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Umhla wokuphelelwa: Awukho

Iya: KumaSekela Balawuli-Jikelele, kuBalawuli abaziiNtloko, kuBalawuli, kuBaphathi beeSekethe, kwiiNqununu nakooSihlalo bamaBhunga olawulo ezikolo zikarhulumente

Isishwankathelo esifutshane: *Umgaqo wokuziphatha wesikolo ukhuthaza ukuziphatha kakuhle nangesimilo yaye umisela imigangatho yokuziphatha ngokusesimilweni. Ukuyilwa komgaqo wokuziphatha mawuquke bonke abathathi-nxaxheba ukwathobela iimfundiso ezichazwe kuMgaqo-siseko weRiphabliki yaseMzantsi Afrika, ka-1996.*

**Isihloko: Umgaqo wokuziphatha wesikolo**

1. Iziganeko kwizikolo eziseGauteng naseNtshona Koloni kwiiveki ezimbalwa ezidlulileyo zenze ukuba makukhe kunikwe ingqwalaselo kubaluleko lwemigaqo yezikolo yokuziphatha ebonisa iimfundiso zoMgaqo-siseko weRiphabliki yaseMzantsi Afrika, ka-1996.
2. Le setyhula ikhumbuza izikolo ukuba mazihlaziye kwakhona imigaqo yazo yokuziphatha kumaxesha ngamaxesha ukuqinisekisa ukuba ziyayiphumeza injongo yayo ngokungqinela noMgaqo-siseko, lo gama ziqwalasela ingxoxo eqhubekayo malunga nekufuneka kufakwe kumgaqo wokuziphatha.
3. Le setyhula itshitshisa iSetyhula 0024/2009 ngokupheleleyo.
4. ISiqendu 8 soMthetho weZikolo waseMzantsi Afrika, ka-1996 (uMthetho 84 ka-1996) simisela ukuba ibhunga lolawulo lesikolo sikarhulumente kufuneka sisebenzise umgaqo wokuziphatha wabafundi besikolo eso.
5. Umgaqo wokuziphatha ukhuthaza ukuziphatha ngokusesimilweni nokuziphatha kakuhle yaye umisela imigangatho yokuziphatha ngendlela eyamkelekileyo yaye kubalulekile ukuba kuthetha-thethwane kakuhle ngale migaqo, iphunyezwe ize

inyanzeliswe ukuqinisekisa ukuba isikolo siyindawo enocwangco nehlonipha amalungelo abo bonke abafundi.

Umgqaqo wokuziphatha ukhuthaza indawo enocwangco ukukhuthaza ukufunda nokufundisa okusemgangathweni:

- ngokukhuthaza amalungelo nokhuseleko lwabo bonke abafundi, ootitshala nabazali;
- ngokuqinisekisa ukuba abafundi bathatha uxanduva ngezenzo nendlela abaziphatha ngayo;
- ngokungakhuthazi zonke iintlobo zocalulo olunomkhethe (*unfair discrimination*) nokunganyamezelani;
- ngokuphelisa nya indlela yokuziphatha ephazamisayo nelulwaphulo-mthetho.

6. Xa kuqulunqwa umgqaqo wokuziphatha, bonke abathathi-nxaxheba, oko kukuthi, abazali, ootitshala nabafundi, kuqukwa neBhunga eLimele aBafundi (*Representative Council of Learners*) (RCL) mababandakanywe. Le nkqubo mayibandakanye bonke abachaphazelekayo, ivuleleke yaye ibe sekuhleni.

6.1 Ukuba kukho ukungavisisani okanye ukuthandabuza ngokuqulethwe ngumgqaqo wokuziphatha lowo, kubalulekile ukuba oku kuxoxwe malunga nako yaye kusonjululwe nabathathi-nxaxheba phambi kokuba kwamkelwe ngokusemthethweni umgqaqo wokuziphatha.

6.2 Kubalulekile ngoko ke ukuba umgqaqo wokuziphatha kwakhona uchaze inkqubo yokusombulula iimbambano (*dispute resolution process*) ebinokuvumela ukwenziwa kwezilungiso ezingephi okanye ukutshitshiswa kwaloo mgqaqo wokuziphatha uchaphazelekayo.

7. Amabhunga olawulo, kuqukwa neenqununu, ayakhunjuzwa kwakhona ukuba umgqaqo wokuziphatha luxwebhu olusemthethweni yaye kufuneka uqulunqwe ngokwemigqaliselo yezomthetho ngokubanzi echazwe kuMgqaqo-siseko weRiphabliki yaseMzantsi Afrika, ka-1996. Kufuneka ufezekise iimfundiso zomgqaqo-siseko, imithetho-siseko yedemokhrasi nomoya okhuthaza ukuhlonitshwa kwamalungelo oluntu esikolweni.

Kucelwa iinqununu zancedise amabhunga olawulo kwimiba yezoluleko ngokweSiqendu 16A(2)(d) soMthetho weZikolo waseMzantsi Afrika, ka-1996 (uMthetho 84 ka-1996).

8. Ukuze wamkeleke umgqaqo wokuziphatha wabafundi, ibhunga lolawulo malenze lingagqithisi kwimida yamagunya alo nangokwezona mfuno zingcono zesikolo nezabo bonke abafundi.

9. Le ncwadana iqhotyoshelweyo yeSebe leMfundo esiSiseko likazwelonke (DBE) inenjongo yokuncedisa amabhunga olawulo okanye ukuhlaziya kwakhona umgaqo wokuziphatha wesikolo.

Kucelwa ukuba ukhululeke ukwenza izilungiso kwisikhokelo seDBE, njengoko iWCED iqhubeka ngokuphucula inkqubo yayo yokuqulunqa umgaqo wokuziphatha.

10. Ngenxa yemiba esandula ukuthethwa kutshanje, sicela zonke izikolo ziyiqaphelise imigaqo yokuziphatha yazo kwanokuqinisekisa ukuba zihambelana mbo nemigqaliselo ebhalwe apha ngasentla.
11. Kucelwa ubhekise nayiphi imibuzo onayo kuMphathi weSekethe ochaphazelekayo.
12. Kucelwa wazise okukule setyhula bonke abasebenzi, amalungu amabhunga olawulo nabazali ukuze bakuthathele ingqalelo.

**ISAYINWE:** NGU-BK SCHREUDER

**INTLOKO EBAMBELEYO: YESEBE LEMFUNDO**

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