



**OFFICE OF THE SUPERINTENDENT-GENERAL**

Steve Vukile Tshwete Complex, Zone 6 Zwelitsha, 5608, Private Bag X0032, Bhisho, 5605 REPUBLIC OF SOUTH AFRICA:

Website: [www.ecdoe.gov.za](http://www.ecdoe.gov.za)

**CIRCULAR NO. 4 OF 2021**

**TO : DIRECTORS (HEAD OFFICE AND DISTRICTS)**  
**CIRCUIT MANAGERS**  
**PRINCIPALS OF PUBLIC SCHOOLS**  
**SCHOOL GOVERNING BODIES**

**FROM : ACTING SUPERINTENDENT-GENERAL**

**SUBJECT : GUIDELINES ON REGISTRATION AND CLOSURE OF**  
**PUBLIC SCHOOLS**

**1. AIM/PURPOSE**

The purpose of these guidelines is to outline the process that must be followed in the management of applications for registration and closure of public schools. The circular also applies to changes that occur in the schooling system whether out of initiatives by communities or rationalization process.

**2. BACKGROUND**

The Department has received incomplete and overdue application forms with outstanding documents from the districts. Unfortunately, these forms are returned to the district offices for compliance. This is an error that must be corrected, hence these guidelines.

**3. DELIBERATIONS**

- 3.1. It has come to the attention of the department that districts and schools do not adhere to the stipulated process in managing applications for establishment of public schools.
- 3.2. This has resulted in a situation where this important function is difficult to control and disorganizes the schooling system in the province.
- 3.3. These guidelines therefore intend to regularize the function and ensure that there is uniform approach and system that is followed in terms of the correct application forms used, time frames for submission at each level, together with the time by which responses should be expected from Head Office.

**4. REGISTRATION OF A PUBLIC SCHOOL**

- 4.1 In terms of Section 12(1) of the South African Schools Act No. 84 of 1996, the MEC must out of funds appropriated for this purpose by the Provincial Legislature, establish and maintain public schools for the education of all learners.



The MEC may, by notice in the Provincial Gazette, reclassify existing categories or phases of public schools, if he or she deems it necessary for education in the Province.

**4.2 The MEC may establish a school in the following instances:**

- When a new suburb is built around one of the cities or towns and a site allocated for a school.
- Migration of communities may give rise to the need for new schools.
- Overcrowding and like conditions/circumstances flowing there from may lead to the establishment of a new school.
- The donation of a school building by business or political intervention may result in the establishment of a new school.
- The number of learners travelling long distances to reach school or faced with hazards like the busy national roads, thick bushes, flooded rivers, may lead to a need for a school to be established in their own environment.
- A community may require a school in their vicinity to afford their children diversity in education or specialized training.
- Growth in population because of an industrial rezoning or growth of an informal settlement or a new settlement.

**5. STEP BY STEP PROCESS**

5.1 The application for the registration of a public school must be lodged with the office of the Circuit Manager of the area where the school is intended to be built/established. The same applies to donor funded schools.

5.2 Once the application from the community is received, the Circuit Manager together with the Physical Resource Section in the District must conduct a survey and needs analyses in the area where the school is to be built, to verify the information supplied by the community, establish the feasibility of a school and possible impact on other existing schools. The report of the survey must accompany the application form.

5.3 The application form for the registration of a school must include the following:

- The intended grades to be registered.
- The expected time schedule for the phasing in of grades.
- The proposed name of the school in order of preference (three names from which to choose should be given).
- The physical address and postal address of the school.
- The site number.
- The curriculum to be followed.
- Intended enrolment.

5.4 In a case where a school is applying for grade 1, it must be given grade R as well.



5.5 Application should reach the Head Office not later than 31 May of every year. Approval of applications by the Head Office must happen before 31 July of every year to enable the Department to budget appropriately for the establishment of the school.

#### 5.6 MANAGEMENT PLAN: REGISTRATION OF PUBLIC SCHOOLS

NO.	ACTIVITY	TIME FRAME
1.	Submission of application forms to Head Office by districts.	31 May annually
2.	Verification of information and preparation of a submission for approval by the Superintendent General (SG).	15 June 2020.
3.	Approval of application forms by the Superintendent General.	5 days
4.	Issuing of approval letters to district offices.	30 June 2020.
5.	Submission of approved schools to EMIS for inclusion in the database.	03 August
6.	Declaration of posts by MEC for newly established schools.	30 September 2020

#### REGISTRATION REQUIREMENTS CHECKLIST

NO.	DOCUMENTS
1.	The agenda of the meeting that decided on the application.
2.	Minutes of the subject (aforementioned) parents/community meeting.
3.	Attendance register of the parents/community meeting.
4.	Circuit Manager's land verification report and Reservation Certificate [where new school establishment is the subject].

#### 6. CLOSURE OF A PUBLIC SCHOOL

6.1 The Member of the Executive Council may, by notice in the Provincial Gazette, close a public school under Section 33(1) of the South African Schools Act No. 84 of 1996.

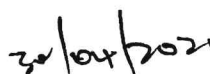
6.2 The Member of the Executive Council may not act under Section 33(1) unless he or she has-

- informed the governing body of the school of his or her intention so to act and his or her reasons therefor;
- granted the governing body of the school a reasonable opportunity to make representation to him or her in relation to such action.
- conducted a public hearing on reasonable notice, to enable the community to make representations to him or her in relation to such actions; and
- given due consideration to any such representations received.



- 6.3 If a public school is closed, all assets and liabilities of such school must, subject to the conditions of any donation, bequest or trust contemplated in section 37(4) devolve on the State unless otherwise agreed between the Member of the Executive Council and the governing body of the school.
7. Please note that this circular must be implemented with immediate effect and its contents should be brought to the attention of all those affected for immediate attention and implementation as no applications will be entertained outside these guidelines.

  
\_\_\_\_\_  
A/SUPERINTENDENT-GENERAL

  
\_\_\_\_\_  
DATE