Creating Safer Schools
Alternatives to Corporal Punishment
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Defining Corporal Punishment

“This is any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light. Most involves hitting (smacking, slapping, spanking) children with the hand or with an implement—whip, stick, belt, shoe, wooden spoon, etc. But it can also involve, for example, kicking, shaking or throwing children, scratching, pinching, burning, scalding, or forced ingestion (for example, washing children’s mouths out with soap or forcing them to swallow hot spices). In addition, there are other non-physical forms of punishment which are also cruel and degrading and thus incompatible with the Convention on the Rights of the Child. These include, for example, punishment which belittles, humiliates, denigrates, scapegoats, threatens, scares or ridicules the child.”
This booklet provides highlights of the publication *An Introductory handbook for promoting Positive Discipline in Schools for Quality Education: Alternatives to Corporal Punishment*. It is meant to provide guidance to teachers, School Management Committees and all adults to ensure all schools in Uganda provide a safe environment that is free from violence against children.

**Corporal Punishment**

“It [corporal punishment] is too much and happens every day and no one cares about it”.

14-year-old boy

In Uganda, corporal punishment of children is so common it has almost become invisible. Many adults hardly notice themselves or others using violence to interact with children.

**Effects of Corporal Punishment**

“When children are growing up they keep what was done to them in mind, and in the end they also do the same to those younger than them, especially at school”.

14-year-old boy

A school that allows **Corporal Punishment** to continue, fosters a belief among all its members that other forms of violence will also be tolerated. The negative effects of this degrading violence include:

- Lifelong psychological damage, manifested as depression, inhibition, rigidity, heightened anxiety and suicidal thoughts.
- Children lose interest, resent the learning experience and, as a result, do not value education.
- Children learn to hate a subject or teacher because education does not thrive when children live in fear of those who teach them.
- Being absent from school and the risk of dropout increases
- Fostering cruelty and violence then later on increase in crime rates
- Increase in costs in treating injured children. When children are injured from corporal punishment, the school must take responsibility for paying the medical expenses.
- Children who experience corporal punishment develop feelings of low self-worth and as a result can become unproductive adults.

**Educators and Cultural Beliefs**

Educators aim to fulfil their responsibilities according to beliefs that are common in their communities. Until now, much of our society and culture has encouraged educators and all adults to hold the following types of harmful beliefs:
“Spare the rod and spoil the child”:

Some adults believe that if children do not fear them, they will disrespect their elders and behave in a way that is contrary to Ugandan culture and tradition. These adults believe that by instilling fear in children, they can mould children’s value systems and teach children to appreciate their heritage.

However, you cannot force somebody to respect you or your ideas. Respect is earned by giving respect; role modelling and helping children see for themselves the wisdom of respecting those around them. Furthermore, if we want children to respect culture and tradition, we have to help children understand how culture and tradition enrich our lives; we need to teach children about their heritage in a manner that respects and preserves their dignity.

“Without pain there is no gain”:

Many adults have been told throughout their lives that learning occurs when associated with pain. Our own schooling taught us to believe that without the threat of the stick or a public rebuke, we will become lazy and not exert the effort required to learn new things.

However, we now know that positive reinforcement and compassion are more powerful motivators for children (and adults!) than pain. Pain does not teach children how to learn from their mistakes. When forced to learn under the threat of a stick, children often memorise the correct answers instead of internalising the deeper logic about what makes those answers correct. Over time, these children become poorer learners than children who grasp the underlying principles. Deeper learning requires effort and safety, not the threat of physical pain.
Banning Corporal Punishment

Government’s position on Corporal Punishment

Due to the negative consequences of violence against children, the Ministry of Education and Sports has taken a clear stance against corporal punishment in Ugandan schools. We have expressed this policy position through three circulars as well as other guidelines that have been widely disseminated. This reflects other world views on corporal punishment; “Corporal Punishment is always degrading and has no place in the home or our schools.” (United Nations Committee on the Rights of Child)

Key Government of Uganda communications on Corporal Punishment

10 June 1997:

The first circular was issued by the Commissioner for Education copied to all District Education Officers, Inspectors of Schools, Head Teachers and Principals to communicate a temporary ban on the use of corporal punishment in schools and colleges.

9 September 1998:

The Guidelines on Policy, Roles and Responsibilities of Stakeholders was issued for implementing Universal Primary Education, and in Clause 3.4 (iii) it explicitly forbids use of corporal punishment in schools.

10 September 2001:

The second circular was issued by the Permanent Secretary and copied to Head Teachers of government-aided secondary schools to communicate guidelines for handling of discipline in secondary schools.

7 August 2006:

The third circular was issued by the Director of Education and copied to primary schools, post-primary institutions, tertiary institutions, colleges and polytechnics to expressly forbid corporal punishment in any school in Uganda. This circular requires each School’s Management Committee or Board of Governors to approve a school disciplinary policy. It further requires that any incident of punishment must be recorded in a specific punishment book maintained by the school. The circular clearly states that anyone ignoring these guidelines would be committing an offence and would be held responsible in the Courts of Law.

Legal Protection for Children against Corporal Punishment

The Constitution of Uganda, Article 24

Article 24 of the 1995 Constitution protects every person, including children, from torturous, cruel, inhuman or degrading treatment or punishment. Article 44 under section (a) makes the provisions under Article 24 non-derogable, meaning there
can be no justification for contravening these rights. These provisions ensure that our children have a constitutional right to be educated without humiliating and degrading treatment.

**Children’s Act Cap. 59**

Cap 59: Section 5 explicitly states that anyone entrusted with the care of a child has a duty to maintain that child and to provide for her or his basic rights. Under Section 5 (2) the Act emphasises the responsibility of the same duty-bearers to protect children from discrimination, violence, abuse or neglect. This means that parents, community members and teachers have a responsibility to ensure that when children are in their care, their safety is protected. In schools this means teachers have a responsibility to prevent violence against children, such as in the form of corporal punishment or bullying.

**The Penal Code Act Cap 106:**

Section 221 explicitly states that any person who causes harm to another by an act of omission or commission is guilty of misdemeanour and liable to imprisonment for up to six months. Under section 81 and 228, the Act states that any person who threatens or assaults another person causing actual bodily harm is guilty of misdemeanour and is liable to imprisonment for up to five years.

**Education Act 1970:**

Under Government Standing Orders, chapter 127, the Act explains that the Director of Education shall, on advice from the Education Service Commission or on her/his own motion, remove from the teachers register the name of any teacher who is convicted of a criminal offence involving amoral behaviour or who has been found guilty of misconduct, which in the opinion of the Education Service Commission or Director of Education renders the individual an unsuitable person for employment as a teacher.

**Regional Policy on Corporal Punishment in Schools**

**African Charter on the Rights and Welfare of the Child:**

Article 11 of this document requires taking “all appropriate measures to ensure that a child who is subjected to school 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” (see also Articles 16, 17 and 20).

**African Charter of Human and People’s Rights:**

Declares that every individual, including children, is inviolable (Article 3), is entitled to respect for life and the integrity of person (Article 4) and has a right to be protected from degrading punishment (Article 5).

**International agreements with Uganda’s legal commitment:**

The Universal Declaration of Human Rights and The International Covenant on Civil and Political Rights both declare the right to human dignity and physical integrity including that of children.
Creating Safer Schools

The United Nations Convention on the Rights of the Child (UNCRC):

Article 19 explicitly requires the Government to ensure that children are protected from all forms of violence. Article 28 specifically says that the discipline administered in school must be consistent with human dignity. Article 37 requires the state to ensure that children are not subjected to cruel or inhuman treatment. As a result of these provisions, the Committee on the Rights of the Child, the body mandated to provide official interpretation of the Convention, has consistently interpreted the UNCRC to require a complete prohibition of corporal punishment.

The Teacher's Professional Code of Conduct:

These are guidelines for governing behaviour regarding the teacher-learner relationship, which includes:

- Teachers must ensure that a learner develops as an integral whole (body, mind, soul, character and personality).
- Teachers must refrain from any kind of misconduct that will harm the physical, mental and moral welfare of a learner.
- Teachers should not have any sexual relationship with a learner. Teachers should never use a learner’s labour for private and personal gain.
Teaching Positive Discipline

Children are people too, they respond better to positive actions like guidance instead of harsh punishment or abuse. They will learn the lesson better when they are not in pain.
Positive Discipline

Positive discipline is a different way of guiding children. It aims to help children take responsibility for making good decisions and understand why those decisions were in their best interests. Positive discipline helps children learn self-discipline without fear. It involves giving children clear guidelines for what behaviour is acceptable and then supporting them as they learn to abide by these guidelines.

When necessary, positive discipline includes non-violent consequences for negative behaviour. It uses consequences that replace the experience of humiliation as follows:

- Considering the effects of one’s behaviour
- Identifying alternative and preferred behaviours
- Demonstrating and understanding of why a preferred behaviour is important
- Making amends for harm done to others or the environment.
- Engaging children in the creation of rules to foster responsibility

Positive discipline depends on the teacher’s role as mentor and guide. It involves providing positive reinforcement for good choices as well as consequences for poor choices. A positive discipline approach rejects the use of violence as a tool for teaching. It is about making a long-term investment in a child’s development, rather than grasping for immediate compliance. Positive discipline encourages children to be active participants in rule creation with their school mates and peers. This means they are also responsible for upholding their own rules.

Positive Discipline and Better Schools

By using positive discipline we change what we know as education. Instead of children coming to school to obey rules and memorise information, they experience school as a place where they discover and define the kind of person they want to be. Inspired by the outcomes of positive discipline, schools around the world are now supporting all aspects of children’s growth, rather than just giving children information.

Children will only grasp this life-changing opportunity if they feel physically and emotionally safe. Positive discipline helps children feel safe and supported, but this sense of safety must extend beyond the classroom. We must ensure that everything about a school makes children feel as safe and supported as possible in all areas of their development, in all aspects of growing up. This new kind of school is what we call a “safer school.”
Creating Safe Schools

Schools should be safe places for children so that they can learn. Violence and abuse in schools defeats the purpose of education. It forces children to drop out, perform badly in class and fail to succeed in their life long education.
Creating a safer school requires a school-wide commitment.

It will require the school’s administration and teachers to learn new skills and collectively reflect on the school’s methods. If you want to create a safer school, consider starting with the following steps:

1. **Educate yourself:**

Do some background reading. Get in touch with other schools that have already begun this process and learn about their approaches, including what worked and what do not.

2. **Create a shared vision:**

If you want to create a safer school, you must ensure that all stakeholders get involved. It will take everyone’s time, effort and patience to create a safer school. Stakeholders are more likely to remain committed if you engage them in creating a shared vision.

3. **a) Share ideas and generate interest:**

Share your ideas with potential supporters, such as Non Governmental Organisations who may be interested in influencing the quality of education at your school, as well as local district officials in your area. Discuss the ideas in this leaflet with the school governing body. For their next meeting, create a short presentation on safer schools and how they benefit everyone in the community. Explain how your school is improving their children's education. Encourage parents to get involved and apply the positive discipline ideas at home.

4. **a) Create written policies:**

Develop a written policy on positive discipline at school. This document should include a basic explanation of positive discipline and the responsibilities of teachers and students in applying it. Once finalised, launch the policy publicly with the support and involvement of students, governing bodies, teachers, parents and community leaders.

**b)** Ask for a special meeting with teachers, including the head teacher, to discuss how these approaches could help the school achieve better results. Discuss how these approaches could be implemented and who would lead the school through this process. Emphasise that creating a safer school is in the best interest of all.

**c)** Design special lessons and classroom discussions about positive discipline and why your school is choosing to apply it. Explain carefully what it is and what it isn’t. For example, emphasise that with positive discipline teachers still have a responsibility to guide children and may still give consequences for children’s poor behaviour.

**4. a) Create written policies:**

Develop a written policy on positive discipline at school. This document should include a basic explanation of positive discipline and the responsibilities of teachers and students in applying it. Once finalised, launch the policy publicly with the support and involvement of students, governing bodies, teachers, parents and community leaders.

**b)** Use the existing Code of Conduct that specifically tells teachers what they can and can’t do when they discipline at school. This document clearly outlines consequences for the breach of school standards.

**c)** Develop a written action plan for how you will create a safer school, and review the plan once a month to monitor progress. Ensure that this plan takes into account the varying needs of children in your school, such as the special needs girls may have based on the beliefs and stereotypes in your community. Consider the gender norms
that may influence how teachers discipline boys differently from girls. Think about children who have a disability and how you will ensure that they are not excluded from participating in school activities.

d) Ensure that the entire community is aware of the school’s transformation and is committed to the process. If appropriate, you could engage community members, including community leaders, in signing a community-wide agreement that supports and promotes the new policies and plans.

5. a) Create structures that will keep all stakeholders engaged;

Establish an elected student’s body that has a clear say in all of the above decisions. Establish a teachers committee that, together with the student’s body, has the day-to-day responsibility to spearhead the process of creating a safer school.

b) Create a regular forum for teachers and students through which they can share their ideas and experiences of creating a safer school. It could be a school wide essay writing competition, picture drawing competition, suggestion boxes, school assembly presentations, dramas and short stories or any other method through which ideas can be shared.

6. **Build teachers’ and administrators’ ability to successfully use positive discipline;**

Positive discipline is a critical component of safer schools. Provide training and resources for teachers and administrators on how to use positive discipline.
Benefiting from Safer Schools
1. Better behaviour in the classroom:

Once you invest in creating helpful relationships with children, and present the work in the classroom as collaboration between the teacher and the students, the classroom environment will likely change. Once students realise that their views and opinions matter and that you take them seriously, they may invest in contributing more positively rather than focussing on disrupting the class or misbehaving to gain attention. As a result, their behaviour in the classroom will improve.

2. Increased teacher satisfaction:

When you have a class full of students who are interested in what you have to teach, instead of feeling intimidated by your presence, teaching can become more fulfilling. The satisfaction of seeing students fully attentive and excited about learning is what makes teaching a meaningful activity.

3. Improved classroom learning:

When students are encouraged to explore ideas and ask questions, they learn more efficiently. They are better able to remember the information and apply it to new situations. You may also see better academic performance on tests and examinations.

4. Better school reputation:

Enthusiastic students are great ambassadors for schools. As they share their pride in their school with their family and community, the school will gain a reputation for being outstanding. In their direct and indirect representation of the school, you will see the positive effects of implementing alternatives to corporal punishment.

5. Greater contribution to communities and the nation:

Creative, bright students who can apply their knowledge and skills are not only good for our schools but also for our communities and country. They will become the problem solvers of the future. They will become active participants in our economy and the leaders of our nation.

A Positive Classroom

“I knew in my heart that violence was wrong because I know what it feels like. Now I work at this school where the headmistress has made a rule that corporal punishment is not allowed. Sometimes it is hard, but I also think it is right. I wish all schools were like ours.”

Female Teacher and Parent

Positive discipline guides children in understanding their misbehaviour and in building a personal desire to make better choices in the future. However, it is far more than just responses to misbehaviour. It combines non-violent disciplinary action with a positive classroom environment, an environment that encourages students to get involved in defining the conditions for success.
Scenario 1: Arriving late to school

Sabina lives two kilometres from her school and has to do domestic work every morning. Then she walks the full distance because she does not have money to take the bus. She is then given three canes by the teacher for coming late to school. The teacher feels that beating will instil discipline in Sabrina and make her and other children learn that there are consequences for wrong actions.

What are positive discipline alternatives?

In this situation, beating Sabina does not teach her what is wrong with coming late to school. It just teaches her that she will experience pain. She may get used to it and, therefore, never learn from her mistake. Consider the following alternatives:

a) The teacher could begin by trying to understand why Sabina comes late. The teacher could get in touch with her parents to see if together, they could help Sabina get to school on time.

b) The teacher could hold discussions in class about the importance of being on time and the values behind punctuality. The class could make a list of reasons for being on time, such as:

   • The lessons can start and finish on time.
   • You will not miss part of the lesson because you are late.
   • It shows respect for your fellow students, teachers and school.
   • It shows that you take pride in your conduct and enjoy being at school.

c) Sabina could be offered counselling on how to ensure that she is on time. This approach would involve listening to her reasons for being late and taking into consideration her situation. It may involve getting her to write a letter to explain why she comes late or asking her to apologise to her class for arriving late. It may involve sending a note home to her parents or, if it is a small community, arranging personal communication with her parents to explain why Sabina needs to arrive at school on time.

d) If Sabina is persistently late, the teacher could tell her that she is not allowed to enter the classroom late and, therefore, not able to join the first class. This will cause her performance in this class to suffer, and she will see how her behaviour has consequences. She will learn that she has the power to change her own situation by coming on time. However, it is important that other options have been tried before this one is exercised.

Scenario 2: Making noise in class and disruptive behaviour

James likes telling funny stories in class. He feels he is an entertainer and that the teacher has no authority over him. James’ teacher thinks differently. He knows that he has to make the children show fear as a sign of respect. He is also conscious that if he fails to at class control, other students and teachers will laugh at him. So the
teacher’s solution is to beat James so that other children are deterred from talking in class.

**What are positive discipline alternatives?**

In this case, James may be trying to get some attention and praise rather than wanting to be disruptive for the sake of it. Consider the following alternatives:

a) The teacher could begin the term by developing class ground rules with the class and gain agreement on these rules. These rules could include:

- No side talking during the lessons.
- All the lessons will start and finish on time.
- The teacher will not humiliate students if they do not know the answer to a question.
- Students will take responsibility for trying hard by asking questions when they do not understand.
- Everyone will respect each other in class.
- If a person breaks any of the rules, the teacher will take appropriate action already discussed with the class.
- In the case of persistent offenders, the class disciplinary committee will follow pre-written guidelines to determine the appropriate discipline.

b) The teacher could get James to write a letter to the class regarding his behaviour and what effect he thinks it has on the class.

c) The teacher could exclude James from the class for 10 minutes to help him reflect on his actions.

**Scenario 3:**

**Failing a test or giving a wrong answer to a question**

John is always nervous in class. He is always afraid the teacher is going to pick on him to answer a question and he will fail it. He is afraid of his classmates because they always laugh at him when he gives a wrong answer. He does not understand the subject that is being taught and avoids participating in class discussions. However, John’s teacher thinks that he is just stupid. He feels that John does not pay attention and the only way the boy will perform well is by beating him in front of all the other children.

**What are positive discipline alternatives?**

Learning is a delicate process. The ability to learn depends on the emotional and mental state of the learner. Even if the lesson is simple, some learners may still experience difficulty absorbing the information. Consider the following alternatives:

a) The class could agree to the following rules for learning:

- The teacher will present the information in many different ways so that children who can not understand one way have an opportunity to understand another way.
The teacher will frequently check to see if the children understand what is being taught.

The teacher will repeat information and will welcome students’ questions.

The teacher will not punish students for giving wrong answers.

b) The teacher could adopt practices that support cautious and slower learners, such as the following:

- When possible, the teacher offers extra help after class to children who had difficulty with the lesson.

- If a child does not know the answer to a question, the teacher moves to another child. The teacher never keeps attention focused on just one or two children.

- The teacher explains that wrong answers are part of learning and that students should not be afraid of giving a wrong answer, then when students try hard but give wrong answers, the teacher congratulates the students for trying and then guides them in understanding the correct answer.

Scenario 4: Bullying other children

Peter gets his bad behaviour from home and thinks it is okay to bully his peers. Peter’s teacher thinks that to stop him from making other children miserable and giving the school a bad name the best punishment is to cane him six times. If Peter does not change, the teacher shall recommend that he is expelled.

What are positive discipline alternatives?

Peter’s behaviour may be motivated by the humiliation he is subjected to at home or elsewhere. Thus, further humiliation at school is unlikely to be helpful. Before taking any firm action, it is important to find out the root cause of his behaviour, through counselling as well as enquiring within the community. However, it is also important to provide immediate protection for other children. Consider the following alternatives:

a) The school could develop a written policy about zero tolerance for bullying and post it on a public board.

b) The school could ensure Peter receives counselling for his problem. If the problem persists, the school could involve other community members, such as a parent, relative, religious leader or other community leader. If the problem still persists, the school could consider referring Peter to another school that is able to deal with the problem more effectively.

c) The school could involve a Probation Officer or the Secretary for Children’s Affairs in the local area.

d) The Head Teacher could talk about the incidents during the school assembly and emphasise that violence against children is unacceptable—regardless of whom it comes from. To do so effectively, the Head Teacher should focus on talking about the behaviour rather than about Peter.
Appendix 1

MINISTRY OF EDUCATION
P.O.BOX 7063
KAMPALA.
Ref: CE/C/23

10th June 1997

All District Education Officers
All Municipal Inspectors of Schools
All District Inspectors of Schools
All Head-Teachers
All Principals

A TEMPORARY BAN ON THE USE
OF CORPORAL PUNISHMENTS IN
SCHOOLS AND COLLEGES

1. The use of the cane and, in many
cases, rampant beating of school children
and students under the guise of disciplining
them by applying corporal punishments
has been discharged without generally
agreed guidelines or regulation to restrain
it’s excessive usage. Whereas Corporal
punishment is prescribed in the penal code
of Uganda Laws, usually accompanied
with hard labour, the use of the cane in
schools is not equally governed by clearly
de fined procedures, rules or guidelines to
give it a positive and professional value as a
deterrent measure in promoting discipline.

2. Over a period of time, professional
values traditionally derived from the use
of corporal punishments as a deterrent
and disciplining measure to be applied
on growing children have been eroded
through indiscriminate use of the cane. In
practice, the use of the cane in schools has
deteriorated into random and irresponsible
beating of school children by teachers or
fellow pupils. This has resulted in untold
injuries, physical impairments and, in some
cases, actual death. In some cases even
the bare hand or use of the nearest hard
object has inflicted a disability of one form
or another on the victims.

In the absence of clear procedures, rules
and guidelines on the application of corporal
punishments in schools in general and in
view of the seriousness of the uncontrolled
use of the cane in particular, it has been
found necessary to put a complete stop to
the use of the cane in schools and random
beating of children by teachers before a
policy on this is finally put in place.

3. The following measures therefore take
immediate effect:

i) Random beating of school children
and students in schools and colleges
by teachers must stop forthwith. This
equally applies to meting out any form of
punishment or act that may induce or cause
injury, damage, defilement or disfigurement
to the human body.

ii) The use of the cane as a disciplining
measure shall not be permitted in nursery
schools and infant classes at this tender
age that ought to be brought up in love and
fellowship rather than brutality, violence
and sadism.

iii) Every school should immediately
review it’s school rules and code of
punishments with a view to introducing
more professional and acceptable sanctions
to replace the stereotypes of manual labour
and caning. These should be subject
to approval by the school management
committees or Boards of Governors to
ensure that the measures taken do not in
any way disguise other forms of brutality.
iv) In all circumstances, the entire system of punishments in schools and colleges must be approved by the School Management Committees or Boards of Governors as the case may be.

v) Any punishment incident in future must be recorded in a punishment book, clearly indicating the type of offence, type of punishment, authorisation and the particulars of the offence.

vi) Those who deem it professionally defendable, justifiable and necessary to introduce use of corporal punishment in schools and colleges must come up with a clearly conceived definition, procedure and prescription of how best to administer the punishment. This then will be a useful basis for generating national debate which may in turn enhance the enactment of an appropriate law.

vii) Where these guidelines are ignored or abused, the culprits will be criminally held responsible for their actions and will have to face the Law including the Professional Code of Conduct.

With these restraints, it is expected that most schools will opt for developing more professional and refined methods of guiding and counseling pupils, students, teachers and parents in the use of alternative and more positive training in attitude formation and character building among the youth. Our ultimate goal ought to be minimal administration of punishments in the schools system in preference to a system of getting to know and understand the needs of the youth more intimately.

Stephen B Maloba
COMMISSIONER FOR EDUCATION

c.c The Permanent Secretary
 Ministry of Education.

Appendix 2

10th September 2001
CIRCULAR NO. 6/2001

To: Head-Teachers
Government Grant-aided Secondary Schools

GUIDELINES ON HANDLING OF INDISCIPLINE IN SCHOOLS

In the recent past there has been a wave of strikes, indiscipline and unrest of students in some schools throughout the country. There are a number of possible reasons to explain the cause of this situation.

The causes range from increasing indiscipline of students to poor methods of school administration characterised by lack of transparency and accountability, and good governance. However, the issue of causes of unrest will be dealt with after thorough investigations have been carried out.
In this communication, I would like to deal with the way indiscipline of students and strikes is handled in schools. In many cases where strikes have occurred it has been discovered that the official procedures are not followed in handling cases of indiscipline.

I wish therefore to reiterate that:

1. Cases of indiscipline of students should be handled by ALL relevant committees in the school system and as stipulated in the Basic Requirements and Minimum Standards Guidelines.

2. According to the Education Act 1970 section 7, subsection 2 and the Education Board of Governors Regulations 1991 part iii-section 9 and 10, the existence, management and administration of any secondary school in Uganda must be guided by a duly appointed and operationally functioning Board of Governors. In the same Regulations part iv, section 14 and 15, a head-teacher cannot effectively run a school without the active involvement of the Board of Governors and their relevant committees.

This is therefore to clarify:

(i) That for suspensions of not more than two (2) weeks, the head-teacher may effect them without the approval of the Director of Education's office but should do so only at the recommendation of the relevant disciplinary committees in the school.

(ii) That from now on, no indefinite suspension of students should be carried-out without the approval of the Board of Governors.

(iii) That cases of indefinite suspension should be forwarded, with recommendations of the Board of Governors, to the Director of Education for approval. This process should not take more than one month.

Please note that for major cases of indiscipline, the head-teacher (Secretary of the Board of Governors) should call for a special meeting as is provided for in the Rules and Regulations of the Board of Governors.

May I remind you that it is an abdication of your duties to fail to submit minutes of the Board of Governors’ meetings and their relevant committees every term to the Commissioner, Secondary Education for follow up. Any head-teacher who will fail to apply these procedures will be liable for disciplinary action.

F.X.K. Lubanga
PERMANENT SECRETARY

CC All Chief Administrative Officers
All District Education Officers
All Chairpersons of Board of Governors
Appendix 3

7th August 2006

CIRCULAR NO. 15/2006

To: Heads of Primary Schools
    Heads of Post Primary Institutions
    Heads of Tertiary Institutions
    Heads of Colleges and Polytechnics

RE: BAN ON CORPORAL PUNISHMENTS IN SCHOOLS AND COLLEGES

1. The Ministry of Education and Sports has noted with great concern the increasing number of cases whereby teachers have been subjecting students to corporal punishments under the guise of disciplining the students. Whereas corporal punishment is prescribed in the Penal Code of Uganda Laws, and is usually accompanied with hard labour, the use of the cane in educational institutions is not equally governed by any law.

2. Traditional values derived from the use of corporal punishments as a deterrent and disciplining measure to be applied on growing children have been eroded through indiscriminate use of the cane. Moreover, the Children’s Rights Act prohibits values and actions that undermine the health and dignity of the children. In practice, the use of the cane has deteriorated into random and irresponsible beating of students by the teachers and fellow students. Consequently, untold injuries, physical impairments and in some cases actual death, have been caused by corporal punishments meted to students. Even the use of bare hands has at times inflicted a disability of one form or the other on the victims.

3. The following measures must be observed by all the educational institutions, be they government-aided or private.

(a) Corporal punishments for students in schools and colleges must stop forthwith. This applies to meting out any other form of punishment or act that may cause injury, damage, defilement or disfigurement to the human body.

(b) The use of the cane as a disciplining measure shall not be permitted even in Nursery Schools and infant classes. At this tender age, the children ought to be brought up in love and care rather than in brutality, violence and sadism.

(c) Every educational institution should review its rules with a view of introducing more professional and acceptable sanctions to replace manual labour and caning. The Schools/ Colleges’ Boards of Governors/ Governing Councils should approve the new rules. However, the measures to be taken should not in any way disguise other forms of brutality.

(d) Any disciplinary action must be recorded in a punishments book, clearly indicating the type of offence, type of punishment, authorisation and the particulars of the person administering the punishment so that a regular system of records is maintained.

(e) Where these guidelines are ignored or abused, the culprits will be held criminally
responsible for their actions. They will have to face the Law, including the Teachers’ Code of Conduct.

(f) It is expected that educational institutions will develop and apply more professional and refined methods of guiding and counseling students, teachers and parents in the use of alternative forms of punishment that are geared towards positive training in attitude formation and character building of the youth. The ultimate goal of the managers of the teaching/learning process is to mould them into useful citizens.

Dr. J.G. Mbabazi

For: PERMANENT SECRETARY

CC All Chief Administrative Officers
    All Town Clerks
    All District Education Officers
    All Municipal Education Officers
    All District Inspectors of Schools
    The Rt. Hon. Prime Minister
    All Hon. Members of Parliament
    Head, Public Service/ Secretary to Cabinet
    Deputy Head, Public Service/ Secretary for Administrative Reform
    All Permanent Secretaries
    All Resident District Commissioners
    All Chairmen, Local Council V
    Chairpersons, District Local Council Education Committees, Secretaries of Education, District Local Councils
    Chairpersons, Schools Management Committees Chairpersons, Parents & Teachers Associations.
Creating Safer Schools