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REGULATIONS RELATING TO HOSTELS ESTABLISHED FOR STATE SCHOOLS AND COMMUNITY SCHOOLS (EXCLUDING SPECIAL SCHOOLS, INDUSTRIAL SCHOOLS AND REFORM SCHOOLS)

THE Minister of Education and Culture for the KwaZulu-Natal Province has under sections 16 and 73 of the KwaZulu-Natal School Education Act, I No. 3 of 1994 made the regulations in this Schedule.

SCHEDULE

1. Definitions

In these regulations any word or expression to which a meaning has been assigned in the Act, shall have the meaning so assigned to it, unless the context otherwise indicates-

"boarder" means a person who enjoys full boarding and lodging in a hostel:

"boarding bursary" means a boarding bursary granted in terms of regulation 11:

"governing body" means a management council referred to in sections 45, 49(1)(a) or 27(3), a managing body referred to in section 28(7) and a governing body referred to in section 18(1) of the Act:

"head" in relation to a hostel council means the principal of the school concerned or a teacher appointed by the Secretary in terms of regulation 2 (2) to be responsible for the direct control of such a hostel:

"hostel unit" means the living quarters of a hostel which is operated as a separate unit: and

"supervisor" means a person appointed in terms of regulation 3.

2. Control of hostel

(1) Subject to the provisions of sub-regulation 2, the direct administrative, financial, educational and disciplinary control of a hostel or hostels vests in the principal of the school concerned.

(2) The Secretary may at any time, for reasons he/she deems sufficient, and in agreement with the principal, appoint another educator as head of a hostel or hostels

attached to a school, who shall be responsible for the control thereof.

(3) An educator who is appointed as head of a hostel or hostels attached to a school reports to the principal in respect of all matters relating to the hostel or hostels and the principal has access to all books, records and stores held in connection with the hostel or hostels concerned.

3. Supervisor

(1) The Secretary may appoint one educator as a supervisor for each hostel unit to assist the head of a hostel in the execution of his/her duties. A person who is not an educator may be appointed as supervisor if no suitable educator is available.

(2) A principal of a school who is not a head of a hostel, may be appointed as a supervisor. Such an appointment is only valid for one year, but it may be renewed from year to year.

(3) The Secretary may appoint a second supervisor to a hostel unit having both boys and girls.

(4) The head must give written instructions to each supervisor of the duties to be performed by him/her.

4. Assistant supervisors

(1) The Secretary, with the concurrence of the management council, may appoint assistant supervisors.

(2) The Secretary may appoint only persons who are not educators as assistant supervisors, if, in his/her opinion, there are no suitable educators available.

(3) The Secretary must determine the ratio for the appointment of assistant supervisor posts at hostels.

5. Conditions of residence

The Secretary may require of a head to reside in a hostel.

6. Duties and powers of a head

(1) A head of a hostel must-

(a) ensure compliance by staff and boarders with all departmental regulations, instructions and directions relating to hostels:

(b) record in writing the duties and powers of supervisors, assistant

supervisors, domestic and administrative staff under his/her control, see to it that such staff are fully conversant with their duties and that these are properly executed:

- (c) draw up domestic rules for the proper management of the hostel and ensure that such rules are made known to staff and boarders and that such rules are observed:
- (d) keep or check all registers and records in connection with the hostel as required by the Secretary:
- (e) submit in good time, returns required by the Secretary:
- (f) provide for the proper financial control and management of the hostel, including, but not limited to-
 - (i) the prompt collection of fees:
 - (ii) the handling, safe custody, proper accounting and depositing of all monies:
 - (iii) the drawing up, in consultation with the management council concerned, of an estimate of revenue and expenditure to ensure commitments do not exceed revenue:
 - (iv) the proper completion and submission of requisitions for equipment:
 - (v) the obtaining of the necessary authority from the Secretary to purchase consumable stores locally by informal tender:
 - (vi) the checking and granting of approval for requests for consumable stores including emergency purchases:
 - (vii) the checking of all domestic returns and accounts:
 - (viii) strict compliance with financial procedures in connection with the keeping of permanent and other records and the management, maintenance and the supply of stores and equipment to hostels:
- (g) ensure that official equipment is properly used and maintained:
- (h) control leave of boarders:
- (i) undertake regular inspections in order to ensure that-
 - (i) no wastage of food supplies takes place, and the necessary

cleanliness, as far as the storage, preparation and serving of food are concerned, is maintained: or

(ii) services provided by a contractor are in accordance with an agreement with the department:

(j) take steps, in the event of injuries to or serious illness of boarders, in accordance with directions issued by the Secretary from time to time or, in the case of an epidemic, to comply with the relevant requirements of the Department of Health:

(k) make recommendations to the Secretary, as the case may be, in connection with the appointment of staff including staff to act temporarily in a particular capacity:

(l) perform, when residing in the hostel during holidays, such duties as the Secretary may prescribe:

(m) settle disputes referred to him/her by supervisors, assistant supervisors, other staff or boarders:

(n) conduct all official correspondence:

(o) see to the welfare of boarders in general:

(p) take suitable precautions against burglary, theft and fire: and

(q) perform such other duties as the Secretary may from time to time assign to him/her.

(2) The head shall submit a copy of the rules referred to in regulation (1)(c) above to the Secretary, for approval.

7. Powers, functions and duties of supervisors

(1) The head shall determine the powers, functions and duties of supervisors.

(2) The head may require a supervisor to reside in the hostel unit to which he/she was appointed.

8. Conditions of residence of supervisors and household staff

The Secretary shall determine the conditions of residence of supervisors, assistant supervisors and household staff.

9. Boarders

(1) The Secretary shall determine the number of boarders to be accommodated in a hostel unit. The number of boarders may not exceed such number without the written consent of the Secretary.

(2) No person may be admitted as a boarder without the written permission of the Secretary unless he/she is-

(a) a staff member of the hostel concerned:

(b) a spouse or child of such staff member: or

(c) a learner of the school concerned admitted in terms of regulations 10 below.

(3) The head, when he/she considers it necessary, may demand a medical certificate from a boarder. The cost involved in obtaining such certificate is borne by the boarder or his/her parent.

(4) All medical expenses incurred by a boarder during his/her stay at a hostel is for the account of the boarder or his/her parent.

10. Admission of learners as boarders

(1) The parent of a learner wishing to apply for the admission of a learner to a hostel of a particular school must submit the following to the head of the school concerned-

(a) the prescribed application form for admission to the school concerned, duly completed:

(b) the prescribed application form for admission of learners to hostels, duly completed:

(c) such other documents as the Secretary may require from time to time:

(2) The head, in consultation with the governing body of the school concerned, shall decide on the admission of a learner in accordance with the provisions of regulation 9(1) and other applicable legislation.

(3) The head shall provide the parent of a learner who has been refused admission to a hostel with the reasons for the decision in writing.

(4) A parent of a child to whom admission to a hostel has been refused may appeal to the Regional Chief Director, and thereafter to the Minister.

11. Boarding bursaries

(1) The Minister, with the concurrence of the financial head, may allocate funds for the granting of boarding bursaries to learners-

(a) whose parents are indigent: and

(b) who live beyond daily commutable distance from the nearest school.

(2) The Secretary must determine-

(a) the conditions on which boarding bursaries are to be made available:

(b) the formula to be applied to determine the amount of each boarding bursary: and

(c) the procedure to be followed when making application for and determining the allocation of bursaries.

(3) The Secretary must pay bursaries directly to the provider of accommodation.

12. Designation of clerical assistance

The principal may designate persons to render full-time or part-time clerical assistance to supervisors.

13. Admission of other persons

(1) Apart from boarders, the following persons may be allowed to lodge and have meals at a hostel-

(a) visiting learners and staff from other schools:

(b) supervisors and assistant supervisors:

(c) household staff of the hostel:

(d) a spouse or dependent child of supervising and household staff: and

(e) any other person, subject to the prior written consent of the Secretary being obtained.

(2) The head shall keep a record in a register approved by the Secretary, of all incidental visitors as well as of money paid for such lodging or meals by visitors.

14. Hostel fees

(1) The Minister, with the concurrence of the financial head, shall determine fees payable by casual visitors for lodging at a hostel.

(2) The governing body of a school or a contractor contracted to the department for the provision of catering determines the amount payable by casual visitors for meals enjoyed at a hostel.

(3) Boarders or parents pay hostel fees on or before such dates determined by the Secretary.

(4) Boarders admitted to a hostel after the beginning of a school year for a reason acceptable to the Secretary pay hostel fees on a proportional basis from the date of his/her admission.

(5) Unless suitable arrangements have been made, the Secretary may expel a boarder whose hostel fees have not been paid on due date.

(6) The Secretary may authorise a proportional refund of hostel fees if the following requirements are met-

(a) the boarder leaves a hostel for good reason during a boarding term:

(b) the boarder or his/her parent submits a written application for such refund: and

(c) the application is accompanied by a statement made by the head supporting a proportional refund.

15. Exemption from regulations

The Minister, on application by the governing body of a school and on the recommendation of the Regional Chief Director may exempt a school from one or more of the regulations contained herein on conditions specified by him/her.

16. Delegation of powers

The Minister and the Secretary have authority to delegate powers bestowed on him/her in terms of this regulation to an official in the employ of the department.

17. Repeal of regulations

The regulations governing hostels set out in the Schedule hereto, are hereby repealed.

SCHEDULE

Act	Regulation	Date	Extent of Repeal
Coloured Persons Education Act,	R. 1898	21/11/1963	Chapter O

No. 47 of 1963

Education and Training Act,
No. 90 of 1979

R. 829 30/4/1982 The whole

Education Affairs Act (House of
Assembly), No. 70 of 1988

R. 697 30/3/1990 The whole

KwaZulu Education Act,
No. 7 of 1978

R. 1755 30/9/1968 Chapters 5 and 6