

GOVERNMENT NOTICE

DEPARTMENT OF BASIC EDUCATION

NOTICE NO: _____ **DATE:** _____

THE DISASTER MANAGEMENT ACT, 2002

AMENDMENT OF THE DIRECTIONS ISSUED IN TERMS OF REGULATION 4(3) OF THE REGULATIONS MADE UNDER THE DISASTER MANAGEMENT ACT, 2002 (ACT NO. 57 OF 2002) REGARDING THE RE-OPENING OF SCHOOLS AND MEASURES TO ADDRESS, PREVENT AND COMBAT THE SPREAD OF COVID-19 IN THE NATIONAL DEPARTMENT OF BASIC EDUCATION, ALL PROVINCIAL DEPARTMENTS OF BASIC EDUCATION, ALL EDUCATION DISTRICT OFFICES AND ALL SCHOOLS IN THE REPUBLIC OF SOUTH AFRICA

I, Angelina Matsie Motshekga, Minister of Basic Education, in terms of regulation 4(3) of the Regulations made under the Disaster Management Act, 2002 (Act No. 57 of 2002), as published under Government Notice No. R.480, in Government *Gazette* No. 43258 of 29 April 2020, as amended by the Regulations published under Government Notice No. R.608, in Government *Gazette* No. 43364 of 28 May 2020, hereby made amendments to the directions regarding the re-opening of schools and measures to address, prevent and combat the spread of COVID-19 in the National Department of Basic Education, all Provincial Departments of Education, all education district offices and all schools in the Republic of South Africa as published under Government Notice No. 343, in Government *Gazette* No. 43465 of 23 June 2020.

MRS AM MOTSHEKGA, MP
MINISTER OF BASIC EDUCATION

DATE:

SCHEDULE

Definitions

In this schedule

“**the Directions**” means the Directions regarding the re-opening of schools and measures to address, prevent and combat the spread of COVID-19 in the National Department of Basic Education, and Provincial Departments of Education, and all schools in the Republic of South Africa, as published under Government Notice No. 343, in Government *Gazette* No. 43465 of 23 June 2020 and further amended under Government Notice No. 357, in Government *Gazette* No. 43488 of 29 June 2020; Government Notice No. 370, in Government *Gazette* No. 43510 of 7 July 2020 and Government Notice No. 371 in Government *Gazette* No. 43511 of 8 July 2020.

Insertion of Direction 5A in the Direction

3. The following Direction is hereby inserted in the Direction after direction 5:

5A School Break

“(1)(a) All public schools break from 27 July 2020 and the arrangements for the four week school break is as follows:

Week	Date	School Arrangement
Week 1	27 – 31 July 2020	<ul style="list-style-type: none">• Schools will remain open for feeding of qualifying learners in terms of the National School Nutrition Programme.• The Principal and School Management Team will determine the staffing requirements to ensure compliance with the health, safety and social distancing

		<p>requirements to manage the roll out of the daily school feeding program.</p> <ul style="list-style-type: none"> • The Principal and the School Management Team must be on duty to make arrangements for the receipt of the learners anticipated in the weeks ahead.
Week 2	3 – 7 August 2020	<ul style="list-style-type: none"> • Grade 12 and Year 4 (Technical Occupational Stream) learners return to school. • Grade 12 and Year 4 (Technical Occupational Stream) teachers (and teacher support staff) return to school. • Principal and School Management Team (as required) will be in attendance at school. • Non-teaching staff as identified by the Principal and School Management Team must assist with ensuring compliance with the health, safety and social distancing requirements and to assist with the roll out of the daily school feeding program.
Week 3	12–14 August 2020	<ul style="list-style-type: none"> • Grade 7 learners return to school. • Grade 7 educators (and teacher support staff) to return to school. • Grade 12 and Year 4 (Technical Occupational Stream) learners are at school. • Grade 12 and Year 4 (Technical Occupational Stream) teachers (and teacher support staff) are at school.

		<ul style="list-style-type: none"> • Principal and School Management Team (as required) will be in attendance at school. • Non-teaching staff to assist with ensuring compliance with the health, safety and social distancing requirements and to assist with the roll out of the daily school feeding program.
Week 4	17– 21 August 2020	<ul style="list-style-type: none"> • Grade 7 learners are at school. • Grade 12 and Year 4 (Technical Occupational Stream) learners are at school. • All officials report for duty on 17 August 2020 to prepare for the return of the remaining grades. . • Non-teaching staff to assist with ensuring compliance with the health, safety and social distancing requirements and to assist with the roll out of the daily school feeding program.
	24 August 2020	<ul style="list-style-type: none"> • Grade R;1; 2; 3; 4; and 6 • Grade 9; 10; and 11. • Year 1; Year 2; Year 3 (Technical Occupational Stream); • Year 1; Year 2; Year 3 (Learning Programme for the LSID); and • Schools with autistic learners: Junior group (below 13 years); Senior Group (13 years and above); final year (18 years and above).

- (b) As per Direction 5(1) of the Schedule in the amended Directions published on 7 July 2020; Grade 5; Grade 8; and Schools for learners with Severe Intellectual Disabilities (“LSID”): Grade 4 and 5 will be phased in on 31 August 2020 in accordance with the phased return of learners and officials.
- (c) All public schools that have deviated from the phased return to school as contemplated in direction (7) of the Directions will continue with the deviation accordingly.
- (d) (i) Although the schools are on break, all officials are considered to be on duty and may be required to assist with official duties as and when required or determined by the school management team and the principal.
(ii) The school management team and the principal must determine and implement a rotational leave plan to ensure that each member of the school management team and the principal are allowed at least a five day break during the first three weeks of the break.
(iii) All officials are to report to school on 17 August 2020.
(iv) The school management team must use the first week of the break, that is from 27th July to 31 July 2020, to make all the necessary arrangements for the return of the Grades as contemplated in subdirection 5A(1)(a).
(v) All educators responsible for the Grade that is returning to school; will return to school as contemplated in 5A(1)(a) or as otherwise determined by the school management team.
- (e) The Head of Department must ensure that the national school nutrition programme is made accessible to every qualifying learner.
- (f) The Head of Department, or a person duly authorised by him or her, must make reasonable arrangements with schools to ensure that the provision of learning material, therapeutic support and continued teaching to learners occurs during the break.

Amendment of Direction 6 of the Directions

1. Direction 6 of the Directions, is hereby amended by the substitution of Direction 6 of the following Direction—

“(1) A parent may choose not to send a learner to school for reasons that may include:

(a) comorbidities or because a learner who is being self-isolated or quarantined due to COVID-19 symptoms or testing positive for COVID-19 from compulsory school attendance-

- (i) Should a parent, caregiver or a designated family member choose not to send a learner to school for the reasons as contemplated in (1)(a), an application for exemption must be made to the Head of Department for an exemption of a learner from compulsory school attendance for Alert Level 3 and 2 of the lockdown; in terms of section 4 of the South African Schools Act.
- (ii) A parent, caregiver or a designated family member of a learner with a comorbidity must apply to the Head of Department for either full or partial exemption; which may be subject to conditions; through the school that the learner attends by completing and submitting -
 - (aa) a form similar to Annexure E1 stating the reasons for the application for exemption. The medical certificate must be attached in the case of a learner with comorbidities; and
 - (bb) a form similar to Annexure E2 declaring the commitment to taking responsibility for the learners continued learning at home which outlines the conditions that need to be adhered to by the parent.
- (iii) Where a learner is self-isolated due to displaying symptoms for COVID-19 or is quarantined for testing positive for COVID-19 or someone in the family home has tested positive and the learner needs to self-isolate:
 - (aa) the parent, caregiver or a designated family member must inform the school as soon as possible of the learner’s condition. The school must in turn inform the Head of Department of the incident through the district office; or.

- (bb) if the learner was diagnosed through the processes at the school and the school is aware of the results the school has the responsibility to inform the Head of Department of the incident through the district office.
- (iv) A parent, caregiver or a designated family member of a learner as contemplated in (1)(a)(iii) must submit a medical certificate to the school.
- (v) The Head of Department, or a person duly authorised by him or her, must make arrangements with the schools; to ensure the school consults with the parents to receive the learning material and which does not preclude online learning, for the learner who is granted either full or partial exemption which may be subject to conditions due to comorbidities, so as to ensure that continued learning takes place in order that the assessment requirements which will determine the progression/promotion into the next grade, are complied with.

(b) for reasons other than comorbidities from compulsory school attendance.

- (i) Should a parent, caregiver or a designated family member choose not to send a learner who does not have a comorbidity to school, an application for exemption must be made to the Head of Department for an exemption of a learner from compulsory school attendance in terms of section 4 of the South African Schools Act for Alert Level 3 and 2 of the lockdown.
- (ii) A parent, caregiver or a designated family member of a learner as contemplated in (1)(b)(i) must apply to the Head of Department for either full or partial exemption; which may be subject to conditions; through the school that the learner attends by completing and submitting -
 - (aa) a form similar to Annexure E1 stating the reasons for the application for exemption; and
 - (bb) a form similar to Annexure E2 declaring the commitment to taking responsibility for the learners continued learning at home which outlines the conditions that need to be adhered to by the parent.

- (iii) A parent, caregiver or a designated family member, must ensure that the teaching and learning material, are collected or accessed, as per arrangement with the school and which does not preclude online learning, to ensure that the assessment requirements which will determine the progression/promotion into the next grade, are complied with.
- (c) application for home education and deregistration of a learner from the school**
- (i) Should a parent choose to deregister their child from the school and apply for a learner to be enrolled for home education, he or she must comply with the legal requirements for the provision of home education, as contemplated in section 51 of the South African Schools Act.
 - (i) A learner who is deregistered from a school will have to reapply for admission and adhere to the admission requirements should they wish to return to a public school.
- (2) The application process for exemption as contemplated in subdirection 6(1) also apply to learners registered at a school but who fall outside compulsory school attendance as regulated in section 3 of the South African Schools Act.
 - (3) The learners contemplated in subdirection (1)(a) and (b) and (2) and who have already made an application for an exemption must not re-apply for exemption.
 - (4) In consultation and with the consent of a parent, caregiver or a designated family member the principal of the school principal or his or her duly authorized person must make arrangements for a learner to receive psychosocial support services where required.”.

Insertion of Direction 6A in the Direction

3. The following Direction is hereby inserted in the Direction after direction 6:

6A Administering the application for Exemption

(1) Where a parent, caregiver or a designated family member of a learner contemplated in direction 6 applies to the Head of Department for either full or partial exemption; which

may be subject to conditions the Head of Department must exempt a learner as contemplated in direction 6 if he or she is satisfied that—

- (a) the exemption is in the interests of the learner;
 - (b) the parent, caregiver or a designated family member will take responsibility to oversee the learning of any learner at home to ensure that the assessment requirements which will determine the progression/promotion into the next grade, are complied with; and
 - (c) the parent will comply with any reasonable conditions set by the Head of Department for the full or partial exemption.
- (2) The Head of Department may, subject to subdirection (3), withdraw the exemption referred to in subdirection (1).
- (3) The Head of Department may not withdraw the registration until he or she—
- (a) has informed the parent of his or her intention so to act and the reasons therefor;
 - (b) has granted the parent an opportunity to make representations to him or her in relation to such action; and
 - (c) has duly considered any such representations received.
- (5) A parent may appeal to the Member of the Executive Council against the withdrawal of a registration or a refusal to register a learner in terms of this Act.

Insertion of Direction 6B in the Direction

4. The following Direction is hereby inserted in the Direction after direction 6A:

“6A Registration status of learner and marking of attendance register

- (1) In the event that a learner is granted an exemption as per subdirection 6 or is unable to attend school as per subdirection 5(7), nothing in these Directions purport to alter the registration status of a learner at their specific school; the learner shall as such continue to be registered with their school.
- (2) While punctual and regular attendance is necessary learners may not be able to attend a school due to COVID-19 related reasons.

- (3) Records of learner attendance is essential and a school must maintain such records accurately and are expected to keep daily attendance registers, marking whether a learner is present or absent.
- (4) In marking the register, a learner is deemed to be absent from school when the learner is not physically present at school with valid reason or not.
- (5) The school must keep a record of all exemptions granted as contemplated in subdirection 5(7), 6(1), 6(2)
- (6) Learners will be supported by the school to the extent that the resources of the school can accommodate these learners and the learner must comply with all the assessment requirements of the curriculum, based on an arrangement with the school.”.

Amendment of Direction 14 of the Directions

5. Direction 14 of the direction, is hereby amended by the substitution of sub-direction (4)(a) of the following sub-direction:

“(4) Every Provincial Department of Education must—

- (a) provide each official and learner, with a minimum of two cloth face masks or face shields for the period of the national state of disaster; and “.

Short title and commencement

6. This Directions is called the Amendments to the Directions regarding the re-opening of schools and measures to address, prevent and combat the spread of COVID-19 in the Department of Basic Education, all Provincial Departments of Education, all education district offices and all schools in the Republic of South Africa and will come into effect on the date of publication in the Government Gazette.

Annexure E (1)
Application for exemption of a learner to attend school
 [Application in terms of direction 6(1),(2)(3)]

To be completed by the parent/legal guardian

I, _____ (Name and surname), the parent, caregiver or a designated family member (*delete whichever is not applicable*) of _____ (Name of learner) who is in Grade _____ at _____ (Name of School); hereby apply to the Head of Department to exempt my child from compulsory school attendance, in terms of section 4 of the South African Schools Act, 1996 (Act 84 of 1996), for the period of the state of disaster.

I do so, and take full responsibility, to oversee the learning of my child at home as indicated in the signed agreement (Annexure E2). The reasons for my application for exemption are as follows:

Reason	Further Details
Underlying health condition and/or comorbidity of the learner or a close family member	
General concern over the risk of transmission of COVID-19	
Self-isolation or quarantined due to COVID-19 symptoms or position symptoms	

A learner with a comorbidity: The medical certificate from the medical practitioner attending to this condition is **attached/ not attached** (please select).

I understand that if the medical certificate is not attached, this application cannot be considered.

Signed at _____ on this _____ day of _____ 2020.

Parent/Caregiver/Designated family member

Full Name

ANNEXURE E2

PARENT ACCEPTANCE FORM: TO ADHERE TO CONDITIONS FOR EXEMPTION FROM COMPULSORY SCHOOL ATTENDANCE

I, _____ (name of the
parent, caregiver or a designated family member), of

_____ (name of learner) who is in

Grade _____ at _____

_(name of school) hereby accept the conditions for exemption from compulsory school
attendance for Alert Level 3 and 2 of the lockdown.

These conditions include:

1. That I accept and agree that I will take responsibility to oversee the learning of my child at home, which includes:
 - (a) accepting the responsibility to oversee the daily learning of my child at home, including the daily work and assessments;
 - (b) accepting the responsibility of ensuring that my child is informed of what work must be learned and what work must be completed on a daily basis; and
 - (c) ensuring that all work and assignments are collected and delivered at school, as required and agreed to by the school.
2. That I accept that if the above conditions are not met, the exemption from compulsory school attendance can be withdrawn.
3. That I accept that when Alert Level 1 of the lockdown is reached, my child must return to school. If my child or the learner is then absent from school for more than 10 days without a valid reason, the learner will be deregistered.

.I understand that if I am unable to accept these conditions and the responsibilities associated with it, then my child should continue to attend school.

Signed at _____ on this _____ day of _____ 2020.

Signature: _____

Parent/Caregiver/Designated family member

Full Name