



Rural Educators' Understanding of the Legislations That Impact on School Practice with Specific Reference to the Bill of Rights and the South African Schools Act

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Abstract

The aim of this article is to investigate the rural educators' understanding of the legislations that impact on school practice. An argument is presented that the understanding of the legal frameworks that govern school practice begins with the educators' understanding of the Bill of Rights and the South African Schools Act.

The article reports on a study in which quantitative methodology was used to obtain information from rural educators who are members of the school management team, about their understanding of certain sections of the Bill of Rights and the South African Schools Act that have a founding impact on the school practice.

The study is concluded by the submission that it is essential for rural educators to be given necessary training so that they can have a working knowledge of the legislations that impact on their school practice to understand the legal processes and principles and determine the legality of their decisions.

Keywords: Rural educators, School Management Team, Bill of Rights, South African Schools Act, Learners

1. Introduction

Since 1996, the South African government introduced several reforms in the form of education policies and legislations intended to democratize education and school practice. The most comprehensive of these reforms are catered for in the South African Constitution Act (Act No 108 of 1996) and in the South African Schools Act (Act No 84 of 1996). Since the establishment of these Acts, the enormous expectations imposed on educators have prompted a significant change in the nature and scale of their accountability.

It should, however, be noted that education and training received by these educators are largely based on teaching and learning aspects and no particular attention to the training in the legislations that affect the school practice is evident, yet educators are expected to have a working knowledge of these legislations so that they can understand the legal processes and principles and determine the legality of their decisions.

The concept of education law is novel to many educators and this lack of preparation makes the task of legal intervention foreign and uncomfortable to most educators. Serious offences such as sexual harassment, unfair discrimination, corporal punishment, and other criminal activities committed in schools both by learners and educators are on record. With the upsurge of these acts, the demand for school - based legal intervention services in rural schools has increased significantly. Training programs for educators in education law will not only equip educators with the tools they require for effective legal intervention obligations, but will also promote their status as school-based legal interveners.

There is ample evidence that schools are not immune to violence. Escalating crimes varying from relatively less serious incidents, such as fistfights, theft, or vandalism, to serious crimes such as a rape, physical attacks with weapons or robbery occur in schools and educators are expected to make decisions which warrant the understanding of the legal principles and processes. It is ironic that educators with no proper training in legal aspects of education practice are expected to deal with these legal challenging circumstances. It makes sense that such a delicate exercise needs a well-trained educator in education legislations, who, in times of needs makes quick, accurate, and critical decisions.

Consequently, the training of educators in the legislations that impact on school practice such as the Bill of Rights and the South African Schools will provide for more potent and constructive educators as legal interveners.

This article focuses on the educators' understanding of the legislations that impact on school practice such as the Bill of Rights and the South African Schools. Consequently, the purpose of this article is to draw attention to issues such as the essentiality of the educators' working knowledge of the legislations that impact on the school practice, the educators' knowledge of the sections of the Bill of rights and the South African Schools Act and suggestions by the educators that can improve their understanding of these legislations.

First, the background to the study is provided, next, the genesis and the substance of the Bill of Rights and the Schools Act are presented and the method of investigation and results are discussed. Finally, the implications of the findings are outlined.

2. Background to the study

A cross-section of the field of education management reveals that very little research has been conducted on rural educators' understanding of the legislations that impact on school practice. The understanding of these legislations by the educators is instrumental in ordering the rights and the duties of all parties involved in schools so that there is a harmonious and balanced order between all the school participants (Oosthuizen, 2004, p. 1).

The relative unavailability of literature on this research problem is itself an indication that research has to be done in order to provide more insight and improved approaches to this issue. The policies are challenging the educators to redesign their school work and at the same time new relationships have to be forged between the educators and learners. The educators are faced with the task of unraveling the details and the implications of the new Acts.

3. The genesis and the substance of the Bill of Rights and the South African Schools Act

3.1 Bill of Rights

The South African Constitution Act was passed in 1996 and came into operation on 4 February 1997 (Oosthuizen, 2004, p. 21). Chapter 2 of this Act contains the Bill of Rights in which the State guarantees the protection of individual's fundamental rights. This Bill of Rights is a cornerstone of democracy in South Africa, as it enshrines the rights of all people in the country and affirms the democratic values of human dignity, equality and freedom. Some provisions of the Bill of Rights which are of particular importance to school practice are mentioned below.

3.1.1 Equality (Section 9)

This section stipulates that everyone is equal before the law and has the right to equal protection and benefit of the law. This section further on lays down that there may not be unfairly discrimination directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, color, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth (Jones ,1999, p. 26 & RSA, 1996b, p. 12).

3.1.2 Human dignity (Section 10)

This section mentions that everyone has the right to have his dignity respected and protected. It is because of this section that Jones (1999, p. 26) submits that corporal punishment is not allowed as a person cannot be treated or punished in a cruel, inhuman or degrading manner.

3.1.3 Privacy (Section 14)

This section discloses that everyone's right to privacy is guaranteed, including freedom from searches of property and person, seizure of possessions, and violation of the privacy of personal communications. Jones (1999, p. 27) adds that a person cannot without justifiable reason be searched nor has his property searched.

3.1.4 Freedom of religion, belief and opinion (Section 15)

In this section it is stated that everyone has the right to freedom of conscience, religion, thought, belief and opinion and religious observances may be conducted at state or state-aided institutions, provided that those observances follow rules made by the appropriate public authorities, they are conducted on an equitable basis and attendance at them is free and voluntary (Jones, 1999. p. 27).

3.1.5 The Right to Education (Section 29)

This section recognizes that every person has a right to basic education and to equal access to educational institutions. This means that the state has to do all that it reasonable can to make sure that everyone receives education. Basic education is defined by the education ministry as the attainment of a General Education Certificate, on completion of Grade 9. The state is therefore under an obligation to provide education up to this level. Everyone has the right to receive education in the official language of his choice where this is 'reasonably practicable' (Jones, 1999, p. 28 & RSA, 1996b, p.13).

3.1.6 Cultural, religious and linguistic communities (Section 31)

In this section it is laid down that people belonging to a cultural, religious or linguistic community may not be denied the right to enjoy their culture, practice their religion or form associations, provided that they do not contravene any other provision in the Bill of Rights (Jones, 1999, p. 28 & RSA, 1996b, p. 13).

3.1.7 Limitation of rights (Section 36)

In conclusion, in this section it is mentioned that the rights in the Bill of Rights may be limited only in terms of law of general application to the extent that the limitation is reasonable and justifiable in an open and democratic society based on human dignity, equality and freedom (Jones, 1999, p. 29 & RSA, 1996b, p. 13).

3.2 South African Schools Act

The South African Schools Act (Act No. 84 of 1996) came into effect in January 1996 (DoE, 1997, p. 1 & Potgieter, et al., 1997, p. 14). The origin of this Act can be traced back to the 1995 Hunter Commission's Report, whose task was to recommend a national framework of school organization, functioning and formal governance (Sayed and Carrim, 1997, p. 22). The Hunter Commission Report proposed that educators, learners, non-educators and parents should serve on the school governing bodies which are expected to deal with various issues such as:

- Key policy matters (language of instruction, religious observances, code of conduct for learners, etc.),
- Routine school administration (time tables, maintenance of physical assets, etc.) and
- Financial matters (Potgieter et al., 1997, p. 14).

The South African Schools Act is the engine of school governance. It deals with the most important school administration policies. It is the *de facto* kingpin of educators' activities in schools, as it contains the important information on the following:

- Admission to public schools,
- Language policy of public schools,
- Freedom of conscience and religion at public schools,
- Suspension and expulsion from public school and
- Prohibition of corporal punishment (RSA, 1996a, p. 12).

It is therefore important to mention that educators that are ignorant of the South African Schools Act are a liability to the school as they do not effect school duties as per the mandate of the legislation.

In this article, the focus will be on those sections that are conspicuous and noticeable to the daily activities of the educators, as highlighted above.

3.2.1 Admission to public schools

This section states that a public school must admit learners and serve their educational requirements without unfairly discriminating in any way. It further stipulates that no learner may be refused admission to a public school on the grounds that his or her parent- is unable to pay or has not paid the school fees determined by the governing body, does not subscribe to the mission statement of the school; or has refused to enter into a contract in terms of which the parent waives any claim for damages arising out of the education of the learner (RSA, 1996a, p. 13).

3.2.2 Language policy of public schools

In this section it is mentioned that that the governing body of a public school must draft the language policy of the school subject to the Constitution, and bearing in mind the fact that everyone has a right to receive education in an official language of his choice, where it is reasonably practically possible (Oosthuizen, 2004, p. 207). It is however cautioned that the decision of the governing body should not result in racial discrimination (DoE, 1997, p. 37).

3.2.3 Freedom of conscience and religion at public schools

This section stipulates that religious observances may be conducted at a public school under rules issued by the governing body if such observances are conducted on an equitable basis and attendance at them by learners and members of staff is free and voluntary (Oosthuizen, 2004, p. 207).

3.2.4 Suspension and expulsion from public school

In terms of this Act, a governing body may suspend a learner from attending school at a particular school. However, according to Oosthuizen (2004, p. 209) that is subject to the following:

- Learner must receive a lawful hearing before being suspended;
- Learner may not be suspended for more than a week;

- The period of suspension can exceed one week where it is recommended that the learner must be expelled and the governing body is awaiting the decision from the Head of Department.

This section further stipulates that the expulsion of the learner may only be effected by the Head of Department, after the learner has been found guilty of serious misconduct at a fair hearing (RSA, 1996a, p. 23). Jones (1999, p. 27) further on submits that the parents of the expelled learner may appeal against the decision of the HOD to the MEC. In conclusion, Naidu, et al., (2008, p.20) asseverate that if a learner who is subject to compulsory attendance is expelled from school, the HOD must make an alternative arrangement for his placement at another public school.

3.2.5 Prohibition of corporal punishment

In this section, it is explained that corporal punishment in all schools including in independent schools is prohibited. The legislature banned corporal punishment to protect schoolchildren from abuse. The section takes into consideration the importance of the child's right to dignity: Section 10 of the Constitution (RSA, 1996b, p. 11 & Mothaba, et al., 1997, p.39).

4. Method of Investigation

4.1 Research Design and Instrumentation

4.1.1 Nature of research design

A survey to gather questionnaire-based data in a real-life setting was used in the study. The research design included the delimitation of the field of survey, the selection of respondents (size of the sample and sampling procedures), the research instruments, namely the questionnaires, a pilot study, the administration of the questionnaires, and the processing of data.

4.1.2 Population and Sampling

The researcher used the cluster and simple random sampling method to select one hundred educators, who are members of the school management team from KwaZulu Natal Midlands Cluster. Two rural districts in this cluster were selected, namely Sisonke and Ugu. This method was favored for its simplicity, unbiased nature, and its closeness to fulfilling the major assumption of probability, namely that each element in the population stands an equal chance of being selected (McMillan and Schumacher, 2006, p.210 & Kumar, 2005, p.112).

4.1.3 Instrumentation

The questionnaire was used as research instrument. This quantitative methodology was chosen in the light of the purpose of the study, the kind of information that was required and the available resources. The researcher believed that this kind of survey would lead to some truths about the rural educators' understanding of the legislations that impact on school practice with specific reference to the Bill of Rights and the South African Schools Act.

(a) Format of the Questionnaire

The questionnaire was divided into four sections, with each section focusing on the aims of the study. Section 1 which dealt with the biographic and general information consisted of questions 1.1 to 1.6. Section 2 had closed questions focusing on the educators' knowledge of the legislations that impact on school practice. The respondents were asked to rate their responses according to the following scale: **Good, Average, Poor.**

Section 3 had closed questions focusing on the essentiality of the educators' working knowledge of the legislations that impact on school practice. Questions in this section were operationalized using the following four-point scale and the respondents were asked to rate their responses as follows: **Fully Agree, Agree, Disagree, Fully Disagree.**

Section 4 consisted of open-ended questions, wherein educators had to suggest what could be done to improve their understanding of legislations that impact on school practice.

(b) Administration of the Questionnaires

The researcher conducted a pilot study in two schools in the KZN Midlands Cluster. These schools were part of the general population from which the sample was drawn, but not part of the sample itself. No inherent weaknesses were discovered in the questionnaires and the data solicited confirmed the questionnaires' validity and reliability, consequently there was no need to modify the questionnaires. In the actual study, educators were requested to complete their questionnaires and post them to the researcher.

The first sample population responses were 64 (64%) educators. After the follow-ups, 15 educators returned the completed questionnaires to make total responses of 79 (79%) respondents. That represented a satisfying response.

5. Data processing

After all the questionnaires had been received, the important task was then to reduce the mass of data obtained to a format suitable for analysis. The respondents' responses were coded. Frequency distribution was used.

6. Results and Discussions

6.1 Educators' Qualifications

Table1. Educators' Qualifications

Table 1 revealed that more than half of the respondents (65%) had matric (grade 12) and more than three years qualification, another 22% had matric (grade 12) plus two year qualification and only 13% had matric (grade 12) plus one year qualification. That confirmed the assertion that the education level of rural educators was improving and educators are eager to improve their qualifications so that they can meaningfully participate in the school administration activities.

Success in the execution of educators' duties is determined by the extent to which the educators are educated. Educators need to know and understand the school's legal documents, if they are not well educated, it would be a miracle if they manage to comprehend their legal obligations.

6.2 Educators' knowledge of the Bill of Rights

Table2. Educators' knowledge of the Bill of Rights

- The Educators' Knowledge of Section 9: Equality
- Table 2 revealed that a high proportion of the respondents (87%) indicated that their knowledge of Section 9: Equality was good, whereas 13% indicated that theirs was average. That implied that most educators knew how they could be involved in the implementation of this Section 9 in school practice.
- This section deals with the most important school administration matters such as the prohibition of unfair discrimination directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, color, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth (RSA, 1996b, p.12).
- The Educators' Knowledge of Section 10: Human Dignity
- Table 2 also revealed that more than half of the respondents (87%) indicated that their knowledge of Section 10: Human Dignity was good, whereas 13% indicated that theirs was average. This implies that as it is the case with Section 9, most educators know how they can be involved in the implementation of this section in school practice.
- This section deals with school matters such as the banning of corporal punishment in schools since everyone has the right to have his dignity respected and protected (RSA, 1996b & Potgieter, et al., 1997, p. 14).
- The Educators' Knowledge of Section 14: Privacy
- Table 2 further on revealed that 62% of the respondents indicated that their knowledge of section 14 was good, whereas 34% indicated that theirs was average and only 4% indicated that theirs was poor.
- This section asserts that a person cannot without justifiable reason be searched nor has his property searched or his possession seized (RSA, 1996b, p. 12 & Potgieter, et al., 1997, p. 14).
- The Educators' Knowledge of Section 29: Education
- Table 2 again revealed that a high proportion of respondents (87%) indicated that their knowledge of Section 29 was good, whereas 13% indicated that theirs was average.
- This section stipulates that every person has a right to basic education and has the right to receive education in the official language of his choice where this is 'reasonably practicable'. The section further on stipulates that the State is under an obligation to provide education up to Grade 9(RSA, 1996b, 12 & Potgieter,et al., 1997, p. 14).
- The Educators' Knowledge of Section 31: Cultural, religious and linguistic communities
- Table 2 revealed that less than half of the respondents (32%) indicated that their knowledge of Section 31 was good, whereas (28%) indicated that theirs was average and close to half of the respondents (40%) indicated that their knowledge was poor.
- This is really worrying, taking into account the fact that the National Policy on Religion and Education confirms that South Africa is a multi-religious country (RSA, 2003, p. 12). This section observes that the freedom of religion is guaranteed and religious observances are allowed in the state or state aided institutions. This therefore means that the learners and the staff have the right to have their own religious views respected and the school needs to ensure that learners and staff with different convictions have an equal opportunity to attend religious observances according to their faith (RSA, 1996b, p. 13).
- The Educators' Knowledge of the Bill of Rights Section 36: Limitations of rights

- Table 2, in conclusion revealed that less than half of the respondents (28%) indicated that their knowledge of Section 33 was good, whereas (20%) indicated that theirs was average and more than half of the respondents (40%) indicated that their knowledge was poor.
- In this section, it is mentioned that the rights may be limited if the limitation is reasonable and justifiable in an open and democratic society (RSA, 1996b, p. 13).
- 6.3 Educators' Knowledge of the South African Schools Act
- Table 3. Educators' knowledge of the South African Schools Act
- Educators' knowledge of the school's policy on learner admission
- Table 3 revealed that a high proportion of the respondents (66%) indicated that their knowledge of the school's policy on the admission of learners was good, 30% indicated that theirs was average, and only 4% indicated that theirs was poor.
- This section states that a public school must admit learners without unfairly discriminating in any way and no learner may be refused admission to a public school on the grounds that his parent is unable to pay the school fees determined by the governing body (RSA, 1996a, p. 13).
- Educators' knowledge of the school's policy on language
- Table 3 also revealed that the majority of the respondents (62%) indicated that their knowledge of the school's policy on language was good, 28% indicated that theirs was average, and only 10% indicated that theirs was poor.
- This section stipulates that the governing body must draft the language policy of the school bearing in mind that the Constitution stipulates that everyone has a right to receive education in an official language of his choice, where it is reasonably practically possible (DoE, 1997, p. 37).
- Educators' knowledge of the school's policy on religion
- Table 3 also revealed that less than half of the respondents (48%) indicated that their knowledge of the school's policy on religion was good, 45 % indicated that theirs was average, and only 7% indicated that theirs was poor.
- This section stipulates that religious observances may be conducted at a public school, but neither the learners nor staff members can be forced to attend them (Ooshuizen,2004, p. 207).
- Educators' knowledge of the school's policy on the suspension and expulsion of learners
- Table 3, in conclusion revealed that less than half of the respondents (32%) indicated that their knowledge of the school's policy on the suspension and expulsion of learners was good, 48 % indicated that theirs was average, and 20% indicated that theirs was poor.
- In this section, it is stated that only the School Governing Body may suspend a learner from school and only the Head of Department can expel the learner from school (RSA, 1996a, p. 23 & Ooshuizen, 2004, p. 209).
- 6.4 Essentiality of the educators' working knowledge of the legislations that impact on the school practice
- In this section the educators were required to determine the essentiality of their working knowledge of the legislation that impacts on the school practice
- Table 4. Essentiality of the educators' working knowledge of the legislations that impact on the school practice
- Pregnant girls must be allowed to learn until they give birth
- Table 4 revealed that more than half of the respondents (51%) indicated that they did not agree with the statement the pregnant girls be allowed to learn until they give birth and 49% indicated that they agreed that pregnant girls should be allowed to learn until they give birth. This is ironical; taking into account the fact that the same respondents indicated that their knowledge of Section 9 of the Bill of Rights was good. This section prohibits unfair discrimination directly or indirectly against anyone on one or more grounds, including pregnancy (RSA, 1996b, p. 12 & Jones, 1999, p. 26).
- Dagga smoking learners can be expelled by the SGB and Principal
- As shown in Table 4, the majority of the respondents (65%) agreed that dagga smoking learners can be expelled by the School Governing Body and Principal. The same respondents had claimed the good knowledge of Section 9 of the South African Schools Act, which discloses that the expulsion of the learner may only be affected by the Head of Department, after the learner has been found guilty of serious misconduct at a fair hearing(RSA,1996a, p. 11 & Mothaba,et al., 1997, p. 39).
- The principal and School Management Team can suspend learners who smoke dagga
- Table 4 also revealed that more than half of the respondents (59%) agreed that the principal and School Management Team can suspend learners who smoke dagga. Again; this becomes ironical, as the same respondents had indicated

earlier that their knowledge of Section 9 of the South African Schools Act was good. This section stipulates that only a School Governing Body may suspend a learner from attending school (RSA, 1996a, p. 23 & Jones, 1999, p. 27).

- Learners who are 'rastas' can form their club and practice their rites in school
- Table 4 further on revealed that a majority of the respondents (70%) indicated that they did not agree with the statement that the learners who are 'rastas' can form their club and practice their rites in school. In the previous section the same respondents indicated that their knowledge of Section 31 of the Bill of Rights was good. This section determines that people belonging to a religious community may not be denied their right to establish, join and maintain their religious associations and bodies. Furthermore, no person may be denied his right to practice his religion with other members of that religious community (Oosthuizen, 2004, p. 209).
- Educators are allowed to seize cell phones and rings from learners
- Table 4 showed that a high proportion of respondents (66%) disagreed that educators are allowed to seize cell phones and rings from learners, their disagreement may be based on their understanding section 14 of the Bill of Rights, which states that everyone's right to privacy is guaranteed, including freedom from searches of property and person, seizure of possessions, etc. (Clarke, 2007, p. 122).
- All learners must attend religious morning assembly in school
- In conclusion, Table 4 showed that a majority of the respondents (86%) agreed that all learners must attend religious morning assembly in school. The strong support for this item indicates that educators do not know Section 15 of the South African Schools Act, which stipulates that the attendance of religious observances in a school is free and voluntary (Clarke, 2007, p. 122).
- 6.5 Educators' suggestions on improving their understanding of the legislations that impact on school practice (Analyzed according to the frequency rate)
- Educators in an open-ended question were required to make suggestions on what can be done to improve their understanding of the legislations that impact on school practice. Their responses were ranked in the order of frequency as follows:
 - The Dept of Education should organize workshops for educators (77%);
 - Principals should motivate educators to read the Bill of Rights and South African Schools Act (65%);
 - The principal and the school have the responsibility to provide necessary documents and information available to the educators (63%);
 - Educators should to further their studies (56%); and
 - Education service providers should design modules whose contents include legislations that impact on school practice (53%).

7. Summary of the findings

This summary that follows highlights the salient issues that emerged from the study.

7.1 The educators' educational background

The empirical survey revealed that a high proportion of rural educators have good teacher education qualification, that education background can form a good base for the establishment of training programs. The less educated the educator is, the more likely it she/he will be reluctant to become involved in training programs.

7.2 Essentiality of the educators' working knowledge of the legislation that impacts on the school practice

The study found out that educators did not agree with the statement the pregnant girls should be allowed to learn until they give birth, despite the fact that Section 9 of the Bill of Rights prohibits unfair discrimination directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, etc. (RSA, 1996b, p. 12). The study furthermore found that the majority of the educators were opposed to the stipulation in the Bill of Rights that people belonging to a religious community may not be denied their right to establish, join and maintain their religious associations and bodies. Furthermore, no person may be denied his right to practice his religion with other members of that religious community. The study also confirmed that educators are in opposition to the seizure of cell phones and rings from learners, basing their disagreement on their understanding of Section 14 of the Bill of Rights, which states that everyone's right to privacy is guaranteed, including freedom from searches of property and person, seizure of possessions, etc. (Jones, 1999, p. 27). However this can be done if Section 36 of the Bill of Rights is attended to. The study in conclusion, found that the majority of the educators agreed that all learners must attend religious morning assembly in school, despite the stipulation in the Schools Act that the attendance of religious observances in a school is free and voluntary (Jones, 1999, p. 27).

These findings are of great concern to the school practice as the knowledge of these pieces of legislation by educators in South Africa has always been taken as a *fait accompli*, the reality is that to rural educators, this still remains a wishful thinking, despite the fact legislations are undoubtedly the critical foci of school practices in the new democratic dispensation in the South Africa schools.

It is therefore imperative that every educator is familiar with and understand these legislations, so that he can use them to enhance his teaching and learning, as Naidu, et al. (2008, p. 18) submit that it is essential for educators to have a working knowledge of these legislations so that they can understand the legal processes and principles and determine the legality of their decisions.

8. Conclusion

It is essential for the rural educators to be given the necessary training, which should include the opportunity to acquire the necessary knowledge so they would be in a position to participate meaningfully in matters affecting the school practices.

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Table 1. Educators' Qualifications

Education Qualification	N	%
Below Matric (Grade 12)	0	0
Matric (Grade 12)	0	0
Matric + 1 (M+1)	10	13
Matric +2 (M+2)	17	22
Matric+3 and above	52	65
TOTAL	79	100

Table 2. Educators' knowledge of the Bill of Rights

Items		Good	Average	Poor	Total
Section 9 : Equality	N	69	10	0	79
	%	87	13	0	100
Section 10 : Human Dignity	N	69	10	0	79
	%	87	13	0	100
Section 14 : Privacy	N	49	27	3	79
	%	62	34	4	100
Section 15: Freedom of religion, belief and opinion	N	43	30	6	79
	%	55	38	7	100
Section 29: Education	N	69	10	0	79
	%	87	13	0	100
Section 31 : Cultural, religious and linguistic communities	N	25	22	32	79
	%	32	28	40	100
Section 36: Limitations of rights	N	22	16	41	79
	%	28	20	52	100

Table 3. Educators' knowledge of the South African Schools Act

Items		Good	Average	Poor	Total
School's policy on learner admission	N	52	24	3	79
	%	66	30	4	100
School's policy on language	N	49	22	8	79
	%	62	28	10	100
School's policy on religion	N	38	36	5	79
	%	48	45	7	100
School's policy on the suspension and expulsion of learners	N	25	38	16	79
	%	32	48	20	100

Table 4. Essentiality of the educators' working knowledge of the legislations that impact on the school practice

Items		Fully Agree	Agree	Disagree	Fully Disagree	TOTAL
Pregnant girls must be allowed to learn until they give birth	N	25	14	8	32	79
	%	31	18	10	41	100
Dagga smoking learners can be expelled by the SGB and Principal	N	27	25	19	8	79
	%	34	31	25	10	100
The principal and SMT can suspend learners who smoke dagga	N	20	27	8	24	79
	%	25	34	10	31	100
Learners who are 'rastas' can form their club and practice their rites in school	N	11	13	20	35	79
	%	14	16	25	45	100
Educators are allowed to seize cell phones and rings from learners	N	6	21	14	38	79
	%	7	27	18	48	100
All learners must attend religious morning assembly in school	N	41	27	11	0	
	%	52	34	14	0	100