

EASTERN CAPE REGULATIONS RELATING TO ADMISSION OF LEARNERS TO ORDINARY PUBLIC SCHOOLS

1. Implementation date

This policy should come into effect as a working document immediately after approval.

2. Purpose

2.1 The purpose of this provincial admission policy is to serve as a framework to all governing bodies of public schools for the development of the admission policy of the individual schools in the Province.

2.2 Definition of terms

- 2.2.1 Department: The Department of Education of the Province of the Eastern Cape.
- 2.2.2 Provincial Office: The provincial office of the Department of Education of the Eastern Cape.
- 2.2.3 District Director: the departmental official in charge of a district education office and all schools that fall within that district.
- 2.2.4 Circuit Manager: An education development officer (EDO) or other official in charge of a group of schools that make part of the District Education Office.
- 2.2.5 Chief Education Specialist (CES): An education official in charge of a number of EDOs that constitute a section with various functions.
- 2.2.6 The Act: refers to the South African Schools Act No. 84 of 1996. This also refers to the National Education Policy Act No.27 of 1996.
- 2.2.7 Ordinary public school: any school other than private or special or home school.
- 2.2.8 School day: An official school day as prescribed in the Departmental school calendar.
- 2.2.9 SGB: The school governing body of the school elected in accordance with the Act.
- 2.2.10 DoE: department of Education
- 2.2.11 HoD: Head of Department of Education in the Eastern Cape.
- 2.2.12 Policy: Admission policy or regulations related to admission of learners to ordinary public schools.

3. The origin and interpretation of policy

This policy has been developed as guidelines for the admission of learners to schools in the province based on and with reference to the following documents with amendments in some parts.

- a) Section 3(4) of the National Education Policy Act, 1996 (No. 27 of 1996) of the admission policy for learners to ordinary public schools.
- b) South African Schools Act, 1996 (No. 84 of 1996)
- c) Departmental Circulars:
 - Circular No. 50/99
 - Circular No. 59/00
 - Circular No. 53/01
 - Circular No. 01/02
 - Circular No. 01/03
 - Circular No. 15/03
- d) Government Gazette No. 24113 of 28 Nov.2002
- e) Eastern Cape Schools Act, 1999 (No. 1 of 1999)

4. Administration of admissions

4.1 The admission policy of a public school is determined by the governing body of the school as promulgated in section 5(5) of the South African Schools Act, 1996 (No. 84 of 1996) and the Constitution of the Republic of South Africa, 1996 (No. 84 of 1996).

- 4.2 The admission policy of a public school must be consistent with this policy and the National Admission Policy for Ordinary Public Schools as set out in the National Education Policy Act, 1996 (Act No. 27 of 1996).
- 4.3 The admission policy of a public school should be submitted to the District Director for the purpose of scrutiny who would submit his recommendation to the Head of the Department for approval. The District Office must ensure that all public ordinary schools do have an admission policy. The contents of this policy should serve as guidelines for admission in September preceeding the year of study. All newly established schools should have their admission policies by April of their first academic year.
- 4.4 The admission policy of a public school and the administration of admissions by the school must not discriminate against an applicant in any way that might affect the rights of the learner.
- 4.5 A public school shall not administer any test related to the admission of a learner to a public school or direct or authorize the principal or any other person to administer such a test. A suitable test shall only be administered to a learner for the purpose of assisting a placement decision and not admission of a learner. The policy must be clear on specific courses or programmes for which learners should be assessed and permission be sought from the HoD.
- 4.6 A common cut – off date for all public schools to close applications as well as admissions has been determined by the Eastern Cape Department of Education as the Friday before the school closes for the third term in September. The final acceptance of admission for the start of the year for newcomers to the area will close within three (3) days of the commencement of the school year in January. Otherwise the normal registration of learners should be started and finished during the two (2) days before opening. Applications for admission should be received by the schools from the first day of the second semester. Under no circumstances may the handing out of application forms and advertising for learners be earlier than 01 June of the year prior to admissions. From the 01 June a mechanism must be established by the school to publicize these deadlines for the benefit of the public. This process should be closely monitored by the District Office.
- 4.7 All queries and complaints arising from the administration of admissions should be directed to the District Director who will in turn consult the HoD should the need arise. No query of any kind should delay the admission of a learner thus keeping the learner out of school for more than ten school days after the lodging of a complaint.
- 4.8 A learner shall not be suspended from classes, denied access to cultural, sporting or social activities of the school, denied a school report or transfer certificate, or otherwise victimized 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 or code of conduct of the school or
 - c) has refused to enter into contract in terms of which the parent waives any claim for damages arising out of the education of the learner
- 4.9 All eligible learners of compulsory school going age must be accommodated in public schools. They cannot be discriminated against in any way nor can they be denied access to educational activities or victimized on the grounds of their parents' misdoings. If a parent cannot afford to pay school fees, he or she must be advised by the school governing body to apply for full or partial or conditional exemption from the school fees.

- 4.10 The admission policy should be in accordance with the current structural framework as it exists in that particular school.
- 4.11 The principal should be directly involved in the administration of admissions. Should he/she fail to comply with any of the terms of this policy he/she is liable to be charged with misconduct in terms of Par. 19 of the Employment of Educators Act, No. 76 of 1998.
- 4.12 The Admission Policy and code of conduct for the learners must accompany the application form.
- 4.13 The extent to which parents are involved in admissions, the importance of their decisions regarding some affairs of the school, and their obligation to support children and to honour their responsibilities must be explained in the policy.
- 4.14 The admission policy should be revised every time there is a change that might have a bearing on its provisions.

5. Learners with special needs

- 5.1 The South African Schools Act, 1996, requires ordinary public schools to admit 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, and that the schools themselves are reasonably ready for such learners.
- 5.2 Before the District Director refers a learner as contemplated in paragraph 5.3 below the District Manager should arrange for consultation with parents, educators and other support personnel concerned. These consultations should form part of the assessment of the learner before such a learner is referred to another public school. This process should be handled as a matter of urgency to facilitate the admission of a learner.
- 5.3 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 District Director for his/her recommendation who will in turn refer the same to the Head of the Department for approval to have the learner admitted to a suitable public school within the province or in another province.
- 5.4 Assessment and consultation relating to a change of placement must be carried out by a Special Needs in education Team that is based at the district office in consultation with parents, educators and other relevant support personnel. The Head of Department should approve the placement.

6. Admission of non-citizens

- 6.1 The South African Schools Act 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 permanent residence issued by the Department of Home Affairs.
- 6.2 A learner who entered the country for study purposes must present the study permit on admission to the public school.
- 6.3 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 legalize their stay in the country in terms of the Aliens Control Act, 1991 (No. 96 of 1991).

- 6.4 Permits take 6-8 weeks to be issued to illegal aliens so a learner can be admitted conditionally for 3 months.
- 6.5 In contravention of the Aliens Control Act, 1991(No. 96 of 1991), a school principal would personally be fined an amount of R300-R1 500 per "illegal learner" by the Department of Home Affairs inspectorate division.
- 6.6 In terms of the refugees Act, 1998 refugees are entitled to the same basic education which the citizens of South Africa receive only if the refugees have been granted asylum and are in possession of Section 41 permit in terms of the Aliens Control Act, 1991(No. 96 of 1991).

7. Documents required for the admission of a learner

- 7.1 A parent must complete an application form for admission which should be made available to him or her by the principal of the school. The principal should also supply the parent with the School Admission Policy and the School Code of Conduct for learners. The principal must ensure that the parents are given whatever assistance they may require to complete the form.
- 7.2 On application for admission of a learner to a public school the parent must present an official birth certificate of the learner. If a parent is unable to submit the birth certificate, the learner should 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 with reference to the Births and Deaths Registration Act, 1992 (No. 51 of 1992). In remote areas, where necessary, the District manager may arrange with the Department of Home Affairs to facilitate the application and issuing of birth certificates on school site.

- 7.3 On application for admission a parent must show proof that the learner has been immunized against the following communicable diseases: polio, measles, tuberculosis, diphtheria, tetanus and hepatitis B. If a parent is unable to show proof of immunization, the principal must advise the parent on having the learner immunized as part of the free primary health care programme.
- 7.4 When a learner transfers from one public school to another, the principal must complete a transfer form and hand it to the parent, or forward it to the principal of the receiving school. The transfer form must be attached to the application form of receiving school.
- 7.5 If the transfer form is not available the principal of the receiving school may admit the learner in a grade on the basis of the following documentation:
 - a) the last academic report 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 form and the academic report of the grade that the learner attended at the previous school.
- 7.6 Should the necessary documents not be available, a learner should be admitted to the school on a conditional basis and parents should be advised on the necessary procedures to follow. The parent must ensure that the admission of the learner is finalized within 3 months of conditional admission.

- 7.7 No admission fee must be charged for the processing of the application of the learner. According to the South African Schools Act, 1996 (Act No. 84 of 1996), fees must only be raised from registered learners and not from the prospective learners of a public school. No interviews should be conducted to determine the admission of a learner.
- 7.8 Statistical information regarding the admissions should be submitted to the District Office before the 15 February of the same year. District Director should prepare a district summary of admissions and submit the same to Provincial DoE before the end of March of the same year.
- The afore-mentioned dates are not applicable to a learner with special needs since the nature of the learner's needs can be identified at any point during the course of the school calendar year.
- 7.9 A record of learners not admitted due to lack of space should be kept as waiting list but the cut-off date must be indicated to encourage the parents to look for a place elsewhere for their children. It is expected that all learners not reporting on the first day of re-opening should be accounted for by the parents to indicate vacancies for those on the waiting list.
- 7.10 When a parent is unable to obtain any of the required documents for admission, the principal should submit the list of learners requiring such documents to the District Office. The District Office should in turn consult the relevant Department/s for assistance.

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

- Age grade norm

In terms of section 3(4) (i) of the National Education Policy Act, 1996 and section 5(4) of the South African Schools Act, 1996 9 No. 27 of 1996):

- 8.1 The statistical age norm per grade is the grade number plus 6:

Examples:

- Grade 1+ 6=age 7
- Grade 7+ 6=age 13
- Grade 10+ 6=age 16
- Grade 12+ 6=age 18

- 8.2 If a learner has been admitted to a public school at an age above the age norm for a grade, such a learner must, in consultation with the parents of the learner and the District Special Needs team, be placed in a fast track facility, or with his peer group, unless it is not in the educational interest of the learner. In the latter case the learner must be placed in a 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.
- 8.3 The age norm does not apply to a learner who is already enrolled at a public school except that paragraph 8.2 may apply if it is deemed to be in the best interest of the learner.

9. Amendment to the age requirements

In terms of the government notice in the Government Gazette No. 24113 of 28 Nov 2002 the age requirements for admission of learners to Grade 1 have been relaxed until the coming into effect of the Law Amendment Act in 2004.

- 9.1. The age norm remains unchanged expect the fact that underage learners (those who are 5yrs turning 6yrs before June of the school year) could also be admitted to grade 1. Admission of such learners must be based on the following principles:

- i. School readiness of the child, based on educational principles
- ii. It is in the best interest of the child to be admitted as an underage learner to a public school and
- iii. The parent of the child is able to prove that the refusal of admission of the child to a public school will have detrimental effects on the child's development.

10. CONDITIONS FOR ADMISSION OF UNDERAGE LEARNERS

- 10.1 Preference should be given to the admission of learners of compulsory school-going age, i.e. those who turn 7 before the end of June of that same year.
- 10.2 Schools must keep copies of documentation pertaining to the admission or non-admission of underage learners, to pre-empt possible disputes
- 10.3 The relaxation of the policy on admission of learners to school applies only to admission of learners to Grade 1
- 10.4 No additional staff will be employed to accommodate underage Grade 1 learners at a public school.

11. PROCESS OF ADMISSION OF UNDERAGE LEARNERS

- 11.1 The parent(s) of an underage learner wishing to seek admission for their child to Grade 1 should apply to the school within or closest to the area in which they live.
- 11.2 The parent(s) must complete the required admission form obtainable from the school.
- 11.3 The parent(s) must seek advice from Grade 1 educator in the school into which the parent(s) would like to enroll the child. The educator will advise the parent (s) regarding the advantages and disadvantages of early enrolment.
- 11.4 If a parent(s) still wishes to enroll the child following the discussion with the educator in terms of 11.3 above, the parent(s) must obtain an assessment of the school readiness of the child from a professional person with experience and competency in assessing school-readiness, e.g. an education psychologist.
- 11.5 The relevant school must process the admission form and, where applicable, a report by an occupational therapist, psychologist or qualified educator who is registered by SACE and in the employment of a recognized education institution, and the school must make a recommendation.
- 11.6 The principal must forward the documentation mentioned in 11.5 above, together with an indication of how a learner's admittance was arrived at to the HOD or his or her delegate within seven working days of receipt thereof.
- 11.7 The HOD or his or her delegate will consider each application on its own merits.
- 11.8 The relevant school will thereafter be informed of the HOD's or his or her delegate's decision, and the principal of the school will in turn inform the parent(s) about the decision of the HOD or his or her delegate.
- 11.9 If an underage learner is refused admittance to a public school by the HOD or his or her delegate, such a learner's parent(s) may appeal against the decision to the MEC.
- 11.10 District Director must guide and manage school principals with view to the following:

- 11.10.1 The process referred to above should be implemented in a manner that is as consistent as possible between schools in order to avoid situations that could lead to disputes.
- 11.10.2 Admission of learners who turn 6 before 30 June must not occur in the interest of (the school enlargement, or for the sake of increases in the post provisioning or school funding norms allocations).
- 11.10.3 These criteria must not detract from the efforts of the Department to prevent the enrolment of children to Grade 1 who should not be in Grade 1, in particular children who turn 6 after June. Moreover, they should not detract from the importance of enforcing repetition norms, and avoiding the inherited problem of massive repetition in Grade 1.

In accordance with the prescripts of Outcomes Based Education a learner must progress with his /her age cohort. Should retention of the child be necessary, the child's interest and involvement as well as the parent's input must be taken into account before any decisions are taken.

12. Repetition

- 12.1 In consultation with the parents of the learner and the District Special Needs in Education team, 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 Center.
- 12.2 A learner who has repeated one or more years at school in terms of this policy is exempted from the age per grade norm, except that if a learner is 3 years older than norm age per grade, the District Director, in consultation with the parents of the learner and the District Special Needs in Education team, must determine whether the learner should be admitted to the grade.
- 12.3 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 results. The norm for repetition in one grade is one year per school phase where necessary. Multiple repetitions in one grade are not permissible. Learners who repeat a grade should be supported through remedial programmes if possible.
- 12.4 The norm is not to be construed as an automatic promotion. A learner's needs must be attended to through the efforts of the learner and those of his or her teachers with the support of the learner's family and peers.
- 12.5 According to the Curriculum 2005 Continuous Assessment Policy, a learner must not stay in a phase for more than one year, meaning
- A learner may repeat any grade in a specific phase only once
 - A learner may stay in a phase for a maximum of four (4) years and not more.

13. Feeder Zones

- 13.1 The District Director, after consultation with the representatives of governing bodies, the teacher unions, NGO's community leaders, traditional leaders, and councilors may determine a feeder zone for an ordinary public school in order to control the learner numbers of schools and co-ordinate parental preferences. Such feeder zones need not to be geographically adjacent to the schools or each other, but should largely be determined by curricular factors. The implication is a critical need to diversify the curriculum in a specific feeder zone to minimize the number of learners who might have to seek admission beyond their own feeder zone. The secondary schools are pivotal in

determining a feeder zone. These feeder zones should be clearly demarcated and record of such resolutions be documented for record's sake. Such demarcations must be revisited with the emergence of new schools or anything that might impact on the population density of the community.

13.2 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 must be referred to a neighbouring school if school A is oversubscribed. If the neighbouring school is also oversubscribed, the District Director should find an alternative school within a reasonable distance. If these alternatives are not possible, school A must admit the learner.
- d) The preference order of admission should be:
 - 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 at first come first served basis.

13.3 A school within a specific field of study, e.g. technical school, must have larger feeder zones to accommodate learners with specific aptitudes, interests or needs.

14. Register of admission

14.1 The principal of public school must keep an admission register. All learner admissions must be recorded in the admission register. The register must contain the name, date of birth, identity number, if applicable, and address of the learner's parents as defined in the South African Schools Act, 1996, and their addresses and telephone numbers where applicable.

14.2 Entries in the admission register must be verified against the birth certificate or identity document of the learner concerned.

14.3 When a learner permanently leaves the school, the admission register should indicate the actual date the learner left the school.

14.4 Officials of the provincial education department must have access to the admission register at any point in time.

14.5 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

15. Rights and obligations of parents

- 15.1 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. Parents must specifically be informed about their rights and obligations in respect of the governance and affairs of the school including the process of deciding the school budget, any decision of parent meeting relating to school fees, and the Code of Conduct of learners.
- 15.2 If a public school refuses to admit a learner, a letter stating reasons for refusal should be furnished to the parent of the learner.
- 15.3 A parent of a learner who has been refused admission to a public school may appeal to the Head of Department through the District Director.
- 15.4 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.
- 15.5 Parents have an obligation to support their children to attend school regularly.
- 15.6 Subject to the National Education Policy Act, 1996, and any other applicable law, any parent who, without justified reasons, prevents a learner who is subjected to compulsory attendance from attending a school, is guilty of an offence and liable to conviction to a fine or to imprisonment for a period not exceeding six months.
- 15.7 Any school principal who refuses a learner admission to a public school without justified reasons will be charged of misconduct in terms of Par. 19 of the Employment of Educators Act, 76 of 1998.
- 15.8 Annexures: A Application form
B District admissions summary



**Province Of the Eastern Cape
DEPARTMENT OF EDUCATION
SCHOOL SUMMARY**

PROJECTED GRADE R – 9 ENROLMENT FOR YEAR 20.....

THIS FORM MUST BE COMPLETED BY THE PRINCIPAL ON OR BEFORE THE 22 SEPTEMBER AND RETURNED TO THE CIRCUIT MANAGER NOT LATER THAN 13 OCTOBER ANNUALLY

1.1 Official Name of School	District

1.2 Postal Address	EMIS Number

1.3 Physical Address (Give site number, Farm name or local authority if applicable)
1.4 Postal Code

1.5 Telephone	Code	Number
1.6 Fax	Code	Number
1.7 Cellphone		
1.8 E-mail		

1.9 Projected Enrolment			
Grade R		Grade 5	
Grade 1		Grade 6	
Grade 2		Grade 7	
Grade 3		Grade 8	
Grade 4		Grade 9	
		Total	

Submission of false information and/or failure to submit this form could be regarded as an offence and disciplinary action will be taken against the Principal of the relevant school.

Name of Principal	Signature	Date	School Stamp
Name of SGB Chairperson	Signature	Date	



Province Of the Eastern Cape
DEPARTMENT OF EDUCATION
DISTRICT SUMMARY

PROJECTED GRADE R—9 ENROLMENT FOR YEAR 20.....

THIS FORM MUST BE COMPLETED BY THE DISTRICT AND SUBMITTED TO GET HEAD OFFICE ON OR BEFORE THE 27 OCTOBER ANNUALLY

1.1 SUMMARY OF SCHOOLS THAT SUBMITTED THE PROJECTED ENROLMENT FORM E.G. ADMISSION 1.1

No	Name of School	No of Educators	Projected Enrolment	No	Name of School	No of Educators	Projected Enrolment
1				23			
2				24			
3				25			
4				26			
5				27			
6				28			
7				29			
8				30			
9				31			
10				32			
11				33			
12				34			
13				35			
14				36			
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71					104			
72					105			
73					106			
74					107			
75					108			
76					109			
77					110			

1.2 SUMMARY OF REPORT

No. of schools in the district	
No. of schools that submitted EGF ADMISSION 1.1	
No. of schools outstanding	

1.3 TOTAL PROJECTED ENROLMENT

Grade	No.
Grade R	
Grade 1	
Grade 2	
Grade 3	
Grade 4	
Grade 5	
Grade 6	
Grade 7	
Grade 8	
Grade 9	
TOTAL	

The following should be included in the district submission:

1. A copy of each school summary form (EGF ADMISSION 1.1)
2. The duly completed District summary form (EGF ADMISSION 1.2)

Details of the District Director:

Name of District Director	Signature	Date

District Stamp



Province Of the Eastern Cape

DEPARTMENT OF EDUCATION

RETURNS FOR GRADE 1 ADMISSIONS

TO BE SUBMITTED BY THE DISTRICT OFFICE TO GET HEAD OFFICE NOT LATER THAN THE SECOND FRIDAY IN FEBRUARY EACH YEAR.

YEAR 20.....

	Last year	This year
1. Number of school going age learners admitted to Grade 1 in the district		
2. Number of school going age learners who could not be admitted to Grade 1		

Give reasons :

3. Number of underage learners who had applied for admission	Last year	This year
4. Number of underage learners admitted		
5. Number of underage learners not admitted		
6. Number of learners who had to be referred to specialists to test school readiness	Last year	This year
7. Number of learners whose admission had to be deferred due to physical or other impairment		

8. Any other information relating to admission in any other grade

District Director

Signature

Date

District Stamp