

UNIVERSITY OF FORT HARE

EAST LONDON CAMPUS

BACHELOR OF EDUCATION

MODULE CODE: EDU 422E

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Time : 3 Hours
Subject : Education 3: Policy and Philosophy
Subject code : EDU 422E
Marks : 100

This paper consists of 3 pages, including the cover page.

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Instructions:

- There are six (6) questions. Answer ALL the questions.
- Read the questions carefully before answering and refer to the mark allocation to determine the length of your answer.
- Write legibly
- You have 10 minutes reading time

Question 1

Briefly define the following terms

- a) Law
- b) Ultra vires
- c) Capacity to act
- d) Labour relations
- e) Common Law

(5 X 2 =10)

Question 2

State whether the statements below are **TRUE/FALSE** and justify your answer.

Statements	True/ False (1)	Justify (2)
Employment of Educators Act only focuses on teacher discipline		
Section 33 of the Constitution mainly talks to procedural fairness		
South African School Act exclusively to school governance		
Human dignity is the founding value of our Constitution		
Employment relations – primary a relations between employees		

(5)

(10)

(15)

Question 3

Read the Case Study and answer question(s) below.

It is break time at Donderdag Primary School, Kofibay, a Grade 5 boy-learner is playing with his friends on the school playgrounds. Ms. Khapheshu is the teacher on break duty. After taking few rounds around the playground Ms. Khapheshu, decides to, quickly go to the Staffroom for a cup of tea. In her absence, Kofibay's friends pushed him into an unprotected sewerage manhole (drain). Fortunately, only his leg got trapped in the sewerage manhole. He sustains some bruises on the leg.

Identify and apply **three (3)** common law principles in this case study to determine fault and liability

(30)

Question 4

Read the case study and answer question(s) below.

Ms Botile is a newly appointed Maths teacher at Khangelani Comprehensive School. During her studies at Fort Hare she was actively involved in beauty pageants and had always been immaculately dressed and always in catwalk. Her looks and dress code has captured the attention of the Grade 9 boys whom she teaches. Not long, there is a rumour circulating in the corridors that Ms Botile is having a sexual relationship with Spikiri, a Grade 9 boy learner. When confronted with this allegation by the school Principal, Ms Botile responded;

'Of course I have a special feeling for the Ben 10. I love him to bits. He is mine and mine alone'

1. Explain at least two of the policies and legislations that Ms Botile breached. (4)
 2. What are the provisions of these policy and legislation frameworks Ms. Botile has violated? (8)
 3. Explain the substantive evidence that can be used to institute a disciplinary enquiry against her. (3)
- (15)

Question 5

Apply *audi alterem partem* principle in drafting a notice of enquiry inviting a learner who has been suspended and charged for bullying to a disciplinary enquiry.

(10)

Question 6

Education provisioning is a Human Right in South Africa. Discuss this statement with reference to the South African Constitution, which safeguards learners' right to education.

(20)