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GOVERNMENT NOTICE


DEPARTMENT OF BASIC EDUCATION

No. 57

30 January 2015

**DEPARTMENT OF BASIC EDUCATION
NATIONAL EDUCATION POLICY ACT, 1996 (ACT NO 27 OF 1996)
NATIONAL POLICY FOR DETERMINING SCHOOL CALENDARS FOR PUBLIC
SCHOOLS IN SOUTH AFRICA**

I, Angelina Matsie Motshekga, Minister of Basic Education, after consultation with the Council of Education Ministers, hereby, in terms of section 3(4)(k) of the National Education Policy Act, 1996 (Act No. 27 of 1996), publish the National Policy for Determining School Calendars for Public Schools in South Africa set out in the Schedule.


ANGELINA MATSIE MOTSHEKGA, MP
MINISTER OF BASIC EDUCATION
DATE: 27-1-2015

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1. BACKGROUND

1.1 INTRODUCTION

In recent years, various stakeholders and the general public have made certain recommendations which have made it necessary to amend the policy that was published in 2000.

The school calendar for a particular year structures the total number of days allocated for teaching and learning in that year and stipulates the dates of commencement and termination of the school terms and the length of school holidays. Usually, the calendar is not exactly the same two years running. Although there are various general principles that guide the process of determining school calendars, a set of specifications is also needed to ensure consistency. This policy serves as that set of specifications.

1.2 LEGISLATIVE FRAMEWORK

1.2.1 The Bill of Rights, Chapter 2 of the Constitution of the Republic of South Africa, 1996

(a) Section 15:

"(1) Everyone has the right to freedom of conscience, religion, thought, belief and opinion.

(2) Religious observances may be conducted at state or state-aided institutions, provided that—

(a) those observances follow rules made by the appropriate public authorities,

(b) they are conducted on an equitable basis, and

(c) attendance at them is free and voluntary."

(b) Section 28:

"(2) A child's best interests are of paramount importance in every matter concerning the child."

(c) Section 29:

"(1) Everyone has the right-

(a) to a basic education ..."

1.2.2 South African Schools Act, of 1996 (Act No. 84 of 1996)

Section 21:

(1) Subject to this Act, a governing body may apply to the Head of Department in writing to be allocated any of the following functions:

"(b) to determine the extra-mural curriculum of the school and the choice of subject options in terms of provincial curriculum policy";

"(e) other functions consistent with this Act and any applicable provincial law."

2. PURPOSE AND SCOPE OF THE POLICY

The purpose of the policy is to regulate how the Department must determine school calendars for public schools in South Africa.

The policy, read with section 2 of the Public Holidays Act, 1994 (Act No. 36 of 1994), applies uniformly in all provincial education departments and at all public schools.

3. DEFINITIONS

In this policy, unless the context indicates otherwise:-

"cluster" means a group of provinces that are similar in regard to geographic situation and that conform to the same calendar for purposes of school calendar design;

"Committee" means the Heads of Education Departments Committee established by the National Education Policy Act, 1996 (Act No. 27 of 1996);

"Council" means the Council of Education Ministers established by the National Education Policy Act, 1996 (Act No. 27 of 1996);

"Department" means Department of Basic Education;

"Head of Department" means the head of a provincial education department;

"Minister" means the Minister of Basic Education;

"school calendar" means the annual plan that determines the total number of school days and holidays in a school year, taking into consideration the dictates of the national calendar, the Public Holidays Act, 1994 (Act No. 36 of 1994), and the regulations published in terms of that Act;

"school day" means a day on which, for a specific number of hours, learners have to be at school;

"school governing body" means a governing body as defined in section 1 of the South African Schools Act, 1996 (Act No. 84 of 1996);

"school holiday" means time allowing learners and educators to recuperate and to engage in education-related activities such as conferences, the professional development of educators, arts and culture, sport and national music competitions;

"school term" means the basic subunit of time into which the school year is subdivided, and in the four-term system, this amounts to approximately 55 school days;

"school year" means an academic year consisting of a specific number of calendar days;

"staggering" refers to the planning technique according to which the school terms in the two clusters start and end on different dates, the difference being at least one school day and at most five school days;

"stakeholder" means an organisation or body with a direct and continuing interest in the education institution, programme, phase or sector in question;

"Subcommittee" means the Heads of Education Departments Subcommittee on School Calendars.

4. PRINCIPLES THAT MUST BE TAKEN INTO ACCOUNT WHEN DETERMINING THE SCHOOL CALENDAR

4.1 Education requirements

Teaching and learning must be the underpinning imperative in the determination of the school calendar. Stakeholders' interests may not carry more weight than the need to deliver on teaching and learning in the best interest of the learners at all schools.

4.2 Transport and travel infrastructure

Seeing that the timing of school holidays could have an effect on traffic flow, which, in turn, has potential road safety implications, the Department should plan the school calendar in a way that will assist in minimising traffic flow relating to school holidays.

4.3 Consistency of school holiday schedule

The school holiday schedule of each cluster must be kept reasonably constant to make short- to medium-term planning easier – not only for those directly involved in education, but also for those indirectly involved, such as the tourism industry, members of the public, the private sector, the road traffic authorities, parents and learners.

4.4 Planning in advance

The calendar for a particular year must be available at least 18 months in advance.

4.5 Consultation and participation

4.5.1 Wide consultation must take place with stakeholders and role-players at district, provincial and national level, as well as with the organised teaching profession and other stakeholders.

4.5.2 The Department requires the provincial education departments to ensure that they are represented at all meetings of the Subcommittee.

4.6 Invitation to the public to comment on the proposed calendar

The public must, by means of notices in the *Government Gazette* and newspapers, be invited to submit comments on the calendar that is being planned and should be given at least one month to submit comments.

5. SPECIFICATIONS ACCORDING TO WHICH THE SCHOOL CALENDAR MUST BE DETERMINED AND ALLOCATION OF TIME IN THE CALENDAR

5.1 Required number of school days per year

5.1.1 The calendar must provide for approximately 200 school days a year, as this is the optimum number of days for the completion of the education programme.

5.1.2 The number of school days must be the same in all provinces.

5.2 Number of school terms

The school calendar for all public schools in South Africa consists of four terms.

5.3 Length of terms

5.3.1 School terms must consist of no more than 60 and no fewer than 43 school days.

5.3.2 The length of terms may vary.

5.3.3 For educational reasons, it is desirable that the third term should be longer than the fourth term.

5.3.4 In the first term –

- (a) inland provinces must open during the second week of January; and
- (b) coastal provinces must open during the third week of January.

5.3.5 The fourth term must end during the second week of December. For learners, the last school day must be a Wednesday, while the last work day for educators must be the Friday of the same week.

5.4 Duration of school holidays

School holidays must provide learners and educators with sufficient opportunity to rest. At the same time, holidays must not be so long as to adversely affect learning retention.

5.4.1 Holiday at end of first term (usually, in April; also referred to as the "Easter Holidays")

Coastal provinces: one week

Inland provinces: two weeks

5.4.2 Holiday at end of second term (June—July)

Coastal provinces: three weeks

Inland provinces: three weeks

5.4.3 Holiday at end of third term (usually, in October)

Coastal provinces: one week

Inland provinces: one week

5.4.4 Holiday at end of fourth term (December—January)

Coastal provinces: five weeks

Inland provinces: four weeks

5.5 Days for administration and planning

At the beginning of the year, educators must start work two days before the learners start school to finalise preparations for that school year. Similarly, at the end of the year, educators must stay on two days after the learners have left in order to complete administrative tasks and planning for the following school year.

5.6 Religious holidays

5.6.1 In regard to religious commemorations not provided for in schedule 1 of the Public Holidays Act, the principal of a school may exercise the right to recommend to the Head of Department that the school should close for religious commemorations of a particular faith, but only where the majority of learners are members of that particular faith.

5.6.2 Closure of schools for religious observance in terms of point 5.6.1 is subject to the following conditions:

- (a) A school may not close for religious observance on more than two days a year.
- (b) School governing bodies must decide very carefully how to use the two days a year allocated for religious observance.
- (c) The principal's recommendation referred to in point 5.6.1 must give details with respect to the size (in percentage and numbers) of the religious majority in the school and the name(s) and date(s) of the religious commemoration(s) in question (for instance, Purim, or Diwali, or Eid).
- (d) Individual schools that close on religious grounds in terms of point 5.6.1 must ensure that the learners do not fall behind in their work as a result of the closure.

- 5.6.3 (a) In regard to minority religious groups within a school community, the Constitution provides that they may not be disadvantaged or discriminated against in any way. To give effect to this constitutional prescript, members of world views or religions that form a minority of learners at a school may be given permission to take two recognised religious days off from school.
- (b) In the case of learners of minority religious groups who do not attend school on such day(s), the entry in the register should clearly indicate that the learner is absent for religious reasons and that such absence is condoned.
- (c) Learners referred to in points (a) and (b) should not be academically disadvantaged as a result of their absence. For example, assessments such as examinations or tests must not be administered on days on which such learners are absent.
- (d) To enable the school to plan adequately in regard to point (c), the parents or guardians of learners belonging to minority religious groups who intend to keep their children out of school for one or two days must, within the first 10 days of a year, or on the arrival of such learners at a new school, inform the principal in writing of their intention to keep their children out of school on such days for religious observance.

5.7 Sporting and cultural days

- 5.7.1 A maximum of two school days a year may be allocated to schools for the purpose of sporting and cultural activities.
- 5.7.2 The school governing body must decide very carefully how to use the two days a year.
- 5.7.3 The principal of a school must make a recommendation to the Head of Department to utilise such days for school-related sporting and cultural events. In regard to each school, district offices must keep records, to be sent to the relevant provincial education department once a year, which include –
- (a) the number of applications submitted for such days;
 - (b) the reasons given for the applications; and
 - (c) the number of applications granted.

6. CLUSTERS AND STAGGERING

6.1 Determination of clusters

- 6.1.1 The nine provinces are divided into the following two clusters:
- (a) Inland provinces: Free State, Gauteng, Limpopo, Mpumalanga and North West.
 - (b) Coastal provinces: Eastern Cape, KwaZulu-Natal, Northern Cape and Western Cape.

6.1.2 When the school calendar is planned, different dates must be allocated to the two clusters. However, a common calendar may be considered under exceptional circumstances, to be determined by the Minister.

6.2 Staggered closing and opening times

- 6.2.1 In the first term, the schools in the two clusters must open and close on different dates. This means, taking account of point 6.3.2, that, except in very unusual circumstances, one cluster must start on

the Wednesday a week after the other cluster.

6.2.2 As mentioned in point 4.2, the structure of the school calendar must take account of traffic flow. In particular, the aim is to allocate different dates to the two clusters in the first term so that traffic density before the opening of schools for the new school year is kept within acceptable levels.

6.2.3 School terms for learners must not begin on a Monday, as starting a term on a Monday leads to high traffic flow on the preceding Sunday and leaves insufficient time for school hostel staff to prepare for the return of learners.

6.3 Criteria for the scheduling of school terms

6.3.1 Opening of schools in January

The inland schools must open during the second week of January, while coastal schools must open during the third week of January.

All possible steps must be taken to avoid a late start of the school year – that is, in the fourth week of January – as this pushes back all the terms.

6.3.2 First day of the school year

In January, the school term must start on a Wednesday to reduce traffic flow on the last Sunday of the school holidays (as mentioned in points 4.2 and 6.2.2). Educators must report for work two days before the learners – that is, on the Monday before the learners start – to finalise preparations for the new academic year.

6.3.3 Last day of the school year

The fourth school term must end during the second week of December. For learners, the last school day must be a Wednesday, while the last work day for educators must be the Friday of the same week.

6.4 Scheduling of school terms with reference to public holidays

6.4.1 Easter holidays

Although the dates of the Easter weekend differ from year to year, every effort must be made, where possible, to have the Easter weekend fall within the school holiday in order to prevent disruption of the teaching and learning programme.

6.4.2 Scheduling dates of school holidays in relation to public holidays

If a long weekend begins on a public holiday that falls on a Friday, and such weekend coincides with the beginning of the school holidays, schools must close on the Wednesday and not on the Thursday. If a public holiday falls on the first Monday of the school holidays, schools must close on the previous Thursday and not on the Friday.

6.4.3 Scheduling dates of school terms in relation to public holidays

When the calendar is planned, every effort must be made to ensure that there is no public holiday during the first or last week of a school term. Public holidays that occur during the first or last week of a school term disrupt the academic work of the school.

6.4.4 Public holidays falling on Tuesdays or Thursdays

Where a public holiday falls on a Tuesday or a Thursday, the Monday before or the Friday after the public holiday must be declared a school holiday.

6.4.5 Public holidays in April

If it happens that, owing to public and school holidays in April, a week has only two school days, those two days must be declared school holidays to avoid disruption of the teaching and learning programme.

7. Additional factors to be taken into account

7.1 Climate

Although this point does not strictly belong in a policy dealing with the determination of the calendar, seeing that weather conditions cannot be predicted in the same way as public holidays are known in advance, it was deemed necessary to mention it here.

There are times at which, and regions in which, extreme climatic conditions occur that can make school attendance unproductive, uncomfortable, and even possibly injurious to health. One example is the high heat and humidity that are a seasonal feature of tropical coastal regions such as along the KwaZulu-Natal seaboard.

The principal of a school located in areas where high heat and humidity conditions occur must be aware of the conditions that can put learners at risk and must know in what circumstances, and on what basis, he or she can decide to apply to the Head of Department for permission for closing his or her school.

7.2 Discretion of the Head of Department

Owing to their unique needs, certain types of schools, such as schools for learners with special education needs, may require calendar arrangements that differ slightly from those of the majority of public schools. In such cases, the Head of Department has the discretion to approve a different calendar.

8. Time frame, process, and steps to be taken for determining the school calendar

8.1 The process of developing the school calendar for a particular year must start three years in advance.

8.2 Steps to be taken

8.2.1 The Department develops a draft calendar and sends it to the provincial education departments and stakeholders for comments.

8.2.2 The Subcommittee meets to consider the comments received from the provincial education departments and stakeholders.

8.2.3 The proposed calendar is submitted to the Minister, who publishes it and invites public comments.

8.2.4 The Subcommittee meets to consider the comments received from the public.

8.2.5 The proposed calendar is submitted to the Committee for consideration and recommendation to the Council (date of such submission to be guided by the Committee's meeting dates).

8.2.6 The proposed calendar is submitted to the Council for consideration and adoption, and for the Minister's approval.

8.2.7 Finally, the Minister publishes the approved calendar in the *Government Gazette* and newspapers.

9. Repeal of General Notice 207 of 1 March 2000

- 9.1 The National Policy for Designing School Calendars for Ordinary Public Schools in South Africa published under Government Notice No. 207 in *Government Gazette* No. 20945 of 1 March 2000 is hereby repealed.
- 9.2 Notwithstanding the repeal of the National Policy referred to under 9.1, the school calendars developed in terms of the said National Policy will continue to be implemented as if the said National Policy had not been repealed.
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