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## South African law and policy regulating learner absenteeism at public schools: Supporting an ecosystemic management approach

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Learner absenteeism often occurs involuntarily due to learners' social and economic circumstances. Notwithstanding this fact, there is a worldwide trend towards a more punitive and retributory management approach to address learner absenteeism. Because such an approach neglects to consider absentees' specific circumstances, it fails to address learner absenteeism properly. In the first part of this article, the authors considered the suitability of the ecosystemic theory as basis for a management approach that will acknowledge the full range of contextual risk factors that may exist in absentee learners' living environment. The authors argue in favour of a transnational and generic ecosystemic approach, with an inherent focus on contexts and interrelatedness, as a suitable approach to managing learner absenteeism. The second part of this article focuses on an analysis of South African law and policy regulating learner absenteeism, to determine whether it supports an ecosystemic approach to managing learner absenteeism. The authors found that, while South African law and policy regulating learner absenteeism mostly support an ecosystemic approach to managing learner absenteeism, some prescriptions of the Policy on Learner Attendance do not. After making some recommendations in this regard, the authors conclude with generic guidelines to managing learner absenteeism.

**Keywords:** ecosystemic theory; learner absenteeism; management approach; South African law and policy

### Introduction

In giving consideration to the ongoing worldwide debate on learner absenteeism, the South African Department of Basic Education (DBE) recently held a Discipline Summit, where absenteeism, as one of the pertinent disciplinary challenges, was deliberated. The low success rate of implementing traditional management approaches to address the multifaceted nature of learner absenteeism was acknowledged (DBE, Republic of South Africa (RSA), 2014:12, 23, 25). In an attempt to find a solution to this problem, the researchers conducted an exploratory literature review on learner absenteeism, and concluded that the multifaceted nature of learner absenteeism is accompanied by multiple environmental and individual risk factors that necessitate a unique management approach (see for example the research of Burton & Leoschut, 2013; Cook & Ezenne, 2010; Hocking, 2008; Hoffman, Knox & Cohen, 2011; Moseki, 2004; Reid, 2005; Rivers, 2010; Samara, 2005; Van Breda, 2006; Zhang, 2007). Generally, countries' national law relating to school attendance supports a more punitive approach, which in countries such as Britain, includes sentences, and even imprisonment, for school absentees' parents (Zhang, 2007:25–34). There is, however, no evidence that this approach reduces learner absenteeism (Kendall, White, Kinder, Halsey & Bedford, 2004).

The purpose of this article was not to report on the risk factors or to add to the existing quantitative research on possible risk factors. Rather, the authors aimed to find a management approach capable of acknowledging the multifaceted nature of learner absenteeism, which is also compatible with South African law and policy regulating learner absenteeism.

The authors argue in favour of using the ecosystemic theory to inform a management approach that acknowledges the "underlying personal, emotional, health-related, social, or academic factors that contribute to chronic absenteeism and truancy in the first place" (Lochmiller, 2013:22). Favour is given to an ecosystemic management approach based on the premise that behavioural problems do not derive solely from the individual, but develop and are maintained through reciprocal interactional processes (Cooper & Upton, 1990:301; Kourkoutas, Plexousakis & Georgiadi, 2010:4774).

### Procedure

Following a qualitative approach, the authors first conducted an exploratory literature review on learner absenteeism to frame their search for a suitable management approach, and to clarify the relevant concepts. Thereafter, a further literature review was undertaken on the ecosystemic theory to ground the argument in favour of an ecosystemic management approach. The last step was to do a textual analysis of South African law and policy regulating learner absenteeism, by means of which to determine whether these support an ecosystemic approach to managing learner absenteeism.

Due to the contextual nature of qualitative research, the findings cannot be generalised. It is thus essential that qualitative researchers create a foundation for transferability and make the research useable to researchers

from other contexts (Kelly, 2006:381; Kumar, 2014:219). In this article, the foundation for transferability was created by using the transnational and generic ecosystemic theory to inform the management approach. Basing the management approach on a transnational, generic theory makes it easy for any public school to adopt it. To assist in such adoption, the authors formulated generic guidelines with regard to managing learner absenteeism. Possible transferability is further increased by the integration of International Human Rights Law (IHRL) where relevant; e.g. “the law that deals with the protection of individuals and groups against violation of their internationally guaranteed rights” (Buergenthal, Shelton & Steward, 2004:1).

## Discussion

### Clarification of Concepts

For the purposes of this article, we refer to children in the context of their role as learners. In this article the term ‘learners’ refers to persons at public schools, who are receiving or obliged to receive education in terms of the South African Schools Act 84 of 1996 and who are still regarded as “children” in terms of section 28(3) of the South African Constitution of 1996, and Article 1 of the Convention on the Rights of the Child; e.g. under the age of 18 years (RSA, 1996a; United Nations (UN) Human Rights Office of the High Commissioner, 1989).

It is further necessary to conceptualise “learner absenteeism” as an umbrella concept to cover various instances of this phenomenon. There is a tendency in literature to link ‘truancy’ with being absent without legitimate reason, and with learners “having larger issues in their life”, such as being involved in violence or gang membership (McCray, 2006:31). To refer to all learner absences as truancy may lead to the perception that all absentees are socially deviant, and may lead to them being labelled with wrongful conduct, which implies punitive sanction and social rejection (Child Trends Data Bank, 2015:2;<sup>i</sup> Reid, 2005:59; United States (US) Department of Education & US Department of Justice, 1996). This is especially true when there was no intent of wrongful behaviour, for example, when a learner wants to avoid bullying or sexual misconduct encountered at school. In a longitudinal study done by the US Department of Education, it was found that being bullied is positively associated with higher levels of school absenteeism (Gastic, 2008:397).

When a learner in the US misses a specific number of consecutive school days, the behaviour is called “chronic absenteeism” (Child Trends Data Bank, 2015:2). In terms of the South African Policy for Learner Attendance (DBE, RSA, 2010, para. 56), when a public school learner misses ten consecutive school days, this is referred to as

“continuous absence”. The authors suggest that there is a difference in meaning between ‘chronic’ and ‘continuous’, because ‘chronic’ implies repetition, and thus relates to the bigger picture of a learner’s absences. Henderson, Hill and Norton (2014:7) suggest that chronic absences be seen as “all absences, consecutive or not, excused or not, as they relate to a student’s overall attendance”. According to Henderson et al. (2014:7), “continuous” may be understood as uninterrupted and consecutive.

Considering the definition of “absence” in the Policy on Learner Attendance (DBE, RSA, 2010, para. 12), it seems that the policy does not provide for “fractional truancy”, “post-registration truancy” or “partial absence” in the same way as it does for continuous absence (Cook & Ezenne, 2010:34; Moseki, 2004:12; Shute & Cooper, 2015:66). In terms of the Policy on Learner Attendance (DBE, RSA, 2010, paras. 12, 35) “partial absences” – such as when a learner has been late or bunked a class after being marked present on the register – will constitute a full absence. If learners realise that they already have “full absence” written on the register it may act as an incentive to learners to absent themselves for the rest of the day.

School refusal – formerly referred to as “school phobia” (Moseki, 2004:10) – is a specific form of absenteeism where learners “attempt to persuade parents to let them stay at home and exhibit extreme anxiety about attending school, and are usually willing to complete schoolwork as long as it may be done at home” (Tyrrell, 2005:148). Such learners have identifiable physical or emotional symptoms, such as anxiety or depression, and may refuse to be separated from attachment figures. Fear of school, which implies difficulty attending school due to emotional distress, is also reported on in other countries. In a survey among 800 learners aged 13 in Switzerland, 6.9% reported experiencing school fear (Steinhausen, Müller & Metzke, 2008). Owing to the connotation of pathology attached to the term “phobia”, “school phobia” was replaced by “school refusal” (Wimmer, 2004:S5H18-3). These ‘school refusing learners’ are often treated in the same manner than other absent learners. In this section the authors elucidated the key concepts related to learner absenteeism. In the next section, the authors discuss the theory on which the ecosystemic management approach is based.

### An Ecosystemic Approach to Managing Learner Absenteeism

According to the systemic theory, everything – including people and their environments – is connected and interrelated (Meyer, Moore & Viljoen, 1997:557). Together, such environments form a “diverse range of organizational [sic] levels” (Greenfield, 2011:532). In addition to

conceptualising the functioning of groups and families as end foci, the ecosystemic theory emphasises individuals and the interaction in their relationships (Greenfield, 2011:531). An ecosystemic approach to managing learner absenteeism implies that the relationship between learner absentees and other individuals, the absentees' developmental level, and the environment (ecology) in which they live, will all have to be considered (Mc Guckin & Minton, 2014:37; Von Bertalanffy, 1950:134–165).

It is our contention that absenteeism cannot be understood when its various causes are examined in isolation. According to the ecosystemic theory, while individuals are influenced by different situations in their environment, all of these situations may affect one another and, together, may have an influence on behaviour (Lerner & Castellino, 1999:51; Tucker, n.d.:1–17). Emphasis should thus rather be on the patterns of communication between the learner and his or her living environment, and the principles that regulate the dissemination of information in and between systems (Tucker, n.d.:1–17).

Current related systems' theories acknowledge that behaviour is not easily understood by using a linear model, and that, because of the unique features of individuals and their environmental context, behaviour is also not predictable (Greenfield, 2011:533). Instead of attempting to explain behaviour according to a linear model of causality, it is acknowledged that a person-environment system has multiple – and mutually influential – levels of systems. Warren and Knox (2000:3) refer to this as “non-linear dynamical systems” where irregular and unexpected behaviour make it difficult to predict and explain atypical behaviour such as learner absenteeism. Linear systems primarily emphasise problematic behaviour and ignore the contextual realities and possible protective factors (Meyer et al., 1997:557).

According to Bronfenbrenner's ecosystemic theory, an individual's environment is divided into different spheres, four of which surround the individual. The spheres may enhance an understanding of the connectedness of the components in the absent learner's living environment. The sphere closest to the individual is the microsystem, consisting of aspects in the immediate environment such as family and school (Bronfenbrenner, 1993:39; Spanjaard, Van der Knaap, Van der Put & Stams, 2012:127–158; Tucker, n.d.:1–17). In this immediate environment, protective factors are critical, and children learn personal skills such as self-efficacy and self-agency (Martin, 2004:136).

The relationship and processes between two or more of the components of the microsystem are referred to as the mesosystem, for example family and school (Bronfenbrenner & Morris, 1998:814; Tucker, n.d.:1–17). Learners who do not receive

any support from their caregivers with homework, for example, may avoid school because they are afraid of their teachers' reaction in the classroom. The exosystem, which surrounds the microsystem, is removed from the individual further, but affects him or her directly, for example, parents' work, extended family, friends and neighbours (Bronfenbrenner & Morris, 1998:814; Jeffries, 2013:84). Although the individual does not have an active role in the exosystem, the positive and negative forces of this system will be influential to him or her (Paquette & Ryan, 2001:1). If this extended environment contains risk factors such as poverty, unemployment and violence, it may have a profound effect on children in terms of learning prosocial skills. The outer sphere, or macrosystem, which is removed farther from the individual, is represented by ideologies, culture, religion, economics, social values and politics, and it is referred to as “the societal blueprint for a particular culture or subculture” (Swart & Pettipher, 2005:11). In addition to the above contexts, Bronfenbrenner (1993:40) proposed the chronosystem, which represents transitions and changes over time in both the characteristics of the person and the environment in which he or she lives. In addition to context, the focus should therefore also be on the relationship between person and context.

#### Law and Policy Pertaining to Managing Learner Absenteeism in South Africa

The analysis of South African law and policy regulating learner absenteeism to determine whether those support an ecosystemic approach to the management of learner absenteeism have to begin with the Constitution of the Republic of South Africa as the supreme law of the country (RSA, 1996a, Hereafter Constitution).

#### *The South African constitutional framework for dealing with learner absenteeism*

When looking at the Constitution, it is essential to keep in mind that it contains a Bill of Rights, and that courts, tribunals and forums are required to consider international law (including IHRL) when interpreting the Bill of Rights (RSA, 1996a, s. 39(1)(b)). IHRL will thus form a fundamental part of any discussion of the human rights included in the Bill of Rights.

The fact that teachers and school governing bodies are functionaries (i.e. they fulfil their functions in the name of the school) of an organ of state means that they are also bound by die school's constitutional obligation “to respect, promote and fulfil the rights in the Bill of Rights” (RSA, 1996a, ss. 7(2), 239). Respecting, promoting and fulfilling the rights of the individual absentee places the focus on ‘person-context-interrelatedness’; a key principle in Bronfenbrenner's ecosystemic theory (Bronfenbrenner, 1993:39; Tudge, Mokrova, Hatfield & Karnik, 2009:199). The focus is on the

individual in relation to his or her context, and when dealing with an absentee the warning of Bronfenbrenner (1993:39) must be heeded that the emphasis should not be placed so heavily on the context that the individual becomes obscured by it. This is especially important when the absentee is still a child; e.g. under 18 years of age, and regarded as not fully capable to make informed and wise choices (Brighouse, 2003:694; UN Human Rights Office of the High Commissioner, 1989, art. 1).

The South African Constitution supports a child-centred approach, which demands an individualised examination of the precise real-life situation of the particular child (*S v M (Centre for Child Law as Amicus Curiae)* 2007 2 SACR 539 (CC) para. 122). An individualised examination will require that, inter alia, the absentee's age, race, gender and disability be considered. Bronfenbrenner refers to these as demand characteristics (Tudge et al., 2009:199). The South African Constitution lays down rules on how one may consider the absentee's demand characteristics.

Firstly, when dealing with an absentee, one may not unfairly discriminate against the absentee on the grounds of his or her demand characteristics, which may include age, gender, pregnancy, disability and race (RSA, 1996a, s. 9(1)(3)). In response to the call made during the Salamanca World Conference in 1994 to endorse inclusive education, so as to combat discriminatory attitudes and ensure education for all, South Africa adopted an inclusive education system (Department of Education (DoE), 2001, para. 1). The main policy document on inclusive education is the Education White Paper 6 on Special Needs Education: Building an Inclusive Education and Training System (DoE, 2001). An inclusive education system supports an ecosystemic management approach to learner absenteeism, acknowledging the interrelatedness of the individual learner's needs with his or her contextual reality, including that barriers to learning are not only intrinsic to learners, but can also be cultural and systemic (DBE, 2009, para. 3.3.3). Where learners had to adapt to the system in the past, inclusive education requires the system (also how absenteeism is managed) to adapt to the needs of the child (DoE, 2001, para. 1.2.3). Adapting to the needs of an absentee requires eliminating those barriers created by the presence of risk factors. Schools in South Africa have an obligation to determine the risk factors that create barriers keeping learners away from school (South African Human Rights Commission (SAHRC), 2012:53).

Secondly, the Constitution requires that the absentee be treated in a manner that take his or her age into consideration (RSA, 1996a, s 28(1)(g)(ii)). This requirement brings the principle of evolving capacities introduced by the Convention on the

Rights of the Child (UN Human Rights Office of the High Commissioner, 1989, articles 5, 14) into play. The principle of evolving capacities acknowledges that children acquire enhanced capacities as they grow older, and that as their capacities grow, the need for protection diminishes and their responsibility for their own actions increases accordingly (Lansdown, 2005:ix). The chronological age at which competencies are acquired will be affected by the different environments, cultures and diverse life experiences that children face (Lansdown, 2005:ix). This principle cautions schools to take the age and maturity of the absentees and how that may have been affected by the micro-, meso-, exo-, macro, and chronosystems, into account when responding to absences. For example, the argument of Chang and Romero (2008:3) that young children cannot be regarded as truants "because it is presumed that they cannot be absent without the knowledge of their parents", relates to the principle of children's evolving capacities.

Thirdly, absentees younger than 18 have a right to have their best interests regarded to be of paramount importance (RSA, 1996a, s. 8(2)). The Children's Act 38 of 2005 was adopted to give effect to the realisation of South African children's rights (Skelton & Proudlock, 2015:1–10). The "best interests of a child" is one of the guiding principles contained in Section 6 of this Act, and it can be applied to the education context meaningfully (Coetzee & Mienie, 2014:94). The overall guiding principle of determining what will be in the best interests of the child involves considering what, under the circumstances, best protects the rights of that child (United Nations High Commissioner for Refugees (UNHCR), 2006, para. 5). The Policy on Learner Attendance (DBE, RSA, 2010, para. 13(i)) allows the principal discretion to consider reasons, other than those listed as valid, by taking into account the best interests of the learner. To consider absentees in their person-context relatedness, factors (adopted from the Children's Act), such as the quality of relationships between the child and parents, the parents' ability to provide for the child, the child's developmental stage, and the child's need for protection, could prove to be most valuable (RSA, 2005, s. 7).

The Constitution also impacts on how absentee learners are disciplined after being charged with breaching their school's code of conduct for learners, in terms of paragraph 52(a) of the Policy on Learner Attendance (DBE, RSA, 2010). This is the case because South African schools have a mandate to adopt a positive disciplinary approach; an approach grounded in human rights (Coetzee & Mienie, 2013:89). This mandate was confirmed in *Antonie v Governing Body, Settlers High School* 2002 (4) SA 739 (C) (para. 14), where the court emphasised that discipline must be done "within

the context of the democratic values of human dignity, equality and freedom, as enshrined in the Bill of Rights". The origin of this mandate can be found in IHRL. Article 28 of the Convention on the Rights of the Child, for example, specifically mentions state parties' obligation to "take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention" (UN Human Rights Office of the High Commissioner, 1989). Article 11(5) of the African Charter on the Rights and Welfare of the Child (Organization of African Unity (OAU), 1990) provides that

State Parties to the present Charter shall take all appropriate measures to ensure that a child who is subjected to schools or parental discipline shall be treated with humanity and with respect for the inherent dignity of the child and in conformity with the present Charter.

The requirements of this mandate concerning school discipline support an ecosystemic approach towards managing learner absenteeism. In terms of these requirements, discipline (including corrective discipline, that is, punishment) should emphasise respect and fairness for learners and support them to maintain their self-respect and relationships, promote open communication, and help the learner to take responsibility (Coetzee & Mienie, 2013:79–90).

Since dealing with an absentee will constitute an administrative act, the right of the absentee to just administrative action (RSA, 1996a, s. 33) must be observed. In terms of this right, absentees must, *inter alia*, be given the opportunity to state their case. Taking the Policy on Learner Attendance into consideration, this right will come into play only when the first intervention following a three-day absence has failed, and learners are charged with breaching the code of conduct for learners. It is a limitation of the Policy on Learner Attendance that it does not make provision for learners to give their side of the story in any of the interventions it provides for.

In the next section, law and policy regulating learner absenteeism are considered.

#### *Law and policy regulating learner absenteeism*

Section 3 of the Schools Act (RSA, 1996b) makes school attendance compulsory for specific ages. If we consider Section 3(5), it seems that compulsory school attendance – and thus rules regulating absence – can be enforced only against "a learner, who is subject to compulsory attendance". Yet there appears to be a dichotomy since the Schools Act defines a "learner" as "any person receiving education [our emphasis] or obliged to receive education in terms of this Act" (RSA, 1996b, s. 1). The Policy on Learner Attendance also defines "learner" as "any person receiving education or obliged to receive education in terms of the

Schools Act" (DBE, RSA, 2010, Definitions). The authors thus argue that all learners, who are registered at a school are obliged to attend school. Such an argument is supported by the fact that, in terms of section 4(4) of the Schools Act, all learners attending a school are obliged to comply with that school's code of conduct for learners (RSA, 1996b). Governing bodies are required to include a provision to this effect in their schools' codes of conduct for learners (DoE, RSA, 1998, paras. 36, 5.1(f)).

As mentioned above, an ecosystemic approach not only requires a focus on the context, but also a focus on individuals in their inter-relatedness with their contextual reality. Several provisions of the Policy on Learner Attendance (DBE, RSA, 2010) provide evidence of such a focus. It is mandatory for all learners to attend school, while it is recognised that some factors, for example psychological or physical ill health or being malnourished may affect school attendance (DBE, RSA, 2010, paras. 7, 13(b), (c); DoE, RSA, 1999, paras. 4.1, 5, 5.2). If learners with circumstances such as the latter are unable to attend school, they may apply to be granted exemption from attendance (DoE, RSA, 1999, para. 5.3).

In South Africa, the Policy on Learner Attendance (DBE, RSA, 2010, para. 7) acknowledges learners' situatedness in a specific contextual reality that directly or indirectly, and by various degrees, influences the learner's behaviour. This policy acknowledges that microsystems such as the family can affect the child's school attendance. Examples listed include parents' inability to pay school fees or buy school uniforms; parents' illness; death of a family member; unstable or dysfunctional families; households where the child is the head or caregiver; and poverty (DBE, RSA, 2010, paras. 5, 13(e), 14(c)). The Policy on Learner Attendance (DBE, RSA, 2010, para. 14(c)) identifies the provision of support "to learners whose families struggle under the burden of poverty, serious illness and bereavement, especially learners who are compelled by circumstances to be caregivers or to head their own households" as essential to create a culture of attendance. The school itself is also a microsystem, which is affected by connectedness, trust and the quality of relationships (Roffey, 2008:31).

Mesosystems, such as home and school, have an effect on the management of learner absenteeism. The Policy on Learner Attendance recognises this fact and acknowledges the interrelation between all these systems (DBE, RSA, 2010, paras. 14–36). Parents should make sure that their children attend school, arrive at school on time, inform the school if their children will be absent for a valid reason, cooperate with the school if their children were absent without a valid reason, and help them to catch up after they were absent (DBE,

RSA, 2010, para. 18). The Policy on Learner Attendance also acknowledges that the meso-level relations between learners and the communities in which they live, as well as between the school and the school population, may affect school attendance. Specific mention is made of gang violence and the lack of transport (DBE, RSA, 2010, para. 7). Unfortunately, the value of some of these meso-level systems is not utilised. For example, Weideman, Goga, Lopez, Mayet, Macun and Barry (2007:10) found that although district offices in South Africa receive the reports on learner attendance from schools, they do not analyse these reports and do not conduct any aggregation of the information. Reports are simply forwarded to the provincial departments.

Indirectly, the Policy on Learner Attendance (DBE, RSA, 2010, para. 13(i)), acknowledges that exosystemic influences can affect the learner's school attendance and gives the principal the discretion to consider exceptional circumstances. However, if the parent or caregiver does not communicate with the school, the learner will be held accountable.

The chronosystem is most important for the management of learner absenteeism. During the Apartheid era, learners were actively involved in the liberation struggle, and attending school played a secondary role (South African History Online, 2015).<sup>ii</sup> In addition, learners with disabilities were isolated, and excluded from mainstream schooling. In response to the call made during the Salamanca World Conference in 1994 to endorse inclusive education so as to combat discriminatory attitudes and ensure education for all, South Africa adopted an inclusive education system, where learners with disabilities are, whenever possible, included in mainstream schooling and are integrated in full-service schools (DoE, 2001, para. 1).

The section of the Policy on Learner Attendance that discusses the procedures to be followed when dealing with learner absenteeism, despite encouraging communication with parents and caregivers of absent learners, still endorses a punitive and retributory approach to absenteeism. The prescribed procedures are punitive and retributory. Should the policy be brought in line with an ecosystemic approach to managing learner absenteeism, it has the benefit that the absentee will be considered within context (an individualised examination will be conducted during which the absentee will be given a voice), and approached with an attitude of offering support, rather than to punish. It contains the following provisions (DBE, RSA, 2010, paras. 51, 52(a)-(b), 56):

- If a learner is absent for three consecutive school days without a valid reason, the matter should be reported to the principal, who must intervene. This intervention must include contacting the parents regarding their responsibility and requesting the parents' cooperation; approaching the district office

for support if necessary, and requesting government or non-government social development agencies to intervene, when necessary.

- If, despite the intervention, the absence persists, the learner must be charged with a breach of the school's code of conduct for learners. This suggests that some type of intervention should precede disciplinary action. However, what is evident is that the intervention does not include the learner; it is only in instances where the matter cannot be resolved through the parents that the child comes into the picture. This amounts to a situation where the child will bear the consequences and face disciplinary action if the parents fail to cooperate.
- If the absence reaches 10 consecutive school days, the learner's record in the class register *must be cancelled* on the grounds of continuous absence. The cancellation should take place only after the principal has again made a reasonable attempt to contact the parents. Once again, where the link between the home and school fails to produce a solution, the child suffers, and if any of the following three circumstances apply, their record in the class register must be cancelled:
  - 1) The learner has been withdrawn from that school.
  - 2) No valid reason was offered for the absence.
  - 3) The parents could not be reached (DBE, RSA, 2010, para. 56).

As is evident from the phrases "must be charged" and "must be cancelled", the principal is not allowed any discretion in this matter. Furthermore, the policy provides that principals, teachers and district officials are obliged to show zero tolerance for unexcused absences (DBE, RSA, 2010, para. 14(a)). When one approaches learner absenteeism punitively and adopts a zero-tolerance policy it is inherently exclusionary in nature and fails to consider the circumstances and context of the learner. This approach can – and most probably will, as Henderson et al. (2014:18) indeed suggest – result in the learners becoming disengaged, isolated or alienated.

The cancellation of a learner's record in the class register entails the principal informing the class teacher, the parents and the district office of the cancellation, the date of the cancellation and the reason therefor (DBE, RSA, 2010, para. 58). In terms of Paragraph 59 of the Policy on Learner Attendance, a learner may be readmitted (DBE, RSA, 2010). It seems that after the district office has been informed, it will inform the head of the provincial department of Basic Education, who will then deal with the matter in terms of section 3(5) of the Schools Act. This section requires the head of department (HoD) to

- a. investigate the circumstances of the learner's absence from school;
- b. take appropriate measures to remedy the situation; and
- c. failing such remedy, issue a written notice to the parent of the learner requiring compliance with subsection (1).

Subsection 1 deals with the parents' obligation to see to it that their child, if between the ages of seven and 15, or in Grade Nine, attends school.

The Policy on Learner Attendance mentions that class teachers should bring repeated absences to the attention of the principal (DBE, RSA, 2010, para. 33), but no procedure for this type of absence is prescribed. Teachers are required to keep period registers (DBE, RSA, 2010, para. 34) and to report the matter to the school office if a learner is absent from class without a valid reason (DBE, RSA, 2010, para. 33). Unfortunately, the Policy on Learner Attendance is silent on how the matter should be managed after it has been reported. The document entitled *Alternatives to Corporal Punishment* (DoE, RSA, 2000:25–26), however identifies a few options: tardiness or class bunking is considered a Level 1 misconduct, which may be handled internally by the school, and which implies a verbal warning or a demerit. Frequent tardiness or class bunking constitutes Level 2 misconduct, and is addressed by the Head of Department by, for example, talking to the learner or the parents. If the above behaviour continues despite disciplinary action it constitutes Level 3 misconduct, and should be managed by the principal or the governing body. Any of the above sanctions, counselling, or suspension, may be considered. Frequently being tardy, frequently bunking a class or frequently leaving school early, despite the fact that disciplinary action has been taken against the learner, is considered Level 4 misconduct. Despite the fact that repetition of Level 4 offences comprise Level 5 misconduct, the authors contend that repetitive tardiness, bunking a class or leaving school early should not be considered Level 5 misconduct, as the latter is regarded as criminal misconduct that also constitutes a breach of law.

### Conclusion and Recommendations

A conceptual analysis of truancy and other relevant concepts brought to light that the practice to use “truancy” as an umbrella concept to refer to all instances of learner absenteeism can result in treating some absentees, such as those suffering from school refusal, unfairly. The authors contend that the concept of “absenteeism” should be preferred as umbrella concept, because it does not have negative connotations associated with it as “truancy” does. “Absenteeism” also fits better into an ecosystemic management approach. It is suggested that “absence” be defined in policies regulating learner absenteeism in such a manner that it will allow flexibility, be able to accommodate all types of absences (including in-school absences) and clearly distinguish between “repeated (chronic) absence” and “continuous absence”. The authors contend that “absence” is defined too narrowly in the South African Policy on Learner Attendance and should be extended to

also cover chronic or repeated absences and to draw a distinction between “repeated (chronic) absences” and “continuous absences”.

An ecosystemic approach to learner absenteeism implies that cognisance is taken of the multifaceted nature of learner absenteeism and the varied risk factors that impact on learner attendance, rather than simply following a punitive approach. Though it focuses on the individual learner this focus is on the learner-in-context.

It is impossible to implement a management approach if it is not supported by the law and policy of the particular country. Countries where learners are recognised as legal subjects and rights holders may find it easier to implement an ecosystemic approach to managing learner absenteeism. The analysis of the South African Constitution brought to light that it contains several rules on how an individual must be treated (also learners) that support an ecosystemic management approach, and which can also be covered in policies regulating learner absenteeism. The “demand” characteristics of the absentee, such as age, gender, disability and sex, should be acknowledged during the individualised examination. But unfair discrimination based on certain demand characteristics must be avoided, where due regard must be given to the principle of evolving capacities, and if the absentee is still a child, the actions taken must be in the best interests of the child. Support for an ecosystemic approach to managing learner absenteeism is evident in the legal mandates promoting and observing learners' human rights, which do adopt a positive discipline approach and supplement punitive measures with proactive social skills development. The authors envisage that an ecosystemic approach to managing learner absenteeism will advocate the perception that learner absenteeism is not merely a disciplinary issue.

The textual analysis of the South African Policy on Learner Attendance brought to light that the procedural prescripts are punitive and retributory in nature, and do not support an ecosystemic approach to managing learner absenteeism. The authors' objection to following a punitive strategy to the letter, for example, that the principal is legally obliged to cancel the learner's school record in the class register after the learner has been absent for 10 consecutive school days, is that absentees do not have the opportunity to make amends and restore relationships, as well as their position in the classroom, and the wider school system. Hence, it is the authors' contention that this legal instruction does not promote fairness and learners' best interests.

The South African practise to require teachers to keep period registers promotes an ecosystemic management approach, because these registers can be used to determine a pattern, for example, when a learner bunks only a specific class. If a pattern is

evident, the class teacher could indicate such on the learner's profile. A consultation with the learner and, thereafter, a consultation with the learner and the specific teacher, may be appropriate under such circumstances.

Policy regulating learner absences should make provision for support teams. The South African Policy on Learner Attendance does not currently provide for the school-based support teams to be involved in the process of dealing with learner absenteeism. The authors suggest that a provision to this effect be inserted in paragraph 52 of the Policy on Learner Attendance. The following wording is suggested:

*If, despite the intervention of the principal, a learner persists in being absent without a valid reason – (a) the case must be handed over to the school-based support team, who should make a recommendation within a week on whether disciplinary proceedings should commence or whether the matter can be resolved by the team; (b) if disciplinary proceedings are recommended, the learner must be charged with breach of the school's code of conduct for learners...*

It is further recommended that the contradiction in Paragraph 52 of the Policy on Learner Attendance be resolved, because it is meaningless to render compulsory the charging of a learner with breaching the school's code of conduct and cancelling that learner's record in the class register. Furthermore, the authors contend that to cancel a learner's record in the class register is a punitive measure, and to mete out punishment without having allowed the learner the opportunity to state his or her case, constitutes a violation of the learner's right to just administrative action, and in particular, the right to be heard. The Policy of Learner Attendance should be revised so that any punitive action only follows a fair disciplinary process.

Unless the frequent tardiness for the next class, frequent bunking of a class or frequent leaving before school is out is accompanied by a criminal act, such actions should not be regarded as a Level 5 misconduct, as the Alternatives to Corporal Punishment currently prescribes. As explained earlier, Level 5 constitutes criminal misconduct that also constitutes a breach of law. For this reason, and also because teachers will not always know what the cause of frequent tardiness, bunking or leaving early is, the authors recommend that the latter behaviour remains Level 4 misconduct.

Except that the ecosystemic management approach has a high possibility of transferability, several generic guidelines that have international applicability concerning the management of learner absenteeism, and for which the ecosystemic approach caters, also emerged from this article. Firstly, the multifaceted nature and the multitude risk factors that may exist in an absentee learner's living environment demands a rehabilitative and

reconstructive management approach. Secondly, children's rights require that learner absentees be defined and managed in a manner that does not brand absentees or alienate them. This, in turn, mandates a non-punitive, human rights-based approach and makes a zero tolerance approach unacceptable. Thirdly, the chosen management approach must place the focus on the individual and not the behaviour. The absentee must not be examined in isolation but as a person-in-context; taking into account the impact of the micro-, meso-, macro-, exo- and chronosystems on the absentee learner's behaviour. A linear approach with its emphasis on the problematic behaviour only, will thus not suffice. Fourthly, effective management of learner absenteeism requires a concerted effort of management, teachers and support teams.

#### Notes

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