

GENERAL NOTE

In terms of s. 1 of Act No. 4 of 2005, the names "Northern Transvaal Province" and "Northern Province", wherever they occur, are substituted by the name "Limpopo".

I, Happy Joyce Mashamba, Member of the Executive Council for Education in the Limpopo Province, hereby determine the minimum requirements for the registration of independent schools, which shall constitute the grounds on which the registration of such a school may be granted or withdrawn by the Head of Department, in terms of section 46 (2) of the South African Schools Act, 1996 (Act No. 84 of 1996). The minimum requirements for the registration of an independent school is published in the following Schedule.

SCHEDULE

1. MINIMUM REQUIREMENTS FOR THE REGISTRATION OF INDEPENDENT SCHOOLS

An independent school may be registered in compliance with the letter and spirit of the Constitution Act, No. 108 of 1996, the South African Schools Act, No. 84 of 1996, the Limpopo Schools Education Act, No. 9 of 1995, as well as relevant laws and regulations.

2. WHO QUALIFY TO REGISTER AN INDEPENDENT SCHOOL

The applicant/owner should be a *bona fide* resident of the Republic of South Africa.

3. DOCUMENTS REQUIRED

3.1 The completed application form NPE 003 in duplicate accompanied by:

3.2 An acceptable school policy document which complies with the provisions of relevant Education Legislation and the Constitution of the Country (Act No. 108 of 1996).

3.3 A health certificate, being a report of the suitability of site and school buildings from the health point of view with regard to, but not limited to, classrooms being conducive to learning in so far as situation, size and ventilation, availability of water and electricity, provision of play fields/grounds for various sporting activities/codes, etc., are concerned.

3.4 A title deed or lease agreement (if premises are hired).

3.5 A layout plan of site and buildings.

3.6 A certificate from the Department of Works on the condition of site and buildings.

4. SITUATION OF THE SCHOOL

4.1 The school must be accessible by road and/or telecommunication at all times.

4.2 It should not be next to-

4.2.1 Cemeteries and busy public roads/streets;

4.2.2 Places of entertainment, bottle stores/liquor outlets as well as filling stations.

5. CONVERSION OF STRUCTURES INTO SCHOOLS

The conversion of structures meant for other purposes into schools is not encouraged; otherwise it should be done and approved in terms of the National Housing and Building Commission's Laws and inspectorate reports.

6. CURRICULUM

6.1 The school must follow the curriculum which has been approved by the Department of Education in the Province.

6.2 The Provincial Education Department registers independent schools that offer school Programmes from Grade R to Grade twelve in the GET band (on levels one to four on the NQF).

7. PARTICULARS OF APPLICANT/OWNER

The applicant/owner must furnish the Department with his/her full particulars in respect of names, identification, addresses and telephone numbers. Change of address and site as well as that of ownership must be immediately communicated to the Department.

8. MAINTENANCE OF STANDARDS

8.1 The applicant shall show proof of his/her capacity to erect the necessary infrastructural buildings, to pay the staff, to run and administer the independent school in terms of acceptable norms and standards.

8.2 No school will be registered if the building infrastructure has not yet been completed.

8.3 The applicant's building structures should comply with the minimum specifications of school building plans of the Department and the National Housing Building Commission.

8.4 The onus in 8.3 shall be on the applicant/owner to produce clearance certificate from the Department of

9. SCHOOL POLICY DOCUMENT

The applicant should produce and submit a comprehensive school policy document, which outlines the admission, the running and administration of the independent school. Such policy shall not be unfairly discriminatory (*vice* clause 13 on Discrimination).

10. STAFF

There should be proof of suitably qualified staff employed/or to be employed to teach at the school.

11. ACCESS TO SCHOOL FOR PURPOSES OF INSPECTION AND/OR INVESTIGATING ANY RELEVANT COMPLAINT

The applicant/owner shall allow Departmental officials designated by the Head of the Department, to have access to the school premises and records for the purpose of inspection and/or investigating any complaint from parents/guardians of the school children at the school.

12. SCHOOL GOVERNING BODY

Upon registration, the school must constitute, over and above any Board of Directors/Trustees, a School Governing Body in line with the provisions of the South African Schools Act and the Limpopo Schools Education Act.

13. DISCRIMINATION

Discrimination, whether direct or indirect, on the basis of race, colour, religion, gender, sexual orientation, language, culture, ethnicity and disability, will disqualify the registration of the envisaged/proposed independent school.

14. PROOF OF REGISTRATION

All registered schools shall be required to display on a convenient place a letter of registration from the Department to the clientele as proof of registration.

15. SUBSIDY

For a school to qualify for subsidy, it must have successfully operated for at least one year. A certificate produced by an official of the Department designated by the Head of the Department shall back-up the application for a subsidy in terms of norms and standards.

16. WITHDRAWAL OF REGISTRATION

Failure on the part of the applicant/owner to comply with the minimum requirements as outlined in the foregoing paragraphs shall give the Head of the Department no option but to withdraw the registration of the school in terms of section 47 of the South African Schools Act, 1996 (Act No. 84 of 1996).
