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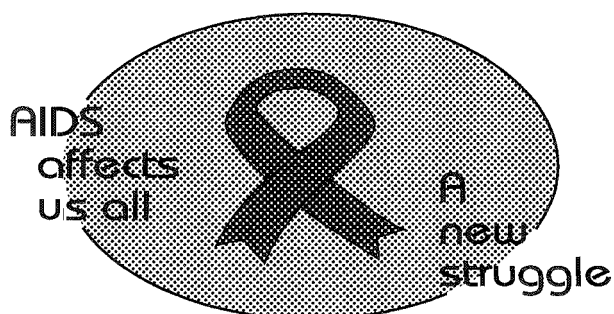
AIDS HELPLINE

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INHOUD

PROVINCIAL NOTICE—PROVINSIALE KENNISGEWING—ISAZISO ZESIFUNDAZWE

No. 94   **24 June 2010**

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

COMPOSITION AND ELECTION OF GOVERNING BODIES OF PUBLIC SCHOOLS FOR LEARNERS WITH SPECIAL EDUCATION NEEDS

I, EDWARD SENZO MCHUNU, Member of the Executive Council, responsible for *Basic* Education in the Province of KwaZulu-Natal, hereby give notice in terms of *sections 24(4) and 28 of the South African Schools Act, 1996 (Act No. 84 of 1996), that having received and considered submissions from all interested parties as requested in Notice No. 100 of the Extra-Ordinary Provincial Gazette of KwaZulu-Natal dated 29 May 2009, the following alterations are hereby made to the said notice.*

GENERAL EXPLANATORY NOTE:

Areas typed in italic and bold indicate alterations made to *Notice No. 100 of the Extra-Ordinary Provincial Gazette of KwaZulu-Natal dated 29 May 2009.*

SCHEDULE

Definitions

1. In this notice any word or expression to which a meaning has been assigned in the Act shall have that meaning unless the context indicates otherwise –

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

"*child and youth care centre*" *means a centre established in terms of sections 191 and 196 of the Children's Amendment Act, 2007 (Act No. 41 of 2007) previously referred to as reform schools and schools of industries;*

"**closed meeting**" means a meeting open only to –

  (a) parents for the election of parents;

  (b) educators for the election of educators;

  (c) non-educators for the election of non-educators; and

  (d) learners from the representative council of learners *if applicable*;

"**co-opted members**" means members –

  (a) without voting powers co-opted for their expertise; and

  (b) with voting powers co-opted to replace departing members who have not completed

  their term of office;

"**day**" means calendar day;

"**Department**" means the KwaZulu-Natal Department of *Basic* Education;

"**election meeting**" means –

(a) four separate election meetings held exclusively for the nomination and election of parents only, educators only, non-educators only and learners from the representative council of learners only, as the case may be; and

(b) a by-election meeting;

"**election monitors**" means officers or community leaders selected by the provincial or district electoral task team and approved by the Superintendent-General as observers, supervisors or overseers of *the* election;

"*expert*" *means a person who is skilled or has specialised skills in a field of special needs education;*

"**first meeting**" means a meeting held exclusively for the election of office bearers;

"**Member of the Executive Council**" means the Member of the Executive Council responsible for *Basic* Education in the Province of KwaZulu-Natal;

"**non-educator**" means any person employed at the school other than an educator;

"*owner*" *means the registered owner of a private property on which a school is situated in terms of section 14 of the Act or owner of a private property on which a child and youth care centre is located;*

"**school**" means a public school which enrols learners with special education needs in one or more grades from Grade R to Grade 12 *including a child and youth care centre*;

"**school electoral officer**" means a school principal, *a child and youth care centre principal*, acting principal or an official not employed at the school or child and youth care centre, appointed by the Head of Department to conduct school governing body elections;

"*sponsoring body*" *means a group of individuals or an organization that provides on-going financial support to a school or a child and youth care centre;*

"**Superintendent-General**" means the Head of the Department of Education in the Province of KwaZulu-Natal; and

"**voter**" means parent in the parent component, educator in the educator component, non-educator in the non-educator component and learner from the representative council of learners component, *if applicable*.

Membership of governing bodies

2.(1) The governing body of special needs schools excluding child and youth centres shall consist of –

(a) parents of learners enrolled at a school for which a governing body is being elected comprising of one more parent than the combined total number of members with voting rights who are referred to in sub-clauses (b) to (j), unless otherwise directed by the Member of Executive Council;

(b) one educator elected by the educators employed at the school concerned if there are four or less educators and two educators if there are five or more educators employed at the school concerned;

(c) one non-educator elected by non-educators employed at the school concerned if there are four or less non-educators and two non-educators if there are five or more non-educators employed at the school concerned;

(d) in the case of a school with learners in grade eight or higher, two learners elected from the representative council of learners enrolled at the school concerned, if applicable;

(e) one representative appointed by the sponsoring body or bodies financing the school, irrespective of how many sponsoring bodies there are, if applicable;

(f) one representative, appointed by an organization or organizations of parents of learners with special education needs irrespective of how many organizations there are, if applicable;

(g) one representative appointed by an organization or organizations of relevant disabled persons irrespective of how many organizations of disabled persons there are, if applicable;

(h) one disabled person appointed by disabled persons within the community, if applicable;

(i) one expert appointed by experts in the field of special needs education if there are four or less experts, and two experts if there are five or more experts in attendance at the meeting called by the electoral officer;

(j) the owner of private property on which a public school is situated, if applicable; and

(k) the principal of the school in his or her official capacity.

(2) The governing body of a child and youth care child centre shall consist of –

(a) two educators elected by the educators employed at the child and youth care centre concerned;

(b) two non-educators elected by the non educators employed at the child and youth care centre concerned;

(c) six experts in the field of special needs education relating to child and youth care centre;

(d) the owner of private property on which the child and youth care centre islocated, if applicable; and

(e) the principal of the child and youth care centre in his or her official capacity.

(3) Unless otherwise directed by the Member of the Executive Council, the composition of the governing bodies of the schools and child and youth care centre referred to in this clause must be as reflected in Annexure A.

Term of office

3.(1) A governing body is elected for a period of three years unless otherwise directed by the Member of the Executive Council.

(2) The Member of the Executive Council shall determine the election period for all schools.

(3) If the governing body has –

(a) six months or less before the expiry of its term of office, the Member of the Executive Council may, notwithstanding such period, direct that elections be held on a date determined by him or her; or

(b) more than six months, the Member of the Executive Council may, after consultation with the governing body concerned determine a date when elections shall be held notwithstanding the unexpired period of its term of office.

(4) Subject to clause 4(2), all members, excluding learners elected from a representative council of learners in terms of clause 2(1)(d) are elected for a term of three years.

(5) The term of office of a governing body member who is a learner elected in terms of clause 2(1)(d) is one year.

(6) *A member of a governing body holds office until the expiry of the term of office of the governing body subject to clauses 3(1), 4 and 19.*

(7) Should the Superintendent-General determine on reasonable grounds that a governing body has ceased to perform allocated functions in terms of the Act or has failed to perform one or more of such functions, the Superintendent-General may withdraw *the* functions and –

(a) shall appoint sufficient persons to carry out all such functions or one or more of such functions of the governing body for a period not exceeding three months;

(b) can extend the period referred to in sub-clause *7(a)* for periods not exceeding three months at a time which combined period shall not exceed one year; and

(c) must ensure that a governing body is elected within one year after the appointment of the person referred to in sub-clause *7(a)*.

(8) Subject to clause 4, a member of a governing body may be re-elected or co-opted, as the case may be after the expiry of his or her term of office.

Composition and eligibility

4.(1) The following shall be eligible for election as members of a governing body –

(a) parents of learners at the school, if reasonably practicable;

(b) educators employed at the school;

(c) non-educators employed at the school; and

(d) learners from the representative council of learners *attending* grade eight or higher at the school, *if applicable*.

(2) The following shall be eligible for appointment as members of a governing body –

(a) representatives of a sponsoring body or bodies, if applicable;

(b) *representatives* of an organization or organizations of parents of learners with special education needs, if applicable

(c) *representatives* of organizations of disabled persons, if applicable;

(d) *one disabled person appointed by disabled persons within the community, if applicable*; and

(e) one expert in an appropriate field of special needs education.

(3) No person may be elected as a member of a governing body if he or she –

(a) has been convicted of an offence and sentenced to more than 12 months' imprisonment without the option of a fine either in the Republic or outside the Republic if the conduct constituting the offence would have been an offence in the Republic and no one may be regarded as having been sentenced until –

(i) an appeal against the conviction or sentence has been determined; or

(ii) the time for an appeal has expired, provided that a disqualification under this paragraph ends five years after the sentence has been completed;

(b) is of unsound mind and has been declared so by a competent court;

(c) is an unrehabilitated insolvent;

(d) is a parent but not a South African citizen or not in possession of a permanent resident permit unless permitted by the Superintendent-General;

(e) is a parent but no longer has a child enrolled at the school or the child and youth care centre;

(f) is a learner who is not a member of the representative council of learners; and

(g) *has been found guilty of serious misconduct in a disciplinary hearing.*

4) A member vacates his or her office if he or she –

(a) does not meet the requirements set out in clause 4;

(b) resigns;

(c) is a member elected in terms of clause 2(1)(a) and no longer has a child enrolled as a learner at the school or the child and youth care centre;

(d) is a member elected in terms of clause 2(1)(b) or (c) and his or her employment is terminated, or he or she is transferred or seconded away from the school or the child and youth care centre concerned;

(e) is deceased;

(f) is a member elected in terms of clause 2(1)(d) and he or she no longer attends the school or child and youth care centre concerned;

(g) has been absent without leave from two consecutive ordinary meetings of the governing body;

(h) is no longer a member of the representative council of learners; and

(i) *has been found guilty of serious misconduct in a disciplinary hearing.*

Appointment of provincial electoral officers

5.(1) The Superintendent-General must appoint in writing a provincial electoral officer, a deputy provincial electoral officer and assistant electoral officers.

(2) The provincial electoral officer must –

(a) ensure that there is adequate publicity of the election;

(b) administer the appointment of one or more officers in the service of the Department to assist *at the election as assistant provincial electoral officers*;

(c) ensure that there is compliance with provincial legislation in respect of the elections;

(d) compile an election schedule for all *schools* in the Province;

(e) monitor the induction of newly-elected governing body members; and

(f) conduct investigations as directed by the Superintendent-General.

(3) The deputy provincial electoral officer and the assistant provincial electoral officers assist the provincial electoral officer in the performance of his or her functions.

Appointment of district electoral officers

6.(1) The Superintendent-General must appoint in writing a district electoral officer, a deputy district electoral officer and assistant district electoral officers.

(2) The district electoral officer must –

(a) administer the appointment of one or more officers in the service of the Department to assist at the election as assistant district electoral officer;

(b) administer the appointment of school electoral officers;

(c) publicise an election schedule for all schools and in the district;

(d) ensure compliance with the election process;

(e) ensure that every school has a valid voters' roll;

(f) develop and administer the database of all newly elected governing body members in the district and make the data available to the Department;

(g) ensure that the newly elected governing body members are inducted within three months of being elected; and

(h) resolve disputes relating to the school governing elections in terms of clause 17.

(3) Except for resolving disputes as provided in clause 6(2)(h), the deputy district electoral officer and the assistant district electoral officers will assist the district electoral officer in the performance of all other functions.

(4) The deputy district electoral officer and assistant district electoral officers may advise the district electoral officer on any issue relating to the elections.

Appointment of school electoral officers

7.(1) The Superintendent-General must appoint in writing an officer of the Department as *the* school electoral officer for the election of parents, educators, non-educators and for learners from the representative council of learners as members of a governing body.

(2) A principal shall not be appointed as *the* school electoral officer in a school where he or she is employed.

(3) The school electoral officer must appoint in writing one or more officers or educators in the service of the Department or employed by the school governing body to assist at the elections as assistant electoral officers.

(4) The school electoral officer shall preside at all election meetings.

(5) The school electoral officer and the assistant school electoral officer shall not be a candidate, a proposer or seconder of a candidate.

Oath or affirmation of confidentiality

8. All electoral officers must sign an oath or affirmation of confidentiality in a form determined by the Superintendent-General before he or she acts in such capacity.

Notice of an election meeting

9.(1) The principal shall –

(a) determine a date, time and place for an election meeting; and

(b) prepare a notice setting out the date, time and place of the election meeting.

(2) At least 21 days prior to the date of the election meeting, the principal must –

(a) hand a copy of the notice of the election meeting to every learner at the school with an oral instruction to hand the notice to his or her parent(s) or send a copy of such notice to the parents by post;

(b) hand a copy of such notice to the educators and non-educators;

(c) cause a copy of such notice to be posted in a conspicuous place at the school concerned and at any other suitable and prominent place; and

(d) hand a copy to each member of the representative council of learners.

(3) In case of a new school, the election meeting must be held within 60 days of the establishment of the school or centre.

Voters' roll

10.(1) The principal must prepare a separate voters' roll for –

(a) parents;

(b) educators;

(c) non-educators; and

(d) learners from the representative council of learners.

(2) The principal must prepare the voters' roll using the –

(a) learner admission book for parents;

(b) time book for educators;

(c) time book for non-educators; and

(d) register of the learners from the representative council of learners.

(3) The principal must at least 21 days prior to elections, cause a letter to be sent with the learners inviting parents to update their information in *the* school admission book for the purposes of compiling a voters' roll.

(4) At least 14 days prior to the election meeting, the principal must allow potential voters to inspect the voters' roll.

(5) Any complaint relating to the voters' roll must be referred to the principal at least seven days prior to the election date.

Election meetings

11.(1) Separate election meetings must be held for –

    (a) parents;

    (b) educators;

    (c) non-educators; and

    (d) learners from the representative council of learners.

(2) The school electoral officer must appoint an assistant school electoral officer to act as secretary to the meetings and to record the minutes of the proceedings.

(3) Except for election monitors and the assistant school electoral officer, the school electoral officer must not allow any person who is not qualified as a voter to attend a meeting or allow the election of a person who is not qualified as a candidate in terms of clause 4

(4) The school electoral officer must request voters to provide proof of identification in the form of a South African identity document, *South African driver's licence* or a valid passport.

(5) Before proceeding with the election of members of a governing body, the school electoral officer must direct the attention of voters to the following –

    (a) that the term of office of the current school governing body has expired and members have been officially notified;

    (b) that the election meeting is a closed meeting;

    (c) the provisions of clause 4 which renders a person ineligible for membership to a governing body;

    (d) the number of persons to be elected;

    (e) every nomination must be seconded by a parent, educator, non-educator or a learner of the representative council of learners, as the case may be, who is entitled to vote;

    (f) that during nominations, voters must take into account representativity and must ensure that nominations are representative of gender, race and must include nominations of persons with disabilities;

    (g) that a voter has one vote for each vacancy to be filled;

    (h) that voting is by secret ballot; and

    (i) that a grievance procedure exists for those dissatisfied with the election process or outcome.

Quorum for an election meeting

12.(1) A quorum of 15 percent of voters on the voter's roll must be constituted prior to any election being held.

(2) If a quorum referred to in sub-clause (1) is not constituted, the meeting must be adjourned for at least 14 days but not more than 21 days.

(3) In the event of an election meeting being adjourned in terms of sub-clause (2), the school electoral officer must proceed with the elections only if there are sufficient persons in attendance to fill vacancies in each category and such persons must be willing to hold office, irrespective of whether a quorum is constituted or not.

(4) In the event of there being insufficient persons in attendance at the meeting referred to in subclause 12(2), the school electoral officer must not proceed with the election meeting and must direct the principal to convene a new election meeting in accordance with clauses 9 to

Nominations

13.(1) The school electoral officer must *allocate sufficient time* for the nomination of candidates during the nomination phase and must inform the voters of the amount of time allocated accordingly.

(2) A person may be nominated in absentia provided –

    (a) the proposer and seconder of the nominated person are present at the meeting; and

    (b) the nominated person sends written confirmation of acceptance of nomination.

(3) A candidate may be nominated in writing or verbally by –

    (a) a parent of a learner enrolled at the school for a vacancy in terms of clause 2(1)(a);

    (b) an educator employed at the school concerned for a vacancy in terms of clause 2(1)(b);

    (c) a non-educator employed at the school concerned for a vacancy in terms of clause 2(1)(c); or

    (d) a learner from the representative council of learners in terms of clause 2(1)(d);

    provided that another parent, educator, non-educator or a learners from the representative council of learners, as the case may be, seconds the proposal and the person nominated indicates to the meeting verbally or in writing if he or she is absent, that he or she is prepared to serve as a member of the governing body, if elected.

(4) The proposer and the seconder of a candidate must be in attendance at an election meeting.

(5) A school electoral officer must –

(a) allow a person who nominated a candidate an opportunity to introduce the candidate to the meeting and give reasons for the nomination; or

(b) allow a nominated candidate to introduce himself or herself to the meeting.

(6) During the nominations, the school electoral officer must consider the nominations and reject the nomination of any candidate who –

(a) has not been nominated in accordance with sub-clauses 13(2) and (3); or

(b) is ineligible in terms of clause 4.

(7) If the number of persons nominated exceeds the number of vacancies, the school electoral officer must immediately after the closing of the nominations, write down the names of the candidates on a suitable board or any other surface that is clear and visible to everyone in attendance at the meeting.

(8) If the number of persons nominated is equal to the number of vacancies, the school electoral officer must declare the nominated persons duly elected.

Voting

14.(1) Each voter has one vote for each vacant position to be filled on the governing body.

(2) The school electoral officer must request the voters present to mark with a cross (x) against the names of the candidates preferred by them on the ballot papers provided by the school electoral officer.

(3) A person who is unable to mark his or her vote on the ballot paper in clause 14(2) above may make a verbal request for assistance to the school electoral officer or to the assistant school electoral officer to mark next to the appropriate candidate, his or her vote on the ballot paper.

(4) The school electoral officer shall assist any disabled person.

(5) The request for assistance and the completion of the ballot paper in accordance with the request referred to in clause 14(3) shall be made in private in an area identified by the school electoral officer for that purpose but within the area in which the voting is taking place.

(6) The school electoral officer must reject ballot papers with –

(a) more crosses(x) than the number of vacancies on the governing body; or

(b) the name of a person or persons not nominated;

(7) After all the voters have cast their votes, the school electoral officer and the assistant school electoral officers must count the votes in the presence of three observers appointed by those attending the meeting to observe the counting process;

(8) In the case of an equality of votes for two or more candidates for the last place or places on the list of candidates, the school electoral officer must request the voters to indicate the preferred candidate from those with equal votes by following the procedure set out in this clause.

(9) The school electoral officer must announce the result during the election meeting and declare the candidates who secured the most votes as the elected members of the governing body.

(10) The number of votes a person secures in this election does not determine the outcome of the election of office bearers elected in terms of clause 16.

Meeting to appoint members

15.(1) The principal must, 21 days before the election date, send a written invitation to –

(a) the school electoral officer;

(b) disabled persons within the community;

(c) experts; and

(d) each organization which is entitled to appointment in a governing body in terms of clause 4(2) inviting them to attend a meeting to appoint representative members in accordance with clause 2(1)(e) to (i).

(2) The school electoral officer must chair the meeting and conduct the proceedings at the meeting referred to in sub-clause 15(1).

(3) At the meeting, the school electoral officer must direct that the different categories referred to in sub-clause 15(1) must appoint in writing from amongst themselves representatives and must furnish full particulars of the appointed person or persons including names, addresses, contact numbers and e-mail addresses.

(4) The meeting referred to in sub-clause 15(1) must precede the parents' election meeting.

(5) On receipt of the names of the appointees in sub-clause 15(1), and after satisfying himself or herself that an appointee has accepted appointment as a member of a governing body, the school electoral officer must forthwith, in writing, inform each appointee of his or her appointment as member of the governing body.

Election of office bearers

16.(1) The school electoral officer may on the day of the parent election meeting convene a meeting solely for the purpose of electing office bearers if –

(a) the election of educators, non-educators and learners had taken place prior to the parent election;

(b) the 21 days notice in terms of clause 9(2) was issued to parents, educators, non- educators and learners from the representative council of learners informing them that the meeting for the election of office bearers would take place on the day of the parents election; and

(c) the quorum requirements at the meeting have been complied with.

(2) Should the meeting to elect office bearers not be held in terms of clause *16(1),* the school electoral officer must convene the first meeting of the governing body within 21 days of the date of the parents' election meeting.

(3) The school electoral officer presides at any meeting convened for election of office bearers.

(4) At the first meeting of a governing body, the members must elect by secret ballot –

      (a) a chairperson;

      (b) a vice-chairperson;

      (c) a treasurer; and

      (d) a secretary.

(5) Only a parent member, not employed at the school is eligible for the position of chairperson or vice-chairperson of the governing body.

(6) The term of office of office bearers is one year.

(7) The principal may designate a member of his or her staff to assist the treasurer and secretary of the governing body.

(8) Where for any reason the office of one of the office bearers becomes vacant, the governing body, at the first meeting after the vacancy has occurred, must elect one of its members to fill the vacancy for the unexpired period of his or her predecessor.

(9) An office bearer may be re-elected after the expiry of the term of office.

(10) The principal must inform the Superintendent-General of any change in office bearers and must provide him or her with the details of the new office bearers including names, identity numbers, telephone numbers, fax numbers and addresses.

Dispute resolution

17.(1) A voter or a person who was a candidate in a governing body election may lodge his or her complaint or grievance in writing with the district electoral officer within seven days of the election meeting if the prescribed procedures were not followed during the election meeting.

(2) Any person who has any knowledge or information of any irregularities relating to the   elections may within seven days of the election inform the district electoral officer in writing of the irregularities.

(3) Upon receipt of the complaint, grievance or information of irregularities, the district electoral officer must appoint his deputy or assistant district electoral officer to conduct an investigation and make a recommendation to him or her.

(4) The district electoral officer may after investigation, declare an election invalid and may call for re-election if he or she is satisfied that –

      (a) the prescribed procedures were not followed; and

      (b) the outcome of the election would have been different had the prescribed procedures been followed;

      (c) irregularities were committed during the election process.

(5) Any person aggrieved by the decision of the district electoral officer may appeal against such decision to the Superintendent-General within 14 days of receipt of the decision of the district electoral officer.

(6) The Superintendent-General must –

      (a) within 7 days of receipt of the appeal refer the appeal to the provincial electoral officer;

      (b) request the provincial electoral officer to investigate and prepare a report with recommendations within 14 days of the appeal being referred to the provincial electoral officer; and

      (c) consider the report referred to in 6 (b), make a finding and communicate his or her decision in writing to the appellant and to the district electoral officer within 14 days of receiving the report from the provincial electoral officer.

(7) The decision of the Head of Department shall be final.

(8) Pending the outcome of the dispute, the Superintendent-General must appoint sufficient persons to perform the functions of the governing body for a period not exceeding six months.

Procedure after the election

18. After the election of members of a governing body, the school electoral officer must –

      (a) notify in writing each elected member of his or her election and notification must be sent by post, e-mail or hand delivered;

      (b) place all documents, including ballot papers used at such elections in envelopes and seal the envelopes;

      (c) keep the envelopes in safe custody for the duration of the term of office of the governing body; and

      (d) notify the district electoral officer in writing of the details of the election including the date of election, names, identity numbers, telephone numbers, fax numbers and addresses of all elected members.

By-election

19.(1) If a vacancy arises as a result of the departure of any member of a governing body before the expiry of the governing body's term of office or the member's term of office, the school electoral officer must officiate at the election of a new member to replace the departing member.

(2) If a vacancy or vacancies arise more than six months before the expiry of the term of office of a governing body, the school electoral officer must conduct a by-election following the procedures set out in clause 9 to 14.

(3) The school electoral officer shall arrange an election meeting within 90 days of a vacancy arising and pending the by-election the governing body may co-opt members.

(4)   (a) If a vacancy arises less than six months before the expiry of the term of office of a governing body as a result of the departure of a member, the remaining members must co-opt by majority vote, a person or persons to fill the vacancy or vacancies for the remainder of the period of office of the governing body; and

         (b) The parent, educator, non-educator and learner component must recommend names of at least three eligible persons who can be co-opted into the governing body and the governing body must co- opt from the recommended names.

(5) A co-opted member referred to in sub-clauses (3) and (4) assumes the voting rights of the departing member, if any.

Dissolution of a governing body

20. (1) The Member of the Executive Council may dissolve a governing body –

     (a) if the school is closed or partly disestablished;

     (b) if there is a serious breakdown in the school governance or management;

     (c) owing to the merger of schools or the division of a school or other re-organization of   school facilities;

     (d) if he or she is of the opinion that the governing body is no longer representative of the community for which a school has been established; and

     (e) if a motion of no confidence (in the school governing body) has been passed by not less than 15 percent of parents on the parents' voters' roll at a general meeting of the parents.

(2) The Member of the executive council may not take action under clause (1) unless –

*   (a) he or she has in writing given the governing body members a notice of his or her intention to dissolve the governing body;*

*   (b) granted the members an opportunity to make representations to him within ten (10) days from the date of such notice; and*

*   (c) he or she has given due consideration to such representations.*

Delegation of powers

21. The Superintendent-General may delegate the powers bestowed on him or her in terms of this notice to an official in the employment of the Department.

EDWARD SENZO MCHUNU

Member of the Executive Council of the Province of KwaZulu-Natal
responsible for education

No. 94   **24 Junie 2010**

WET OP SUID-AFRIKAANSE SKOLE, 1996 (WET NO. 84 VAN 1996)

**SAMESTELLING EN VERKIESING VAN BEHEERLIGGAME VAN STAATSKOLE
VIR LEERDERS MET SPESIALE ONDERWYSBEHOEFTES**

Ek, EDWARD SENZO MCHUNU, Lid van die Uitvoerende Raad verantwoordelik vir *basiese* onderwys in die provinsie KwaZulu-Natal gee hiermee kennis ingevolge *artikels 24(4) en 28 van die Wet op Suid-Afrikaanse Skole,1996 (Wet No. 84 van 1996) dat, nadat voorleggings van alle belanghebbendes ontvang en oorweeg is soos versoek in Kennisgewing No. 100 van die Buitengewone Provinsiale Koerant van KwaZulu-Natal, gedateer 29 Mei 2009, die volgende wysigings hiermee aan die gemelde kennisgewing aangebring word.*

ALGEMEEN VERDUIDELIKENDE NOTA:

Dele wat skuins- en vetgedruk is, dui wysigings aan wat aangebring is by *Kennisgewing No. 100 van die Buitengewone Provinsiale Koerant van KwaZulu-Natal gedateer 29 Mei 2009.*

BYLAE

Omskrywings

1. In hierdie kennisgewing het enige woord of uitdrukking waaraan 'n betekenis geheg word in die Wet, daardie betekenis tensy uit die konteks anders blyk, en beteken –

> *"borgliggaam" 'n groep individue of 'n organisasie wat deurlopende finansiële steun aan 'n skool of 'n kinder- en jeugsorgsentrum verskaf;*

> **"dag"** kalenderdag;

> **"Departement"** die KwaZulu-Natal Departement van *Basiese* Onderwys;

> **"eerste vergadering"** 'n vergadering gehou uitsluitlik vir die verkiesing van ampsdraers;

> *"eienaar" die geregistreerde eienaar van 'n privaateiendom waarop 'n skool geleë is*   *ingevolge*

artikel 14 van die Wet of eienaar van 'n privaat eiendom waarop 'n kinder- en   *jeugsorgsentrum geleë is;*

> **"gekoöpteerde lede"** lede –

> (a) sonder stembevoegdhede gekoöpteer vir hul kundigheid; en

> (b) met stembevoegdhede gekoöpteer om vertrekkende lede wat nie hul ampstermyn voltooi het nie, te vervang;

> **"geslote vergadering"** 'n vergadering wat slegs oop is vir –

> (a) ouers vir die verkiesing van ouers;

> (b) opvoeders vir die verkiesing van opvoeders;

> (c) nie-opvoeders vir die verkiesing van nie-opvoeders; en

> (d) leerders van die verteenwoordigende raad van leerders *indien van toepassing*;

> **"kieser"** ouer in die ouerkomponent, opvoeder in die opvoederkomponent, nie-opvoeder in die   nie-opvoederkomponent en leerder van die verteenwoordigende raad van leerders-komponent, *indien van*

toepassing;

> *"kinder- en jeugsorgsentrum" 'n sentrum ingestel ingevolge artikels 191 en 196 van die Kinderwysigingswet, 2007 (Wet No. 41 van 2007) voorheen na verwys as*   *verbeteringskole en nywerheidskole;*

> *"kundige" 'n persoon wat vaardig is of gespesialiseerde vaardighede het op 'n terrein van spesiale behoefte-onderwys;*

> **"lid van die Uitvoerende Raad"** die lid van die Uitvoerende Raad verantwoordelik vir *basiese* onderwys in die provinsie KwaZulu-Natal;

> **"nie-opvoeder"** enige ander werknemer by die skool buiten 'n opvoeder;

> **"skool"** 'n staatskool wat leerders met spesiale onderwysbehoeftes in een of meer graad vanaf graad O tot graad 12 inskryf *insluitend 'n kinder- en jeugsorgsentrum*;

> **"skoolverkiesingsbeampte"** 'n skoolhoof, *hoof van 'n kinder- en jeugsorgsentrum*, waarnemende skoolhoof of 'n beampte wat nie by die skool in diens is nie, wat deur die departementshoof aangestel is om skoolbeheerliggaamverkiesings te hou;

> **"superintendent-generaal"** die departementshoof van die Onderwysdepartement in die provinsie KwaZulu-Natal;

> **"verkiesingsmonitors"** beamptes of gemeenskapsleiers gekies deur die provinsiale of distriksverkiesingtaakspan en goedgekeur deur die superintendent-generaal as waarnemers, toesighouers of opsieners van *die* verkiesing;

> **"verkiesingsvergadering"** –

> (a) vier afsonderlike verkiesingsvergaderings gehou uitsluitlik vir die benoeming en verkiesing van slegs ouers, slegs opvoeders, slegs nie-opvoeders en slegs leerders uit die verteenwoordigende raad van leerders, na gelang van die geval; en

> (b) 'n tussenverkiesingvergadering; en

> **"Wet"** die Wet op Suid-Afrikaanse Skole,1996 (Wet No. 84 van 1996) soos gewysig.

Lidmaatskap van beheerliggame

2.(1) Die beheerliggaam van skole met spesiale behoeftes, uitsluitend kinder- en jeugsorgsentrums, bestaan uit –

> *(a) tensy anders aangedui deur die lid van die Uitvoerende Raad, ouers van leerders wat by 'n skool ingeskryf is waarvoor 'n beheerliggaam verkies word, bestaande uit een meer ouer as die gekombineerde totale aantal lede met stemreg waarna in subklousules (b) tot (j) verwys word;*

> *(b) een opvoeder verkies deur die opvoeders in diens van die betrokke skool indien daar*   *vier of minder opvoeders is en twee opvoeders indien daar vyf of meer opvoeders in diens van die betrokke skool is;*

> *(c) een nie-opvoeder verkies deur nie-opvoeders in diens van die betrokke skool indien daar vier of minder opvoeders en twee nie-opvoeders indien daar vyf of meer opvoeders in diens van die betrokke skool is;*

> *(d) in die geval van 'n skool met leerders in graad agt of hoër, twee leerders verkies uit die verteenwoordigende raad van leerders wat by die betrokke skool ingeskryf is, indien van toepassing;*

(e) een verteenwoordiger wat deur die borgliggaam of -liggame wat die skool finansier, aangestel is, ongeag hoeveel borgliggame daar is, indien van toepassing;

(f) een verteenwoordiger wat deur 'n organisasie of organisasies van ouers van leerders met spesiale onderwysbehoeftes aangestel is, ongeag hoeveel organisasies daar is, indien van toepassing;

(g) een verteenwoordiger wat deur 'n organisasie of organisasies van toepaslike gestremde persone aangestel is, ongeag hoeveel organisasies van gestremde persone daar is, indien van toepassing;

(h) een gestremde persoon wat deur gestremde persone binne die gemeenskap aangestel is, indien van toepassing;

(i) een kundige wat deur kundiges op die terrein van spesiale behoefte-onderwys aangestel is indien daar vier of minder kundiges is, en twee kundiges indien daar vyf of meer kundiges teenwoordig is by die vergadering wat deur die verkiesingsbeampte byeengeroep is;

(j) die eienaar van privaat eiendom waarop 'n staatskool geleë is, indien van toepassing; en

(k) die skoolhoof, in sy of haar amptelike hoedanigheid.

(2) Die beheerliggaam van 'n kinder- en jeugsorgsentrum bestaan uit –

(a) twee opvoeders verkies deur die opvoeders in diens van die betrokke kinder- en jeugsorgsentrum;

(b) twee nie-opvoeders verkies deur die nie-opvoeders in diens van die betrokke kinder- en jeugsorgsentrum;

(c) ses kundiges op die terrein van spesiale behoefte-onderwys met betrekking tot   kinder-en jeugsorgsentrums;

(d) die eienaar van privaat eiendom waarop die kinder- en jeugsorgsentrum geleë is, indien van toepassing; en

(e) die skoolhoof van die kinder- en jeugsorgsentrum, in sy of haar amptelike hoedanigheid.

(3) Tensy anders gelas deur die lid van die Uitvoerende Raad, moet die samestelling van die beheerliggame van die skole en kinder- en jeugsorgsentrums vermeld in hierdie klousule wees soos in aanhangsel A weerspieël.

Ampstermyn

3.(1) 'n Beheerliggaam word verkies vir 'n tydperk van drie jaar tensy die lid van die Uitvoerende Raad anders gelas.

(2) Die Lid van die Uitvoerende Raad bepaal die verkiesingstydperk vir alle skole.

(3) Indien die beheerliggaam –

(a) ses maande of minder het voor die verstryking van sy ampstermyn, kan die lid van die Uitvoerende Raad, ondanks sodanige tydperk, gelas dat 'n verkiesing gehou word op 'n datum soos deur hom of haar bepaal; of

(b) meer as ses maande het, kan die lid van die Uitvoerende Raad, na oorlegpleging met die betrokke beheerliggaam, 'n datum bepaal wanneer 'n verkiesing gehou moet word ondanks die onverstreke tydperk van sy ampstermyn.

(4) Onderhewig aan klousule 4(2), word alle lede, uitsluitend leerders verkies uit 'n verteenwoordigende raad van leerders, ingevolge klousule 2(1)(d) verkies vir 'n termyn van drie jaar.

(5) Die ampstermyn van 'n lid van die beheerliggaam wat 'n leerder is, verkies ingevolge klousule 2(1)(d), is een jaar.

(6) *Onderhewig aan klousules 3(1), 4 en 19, beklee 'n lid van 'n beheerliggaam die amp tot die verstryking van die ampstermyn van die beheerliggaam.*

(7) Indien die superintendent-generaal op redelike gronde bepaal dat 'n beheerliggaam opgehou het om toegewese funksies ingevolge die Wet te verrig of versuim het om een of meer of sodanige funksies te verrig, kan die superintendent-generaal *die* funksies onttrek en –

(a) voldoende persone aanstel om alle sodanige funksies of een of meer sodanige funksies van die beheerliggaam vir 'n tydperk wat nie drie maande oorskry nie, te verrig;

(b) kan hy of sy die tydperk vermeld in subklousule *7(a)* verleng met tydperke wat nie drie maande op 'n keer oorskry nie, welke gekombineerde tydperk nie een jaar sal oorskry nie;

(c) moet hy of sy verseker dat 'n beheerliggaam verkies word binne een jaar na die aanstelling van die persoon vermeld in subklousule *7(a).*

(8) Onderhewig aan klousule 4, kan 'n lid van 'n beheerliggaam herverkies of gekoöpteer word na gelang van die geval na die verstryking van sy of haar ampstermyn.

Samestelling en verkiesbaarheid

4.(1) Die volgende is verkiesbaar as lede van 'n beheerliggaam –

(a) ouers van leerders by die skool, indien redelikerwys uitvoerbaar;

(b) opvoeders in diens van die skool;

(c) nie-opvoeders in diens van die skool; en

(d) leerders uit die verteenwoordigende raad van leerders wat graad agt of hoër by die skool bywoon, *indien van toepassing.*

(2) Die volgende persone is verkiesbaar vir aanstelling as lede van 'n beheerliggaam –

(a) verteenwoordigers van 'n borgliggaam of -liggame, indien van toepassing;

(b) *verteenwoordigers* van 'n organisasie of organisasies van ouers van leerders met spesiale onderwysbehoeftes, indien van toepassing

(c) *verteenwoordigers* van organisasies van gestremde persone, indien van toepassing;

(d) *een gestremde persoon wat aangestel is deur gestremde persone binne die gemeenskap, indien van toepassing*; en

(e) een kundige op 'n toepaslike terrein van spesiale behoefte-onderwys.

(3) Geen persoon mag verkies word as 'n lid van 'n beheerliggaam nie indien hy of sy –

(a) skuldig bevind is aan 'n misdryf en gevonnis is tot meer as 12 maande gevangenisstraf sonder die keuse van 'n boete hetsy binne die Republiek, of buite die Republiek indien die gedrag wat die misdryf uitmaak 'n misdryf in die Republiek sou wees. Niemand mag beskou word as gevonnis nie totdat –

(i) 'n appèl teen die skuldigbevinding of vonnis vasgestel is; of

(ii) die tyd vir 'n appèl verstryk het, met dien verstande dat onbevoegdheid kragtens hierdie paragraaf eindig vyf jaar nadat die vonnis uitgedien is;

(b) deur 'n bevoegde hof as ontoerekeningsvatbaar verklaar is;

(c) 'n ongerehabiliteerde insolvent is;

(d) 'n ouer is, maar nie 'n Suid-Afrikaanse burger is nie of nie in besit is van 'n permanente residensiële permit nie tensy dit deur die superintendent-generaal toegelaat word;

(e) 'n ouer is, maar nie meer 'n kind by die skool ingeskryf het nie;

(f) 'n leerder is wat nie 'n lid is van die verteenwoordigende raad van leerders nie; en

(g) *tydens 'n dissiplinêre verhoor aan ernstige wangedrag skuldig bevind is*.

(4) 'n Lid ontruim sy of haar amp indien hy of sy –

(a) nie aan die vereistes voldoen soos uiteengesit in klousule 4 nie;

(b) bedank;

(c) 'n lid is wat verkies is ingevolge klousule 2(1)(a) en nie meer 'n kind as leerder by die skool ingeskryf het nie;

(d) 'n lid is wat verkies is ingevolge klousule 2(1)(b) of (c) en sy of haar diens beëindig word, of hy of sy van die betrokke skool af oorgeplaas of gesekondeer word;

(e) oorlede is;

(f) 'n lid is wat verkies is ingevolge klousule 2(1)(d) en hy of sy nie meer die betrokke skool of kinder- en jeugsorgsentrum bywoon nie;

(g) afwesig was sonder verlof van twee opeenvolgende gewone vergaderings van die beheerliggaam;

(h) nie meer 'n lid van die verteenwoordigende raad van leerders is nie; of

(i) *tydens 'n dissiplinêre verhoor aan ernstige wangedrag skuldig bevind is*.

Aanstelling van provinsiale verkiesingsbeamptes

5.(1) Die superintendent-generaal moet 'n provinsiale verkiesingsbeampte, 'n adjunk- provinsiale verkiesingsbeampte en assistentverkiesingsbeamptes skriftelik aanstel;

(2) Die provinsiale verkiesingsbeampte moet –

(a) verseker dat die verkiesing voldoende publisiteit kry;

(b) die aanstelling administreer van een of meer beamptes in diens van die Departement om bystand *by die verkiesing te verleen as assistent- provinsiale verkiesingsbeamptes*;

(c) verseker dat provinsiale wetgewing ten opsigte van die verkiesing nagekom word;

(d) 'n verkiesingskedule vir alle *skole* in die provinsie opstel;

(e) die intrede van nuutverkose beheerliggaamlede monitor; en

(f) ondersoeke uitvoer soos gelas deur die superintendent-generaal.

(3) Die adjunk- provinsiale verkiesingsbeampte en die assistent- provinsiale verkiesingsbeamptes staan die provinsiale verkiesingsbeampte by in die uitvoering van sy of haar pligte.

Aanstelling van distrikverkiesingsbeamptes

6.(1) Die Superintendent-generaal moet 'n distrikverkiesingsbeampte, 'n adjunkdistrikverkiesingsbeampte en assistentdistrikverkiesingsbeamptes skriftelik aanstel.

(2) Die distrikverkiesingsbeampte moet –

(a) die aanstelling administreer van een of meer beamptes in diens van die Departement om by die verkiesing bystand te verleen as assistentdistrikverkiesingsbeampte;

(b) die aanstelling van skoolverkiesingsbeamptes administreer;

(c) 'n verkiesingskedule vir alle skole in die distrik bekendstel;

(d) nakoming van die verkiesingsproses verseker;

(e) verseker dat elke skool 'n geldige kieserslys het;

(f) die databasis van alle nuutverkose beheerliggaamlede in die distrik ontwikkel en administreer en die inligting aan die Departement beskikbaar maak;

(g) verseker dat die nuutverkose beheerliggaamlede binne drie maande na hul verkiesing intree; en

(h) dispute ten opsigte van die skoolbeheerliggaamverkiesing ingevolge klousule 17 oplos.

(3) Buiten die oplos van dispute soos bepaal in klousule 6(2)(h), moet die adjunkdistrikverkiesingsbeampte en die assistentdistrikverkiesingsbeamptes die distrikverkiesingsbeampte bystaan in die uitvoering van alle ander pligte.

(4) Die adjunkdistrikverkiesingsbeampte en assistentdistrikverkiesingsbeamptes kan die distrikverkiesingsbeampte van raad dien rakende enige kwessie wat met die verkiesing verband hou.

Aanstelling van skoolverkiesingsbeamptes

7.(1) Die superintendent-generaal moet 'n beampte van die Departement skriftelik aanstel as die skoolverkiesingsbeampte vir die verkiesing van ouers, opvoeders, nie-opvoeders en vir leerders uit die verteenwoordigende raad van leerders as lede van 'n beheerliggaam.

(2) 'n Skoolhoof mag nie aangestel word as *die* skoolverkiesingsbeampte in 'n skool waar hy of sy in diens is nie.

(3) Die skoolverkiesingsbeampte moet een of meer beamptes of opvoeders in diens van die Departement of in diens van die skoolbeheerliggaam skriftelik aanstel om bystand te verleen by die verkiesing as assistentverkiesingsbeamptes.

(4) Die skoolverkiesingsbeampte moet by alle verkiesingsvergaderings as voorsitter optree.

(5) Die skoolverkiesingsbeampte en die assistentskoolverkiesingsbeampte mag nie 'n kandidaat, 'n voorsteller of sekondant van 'n kandidaat wees nie.

Plegtige verklaring van vertroulikheid

8. Alle verkiesingsbeamptes moet 'n plegtige verklaring van vertroulikheid teken in 'n vorm soos deur die superintendent-generaal bepaal voordat hy of sy in sodanige hoedanigheid optree.

Kennisgewing van 'n verkiesingsvergadering

9.(1) Die skoolhoof moet –

(a) 'n datum, tyd en plek vir 'n verkiesingsvergadering bepaal; en

(b) 'n kennisgewing voorberei waarin die datum, tyd en plek van die verkiesingsvergadering uiteengesit word.

(2) Ten minste 21 dae voor die datum van die verkiesingsvergadering moet die skoolhoof –

(a) 'n afskrif van die kennisgewing van die verkiesingsvergadering aan elke leerder by die betrokke skool oorhandig met 'n verbale instruksie om die kennisgewing aan sy of haar ouer(s) te oorhandig of 'n afskrif van sodanige kennisgewing per pos aan die ouers stuur;

(b) 'n afskrif van sodanige kennisgewing aan die opvoeders en nie-opvoeders oorhandig;

(c) 'n afskrif van sodanige kennisgewing by 'n opvallende plek by die betrokke skool en by enige ander geskikte en prominente plek opplak; en

(d) 'n afskrif aan elke lid van die verteenwoordigende raad van leerders oorhandig.

(3) In die geval van 'n nuwe skool, moet die verkiesingsvergadering gehou word binne 60 dae na die stigting van die skool of sentrum.

Kieserslys

10.(1) Die skoolhoof moet 'n afsonderlike kieserslys voorberei vir –

(a) ouers;

(b) opvoeders;

(c) nie-opvoeders; en

(d) leerders uit die verteenwoordigende raad van leerders.

(2) Die skoolhoof moet die kieserslys voorberei deur die –

(a) leerdertoelatingsboek vir ouers;

(b) tydboek vir opvoeders;

(c) tydboek vir nie-opvoeders; en

(d) register van die leerders uit die verteenwoordigende raad van leerders,

te gebruik.

(3) Die skoolhoof moet, ten minste 21 dae voor verkiesings, 'n brief saam met leerders stuur waarin ouers uitgenooi word om hul inligting in *die* skool se toelatingsboek op te dateer vir die doel om 'n kieserslys saam te stel.

(4) Ten minste 14 dae voor die verkiesingsvergadering, moet die skoolhoof potensiële kiesers toelaat om die kieserslys te inspekteer.

(5) Enige klagte ten opsigte van die kieserslys moet na die skoolhoof verwys word ten minste sewe dae voor die verkiesingsdatum.

Verkiesingsvergaderings

11.(1) Afsonderlike verkiesingsvergaderings moet gehou word vir –

    (a) ouers;

    (b) opvoeders;

    (c) nie-opvoeders; en

    (d) leerders uit die verteenwoordigende raad van leerders.

(2) Die skoolverkiesingsbeampte moet 'n assistentskoolverkiesingsbeampte aanstel om as sekretaris by die vergaderings op te tree en om notule van die verrigtinge te hou.

(3) Buiten verkiesingsmonitors en die assistentskoolverkiesingsbeampte, moet die skoolverkiesingsbeampte geen persoon wat onbevoeg is as 'n kieser toelaat om 'n vergadering by te woon nie of die verkiesing van 'n persoon wat nie 'n bevoegde kandidaat is ingevolge klousule 4 nie, toelaat nie.

(4) Die skoolverkiesingsbeampte moet kiesers versoek om bewys van identifikasie te lewer in die vorm van 'n Suid-Afrikaanse identiteitsdokument, *Suid-Afrikaanse bestuurslisensie* of 'n geldige paspoort.

(5) Voordat die verkiesing van lede van 'n beheerliggaam voortgaan, moet die skoolverkiesingsbeampte die kiesers se aandag vestig op die volgende –

    (a) dat die ampstermyn van die huidige skoolbeheerliggaam verstryk het en lede amptelik in kennis gestel is;

    (b) dat die verkiesingsvergadering 'n geslote vergadering is;

    (c) die bepalings van klousule 4 wat 'n persoon onverkiesbaar maak vir lidmaatskap van 'n beheerliggaam;

    (d) die aantal persone wat verkies moet word;

    (e) elke benoeming moet deur 'n ouer, opvoeder, nie-opvoeder of 'n leerder van die verteenwoordigende raad van leerders, na gelang van die geval, wat daarop geregtig is om te stem, gesekondeer word;

    (f) dat gedurende benoemings, kiesers verteenwoordiging in ag moet neem en moet verseker dat benoemings verteenwoordigend is van geslag, ras en benoemings van gestremde persone moet insluit;

    (g) dat 'n kieser een stem het vir elke vakature wat gevul moet word;

    (h) dat stemming deur middel van geheime stembriewe plaasvind; en

    (i) dat 'n grieweprosedure bestaan vir diegene wat ontevrede is met die verkiesingsproses of uitslag.

Kworum vir 'n verkiesingsvergadering

12.(1) 'n Kworum van 15 persent van die kiesers op die kieserslys moet gevorm word voordat enige verkiesing gehou word.

2) Indien 'n kworum vermeld in subklousule (1) nie gevorm word nie, moet die vergadering uitgestel word vir ten minste 14 dae maar nie later as 21 dae nie.

(3) In die geval van 'n verkiesingsvergadering wat uitgestel word ingevolge subklousule (2), moet die skoolverkiesingsbeampte slegs voortgaan met die verkiesing indien daar voldoende persone teenwoordig is om vakatures in elke kategorie te vul en sodanige persone moet gewillig wees om die amp te beklee ongeag of 'n kworum gevorm word of nie.

(4) In die geval dat daar onvoldoende persone by die vergadering vermeld in subklousule 12(2) teenwoordig is, moet die skoolverkiesingsbeampte nie voortgaan met die verkiesingsvergadering nie en moet die skoolhoof gelas om 'n nuwe verkiesingsvergadering byeen te roep ooreenkomstig klousules 9 tot 14.

Benoemings

13.(1) Die skoolverkiesingsbeampte *moet voldoende tyd toewys* vir die benoeming van kandidate gedurende die benoemingsfase en moet die kiesers dienooreenkomstig inlig.

(2) 'n Persoon mag in absentia benoem word, met dien verstande dat die –

    (a) voorsteller en sekondant van die benoemde persoon teenwoordig is by die vergadering; en

    (b) benoemde persoon skriftelike bevestiging van aanvaarding van die benoeming stuur.

(3) 'n Kandidaat mag skriftelik of mondelings benoem word deur –

    (a) 'n ouer van 'n leerder wat by die skool ingeskryf is vir 'n vakature ingevolge klousule   2(1)(a);

    (b) 'n opvoeder in diens van die betrokke skool vir 'n vakature ingevolge klousule 2(1)(b);

    (c) 'n nie-opvoeder in diens van die betrokke skool vir 'n vakature ingevolge klousule 2(1)(c); of

    (d) 'n leerder uit die verteenwoordigende raad van leerders ingevolge klousule 2(1)(d),

met dien verstande dat 'n ander ouer, opvoeder, nie-opvoeder of 'n leerder uit die verteenwoordigende raad van leerders, na gelang van die geval, die voorstel sekondeer en die benoemde, indien hy of sy afwesig is, mondelings of skriftelik vir die vergadering aandui dat hy of sy, indien verkies, bereid is om as 'n lid van die beheerliggaam te dien.

(4) Die voorsteller en die sekondant van 'n kandidaat moet teenwoordig wees by 'n verkiesingsvergadering.

(5) 'n Skoolverkiesingsbeampte moet –

    (a) 'n persoon wat 'n kandidaat benoem die geleentheid bied om die kandidaat aan die   vergadering bekend te stel en redes vir die benoeming te gee; of

    (b) 'n benoemde kandidaat toelaat om hom- of haarself aan die vergadering bekend te stel.

(6) Gedurende die benoemings, moet die skoolverkiesingsbeampte die benoemings oorweeg en die benoeming afkeur van enige kandidaat wat –

      (a) nie benoem is ooreenkomstig klousule 13(2) en (3) nie; of

      (b) ingevolge klousule 4 onverkiesbaar is.

(7) Indien die aantal persone wat benoem is, die aantal vakatures oorskry, moet die skoolverkiesingsbeampte onmiddellik na die sluiting van die benoemings, die name van die kandidate op 'n geskikte bord of enige oppervlak wat vir almal wat die vergadering bywoon duidelik en sigbaar is, neerskryf.

(8) Indien die aantal persone wat benoem is, gelyk is aan die aantal vakatures, moet die skoolverkiesingsbeampte die benoemde persone behoorlik verkies verklaar.

Stemming

14.(1) Elke kieser het een stem vir elke vakature wat op die beheerliggaam gevul moet word.

(2) Die skoolverkiesingsbeampte moet die kiesers wat teenwoordig is, versoek om 'n kruis (x) teenoor die name van die kandidate wat hul verkies op die stembriewe wat deur die skoolverkiesingsbeampte verskaf word, te maak.

(3) 'n Persoon wat nie in staat is om sy of haar stem op die stembrief in klousule 14(2) bo te maak nie, kan 'n mondelinge versoek om bystand aan die skoolverkiesingsbeampte of die assistentskoolverkiesingsbeampte rig om sy of haar stem teenoor die toepaslike kandidaat op die stembrief te merk.

(4) Die skoolverkiesingsbeampte moet enige gestremde persoon bystaan.

(5) Die versoek om bystand en die voltooiing van die stembrief ooreenkomstig die versoek vermeld in klousule 14(3), moet privaat gedoen word in 'n gebied wat vir daardie doel deur die skoolverkiesingsbeampte aangedui is, maar binne die gebied waarin die stemming plaasvind.

(6) Die skoolverkiesingsbeampte moet stembriewe met –

      (a) meer kruise (x) as die aantal vakatures op die beheerliggaam; of

      (b) die naam van 'n persoon of persone wat nie benoem is nie,

      afkeur.

(7) Nadat al die kiesers gestem het, moet die skoolverkiesingsbeampte en die assistentskoolverkiesingsbeamptes die stemme tel in die teenwoordigheid van drie waarnemers wat aangestel is deur diegene wat die vergadering bywoon, om die telproses waar te neem.

(8) In die geval van 'n staking van stemme vir twee of meer kandidate vir die laaste plek of plekke op die lys van kandidate, moet die skoolverkiesingsbeampte die kiesers versoek om die verkieslike kandidaat aan te dui uit diegene met gelyke stemme deur die prosedure wat in hierdie klousule uiteengesit word, te volg.

(9) Die skoolverkiesingsbeampte moet die uitslag gedurende die verkiesingsvergadering aankondig en die kandidate wat die meeste stemme gekry het as die verkose lede van die beheerliggaam verklaar.

(10) Die aantal stemme wat 'n persoon in hierdie verkiesing ontvang, bepaal nie die uitslag van die verkiesing van ampsdraers wat verkies is ingevolge klousule 16 nie.

Vergadering om lede aan te stel

15.(1) Die skoolhoof moet, 21 dae voor die verkiesingsdatum, 'n skriftelike uitnodiging stuur aan –

      (a) die skoolverkiesingsbeampte;

      (b) gestremde persone binne die gemeenskap;

      (c) kundiges; en

      (d) elke organisasie wat geregtig is op verteenwoordiging op 'n beheerliggaam ingevolge klousule 4(2),

wat hul uitnooi om 'n vergadering by te woon om verteenwoordigende lede ooreenkomstig klousule 2(1)(e) tot (i) aan te stel.

(2) Die skoolverkiesingsbeampte moet as voorsitter by die vergadering optree en die verrigtinge tydens die vergadering lei soos vermeld in subklousule 15(1).

(3) By die vergadering moet die skoolverkiesingsbeampte gelas dat die verskillende kategorieë vermeld in subklousule 15(1) verteenwoordigers uit eie geledere skriftelik aanstel en volle besonderhede van die aangestelde persoon of persone verskaf, insluitend name, adresse, kontaknommers en e-pos adresse.

(4) Die vergadering vermeld in subklousule 15(1) moet die ouers se verkiesingsvergadering voorafgaan.

(5) By ontvangs van die name van die aangestelde persone vermeld in subklousule 15(1), en nadat die skoolverkiesingsbeampte tevrede is dat 'n aangestelde persoon die aanstelling as 'n lid van 'n beheerliggaam aanvaar het, moet die skoolverkiesingsbeampte onverwyld elke aangestelde persoon skriftelik oor sy of haar aanstelling as lid van die beheerliggaam inlig.

Verkiesing van ampsdraers

16.(1) Die skoolverkiesingsbeampte kan 'n vergadering belê uitsluitlik vir die doel om ampsdraers te verkies op die dag van die ouerverkiesingsvergadering indien –

(a) die verkiesing van opvoeders, nie-opvoeders en leerders voor die ouerverkiesing plaasgevind het;

(b) die 21 dae-kennisgewing ingevolge klousule 9(2) uitgereik is aan ouers, opvoeders, nie-opvoeders en leerders uit die verteenwoordigende raad van leerders ter inligting dat die vergadering vir die verkiesing van ampsdraers op die dag van die ouerverkiesing sou plaasvind; en

(c) die kworumvereistes by die vergadering nagekom is.

(2) Indien die vergadering om ampsdraers te verkies nie gehou word ingevolge klousule *16(1)* nie, moet die skoolverkiesingsbeampte die eerste vergadering van die beheerliggaam binne 21 dae na die datum van die ouerverkiesingsvergadering belê.

(3) Die skoolverkiesingsbeampte sit voor by enige vergadering wat belê is vir die verkiesing van ampsdraers.

(4) By die eerste vergadering van 'n beheerliggaam moet die lede deur middel van geheime stembriewe –

(a) 'n voorsitter;

(b) 'n adjunkvoorsitter;

(c) 'n tesourier; en

(d) 'n sekretaris,

verkies.

(5) Slegs 'n ouerlid wat nie in diens van die skool is nie, is verkiesbaar vir die posisie van voorsitter of adjunkvoorsitter van die beheerliggaam.

(6) Die ampstermyn van ampsdraers is een jaar.

(7) Die skoolhoof kan 'n lid van sy of haar personeel aanwys om die tesourier en sekretaris van die beheerliggaam by te staan.

(8) Wanneer die amp van een van die ampsdraers om enige rede vakant raak, moet die beheerliggaam, by die eerste vergadering nadat die vakature ontstaan het, een van sy lede verkies om die vakature vir die onverstreke tydperk van sy of haar voorganger te vul.

(9) 'n Ampsdraer mag herverkies word na die verstryking van die ampstermyn.

(10) Die skoolhoof moet die superintendent-generaal inlig oor enige verandering in ampsdraers en moet hom of haar voorsien van die besonderhede van die nuwe ampsdraers met inbegrip van name, identiteitsnommers, telefoonnommers, faksnommers en adresse.

Oplossing van geskille

17.(1) 'n Kieser of persoon wat 'n kandidaat in 'n beheerliggaamverkiesing was, kan sy of haar klagte of grief skriftelik by die distrikverkiesingsbeampte inhandig binne sewe dae na die verkiesingsvergadering indien die voorgeskrewe prosedures nie gedurende die verkiesingsvergadering gevolg is nie.

(2) 'n Persoon wat oor enige kennis of inligting van enige onreëlmatighede ten opsigte van die verkiesing beskik, kan die distrikverkiesingsbeampte binne sewe dae na die verkiesing skriftelik oor die onreëlmatighede inlig.

(3) By ontvangs van die klagte, grief of inligting oor onreëlmatighede, moet die distrikverkiesingsbeampte sy adjunkdistrikverkiesingsbeampte of assistentdistrikverkiesingsbeampte aanstel om 'n ondersoek te doen en 'n aanbeveling aan hom of haar te maak.

(4) Die distrikverkiesingsbeampte kan na 'n ondersoek 'n verkiesing ongeldig verklaar en 'n herverkiesing uitroep indien hy of sy tevrede is dat –

(a) die voorgeskrewe prosedures nie gevolg is nie;

(b) die uitslag van die verkiesing anders sou gewees het indien die voorgeskrewe prosedures gevolg was; en

(c) onreëlmatighede gedurende die verkiesingsproses gepleeg is.

(5) Enige persoon wat deur die distrikverkiesingsbeampte se besluit nagekom is, kan teen sodanige besluit appelleer aan die superintendent-generaal binne 14 dae na ontvangs van die distrikverkiesingsbeampte se besluit.

(6) Die superintendent-generaal moet –

(a) binne 7 dae na ontvangs van die appèl, die appèl na die provinsiale verkiesingsbeampte verwys;

(b) die provinsiale verkiesingsbeampte versoek om die saak te ondersoek en 'n verslag met aanbevelings voor te berei binne 14 dae nadat die appèl na die provinsiale verkiesingsbeampte verwys is;

(c) die verslag vermeld in 5(b) oorweeg, 'n bevinding maak en sy of haar besluit skriftelik   kommunikeer   aan   die appellant en aan die distrikverkiesingsbeampte binne 14 dae nadat die   verslag   van   die   provinsiale   verkiesingsbeampte ontvang is.

(7) Die besluit van die departementshoof is finaal.

(8) Hangende die uitslag van die geskil, moet die superintendent-generaal voldoende persone aanstel om die funksies van die beheerliggaam vir 'n tydperk wat nie drie maande oorskry nie, te verrig.

Prosedure na die verkiesing

18. Na die verkiesing van lede van 'n beheerliggaam, moet die skoolverkiesingsbeampte –

(a) elke verkose lid skriftelik van sy of haar verkiesing in kennis stel en sodanige kennisgewing   moet per pos of e-pos gestuur word, of met die hand afgelewer word;

(b) alle dokumente, insluitend stembriewe wat by sodanige verkiesing gebruik is, in koeverte plaas en die koeverte verseël;

(c) die koeverte vir die duur van die ampstermyn van die beheerliggaam in veilige bewaring hou;

(d) die distrikverkiesingsbeampte skriftelik in kennis stel van die besonderhede van die verkiesing met inbegrip van die datum van die verkiesing, name, identiteitsnommers, telefoonnommers, faksnommers en adresse van alle verkose lede.

Tussenverkiesing

19.(1) Indien 'n vakature ontstaan as gevolg van die vertrek van enige lid van 'n beheerliggaam voor die verstryking van die beheerliggaam se ampstermyn of die lid se ampstermyn, moet die skoolverkiesingsbeampte voorgaan by die verkiesing van 'n nuwe lid om die vertrekkende lid te vervang.

(2) Indien 'n vakature meer as ses maande voor die verstryking van die ampstermyn van 'n beheerliggaam ontstaan, moet die skoolverkiesingsbeampte 'n tussenverkiesing hou en die prosedures soos uiteengesit in klousules 9 tot 14 volg.

(3) Die skoolverkiesingsbeampte moet 'n verkiesingsvergadering reël binne 90 dae nadat 'n vakature ontstaan het, en hangende die tussenverkiesing mag die beheerliggaam lede koöpteer.

(4)   (a) Indien 'n vakature minder as ses maande voor die verstryking van die ampstermyn van 'n beheerliggaam as gevolg van die vertrek van 'n lid ontstaan, moet die oorblywende lede deur middel van 'n meerderheidstem, 'n persoon of persone koöpteer om die vakature of vakatures vir die oorblywende deel van die ampstydperk van die beheerliggaam te vul; en

(b) Die ouer, opvoeder, nie-opvoeder en leerderkomponent moet name van ten minste drie verkiesbare persone aanbeveel wat tot die beheerliggaam gekoöpteer kan word en die beheerliggaam moet uit die aanbevole name koöpteer.

(5) 'n Gekoöpteerde lid vermeld in sub-klousules (3) en (4) neem die stemreg van die vertrekkende lid, indien enige, oor.

Ontbinding van 'n beheerliggaam

20.(1) Die lid van die Uitvoerende Raad kan 'n beheerliggaam ontbind –

(a) indien die skool gesluit of deels afgestig is;

(b) indien daar 'n ernstige breuk in die skoolbestuur is;

(c) as gevolg van die samesmelting van skole of die verdeling van 'n skool of ander   herorganisering   van skoolfasiliteite;

(d) indien hy of sy van mening is dat die beheerliggaam nie meer verteenwoordigend is van die   gemeenskap waarvoor 'n skool gestig is nie;

(e) indien 'n mosie van wantroue (in die skoolbeheerliggaam) aanvaar is deur nie minder nie as   15 persent van die ouers op die ouerkieserslys by 'n algemene vergadering van ouers.

(2) Die lid van die Uitvoerende Raad mag geen stappe kragtens klousule (1) doen nie, tensy –

(a) hy of sy 'n skriftelike kennisgewing van sy of haar voorneme om die beheerliggaam   te ontbind aan die beheerliggaamlede gegee het;

(b) hy of sy aan die lede die geleentheid gebied het om vertoë aan hom of haar te rig   binne tien (10) dae na die datum van sodanige kennisgewing; en

(c) hy of sy sodanige vertoë behoorlik oorweeg het.

Delegering van bevoegdhede

21. Die superintendent-generaal kan die bevoegdhede wat ingevolge hierdie kennisgewing aan hom of haar verleen is, aan 'n beampte in diens van die Departement delegeer.

EDWARD SENZO MCHUNU
Lid van die Uitvoerende Raad van die provinsie KwaZulu-Natal
verantwoordelik vir onderwys

No. 94   24 Kunhlangulana 2010

UMTHETHO WEZIKOLE ZASENINGIZIMU AFRIKA, 1996 (UMTHETHO NO. 84 KA 1996)

UKWAKHEKA NOKUKHETHWA KWEMIGWAMANDA ELAWULA IZIKOLE ZABAFUNDI ABANEZIDINGO EZIKHETHEKILE ZOKUFUNDA

Mina, **EDWARD SENZO MCHUNU**, iLungu loMkhandlu oPhethe, elibhekele ezemfundo *eyisisekelo* esiFundazweni saKwaZulu-Natali, ngalokhu ngikhipha isaziso *ngokwezigaba 24(4) no 28 zoMthetho weziKole waseNingizimu Afrika, 1996 (uMthetho No. 84 ka 1996), sokuthi ngemuva kokuthola nokucubungula izimvo ezivela kuzo zonke izinhlangothi ezinentshisekelo njengoba kwakubekwe eSazisweni No. 100 seGazethi eyisiPesheli yesiFundazwe saKwaZulu-Natali yamhla zingama-29 kuNhlaba 2009, sekwenziwe lezi zinguquko ezilandelayo kuleso saziso.*

IZINCAZELO EZEJWAYELEKILE:

Izindawo ezibhalwe ngokutshekile nangokugqamile zikhombisa izinguquko ezenziwe kwisaziso No. 100 seGazethi eyisiPesheli yesiFundazwe saKwaZulu-Natali yamhla zingama-29 kuNhlaba 2009.

UHLELO

Izincazelo

1. Kulesi saziso noma yiliphi igama noma isethulo esincazelo yaso ibhaliwe eMthethweni siyokuba naleyo ncazelo ngaphandle uma ingqikithi isho okwehlukile –

            "uMthetho" kushiwo uMthetho weziKole waseNingizimu Afrika, 1996 (uMthetho No. 84 ka 1996) njengoba uchitshiyelwe;

            "isikhungo sokunakekela abantwana nentsha" *kushiwo isikhungo esisungulwe ngokwesigaba 191 no 196 soMthethosichibiyelo weziNgane, 2007 (uMthetho No. 41 ka 2007)phambilini obubizwa ngowokulungisa izikole kanye nezikole zezimboni;*

            "umhlangano ovalekile" kushiwo umhlangano ovuleleke kuphela -

            (e)   kubazali uma kukhethwa abazali;

            (f)   kothisha uma kukhethwa othisha;

            (g)   kwabangesibona othisha uma kukhethwa abangesibona othisha; kanye

            (h)   nakubafundi abasemkhandlwini omele abafundi *uma ukhona;*

            "amalungu engeziwe" kushiwo amalungu –

            (a) angenawo amandla okuvota engezwe ngokobungcweti bawo; kanye

            (b) nalawo anawo amandla okuvota engezwe ezikhundleni zamalungu ashiye singakapheli isikhathi sawo sokuba sezikhundleni;

            "usuku" kushiwo usuku lwekhalenda;

            "uMnyango" kushiwo uMnyango wezeMfundo *eyisiSekelo* waKwaZulu-Natali;

            "umhlangano wokhetho" kushiwo -

            (a)   imihlangano emine eyahlukene ebanjelwe kuphela ukuthi kuphakanyiswe futhi kukhethwe abazali bodwa, othisha bodwa, abangesibona othisha bodwa kanye nabafundi bomkhandlu omele abafundi bodwa, njengoba kungaba njalo; kanye

            (b) nomhlangano wokhetho lokuchibiyela;

            "abaqaphi bokhetho" kushiwo izikhulu noma abaholi bomphakathi abaqokwe yithimba lesifundazwe noma lesifunda elibhekele ukhetho baphinde bagunyazwa nguNsumpa-Jikelele njengabaqaphi, njengezinduna noma njengababhekele ukhetho;

            "ungoti" *kushiwo umuntu onekhono noma onekhono elikhethekile emkhakheni wezemfundo enezidingo ezikhethekile;*

            "umhlangano wokuqala" kushiwo umhlangano obanjelwe kuphela ukuthi kuqokwe abazobamba izikhundla;

            "iLungu loMkhandlu oPhethe" kushiwo iLungu loMkhandlu oPhethe elibhekele ezemfundo *eyisiSekelo* esiFundazweni saKwaZulu-Natali;

            "ongesiyena uthisha" kushiwo noma yimuphi umsebenzi oqashwe esikoleni ongesiyena uthisha;

            "umnikazi" *kushiwo umnikazi obhalisiwe womhlaba ozimele lapho isikole sakhiwe khona ngokwesigaba 14 soMthetho noma umnikazi womhlaba ozimele lapho kwakhiwe khona isikhungo zokunakekela izingane nentsha;*

            "isikole" kushiwo isikole esejwayelekile sikahulumeni esifundisa abafundi ebangeni elilodwa noma ngaphezulu kusukela ebangeni R kuya ebangeni le-12 *kubandakanya isikhungo sokunakekela izingane nentsha*;

"**isikhulu sokhetho sesikole**" kushiwo uthishanhloko, *uthishanhloko wesikhungo sokunakekela izingane nentsha*, ibamba likathishanhloko noma isikhulu, esingaqashiwe esikoleni, esiqokwe yiNhloko yoMnyango ukuqhuba ukhetho lwesigungu esilawulayo sesikole;

"*umgwamanda oxhasayo*" *kushiwo iqoqo labantu noma inhlangano okuyiyona ehlinzeka ngoxhaso lwezimali esikoleni noma esikhungweni sokunakekelwa kwezingane nentsha;*

"**uNsumpa-Jikelele**" kushiwo iNhloko yoMnyango wezeMfundo esiFundazweni saKwaZulu-Natali;

"**umvoti**" kushiwo umzali emkhakheni wabazali, uthisha emkhakheni wothisha, ongesiyena uthisha emkhakheni wabangesibona othisha kanye nomfundi emkhakheni womkhandlu omele abafundi, *uma ukhona.*

Ubulungu ezigungwini ezilawulayo

2.(1) *Isigungu esilawulayo ezikoleni ezinezidingo ezikhethekile ngaphandle kwezikhungo zezingane nentsha siyobandakanya –*

    (a) *abazali babafundi abafunda esikoleni lapho kukhethwa khona isigungu esilawulayo   okuhlanganisa umzali oyedwa noma ngaphezulu esibalweni samalungu anelungelo lokuvota okukhulunywe ngawo kwizigatshana (b) kuya ku (j), ngaphandle uma kuyalele   iLungu loMkhandlu oPhethe;*

    (b) *uthisha okhethwe abanye othisha abaqashwe kuleso sikole uma kukhona othisha abane noma ngaphansi noma othisha ababili uma kunothisha abayisihlanu noma ngaphezulu abaqashwe kuleso sikole;*

    (c) *ongesiyena uthisha oyedwa okhethwe abangesibona othisha abaqashwe kuleso sikole uma kukhona abangesibona othisha abane noma ngaphansi noma abangesibona othisha ababili uma kukhona abangesibona othisha abayisihlanu noma ngaphezulu   abaqashwe kuleso sikole;*

    (d) *uma kuyisikole esinabafundi ebangeni lesishiyagalombili noma ngaphezulu, abafundi ababili abakhethwe umkhandlu omele abafundi abafunda kuleso sikole, uma ukhona;*

    (e) *oyedwa oqokwe umgwamanda noma imigwamanda yabaxhasi exhase ngezimali isikole, kungakhathaleki ukuthi mingaki imigwamanda ekhona, uma ikhona;*

    (f) *oyedwa, oqokwe inhlangano noma izinhlangano zabazali babafundi abanezidingo ezikhethekile kungakhathaleki ukuthi zingaki izinhlangano ezikhona uma zikhona;*

    (g) *oyedwa oqokwe inhlangano noma izinhlangano ezihlobene nabantu abakhubazekile   kungakhathaleki ukuthi zingaki izinhlangano zabantu abakhubazekile ezikhona, uma zikhona;*

    (h) *umuntu oyedwa okhubazekile oqokwe abantu abakhubazekile emphakathini, uma bekhona;*

    (i) *ungoti oyedwa emkhakheni wemfundo enezidingo ezikhethekile uma kukhona ongoti abane   noma ngaphansi, kanye nongoti ababili uma kunongoti abahlanu noma ngaphezulu emhlanganweni obizwe yisikhulu sokhetho;*

    (j) *umnikazi womhlaba ozimele lapho kwakhiwe khona isikole, ima ekhona; kanye*

    (k) *nothishanhloko wesikole ngokwesikhundla sakhe esisemthethweni.*

(2) Isigungu esilawulayo sesikhungo sokunakekelwa kwezingane nentsha kumele sakhiwe –

    (a) othisha ababili abakhethwe othisha abaqashwe kuleso sikhungo sokunakekelwa kwezingane nentsha;

    (b) ababili abangesibona othisha abakhethwe abangesibona othisha abaqashwe kuleso sikhungo sokunakekelwa kwezingane nentsha;

    (c) ongoti abayisithupha abasemkhakheni wemfundo enezidingo ezikhethekile mayelana nokunakekelwa kwezingane nentsha kanye nezikhungo zokunakekela;

    (d) umnikazi womhlaba ozimele lapho kwakhiwe khona isikhungo sokunakekelwa kwezingane nentsha, uma ekhona; kanye

    (e) uthishanhloko wesikhungo sokunakekela izingane nentsha ngokwesikhundla sakhe esisemthethweni.

(3) Ngaphandle uma kuyalele iLungu loMkhandlu oPhethe, ukwakheka kwezigungu ezilawulayo zezikole kanye nezezikhungo zokunakekela izingane nentsha okukhulunywe ngakho kulesi sigaba kumele kube njengoba kubekwe kwiSithasiselo A.

Isikhathi sokuba sesikhundleni

3.(1) Isigungu esilawulayo sikhethelwa iminyaka emithathu ngaphandle uma kunqume iLungu loMkhandlu oPhethe.

(2) ILungu loMkhandlu oPhethe liyonquma isikhathi sokubanjwa kokhetho kuzo zonke izikole.

(3) Uma isigungu esilawulayo –

    (a) sinezinyanga eziyisithupha noma ngaphansi ezisele ngaphambi kokuba kuphele isikhathi saso sokuba sesikhundleni, iLungu loMkhandlu oPhethe, uma lingahambisani nokulinda leso sikhathi, lingayalela ukuba ukhetho lubanjwe ngosuku olunqunywe yilona; noma

    (b) sinezinyanga ezingaphezulu kwesithupha, iLungu loMkhandlu oPhethe, ngemuva kokubonisana naleso sigungu esilwulayo esithintekayo, linganquma usuku okumele kubanjwe ngalo ukhetho uma lingahambisani nokulinda isikhathi esisasele sokusebenza.

(4) Kuncike kwisigaba somthetho 4(2), wonke amalungu ngaphandle kwabafundi abakhethwe emkhandlwini omele abafundi ngokwesigaba somthetho 2(1)(d) bakhethelwa isikhathi esiyiminyaka emithathu.

(5) Isikhathi sokuba sesikhundleni selungu lesigungu esilawulayo elingumfundi elikhethwe ngokwesigaba somthetho 2(1)(d) siwunyaka owodwa.

(6) *Ilungu lesigungu esilawulayo liyokuba sesikhundleni kuze kuphele isikhathi sokusebenza kwesigungu esilawulayo kuncike ezigabeni 3(10), 4 no 19.*

(7) Uma uNsumpa-Jikelele enquma ngezizathu ezizwakalayo ukuthi isigungu esilawulayo sesiwuphothulile umsebenzi ebesijutshelwe wona ngokoMthetho noma sehlulekile ukwenza umsebenzi owodwa noma ngaphezulu waleyo misebenzi, uNsumpa -Jikelele angayihoxisa imisebenzi futhi -

    (a) angaqoka abantu abenele ukuqhuba yonke leyo misebenzi noma owodwa noma ngaphezulu waleyo misebenzi yesigungu esilawulayo isikhathi ezingeqile ezinyangeni ezintathu;

    (b) angelula isikhathi okukhulunywe ngaso kwisigaba somthetho *7(a)* isikhathi esingeqile ezinyangeni ezintathu isikhathi ngasinye kodwa singeqi onyakeni owodwa uma sesihlanganisiwe; futhi

    (c) kumele aqinisekise ukuthi isigungu esilawulayo sikhethwa onyakeni owodwa ngemuva kokuqokwa   komuntu okukhulunywe ngaye kwisigaba somthetho *7(a).*

(8) Kuncike kwisigatshana somthetho 4, ilungu lesigungu esilawulayo lingaphinde likhethwe noma lingengezwa, uma kungaba njalo, uma sekuphele isikhathi salo sokuba sesikhundleni.

Ukwakheka kanye nokufaneleka

4. (1) Laba abalandelayo bafanele ukukhethwa njengamalungu esigungu esilawulayo -

    (a) abazali babafundi esikoleni, uma kufanele;

    (b) othisha abaqashwe esikoleni;

    (c) okungesibona othisha abaqashwe esikoleni;

    (d) nabafundi abasemkhandlwini omele abafundi *abafunda* ibanga lesishiyagalombili kuyaphezulu ezikoleni,   *uma ukhona.*

(2) Laba abalandelayo bakufanele ukuqokwa njengamalungu esigungu esilawulayo -

    (a) abamele umgwamanda noma imigwamanda exhasile, uma ikhona;

    (b) *abamele* inhlangano noma izinhlangano zabazali babafundi abanezidingo ezikhethekile zokufunda, uma bekhona;

    (c) *abamele* izinhlangano zabantu abakhubazekile uma bekhona;

    (d) *umuntu oyedwa okhubazekile oqokwe abantu abakhubazekile emphakathini uma bekhona*;

    (e) ungoti oyedwa ekhakheni ofanele wemfundo enezidingo ezikhethekile.

(3) Akekho umuntu oyokhethwa njengelungu lesigungu esilawulayo uma -

    (a) eke watholakala enecala wagwetshwa izinyanga eziyi-12 ebhadla ejele ngaphandle kokubonelelwa ngokuthi akhokhe inhlawulo okungaba kwiRiphabhulikhi noma ngaphandle kweRiphabhulikhi, uma isenzo sakhe kulelo cala besiyokuba yicala kwiRiphabhulikhi, akekho oyothathwa njengosegwetshiwe kuze kube -

        (i) uyaphendula ngokuthweswa kwakhe icala noma isigwebo sesinqunyiwe; noma

        (ii) isikhathi sakhe sokuziphendulela sesiphelile, kuncike ekutheni ukuhoxiswa ngaphansi kwale ndima kuyaphela eminyakeni emihlanu ngemuva kokuphothulwa kwesigwebo;

    (b) emenyezelwe yinkantolo esemthethweni njengongaphilile kahle engqondweni;

    (c) ecwile ezikweletini ngokungenakuhlengeka;

    (d) engumzali kodwa engesona isakhamuzi saseNingizimu Afrika noma engenayo imvume yokuhlala ngaphandle uma egunyazwe uNsumpa-Jikelele;

    (e) engumzali kodwa engasenayo ingane efunda esikoleni; futhi

    (f) engumfundi kodwa engesilona ilungu lomkhandlu omele abafundi.

    (g) etholwe necala elibucayi lokungaziphathi kahle esigcawini sokuqondisa izigwegwe.

(4) Ilungu lishiya isikhundla salo uma -

    (a) lingahlangabezani nezidingo ezibekwe kwisigaba somthetho 4;

    (b) lisula;

    (c) liyilungu elikhethwe ngokwesigaba somthetho 2(1)(a) futhi lingasenayo ingane efunda esikoleni noma esikhungweni sokunakekelwa kwezingane nentsha;

    (d) liyilungu elikhethwe ngokwesigaba 2(1)(b) noma (c) futhi selixoshiwe, noma uma lidluliselwe noma lisiselwe kude naleso sikole;

    (e) lishona;

    (f) liyilungu elikhethwe ngokwesigaba 2(1)(d) futhi lingasafundi kuleso sikole;

    (g) lephulile ngaphandle kokunikezwa ikhefu emihlanganweni emibili ejwayelekile yesigungu esilawulayo;

    (h) lingaselona ilungu lomkhandlu omele abafundi;

(i) litholwe necala elibucayi lokungaziphathi kahle esigcawini sokuqondisa izigwegwe.

Ukuqokwa kwezikhulu zokhetho zesiFundazwe

5.(1) UNsumpa-Jikelele kumele aqoke ngokubhalwe phansi isikhulu sokhetho sesiFundazwe, isekela lesikhulu sokhetho sesiFundazwe kanye nabasizi bezikhulu zokhetho;

(2) Isikhulu sokhetho sesiFundazwe kumele -

(a) siqinisekise ukuthi kunokukhangiswa okwanele kokhetho;

(b) silawule ukuqokwa kwesikhulu esisodwa noma ngaphezulu esisebenzela uMnyango esizolekelela *okhethweni njengomsizi kwezikhulu zokhetho zesiFundazwe*;

(c) siqinisekise ukuthi kuyahanjiswana nomthetho wesifundazwe omayelana nokubanjwa kokhetho;

(d) sihlanganise uhlelo lokhetho lwazo zonke *izikole* esiFundazweni;

(e) siqaphe ukufundiswa kwamalungu amasha esigungu esilawulayo; futhi

(f) siqhube uphenyo njengokuyalela kukaNsumpa-Jikelele.

(3) Usekela wesikhulu sokhetho sesifundazwe kanye nabasizi bezikhulu zokhetho besifundazwe basiza isikhulu sokhetho sesifundazwe ekuqhubeni imisebenzi yaso.

Ukuqokwa kwezikhulu zokhetho zezifunda

6.(1) UNsumpa-Jikelele kumele aqoke ngokubhalwe phansi isikhulu sokhetho sesifunda, isekela lesikhulu sokhetho sesifunda kanye nabasizi bezikhulu zokhetho zezifunda.

(2) Isikhulu sokhetho sesifunda kumele -

(a) silawule ukuqokwa kwesikhulu esisodwa noma ngaphezulu esisebenzela uMnyango ukulekelela okhethweni njengomsizi wesikhulu sokhetho sesifunda;

(b) silawule ukuqokwa kwezikhulu zokhetho zezikole;

(c) sisakaze uhlelo lokhetho lwazo zonke izikole esifundeni;

(d) siqinisekise ukuhambisana nohlelo lokhetho;

(e) siqinisekise ukuthi zonke izikole zinohlu olusemthethweni lwabavoti;

(f) sisungule futhi silawule ibhuku lamalungu amasha aqokelwe esigungwini sokulawula esifundeni futhi senze ukuthi ibhuku litholakale eMnyangweni;

(g) siqinisekise ukuthi amalungu amasha akhethelwe esigungwini esilawulayo afundisiwe ngomsebenzi esikhathini esiyizinyanga ezintathu ekhethiwe; futhi

(h) sixazulule izinkinga ezimayelana nokhetho lokulawulwa kwezikole ngokwesigaba17.

(3) Ngaphandle kokuxazulula izinkinga njengoba kuhlinzekwe kwisigaba somthetho 6(2)(h), isekela lesikhulu sokhetho sesifunda kanye nabasizi bezikhulu zokhetho zezifunda bayosiza isikhulu sokhetho sesifunda ekwenzeni yonke eminye imisebenzi.

(4) Isekela lesikhulu sokhetho sesifunda kanye nomsizi wesikhulu sokhetho bezifunda bangahlinzeka isikhulu sokhetho sesifunda ngezeluleko mayelana nanoma yiluphi udabaolumayelana nokhetho.

Ukukhethwa kwezikhulu zokhetho zezikole

7.(1) UNsumpa-Jikelele kumele aqoke ngokubhalwe phansi isikhulu soMnyango njengesikhulu sokhetho sesikole lapho kukhethwa abazali, othisha, abangesibona othisha kanye nabafundi abasemkhandlwini omele abafundi njengamalungu esigungu esilawulayo.

(2) Uthishanhloko angeke aqokelwe ekubeni yisikhulu sokhetho sesikole esikoleni lapho   eqashwe khona.

(3) Isikhulu sokhetho sesikole kumele siqoke ngokubhalwe phansi isikhulu esisodwa noma ngaphezulu noma othisha abasebenzela uMnyango abaqashwe yisigungu esilawulayo ukulekelela okhethweni njengabasizi bezikhulu zokhetho.

(4) Isikhulu sokhetho sesikole kumele sengamele kuyo yonke imihlangano yokhetho.

(5) Isikhulu sokhetho sesikole kanye nomsizi wesikhulu sokhetho sesikole angeke baphakanyiswe, bafake izicelo noma bavune ophakanyisiwe.

Isifungo noma isibopho nokugcinwa kwezimfihlo

8. Zonke izikhulu zokhetho kumele zisayinde isifungo noma isibopho sokugcina izimfihlo kwifomu elinqunywe nguNsumpa-Jikelele ngaphambi kokuthi zisebenze kulezo zikhundla.

Isaziso somhlangano wokhetho

9. (1) Uthishanhloko wesikole esithintekayo –

(a) uyonquma usuku, isikhathi kanye nendawo okuyobanjelwa kuyo umhlangano wokhetho; futhi

(b) uyolungisa isaziso esibeka usuku, isikhathi kanye nendawo yomhlangano wokhetho.

(2) Okungenani ezinsukwini ezingama-21 ngaphambi kosuku lomhlangano wokhetho, uthishanhloko   wesikole esithintekayo kumele -

(a) anikeze bonke abafundi esikoleni ikhophi yesaziso somhlangano wokhetho futhi abayalele ngomlomo ukuba bahambise izaziso kubazali babo noma athumele leyo khophi yesaziso kubazali ngeposi;

(b) anikezele ngekhophi yaleso saziso kothisha kaye nabangesibona othisha;

(c) enze ukuba ikhophi yaleso saziso inanyathiselwe endaweni esobala kuleso sikole esithintekayo nakunoma iyiphi enye indawo efanele nesobala; futhi

(d) anikeze ilungu ngalinye lomkhandlu omele abafundi ikhophi.

(3) Lapho kuyisikole esisha, ukhetho kumele lubanjwe ezinsukwini ezingama-60 kusungulwe leso sikole.

Uhlu lwabavoti

10.(1) Uthishanhloko kumele alungise uhlu lwabavoti ngalunye kule mikhakha elandelayo -

    (a) abazali;

    (b) othisha;

    (c) abangesibona othisha;

    (d) abafundi abasemkhandlwini omele abafundi.

(2) Uthishanhloko kumele alungise uhlu lwabavoti esebenzisa -

    (a) incwadi yokumukelwa komfundi kubazali;

    (b) incwadi yokuqoshwa kwesikhathi kothisha;

    (c) incwadi yokuqoshwa kwesikhathi yabangesibona othisha; kanye

    (d) nerejista yabafundi abasemkhandlwini omele abafundi.

(3) Uthishanhloko kumele okungenani kusasele izinsuku ezingama-21, enze ukuba kuthunyelwe incwadi nomfundi ukumema abazali ukuba bavuselele ulwazi encwadini yokwemukelwa ngenhloso yokuthi kugcwaliswe uhlu lwabavoti.

(4) Okungenani kusasele izinsuku eziyi-14 ngaphambi kokuthi kubanjwe umhlangano wokuvota, uthishanhloko kumele avumele labo abazovota ukuba bahlole uhlu lwabavoti.

(5) Noma isiphi isikhalazo esimayelana nohlu lwabavoti kumele sibhekiswe kuthishanhloko kusasele okungenani izinsuku eziyisikhombisa kubanjwe ukhetho.

Imihlangano yokhetho

11.(1) Kumele kubanjwe imihlangano ehlukene yokhetho -

    (a) lwabazali

    (b) lothisha;

    (c) lwabangesibona othisha; kanye

    (d) nolwabafundi abasemkhandlwini omele abafundi.

(2) Isikhulu sokhetho sesikole kumele siqoke umsizi wesikhulu sokhetho sesikole ukuba asebenze njengonobhala emihlanganweni futhi aqophe amaminithi enqubo yemihlangano.

(3) Ngaphandle kwabaqaphe ukhetho kanye nomsizi wesikhulu sokhetho sesikole, isikhulu sokhetho sesikole akumele sivumele noma imuphi umuntu ongesiyena umvoti ukuba ethamele umhlangano noma sivumele ukuba kukhethwe umuntu ongalungenelanga ukhetho ngokwesigaba 4.

(4) Isikhulu sokhetho sesikole kumele sinxuse abavoti ukuba baveze ubufakazi bokuthi bangobani ngokuthi baveze omazisi babo baseNingizimu Afrika, *izincwadi zokushayela zaseNingizimu Afrika* noma amapasipoti asemthethweni.

(5) Ngaphambi kokuqhubeka nokhetho lwamalungu esigungu esilawulayo, isikhulu sokhetho sesikole kumele senze abavoti baqaphele lokhu okulandelayo -

    (a) isikhathi sokuba sesikhundleni samalungu esigungu esilawulayo sesiphelile futhi amalungu asazisiwe ngokusemthethweni;

    (b) umhlangano wokhetho ungumhlangano ovalekile;

    (c) izinhlinzeko zesigaba somthetho 4 eziveza umuntu ongafanelekile ukuba yilungu lesigungu esilawulayo;

    (d) isibalo sabantu okumele bakhethwe;

    (e) noma yikuphi ukuphakanyiswa kumele kwesekwe umzali, uthisha, ongesiyena uthisha, umfundi osemkhandlwini omele abafundi, njengoba kungaba njalo, ofanelekile ukuba avote;

    (f) ngesikhathi sokuphakamisana, abavoti kumele babhekelele ukumeleleka futhi kumele baqinisekise ukuthi iziphakamiso zabo zimele ubulili, ibala futhi kumele zibandakanye ukuphakanyiswa kwabantu abakhubazekile;

    (g) umvoti ngamunye unevoti elilodwa esikhaleni somsebenzi okumele sivalwe;

    (h) kuvotwa ngephepha lokuvota eliyimfihlo; futhi

    (i) ikhona inqubo yokukhalaza kulabo abangagculisekile ngenqubo noma ngomphumela wokhetho.

Isibalo esivumelekile sabangabamba umhlangano wokhetho

12.(1) Isibalo esivumelekile esingamaphesenti ayi-15 sabavoti abasohlwini lokuvota kumele sibe khona ngaphambi kokuthi kubanjwe noma yiluphi ukhetho.

(2) Uma isibalo okukhulunywe ngaso kwisigatshana somthetho (1) singahlangani, umhlangano kumele uhlehliselwe okungenani ezinsukwini eziyi-14 kodwa kungeqi ezinsukwini ezingama-21.

(3) Uma kwenzeka kuhoxiswa umhlangano wokhetho ngokwesigatshana (2), isikhulu sokhetho sesikole kumele siqhubeke nokhetho kuphela uma kukhona abantu abenele abahambele umhlangano abazokwazi ukuvala izikhala

zomkhakha ngamunye futhi labo bantu kumele kube abakulangazelelayo ukuba sezikhundleni, kungakhathaleki ukuthi isibalo esingabamba umhlangano sikhona noma cha.

(4) Uma kwenzeka kuba nabantu abengenele ukuhambela umhlangano okukhulunywe ngawo kwisigatshana 12(2), isikhulu sokhetho sesikole kumele singaqhubeki nomhlangano wokhetho futhi kumele siyalele uthishanhloko ukuba abize umhlangano omusha wokhetho ngokuhambisana nezigaba 9 no 14.

Ukuphakanyiswa kwabantu

13.(1) Isikhulu sokhetho sesikole kumele *sinqume isikhathi esanele sokuthi* kuqokwe abazongenela ukuqokwa uma sekusesigabeni sokuphakamisa abantu futhi kumele sazise abavoti ngendlela.

(2) Umuntu angaphakanyiswa noma engekho kuncike ekutheni -

    (a) omphakamisayo nalowo ovuna leso siphakamiso bakhona emhlanganweni; futhi

    (b) ophakanyiswayo uthumela incwadi eyamukela ukuphakanyiswa kwakhe.

(3) Ongenela ukhetho angaphakanyiswa ngokubhalwe phansi noma ngomlomo -

    (a) ngumzali womfundi ofunda esikoleni ukuba asebenze ngokwesigaba somthetho 2(1)(a);

    (b) nguthisha oqashwe kuleso sikole ukuba asebenze ngokwesigaba somthetho 2(1)(b);

    (c) ongesiyena uthisha kodwa oqashwe kuleso sikole ukuba asebenze ngokwesigaba somthetho 2(1)(c); noma

    (d) ngumfundi osemkhandlwini omele abafundi ngokwesigaba somthetho 2(1)(d), kuncike ekutheni omunye umzali, uthisha, ongesiyena uthisha noma abafundi abasemkhandlwini omele abafundi, njengoba kungaba njalo, bayasivuna isiphakamiso futhi umuntu ophakanyiswayo uyakuveza emhlanganweni ngomlomo noma ngokubhalwe phansi uma engekho, ukuthi ukulungele ukusebenza njengelungu lesigungu esilawulayo, uma ekhethiwe.

(4) Ofaka isicelo sokuphakamisa ozongenela ukhetho nalowo osivunayo kumele babe khona emhlanganweni wokhetho.

(5) Isikhulu sokhetho sesikole kumele –

    (a) sinike umuntu ophakamise ozongenela ukhetho ithuba lokuthi ethule lowo amphakamisile emhlanganweni futhi anikeze izizathu zokumphakamisa kwakhe; noma

    (b) sivumele ophakanyisiwe ukuba azethule yena ngokwakhe emhlanganweni.

(6) Ngesikhathi sokwenziwa kweziphakamiso, isikhulu sokhetho sesikole kumele semukele iziphakamiso futhi sichithe ukuphakanyiswa komuntu -

    (a) ongakhethwanga ngokuhambisana nesigaba somthetho 13(2) kanye no (3); noma

    (b) ongavumelekile ngokwesigaba 4.

(7) Uma isibalo sabantu abaphakanyisiwe seqa isibalo sezikhala zomsebenzi, isikhulu sokhetho sesikole kumele ngokushesha ngemuva kokuvala ithuba leziphakamiso, sibhale phansi amagama abaphakanyisiwe ebhodini elifanele noma kunoma iyiphi indawo ecacile futhi ebonakalayo kuwo wonke umuntu owethamele umhlangano.

(8) Uma isibalo sabantu abakhethiwe silingana nezikhala zomsebenzi, isikhulu sokhetho sesikole kumele simemezele abantu abaphakanyisiwe njengasebekhethiwe.

Ukuvota

14.(1) Umvoti ngamunye unevoti elilodwa esikhundleni ngasinye okumele sigcwaliswe esigungwini esilawulayo.

(2) Isikhulu sokhetho sesikole kumele sinxuse abavoti abakhona ukuba bafake uphawu lwesiphambano (x) maqondana namagama abaphakanyisiwe ababakhethayo emaphepheni okuvota ayohlinzekwa yisikhulu sokhetho sesikole.

(3) Umuntu owehlulekayo ukufaka uphawu lwevoti lakhe ephepheni lokuvota elibalulwe kwisigaba somthetho 14(2) ngasenhla angenza isicelo ngomlomo sokuthi alekelelwe esikhulwini sokhetho sesikole noma kumsizi wesikhulu sokhetho ukuze afake eceleni kophakanyiwe amkhethayo ivoti lakhe ephepheni lokuvota.

(4) Isikhulu sokhetho sesikole siyosiza noma yimuphi umuntu okhubazekile.

(5) Isicelo sokusizwa kanye nokugcwalisa iphepha lokuvota ngokuhambisana nesicelo okukhulunywe ngaso kwisigaba somthetho 14(3) siyokwenziwa ngasese endaweni ehlonzwe yisikhulu sokhetho sesikole ngenxa yaleyo nhloso kodwa kube sendaweni okubanjelwe kuyona ukhetho.

(6) Isikhulu sokhetho sesikole kumele singawemukeli amaphepha okuvota -

    (a) afakwe iziphambano (x) eziningi ngaphezu kwezikhala ezikhona esigungwini esilawulayo; noma

    (b) anegama lomuntu noma amagama abantu abaphakanyisiwe;

(7) Uma bonke abavoti sebewafakile amavoti abo, isikhulu sokhetho sesikole kanye nomsizi wesikhulu sokhetho sesikole kumele babale amavoti akhona bekanye nabaqaphi abathathu abaqokwe yilabo abethamele umhlangano, ukuba baqaphe ukubalwa kwamavoti;

(8) Uma kuba nokulingana kwamavoti kwababili noma ngaphezulu abaphakanyisiwe endaweni   noma   ezindaweni ezisekugcineni ohlwini lwabaphakanyisiwe, isikhulu sokhetho sesikole kumele sicele abavoti ukuba baqoke lowo abamkhethayo kwabaphakanyisiwe kulabo abanamavoti alinganayo ngokulandela inqubo ebekwe kulesi sigaba;

(9) Isikhulu sokhetho sesikole kumele simemezele imiphumela emhlanganweni wokhetho bese sidalula abaphakanyisiwe abathole amavoti amaningi njengamalungu aseqokelwe esigungwini esilawulayo.

(10) Isibalo samavoti atholwe umuntu kulolu khetho asinqumi umphumela wokhetho lwabazokuba sezikhundleni ngokwesigaba somthetho 15.

Umhlangano wokuqoka amalungu

15.(1) Uthishanhloko kumele, ezinsukwini ezingama-21 ngaphambi kosuku lokhetho, athumele isimemo esibhalwe phansi -

     (a) esikhulwini sokhetho sesikole;

     (b) kongoti; kanye

     (c)nasenhlanganweni ngayinye efanalekile ukuqokelwa esigugwini esilawulayo ngokwesigaba 4(2) esibamema ukuba beze emhlanganweni wokuqoka amalungu azobamela ngokuhambisana nesigaba 2(1)(e) kuya ku (i).

(2) Isikhulu sokhetho sesikole kumele sibe usihlalo womhlangano futhi silawule umhlangano njengoba kubekwe esigatshaneni 15(1).

(3) Emhlanganweni, isikhulu sokhetho sesikole kumele siyalele ukuthi imikhakha ehlukahlukene okukhulunywe ngayo esigatshaneni 15(1) kumele iqoke ngokubhalwe phansi phakathi kwayo abazobamela futhi kumele ihlinzeke ngemininingwane ephelele yomuntu noma yabantu abaqokiwe kubandakanya amagama, amakheli, izinombolo zokuxhumana kanye nama-imeyili.

(4) Umhlangano okukhulunywe ngawo esigatshaneni 15(1) kumele ulandelwe umhlangano wokhetho lwabazali

(5) Uma sesithole amagama abaqokiwe ngokwesigatshana 15(1), nangemuva kokuzenelisa ngokuthi ukuthi oqokiwe uyakwamukela ukuqokwa njengelungu lesigungu esilawulayo, isikhulu sokhetho sesikole kumele ngemuva kwalokho, ngencwadi, sazise umuntu ngamunye oqokiwe ngokuqokwa kwakhe njengelungu lesigungu esilawulayo.

Ukhetho lwabazongena ezikhundleni

16.(1)   Isikhulu sokhetho sesikole singabiza kuphela umhlangano ngenhloso yokukhetha abazongena ezikhundleni ngosuku lomhlangano wokhetho lwabazali uma -

     (a) ukhetho lothisha, lwabangesibona othisha nolwabafundi lubanjwe ngaphambi kokhetho lwabazali;

     (b) isaziso sezinsuku ezingama-21 ngokwesigaba 9(2) sanikezelwa kubazali, kothisha, kwabangesibona othisha kanye nakubafundi abasemkhandlwini omele abafundi ukubazisa ukuthi umhlangano wokhetho lwabazongena ezikhundleni uzobanjwa ngosuku lomhlangano wokhetho lwabazali; futhi

     (c) kuhanjiswene nezidingo zokuba khona kwesibalo esenele sabantu esingabamba umhlangano.

(2) Uma umhlangano wokukhetha abazongena ezikhundleni ungabanjwanga njengokulandisa kwesigaba somthetho *16(1),* isikhulu sokhetho sesikole kumele sibize umhlangano wokuqala wesigungu esilawulayo ezinsukwini ezingama-21 kusuka osukwini lokubanjwa kokhetho lwabazali.

(3) Isikhulu sokhetho sesikole sengamela noma imuphi umhlangano obizelwe ukhetho lwabazongena ezikhundleni.

(4) Emhlanganweni wokuqala wesigungu esiphethe amalungu kumele akhethe ngokusebenzisa iphepha lokuvota eliyimfihlo

     (a) usihlalo;

     (b) usekela kasihlalo;

     (c) umgcinimafa; kanye

     (d) nonobhala.

(5) Yilungu elingumzali kuphela, elingaqashiwe esikoleni elifanelekile esikhundleni sokuba ngusihlalo noma usekela kasihlalo esigungwini esilawulayo.

(6) Isikhathi sokuba sesikhundleni kwabangena ezikhundleni singunyaka owodwa.

(7) Uthishanhloko angaqoka ilungu kubasebenzi bakhe ukulekelela umgcinimafa kanye nonobhala wesigungu esilawulayo.

(8) Uma kwenzeka nganoma yisiphi isizathu kuba nesikhala esikhundleni esisodwa, isigungu esilawulayo, emhlanganweni wokuqala ngemuva kokuvela kwesikhala, kumele sikhethe oyedwa emalungwini aso ukuvala leso sikhala esikhathini esisasele salowo oshiyile.

(9) Osesikhundleni angaphinde aqokwe kabusha uma kuphela isikhathi sakhe sokuba sesikhundleni.

(10) Uthishanhloko kumele azise uNsumpa-Jikelele nganoma yiluphi uguquko lwabasezikhundleni futhi kumele amhlinzeke ngemininingwane yalabo abangene ezikhundleni kubandakanya amagama, izinombolo zomazisi, izinombolo zezingcingo, izinombolo zefeksi kanye namakheli.

Ukuxazululwa kwezinkinga

17.(1) Umvoti noma umuntu obephakanyisiwe ngenkathi kukhethwa isigungu esilawulayo angathumela isikhalo noma ukungeneliseki kwakhe ngokubhalwe phansi esikhulwini sokhetho sesifunda ezinsukwini eziyisikhombisa ngemuva kokhetho uma izinqubo ezibekiwe zingazange zilandelwe ngesikhathi kunomhlangano wokhetho.

(2) Noma yimuphi umuntu onanoma yiluphi ulwazi nganoma yikuphi okungazange kuhambe ngendlela mayelana nokhetho angazisa isikhulu sokhetho sesifunda ngokubhalwe phansi ngalokho okungahambanga ngendlela ezinsukwini eziyisikhombisa kudlule ukhetho.

(3) Uma semukela isikhalo, ukungeneliseki noma ulwazi olumayelana nokungazange kuhambe ngendlela, isikhulu sokhetho sesifunda siyoqoka usekela waso noma umsizi wesikhulu sokhetho sesifunda ukuba aqhube uphenyo futhi enze izincomo kusona.

(4) Isikhulu sokhetho sesifunda kungathi ngemuva kophenyo, sidalule ukhetho njengolungekho emthethweni futhi singamema ukuba kukhethwe kabusha uma senelisekile ukuthi -

    (a) inqubo ebekiwe ayizange ilandelwe;

    (b) umphumela wokhetho ubuyokwehluka ukube inqubo ebekiwe ibilandeliwe; futhi

    (c) okungahambanga ngendlela kwenziwa ngesikhathi kuqhutshwa ukhetho.

(5) Noma yimuphi umuntu ongeneliseki yisinqumo sesikhulu sokhetho sesifunda angakhalaza mayelana naleso sinqumo kuNsumpa-Jikelele ezinsukwini eziyi-14 kwemukelwe isinqumo ezivela esikhulwini sokhetho sesifunda.

(6) UNsumpa-Jikelele kumele –

    (a) ezinsukwini eziyisikhombisa emukele isikhalazo asidlulisele esikhulwini sokhetho sesiFundazwe.

    (b) acele isikhulu sokhetho sesiFundazwe ukuba siphenye futhi silungise umbiko kanye nezincomo ezinsukwini eziyi-14 kudluliselwe isikhalazo esikhulwini sokhetho sesifundazwe.

    (c) abheke umbiko okukhulunywe ngawo ku-6(b), athole isixazululo futhi abonisane ngokubhalwe phansi mayelana nesinqumo sakhe nalowo ofake isikhalazo kanye nesikhulu sokhetho sesifunda ezinsukwini eziyi-14 kwemukelwe umbiko ovela esikhulwini sokhetho sesifundazwe.

(7) Isinqumo seNhloko yoMnyango siyokuba ngujuqu.

(8) Ngenkathi kusalindwe umphumela wokuxazululwa kwenkinga, uNsumpa-Jikelele kumele aqoke abantu abafanele ukuqhuba imisebenzi yesigungu esilawulayo isikhathi ezingeqile ezinyangeni ezintathu.

Inqubo ngemuva kokhetho

18. Ngemuva kokhetho lwamalungu esigungu esilawulayo, isikhulu sokhetho sesikole kumele -

    (a) sazise ngokubhaliwe ilungu ngalinye elikhethiwe ngokukhethwa kwalo futhi leso saziso kumele sithunyelwe ngeposi, nge-imeyili noma sihanjiswe ngesandla;

    (b) sigcine zonke izincwadi, kubandakanya amaphepha okuvota asetshenzisiwe kulolo khetho kwimvilophu futhi sivale imvilophu;

    (c) sigcine imvilophu endaweni ephephile kuze kuphele isikhathi sokusebenza kwesigungu esilawulayo;

    (d) sazise isikhulu sokhetho sesifunda ngokubhaliwe mayelana nemininingwane yokhetho kubandakanya usuku lokhetho, amagama, izinombolo zomazisi, izinombolo zezingcingo, izinombolo zamafeksi kanye namakheli awo wonke amalungu akhethiwe.

Ukhetho lokuchibiyela

19.(1) Uma kuvela isikhala somsebenzi ngenxa yokushiya kwanoma yiliphi ilungu esigungwini esilawulayo singakapheli isikhathi salo sokuba sesikhundleni, isikhulu sokhetho sesikole kumele   siqhube   ukhetho   lwelungu   elisha   elizongena esikhundleni selungu elishiyile.

(2) Uma isikhala somsebenzi sivela kusasele izinyanga ezingaphezu kwesithupha ngaphambi kokuthi kuphele isikhathi sokuba sesikhundleni kwesigungu esilawulayo, isikhulu sokhetho sesikole kumele sibambe ukhetho lokuchibiyela ngokulandela izinqubo ezibekwe kwizigaba zomthetho 9 no 14.

(3) Isikhulu sokhetho sesikole kumele sihlele umhlangano wokhetho ezinsukwini ezingama-90 kuvele leso sikhala somsebenzi futhi ngenkathi kusalindwe ukhetho lokuchibiyela isigungu esilawulayo singengeza amalungu.

(4)(a) Uma isikhala somsebenzi sivela ngenxa yokushiya kwelungu sekusele ngaphansi   kwezinyanga   eziyisithupha kuphele isikhathi sokuba sesikhundleni kwesigungu esilawulayo, amalungu asele kumele engeze, ngevoti leningi, umuntu noma abantu abazogcwalisa isikhala noma izikhala kuleso sikhathi esisasele sokusebenza kwesigungu esilawulayo; futhi

(b) Abazali, othisha, abangesibona othisha kanye nabafundi kumele benze izincomo ngamagama abantu okungenani abathathu abafanelekile abangakwazi ukwengezwa esigungwini esilawulayo futhi isigungu esilawulayo kumele sengeze kulawo magama anconyiwe.

(5) Ilungu elengeziwe okukhulunywe ngalo kwizigatshana zomthetho (3) no (4) liqhubeka emalungelweni elungu elishiyayo okuvota, uma ekhona.

Ukuhlakazwa kwesigungu esilawulayo

20.(1) ILungu loMkhandlu oPhethe lingahlakaza isigungu esilawulayo ngesaziso kwiGazethi yesiFundazwe uma –

    (a) isikole sivaliwe noma ingxenye yaso ihlakazwa;

    (b) kukhona ukushayisana okubucayi eliphathweni nasekulawulweni kwesikole;

    (c) sikweleta umdidiyeli wezikole noma isikole sihlukana noma okunye ukuhleleka kabusha kwezinsiza zesikole;

    (d) uma linombono wokuthi isigungu esilawulayo asisamele umphakathi okusungulwe kuwona isikole;

    (e) kukhishwe izwi lokungabethembi ubuholi (besiGungu esiLawula isiKole) abantu abangekho ngaphansi kwamaphesenti ayi-15 kubazali abasohlwini "abavoti" emhlanganweni wabazali.

(2) ILungu loMkhandlu oPhethe angeke lithathe izinyathelo ngokwesigaba (1) ngaphandle -

(a) uma libhalele amalungu esigungu isaziso senhloso yalo yokuhlakaza isigungu esilawulayo;

(b) linikeze amalungu ithuba lokwenza izethulo kulona ezinsukwini eziyishumi kusukela osukwini lwaleso saziso; futhi

(c) licubungulisise kahle lezo zethulo.

Ukudluliselwa kwaMandla

21. UNsumpa-Jikelele angadlulisela amandla anikezwe wona ngokwalesi saziso esikhulwini esiqashwe uMnyango.

EDWARD SENZO MCHUNU

iLungu loMkhandlu oPhethe esifundazweni saKwaZulu-Natali
elibhekele ezemfundo eyisisekelo

MEMBERSHIP OF GOVERNING BODIES FOR PUBLIC SCHOOLS FOR LEARNERS WITH SPECIAL NEEDS AND FOR CHILD AND YOUTH CARE CENTRES

District/School	Parents of learners	Educators at school, 2 (If five or more)	Non-educators include 2 (if five or more)	Learners attending 8 grade or higher (two learners)	Rep of sponsoring bodies, if applicable	Rep of organizations of parents with learners with special needs	Rep of organizations of disabled persons, if applicable	Disabled Persons if applicable	Experts in appropriate fields of special needs education.	Principal	Owner/Rep.of the owner if applicable	Total
Amajuba												
YWCA Special School	10	2	2	Nil	1	Nil	Nil	1	1	1	1	9+10=19
Bumbisizwe Special School	6	2	1	Nil	Nil	Nil	Nil	Nil	1	1	Nil	6+5=11
Vumisabelo Special School	6	2	2	Nil	Nil	Nil	Nil	Nil	Nil	1	Nil	6+5=11
Madadeni Special School	6	1	1	Nil	1	Nil	Nil	Nil	1	1	Nil	6+5=11
Tugela Provocation al School	6	2	2	Nil	Nil	Nil	Nil	Nil	Nil	1	Nil	6+5=11
Tugela High School	7	2	1	Nil	Nil	Nil	Nil	Nil	2	1	Nil	7+6=13

Empangeni												
Masisizane Lsen School	7	2	2	Nil	Nil	Nil	Nil	Nil	1	1	Nil	7+6=13
Sthandiwe Lsen	9	2	2	Nil	Nil	Nil	1	1	1	1	Nil	9+8=17
Vuleka School	10	2	2	2	Nil	1	Nil	Nil	1	1	Nil	10+9=19
Thuthukani Lsen School	8	2	2	Nil	Nil	Nil	Nil	Nil	2	1	Nil	8+7=15
Zululand Remedial School	7	2	2	Nil	Nil	Nil	Nil	Nil	1	1	Nil	7+6=13
ILEMBE												
Stanger Training Centre	8	2	2	Nil	1	Nil	Nil	Nil	1	1	Nil	8+7=15
Ethel Mthiyane Special School	7	2	2	Nil	Nil	Nil	Nil	Nil	1	1	Nil	7+6=13
Othukela												
Inkanyezi Training Centre	5	1	1	Nil	Nil	Nil	Nil	Nil	1	1	Nil	5+4=9
Mimosadale S.O.I	6	1	1	Nil	Nil	Nil	Nil	Nil	2	1	Nil	6+5=11

School												
KwaZamokuhle School	6	1	1	Nil	1	Nil	Nil	Nil	1	1	Nil	6+5=11
Pinetown										1		
Kwa-Thintwa School for the Deaf	12	2	2	2	1	Nil	1	Nil	1	1	1	11+12=23
Khalipha Special School	7	2	2	Nil	Nil	Nil	Nil	Nil	1	1	Nil	7+6=13
S. Dass School	8	2	2	Nil	1	Nil	Nil	NIL	1	1	Nil	8+7=15
Sunfield Home School	7	1	2	Nil	Nil	Nil	Nil	Nil	1	1	1	6+7=13
Golden Steps Schools	8	2	2	Nil	1	Nil	Nil	Nil	1	1	Nil	8+7=15
Ethembeni Special School	9	2	2	Nil	1	Nil	1	Nil	1	1	Nil	9+8=17
A.M Moola Special School	9	2	2	Nil	1	Nil	Nil	1	1	1	Nil	9+8=17
The Browns Special School	6	2	1	Nil	Nil	Nil	Nil	Nil	1	1	Nil	6+5=11
Fulton School	8	1	1	1	Nil	Nil	1	Nil	1	1	1	7+8=15

Ugu												
Schola Amoris	7	2	2	2	Nil	Nil	Nil	Ni	Nil	1	Nil	7+6=13
Harding Special School	6	2	2	2	Nil	Nil	Nil	Nil	NIL	Nil	Nil	6+5=11
St. Martin Special School	9	2	2	2	2	Nil	Nil	Nil	Nil	Nil	1	8+9=17
Umgungun dlovu												
Arthur Blaxall School for the blind	8	1	1	1	1	1	Nil	1	1	1	Nil	8+7=15
Newton High School	7	2	2	2	Nil	Nil	Nil	Nil	Nil	1	Nil	7+6=13
Peter Pan School	6	2	1	1	Nil	Nil	Nil	Nil	Nil	1	Nil	6+5=11
St. Chrstopher	7	2	1	1	Nil	Nil	Nil	Nil	Nil	2	Nil	7+6=13
Open Gate Special Schools	7	2	2	2	Nil	Nil	Nil	Nil	Nil	1	Nil	7+6=13
Ekukhanyen i Lsen School	7	2	2	2	Nil	Nil	Nil	Nil	Nil	1	Nil	7+6=13

School												
Entokozweni Training Centre	6	2	2	Nil	Nil	Nil	Nil	Nil	Nil	1	Nil	6+5=11
H.S Ebrahim School	8	2	2	Nil	Nil	Nil	Nil	Nil	1	1	1	7+8=15
Indaleni Deaf	11	2	2	2	Nil	1	Nil	1	1	1	Nil	11+10=21
Umlazi												
Inanda Special School	7	2	2	Nil	Nil	Nil	Nil	Nil	1	1	Nil	7+6=13
Umlazi												
Golden Hours School	7	2	2	Nil	Nil	Nil	Nil	Nil	1	1	Nil	7+6=13
Reunion School for Cerebral Palsied Children	9	2	2	Nil	1	Nil	1	Nil	1	1	Nil	9+8=17
Golden Gateway School	9	2	2	Nil	1	Nil	Nil	Nil	1	1	1	8+9=17
Durban School for the Hearing Impaired	10	2	2	1	1	Nil	1	Nil	1	1	Nil	10+9=19

School												
V.N Naik School For the Deaf	10	2	2	2	Nil	Nil	Nil	Nil	1	1	1	10+9=19
Kwavulindlebe School for the deaf	6	1	1	Nil	1	Nil	Nil	Nil	1	1	Nil	6+5=11
Day dawn Training Centre	6	2	1	Nil	Nil	Nil	Nil	Nil	1	1	Nil	6+5=11
Ekuthuleni Special School	8	2	2	Nil	Nil	1	Nil	Nil	1	1	Nil	8+7=15
The Kenmont School	8	1	2	Nil	1	Nil	1	Nil	1	1	Nil	8+7=15
Livingstone Primary School	9	4	2	Nil	Nil	Nil	Nil	Nil	1	1	Nil	9+8=17
West Park Elsen School	7	2	2	Nil	Nil	Nil	Nil	Nil	1	1	Nil	7+6=13
Mason Lincoln Special School	9	1	1	2	Nil	Nil	1	Nil	2	1	Nil	9+8=17
Khulangolwazi School	7	2	2	Nil	Nil	Nil	Nil	Nil	1	1	Nil	7+6=13
Ekuthuthukeni Special	7	2	1	1	Nil	Nil	Nil	Nil	1	1	Nil	7+6=13

School														
Open Air School	8	2	2	2	Nil	1	1	Nil	Nil	Nil	1	1	Nil	8+7=15
Ningizimu Special School	10	2	1	1	Nil	Nil	1	1	1	1	2	1	Nil	10+9=19
Damorosa Pre-Vocational School	9	2	2	2	2	Nil	Nil	Nil	Nil	Nil	1	1	Nil	9+8=17
R.P Moodley Special School	7	1	2	2	Nil	Nil	Nil	Nil	Nil	Nil	2	1	Nil	7+6=13
Umzinyathi														
Ukukhanya Ko-Msinga Special School	7	1	1	1	Nil	1	Nil	Nil	1	1	1	1	Nil	7+6=13
Sisonke														
Vulekani Special School	6	2	1	1	Nil	Nil	Nil	Nil	Nil	Nil	1	1	Nil	6+5=1
Obonjeni														
Intuthuko Special School	10	2	1	1	Nil	1	1	1	1	1	1	1	Nil	10+9=19

Khulani Special Schol	8	1	1	Nil	1	1	Nil	1	1	Nil	8+7=15
Bergsig LSEN	8	2	2	Nil	Nil	Nil	Nil	2	1	Nil	8+7=15
Bumbisizwe	8	2	2	Nil	Nil	1	1	Nil	1	Nil	8+7=15
School of Industry	12	2	2	Nil	Nil	Nil	Nil	6	1	Nil	11+12=23
Vryheid											
Inkanyiso Special School	11	2	2	Nil	1	1	1	1	1	Nil	11+10=21
Zamimpilo Elsen	8	2	2	Nil	1	Nil	1	2	1	Nil	9+8=17
Pro Nobis	7	1	2	Nil	Nil	Nil	Nil	2	1	Nil	6+7=13

LIDMAATSKAP VAN BEHEERLIGGAME VIR STAATSKOLE VIR LEERDERS MET SPESIALE BEHOEFTES EN VIR KINDER- EN JEUGSORGSENTRUMS

Distrik/ Skool	Ouers van leerders	Opvoe-ders by skool, 2 (Indien 5 of meer)	Nie-opvoeders plus 2 (indien 5 of meer)	Leerders in graad 8 of hoër (twee leerders)	Verteenwoor-digers van borge indien van toepassing	Verteen-Woordi-gers van organisa-sies van ouers met leerders met spesiale behoeftes	Verteen-woordigers van organisa-sies van gestremde persone, indien van toepassing	Gestremde persone indien van toepassing	Kundiges op toepaslike terreine van spesiale behoefte-onderrig	Skool-hoof	Eienaar / verteen-woordiger van die eienaar indien van toepassing	Totaal
Amajuba												
YWCA Special School	10	2	2	Geen	1	Geen	Geen	1	1	1	1	9+10=19
Bumbisizwe Special School	6	2	1	Geen	Geen	Geen	Geen	Geen	1	1	Geen	6+5=11
Vumisabelo Special School	6	2	2	Geen	Geen	Geen	Geen	Geen	Geen	1	Geen	6+5=11
Madadeni Special School	6	1	1	Geen	1	Geen	Geen	Geen	1	1	Geen	6+5=11
Tugela Prevocatio-nal School	6	2	2	Geen	Geen	Geen	Geen	Geen	Geen	1	Geen	6+5=11
Tugela High School	7	2	1	Geen	Geen	Geen	Geen	Geen	2	1	Geen	7+6=13
Empangeni												
Masisizane Lsen School	7	2	2	Geen	Geen	Geen	Geen	Geen	1	1	Geen	7+6=13

Sthandiwe Lsen	9	2	2	Geen	Geen	Geen	1	1	1	Geen	9+8=17
Vuleka School	10	2	2	2	Geen	1	Geen	1	1	Geen	10+9=19
Thuthukani Lsen School	8	2	2	Geen	Geen	Geen	Geen	2	1	Geen	8+7=15
Zululand Remedial School	7	2	2	Geen	Geen	Geen	Geen	1	1	Geen	7+6=13
ILEMBE											
Stanger Training Centre	8	2	2	Geen	1	Geen	Geen	1	1	Geen	8+7=15
Ethel Mthiyane Special School	7	2	2	Geen	Geen	Geen	Geen	1	1	Geen	7+6=13
Othukela											
Inkanyezi Training Centre	5	1	1	Geen	Geen	Geen	Geen	1	1	Geen	5+4=9
Mimosadale S.O.1	6	1	1	Geen	Geen	Geen	Geen	2	1	Geen	6+5=11
KwaZamokuhle School	6	1	1	Geen	1	1	Geen	1	1	Geen	6+5=11

Pinetown												
Kwa-Thintwa School for the Deaf	12	2	2	2	1	Geen	1	Geen	1	1	1	11+12=23
Khalipha Special School	7	2	2	Geen	Geen	Geen	Geen	Geen	1	1	Geen	7+6=13
S. Dass School	8	2	2	Geen	1	Geen	GEEN	1	1	1	Geen	8+7=15
Sunfield Home School	7	1	2	Geen	Geen	Geen	Geen	Geen	1	1	1	6+7=13
Golden Steps Scool	8	2	2	Geen	1	Geen	Geen	1	1	1	Geen	8+7=15
Ethembeni Special School	9	2	2	Geen	1	Geen	1	1	1	1	Geen	9+8=17
A.M Moola Special School	9	2	2	Geen	1	1	1	1	1	1	Geen	9+8=17
The Browns Special School	6	2	1	Geen	Geen	Geen	Geen	Geen	Geen	1	Geen	6+5=11
Fulton School	8	1	1	1	1	Geen	1	Geen	1	1	1	7+8=15
Ugu												
Schola Amoris	7	2	2	Geen	Ni	Geen	Geen	Geen	1	1	Geen	7+6=13

Harding Special School	6	2	2	Geen	Geen	Geen	Geen	GEEN	Geen	1	Geen	6+5=11
St. Martin Special School	9	2	2	2	Geen	Geen	Geen	Geen	Geen	1	1	8+9= 17
Umgungun dlovu												
Arthur Blaxall School for the blind	8	1	1	1	1	Geen	Geen	1	1	1	1	8+7=15
Newton High School	7	2	2	Geen	Geen	Geen	Geen	Geen	1	1	Geen	7+6=13
Peter Pan School	6	2	1	Geen	Geen	Geen	Geen	Geen	1	1	Geen	6+5=11
St. Christopher	7	2	1	Geen	Geen	Geen	Geen	Geen	2	1	Geen	7+6=13
Open Gate Special School	7	2	2	Geen	Geen	Geen	Geen	Geen	1	1	Geen	7+6=13
Ekukhanyeni Lsen School	7	2	2	Geen	Geen	Geen	Geen	Geen	1	1	Geen	7+6=13
Entokozweni Training Centre	6	2	2	Geen	Geen	Geen	Geen	Geen	Geen	1	Geen	6+5=11
H.S Ebrahim School	8	2	2	Geen	Geen	Geen	Geen	Geen	1	1	1	7+8=15
Indaleni Deaf	11	2	2	2	Geen	Geen	1	1	1	1	Geen	11+10=21

Umlazi											
Inanda Special School	7	2	2	Geen	2	Geen	Geen	Geen	1	1	Geen	7+6=13
Umlazi											
Golden Hours School	7	2	2	Geen	2	Geen	Geen	Geen	1	1	Geen	7+6=13
Reunion School for Cerebral Palsied Children	9	2	2	Geen	1	1	1	Geen	1	1	Geen	9+8=17
Golden Gateway School	9	2	2	Geen	1	1	Geen	Geen	1	1	1	8+9=17
Durban School for the Hearing Impaired	10	2	2	1	1	Geen	1	Geen	1	1	Geen	10+9=19
V.N Naik School For the Deaf	10	2	2	2	Geen	Geen	Geen	Geen	1	1	1	10+9=19
Kwavulindle be School for the Deaf	6	1	1	Geen	1	1	Geen	Geen	1	1	Geen	6+5=11
Day Dawn Training Centre	6	2	1	Geen	Geen	Geen	Geen	Geen	1	1	Geen	6+5=11
Ekuthuleni Special School	8	2	2	Geen	Geen	1	Geen	Geen	1	1	Geen	8+7=15

The Kenmont School	8	1	2	Geen	1	Geen	1	Geen	1	Geen	2	1	Geen	8+7=15
Livingstone Primary School	9	4	2	Geen	Geen	Geen	Geen	Geen	1	Geen	2	1	Geen	9+8=17
West Park Elsen School	7	2	2	Geen	Geen	Geen	Geen	Geen	1	Geen	2	1	Geen	7+6=13
Mason Lincoln Special School	9	1	1	2	Geen	1	Geen	1	2	Geen	1	1	Geen	9+8=17
Khulangolwazi School	7	2	2	Geen	Geen	Geen	Geen	Geen	1	Geen	2	1	Geen	7+6=13
Ekuthuthukeni Special School	7	2	1	1	Geen	Geen	Geen	Geen	1	Geen	1	1	Geen	7+6=13
Open Air School	8	2	2	Geen	1	Geen	Geen	Geen	1	Geen	1	1	Geen	8+7=15
Ningizimu Special School	10	2	1	Geen	Geen	1	1	1	2	1	2	1	Geen	10+9=19
Damorosa Pre-Vocational School	9	2	2	2	Geen	Geen	Geen	Geen	1	Geen	1	1	Geen	9+8=17
R.P Moodley Special School	7	1	2	Geen	Geen	Geen	Geen	Geen	2	Geen	2	1	Geen	7+6=13

Umzinyathi												
Ukukhanya Ko-Msinga Special School	7	1	1	Geen	1	Geen	Geen	1	1	1	Geen	7+6=13
Sisonke												
Vulekani Special School	6	2	1	Geen	Geen	Geen	Geen	Geen	1	1	Geen	6+5=1
Obonjeni												
Intuthuko Special School	10	2	1	Geen	1	1	1	1	1	1	Geen	10+9=19
Khulani Special School	8	1	1	Geen	1	1	1	Geen	1	1	Geen	8+7=15
Bergsig LSEN	8	2	2	Geen	Geen	Geen	Geen	Geen	2	1	Geen	8+7=15
Bumbisizwe	8	2	2	Geen	Geen	Geen	Geen	1	Geen	1	Geen	8+7=15
School of Industry	12	2	2	Geen	Geen	Geen	Geen	Geen	6	1	Geen	11+12=23
Vryheid												
Inkanyiso Special School	11	2	2	Geen	1	1	1	1	1	1	Geen	11+10=21

	Abazali babafundi	Othisha besikole, 2 (uma bebahlanu noma ngaphezulu)	Abangebona othisha aba-2 (uma bebahlanu noma ngaphezulu)	Abafundi abasebangeni nezi-8 noma ngaphezulu (ababili)	Omele imi gwamanda engabaxhasi, uma ikhona	Omele izinhlangano zabazali babafundi abanezidingo ezikhethekile	Omele izinhlangano zabakhubazekile uma zikhona	Abantu abakhubazekile uma bekhona	Ongoti emkhakheni ofanele wemfundo enezidingo ezikhethekile	Uthisha nhloko	Ummikazi/ Omele ummikazi uma ekhona	Isibalo esiphelele
Zamimpilo Elsen	8	2	2	Geen	Geen	1	Geen	1	2	1	Geen	9+8=17
Pro Nobis	7	1	2	Geen	Geen	Geen	Geen	Geen	2	1	Geen	6+7=13

UBULUNGU EZIGUNGWINI EZILAWULAYO ZEZIKOLE ZABAFUNDI ABANEZIDINGO EZIKHETHEKILE NEZIKHUNGO ZOKUNAKEKELA IZINGANE NENTSHA

Isifunda/ Isikole	Abazali babafundi	Othisha besikole, 2 (uma bebahlanu noma ngaphezulu)	Abangebona othisha aba-2 (uma bebahlanu noma ngaphezulu)	Abafundi abasebangeni nezi-8 noma ngaphezulu (ababili)	Omele imi gwamanda engabaxhasi, uma ikhona	Omele izinhlangano zabazali babafundi abanezidingo ezikhethekile	Omele izinhlangano zabakhubazekile uma zikhona	Abantu abakhubazekile uma bekhona	Ongoti emkhakheni ofanele wemfundo enezidingo ezikhethekile	Uthisha nhloko	Ummikazi/ Omele ummikazi uma ekhona	Isibalo esiphelele
Amajuba												
YWCA Special School	10	2	2	Nil	1	Nil	Nil	1	1	1	1	9+10=19
Bumbisizwe Special School	6	2	1	Nil	Nil	Nil	Nil	Nil	1	1	Nil	6+5=11
Vumisabelo Special School	6	2	2	Nil	Nil	Nil	Nil	Nil	Nil	1	Nil	6+5=11
Madadeni Special School	6	1	1	Nil	1	Nil	Nil	Nil	1	1	Nil	6+5=11

School												
Tugela Provocation al School	6	2	2	Nil	Nil	Nil	Nil	Nil	Nil	1	Nil	6+5=11
Tugela High School	7	2	1	Nil	Nil	Nil	Nil	Nil	2	1	Nil	7+6=13
Empangeni												
Masisizane Lsen School	7	2	2	Nil	Nil	Nil	Nil	Nil	1	1	Nil	7+6=13
Sthandiwe Lsen	9	2	2	Nil	Nil	Nil	1	1	1	1	Nil	9+8=17
Vuleka School	10	2	2	2	Nil	1	Nil	Nil	1	1	Nil	10+9=19
Thuthukani Lsen School	8	2	2	Nil	Nil	Nil	Nil	Nil	2	1	Nil	8+7=15
Zululand Remedial School	7	2	2	Nil	Nil	Nil	Nil	Nil	1	1	Nil	7+6=13
ILEMBE												
Stanger Training Centre	8	2	2	Nil	1	Nil	Nil	Nil	1	1	Nil	8+7=15
Ethel Mthiyane Special School	7	2	2	Nil	Nil	Nil	Nil	Nil	1	1	Nil	7+6=13

Othukela											
Inkanyezi Training Centre	5	1	1	Nil	Nil	Nil	Nil	Nil	1	1	Nil	5+4=9
Mimosadale S.O.1	6	1	1	Nil	Nil	Nil	Nil	Nil	2	1	Nil	6+5=11
KwaZamokuhle School	6	1	1	Nil	1	Nil	1	Nil	1	1	Nil	6+5=11
Pinetown										1		
Kwa-Thintwa School for the Deaf	12	2	2	2	1	Nil	1	Nil	1	1	1	11+12=23
Khalipha Special School	7	2	2	Nil	Nil	Nil	Nil	Nil	1	1	Nil	7+6=13
S. Dass School	8	2	2	Nil	1	Nil	Nil	NIL	1	1	Nil	8+7=15
Sunfield Home School	7	1	2	Nil	Nil	Nil	Nil	Nil	1	1	1	6+7=13
Golden Steps Schools	8	2	2	Nil	1	Nil	Nil	Nil	1	1	Nil	8+7=15
Ethembeni Special School	9	2	2	Nil	1	Nil	1	Nil	1	1	Nil	9+8=17

A.M Moola Special School	9	2	2	Nil	1	Nil	Nil	1	1	1	Nil	9+8=17
The Browns Special School	6	2	1	Nil	Nil	Nil	Nil	Nil	1	1	Nil	6+5=11
Fulton School	8	1	1	1	Nil	Nil	1	Nil	1	1	1	7+8=15
Ugu												
Schola Amoris	7	2	2	Nil	Nil	Nil	Ni	Nil	1	1	Nil	7+6=13
Harding Special School	6	2	2	Nil	Nil	Nil	Nil	NIL	Nil	1	Nil	6+5=11
St. Martin Special School	9	2	2	2	Nil	Nil	Nil	Nil	Nil	1	1	8+9= 17
Umgungun dlovu												
Arthur Blaxall School for the blind	8	1	1	1	1	Nil	1	1	1	1	Nil	8+7=15
Newton High School	7	2	2	Nil	Nil	Nil	Nil	Nil	1	1	Nil	7+6=13
Peter Pan School	6	2	1	Nil	Nil	Nil	Nil	Nil	1	1	Nil	6+5=11

St. Chrstopher	7	2	1	Nil	Nil	Nil	Nil	Nil	2	1	Nil	7+6=13
Open Gate Special Schools	7	2	2	Nil	Nil	Nil	Nil	Nil	1	1	Nil	7+6=13
Ekukhanyeni Lsen School	7	2	2	Nil	Nil	Nil	Nil	Nil	1	1	Nil	7+6=13
Entokozweni Training Centre	6	2	2	Nil	Nil	Nil	Nil	Nil	Nil	1	Nil	6+5=11
H.S Ebrahim School	8	2	2	Nil	Nil	Nil	Nil	Nil	1	1	1	7+8=15
Indaleni Deaf	11	2	2	2	1	1	1	Nil	1	1	Nil	11+10=21
Umlazi												
Inanda Special School	7	2	2	Nil	Nil	Nil	Nil	Nil	1	1	Nil	7+6=13
Umlazi												
Golden Hours School	7	2	2	Nil	Nil	Nil	Nil	Nil	1	1	Nil	7+6=13
Reunion School for Cerebral Palsied Children	9	2	2	Nil	1	1	1	Nil	1	1	Nil	9+8=17

School												
Golden Gateway School	9	2	2	Nil	1	Nil	Nil	Nil	1	1	1	8+9=17
Durban School for the Hearing Impaired	10	2	2	1	1	Nil	1	Nil	1	1	Nil	10+9=19
V.N Naik School For the Deaf	10	2	2	2	Nil	Nil	Nil	Nil	1	1	1	10+9=19
Kwavulindlebe School for the deaf	6	1	1	Nil	1	Nil	Nil	Nil	1	1	Nil	6+5=11
Day dawn Training Centre	6	2	1	Nil	Nil	Nil	Nil	Nil	1	1	Nil	6+5=11
Ekuthuleni Special School	8	2	2	Nil	Nil	1	Nil	Nil	1	1	Nil	8+7=15
The Kenmont School	8	1	2	Nil	1	Nil	1	Nil	1	1	Nil	8+7=15
Livingstone Primary School	9	4	2	Nil	Nil	Nil	Nil	Nil	1	1	Nil	9+8=17
West Park Elsen School	7	2	2	Nil	Nil	Nil	Nil	Nil	1	1	Nil	7+6=13
Mason Lincoln Special School	9	1	1	2	Nil	Nil	1	Nil	2	1	Nil	9+8=17

Khulangolwazi School	7	2	2	Nil	Nil	Nil	Nil	Nil	1	1	Nil	7+6=13
Ekuthuthukeni Special School	7	2	1	1	Nil	Nil	Nil	Nil	1	1	Nil	7+6=13
Open Air School	8	2	2	Nil	1	Nil	Nil	Nil	1	1	Nil	8+7=15
Ningizimu Special School	10	2	1	Nil	1	1	1	1	2	1	Nil	10+9=19
Damorosa Pre-Vocational School	9	2	2	2	Nil	Nil	Nil	Nil	1	1	Nil	9+8=17
R.P Moodley Special School	7	1	2	Nil	Nil	Nil	Nil	Nil	2	1	Nil	7+6=13
Umzinyathi												
Ukukhanya Ko-Msinga Special School	7	1	1	Nil	1	1	1	1	1	1	Nil	7+6=13
Sisonke												
Vulekani Special School	6	2	1	Nil	Nil	Nil	Nil	Nil	1	1	Nil	6+5=1
Obonjeni												

Intuthuko Special School	10	2	1	Nil	1	1	1	1	1	Nil	10+9=19
Khulani Special School	8	1	1	Nil	1	1	1	Nil	1	Nil	8+7=15
Bergsig LSEN	8	2	2	Nil	Nil	Nil	Nil	2	1	Nil	8+7=15
Bumbisizwe	8	2	2	Nil	1	1	1	Nil	1	Nil	8+7=15
School of Industry	12	2	2	Nil	Nil	Nil	Nil	6	1	Nil	11+12=23
Vryheid											
Inkanyiso Special School	11	2	2	Nil	1	1	1	1	1	Nil	11+10=21
Zamimpilo Elsen	8	2	2	Nil	1	Nil	1	2	1	Nil	9+8=17
Pro Nobis	7	1	2	Nil	Nil	Nil	Nil	2	1	Nil	6+7=13