Having heard the testimonies of learners and their teachers in Nquthu, we began engaging with the KZN Department of Transport and KZN Department of Education on how they could provide scholar transport in the province. We wrote to the KZN DoE and the KZN DoT in February 2015, and again in March 2015 highlighting the hardships learners were facing, and requesting important information about how they were providing scholar transport in the province. Unfortunately, the replies from the Departments were unsatisfactory. For instance, in one of its responses the DoE found that only one of the 12 schools we discussed qualified for scholar transport.

In April 2015, due to the poor response of the KZN government, EE members marched alongside other high school learners and community members to protest the lack of scholar transport. Five hundred people marched to the KZN DoE in Pietermaritzburg to demand concrete solutions to the lack of scholar transport.

A memorandum was handed over asking for:

- Scholar transport for schools in Nquthu identified by EE as in need;
- The final implementation of the KZN Scholar Transport Policy;
- A bigger budget for scholar transport in KZN;
- The adoption of a national scholar transport policy; and
- Money specifically for scholar transport (a conditional grant).

In May 2015, the KZN DoE responded to EE’s memorandum, stating that three of the Nquthu schools qualified for scholar transport: Eshkuswini High School, Mangeni High School, and Nhlabatole Secondary School. After many delays, these three schools finally received buses in November 2015, six months after EE was told that these schools qualified for scholar transport.

In March 2016, 300 EE members gathered outside the head offices of the KZN DoE in Pietermaritzburg to protest the lack of scholar transport. EE members and facilitators walked from New Hanover to Pietermaritzburg to hand over a memorandum to the KZN MEC for Education. The memorandum demanded emergency relief for specific schools in Nquthu and around the country, which EE had identified as in need of scholar transport. Learners, parents and teachers participated in the walk, which lasted two days.

In March 2017, EE held a silent protest inside the KZN Legislature during the State of the Province Address. We called attention to the fact that the amount of money allocated to scholar transport in KZN was set to decrease for the 2016/2017 financial year. We demanded, once again, a conditional grant to fund the urgent implementation of a proper scholar transport policy. We also demanded clear, consistent and accurate information on how many learners qualified for scholar transport, how many learners had access to scholar transport, and the cost of providing scholar transport.

In July 2017, outside the head offices of the KZN DoE in Pietermaritzburg, EE members gathered for the first screening of our short film, entitled The Long Walk To School. The film traces our scholar transport campaign since 2014, and the lives of the EE members who challenged the refusal of the provincial and national government to provide their schools with scholar transport. The peaceful and lawfully gathering embraced the KZN MEC of Education, who called on police to illegally disperse EE members.

Scholar transport is an important part of the right to basic education. When learners have access to free and reliable scholar transport, they can get to school safely, on time, and use their energy to concentrate in class.

Learners all over South Africa walk for hours every day to get to school and back home. Of all the provinces, KwaZulu-Natal (KZN) has the greatest need for scholar transport. Around 483 633 learners in KZN walk more than an hour in one direction to school each day, according to the 2016 General Household Survey done by Statistics South Africa (Stats SA). The Eastern Cape is the province with the second largest number: 183 312 Eastern Cape learners walk for more than half an hour to school in one direction, which is far less than the number in KZN. In November 2017 the Department of Basic Education (DBE) reported that KZN plans to transport only 53% of learners in need of scholar transport in the 2017/18 financial year, the lowest in the country by far. The remaining provinces will transport, on average, 91% of learners in need in the same financial year.

In 2014, Equalisers from schools in a village called Nquthu, located in the Umzinyathi District in Northern KZN, informed EE about the great difficulties they faced in walking to school and back every day – that include walking very far distances in extreme heat and in thunderstorms, and crossing rivers and mountains, at great risk of violent crime including sexual assault. Many learners are tired and hungry after the long walk, and cannot concentrate properly in class.

We were also worried about the absence of deadlies in the lives of the EE members who challenged the refusal of the provincial and national government to provide their schools with scholar transport. The peaceful and lawfully gathering embraced the KZN MEC of Education, who called on police to illegally disperse EE members.

What is the issue?

Scholar transport

What has EE done?

Engagement with the KwaZulu-Natal government

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March to the KZN Department of Education

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Protest at the State of the Province Address

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Picket outside the Department of Basic Education

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The #LongWalkToSchool film

In July 2017, outside the head offices of the KZN DoE in Pietermaritzburg, EE members gathered for the first screening of our short film, entitled The Long Walk To School. The film traces our scholar transport campaign since 2014, and the lives of the EE members who challenged the refusal of the provincial and national government to provide their schools with scholar transport. The peaceful and lawfully gathering embraced the KZN MEC of Education, who called on police to illegally disperse EE members.
The continued lack of a decent response from the KZN DoE and KZN DoT to our demands, and the lack of cooperation between the two Departments in providing scholar transport, led to us deciding to go to court.

The two Departments claimed that five of the 12 schools did not qualify for scholar transport, because learners were not attending the schools closest to their homes. The Departments claimed that while seven of the 12 schools did qualify for scholar transport, there was no money to provide it. EE did not believe that either of those arguments was valid, and along with the Equal Education Law Centre (EELC), we decided to take the two Departments to court on behalf of the 12 schools.

Why did we go to court?

In November 2017, our case was set to be heard in the Pietermaritzburg High Court, with Equalisers travelling from Nquthu to be able to attend. But before the hearing began, the lawyers representing EE and the lawyers representing the KZN government entered into negotiations. The KZN DoE and KZN DoT made certain promises. The judge made these promises an order of the court and the government is bound to fulfil them.

The order granted by the Pietermaritzburg High Court stated that the KZN DoE promised to provide scholar transport to learners in the 12 Nquthu schools by 1 April 2018.

What was the outcome?

The KZN DoE and KZN DoT also promised to report back to the court, by 1 April 2018, on the following:

- The status of the KZN scholar transport policy;
- The plans that the two Departments will make to address the lack of scholar transport in the whole province, and by when they expect to fulfill the need for scholar transport;
- How the two Departments will work together to plan, implement, provide and monitor scholar transport in KZN;
- The different modes of transport that the two Departments will consider, and whether and by when they will be implemented; and
- A plan to provide scholar transport to learners with disabilities.

What is next?

Our victories thus far would have been impossible without the commitment of our members and supporters - high school learners (Equalisers), parents, teachers, principals, and concerned community members. We need your help to ensure that the KZN government delivers on its latest promise to provide scholar transport to the 12 Nquthu schools by 1 April 2018, and to report back to the court on how it will fulfill its duty to all learners in KZN that are in need of scholar transport.

As we monitor the provision of transport to the 12 Nquthu schools, we must continue to demand that a conditional grant to fund scholar transport be introduced with urgency, and that scholar transport be provided to all learners in need across South Africa.

The KZN DoE and KZN DoT also promised to report back to the court, by 1 April 2018.

What this means:

Because of our momentous victory in the Pietermaritzburg High Court, learners qualifying for scholar transport in the 12 Nquthu schools will have more time for teaching and learning in the classroom, for homework, and for rest. It means freedom from the burden of walking long, exhausting and dangerous routes to and from school every morning and afternoon. That it required three years of activism and a court challenge - while learners continued to walk hours between school and home, risking their safety to secure a basic element of the right to education - is something that the KZN government must publicly account for. This is a reaffirmation of the power of learners, parents, teachers, and community members to force improvements to the basic education system of South Africa. Forward to quality and equal education for all!

The Long Walk to School

#LongWalkToSchool

The battle for free and safe scholar transport in South Africa