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# PRO BONO & HUMAN RIGHTS ALERT

## IN THIS ISSUE >

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CLIFFE DEKKER HOFMEYR

## Are schools indeed “good for children” during COVID-19?

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President Ramaphosa echoed these sentiments during his address to the nation on 24 May 2020, when he expressed concern about the growth and development of children and how an entire generation of learners should not be indefinitely disadvantaged by this pandemic. He emphasised the importance of the health and well-being of all learners, students, educators and workers in schools and also attempted to reassure concerned parents that government was taking a “cautious and phased approach to the re-opening of schools which was guided by medical advice and in consultation with all stakeholders”.

The Department of Basic Education (DBE) released guidelines for the standard operating procedure (SOP) for the prevention, containment and management of COVID-19 in schools and school communities in order to prevent the spread of and manage cases of COVID-19 within the basic education sector. The SOP must be adhered to by all the

administrators of schools in the sector and must be read in conjunction with the key and relevant legislation, policies, guidelines and frameworks.

The SOP provides schools with a number of guidelines in order to ensure the safety of all learners and staff. These include but are not limited to the following:

- Principals must ensure the screening of all teachers and learners using the NDOH COVID-19 procedure and questionnaire;
- Every learner and staff member must wear a cloth mask at all times;
- Social distance of at least 1.5 to 2 meters must be maintained, where possible meaning that social distancing in classes must be implemented. This means in each class the 1.5m social distance norm must be applied, wherever practicable, and therefore the number of learners per classroom must be reduced, where possible;
- Frequent washing of hands with water and soap, if unavailable a 60% alcohol-based hand sanitiser must be used. This will require the preparation and maintenance of handwashing stations with soap and water within 5 meters of toilets and bathrooms and the placement of alcohol-based hand sanitisers in each classroom, at entrances and exits, at the reception/front office and near lunchrooms;
- Ensuring that cleaning staff clean and disinfect school buildings thoroughly and regularly classrooms and especially water and sanitation facilities are to be cleaned at least once a day (preferably twice);

## Are schools indeed “good for children” during COVID-19?...continued

Schools are required to provide emotional support to all learners, teachers and non-teaching staff and identify when someone needs help.

- Entry by visitors, parents, and vendors is to be prohibited unless it is essential. If it is necessary to meet parents, meetings must be limited to one parent per learner;
- Schools must identify an isolation room for suspected cases and persons under investigation by the local health authorities;
- All learners and all staff (educators and support staff) are to be encouraged to stay at home when they are sick;
- All operators of learner transport facilities must, at regular intervals, provide adequate sanitisers or other hygiene dispensers for handwashing and disinfection equipment for learners and drivers;
- Schools are required to provide emotional support to all learners, teachers and non-teaching staff and identify when someone needs help. The teacher is allowed to provide the learner with support or refer the learner for basic counselling or other specialised services;

Minister Motshekga also assured the public that the DBE had entered into an implementation protocol agreement with the Department of Human settlement, Water & Sanitation and Rand water to ensure that schools will not be left without water or sanitation. She also confirmed that the school nutrition programme will be reopened on 1 June and that all food handlers will be provided with the necessary personal protective equipment (PPE). She confirmed that a different approach needed to be followed in respect of special schools and that the DBE was in the process of working with organisations on the best way forward regarding the phased-in approach of these

schools. Parents were advised to notify teachers and schools if their children have any pre-existing conditions in order for the necessary arrangements to be made for these learners. It was also made clear that no parent would be forced to send their children to school and that home schooling would be permitted as long as the parent registers with the DBE. She also welcomed the appointment of the National Education Collaboration Trust-led consortium to monitor and confirm that all schools complied with the preconditions for the reopening of schools in the context of the coronavirus environment. The consortium, which consists of the Human Sciences Research Council (HSRC), Plus 94 Research, Entsika Consulting and New Leaders Foundation, will conduct an independent audit of the work provinces are doing as part of the preparation towards the reopening of schools.

The Minister confirmed that their decision to reopen schools was based on scientific data, international trends and also cited data which suggests that children are less likely to contract COVID-19 than adults, and if infected, they generally only display mild symptoms. Serious illness due to COVID-19 is seen infrequently in children, although there have been rare cases of serious illness. This information is supported by the World Health Organisation in its considerations for school-related public health measures in relation to COVID-19.

It however comes as no surprise that despite all of the above assurances, many parents remain hesitant to send their children back to school especially given the DBE’s tainted track record in respect of complying with deadlines - the provision of textbooks being only one

## Are schools indeed “good for children” during COVID-19?...continued

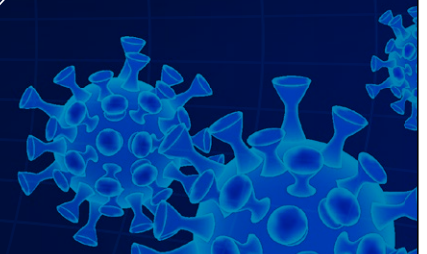
It is clear that there is little public confidence in the capabilities of the DBE especially in relation to the provision of necessary PPE, water and sanitation and the deep cleaning of all schools before they are scheduled to open.

such example. During the Minister’s public briefing, a number of questions were raised by concerned parents and many sought guarantees in respect of the safety of their children and the implementation of safety measures and provision of PPE before schools reopened. However, the Minister responded that she could not “guarantee” that every pupil would be safe from infection and that she took exception to those who suggested that the DBE was reckless for reopening schools despite being unable to guarantee that learners would be safe. The Minister was quoted stating that “*Guaranteeing [whether or not] people are safe – it is a very difficult one. We are doing everything in our power to protect everyone.*” She reiterated that life had to continue despite COVID-19 and that DBE could not wait indefinitely for COVID-19 to end before schools reopen because they could not provide the necessary guarantees.

It is clear that there is little public confidence in the capabilities of the DBE especially in relation to the provision of necessary PPE, water and sanitation and the deep cleaning of all schools before they are scheduled to open. Many parents simply fear that it is not safe for their children to return to school. However, the reality is that a number of indigent learners in the country are dependant on schools to provide them with various social services including immunisation, feeding programmes, mental health and psychosocial support. Due to various socio-economic challenges these learners simply do not have the luxury to be home schooled or to repeat a year and many Grade 12 learners’ futures depend on them obtaining their matric certificate this year.

## CDH'S COVID-19 RESOURCE HUB

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## Are schools indeed “good for children” during COVID-19?...continued

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The lives and futures of many learners are in the DBE’s hands, and so parents across South Africa can only hope that the reopening of schools will be safely and correctly executed and that all of the measures will be implemented as promised.

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Noncedo Madubedube from Equal Education received feedback from a number of learners i.e. “Equalisers” from different provinces. The following quotes from learners reflect the complexity of the differing interests at play:

*“I think I’ve lost a few kilos because I don’t get enough food, mostly it has affected me emotionally and mentally because I can’t study with an empty stomach, let alone do anything at all.” – Gauteng Equaliser*

*“As much as I want to go back to school it’s not safe for everyone. The infrastructure we have, my class doesn’t even have a door. The sanitation? Everything at the girls toilets is a mess and we are overcrowded.” – Eastern Cape Equaliser*

*“I lack money to buy data and I’m incapable of studying at home as there is no electricity and I have no resources that are efficient enough to assist me. With no electricity, food, and no study material and resources, also no teachers to guide, I can’t learn.” – Eastern Cape Equaliser*

Given the complexity and emotive nature of the matter, numerous civil society organisations are grappling with the question of whether schools should reopen, and many are not convinced that the national and provincial education departments will have met all the necessary requirements before 1 June and Unions seem to echo these sentiments.

The lives and futures of many learners are in the DBE’s hands, and so parents across South Africa can only hope that the reopening of schools will be safely and correctly executed and that all of the measures will be implemented as promised. However, if this fails to happen, there is a real concern that some schools will be left behind and those in poorer communities would suffer further prejudice and injustice. It seems that it will take a strong collective effort to ensure the readiness of schools to safely reopen in coming weeks and our hope is that all stakeholders including education departments, parents, unions and civil society will work together with a common purpose in mind – enabling this to happen.

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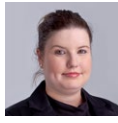
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### **BBBEE STATUS: LEVEL TWO CONTRIBUTOR**

Our BBBEE verification is one of several components of our transformation strategy and we continue to seek ways of improving it in a meaningful manner.

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