

SACE ETHICS REPORT

FACTORS AND ENVIRONMENT FACILITATING/ENHANCING SEXUAL- RELATED MISDEMEANOUR BETWEEN TEACHERS AND LEARNERS

INTRODUCTION

The aim of the research is to enable SACE to establish why these transgressions were committed; as well as the appropriate measures on how to curb the scourge from continuing unabated.

LITERATURE REVIEW

South African educators have a legal and moral duty to refrain from sexual misconduct. The question is why, with law and policy in place for regulating educator sexual misconduct, does the problem of educator sexual misconduct still persist?

RESEARCH METHODOLOGY

The Research methodology applied in this study was derived from quantitative studies carried earlier on, whilst the current study is focussing on a qualitative method in order to derive the maximum benefit of both approaches.

RESEARCH FINDINGS

The final observations indicate that the factors and environment enhancing sexual misdemeanours are very complex to deal with and resolve. This is due to the sensitivity of the matter between the victims (learners) and perpetrators (teachers).

The emerging contributory factors are;

- Culture plays a major role in dealing with such matters in some of the provinces; the cultural dynamics of a society/ community contribute immensely in dealing with resolving such matters;
- The patriarchal society contributes to perpetuating this situation and maintaining the status quo; as there is an inherent tendency to heap all the blame to the victim (learner) who in most cases is blamed for what has happened or transpired; and
- The alleged perpetrators use a lot of intimidation tactics to undermine, vilify and belittle victims by labeling them prostitutes, tikieline (whores/cheap women).

RECOMMENDATIONS

- A comprehensive review of educational policies/guidelines/regulations related to dealing with sexual harassment or sexual misconduct in all types of schools including private schools;
- School Governing Bodies must exercise their powers or be well informed and empowered on processes/guidelines to be followed when dealing with matters of sexual harassment and sexual misconduct in schools;
- Parents/Guardians must be informed of their rights when dealing with sexual harassment matters reported to them by their children, and know what steps to follow in reporting the matter to the authorities including processes of escalating the matter if they encounter unnecessary barriers along the way;
- Parents/Guardians must be informed about how they (consciously or naively) are defeating the ends of justice by accepting money/incentives to cancel cases of sexual impropriety by the teachers; they must not connive with the perpetrators to compromise their children's future;
- SACE must consider adding a clause that states that includes; commitment to not perform any acts of sexual harassment and sexual misconduct with the learners in the SACE CERTIFICATE OF REGISTRATION process;
- SACE must collaborate with the law enforcement agencies to expedite sexual harassment and sexual misconduct cases;
- SACE must establish a hotline in order to fast track the cases that may be delayed due to unforeseen circumstances;
- SACE must consider developing an online guideline on the gravity of sexual harassment or sexual misconduct behaviour between teachers and learners in collaboration with the Department of Basic Education and the Department of Higher Education;
- SACE must expedite its intervention strategies in order to deal with these cases speedily and decisively;
- SACE must consider ways of witness protection especially learners/victims of sexual harassment and sexual misconduct;

- SACE should consider an advocacy campaign for teachers and communities creating awareness of sexual misconduct and sexual harassment and the consequences for the teachers and communities;
- Schools must consider ways of creating sexual awareness campaigns with an intention of emphasizing the learners' rights on these matters;
- Schools must have clear policies on what is acceptable interaction between the teachers and learners; including what is unacceptable behaviour;
- Learners must be encouraged to report any unusual encroachment and unusual remarks by their teachers; and
- Learners must be taught to question the motives of the teacher who wants to meet with them after hours/on weekends and during the holidays at secluded places alone.