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H.P. STOFFELS



PROVINSIALE ADMINISTRASIE WES-KAAP
Onderwysdepartement
PROVINCIAL ADMINISTRATION WESTERN CAPE
Education Department
ULAWULO LWEPHONDO LENTSIHONA KOLONI
ISEbe leMfundo

CIRCULAR 0096/99

TO:

CHIEF DIRECTORS, DIRECTORS AND DEPUTY DIRECTORS AT HEAD OFFICE AND
AREA AND CIRCUIT MANAGERS


CLOSURE OF SCHOOLS

1. In terms of section 33(2)(a), (b), (c) and (d) of the South African Schools Act, 1996 (Act No. 84 of 1996), the Member of the Provincial Cabinet (Member of the Executive Council) may not close a public school, unless he or she has –
 - (a) informed the governing body of the school of his or her intention so to act and his or her reasons therefor;
 - (b) granted the governing body of the school a reasonable opportunity to make representations to him or her in relation to such action;
 - (c) conducted a public hearing on reasonable notice, to enable the community to make representations to him or her in relation to such actions; and
 - (d) given due consideration to any such representations received."
2. In order to execute the stipulations of the aforementioned legislation, the area manager must make the following arrangements with regard to the conducting of public hearings:
 - 2.1 The date, time and place of such public hearing must be carefully determined and planned before the time in such a manner that all the interested parties have the opportunity to attend it. (It is suggested that the hearing be arranged for e.g. 19:00 – 20:00, and if nobody turns up within this period, the hearing will close at 20:10 and must be noted in the minutes and reported accordingly).
 - 2.2 If an application for the closing of a school is received or if the area manager, in consultation with the circuit manager, is of the opinion that the school should close, the public hearing must be held within 14 days of such an application or decision. Such hearing must take place at the school concerned, or if this is not possible, as close to the school as possible.

MELD ASSIEBLIEF VERWYSINGSNOMMERS IN ALLE KORRESPONDENSIE. / PLEASE QUOTE REFERENCE NUMBERS IN ALL CORRESPONDENCE.

- 2.3 The governing body must be notified in writing of the intention to close the school (See Annexure A). The governing body must be requested to discuss the issue surrounding the closure of the school at a governing body meeting and a full account of the discussion must be minuted.
- 2.4 Notices of the public hearings may be given in various manners. However, care should be taken that this is done as economically as possible. The following example is suggested:
- (i) Short letters of notification must be given to the owner of the school building, the principal and the chairperson of the governing body (See Annexure B).
 - (ii) The principal must be requested to notify the parents and learners by means of a short letter of notification.
 - (iii) The principal must notify all other personnel at the school.
 - (iv) Notices may also be displayed at the area offices, schools and other public places (See Annexure C).
 - (v) All notices must clearly indicate the date, time and place of such public hearings.
- 2.5 Area managers/circuit managers must act as presiding officers during the hearing.
3. During the hearing:-
- (i) no debating will be allowed.
 - (ii) the presiding officer will only listen to inputs and note it in the minutes.
 - (iii) participants must be encouraged to submit their contributions/objections in writing.
4. After the hearing, the circuit manager must compile a report and submit it to the area manager within seven (7) days. (All written inputs and submissions, including the minutes of the meeting of the governing body mentioned in paragraph 2.3, must accompany the report).
5. When applications for the closure of schools are submitted to Head Office, the applications must be accompanied by the report of the circuit manager on the public hearing.

6. The above-mentioned procedure is only applicable to those schools which, in accordance with Circular 0126/1998, dated 23 October 1998, have less than 25 learners on the 10th school day. When applications for closure are received from schools with more than 25 learners, the application must first be submitted to the Western Cape Education Department. If the Minister concurs, the relevant area manager will be informed of the Minister's decision, after which the matter will receive further attention.
7. The contents of this circular must be read with the directives regarding the closure of schools as set out in Circular 0081/98, dated 3 July 1998.
8. Kindly bring the contents of this circular to the attention of all personnel concerned.
9. Your co-operation in this regard will be appreciated.


for: ACTING HEAD: EDUCATION
DATE: 1999-09-13

ON AREA OFFICE LETTERHEAD

FILE NO.

The Chairperson

.....
.....
.....

Dear

POSSIBLE CLOSURE OF

The Western Cape Education Department (WCED) intends to close the above-mentioned school on for the following reasons:

- (i)
- (ii)
- (iii)
- (iv)
- (v)

It would be appreciated if you could arrange a meeting of the governing body at your earliest convenience to discuss the matter and submit a complete report in this regard.

As that the department intends holding a public hearing on with regard to the closing of the afore-mentioned school, it would be appreciated if a copy of the report is tabled at the hearing.

Your co-operation will be appreciated.

AREA MANAGER

DATE:

ON AREA OFFICE LETTERHEAD

File Nr.

NB: This draft letter can be used when communicating with any of the following persons:

CHAIRPERSON OF GOVERNING BODY/
OWNER OF SCHOOL/
PRINCIPAL OF SCHOOL

.....
.....
.....

Dear

POSSIBLE CLOSURE OF

Notice is hereby given that the Western Cape Education Department (WCED) intends closing the above-mentioned school on

In order to initiate the process, the WCED intends holding a public hearing on where you will have the opportunity to give inputs regarding the closure of the school.

Your presence will be appreciated.

Kind regards

AREA MANAGER

DATE:

ON AREA OFFICE LETTERHEAD

NOTICE OF PUBLIC HEARING

CLOSURE OF

Notice is hereby given that a public hearing will be held on

(date)at (time) at

(address)

where you will have the opportunity to comment on the possible closure of the above-mentioned school.

You are hereby cordially requested to make concrete written contribution(s) / objection(s) which can be handed in at the hearing.

Further enquiries in this regard can be referred to at

telephone number

AREA MANAGER

DATE: