

MEASURES RELATING TO THE REGISTRATION OF AN INDEPENDENT SCHOOL

[PROVINCIAL NOTICE NO. 180 OF 1999]

[DATED: 19 NOVEMBER, 1999]

REGULATIONS

Under sections 46 (2) and 50 (1) of the South African Schools Act, 1996 (Act No. 84 of 1996), I, D. A. Kganare, Member of the Executive Council responsible for Education, hereby promulgate the Measures contained in the Schedule.

SCHEDULE DEFINITIONS

1. In these Measures any word or expression to which a meaning has been assigned in the Act, shall have the meaning so assigned to it and, unless the context indicates otherwise—

“**responsible Member**” means the Member of the Executive Council responsible for education;

“**school**” means an independent school referred to in Chapter 5 of the South African Schools Act, 1996 (Act No. 84 of 1996).

PROCEDURE FOR APPLICATION

2. A person must apply at least 180 days prior to the intended commencement of education and training activities for the registration of a school.

3. On application for registration the applicant must—

- (a) submit the prescribed application form;
- (b) attach documents listed in the application form; and
- (c) indicate the system of quality assurance for learning and development.

DUTIES OF THE HEAD OF EDUCATION

4. The Head of Education must, within 90 days of receipt of the application for registration, inform an applicant of his or her decision.

5. If the Head of Education refuses to grant permission for registration he or she must notify the applicant in writing and supply the reasons for his or her decision.

6. The applicant may appeal within 30 days of receipt of the notice referred to in measure 5 to the responsible Member.

7. If the Head of Education granted permission for registration he or she must provide the applicant with—

- (a) documentary proof of registration;
- (b) a statement of the minimum requirements of the curriculum in public schools;
- (c) a statement of the minimum standards of education in public schools; and
- (d) the conditions of registration.

REQUIREMENTS AND CONDITIONS OF REGISTRATION

8. A school must commence its education and training programme after registration within the first month of the academic year of the Department, unless its curriculum makes provision to commence otherwise.

9. The owner of a school may manage the school or he or she may appoint a person or persons to manage the school.

10. The curriculum, as approved by the Head of Education, must be offered and amendments to the curriculum may only be effected after the Head of Education has granted approval.

11. The owner of a school must inform the Head of Education on the prescribed form when the name or status of a school changes.

12. An owner of a school must—

- (a) provide the Department annually with the school's calendar and ensure that the number of school days and the average duration of a school day are not less than the hours and days approved for public schools;
- (b) ensure that the school's calendar reflects and honour public holidays;
- (c) keep a manual enrolment register, as well as daily attendance registers per class of all learners attending the school;
- (d) compile a personal file for each learner in which the following must be kept—
 - (i) a certified copy of the learner's birth certificate;
 - (ii) admission form; and
 - (iii) copies of progress reports and correspondence to parents;
- (e) keep a register of all educators employed at the school containing their names, qualifications, remuneration and employment contracts and annually provide the Department with it;
- (f) comply with departmental requirements concerning the administration and management of schools as determined from time to time;
- (g) permit the Head of Education or an officer authorised by him or her to carry out reasonable surveys and check required documentation, unannounced; and

- (h) comply with the requirements of the Department regarding the submission of quarterly reports and survey documents.

13. The principal, educators and other instructing personnel must be appropriately qualified according to the requirements of the Department.

14. The buildings, grounds and equipment must comply with the minimum norms and standards as determined by the Department.

15. The school may not function or be administered on more than one site, unless each site is individually registered with the Department as a school.

16. If the school is to be transferred, whether to another site or to a new owner, the owner must again apply for registration. The Department must be notified in writing of the substitution of directors or trustees.

17. Subject to measure 18 the number of learners of a school at any given time may not be less than 20.

18. The application for registration of a school with less than 20 learners, may be granted conditionally for a period not exceeding one year.

19. The number of learners may not exceed the norms and standards with regard to the educator-learner ratio and space norms in public schools.

20. If the owner of a school intends to conduct business-orientated alternative activities on site during official school hours, excluding a tuck shop and the selling of school equipment, the prior approval of the Head of Education must be obtained.

21. The school must have a structure that is representative of the parent body that serves as a link between the school and the parents. This structure, its election procedures and functions must be reflected in the constitution of the school.

22. Schools that enroll learners from grade 8 and higher must have a representative learner structure that serves as a link between the school and the learners. This structure, its election procedures and functions must be reflected in the constitution of the school.

23. All staff at the school must be employed in terms of a legal contract.

24. An owner of a school may not terminate the functioning of the school, unless he or she has given the educators of the school, the parents and the Head of Education 90 days notice of such intent.

WITHDRAWAL OF REGISTRATION

25. If a condition, subject to which registration of a school was granted, has not been complied with, the Head of Education may withdraw that registration and close the school from a date determined by him or her.

26. No withdrawal of the registration of a school is valid, unless—
- (a) the Head of Education has furnished the owner of the school with a notice of intention to withdraw the registration, stating the reasons why the withdrawal is contemplated;
 - (b) the owner of the school has been granted an opportunity to make written representations within a period of 30 days to the Head of Education as to why the registration should not be withdrawn; and
 - (c) any representations received, have been duly considered by the Head of Education.
27. The Head of Education must notify the owner of the school in writing of his or her decision.
28. The owner of the school may appeal, within 30 days of receipt of the notice contemplated in measure 27, to the responsible Member.

APPEALS TO THE RESPONSIBLE MEMBER

29. The responsible Member must inform the appellant, within 30 days of receipt of an appeal referred to in measures 6 and 28, of the outcome of such appeal and in the case of an unsuccessful appeal, provide the reasons therefor.
30. The responsible Member may, when considering an appeal referred to in measures 6 and 28, request the appellant or the Head of Education to furnish him or her with further information.
31. The responsible Member must inform the Head of Education of his or her final decision.

FS455A

EMIS NUMBER:..... **REGISTRATION NO.:**.....

**FREE STATE DEPARTMENT OF EDUCATION
APPLICATION FOR REGISTRATION OF AN INDEPENDENT SCHOOL**

INSTRUCTIONS:

1. Submit one copy via your Education District Office. If the space provided in any section is inadequate, use additional sheets of paper. Complete the following sections indicated below:

Applicant:	A, B, C, D, F, G, H, I
District Physical Planner:	E
School Management Developer:	G, J
District Manager:	G, K
2. Attach a copy of an approved floor plan to this application which indicates:
 - Number of classrooms and individual sizes
 - Offices

- Steps
- Toilets
- Fire Exits
- Storerooms
- Emergency exits
- Recreational facilities
- Specialised rooms (e.g. laboratories)

3. Attach certified copies of the following documents to this application:

- An approved health certificate obtained from the local authority
- An approved safety certificate obtained from the local authority to prove that the building(s) is safe for educational purposes
- The contract of rent in the name of the applicant (valid for at least one year)
- The title deed of the property if the school building is the property of the applicant
- Constitution
- *Pro forma* employment contract
- Proposed budget and cashflow projection for the first school year

A. APPLICATION OPTION (indicate with X)

Reception Year

(grade 0)

General Education and Training School (GET)

(grade 1 – 9)

Further Education and Training School (FET)

(grade 10 – 12)

Change of locality / name / curriculum / status

B. GENERAL PARTICULARS OF SCHOOL

Name:.....

(In the case of new schools propose three names. In the case of a language other than Afrikaans or English, indicate the meanings thereof.)

Proposed name(s):

Meaning(s):

1.

1.

2.

2.

3.

3.

Street Address:.....

Postal address:.....

.....

 Code Code
 Tel no.:
 Facsimile:
 Township/Suburb: Nearest town/city:
 Education District:
 Date of commencement:

C. LEARNER ANALYSIS

1. Maximum enrolment applied for:

1.1 Reception Year
 1.2 GET
 1.3 FET

2. Expected Enrolment:

	Year			Year	
Grade 0	<input type="text"/>	<input type="text"/>	Grade 7	<input type="text"/>	<input type="text"/>
Grade 1	<input type="text"/>	<input type="text"/>	Grade 8	<input type="text"/>	<input type="text"/>
Grade 2	<input type="text"/>	<input type="text"/>	Grade 9	<input type="text"/>	<input type="text"/>
Grade 3	<input type="text"/>	<input type="text"/>	Grade 10	<input type="text"/>	<input type="text"/>
Grade 4	<input type="text"/>	<input type="text"/>	Grade 11	<input type="text"/>	<input type="text"/>
Grade 5	<input type="text"/>	<input type="text"/>	Grade 12	<input type="text"/>	<input type="text"/>
Grade 6	<input type="text"/>	<input type="text"/>			

D. ACCOMMODATION

1. Site address:

2. Number of classrooms:

2.1 Reception Year (R)

2.2 GET (G)

2.3 FET (F)

2.4 Other rooms (e.g. workshops, laboratories, centres).....

2.5 Do you intend providing hostel facilities?

YES	NO
-----	----

For how many learners?

Boys	Girls
------	-------

3. Learning Space:

3.1 Classrooms

No	m ²	R/G/F
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		

No	m ²	R/G/F
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		

No	m ²	R/G/F
25		
26		
27		
28		
29		
30		
31		
32		
33		
34		
35		
36		

3.2 Other Rooms (e.g. workshops, laboratories, centres)

DESCRIPTION	SIZE IN m ²

4. Total learning area available per learner
--

4.1 Reception year	<input type="text" value="m<sup>2</sup>"/>	4.3 FET	<input type="text" value="m<sup>2</sup>"/>
4.2 GET	<input type="text" value="m<sup>2</sup>"/>		
5. Changing room/Ablution facilities			
5.1 Men	Toilet seats <input type="text"/>	Basins <input type="text"/>	Urinals <input type="text"/>
5.2 Ladies	Toilet seats <input type="text"/>	Basins <input type="text"/>	
5.3 Boys	Toilet seats <input type="text"/>	Basins <input type="text"/>	Urinals <input type="text"/>
5.4 Girls	Toilet seats <input type="text"/>	Basins <input type="text"/>	
6. Area available as playgrounds	<input type="text" value="m<sup>2</sup>"/>		

OFFICIAL USE ONLY	Capacity of school: <input type="text"/>
E. COMMENTS	Reception Year <input type="text"/>
<hr/> <hr/> <hr/> <hr/> <hr/>	GET <input type="text"/>
	FET <input type="text"/>
	TOTAL <input type="text"/>
..... DISTRICT PHYSICAL PLANNER DATE

F. CURRICULUM

If a different curriculum is followed, please attach a copy thereof.

GET SCHOOL CURRICULUM					
Grade 1, 2 & 3	Grade 4	Grade 5 & 6	Grade 7	Grade 8	Grade 9
Curriculum 2005 Learning programmes:	Language (Specify)	Language (Specify)	Curriculum 2005 Learning programmes:	Language (Specify)	Language (Specify)

1. Literacy	Mathematics	Mathematics	1. Language, Literacy & Communication	Mathematics	Mathematics
2. Numeracy	Language	Language	2. Human & Social Sciences	Language	Language
3. Life Skills	Gen. Science	Gen. Science	3. Technology	Gen. Science	Gen. Science
	Geography	Geography	4. Math. Literacy, Math. & Math. Sciences	Geography and History	Geography and History
	History	History	5. Natural Sciences	//////////	//////////
	Religious subjects	Religious subjects	6. Arts & Culture	Religious subjects	Religious subjects
	Phys. & Health education	Phys. & Health education	7. Economic & Management Sciences	Phys. & Health education	Phys. & Health education
	//////////	//////////	8. Life Orientation	Guidance	Guidance
	//////////	//////////		Art/Class music	Art/Class music
	<u>Electives:</u> <u>Four</u> <u>required</u>	<u>Electives:</u> <u>Four</u> <u>required</u>		<u>Electives:</u> <u>Two</u> <u>required</u>	<u>Electives:</u> <u>Two</u> <u>required</u>
	1.	1.		1.	1.
	2.	2.		2.	2.
	3.	3.		3.	3.
	4.	4.		4.	4.

FET SCHOOL CURRICULUM (FET and Combined Schools only)		
Grade 10	Grade 11	Grade 12
1. Language (Specify)	1. Language (Specify)	1. Language (Specify)
2. Language (Specify)	2. Language (Specify)	2. Language (Specify)
3.	3.	3.
4.	4.	4.

5.	5.	5.
6.	6.	6.
7.	7.	7.

G. MANAGEMENT

1. Legal Entity:

1.1 Trust Yes/No Name:..... Trading as.....

1.2 Sole Ownership Yes/No Name:..... Trading as.....

1.3 Company

1.4 Other (Specify) Yes/No Name:..... Trading as.....

2. Structure/Composition of Legal Entity:

	Name	Telephone	Address
Chairperson
Secretary
Members:			
1.
2.
3.
4.
5.
6.

H. DECLARATION

1. Have you ever been convicted of a criminal offence? YES..... NO.....
If so, furnish particulars on separate sheet

2. Have you ever been declared insolvent? YES..... NO.....
If so, furnish particulars on separate sheet.

I,

the undersigned, being the owner of the aforementioned school, hereby apply to the Department of Education for the registration of this school in terms of Chapter 5 of the South African Schools Act, 1996 (Act No. 84 of 1996) and I hereby declare that the particulars furnished above are true and correct.

.....

SIGNATURE OF OWNER DATE

PLACE:

WITNESSES: 1. 2.

I. RECOMMENDATION OF SCHOOL MANAGEMENT DEVELOPER

I hereby declare that the above particulars are, to the best of my knowledge, true and correct.
The application for registration is:

Recommended/Recommended as amended/Not recommended

Comments:.....

.....

.....

SCHOOL MANAGEMENT DEVELOPER

DATE

J. RECOMMENDATION OF DISTRICT MANAGER

The application for registration is:

Recommended/Recommended as amended/Not recommended

Comments:.....

.....

.....

DISTRICT MANAGER

DATE

K. APPROVAL BY HEAD: EDUCATION

The application for registration is:

Approved/Approved as amended/Not approved

Comments:.....

.....

.....

HEAD: EDUCATION

DATE

REGULATIONS IN TERMS OF ACT NO. 98 OF 1998

**COMPOSITION AND MANNER OF APPOINTMENT FOR PUBLIC FURTHER
EDUCATION AND TRAINING INSTITUTION**

[PROVINCIAL NOTICE NO. 133 OF 2001]

[DATED: 17 AUGUST, 2001]

REGULATIONS

I, DA Kganare, Member of the Executive Council of the Province, responsible for Education, under section 10 (3) of the Further Education and Training Act, 1998 (Act No. 98 of 1998) ("the Act"), hereby determine the composition of a single council for two or more public further education and training institutions and the manner of appointment and election of the members according to the categories of persons as contemplated in section 9 (4) of the Act, as set out in the Schedule.

SCHEDULE

1. Definitions.—In the Schedule, unless the context indicates otherwise, expressions defined in the Act have the same meaning and:

"Act" means the Further Education and Training Act, 1998 (Act No. 98 of 1998); and

"Cluster" refers to the group of public further education and training institutions under the governance of a single council as determined by the Member of the Executive Council in terms of section 10 of the Act.

2. Composition of a single council.—(1) A single council consists of the following persons as set out in Annexure A:

- (a) The principal of each of the individual public further education and training institutions that form part of the cluster.
- (b) One vice principal elected from all the vice principals in the cluster.
- (c) Not more than five members per public further education and training institution that form part of the cluster to be appointed by the Member of the Executive Council in terms of section 9 (4) (c) of the Act.
- (d) One member of the academic board elected from all academic board members in the cluster.
- (e) One educator elected from the educator staff, elected by the educator staff in the