides that alcohol may not be brought onto school premises except for legitimate educational purposes. The new provision is providing for an EXCEPTION to this, for schools that wish to apply for permission, subject to conditions.

It is not and has never been intended for learners to drink alcohol, and this can be a requirement in Regulations which will be publicised soon for public comment. The HOD, in making the decision as to whether to allow an application or not, MUST take into account existing legislation regarding the sale of alcohol, as well as the provincial harms reduction policy.

I believe that this is a responsible way of dealing with this issue, instead of the current situation where schools are trying to find every possible creative way to define "legitimate educational purpose".

Of course it was also not reported by the anti-DA media that 83 schools supported this amendment in a written submission to the Standing Committee.

But let us now move onto the truly exciting education innovations in this Bill.

Collaboration Schools

A review of public expenditure on education in the Western Cape for 2016/17 showed that the children in the poorest quintile schools received the highest State allocation. Pro-poor public financing is now in place, to the extent that the State can afford it.

In effect, the revenue gap between poorer and wealthier schools is now entirely determined by the private contribution of school fees by wealthier parents. It is clear that state funding alone is not enough to overcome the massive differences in total income between non-fee paying schools and fee-paying schools. Thus, the only way that the State can further narrow the income gap between poorer and richer public schools is to harness private sources of funding for schools where parents cannot afford to pay fees.

Despite pro-poor funding of schools, the inequalities of the past still constrain us – children enter the schools without the benefits of preschool education, good teachers leave for better schools, and school leadership and governance is often weak as rival interest groups try and dominate school governing bodies.

In other words, the answer to the problem is not just money anymore. It is undoing patterns of inequality that mean that: i) children are less able to learn; ii) many teachers are less able or less willing to teach; and iii) school leadership is often weak and contested.

This is the basis for Collaboration Schools – to put in place an affirmative process for schools serving the poorest communities to bring new funding into the system and ensure that such funding is used effectively to improve school outcomes; while keeping those schools within the public system.

We are not handing over public schools to private players as claimed by opposition parties and some media. We are trying to create sustainable partnerships within the ambit of public schools.

If we reject the model of Collaboration Schools, we are effectively saying that there is no room for true partnership in which the parties concerned are mutually accountable – and that all we want from investors and other partners is their money. However, that is not the basis for sustained, long-term partnerships in which every party remains invested. We cannot rely on short-term funding provided by third parties who want to do good but have no real obligation to stay the course. We want people to be invested – in every sense of the word. And we are dealing with people who really put their money where their mouth is. Between all the different partners, because of this model, an additional R150million has already been invested into the public system.

But it is not only about money. We need to use the money we have better, and we need better management and governance at our schools. This model allows us to do things differently. It is very difficult to manage a staff of 40 000 in 1500 schools with a relatively small PMP component in the department. With this model, we are able to harness specialised and focused attention on all aspects of the school, and provide more attention to learners. We are also providing more professional development to our teachers and school leadership through this partnership.

There are currently 10 schools that form part of the collaboration schools model. Overall, there has been a pleasing improvement in the quality of education outcomes in the Pilot Schools.

For example, in the three primary schools that started this project two years ago, we saw an average improvement at Grade 3 level in the systemic test results, from 13.4% to 32.9% in language, and from 29.3% to 53.3% in Mathematics. At Grade 6 level, average language results increased from 19% to 23.5%, and Maths from 16.2% to 25.1%.

Collaboration Schools have seen renewed parental involvement in the education of their children at these schools, which is something I have been actively encouraging since I assumed office.

My colleague will speak about the incredible difference the Jakes Gerwel Collaboration school has already made in the community of Bonnievale.

This new model is creating opportunities for people who do not have them, and is assisting us in the face of diminishing budgets and staffing. It is assisting in better management and governance at our schools, and it is also enabling additional resources, such as social workers, which are so desperately needed in many of our communities, to be employed there.

It simply does not cut it to say that people should just give us their money and leave us to do whatever we want with it. A real partnership means active involvement of all parties.

The benefits we have already seen from this project are truly encouraging.

It is simply beyond my comprehension why anyone would want to prevent this from continuing.

➤ **School Evaluation Authority**

This new provision provides for the creation of the SEA, that will independently evaluate schools and develop school evaluation reports, which will be published for parents and communities to know how well schools in their area are performing. This will create greater accountability and transparency in the education system in the Western Cape.

It is part of our broader strategy “Transforming School Accountability”, which we are working on with Ark Schools, who I wish to thank most sincerely for their ongoing support in truly transforming the way we do things, whilst helping us adapt successful models to our own context.

We want to assess the true quality of education in our system, in a manner that is fair, consistent and an honest reflection of how well a school is functioning, with a particular focus on teaching and learning in the classroom, not just compliance.

The new reports will be more concise, insightful and focused on the right issues. The assessments are also shorter, already resulting in a cost saving. This means we can assess more schools in a shorter time, and then focus on the improvement aspects.

The intention is for the department to assist where it is needed, but the PRIMARY responsibility will be on the school to decide what they need to do to ensure that their school improves, and how they are going to do it.

Through the pilot, we have also identified excellence in schools working in difficult circumstances, through data analysis and site visits, which we will showcase to other schools.

The SEA will be headed by a Chief Evaluator who has the necessary experience or knowledge of education. The primary focus is developmental and is not a “name and shame of individuals” exercise. But the purpose is also not to create nice reports that never get looked at again either – consequence management will be crucial.

Included as part of the criteria of a well-functioning school will be whether it is inclusive and embraces diversity. If it does not, it will be reflected in the outcome.

An important change from the current Whole School Evaluation system is that, instead of giving four weeks’ notice of an evaluation, and then speaking to a few hand-picked teachers, this Bill provides for two days’ notice and all teachers are evaluated. In addition, discussions are held with learners, SGB’s, SMT’s and parents.

This gives a far better holistic picture of what is happening at a particular school.

School leaders value the new approach, especially the focus on classroom observation, and joint observations with an independent evaluator. They are seeing their schools as they really are, and they find the evaluation results credible because they are based on good evidence.

Concerns have been raised about the independence of this body. Well, it is a lot more independent than the current Whole School Evaluation, where reporting is done to the HOD who is responsible for administering the department anyhow. At least if this body reports to the provincial minister, the person who is held politically accountable will know what is happening in schools and will likewise be held accountable for monitoring improvement.

Allegations have also been made that this goes against the collective agreement of 2003. My question is this – why is classroom monitoring even the subject of a collective agreement? This is not a condition of service, but a management issue. Why do unions want to stop classroom observation, when this is the best way to help teachers improve their teaching? And why are the teachers we have piloted this system with welcoming the feedback they are receiving? Because they want to improve teaching and learning in the classroom – and so should we all.

I note the threats of unions to challenge this in court, and we are ready for that. In one of our schools that was the subject of the pilot, the school knew in good time that the evaluators were coming, but showed no concern and performed badly. If this is what the unions want to prevent us finding out, I will happily defend this in any court in the country.

➤ **Intervention Facilities**

Another important addition is intervention facilities for learners who have been found guilty of serious misconduct, as an alternative to expulsion.

This is not an old-style reformatory, but a short-term facility where specialist interventions can be given in the hope that a learner can be re-integrated into his or her school without having to be expelled and accommodated in another school. This is in line with our mission to provide opportunities for our youth. Parents' consent will also be required.

Lastly, specific provision is being made for classroom observations to be done by authorised officials. This is crucial, for the reasons I have set out above in respect of the SEA. No longer will we be told that the Department that is responsible for delivering a quality education for the future of our country may not observe teachers in classrooms.

Before I finish, I would like to say a few "Thanks You's".

Firstly, to the SG and his team who have been pivotal in the development of the legislation, the Collaboration Schools pilot and the tools for the SEA, especially Lynn Coleridge-Zils, Salie Abrahams, Karen Bydell and recently Kubeshini Govender. Also to Mr Archie Lewis and those who attended the public hearings and the concomitant abuse that was hurled at them.

Then to the legal drafting team Anita Vosloo and Amanda Torr from DotP, for their tireless attention to detail and endless patience.

To the Standing Committee members who steadfastly attended the public hearings and grasped the real issues that this Bill is trying to address, instead of the political posturing of people travelling from one public hearing to another in an effort to create the impression of widespread opposition.

To Ark and our Collaboration School partners, who have selflessly dedicated their time and money in the pursuit of quality education in our poor communities.

And lastly to the Premier, my cabinet colleagues and the caucus members who have supported me in this under sometimes very trying conditions.

I firmly believe that this Bill is in the interests of quality education in this Province, and proudly present it to the House for adoption.

Thank you.