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higher education  
& training

Department:  
Higher Education  
REPUBLIC OF SOUTH AFRICA

## **ADULT EDUCATION**

DG PRESENTATION TO  
PORTFOLIO COMMITTEE

8<sup>th</sup> September, 2010

## **LEGISLATIVE FRAMEWORK**

### **LEGAL RESPONSIBILITIES OF THE MINISTER OF HIGHER EDUCATION AND TRAINING**

- Presidential Proclamations (PP 44 of 2009, PP 48 of 2009 and PP 56 of 2009) were promulgated in which the administration, powers and functions entrusted by the national legislation applicable to education and training were transferred from the Minister of Education and the Minister of Labour to the Minister of Higher Education and Training.

### **EDUCATION LEGISLATION ASSIGNED TO MINISTER OF HIGHER EDUCATION AND TRAINING**

- In terms of Proclamation 44 of 1 July 2009 and section 97 of the Constitution, the administration and powers and functions of the following legislation were transferred to the Minister of Higher Education and Training:
  - National Education Policy Act, 1996 (Act 27 of 1996)
  - Higher Education Act, 1997 (Act 101 of 1997)
  - Employment of Educators Act, 1998 (Act 76 of 1998)
  - National Student Financial Aid Scheme Act, 1999 (Act No. 56 of 1999)

- South African Council for Educators Act, 2000 (Act No. 31 of 2000)
- Adult Basic Education and Training Act, 2000 (Act No. 52 of 2000)
- General and Further Education and Training Quality Assurance Act, 2001 (Act No. 58 of 2001)
- Further Education and Training Colleges Act, 2006 (Act No. 16 of 2006)
- National Qualifications Framework Act, 2008 (Act No. 67 of 2008).

**MINISTER OF HET HAS EXCLUSIVE ADMINISTRATIVE AUTHORITY FOR:**

- Higher Education Act, 1997 (Act No. 101 of 1997)
- National Student Financial Aid Scheme Act, 1999 (Act No. 56 of 1999)
- Adult Basic Education and Training Act, 2000 (Act No. 52 of 2000)
- Further Education and Training Colleges Act, 2006 (Act No. 16 of 2006)
- National Qualifications Framework Act, 2008 (Act No. 67 of 2008).

### **MINISTER OF HET HAS ADMINISTRATIVE AUTHORITY FOR SPECIFIC SECTIONS OF:**

- For ABET centres, specific sections of the following legislation have been transferred to the Minister of Higher Education and Training:
  - National Education Policy Act, 1996 (Act No. 27 of 1996)
  - General and Further Education and Training Quality Assurance Act, 2001 (Act No. 58 of 2001)
  - Employment of Educators Act, 1998 (Act No. 76 of 1998)
  - South African Council for Educators Act, 2000 (Act No. 31 of 2000).

### **DEFINITIONS**

In this Act, unless the context indicates otherwise—

- (i) “adult” means a person who is sixteen years or older;
- (ii) “adult basic education and training” means all learning and training programmed for adults from level 1 to 4 where level 4 is equivalent to—
  - (a) grade 9 in public schools: or
  - (b) national qualifications framework level 1 as contemplated in the South African Qualifications Authority Act, 1995 (Act No. 58 of 1995);

## **CONSTITUTION: Education**

**29(1)** Everyone has the right-

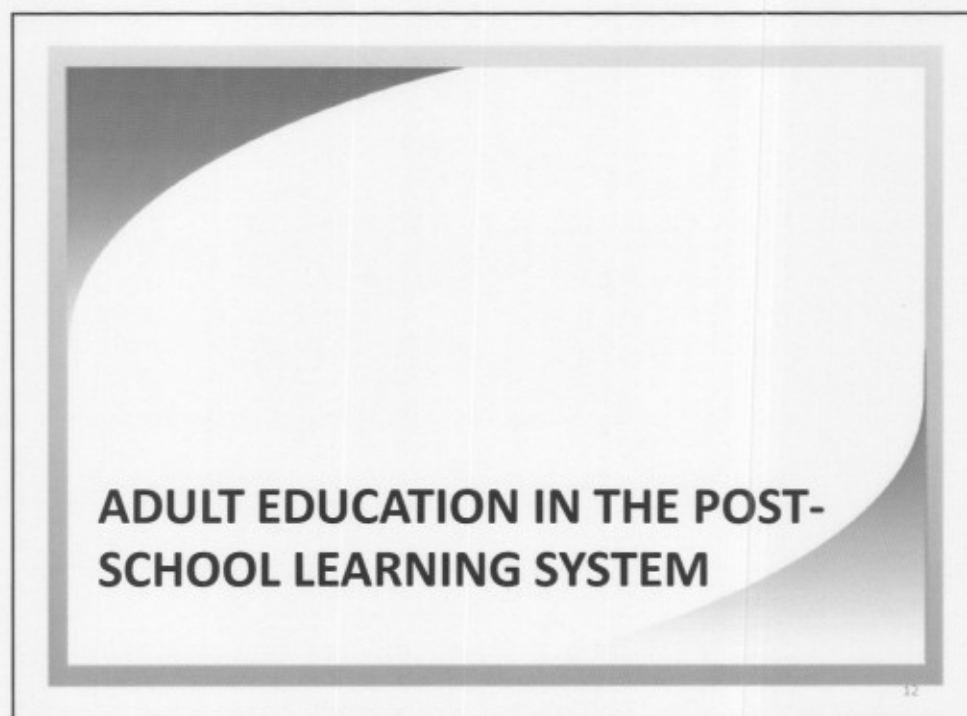
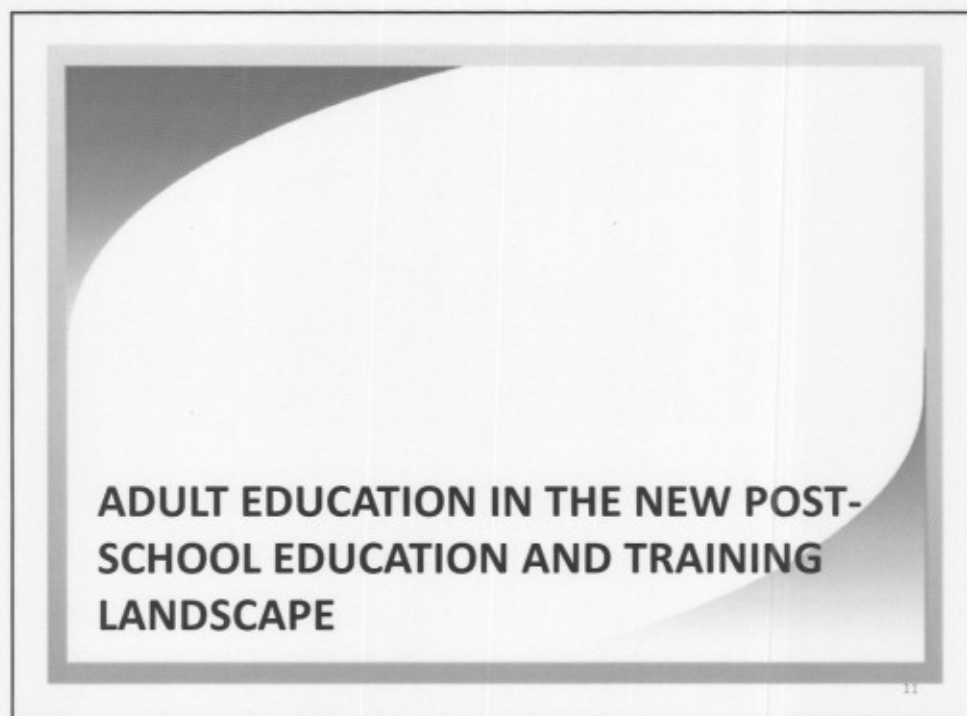
*(a) to a basic education, including adult basic education; and*

*(b) to further education, which the state, through reasonable measures, must make progressively available and accessible.*

## **MAJOR CHALLENGES REMAIN**

- ABET Act still a concurrent function
- Constitutional amendment proposed





## Who are the adult learners?

- The post-school education and training system must respond the needs of all youth and adults - a diverse group
- How to define the focus of the historic ABET movement?
  - ABET: Basic “Kha ri Gude”– in DBE
  - ABET: in DHET: Adults who do have not been provided with the educational base to access education and training opportunities to pursue their goals

13

LEGAL DEFINITIONS

**WHO ARE THE ADULT LEARNERS?**

14

- Section 28(3) of the Constitution defines a child to be under the age of 18 years old.
- Children in the age group 6 to 15 years are compelled to be in school and receive general education during that age cohort, according to the SA Schools Act.
- Youth is a concept that as yet is not defined in education laws.
- "Adult" is defined in ABET Act as a person older than 16 years.
- The definition of adult may be amended to read "'adult' that means any person who is not compelled to attend a school ito SA Schools Act and who intends or is admitted to a public or registered private education institution other than a school is deemed to be an adult in terms of this Act".

15

### **Miller (M&G Learning for All, July 23)**

- "there remains a group of adult learners (largely rural and largely over the age of 40) who want basic reading and writing skills to empower themselves to read government notices, newspapers and the Bible.
- "A second group (younger and more urban) want to repeat a matric type of exam that will enable them to enter institutions of higher learning where the schooling system failed them.
- "A third group (also younger and hungrier) want a rapid-learning programme in English and maths that will allow access to trades, learnerships and the world of work."

16



## **SOME PRINCIPLES OF PSETS**

- A single post-school education and training system structured for youth and adults which responds to:
  - the requirements of the economy,
  - development challenges, including rural
  - the need to develop an informed and critical citizenry
- Maximum cooperation amongst the components of the learning delivery system :
  - Colleges
  - Universities
  - PALC
  - Workplaces and work training centres
- Increased access and success

17

## **SOME PRINCIPLES OF PSETS (2)**

- A diverse and differentiated institutional base that functions as an integrated whole with meaningful learning pathways across institutional and workplace education and training forms
- Effective coordination between the SETA system and education and training institutions, particularly FET Colleges and Universities of Technology

18

1. HRDSA

2. NSDSIII

**WHAT COMMITMENTS HAVE BEEN MADE?**

19

**HRDSA**

- **COMMITMENT FOUR: We will urgently implement skills development programmes that are purposefully aimed at equipping recipients/citizens with requisite skills to overcome related scourges of poverty and unemployment.**
- Strategic Priority 4.1: To ensure that unemployed adults, especially women, have access to skills development programmes, which are explicitly designed to promote employment and income-promoting outcomes.
- Strategic Priority 4.2: To ensure that all unemployed adults have access to training opportunities in literacy and ABET.

20

## HRDSA

- **COMMITMENT FIVE: We will ensure that young people have access to education and training that enhances opportunities and increases their chances of success in further vocational training and sustainable employment.**
- Strategic Priority 5.1: To accelerate the implementation of training programmes for the youth that are focused on employment creation.
- Strategic Priority 5.2: To leverage public and private sector programmes to create employment opportunities and work experience for new entrants into the labour market.

21

## NSDSIII (DRAFT FRAMEWORK)

- ***Raising the base***
  - These are programmes which make it possible for adults and youth to have access to education and training opportunities that will enable them to acquire a minimum qualification at Level 4 of the NQF. Foundational Learning Programmes as well as Adult Education and Training Programmes fall under this heading.
  - They are broadly envisaged to fill in the learning gaps left by an incomplete or inadequate schooling and to enable learners to enrol on other programmes leading to occupational success.

22

## **NSDSIII**

- Success indicators:
  - Where sectoral or national programmes specify an entry requirement of NQF Level 4 or above, these programmes must be complimented by the provision of either Adult Education and Training or Foundational Learning Programmes which enable those who do not meet these requirements to have the opportunity of doing so. Number of learners assisted to access further learning to be counted against programmes entered.

## **AMENDMENT OF THE ADULT EDUCATION AND TRAINING AS CONTAINED IN THE HIGHER EDUCATION AND TRAINING LAWS AMENDMENT BILL**

## Adult Learning Network

- The main comment relates to the amendment of the Adult Education and Training as contained in the Higher Education and Training Laws Amendment Bill which refer to national qualifications on level 1 of the NQF.
- The commentator wants an extended scope of qualifications to include levels 2 – 4.
- This amendment would have policy implications as the main focus and capacity to deliver qualifications to adult centres are mainly within level 1 of the NQF.
- Adult education centres already struggle with capacity to deliver qualifications on post level 1 (general education)

25

## Adult Education in the NQF

- The mandate to deliver further education and training levels 2 – 4 on the NQF, is with the FET colleges and a qualification within the Trades and Occupations sub-framework is provided by providers accredited by the QCTO covers levels 1 – 10 on the NQF.
- This flexibility with trade and occupational qualifications addresses the concerns of the commentators that adult education should be work orientated.

26



## DEFINITION OF AN EDUCATOR

- Educator as reflected in the draft Bill is a definition that is currently in place in both the ABET Act and the Employment of Educator's Act. The definition of the ABET Act is slightly amended to reflect that the employment relates to public educators.
- The concern that educators should not have an extended meaning to include a person that provides professional education services and therefore not an educator in the true sense must be evaluated against the framework of the extended definition within which people are currently employed in the system.
- The requirement that an educator must be registered with SACE is still applicable and the criteria used for the professional recognition of a person to be an educator is dealt with in terms of that Act and the policies of SACE.