
GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF BASIC EDUCATION

NOTICE 448 OF 2020

DISASTER MANAGEMENT ACT, 2002

INVITATION TO COMMENT ON THE AMENDMENTS TO 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 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 under Government Notice No. R.608, published in Government *Gazette* No. 43364 of 28 May 2020, under Government Notice No. 714, published in Government *Gazette* No. 43476 of 25 June 2020, under Government Notice No. 773, published in Government *Gazette* No. 43521 of 12 July 2020; under Government Notice No. 846, published in Government *Gazette* No. 43577 of 31 July 2020 and under Government Notice No. 411, published in Government *Gazette* No. 43578 of 2 August 2020, hereby intend to make 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, and 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, as set out in the Schedule.

Interested persons are hereby invited to submit comments on the draft amendment to the Directions by 7 September 2020. Written comments must be forwarded to Adv. Charles Ledwaba.

(a) post to:

Department of Basic Education
Private Bag X895,
Pretoria,
0001;

(b) hand to:

Department of Basic Education
Sol Plaatje House,
222 Struben Street,
Pretoria;

(c) fax to:

012 3239 430

(d) by email to:

Ledwba.C@dbe.gov.za.



**MRS AM MOTSHEKGA, MP
MINISTER OF BASIC EDUCATION
DATE: 21 AUGUST 2020**

SCHEDULE

Definition

1. 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, published in *Government Gazette* No. 43488 of 29 June 2020, Government Notice No. 370, published in *Government Gazette* No. 43510 of 7 July 2020, Government Notice No. 371, published in *Government Gazette* No. 43511 of 8 July 2020 and Government Notice No. 411, published in *Government Gazette* No. 43578 of 2 August 2020.

Amendment of direction 8 of Directions

2. Direction 8 of the Directions is hereby amended—

(a) by the substitution for subdirection (1) of the following subdirection:

"8(1) All public schools including special schools as contemplated by the South African Schools Act, must comply with all Directions, Guidelines and Circulars regarding the re-opening of schools. In addition, schools must comply with the Guidelines developed for the specific categories of learners with disabilities, including, but not limited to, the following:

(b) by the deletion of sub-direction (2) and (3);

(c) by the substitution of subdirection (8) of the following subdirection:

“(8) Where a learner does not return to school for any of the reasons referred to in direction 5(7), the Head of Department should: -

(a) make all reasonable efforts to ensure the:

- (i) availability and distribution of teaching and learning materials in appropriate modes and access to remote support from teachers;
- (ii) provision or loan of assistive devices for use at home; and
- (iii) provision of and access to therapeutic services where necessary.

(d) by the insertion after direction 8 of the following subdirection:

“8(9) Applications for full or partial exemption of the learner from compulsory school attendance, must be made as contemplated in direction 6, and such application must be accompanied by any request for support, as contemplated in sub-direction 8(8)(a), by:

- (i) completing a form substantially similar to Annexure E1 for learning and teaching support material;
- (ii) completing a form substantially similar to Annexure E1 for assistive device; or
- (iii) completing a form substantially similar to Annexure E1, for therapeutic services.”.

Amendment of direction 9 of Directions

3. Direction 9 of the Directions is hereby amended

by the insertion after subdirection (4) of the following subdirections:

“(4A)(a) Despite subdirection 9(4); in order to provide for the necessary reasonable accommodation needs of learners, if a school hostel exceeds the number of learners it can accommodate in accordance with social distancing requirements, the school hostel will not be required to close in its entirety provided that the school must make provision

for alternatives in order to ensure the reasonable accommodation of learners in school hostels.,.

- (b) Where the school cannot provide alternatives as contemplated in (4A) (a) the Provincial Department of Education must provide additional infrastructure capacity for a school hostel..”.

Amendment of Direction 15 of the Directions

4. Direction 15 of the Directions is hereby amended-

(a) by insertion after subdirection (4) of the following subdirection-

“15 (5) A school that has a large enough facility, such as a school hall, may accommodate more than 50 persons in that facility at a time: Provided that all health, safety and social distancing requirements are complied with.”.

Amendment of Annexure E1 of Directions

5. Annexure E1 of the Directions is hereby substituted for the following Annexure:

**“ANNEXURE E1
APPLICATION FOR EXEMPTION OF LEARNER TO ATTEND SCHOOL**
[Application in terms of direction 6(1)(a),6(1)(b) and 6(1)(c)]
(To be completed by the parent/caregiver/designated family member

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 the learner from compulsory school attendance, in terms of section 4 of the South African Schools Act, 1996 (Act No. 84 of 1996), for the period of the national state of disaster. I do so, and take full responsibility, to oversee the learning of the learner at home as indicated in the signed agreement (Annexure E2). The reasons for my application for

exemption are as follows:

Reason Further Details

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	

In respect of a learner contemplated in direction 6(1)(a): Evidence of medical condition of learner is **attached/ not attached** (*please select*)

In respect of a learner contemplated in direction 8(8), the parent of the learner must specify the support needs of the learner as follows:

PART	Support Needs of the Learner	Further Details
A	Learning and Teaching Support Material	
B	Assistive Device	
C	Therapeutic Services	

Signed at _____ on this _____ day of _____ 2020.

Parent/Caregiver/Designated family member Full Name

Contact number: _____

Commencement

6. These amended directions come into operation on the date of publication thereof in the *Government Gazette*.