This is how learners should feel at school

Learning and teaching are much more effective in such an environment. Plus it is also every learner’s legal and Constitutional right.

TEACHERS MUST PLAY A LEADING PART

Teachers have a professional, moral and legal duty to protect learners from any harm while they are at school. They therefore have a leading part to play in protecting learners from sexual violence and harassment – which is currently occurring at too many of our schools.

GUIDELINES FOR BEST PRACTICE

Schools and school communities therefore need to develop practical strategies to create safe schools, and to respond effectively and fairly to incidents of sexual violence and harassment, should they occur.

To support them in doing so, the Department of Education has developed Guidelines for the Prevention and Management of Sexual Violence and Harassment. Find out all about the Guidelines in editions 4 to 6 of Genderations, where we’ll be looking at:

• What sexual violence and harassment are;
• Strategies to prevent such incidents from occurring; and
• Minimum standard procedures to follow when managing such incidents.

IN THIS ISSUE: Sexual violence and harassment defined • Recognising signs that a learner is being abused • What the law states about educator behaviour at school

GEMMERS HAVE GOT THE POWER! Youngsters mix serious work with some serious fun at the end-of-year GEM & BEM empowerment camp (see back page for more).
Sexual abuse at schools

SEXUAL HARASSMENT

Grey areas to do with sexual harassment are commonly misunderstood. The basic definition of sexual harassment is unwanted conduct of a sexual nature. It includes any unwelcome physical, verbal or non-verbal conduct. This is a purposefully broad definition because individuals have different feelings about what they consider to be unwelcome, or sexually inappropriate, conduct. For example, one individual may not mind someone giving them a back rub, while another may object if their shoulders are and being called “Sweety”. However, someone else may find this an offensive and inappropriate violation of their personal space, and therefore experience it as sexual harassment.

Specifying what is the sexual harassment

The definition of unwanted conduct is sexual harassment:

• The behaviour is repeated (although a single incident can be considered as being sexual harassment).
• The recipient (or person on the receiving end of such behaviour) has made it clear that s/he considers the behaviour to be offensive and/or
• The perpetrator (or person carrying out the action) to know, or should have known, that the behaviour is unacceptable.

Sexual harassment is not only committed by males against females. Females can also be perpetrators of sexual harassment.

SEXUAL VIOLENCE

The Guidelines define sexual violence as any recent act of or attempted assault not using intimidation, threats of violence, or physical force.

Such acts at school may include:

• Assault, forced sex or rape;
• Sexual harassment;
• Sexual abuse through the sexualised touching of another’s intimate parts, thus allowing any permission to touch any person’s intimate parts;
• Implied or implied notions of areas of the body such as the mouth; primary genital area; groin; inner thighs; buttocks; breasts; as well as clothing covering these areas.

Victims of such unwanted conduct pay a very high price, often suffering damage that affects them for the rest of their lives. If the perpetrators of such behaviour do not deal with effectively, the broader school environment also suffers. To support schools in handling these difficult issues effectively and fairly, the Department of Education has developed the Guidelines for the Prevention and Management of Sexual Violence & Harassment in Public Schools.

Level of offence

Examples of misconduct

Procedures/corrective measures

Level 1

Making rule jokers.

Graffiti of a sexual nature.

Verbal or written warning by the educator or principal.

Supervisory/subject teachers who will contribute to the learner intermediate levels of respect.

Ensuring the safety of the learner is secured.

Performing tasks that would assist the offended person.

Temporary suspension from some school activities, eg sport or cultural activities.

Level 2

Circulating offensive material.

Threatening sexual and intimidation of a fellow learner.

Verbal or written warning by the educator or principal.

Supervisory/subject teachers who will contribute to the learner intermediate levels of respect.

Ensuring the safety of the learner is secured.

Performing tasks that would assist the offended person.

Temporary suspension from some school activities, eg sport or cultural activities.

Level 3

Pornography distributed at school.

Improper suggestions of a sexual nature.

Disciplinary hearing.

Detention with an assignment on values.

Detention with community service.

Discipline with the leadership of a peer education group for a specified period.

Level 4

Penetrative harassment despite prior consent.

Physical indecency.

Sexual assault and rape.

A letter outlining the decision will be placed in the learner’s personal file.

Disciplinary hearing.

Detention with an assignment on values.

Detention with community service.

Discipline with the leadership of a peer education group for a specified period.

The school governing body may recommend to the Head of the Department that the learner be expelled from school for serious cases of misconduct the sexual assault or rape.

Email: info@sace.org.za or helpline@sace.org.za

What educators must do

With the Constitution and the South African School Act set out the rights of learners to study and respect, and to an educator in a safe, supportive environment.

According to the common law principle, educators act as “in loco parentis” to the learners while they are in their care at school.

This means that educators have a legal duty to take the necessary steps to protect learners from harm while they are at school.

What educators must not do

Sexual relations of any kind between an educator and a learner are absolutely prohibited.

The Employment of Educators Act requires provincial departments of education to develop a code of professional ethics which educators will follow up on the information, and if it is found to be a sexual relationship, there will be a proper follow up.

Email: ramatlo.c@doe.gov.za

Tel: (012) 679-9700

Fax: (012) 663-3331

Tel: (012) 312-5420/8

Email: ramatlo.c@doe.gov.za

You can report any case of sexual violence/ and/ or harassment involving educators anonymously to SACE at 0800 202 933.

Contact details:
Website: www.education.gov.za
Thrusting Education Portal: www.thrusting.org.za

... TEACHING ABOUT SEXUAL HARASSMENT IS REALLY TEACHING ABOUT RESPECT ... LESS THAN HALF OF SERIOUS INCIDENTS OF ABUSE ARE REPORTED TO THE POLICE ... ALL HUMANS ARE BORN FREE AND EQUAL IN DIGNITY AND RIGHTS ...
December holidays began on a high note for the 56 girls and boys who gathered for a week-long Girls and Boys Education movement (GEM/BEM) empowerment camp outside Pretoria.

Making rights and responsibilities real

These “Gemmers” and “Bemmers” not only came from all corners of South Africa, but from as far away as Botswana, Liberia and Uganda as well. They had come to put their heads together to better understand the meaning behind the camp’s theme, “Enjoying Rights, Taking Responsibility and Making Positive Choices”.

This international GEM/BEM camp, funded and organised by the Department of Education and UNICEF, carefully balanced having fun with covering some really important work. The fun part included meeting new friends, staying at a resort in the beautiful area of Kameeldrift, and first-class events such as the camp’s opening ceremony.

Serious work to do

At this opening dinner, youngsters were hosted by the Minister of Education, Naledi Pandor, to a five-star feast in the company of illustrious guests who included the Deputy Minister of Education, Andre Gaum; the MEC for Education in Mpumalanga, Mrs Mathulare Coleman; and the Head of the Department of Limpopo, Reverend Neihuata.

In her speech, Minister Pandor celebrated the power of social movements such as GEM/BEM clubs to change society for the better. She challenged the youngsters to go back into their communities armed with the new knowledge and ideas they gain at the camp, and work towards making both Rights, and their twin, Responsibilities, a lived reality.

And some serious fun, too

The award-winning band, Malaika, added its inspirational music to make the opening ceremony a truly magical evening, with young and old alike jiving to their hit tunes.

These are school-based clubs made up of boys and girls. They’re motivated and thinking youngsters who are committed to the promotion of equal human rights, dignity for all, and mutual respect between boys and girls.

FOR LEARNERS, BY LEARNERS

These clubs are started, organised and run by learners themselves. In this way, these young adults will learn to become self-reliant and active participants in life. Of course, they will need the support and guidance of a number of adults, including their educators, and members of business and NGO communities.

THEY’RE ABOUT GETTING THINGS DONE

GEM/BEM clubs are the start of a movement – so they’re about taking action, not just talking. Some of the activities South African GEM/BEM clubs are involved in include:

- Starting campaigns to keep school premises clean and safe;
- Setting up recreational activities such as drama, art or sports codes at schools;
- Edutainment events that include activities such as gumboot dancing, choir, drama, poetry and story telling, which use talent and entertainment to get important social messages across;
- Debating, especially on topics to do with healthy living and gender equality;
- Charity activities, such as collecting and donating clothes and food to those in need in a community;
- Forming walking teams to ensure the safety of learners on their way home; and
- Inviting speakers to present information on different topics in their schools.

START YOUR OWN GEM/BEM CLUB

For more information on how to set up GEM/BEM clubs at school, request a copy of the GEM/BEM Guidebook for Schools from the Gender Equity Directorate at the National Department of Education:

Tel: (012) 312 5383; Fax: (012) 312 5218; or Email: ramatlo.c@doe.gov.za or hlatshaneni.d@doe.gov.za

JOINING IN THE FUN: Minister Pandor couldn’t resist the great sounds of popular band, Malaika.

AFRICA UNITED: Youngsters from around the continent put their heads together to find solutions to gender-related issues in their areas – and to enjoy themselves, too.