**MEDIA STATEMENT**

**BASIC EDUCATION PORTFOLIO COMMITTEE HEARS ROUND THREE OF ORAL SUBMISSIONS ON BASIC EDUCATION LAWS BILL**

**Parliament, Wednesday, 23 November 2022 –** The Portfolio Committee on Basic Education completed round three of its public participation process, which included eight further oral submissions, on the Basic Education Laws Amendment (BELA) Bill.

The committee yesterday heard from eight organisations and stakeholders wanting to contribute to the legislation. These organisations included the Governing Body Foundation (GBF), Solidariteit, the Southern African Alcohol Policy Alliance (SAAPA), LearnFree, the Congress of South African Schools (COSAS) and South Africa Learners Command.

Committee Chairperson Ms Bongiwe Mbinqo-Gigaba said this round of oral submissions was informative and gave the committee food for thought. “We appreciate that stakeholders are passionate and it was clear from the input and contributions we heard today during round three. We believe it’s important to give a voice to all stakeholders and organisations. This is part of our constitutional mandate.”

The Bill proposes to amend the South African Schools Act (SASA) of 1996, and the Employment of Educators Act of 1998, to align them with developments in the education landscape and to ensure that systems of learning are put in place in a manner that gives effect to the right to basic education, as enshrined in section 29(1) of the Constitution.

Amongst other things, the Bill seeks to amend certain definitions, to provide that attendance in Grade R is compulsory and to provide for system improvements in the public schools admissions process. It also provides for financial and public accountability frameworks for governing bodies and provincial departments. In addition, the Bill gives the Minister additional regulatory powers and enhances the decision-making and oversight powers of heads of departments and members of executive councils.

The Bill further proposes technical and substantive adjustments, clarifies certain existing provisions, inserts provisions not provided for in existing legislation, and strengthens enforcement mechanisms for offences and penalties.
The GBF said in its presentation that it accepted, albeit reluctantly and with some reservations, that final authority for admissions is given to the Head of Department of the Provincial Education Department after consultation with the school governing body (SGB) and after following prescribed processes for language changes. The GBF rejected the amendment relating to the disclosure of financial interests, adding that existing provisions can be used to prevent corruption. GBF believes the requirement for recusal on grounds of conflict of interest can be used. It supported the inclusion of Grade R in “basic education”, but said this amendment cannot be passed until Grade R is fully funded and resourced.

Solidariteit told the committee that the amendments are an attack on functional schools, especially schools within the Afrikaans community, which they claim are being successfully governed by SGBs. As provincial education departments have not been able to provide for the needs of various communities nor for the needs of children seeking education, Solidaritiet wonders why the solution for their inadequacy is not for them to start performing their duties as set out in the SASA, but rather to centralise schools and to usurp the rights of communities with functional schools.

The SAAPA raised concerns regarding the sale and consumption of alcohol at functions outside of school hours. SAAPA said in South Africa, a 2011 national survey of learners in Grades 8 to 11 found that 37% of boy and 28% of girl learners reported drinking in the past 30 days, with an alarming 30% of boy and 20% of girl learners reporting binge drinking during the same period. The direct and indirect consequences of drinking among children and adolescents include rape, interpersonal violence, absenteeism, school failure, unwanted pregnancies, sexually transmitted infections, HIV and foetal alcohol spectrum disorders. It, therefore, wants the amendment removed completely from the Bill.

COSAS told the committee that the maturity levels of learners entering Grade R should be considered, as it may disadvantage younger learners to be placed with learners with a higher maturity level. COSAS further told the committee that it noted that many schools are denying learners access through their admission policy. COSAS also did not support the proposed amendment for the sale of alcohol at schools.

The committee heard the call for lifestyle audits of SGB members and school management teams, including principals. The South African Learners Command said some senior school management enjoy lifestyles above what they “legally earn” and this should be interrogated. They further welcomed the amendment to provide for the compulsory attendance of school to begin from Grade R. The organisation said they believed this will provide for an improvement in learner performance in higher grades, as learners will begin their education on an equal footing.

Ms Mbinqo-Gigaba said the committee will consider all stakeholder contributions during its deliberations. The committee will resume next week on Tuesday to hear more oral submissions.

**ISSUED BY THE PARLIAMENTARY COMMUNICATION SERVICES ON BEHALF OF THE CHAIRPERSON OF THE PORTFOLIO COMMITTEE ON BASIC EDUCATION, MS BONGIWE MBINQO-GIGABA.**

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