

**NOTICE NO. 2432 OF 1998**

**GG 19377 (19 October 1998)**

**DEPARTMENT OF EDUCATION**

**NATIONAL EDUCATION POLICY ACT, 1996 (ACT NO. 27 OF 1996)**

**ADMISSION POLICY FOR ORDINARY PUBLIC SCHOOLS**

The Minister of Education, after consultation with each Member of the Council of Education Ministers, hereby give notice in terms of section 3(4)(i) of the National Education Policy Act, 1996 (No. 27 of 1996) of the admission policy for learners to ordinary public schools, as set out in the Schedule.

**MINISTER OF EDUCATION**

**DATE:**

**SCHEDULE**

**ADMISSION POLICY FOR ORDINARY PUBLIC SCHOOLS**

**Interpretation**

1. In this policy any expression to which a meaning has been assigned in the National Education Policy Act, 1996 (Act No. 27 of 1996) and the South African Schools Act, 1996 (Act No. 84 of 1996), has that meaning.

**Scope**

2. This policy, read with the age requirement for admission to ordinary public schools, published in the same government notice, applies uniformly in all provincial departments of education and ordinary public schools.
3. The admission policy of an ordinary public school must be consistent with this policy.

**Purpose**

4. The purpose of this policy is to provide a framework to all provincial departments of education and governing bodies of public schools for developing the admission policy of the school.

**Administration of admissions**

5. The Head of Department must determine a process of registration for admission to public schools in order to enable the admission of learners to take place in a timely and an efficient manner. The Head of Department and the school governing bodies should encourage parents<sup>1)</sup> to apply for the admission of their children before the end of the preceding school year.
6. The Head of Department is responsible for the administration of the admission of learners to a public school. The Head of Department may delegate the responsibility for the admission of learners to a school to officials of the Department.
7. The admission policy of a public school is determined by the governing body of the school in terms of section 5(5) of the South African Schools Act, 1996 (No. 84 of 1996). The policy must be consistent with the Constitution of the Republic of South Africa, 1996 (No. 108 of 1996), the South African Schools Act, 1996 and applicable provincial law. The governing body of a public school must make a copy of the school's admission policy available to the Head of Department.
8. The Head of Department must co-ordinate the provision of schools and the administration of admissions of learners to ordinary public schools with governing bodies to ensure that all eligible learners are suitably accommodated in terms of the South African Schools Act, 1996. Subject to this policy, it is particularly important that all eligible learners of compulsory school going age are accommodated in public schools.
9. The admission policy of a public school and the administration of admissions by an education department must not unfairly discriminate in any way against an applicant for admission.
10. A learner is admitted to the total school programme and may not be suspended from classes, denied access to cultural, sporting or social activities of the school, denied a school report or transfer certificates, or otherwise victimised on the grounds that his or her parent -
  - (a) is unable to pay or has not paid the required school fees;
  - (b) does not subscribe to the mission statement and code of conduct of the school; or
  - (c) has refused to enter into a contract in terms of which the parent waives any claim for damages arising out of the education of the learner.
11. The governing body of a public school may not administer any test relating to the admission of a learner to a public school, or direct or authorise the principal of the school or any person to administer such a test. Where placement in a specific course or programme, e.g. technical field of study, dance or music, is required and where it would be in the educational interest of a learner, he or she may be requested by the

- 1) "parent" means-
  - (a) the parent or guardian of a learner;
  - (b) the person legally entitled to custody of a learner; or

- (c) the person who undertakes to fulfil the obligations of a person referred to in paragraphs (a) and (b) towards the learner's education at school.

Head of Department to undertake a suitable test to assist a placement decision.

12. The name of a learner must be removed from a school's admission register when the learner-
  - (a) leaves the school after grade 12 or after completing the compulsory school attendance period, or is granted exemption from compulsory attendance according to section (4) of the South African Schools Act;
  - (b) applies for a transfer to another school and the transfer is effected;
  - (c) is expelled from school; or
  - (d) dies.
13. If a learner of compulsory school going age fails to attend school, the Head of Department may act in terms of section 3(5) and (6) of the South African Schools Act, 1996.

#### **Documents required for admission of a learner**

14. A parent must complete an application form for admission, which should be made available to him or her by the principal of the school together with the admission policy and the code of conduct for learners of the school. The principal must ensure that parents are given whatever assistance they may require to complete the form.
15. When a parent applies for admission of a learner to an ordinary public school, the parent must present an official birth certificate of the learner to the principal of the public school. If the parent is unable to submit the birth certificate, the learner may be admitted conditionally until a copy of the birth certificate is obtained from the regional office of the Department of Home Affairs. The principal must advise parents that it is an offence to make a false statement about the age of a child. (See Births and Deaths Registration Act, 1992 (No. 51 of 1992).) The parent must ensure that the admission of the learner is finalised within three months of conditional admission.
16. On application for admission, a parent must show proof that the learner has been immunised against the following communicable diseases: polio, measles, tuberculosis, diphtheria, tetanus and hepatitis B. If a parent is unable to show proof of immunisation, the principal must advise the parent on having the learner immunised as part of the free primary health care programme.
17. When a learner transfers from one public school to another, the principal must complete a transfer card and hand it to the parent, or forward it to the principal of the receiving school. The learner's transfer

card must be attached to the application form for admission to the receiving school.

18. If the transfer card is not available the principal of the receiving school may admit the learner and place the learner in a grade on the basis of the following documentation:
  - (a) the last report card issued by the previous school;
  - (b) other equivalent documentation from the previous school; or
  - (c) a written affidavit of the parent stating the reason for not having the transfer card and the grade the learner attended at the previous school.

### **Admission of non-citizens**

19. The South African Schools Act, 1996 and this policy apply equally to learners who are not citizens of the Republic of South Africa and whose parents are in possession of a permit for temporary or permanent residence issued by the Department of Home Affairs.
20. A learner who entered the country on a study permit must present the study permit on admission to the public school.
21. Persons classified as illegal aliens must, when they apply for admission for their children or for themselves, show evidence that they have applied to the Department of Home Affairs to legalise their stay in the country in terms of the Aliens Control Act, 1991 (No. 96 of 1991).

### **Learners with special education needs**

22. The rights and wishes of learners with special education needs, must be taken into account at the admission of the learners to an ordinary public school. The South African Schools Act, 1996 requires ordinary public schools to admit learners with special education needs, where this is reasonably practical. Schools are encouraged to make the necessary arrangements, as far as practically possible, to make their facilities accessible to such learners.
23. Where the necessary support which would facilitate the integration of a learner in a particular educational context, cannot be provided, the principal of the school must refer the application for admission to the Head of Department to have the learner admitted to a suitable public school in that province or to a school in another province.
24. Before the Head of Department refers a learner as contemplated in paragraph 23, the Head of Department must arrange for consultation with parents, educators and other support personnel concerned. These consultations must form part of the assessment of the learner before the learner is referred to another public school. This process should be handled as a matter of urgency to facilitate the admission of a learner as soon as possible to ensure that the learner is not prejudiced in receiving appropriate education.

25. Assessment and consultation relating to a change of placement must be carried out by a team based at the school in consultation with parents, educators and other relevant support personnel. The Head of Department of the province concerned must approve the placement.

### **Age requirements for the admission of a learner to an ordinary public school or different grades of a school**

26. Learners are to be admitted to public schools and placed in different grades in the school according to Government Notice No. of 1998.
27. If a learner has been admitted to a public school at an age above the age norm for a grade, such learner must, as far as possible, be placed in a fast track facility, or with his or her peer group, unless it is not in the educational interest of the learner. In the latter case the learner must be placed in a suitable lower grade, and an accelerated programme must be worked out for the learner to enable him or her to catch up with the peer group as soon as possible.
28. The age-grade norm does not apply to a learner who is already enrolled at a public school on 1 January 2000, except that paragraph 27 may apply if it is deemed to be in the best interests of the learner.
29. A learner who is 16 years of age or older and who has never attended school and who is seeking admission for the first time or did not make sufficient progress with his or her peer group, must be advised to enroll at an Adult Basic Education and Training (ABET) centre.

### **Repetition**

30. A learner who has repeated one or more years at school in terms of this policy is exempt from the age grade norm, except that, if a learner is three years older than the norm age per grade, the Head of Department must determine whether the learner will be admitted to that grade.
31. In principle, learners should progress with their age cohort. Repetition of grades seldom results in significant increases in learning attainment and frequently has the opposite result. The norm for repetition is one year per school phase where necessary. Multiple repetition in one grade is not permissible.
32. The norm is not to be construed as promoting the practice of automatic promotion. A learner's needs must be attended to through the efforts of the learner, and his or her teachers, with support from the learner's family and peers.

### **School zoning**

33. A Head of Department, after consultation with representatives of governing bodies, may determine feeder zones for ordinary public

schools, in order to control the learner numbers of schools and co-ordinate parental preferences. Such feeder zones need not be geographically adjacent to the school or each other.

34. If a feeder zone is created-
- (a) preference must be given to a learner who lives in the feeder zone of a school or who resides with his or her parents at an employer's home in the feeder zone;
  - (b) a learner who lives outside the feeder zone is not precluded from seeking admission at whichever school he or she chooses. However, access to a chosen school cannot be guaranteed;
  - (c) a learner who lives within the feeder zone of a school A must be referred to the neighbouring school B, if school A is oversubscribed. If school B is oversubscribed, an alternative school within a reasonable distance must be found by the Head of Department. If that is not possible, school A must admit the learner;
  - (d) the preference order of admission is:-
    - (i) learners whose parents live in the feeder zone, in their own domicile or their employer's domicile;
    - (ii) learners whose parent's work address is in the feeder area; or
    - (iii) other learners: first come first served.
35. A school with a specific field of study, e.g. a technical school, must have much larger feeder zones to accommodate learners with specific aptitudes, interests or needs.

### **Register of admission**

36. The principal of a public school must keep a register of admission to the school. All admissions of learners to the school must be recorded in the register of admission. The register must contain the name, date of birth, age, identity number, if applicable, and address of the learner as well as the names of the learner's parents as defined in the South African Schools Act, 1996 (see footnote 1) and their addresses and telephone numbers, where applicable.
37. Entries in the register of admission must be verified against the birth certificate or identity document of the learner concerned.
38. Officials of the provincial education department must have access to the register of admission.

## **Rights and obligations of parents**

39. The governing body of a school must inform all parents of learners admitted to a school of their rights and obligations in terms of the South African Schools Act, 1996, any applicable provincial law. Parents must specifically be informed about their rights and obligations in respect to the governance and affairs of the school, including the process of deciding the school budget, any decision of a parent meeting relating to school fees, and the Code of Conduct for Learners
40. Parents have an obligation to support their children to attend school regularly.

## **Home education**

41. A parent who wishes to provide home education for his or her child must apply to the Head of Department for registration.
42. The Head of Department will register such a learner if he or she is satisfied that the conditions stipulated in section 51 of the South African Schools Act, 1966, are complied with.

## **Right of appeal**

43. Any learner or parent of a learner who has been refused admission to a public school may appeal against the decision to the Member of the Executive Council in terms of section 5(9) of the South African Schools Act, 1996.