

COLUMN

Curriculum Implementation And The Right To Education During Covid-19 In South Africa

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ABSTRACT

With the emergence of COVID-19 this brought about changes in teaching and learning worldwide. In most parts of the world including South Africa students were sent home in March 2020 and learning was moved to an online virtual learning environment. In the process, the government implemented various stringent measures to flatten the curve of new infections, reduce death and strengthen the ability of the public health system to deal with the pandemic. This column draws from the capabilities approach to examine how such restrictions and policies interact with human rights and advanced or limited the implementation of the curriculum during the onset of COVID-19. The paper suggests ways of balancing curriculum implementation in online and contact contexts and how respect for human rights could be enhanced during pandemics.

KEY WORDS

Curriculum Implementation; Right to Education; Capabilities Approach; South Africa; COVID-19; Pedagogy; Community Engagement

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1. INTRODUCTION

Most activities in South Africa were undeniably brought to a halt by the COVID-19 pandemic. The effects continue to be felt in many sectors and the education field is no exception. The first case of COVID-19 in South Africa was announced on 5 March 2020 and by 15 March the number had risen to 51, with 13 new cases from the previous day. It was at that point that the President of South Africa, Cyril Ramaphosa, declared a national state of disaster according to the Disaster Management Act 52 of 2002.¹ In the process, the government implemented various stringent measures to flatten the curve of new infections, reduce death, and strengthen the ability of the public health system to deal with the pandemic. South Africa had the highest number of infections in Africa.² As of mid-October 2020, South Africa had more than 650 000 confirmed cases of COVID-19. The full recoveries stood slightly above 580 000 and there were more than 15 000 deaths.³ South Africa reached a peak in July 2020 and during that time infections ranged between 12 000 to 15 000 per day. After mid-August, the rate of infection declined and the number of hospital admissions for COVID-19 declined to under 10% for non-ICU and under 30% for ICU beds.⁴ Thus, bed occupancy and oxygen demand declined, and the death rate went down with the average dropping down to below 1000 per day. However, the risk of a second wave remained.

Section 37 of the Constitution of the Republic of South Africa, 1996 (CRSA) stipulates conditions in which a state of national disaster may be declared only under an Act of Parliament in instances where the country's public order and security are under threat.⁵ Once declared, a state of national disaster is effective for 21 days and may be extended by the National Assembly for a period not exceeding three months on each renewal.⁶ The pandemic called for swift interventions and following the

¹ President Cyril Ramaphosa, 'Measures to combat Coronavirus COVID-19 epidemic', (15 March 2020) <<https://www.gov.za/speeches/statement-president-cyril-ramaphosa-measures-combat-covid-19-epidemic-15-mar-2020-0000>> accessed 01 October 2020.

² National Department of Health, 'Online Resource and News portal', November 2020, <<https://sacoronavirus.co.za/>> accessed 01 November 2020.

³ Ibid.

⁴ Department of Health, 'Update on Covid-19', September 2020, <<https://sacoronavirus.co.za/>> accessed 01 November 2020.

⁵ Section 37, Constitution of the Republic of South Africa, 1996.

⁶ Section 32, Constitution of the Republic of South Africa, 1996.

announcement of the first case of Coronavirus, the government utilised the CRSA to set up a National Command Council made up of cabinet ministers, and restricted certain rights necessary for preventing the transmission of COVID-19 and 'flattening the curve.' Five COVID-19 alert levels were introduced and can be summarised as follows: Level 5: Drastic measures are required to contain the spread of the virus to save lives; Level 4: Some activities can be allowed to resume subject to extreme precautions required to limit community transmission and outbreaks; Level 3: Involves the easing of some restrictions including on work and social activities to deal with a high risk of transmission; Level 2: Further easing of restrictions, but the maintenance of physical distancing and restrictions on leisure and social activities to prevent a resurgence of the virus; and Level 1: Most normal activity can always resume with precautions and health guidelines followed. Level 5 came into effect on 27 March, it was relaxed slightly (to level 4) on 1 May and was further relaxed (to level 3) at the beginning of June 2020.

Such government interventions were necessary, bearing in mind that researchers and scientist worldwide are still learning how the virus behaves and spreads. The hard lockdown gave the government time to prepare for the anticipated outbreak and climax of the virus. Personal protective equipment was purchased, health facilities were equipped, and temporary wards were constructed to cater for COVID-19 patients. However, the measures entailed taking away or limiting rights enshrined in the CRSA. The measures brought a range of complex issues relating to the right to education into sharp focus.

This paper unpacks how COVID-19 has affected curriculum implementation in South African education systems. In this column, the term implementation is defined as a process of putting an agreed plan, decision, proposal, idea or policy into effect.⁷ 'Curriculum implementation' refers to how the planned or officially designed course of study is translated by the teacher into syllabuses, schemes of work and lessons to be delivered to students.⁸ In this case, the teacher is an implementing agent who selects and decides what to teach from the prescribed syllabus or curriculum while the student holds the key to what is actually transmitted.⁹

⁷ Mezieobi K A, *Social studies curriculum* (Owerri Whyte and Whyte Press, 1993).

⁸ Gautam Kumar Chaudhary, 'Factors affecting curriculum implementation for students' (2015) 1(12) *International Journal of Applied Research*, pp 984-986.

⁹ *Ibid.*

We apply the ‘capabilities approach’ to better understand curriculum implementation. This is particularly how the restrictions limit students’ capabilities formation and how restrictions and policy interact and interfere with capabilities expansion. The capabilities approach considers each students’ functionings, that is, the valued beings and doings and the underlying opportunities or capabilities; a set of real opportunities students have to do and to be what they have reason to value.¹⁰ Both capability (potential and opportunity) and functioning (being able to exercise valued capabilities) are important.¹¹ There is also issue of providing equitable learning spaces for all, including students from disadvantaged backgrounds. For this reason, we attempt to provide a brief examination of the institutional and social forces that influence curriculum implementation at primary, secondary and tertiary levels. Overall, we suggest that with the development of capabilities at the centre of curriculum implementation, students should be able to flourish, even in the context of the pandemic.¹²

2. SETTING THE SCENE: EDUCATION AS A HUMAN RIGHT

Education as a basic human right was agreed on 70 years ago through the Universal Declaration on Human Rights.¹³ Article 26 of the Universal Convention on the Rights of the Child 1989 (CRC) states that everyone has the right to education.¹⁴ Article 28 of the CRC further states that the right to education is of fundamental importance.¹⁵ It affords the right to education of every child as essential; and that primary school education should be made compulsory.¹⁶ The right also provides that education, specifically primary and high school education, should be easy to access.

Section 29(1) of the CRSA contains the right to basic education and the right to further education. Similarly, to international law, primary education is not only

¹⁰ Amartya Sen, *Development as Freedom* (Oxford University Press, 1999).

¹¹ Boni Alejandra and Melaine Walker, *Human development and capabilities: Re-imagining the university of the twenty-first Century* (London, Routledge, 2013).

¹² Melaine Walker, *Higher education pedagogies* (Open University Press, 2006).

¹³ Universal Declaration of Human Rights, 1948.

¹⁴ Article 26 of the Convention on the Rights of the Child, 1989.

¹⁵ Article 28 of the Convention on the Rights of the Child, 1989.

¹⁶ *Ibid* at 12.

supposed to be compulsory but easily accessible.¹⁷ However, about 13.1 million learners were affected by the disruption of schooling activities¹⁸ in South Africa, since the educational sector was not considered part of essential services during the first few months. As a result, schools (primary and secondary) were closed on 18 March 2020, a week earlier than the scheduled time. This was done to prevent schools from becoming COVID-19 hot spots. Following consultations, the Minister for Basic Education allowed public schools to restart schooling for the examination sitting grades (7th and 12th grade) in June. This restart was short-lived as the schools were forced to close again for two weeks in August after 775 schools experienced viral cases.¹⁹ Consequently, access to physical school buildings and resources were prohibited once again. The phasing approach for reopening schools for primary school grades was as follows:

*Table 1 Phasing in Approach for reopening of schools*²⁰

Grades	Dates Closed	Opening dates
12 and 7 (Round 1)	27 March	01 June
12 and 7 (Round 2)	27 July	10 August
R: 1, 2, 3, 4, 6, 9, 10, 11	27 March	24 August
5 and 8	27 March	31 August

Specifically, students in non-examination writing classes lost a considerable amount of time in their education. Grades 5 and 8 were the most affected with 20 weeks lost, while Grades 7 and 12 lost the least time. All grades went back to school on 31 August on a 50% operational capacity which meant that students were attending school for two or three days per week on a rotational basis.

¹⁷ Section 29(1), Constitution of the Republic of South Africa, 1996.

¹⁸ Mahaye Ngogi Emmanuel, 'The Impact of COVID-19 Pandemic on South African Education: Navigating Forward the Pedagogy of Blended Learning' (2020), ResearchGate, last accessed 15 August 2020;

Tawnell D. Hobbs, 'Schools Are Reopening, Then Quickly Closing Due to Coronavirus Outbreaks' (*The Wall Street Journal*, 17 April 2020) <<https://www.wsj.com/articles/schools-are-reopening-then-quickly-closing-due-to-coronavirus-outbreaks-11597700886>> accessed 2 May 2020.

²⁰ Azarrah Karrim, 'Schools reopening: What regulations say on the phased return of pupils' (*News24* 23 June 2020) <<https://www.news24.com/news24/southafrica/news/schools-reopening-under-lockdown-what-regulations-say-on-the-phased-return-of-pupils-20200623>> accessed 28 July 2020.

In response to school closures and required social distancing, many governments and agencies like UNESCO recommended the use of distance learning, open educational applications and online learning to reduce disruption to education.²¹ Distance learning is a process whereby the student learns while separated from the tutor or teacher.²² The features of distance learning are that it offers open access in terms of flexibility of place, time and venue. It also provides non-contiguous communication between student and teacher. The other advantages of open and distance learning are that they are now technologically mediated through the delivery of course materials and can be less expensive compared to contact learning.

While remote (online) teaching and learning seem to be the reasonable option, key issues make such approach to education particularly difficult. Remote learning works when students and parents have access to the internet and electronic gadgets and most poor households do not meet these requirements.²³ Such requirements have the possibility of precluding economically or technologically disadvantaged students. Therefore, a digital divide can have a significant impact when remote learning is practised. Moreover, not all learners have the privilege to have proper adult supervision to help them learn effectively from home and those living in unstable homes which are usually crowded are most likely to suffer more.²⁴ What exacerbates the problem is the incorrect assumption that all parents can intellectually assist children in understanding and completing their assignments.

University and tertiary education were not spared the effects of COVID-19. To save the 2020 academic year, the Ministry of Higher Education and Training followed a strictly controlled phased-in return approach to allow a few students back on

²¹ United Nations Educational, Scientific, and Cultural Organization (UNESCO), 'COVID-19 Educational Disruption and Response'.

<https://en.unesco.org/themes/education-emergencies/coronavirus-school-closures> accessed 15 November 2020.

²² Desmond Keegan, *The foundations of distance education*, (Croom Helm, 1986).

²³ Vijay Reddy, Crain Soudien, Lolita Desiree Winnaar, 'Impact of school closures on education outcomes in South Africa' (*The Conversation*, 5 May 2020) <https://theconversation.com/impact-of-school-closures-on-education-outcomes-in-south-africa-136889> accessed 25 July 2020.

²⁴ Organisation for Economic Co-operation and Development, 2020, 'The impact of COVID-19 on student equity and inclusion' (*OECD Corona Virus Policy response*, 19 November 2020)

<https://www.oecd.org/coronavirus/policy-responses/the-impact-of-covid-19-on-student-equity-and-inclusion-supporting-vulnerable-students-during-school-closures-and-school-re-openings-d593b5c8/> accessed 5 December 2020.

campus. Under level 4, the first group to be allowed back were final year undergraduate students in programmes requiring clinical training, beginning with MBChB (medical) students followed by the phasing-in of all other programmes, such as nursing, dental and veterinary sciences from 11 May 2020. From 1 June all institutions were expected to offer remote learning until students could return to campus. Under level 3, a maximum of 33% of the student population was allowed to return to campuses, delivery sites, and residences on condition that they can be safely accommodated and supported in line with the health and safety protocols as directed by the government.²⁵ Under level 2, a maximum of 66% of the student population returned to campus for teaching, learning and assessment.²⁶ While the return to normal is expected to take some time, concerns have been raised that the partial transition to home and online learning exposed the government's failure to deal with the digital divide in the education system.

The Public Service Commission reported that the government had failed to achieve the constitutional principle of providing impartial, fair services equitably without bias in the education system during the COVID-19 lockdown.²⁷ Disruption of internet connections; data costs beyond the reach of many; the use of internet applications, such as Zoom, and their challenges risked deepening educational inequalities. Unequal access to affordable internet services and equipment such as computers, smartphones and tablets²⁸ were just some of the challenges that students from poorer backgrounds faced. Overall, the government's decision to shut down schools, universities and other tertiary institutions in the wake of the COVID-19 pandemic was universally accepted and necessary to curb the spread of the virus.

²⁵ South African government, 2020, 'Education - Coronavirus COVID-19' (*COVID-19 press release*, 11 August 2020) <<https://www.gov.za/covid-19/individuals-and-households/education-coronavirus-covid-19>> accessed 10 October 2020.

²⁶ *ibid*

²⁷ Theto Mahlakoana, 'Government failed to provide fair access to education during lockdown-PSC Report' (*EyeWitness News*, 16 September 2020) <<https://ewn.co.za/2020/09/16/govt-failed-to-provide-fair-access-to-education-during-lockdown-psc-report>> accessed 5 October 2020.

²⁸ Linda Zuze, Vijay Reddy, Mariette Visser, Lolita Winnaar, Ashika Govender, 'TIMMS 2015 Grade 9 National Report Understanding mathematics and science achievement amongst Grade 9 learners in South Africa' (*Human Sciences Research Council*, January 2018) <<https://www.hsrbpress.ac.za/books/timms-2015-grade-9-national-report>> accessed 15 October 2020.

However, this decision neglected the inequities to students accessing education, which resulted from these closures.

3. CURRICULUM IMPLEMENTATION DURING COVID-19

The long-term effects of COVID-19 on curriculum are unknown, but the disruptions suggest they will be extensive and lasting. In the COVID-19 context, missed time during the lockdown may mean less is covered in the curriculum. Several studies have linked students' individual absences, thus failure to cover the curriculum, to worse academic results.²⁹ For example, in Argentina, research shows that school absenteeism due to strikes lowered students' chances of earning a high school diploma or a college degree, compared to students in parts of the country less affected by absenteeism.³⁰ Empirical literature has documented the impact of absenteeism in periods ranging from pandemics³¹ and famine³² to floods³³ and hurricanes.³⁴ The common thread in these studies is that school enrolment and achievement can fall sharply due to disturbances in curriculum implementation.

The effectiveness of curriculum implementation through remote learning is contested. Different studies consistently find that digital technology is associated with moderate learning gains. One lesson learned from those studies is that technology should supplement teaching, rather than replace it.³⁵ Technologies are unlikely to

²⁹ Liu Jing, Monica Lee, and Seth Gershenson, 'The Short- and Long-Run Impacts of Secondary School', EdWorking Paper 2020 125.

³⁰ David Jaume and Alexander Willén, 'The Long-Run Effects of Teacher Strikes: Evidence from Argentina' (2019) 37(4) *Journal of Labor Economics*.

³¹ Keith Meyers Melissa A. Thomasson, 'Paralyzed by Panic: Measuring the Effect of School Closures during the 1916 Polio Pandemic on Educational Attainment' NBER working paper series 2017 <<https://www.nber.org/papers/w23890.pdf>> accessed 13 July 2020.

³² Stephanie Dercon and Catherine Porter, 'Live Aid Revisited: Long-Term Impacts of the 1984 Ethiopian SFamine on Children' (2014) 12 (4) *Journal of the European Economic Association* 927.

³³ Kawin Thamtanajit, 'The Impacts of Natural Disaster on Student Achievement: Evidence From Severe Floods in Thailand', 2020 54(4), <https://muse.jhu.edu/article/738666/pdf?casa_token=4v6n1GYw3g0AAAAA:DEmn7PE2uk> accessed 12 October 2020.

³⁴ Bruce Sacerdote, (2012). 'When the Saints Go Marching Out: Long-Term Outcomes for Student Evacuees from Hurricanes Katrina. *American Economic Journal: Applied Economics* 109.

³⁵ Mike Allen, Edward Mabry, Michelle Mattrey, John Bourhis, Scott Titsworth,

bring changes in learning directly, but some have the potential to bring about changes in teaching and learning interactions.³⁶ The effective use of digital technology is driven by learning and teaching goals rather than a specific technology. New technology does not automatically lead to increased attainment. An important finding is that educational production does not appear to fit a situation where teachers and students can simply substitute between computer assistive learning and traditional learning at any level with the same result.³⁷ Motivation to use technology does not always translate into more effective learning, specifically if the use of technology and the desired learning outcomes are not closely aligned.

Blended learning is regarded as a better way of implementing the curriculum. Garrison and Kanuka define blended learning as “the thoughtful integration of classroom face-to-face learning experiences with online learning experiences”.³⁸ Whilst there are other definitions,³⁹ the common thread is that, blended learning requires the physical presence of a teacher and student, with some elements of student control over time, place, path or pace and an online component.⁴⁰ One of the advantages of blended learning is that it is flexible and can be designed to fit individual contexts; students can study at their own pace at a place of their choice, using the online platform for personalised and individual learning.⁴¹ Blending

and Nancy Burrell, ‘Evaluating the effectiveness of distance learning: A comparison using meta-analysis’ *Journal of communication* (2004) *Journal of communication* 402.

³⁶ Endowment Foundation Education, ‘Digital technology Moderate impact for moderate cost, based on extensive evidence’ (2019). N.d.

<<https://educationendowmentfoundation.org.uk/evidencesummaries/>> accessed 21 August 2020.

³⁷ Eric Bettinger, Robert W. Fairlie, Anastasia Kapuza, Elena Kardanova, Prashant Loyalka and Audrey Zakharov, ‘Does edtech substitute for traditional learning? Experimental estimates of the educational production function’ (2020) NBER working paper series

<<https://publications.hse.ru/en/preprints/357673279>> accessed 13 June 2020.

³⁸ Randy Garrison, and Heather Kanuka ‘Blended learning: Uncovering its transformative potential in higher education’ (2004) 7(1) *The Internet and Higher Education* 96.

³⁹ Charles Graham, ‘Emerging practice and research in blended learning’ (Routledge, 2013).

⁴⁰ Norm Friesen, (2012). ‘Report: Defining Blended Learning. On the internet’

<http://learningspaces.org/papers/Defining_Blended_Learning_NF.pdf, date: 15.12.2017> accessed 13 July 2020.

⁴¹ Fatih Saltan, ‘Blended Learning Experience of Students Participating Pedagogical Formation Program: Advantages and Limitation of Blended Education’ (2017) 6(1) *International Journal of Higher Education* pp 63-73.

techniques include online instruction; e-mail; class websites; computer laboratories; mapping and scaffolding tools; computer clusters; interactive presentations; learning management systems and virtual apparatuses.

Nevertheless, face-to-face interactions between students and teachers are likely to be disrupted through hard lockdowns or tough restrictions. Therefore, the pandemic and moving beyond calls us to think of ways to remotely implement the curriculum, flexibly and effectively, and without limitations.⁴² How we ought to implement the curriculum, using online technologies to reach students remotely therefore remains at the centre of this discussion. The capabilities approach encourages us to focus on what people are able to do. This implies that during emergency periods, such as COVID-19, the focus should be on what lecturers, students, parents, and guardians can do in terms of curriculum implementation. This calls for understanding what is happening in the life of these persons. For example, we can seek to understand the bundle of resources at their exposure.⁴³ This might include understanding if they have internet access, the necessary gadgets, conducive space to work, family support and so forth. Some students will have a thicker bundle, for example, unlimited wi-fi and a reliable efficient laptop. The approach stipulates that we look at people one by one and come up with realistically attainable interventions.

Teachers and lecturers should understand what students are able to do in their homes.⁴⁴ Thus, they ought to understand or at least have an idea of what is going on in every student's household. Educators must explore personal and conversion factors that shape each student's freedom and understand the choices and values that convert these freedoms into actual achievements and realised agency.⁴⁵ In the spirit of seeking what could work and in order to minimise violation to the right to education: the government can also consult widely on action to be taken when implementing the

⁴² Ijeoma Onwusuru and Ben Ogwo, 'Cloud-based portal for professional development of technology educators in Nigeria and the emerging virtual workplace' (2019) 11(1) *International Journal of Arts and Technology education* 1.

⁴³ Melanie Walker, 'Here's how to measure- and deepen- change in South Africa's universities' (*The Conversation*, 15 October 2015) <<https://theconversation.com/heres-how-to-measure-and-deepen-change-in-south-africas-universities-48899>> accessed 10 August 2020.

⁴⁴ Gerald Allan Cohen, 'On the Currency of Egalitarian Justice' (1989), 99(4) *Ethics* 906.

⁴⁵ *Ibid* at 38.

curriculum in emergencies. Deliberations with students, teachers, parents and relevant stakeholders could help minimise such violation. These deliberations and actions need to be guided by the CRSA.

Fears are rising that many students are likely to fall far behind academically due to lost time. This specifically affects students from economically and technologically disadvantaged households where online study remains a novelty. If the same level of educational attainment for all students is to be achieved, more resources will need to be devoted to those who encounter obstacles.⁴⁶ However, a 'resources' only approach does not go far enough, as there may be obstacles present even when resources seem to be adequately spread.⁴⁷ Some parents just may not be able to help their children complete the work sent remotely, particularly primary school children.

Curriculum development thus ought to implement a bottom-up approach by involving students and professional organisations; and through identifying indicative capabilities that will determine the type of knowledge to be included in the curriculum. One way to achieve this is to hold focus groups with stakeholders to find out the strengths and weaknesses of the curriculum. Course or subject evaluation forms can also provide valuable information for curriculum refinement. In so doing, stakeholders, including subject matter experts, students, educational consultants, instructional and technology designers can contribute in developing the curriculum. Remote learning now and in the future would be made more effective by ensuring such a multifaceted approach. Through such approach, learning losses can be mitigated by adjusting expectations of the curriculum and creating a rapid catch-up period once schools properly reopen, rather than forcing students through a curriculum that they are far from ready to study.⁴⁸

In our view, even if schools and universities are shut down, there are different modes of learning that are more contextual and, to a large extent, meaningful and practical. Depending on location and the available resources, teachers and lecturers must consider strategies such as radio and television, for example. The best versions

⁴⁶ Ibid at 66.

⁴⁷ Ibid at 66.

⁴⁸ Rodger Halsey and Shwetlena Sabarwal, 'The COVID19 Pandemic: Shocks to Education and Policy Responses' (Open Knowledge Repository, 2020)

<<https://openknowledge.worldbank.org/handle/10986/33696>> accessed 10 November 2020.

of remote learning are often the result of long-term planning, dedicated teacher training, systems testing and adaptation. Overall, COVID-19 has compelled learning institutions to develop smarter and more sustainable strategies for delivering quality education.

4. CONCLUSION

The measures put in place by the government were to protect human life and health. While the rationale to impose restrictions remains clear, COVID-19 has dramatically underscored the need for change by exposing the fragility of education systems and their inherent inequalities. It is also clear that the pandemic has had far-reaching effects in the way curriculums must be implemented at schools, universities and other tertiary institutions. Going forward, COVID-19 provides an opportunity for reimagining education, specifically the implementation of the curriculum.

Decisions on actions to be taken by educational institutions need to be deliberated by all relevant stakeholders, including the students. Learning spaces should be equitable for all and must minimise shocks to students from economically and technologically disadvantaged backgrounds. This will minimise the deprivation of access to education. Therefore, the government should implement appropriate actions to build more equitable and resilient post-COVID-19 education systems that will help students to learn continuously at school and home.