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GENERAL NOTICE

NOTICE 1501 OF 2011

GAUTENG SCHOOL EDUCATION ACT 1995(ACT NO. 6 OF 1995)

CALL FOR PUBLIC COMMENTS ON THE DRAFT REGULATIONS ON DOMESTIC AND INTERNATIONAL TOURS FOR LEARNERS AT PUBLIC SCHOOLS, 2010

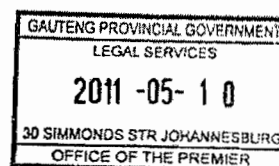
I, Barbara Creecy, Member of the Executive Council responsible for Education in Gauteng, intend in terms of section 106 of the Gauteng School Education Act, 1995(Act No. 6 of 1995), to make Regulations on School Tours as set out in the Schedule.

Interested persons are invited to submit substantiated written comments or representations on the proposed regulations to the Head of Department: Education (for attention of Mr Dan Legoete) by 24 June 2011.

Comments or representations should be forwarded to the Department in any of the following ways:

(1) By hand to:

The Office of the Head of Department: Gauteng Department of Education, For Attention: Dan Legoete, Room: 901, Floor: 9, GDE Building, 111 Commissioner Street, Johannesburg; or



(2) By post to:

The Office of the Head of Department: Gauteng Department of Education, For Attention: Dan Legoete, P.O. Box 7710, Johannesburg, 2000; or

(3) By email to:

Dan.legoete@gauteng.gov.za; or

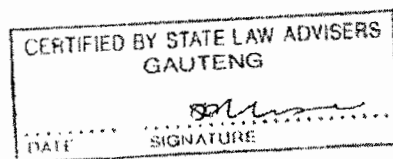
(4) By fax to:

(011) 355 0516

Please note that any comments or representations that are received after the due date shall not be considered.

BARBARA CREECY

MEC: EDUCATION



SCHEDULE**Regulations on Domestic and International Tours for Learners at
Public Schools, 2010****CONTENTS**

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1. Definitions

In these Regulations, unless the context indicates otherwise, a word or expression to which a meaning has been assigned in the Gauteng School Education Act, 1995 (Act No. Act 6 of 1995), has the same meaning and -

- (a) **"District Office"** means the District Office of the Department in the educational district in which the public school concerned is located;
- (b) **"District Director"** means the most senior official of the Department in an educational district;
- (c) **"MEC"** refers to the Member of the Executive Council for Education in the Province;
- (d) **"one-day tour or excursion"** means any tour or excursion by learners organised or approved by or made under the auspices of any public school or public schools in the Province that does not exceed one day in duration;
- (e) **"parent"** means-
 - (i) the parent or guardian of a learner;
 - (ii) the person legally entitled to custody of a learner; or
 - (iii) the person who undertakes to fulfil the obligations of a person referred to in paragraphs (i) and (ii) towards the learner's education at school;
- (f) **"these Regulations"** mean the Regulations on Domestic and International Tours for Learners at Public Schools, 2010; and

- (g) **"tour"** means any tour by learners organised or approved by or made under the auspices of any public school or public schools in the Province.

2. Application of Regulations

- (1) Subject to sub-regulation (2), these Regulations apply to every domestic and international tour by learners at public schools, excluding any one-day tour or excursion.
- (2) Despite the exclusion contemplated in sub-regulation (1), Regulations 4 and 10(1) to 10(2)(d) and 10 (2)(g) also apply to one-day tours and excursions.

3. Purpose of Regulations

The purpose of these Regulations are-

- (a) to ensure that no learner is unfairly discriminated against in any public school tour selection policy, practice or procedure;
- (b) to ensure that no learner is excluded from a tour because the learner or the learner's parent is unable to pay for the tour or because the learner's school fees have not been paid;
- (c) to ensure that public schools develop policies and procedures for the planning and organisation of school tours;
- (d) to specify procedures for the planning, approval and management of school tours;

- (e) to provide procedures for the selection of learners and educators for school tours;
- (f) to provide for the safety of learners on school tours;
- (g) to specify the duties of educators accompanying school tours;
- (h) to require tour reports from public schools; and
- (i) to provide for the keeping and maintenance of tour registers by the Department.

4. Selection of learners for public school tours

- (1) Every learner admitted to a public school is admitted to the total school programme of the school, which includes all curricular, co-curricular and extra-mural programmes or activities offered by the school, including tours organised or approved by or made under the auspices of the school.
- (2) Every public school must select learners for school tours based on the principles of merit, redress, equity and representivity.
- (3) No learner at a public school may be unfairly discriminated against, directly or indirectly, in any school tour selection policy or practice. In particular, no learner may be excluded from a tour or discriminated against in any way in relation to a tour on the ground that the learner's parent is unable to pay or has not paid any school fee, registration fee or deposit determined by the public school or any fees or other costs associated with the tour.

- (4) A public school may exclude learners from the tour on the basis of non-participation in the activity for which the tour is intended or on any other fair basis.

5. Public schools to develop school tour policy

- (1) Every governing body of a public school must develop a policy for the planning and organisation of school tours which will include:
 - (a) the responsibility of the school governing body to approve all school tours;
 - (b) the basis for selection of learners for a tour and how the school will ensure that no learner is unfairly discriminated against in any selection process for a tour;
 - (c) the basis for selection of learners on the principles of merit, redress, equity and representivity;
 - (d) the steps to be taken by the school to ensure that tours are adequately funded;
 - (e) the fund-raising activities or sponsorships that are permissible in order to assist in the funding of tours and how these activities or sponsorships will be administered and managed.
- (2) Tours must be planned in a way that will contribute to learners' overall educational, psychosocial and personal development and their ability to participate in community life.
- (3) Tours must not interfere with or interrupt the learners' school programme or the public schools' normal

educational programmes. In this regard, where reasonably practicable, all tours must be undertaken during school vacation periods.

- (4) Where educational programmes are compromised, the public school must ensure that it makes up the lost time.

6. Planning and budgeting for school tours

- (1) The full cost of every tour planned by a public school in any financial year must, as far as possible, be provided for in the annual budget of the school for the year concerned.
- (2) The budget for every school tour must be assessed and calculated on the basis only of available funds and other funds to be raised by the school for purposes of the tour and must not include any anticipated voluntary contributions from parents towards tour costs.
- (3) Public schools may not require any additional tour payment from learners who have been selected to tour or their parents in order to fund a tour, but may encourage parents to make voluntary contributions to tour costs.
- (4) A public school may not begin preliminary planning for a tour until the tour and its budget have been approved by a general meeting of parents of the school.
- (5) A public school may finalise tour plans only after the school has obtained written approval for the tour as contemplated in Regulations 7 and 8.

7. Approval of school tours

- (1) Every public school must obtain prior written approval from the Department for any tour of a sporting, educational, scientific or other nature.
- (2) Any public school that wishes to obtain Department approval for a tour must submit an application to tour on a form similar to that in Schedule 1 to the District Director of the relevant District Office of the Department at least 3 months prior to the departure date of the tour or in special circumstances, within such shorter period as the District Director may allow.
- (3) Where applicable, a letter of invitation to tour must accompany the application to tour.
- (4) The District Director must-
 - (a) consider the application and grant or refuse approval for the tour; and
 - (b) within 30 days of receiving the application, or within such further period as agreed to by the District Director and the public school, notify the public school of his or her decision and reasons in writing.
- (5) A school may lodge an internal appeal against the decision of the District Director within 7 days of receipt thereof with the MEC, clearly setting out the reasons for the appeal.
- (6) On receipt of the appeal the MEC must:
 - (a) inform the District Director of the appeal within seven days of receipt thereof; and

(b) notify the school within 14 days of receipt of the appeal of his/her decision to uphold or set aside the appeal.

- (7) The MEC's decision on the appeal is final.
- (8) After a tour has been approved, the public school must submit to the District Director a final written list of all learners, educators and other participants selected for the tour.

8. Safety of learners on tour

- (1) Public schools must take reasonable measures to ensure the safety of learners on tours, including-
- (a) insuring against accidents, injuries, general medical expenses, hospitalisation and theft that may occur on tour; and
 - (b) ensuring if reasonably practicable, that learners are under the supervision of an accompanying educator at all times on tour.
- (2) If a learner is on medication and will require that medication while on tour, the learner's parent must ensure that the learner has sufficient quantities of medication for the duration of the tour. Parents must complete the medical questionnaire form similar to the form attached as Schedule 2.
- (3) If it is necessary for a learner to carry a doctor's prescription for medication, it is the responsibility of the learner's parent to ensure that the learner and the tour manager are in possession of the original prescription.

- (4) If a learner is injured or falls ill during a tour and requires medical treatment, the tour manager must-
 - (a) make reasonable attempts to contact the parent of the learner in order to obtain consent for such medical treatment; and
 - (b) if the tour manager is unable to contact the parent of the learner, determine whether or not to consent to the medical treatment.

9. Appointment of tour manager and educators to accompany learners

- (1) The governing body of a public school must appoint an educator at the school as tour manager to take overall responsibility for any tour by learners of the school. If the tour involves learners at more than one public school, the tour manager must be appointed by agreement between the governing bodies of the schools concerned.
- (2) Every governing body of a public school must ensure that -
 - (a) at least one educator accompanies every 20 learners or part thereof on any school tour; and
 - (b) in the case of a tour in which both male and female learners are participants -
 - (i) at least one male educator accompanies every 20 male learners; and
 - (ii) at least one female educator accompanies every 20 female learners or part thereof.

10. Duties of tour manager and educators accompanying tour

- (1) The tour manager and every educator accompanying a tour are-
- i. on duty for the entire duration of the tour;
 - ii. bound by all codes of conduct or dress as may be determined by the governing body of the public school; and
 - iii. bound by all codes of conduct applicable to the teaching profession.
- (2) The tour manager and every educator accompanying a tour must, as far as is reasonably practicable-
- (a) take all reasonably practicable steps to ensure the safety of learners at all times;
 - (b) supervise the activities of learners at all times where this is reasonably practicable.
 - (c) enforce the discipline and safety rules of the tour at all times, and take appropriate corrective action whenever necessary;
 - (d) ensure that all reasonable measures are taken to transport learners safely during the tour;
 - (e) ensure that all learners are accommodated in the lodgings specified in the tour itinerary;
 - (f) make appropriate reasonable arrangements for the safekeeping of the travel documents, such as passports, visas and inoculation certificates; tour funds and learners' valuables; and

- (g) remind learners to take their prescribed medication, where applicable, at the prescribed intervals.

11. Consent

A public school must require every parent, of a learner who has been selected to tour to consent in writing prior to the date of departure of the tour, to the learner's participation in the tour and to matters ancillary thereto on a form similar to that in Schedule 3.

12. Public school to provide information to parents and Department

- (1) Every public school must in writing, notify the parents of every learner who has been selected to tour, regarding-
- (a) the purpose of the tour, if possible providing a copy of the invitation to tour;
 - (b) the nature of activities that the learner will be engaged in on tour and the possible risks involved;
 - (c) the full itinerary of the tour, with relevant contact details of tour participants, hosts and accommodation service providers;
 - (d) the number, names and contact details of the tour manager and other educators who will accompany the learners on tour;
 - (e) the transport and accommodation arrangements and arrangements for set meals on tour;

- (f) the travel documents, such as passports, visas and inoculation certificates, where applicable, that will be required and where they can be obtained;
 - (g) the arrangements for the safekeeping of tour funds and learners' valuables;
 - (h) the arrangements that will be made to ensure the safety of learners and educators while on tour; and
 - (i) any other ancillary matters, if necessary.
- (2) The notice contemplated in sub-regulation 1 must also state that-
- (a) no learner will be excluded from the tour because of an inability to pay for the tour;
 - (b) no learner will be excluded from the tour because school fees have not been paid; and
 - (c) any required travel documents must be obtained at least 7 days prior to departing on tour.
- (3) Every public school must also provide learners who have been selected to tour and their parents with the discipline and safety rules of the tour and notify them of the consequences of failing to comply with the rules.

13. Public school to submit tour report

- (1) Within one month of concluding a tour, the principal of the public school must submit a full report on the tour to the District Director of the relevant District Office and to the governing body of the school.

- (2) Every tour report must contain-
- (a) a full statement of income and expenditure, indicating the funds derived from fund-raising activities or sponsorships, the contribution of the school, a statement of how funds were spent and a statement of any surplus or deficit;
 - (b) an indication of how any surplus or deficit will be dealt with;
 - (c) an accident and injury report, if applicable; and
 - (d) an account of any other serious incident including acts of serious misconduct committed by learners or educators.
- (3) An accident and injury report must contain-
- (a) the description of any accident or injury;
 - (b) the date, time and place of the accident or injury;
 - (c) the procedures followed in dealing with the accident or injury;
 - (d) the name of the educator or educators on duty at the time of the accident or injury; and
 - (e) how and when the accident or injury was reported to the parents of the learner concerned.

14. Tour registers to be kept by Department

- (1) Every District Director must ensure that a register of all public school tours is established and maintained at every

District Office in order to track all tours undertaken by public schools in the district and to ensure accountability within the Department.

- (2) The Head of Department must ensure that a register of tours arising from international agreements, invitations by foreign governments and international agencies or initiated by the Department is established and maintained by the Department.
- (3) Every tour register must contain in respect of each tour-
 - (a) the name of the public school or schools which undertook the tour;
 - (b) the destination of the tour;
 - (c) the dates of departure and return of the tour;
 - (d) the purposes of the tour;
 - (e) the names of the principal of the public school or schools that undertook the tour;
 - (f) the name of the tour manager of the tour;
 - (g) the names and number of male and female learners who went on the tour;
 - (h) the name and Persal number of every educator who accompanied learners on the tour;
 - (i) the date that the principal of the public school submitted the report on the tour;
 - (j) details of any claims made against the Member of the Executive Council, the Department or the school in connection with the tour and the outcome of such claims; and

- (k) an appraisal of the tour's compliance with these Regulations.

15. Short title

These Regulations are called the Regulations on Domestic and International Tours for Learners of Public Schools, 2010.



UMnyango WezeMfundo

Department of Education

Schedule 1

Lefapha la Thuto

Departement van Onderwys

APPLICATION TO THE GDE FOR TOUR APPROVAL

Note: This application form must be completed by the Principal and the Governing Body of the applicant public school

1. Details of School

1.1	District	
1.2	Name of school	
1.3	School EMIS number	
1.4	Name of principal	

2. Governing body contact details

	SGB Official	Full names	ID Number	Contact telephone number	Term of office expiry date
2.1	Chairperson				
2.2	Secretary				
2.3	Treasurer				

3. Details of tour

3.1 Purpose of tour and details of the planned activities of the tour. (include a full itinerary)	

3.2 General details of tour	
Destination	
Departure date	
Return date	
No. of learners who will be undertaking tour	
Tour manager	
No. of accompanying educators	
Details of accompanying educators including contact details on tour	

4. Details of funding arrangements for tour

Cost of school tour per person:	Amount in Rands
Travel:	
Accommodation:	
Catering:	
Attire:	
Sundries:	
Total:	
Support strategy for the tour, including fund raising activities:	

5. Transport Details for School Tour

It is essential that 5.1. & 5.2. is completed when the tour application is made

5.1. Name of company providing transport or the owner of the vehicle:

5.2. Road worthy certificate /s:

Date of issue: _____ Expiry date: _____

5.3. Details of primary driver:

Name of the driver:

Driving Licence number and code:

Expiry date of licence:

Expiry date of professional Driving Permit:

Company / vehicle owner's Insurance (Name & Policy number):

5.4. Details of substitute driver:

Name of the driver:

Driving Licence number and code:

Expiry date of licence:

Expiry date of professional Driving Permit:

Company / vehicle owner's Insurance (Name & Policy number):

6. Accommodation arrangements while on tour:

6.1. Type of accommodation to be used:

6.2. Number of persons per room:

7. Documents to be submitted with application

Copies of the following documents must be submitted with this application:

7.1 Details of learners undertaking tour.

7.2 A full itinerary.

7.3 Confirmation that consent forms have been obtained from the parents of learners who will be undertaking the tour.

7.4 Confirmation of Medical Questionnaires obtained from the parents of learners who will be undertaking the tour (supply example).

7.5 The approval from the National Sporting Federation, where applicable.

7.6 A letter of invitation where applicable.

Other (please specify):

8. Signature

Principal:	Signature:	Date:
_____	_____	_____
Chairperson of School Governing body:	Signature:	Date:
_____	_____	_____

For official use:

1. District Director

Name:	
District:	
Date:	

TOUR APPROVED	YES	NO
---------------	-----	----

Reasons for disapproval of tour

1. Appeals

Kindly note that Appeals against the decision of the District Director maybe lodged within 7 days from receipt of decision with the MEC for Education.

Postal Address:

Gauteng Department of Education,
 P.O. Box 7710,
 Johannesburg,
 2000; or

Physical Address:

GDE Building,
 111 Commissioner Street,
 Johannesburg

Signature: _____

District Director



UMnyango WezeMfundo
Department of Education

Schedule 2

Lefapha la Thuto

Departement van Onderwys

MEDICAL QUESTIONNAIRE

1	School Name			
2	Name Of Learner			
3	Date Of Birth			
4	Nature Of Tour			
5	Name of Parent / Legal Guardian			
6	Home Address			
7	Home Telephone			
8	Work Telephone			
9	Work Address			
10	Do you belong to a medical aid?(X)	Yes		No
		Name the fund		
		Medical Aid Number		

11	Name of Family Doctor				
12	Telephone Number				
13	Is your child allergic to any food? (X)	Yes		No	
13.1	If yes, specify				
14	Is your child allergic to any medication?(X)	Yes		No	
14.1	If yes, please give details				
15	Is your child presently taking any medication?	Yes		No	
15.1	If so, please give a detailed list of medication and the dosage prescribed				

Details of Person Providing the information	
Relationship to learner	
Print name	
Signature of Parent	
Date	



UMnyango WezeMfundo

Department of Education

Lefapha la Thuto

Departement van Onderwys

Schedule 3

Page 3 of 4

PARENTAL TOUR CONSENT FORM

Note: This form to be completed by a parent legal guardian/person acting in parental capacity of the learner who will be undertaking a tour

Details of learner

1.1	Name	
1.2	Grade	
1.3	School	

Details of school

1.1	District	
1.2	Name of school	
1.3	Name of principal	

Details of tour

3.1	Destination	
3.2	Purpose of tour	
3.3	Proposed departure date	
3.4	Proposed arrival date	

Consent by parent / legal guardian / person acting in parental capacity

I, _____ (parent / legal guardian / acting in parental capacity) do hereby consent to the above learner undertaking the tour, and confirm that I:

4.1 Have been advised and fully understand, the purpose, nature and risks associated with the tour;

4.2 Have been informed by the school of all the relevant details associated with this tour, including the itinerary, arrangements for travel, accommodation, contact details of the tour manager and other associated details;

4.3 Understand that in the event of accident or injury to the above learner that all reasonable steps will be taken by the tour manager to contact me to obtain my consent for any necessary emergency medical treatment and/or any emergency medical operation. In the event that the tour manager is unable to contact me in such circumstances, I authorise the tour manager to consent to any such treatment or operation on my behalf;

4.4. Have completed the medical questionnaire attached to ensure the safety of my child

4.5 Have been provided with a copy of the school's discipline and safety rules in terms of which the learner will undertake the tour.

Details and signature of parent/legal guardian/person acting in parental capacity

5.1	Name	
5.2	Capacity	
5.3	Address	
5.4	Contact telephone and cell number	

Signature

Date