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GAUTENG***

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JUNIE**

No. 148

IMPORTANT NOTICE

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GENERAL NOTICE

NOTICE 1325 OF 2012

GAUTENG PROVINCIAL GOVERNMENT

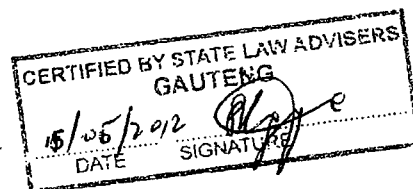
DEPARTMENT OF EDUCATION

**SOUTH AFRICAN SCHOOLS ACT, 1996
(ACT NO. 84 OF 1996)**

**CALL FOR COMMENTS ON NOTICE FOR THE
REGISTRATION AND SUBSIDY OF INDEPENDENT SCHOOLS**

I, Barbara Creecy , member of the Executive Council responsible for Education , under Section 46 and 50 of the South African Schools Act, 1996 (Act 84 of 1996), intend to make a determination in the Schedule.

Interested persons or organizations are hereby invited to submit written comments within 30 days from the date of publication of this notice to **Mr. Dan Legoete**; by:



(a) Post to:

The Office of the Head of Department:
Gauteng Department of Education,
P.O. Box 7710,
Johannesburg,
2000;

(b) Hand to:


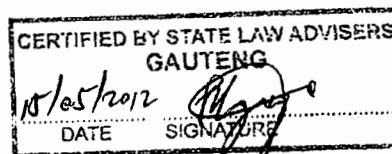
The Office of the Head of Department:
Gauteng Department of Education, Room: 901, Floor: 9, GDE
Building, 111 Commissioner Street,
Johannesburg;

(c) Fax to:

(011) 355 0516

(d) Email to:

dan.legoete@gauteng.gov.za

**B. CREECY****MEC FOR EDUCATION****GAUTENG PROVINCIAL GOVERNMENT****DATE:** 28/05/2012

SCHEDULE

1. Definitions

(1) Subject to sub-section (2) and unless the context indicates otherwise, a word or expression to which a meaning has been assigned in the Act has the same meaning in this Notice.

(2) In this Notice, unless the context indicates otherwise:-

“Academic year” means the year of schooling during a particular year as promulgated by the Minister of Basic Education in the school calendar from time to time;

“Act” means the South African Schools Act, 1996 (Act No.84 of 1996) as amended;

“application” means an application to the Head of Department for the registration of an independent school as prescribed in this Notice;

“independent school” means a school registered or deemed to be registered in terms of section 46 of the Act, including Grade R sites that are provided in the community sites and independent institutions;

“Department” means the Gauteng Department of Education;

“Head of Department” means the Head of the Gauteng Department of Education;

“management checklist” means the checklist of the Department in accordance with the National Norms And Standards For School Funding published in Government Gazette No. 19347 on 12 October 1998, as amended from time to time, which determines whether an independent school is able to manage public funding responsibly and includes indicators of sound management, proper admissions and attendance registers, fee payments and other financial records;

“Owner of an Independent School” means a sole proprietor who resides permanently within the Republic of South Africa or a partnership as defined in the Companies Act 75 of 2008 or Public Company incorporated and duly registered within the Republic of South Africa in terms of relevant laws or a section 21 company as envisaged in the Companies Act 71 of 2008 or Nonprofit company as defined in the Companies Act 71 of 2008, or a trust as defined as envisaged in the Trust Property Control Act, 75 of 1988 or any administrator and/or executor appointed in terms of the relevant laws of the Republic of South Africa or the Community Based Sites or the Private Providers of Grade R;

"person" means a natural or a juristic person;

"practitioner" means any person appointed to provide tuition in any of the Grade R sites;

"Private Providers of Grade R" means the providers of education services to learners at their inception year or grade R which is a year prior to Grade 1 which includes the Community Based Sites;

"published" means published in the Gauteng Provincial Gazette;

"SACE" South African Council for Educators as envisaged in the South African Council of Educators Act 31 of 2000, as amended; and

"security of tenure" means a lease agreement or proof of ownership or permission to occupy the building.

2. Purpose

The purpose of this notice is to:

- (a) repeal notices number 2147 of 2004 and 2011 of 2004;
- (b) determine the procedure for the application for the registration of independent schools;
- (c) determine the grounds for the registration of independent schools;
- (d) provide for requirements for registration of independent schools;
- (e) determine post-registration obligations of independent schools;
- (f) determine the grounds on which the registration of independent schools may be withdrawn by the Head of Department and procedures to be followed;
- (g) provide for appeal to the Member of the Executive Council against the refusal or withdrawal of registration of an independent school;
- (h) provide for application for re-registration of independent schools after registration has been withdrawn;
- (i) determine the criteria of eligibility and conditions for a subsidy;
- (j) determine the procedure for the application for subsidy;
- (k) determine the manner of payment of any subsidy to an independent school;
- (l) determine the conditions under which the Head of Department may terminate or reduce a subsidy; and

(m) provide for appeal against the decision of the Head of Department to terminate or reduce a subsidy.

PART A - CONDITIONS FOR OPERATING AN INDEPENDENT SCHOOL

3. (1) Any person may apply to register an independent school with the Department.

(2) No person may establish or operate an independent school unless it is registered by the Department.

(3) Any independent school that is found to be operating illegally will be closed down by the Department as per paragraph 9(3) of this notice.

(4) The Head of Department must lay a charge with the police against any person who contravenes sub paragraph (1).

PART B – APPLICATION PROCESS FOR REGISTRATION OF AN INDEPENDENT SCHOOL

Application procedure for registration of independent schools.

Grounds for Registration

4.(1) The Head of Department must grant registration to an independent school if he or she is satisfied that-

(a) the application meets the requirements of paragraphs 5 and 6.

(b) an educator registered with SACE will be employed in a full-time capacity as the principal of the independent school, and will be responsible for the management, organisation, supervision and control of conduct at such school;

(c) the independent school will meet the management standards required by the Department, through the relevant management checklist attached as Annexure A to this Notice; and

(d) the Owner complies with the primary legislation in terms of which it is incorporated and any other relevant legislation.

(2) On receipt of an application, the Head of Department must within 90 days :

(a) register the independent school, and issue a registration certificate to the applicant, if the Head of Department is of the opinion that the school complies with the requirements for registration as specified in paragraph 4(1)(a) and 4(1)(d); or

(b) decline to register the independent school, if the Head of Department is of the opinion that the school does not comply with the requirements for registration as specified in paragraph 4, and notify the applicant in writing within 30 days of the decision and the reasons therefore.

(3) The registration of an independent school is not an automatic entitlement to receive a subsidy.

(5)(1) The following requirements apply to an application:

(a) it must be made in writing to the Head of Department, using the approved GDE application form; and

(b) it must be lodged with the Directorate responsible for Independent Schools at Head Office not later than 1 April of the year preceding the year of the proposed opening of independent school.

(2) The Department must finalise its decision within three months of the date of receipt of application subject to the full compliance and provision of relevant documentation.

(3) In the event the owner does not furnish the Department with full documentation, the owner is required to furnish such required documentation within thirty (30) days of receipt of notice to comply.

(4) The Head of Department may refuse to consider an application, which does not comply with the requirements of sub-paragraphs (1) to (4) above.

6.(1) The application must be accompanied by:

(a) a detailed analysis of the owner's business operation.

(b) a constitution for the independent school, signed by the owner/s, covering all matters relating to the control of the independent school including its ownership, character, aims, governance, funding, language and admission policy (aligned to the Constitution of the Republic of South Africa);

(c) a floor and site plan, which shall in the case of a multi-storied building include a floor plan for each floor to be occupied, in accordance with departmental requirements clearly showing learning, ablution and recreational facilities;

(d) a certified copy of a valid certificate of occupancy;

(e) details of the facilities, which will be made available for the implementation of the curriculum and for co-curricular and extra-curricular activities;

- (f) details of the facilities which will be made available to serve the needs of learners with disabilities;
- (g) the documents of incorporation of the owner such as, but not limited to, trust instrument and memorandum of incorporation;
- (h) the tax clearance certificate of the owner when applicable,
- (i) a certified copy of a valid certificate from the relevant health authorities confirming that the proposed facilities at the independent school will meet the minimum health and safety requirements, including compliance with the Occupational Health and Safety Act, 1993;
- (j) a certified copy of a valid certificate from the relevant municipality confirming that the proposed facilities will meet the requirements of the municipal by-laws;
- (k) details of a registered bank account with a recognised bank, including proof in the form of a legally binding surety that the independent school will be financially viable for a minimum period of 12 months after registration;

(2) In the case of an independent school owned by a natural person-

- (i) a certified copy of the owner's identity document; or
- (ii) if the owner is not a South African citizen or permanent resident certified copies of his or her passport and business permit issued by the Department of Home Affairs;

(3) The owner of an independent school must submit a business plan clearly indicating as to whether or not the school is operating as a profit making or non-profit institution.

(4) If the owner is a company, the company must provide a certified copy of a registration certificate as proof that it has been incorporated under the Companies Act, in addition to the documentation required as per paragraph 6

(5) In the case of an independent school owned by a juristic person:

- (i) certified copies of the constitutive instruments of the relevant juristic person; and
- (ii) a list of the educators or practitioners with their qualifications, in-keeping with the minimum requirements, proposed to be employed at the independent school as well as their South African Council of Educators registration numbers.

(6) Community based sites or independent institutions that cater for learners below Grade R must provide proof of registration with the Department of Social Development.

(7) All independent schools must register with Umalusi for accreditation.

(8) All other documentation deemed to be material to the application.

PART C - POST-REGISTRATION OBLIGATIONS OF INDEPENDENT SCHOOLS

7.(1) An independent school must:

- (a) comply with the paragraphs 4 to 7 of this notice;
- (b) comply with the South African curriculum policy indicating the minimum outcomes or standards and comply with a national process and procedure for the assessment of learner achievement as determined by the Minister in terms of section 6A of the Act;
- (c) ensure that the hours allocated to each subject/Learning Area are adequately observed and approved by the Head of Department;
- (d) apply for new registration should it wish to add or remove grades with the effect that it changes from one type of school contemplated by the Act to another type of school contemplated by the Act;
- (e) must disclose all educational and management related information as requested by the Head of Department or Member of the Executive Council; and
- (f) allow reasonable access at agreed times to Departmental officials or persons authorized by the Department to inspect information as contemplated in section 59 (2) of the Act and to monitor compliance with the registration requirements.
- (g) register for Gr.12 examinations for the National Senior Certificate with the Gauteng Department of Education or the Independent Examination Board.
- (h) allow the unannounced visits by the Department at its sole discretion.
- (i) not expel or suspend a learner prior to examinations due to non-adherence to contractual obligation between the parent and the school; and
- (j) in case the Independent school fails to comply with any legislation and/or this Notice, the Head of Department may request the owner to appoint an independent administrator approved by the Head of Department, at the school's own cost, to continue the business affairs of the school.

(2) Change of Ownership

- (a) An independent school must, within six months prior to any change of ownership of the independent school, provide written notification to the Head of the Department of such change of ownership.
- (b) In case the owner sells the Independent School as a going concern, then such change of ownership must be in accordance and comply with the applicable legislation, inter alia, Labour Relations Act and the Companies Act.

(c) The new owner must make an undertaking to continue to comply with the conditions for registration and subsidization as the case may be.

(d) In case the Independent School is sold not as a going concern, the new owner must make a new application for registration provided that such sale does not disrupt learning and teaching at the school.

(e) No change of ownership shall be valid unless approved by the Head of Department and the Department has conducted a due diligence on the new owner.

(3) Closure of an Independent School.

(a) An independent school must provide at least six calendar months' written notice with reasons to parents, staff and learners to close or suspend the operation of a school provided that such closure or suspension does not disrupt learning and teaching at the school.

(b) No closure of an independent school shall be effective unless the Head of Department is given a five months notice thereof and proof that the parents have been timeously notified and subject further to that such closure shall not occur during the academic year.

(4) Relocation of Premises

(a) An independent school must notify the Head of Department and provide reasons in writing of any proposed change in premises three months prior to relocation.

(b) The Head of Department must grant approval of the proposed relocation within 30 days of the application provided that the independent school provides the following information:

- (i) the address of the proposed new location for the independent school; and
- (ii) all documentation necessary to satisfy the Head of Department that, notwithstanding any new circumstances caused by the change of address, the independent school complies with all requirements contemplated in this notice.

(5) An independent school must maintain security of tenure over the school buildings and grounds.

(6) An independent school must furnish the Department with the Audited Financial Statement prepared by the registered Auditor for the preceding year within ninety days of the end of the financial year.

(7) The Owner continues to comply with the primary legislation in terms of which it is incorporated and conditions for registration of independent schools.

(8) Compliance Provisions

(a) An international school that is providing education to learners of foreign national may be excluded from subsection 7(1)(b) to 7(1)(c) and 7(1)(g).

(b) All documentation referred to in paragraph 6 including the letter approving the registration of the school must be filed by the Principal of the school and readily accessible as and when required by the Head of Department or an official authorised by him.

(c) It is the responsibility of the owner of an Independent School to ensure that the relevant documents are updated on a regular basis.

(d) The owner of an independent school whose application was granted under paragraph (4) must establish the independent school within 18 months from the date on which the application was granted by the Head of Department.

(e) If the owner of an independent fails to establish the school within the period referred to in subparagraph 8(d), the registration shall lapse.

(f) A school referred to in 8(a) may not enrol South African learners, without the approval of the Head of Department.

(g) All independent schools must manage their school finances in accordance with the Generally Accepted Accounting Practices to promote accountability, as amended and prescribed in the relevant acts.

(h) All independent schools must meet the Constitutional obligations with regard to the learner's rights;

(i) Within three months after registration has been granted, an Independent school, is required to submit certified copies of proof of registration to the Head of Department, with the:

- (i) South African Revenue Services, with respect to taxation;
- (ii) Department of Labour;
- (iii) Unemployment Insurance Fund (UIF),
- (iv) Skills Development Levy;
- (v) Compensation of Injuries and Disease Act (COIDA); and
- (vi) And any other relevant legislation.

(j) The Head of Department may allow an Independent school time to align with the requirements of this legislation on the basis of a reasonable request with motivation.

PART D - DEREGISTRATION OF INDEPENDENT SCHOOLS

Grounds on which the registration of independent schools may be withdrawn by the Head of Department and procedures to be followed

8. (1) The Head of Department may withdraw the registration of an independent school at any time if he or she is satisfied, after a full and proper investigation, that:

- (a) the school is not complying with the requirements as set out in paragraphs 4 and 7.
- (b) based on sound reasons, he/she believes that there is a threat to the continuation of provision of education services by the owner;
- (c) the owner commits the act of Insolvency as defined in the Insolvency Act, of 1936 or be provisionally or finally wound-up whether voluntary or provisionally or be placed under judicial management;
- (d) owner failed to comply with any legislation and/or Notice enacted in the Republic of South Africa;
- (e) the Independent School refuses unannounced visits by the Head of Department or his/her delegate;
- (f) the Independent school utilizes the subsidy funds for a non-educational purpose; and
- (g) the Independent School is found to have inflated the learner numbers and attendance figures.

9. Withdrawal of Registration of Independent Schools

(1) The Head of Department may not take action under section 8(1) unless he or she has-

- (a) informed the Independent School of his or her intention so to act and the reasons thereof;
- (b) granted the Independent School a reasonable opportunity to make representations to him or her relating to such intention; and
- (c) given due consideration to any such representations received.

(2) The written representations referred to in sub paragraph (1) above must reach the Head of the Department within 30 days of the receipt of the notice contemplated in the sub paragraph (1) above.

(3) In cases of urgency, the Head of Department may act in terms of sub paragraph (1) without prior communication to such Independent school and the Head of Department thereafter furnishes the Independent school with reasons for his or her actions.

(4) In cases where the Head of Department closes an Independent School, learners may be placed at relevant public schools, after consultation with parents.

(5) The Head of the Department must inform the owner of the Independent School of his or her decision within 30 days of receiving the written representations contemplated in section 47 (1) (b) of the Act.

10. PART F – APPEAL AGAINST THE DECISION OF THE HEAD OF DEPARTMENT TO DEREGISTER AN INDEPENDENT SCHOOL

(1) With the exception of a school referred to in sub paragraph 9(3), an owner of an independent school who is aggrieved by the decision of the Head of the Department to withdraw the registration of an Independent School may, within 30 days of receiving notice as envisaged in paragraph 9(2) appeal to the Member of the Executive Council in writing, setting out the grounds of the appeal.

(2) The Member of the Executive Council must consider the appeal and must confirm or set aside the decision of the Head of the Department within 30 days of receiving the appeal and must:

- (a) notify the appellant of his or her decision; and
- (b) provide the appellant with written reasons for his or her decision.

(3) While the Member of the Executive Council is adjudicating the appeal the Independent School will continue to function until the Member of the Executive Council notifies the appellant of his or her decision.

PART F – PROCESSING OF SUBSIDIES TO INDEPENDENT SCHOOLS

Eligibility of an independent school for subsidy

11(1) The MEC may grant a state subsidy to an independent school if it meets each of the following requirements:

- (a) The school is registered with the Department.
- (b) The school must have been operational for at least one year.
- (c) The Head of Department is satisfied that the school is not run for profit.
- (d) The school, in the opinion of the Head of Department, complies with the requirements of the relevant management checklist (Annexure A) of the Department.
- (e) The school consents to unannounced inspection visits by Departmental officials, or

persons officially authorised by the Department, to ensure that the practices in the management checklist are being complied with.

(f) The school has not been established in direct competition with a nearby-uncrowded public school of equivalent quality.

(g) If the school enrolls learners in the secondary schooling phase:

- (i) its grade 12 pass rate in the previous school year must have been 50% or more of the full-time candidates writing the examination;
- (ii) a maximum of 20% of the Grade 11 learners at the school may be repeaters who were in grade 11 at the same school during the previous school year;
- (iii) a maximum of 20% of Grade 12 learners at the school may be repeaters who were in grade 12 at the same school during the previous school year; and
- (iv) it may not engage in practices that are calculated artificially to increase the school's grade 12 pass rate.

(h) If the school enrolls learners in the primary schooling phase, the overall pass rate in the previous school year must be 70% or more than the provincial pass rate.

Procedure for application for subsidy

12.(1) Subject to sub-paragraph (2), an Independent School applying for a subsidy for the first time must submit on or before 30 June of the year preceding the year in respect of which the subsidy is sought, a completed relevant application form, to the Directorate responsible for independent schools at the Provincial office.

(2) An Independent School applying for a subsequent subsidy must submit to the Department on or before 28 February each year a completed relevant application form obtainable from the Department. No late application will be considered.

Manner of payment of a subsidy to an independent school

13. (1) If the Member of the Executive Council decides to grant a subsidy to an Independent School, he or she must do so subject to the following:

- (a) The subsidy will be calculated on a per learner basis according to the verified enrolment in the school at the beginning of each term.
- (b) The level at which each learner is subsidized must be determined by the Member of the Executive Council with due regard to any applicable norms and minimum standards determined by the Minister in terms of section 48 (1) of the

Act.

(2) The Department must pay the first term's subsidy no later than 1 April.

(3) The Department must pay subsequent subsidies no later than six weeks after the beginning of the school term to which the respective subsidies relate.

Conditions for the Utilisation of the Allocated Subsidy

14.(1) An Independent School must provide the Head of Department with a written assurance that it implements effective, efficient and transparent financial management, appropriate procurement processes, proper asset management and internal control systems.

(2) The subsidy allocated to an Independent School must be used for educational purposes, including resourcing and maintenance.

(3) The subsidy allocated to the school must not be:

- (a) transferred out of the operating company;
- (b) used for the repayment or granting of loans; and
- (c) used to purchase property and vehicles.

(4) The school must keep full and proper records of their financial affairs in accordance with any prescribed norms and standards.

(5) The school must prepare financial statements for each financial year in accordance with generally recognized accounting practice.

(6) The school must submit audited financial statements within two months after the end of the school academic year.

PART G - WITHDRAWAL OR REDUCTION OF A SUBSIDY

15. (1) The Head of Department may withdraw or reduce the subsidy of an Independent School at any time if he or she is satisfied, after a full and proper investigation, that the school is not complying with the registration, post registration and the requirements as set out in paragraphs 11 and 14 of this notice.

(2) The Head of Department may also institute criminal charges against the owner of the Independent School in case of maladministration of finances, including the subsidy.

(3) If the subsidy of an Independent School is withheld or reduced for two consecutive years, the school will have to re-apply as first time subsidy applicants.

Grounds for Withdrawal of subsidy

16. The Head of Department may withdraw the subsidy on grounds that:

- (a) the school has failed to comply with the conditions for the utilization of the allocated subsidy;
- (b) the independent school has failed to comply with the registration conditions; and
- (c) the Independent School has failed to comply with the post-registration conditions.

PART H - APPEAL AGAINST THE DECISION OF THE HEAD OF DEPARTMENT TO WITHDRAW OR REDUCE A SUBSIDY

17.(1) The Head of Department may not withdraw or reduce a subsidy in terms of this notice unless-

- (a) the owner of such independent school has been furnished with a notice of intention to terminate or reduce the subsidy and the reasons thereof;
- (b) such owner has been granted an opportunity to make written representations as to why the subsidy should not be withdrawn or reduced. Such representation must be received by the Head of Department within fourteen (14) days of the notice contemplated in (a) above; and
- (c) any such representations received have been duly considered.

(2)The owner of an Independent School may appeal to the Member of the Executive Council against the withdrawal or reduction of a subsidy to such Independent School, within 30 days of receiving notice of such decision.

(3) The Member of the Executive Council must consider the appeal and must confirm or set aside the decision of the Head of Department within 30 days of receiving the appeal and must:

- (a) notify the appellant of his or her decision; and
- (b) provide the appellant with written reasons for his or her decision.

ANNEXURE A
GAUTENG DEPARTMENT OF
EDUCATION



GAUTENG PROVINCE

Department: Education

REPUBLIC OF SOUTH AFRICA

MANAGEMENT CHECKLIST FOR
INDEPENDENT SCHOOLS IN GAUTENG

INDEPENDENT SCHOOLS' CHECKLIST

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SECTION A

**SASA: NORMS & STANDARDS OF SCHOOL FUNDING
POLICY REFERENCE**

ACT/ LEGISLATION ASPECT	PARAGRAPH
<p>The South African Schools Act 84 of 1996 (SASA) enables the provincial Member of the Executive Council (MEC) to grant a subsidy to a registered Independent School in terms of norms and minimum standards determined by the Minister of Education (section 45 — 46 & 48)</p> <p>The Published Standards determine the national minima for eligibility for subsidy allocation & the level of subsidisation. Compliance with these standards is necessary, but not sufficient to ensure eligibility for subsidy allocation. An applicant school must also comply with any subsidy eligibility requirements and conditions determined by the MEC in terms of Section 50(1)(c) of SASA.</p>	(Education Law & Policy Handbook) P28 — 52
The school has to be registered with the Gauteng Department of Education (GDE).	176 (a)
The school must have made an application with GDE in the prescribed manner.	176 (b)
The school must have been in operation for a full school year.	176 (c)
The school is not operated for profit.	176 (d)
The school is managed successfully according to a management checklist determined by GDE as described in par 179.	176 (e)
The school agrees to unannounced inspection visits by the GDE officials: refusal to allow unannounced visits will result in forfeiture of further funding	176 (f)
The school has not been established in direct competition with a nearby-uncrowded public school of equivalent quality.	176 (g)
For secondary schools: The pass rate in Grade 12 is 50% or > for Full Time Candidates writing exams in the previous year.	177 (a)
The repetition rate in Grade 11 or 12 is not > than 20%	177 (b)
The school does not engage in practices that are calculated to artificially increase the schools Grade 12 pass rate.	177 (c)
<p>Each school requesting funds will be subject to a management checklist, which will be approved by the Head of Department (HOD) after consultation with representatives of independent schools.</p> <ul style="list-style-type: none"> • Capacity to handle public funds • Capacity to meet ongoing contractual obligations to suppliers of goods & services • Ability to make educationally sound financial decisions • School keeps proper admissions and attendance registers • School maintains proper financial records including full fee-payment records 	Para 179



GAUTENG PROVINCE

Department: Education
REPUBLIC OF SOUTH AFRICA

A. SCHOOL PROFILE

1. NAME OF SCHOOL: _____

2. GDE REF NO/ REGISTRATION NUMBER: _____

3. DATE OF REGISTRATION: _____

4. NAME OF PRINCIPAL: _____

5. PHYSICAL ADDRESS OF THE SCHOOL: _____

6. POSTAL ADDRESS:

7. EMAIL ADDRESS: _____

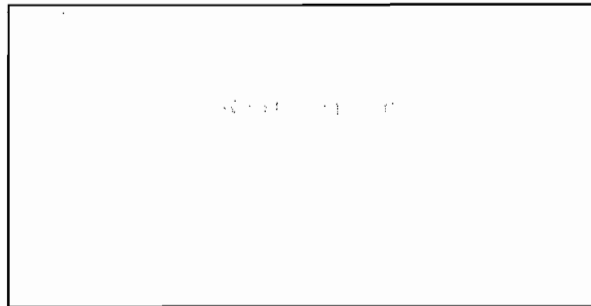
8. TEL NO: _____ 9. CELL NO: _____

10 GDE INSTITUTIONAL DEVELOPMENT & SUPPORT OFFICIAL (IDSO) RESPONSIBLE FOR THE SCHOOL:

11. IDSO CONTACT NUMBERS: TEL NO: _____ 12. CELL NO: _____

13. DISTRICT: _____

14. SCHOOL STAMP



15. INFORMATION RELATING TO THE NEAREST EQUIVALENT PUBLIC ORDINARY SCHOOL

a) PUBLIC SCHOOLS – (This information should be sought by the IDSO from the Education Management and Information System (EMIS) Section at Head Office)

	NAMES OF PUBLIC SCHOOLS	DISTANCE BETWEEN THE INDEPENDENT SCHOOL IN QUESTION AND THE PUBLIC SCHOOL	EDUCATOR – LEARNER RATIO	MEDIUM OF INSTRUCTION	RELIGIOUS AFFILIATION	CURRICULUM
1						
2						
3						
4						
5						

16. YOUR SCHOOL PROFILE:	EDUCATOR – LEARNER RATIO	MEDIUM OF INSTRUCTION	RELIGIOUS AFFILIATION	CURRICULUM

SECTION B

**INDEPENDENT SCHOOLS' MANAGEMENT CHECKLIST
ELIGIBILITY FOR SCHOOL FUNDING**

SECTION B

1. OWNERSHIP DETAILS OF SCHOOL

1.1 NAME OF LEGAL ENTITY (e.g. Name of School) _____

1.2 TYPE OF LEGAL ENTITY (e.g. Section 21) _____

1.3 DATE OF REGISTRATION _____

1.4. REGISTRATION NUMBER:

1.4.1 COMPANY REGISTRATION NUMBER

1.4.2 SOUTH AFRICAN REVENUE SERVICES (SARS) NUMBER _____

1.4.3 UNEMPLOYMENT INSURANCE FUND (UIF) NUMBER _____

1.4.4 SKILLS DEVELOPMENT LEVY NUMBER (SDL) _____

1.4.5 COMPENSATION OF INJURIES AND DISEASES ACT (COIDA NUMBER) _____

1.5 NAME OF ACCOUNTABLE OFFICER _____

(An accountable officer is a person in the school who is accountable to the GDE for the accuracy of this document)

1.6 NUMBER OF YEARS THAT THE SCHOOL HAS BEEN IN OPERATION

2. DIRECTORS /PARTNERS/MEMBERS/TRUSTEES		ID NUMBER
	NAMES OF THE DIRECTORS/PARTNERS/MEMBERS/TRUSTEES	
1		
2		
3		
4		
5		
6		
7		
8		
9		

3. WHICH OF THE FOLLOWING DOES THE SCHOOL HAVE AS PROOF OF BEING A NON - PROFIT MAKING ORGANISATION? PLEASE TICK THE APPLICABLE BOX

No.	LEGAL PROOF FOR NOT OPERATING FOR PROFIT	Tick where appropriate
1	A Section 21 registration company certificate	
2	A Non-Profit Making Organisation (NPO) registration certificate	
3	A declaration from the school's external auditor that the income and property of the school is applied solely towards the promotion of its main object and no portion of it given to or transferred to its members or offices bearers, except as reasonable compensation for services rendered.	

4. UNANNOUNCED VISITS

PLEASE NOTE THAT IF THE SCHOOL DOES NOT COMPLY WITH UNANNOUNCED VISITS, IN TERMS OF PARAGRAPH 176 (F) OF THE NATIONAL NORMS AND STANDARDS FOR SCHOOL FUNDING (NSSF), IT WILL DISQUALIFY ITSELF FROM RECEIVING SUBSIDIES.

5. PASS RATES

PLEASE NOTE THAT ONLY FULL TIME CANDIDATES QUALIFY FOR SUBSIDIES.
PLEASE NOTE: THE DEFINITION OF A FULL-TIME CANDIDATE IS PER GRADE 12 EXAMINATIONS REQUIREMENTS

5.1 GRADE 11 ENROLMENT

GRADE 11	No. of Grade 11 learners in the preceding year (in the same school) A	No. of learners repeating Grade 11 in the same school B	New learners in Grade 11 (coming from other schools) C	Repetition rate in Grade 11 which exclude new learners D
				$D = \frac{B}{A} \times 100$

5.2 GRADE 12 ENROLMENT

GRADE 12	No. of Grade 12 learners in the preceding year (in the same school) A	No. of learners repeating Grade 12 in the same school B	New learners in Grade 12 (coming from other schools) C	Repetition rate in Grade 12 which exclude new learners D
				$D = \frac{B}{A} \times 100$

5.3 GRADE 12 PASS RATES

Number of grade 12 part time learners _____

GRADE 12	NUMBER OF FULL TIME CANDIDATES THAT WROTE THE EXAM IN THE PRIOR YEAR, (EXCLUDING THE GRADE 12 PART TIME LEARNERS)	NUMBER THAT PASSED	PERCENTAGE PASS (inclusive of supplementary exams)

PLEASE NOTE: THE GRADE 12 PASS RATE MUST BE 50 % OR MORE FOR THE FULL TIME CANDIDATES WRITING THE EXAMINATION IN THE PRIOR YEAR. (PARAGRAPH 177 OF THE NNSSF) SUBJECT TO VARIANCE BY THE HEAD OF DEPARTMENT (HOD). THE REPETITION RATE OF LEARNERS FROM THE SAME SCHOOL IN GRADES 11/12 SHOULD NOT BE MORE THAN 20% (SUBJECT TO VARIANCE THE HOD): (PARAGRAPH 177 OF THE NNSSF) FIGURES PROVIDED BY THE SCHOOLS WILL BE SUBJECT TO A VALIDATION TEST THROUGH THE 101H DAY SURVEY AND THE MATRIC RATE FROM THE EXAMS SECTION

6. MANAGEMENT:

6.1 LIST THE MANAGEMENT STRUCTURES AND COMMITTEES THAT YOU HAVE AT THE SCHOOL

NB. HARD COPIES OF ALL REQUIRED DOCUMENTS MUST ALWAYS BE AVAILABLE FOR SCRUTINY BY THE GDE/DELEGATED AUTHORITY

NO	SCHOOL MANAGEMENT AND FINANCE STRUCTURES (e.g. Board of Directors)	AVAILABILITY OF MINUTES INDICATE WITH A 'YES' OR 'NO'	COMMENTS
1			
2			
3			

6.2 BASIC FUNCTIONALITY OF THE SCHOOL

EXISTENCE & FUNCTIONALITY		AVAILABILITY OF DOCUMENTS FOR SCRUTINY-INDICATE WITH A 'YES' OR 'NO'		COMMENTS
		YES	NO	
1	Learners' admission register			
2	Learners' attendance registers			
3	Educators attendance register is controlled regularly			
4	School composite time table			
5	Staff list indicating subjects and grades taught and their South African Council for Educators (SACE) Registration numbers			

6.3 FINANCIAL MANAGEMENT

ITEM		AVAILABILITY FOR SCRUTINY-INDICATE WITH A 'YES' OR 'NO'		COMMENTS
		YES	NO	
A	FINANCIAL MANAGEMENT PLANNING			
1	System for estimating the school's revenue, operating and capital expenditure for the forthcoming school year			
2	Key desired outcomes/objectives and indicators, for the forthcoming year			
3	Key risk factors, both external and internal to the school, that might affect the attainment of objectives			
4	Financial and non-financial resources required to achieve the objectives			
5	An operational plan that is linked to the budget			

B. CONFIRM PERCENTAGES ALLOCATED AS PER YOUR CURRENT SCHOOL BUDGET			
1. LEARNER SUPPORT MATERIAL			
2. SALARIES			
3. MAINTENANCE			
4. CAPITAL EXPENDITURE (CAPEX)			
C. REPORTING STANDARDS		DOCUMENTS AVAILABLE FOR SCRUTINY - INDICATE WITH A 'YES' OR 'NO'	
1. <u>Inspect annual financial statement which is in compliance with generally accepted accounting practice (GAAP) has been prepared and consists of:</u>			
(a) A balance sheet			
(b) An income statement			
(c) A cash flow statement			
(d) Notes to the annual financial statements			
(e) Any other statements that the Accounting Standards Boards may prescribe in future.			
(f) An auditor's report			
(g) <u>Verify expenditure in the Annual Financial Statements as per Norms and Standards(South African School's Act)</u>			
2. With regard to the appointment of an independent auditor of the school, which one of the following options relates to the appointment of the school's auditor?			
(a) The school's auditor is registered with the Public Accountants and Auditors Board.			
(b) The school's auditor is a person who is qualified to review and sign Close Corporations as an accounting officer (AO).			
(c) It is a person who has been approved by the MEC.			
(d) <u>Confirm the registration and accreditation of the accounts and auditors(with IRBA or any other organization specified by the SASA).</u>			
D. BANKING & CASH CONTROLS			
1. Receipts issued in respect of monies received, e.g fees			
2. Money is deposited		Daily	
		Weekly	
		Monthly	
3. <u>Verify banking details of the school and signatories.</u>			

E. PURCHASING AND EXPENDITURE CONTROLS	DOCUMENTS AVAILABLE FOR SCRUTINY – INDICATE WITH A 'YES' OR 'NO'		
1. Written orders are used for all purchases and expenses outside the petty cash allocation.			
2. The school keeps copies of all purchase orders			
3. All purchase orders are formally approved by an authorized and responsible official, with due regard for authorization levels.			
4. All goods received are checked against the original purchase order, detail and supplier invoices to ensure validity of goods received.			
5. (a) Payments for expenses are authorized in respect of goods or services received, with due regard for authorization levels.			
5 (b) Payment transactions are fully supported by the appropriate documentation.			
6. The use of cheques including blank cheques is controlled.			
7. The school has at least two responsible officials who both sign all cheques			
8. (a) The school has a petty cash policy and a control book.			
8 (b) The school reviews and verifies petty cash vouchers against supporting documents before the fund is reimbursed.			
9. <u>Observe and report on the controls around cash collections, school fees, sale of uniforms and donations.</u>			
10. <u>Capacity to meet ongoing contractual obligations to suppliers of goods and services</u>			
11. <u>Purchasing and expenditure controls:</u>			
(a) <u>Obtain a listing of the schools creditors</u>			
(b) <u>Verify any unusual, regular or large payments made by the school (general ledger).</u>			
12. <u>Inquire and analyse the procurement policies and processes</u>			

F. PAYROLL AND HUMAN RESOURCE MANAGEMENT CONTROLS			
1. The school pays skills levy.			
2. Salary advice slips are issued to employees.			
3. The school deducts and pays for Pay As You Earn (PAYE) and Standard Income Tax on Employees (SITE).			
4. The school pays for COIDA (Compensation of Injuries and Diseases Act).			
5. The school pays for regional services.			

G. ASSET MANAGEMENT CONTROLS	DOCUMENTS AVAILABLE FOR SCRUTINY, INDICATE WITH A 'YES' OR 'NO'		
1. The school has an asset management policy			
2. The school has a comprehensive and detailed asset/ inventory register			
3. The school's assets are included in the school asset register			
4. The school reconciles its assets to the asset register			
5. Asset Management controls: (a) <u>inspect the fixed asset register of the school.</u> (b) <u>inspect whether the school perform asset and inventory counts</u>			
H. DEBTOR MANAGEMENT			
<u>Inspect credit control measures for recovering outstanding fees are in place. Please explain in full.</u>			
I. BUDGETING CONTROLS			
The school monitors its income and expenditure against the budget			
J. MONITORING FINANCIAL MANAGEMENT			
i) Please explain in full the method for the monitoring process:			

ii) How often is this monitoring being conducted:

iii) Who conducts the monitoring of the school budget:

Please tick the relevant section below:

The principal	
The bursar	
Other specify	

K. CONFIRM EDUCATORS REGISTRATION WITH SOUTH AFRICAN COUNCIL OF EDUCATORS (Please use the separate page if the number of educators exceeds the space provided)

<u>No</u>	<u>Names of Educators</u>	<u>Sace Registration Number</u>
<u>1</u>		
<u>2</u>		
<u>3</u>		
<u>4</u>		
<u>5</u>		
<u>6</u>		
<u>7</u>		
<u>8</u>		
<u>9</u>		
<u>10</u>		
<u>11</u>		
<u>12</u>		
<u>13</u>		
<u>14</u>		
<u>15</u>		
<u>16</u>		
<u>17</u>		
<u>18</u>		
<u>19</u>		
<u>20</u>		
<u>21</u>		
<u>22</u>		
<u>23</u>		
<u>24</u>		

7. RECOMMENDATION BY THE IDSO WHO CONDUCTED THE CHECK

NAME OF SCHOOL: _____

8 NAME OF THE IDS OFFICIAL THAT CONDUCTED THE CHECK _____

SIGNATURE OF THE IDSO _____ **DATE** _____

Please note: Should the IDSO, for any reason not be satisfied after conducting the check:

- i) She/he should alert the principal to unsatisfactory matters in writing within 7 days.**
- ii) She/he should agree with the principal on the time allowed to correct the problem areas, record the problem areas and record the problem area in writing.**
- iii) In any event the problems must be corrected within a period of three months.**
- iv) The IDSO must visit the school to assess the progress within the three-month period or sooner by request.**
- v) In the event of a dispute, she/he must refer the matter to the Head of Department for resolution in terms of fair administrative procedures as defined in the "Promotion of Administrative Justice Act, 2000".**

9. NAME OF THE SCHOOL PRINCIPAL

DATE _____ SIGNATURE _____

10. SENIOR MANAGER

COMMENTS ON THE CHECKLIST WITH REGARD TO _____ (Name of School)

SIGNATURE
SENIOR MANAGER

DATE