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To: Deputy Directors-General, Chief Directors, Directors (Head Office and district offices), Deputy Directors, Chief Education Specialists, Heads: Curriculum Support, Heads: Management and Governance, Circuit Managers, Deputy Chief Education Specialists, Subject Advisers and Heads of institutions

Short summary: *This circular explains the procedure that must be followed when dealing with appeals relating to the progression and promotion results of learners.*

Subject: Management of progression and promotion appeals

1. This circular repeals and replaces Circular 0028/2011, dated 28 November 2011, and Assessment Management Minute 0014/2016, dated 17 November 2016, in their entirety.
2. This circular explains the procedure that must be followed when dealing with appeals relating to the progression and promotion results of learners.
3. Parents/guardians have the right to appeal when they are dissatisfied with the progression or promotion result of their child.
4. The stipulated appeal procedure is important for ensuring transparent assessment practices at schools, fairness to all learners and consistency in dealing with appeals across the province.
5. Principals must ensure that all parents/guardians are informed about the procedure to be followed when lodging an appeal.
6. When end-of-year schedules are signed off by the circuit manager, principals must ensure that evidence of learning is available for all learners who are not ready for progression or who have not been promoted.

7. Policy framework

National policy pertaining to the programme and promotion requirements of the National Curriculum Statement Grades R–12 (NPPPR), published in *Government Gazette* 44173 of 05 February 2021, as amended.

8. Administrative documents

Document		To be completed by
Annexure A	Appeal form	Parent/guardian, principal, district office
Annexure B	Acknowledgement of receipt of appeal by the district office	District office
Annexure C	Report on outcome of appeal at school level	School level
Annexure D	Evidence required to conduct the appeals process at school and district level	Principal
Annexure E	Investigation appeal report	District office
Annexure F	District appeals database	District office

9. Management of the appeal process

	Activity	Timeframe
9.1	Parents/guardians must appeal in writing to the principal.	<p>The first Friday after the school reopens in January.</p> <p>If received at the end of the academic year, appeals must be submitted to the district office no later than 18 December of that year.</p>
9.2	Principals may receive appeals from parents/guardians immediately after report cards have been issued. If it is possible to respond to the appeal prior to the end of the academic year, <u>the district office must be ready to receive appeals and all the relevant evidence</u> (as set out in paragraph 10 of this circular). This process will resume and continue in January of the next year as set out below.	
9.3	The principal must issue the parents/guardians with an appeal form (Annexure A) and ensure that the parents/guardians complete part 1 of the appeal form (a letter of motivation from the parents/guardians may also be attached). Parents/guardians are required to provide an email address.	

9.4	The principal, together with the appeals committee, gathers the required information from teachers' files, evidence of learner assessment, learner profiles and evidence of interventions.	Within five working days of receipt of the appeal.
9.5	The principal, together with the appeals committee, investigates all the evidence and minutes the findings and recommendations on a separately attached appeal report (Annexure C) for each appeal.	
9.6	The principal completes part 2 of the appeal form (Annexure A).	
9.7	The principal invites and informs the parents/guardians of the outcome of the appeal at the school. It is advised that the principal conducts a transparent process by demonstrating how the investigation was managed and presenting all the evidence.	
9.8	The parents/guardians must complete part 3 (in response to the principal's response in part 2) of the appeal form (Annexure A) and indicate in the appropriate field whether they ACCEPT or DO NOT ACCEPT the decision of the school.	
9.9	The principal submits the school's appeals database via https://forms.gle/pAGhNz6xYF69Phj16 If no appeals were received from parents/guardians, the school does not need to complete the Microsoft Office form.	The second Monday of the first term.
9.10	Where the parents/guardians DO NOT ACCEPT the outcome of the appeal, the principal must present the appeal form (Annexure A), school report on the outcome of the appeal (Annexure C), completed Annexure D and all the relevant evidence to the district assessment and examination coordinator and the district office on behalf of the parents/guardians. The district office must complete the acknowledgement of receipt of appeal (Annexure B). Parents/guardians must NOT be referred to the district office.	Within three working days of receipt of the outcome of the appeal from the school.
9.11	If the parents/guardians ACCEPT the outcome of the appeal for the learner to be retained, the appeal is NOT referred to the district office and must only reflect on the school's appeals database.	

9.12	Important: If the school's investigation shows that the school will uphold the appeal and the learner must progress or be promoted, the parents/guardians must only be informed after the district office has acknowledged the school's change. The district office will then inform the parents/guardians as well as the circuit manager, who will effect the grade change on EduInfoSearch accordingly.	
9.13	Date of completion of appeals at district level	15 February of each year
9.14	Report and database submitted to Head Office	End of February of each year

10. Management of appeals at school level

10.1 The principal must:

- a) issue the parents/guardians with the appeal form (**Annexure A**) on the day of lodging the appeal and ensure that the parent/guardian completes part 1 of the appeal form;
- b) establish an investigating team to verify that all marks were added correctly on the various scripts for all formal assessment tasks and controlled tests/examinations;
- c) verify the marks from learner evidence (scripts) to record sheets for each formal assessment task and/or controlled test/examination;
- d) coordinate the re-marking process, where required;
- e) record mark changes on the electronic recording sheet to show any change in the final mark;
- f) issue both the recording sheets (original and updated) to the district appeals committee as part of the appeal's evidence;
- g) issue a copy of the schedule page with the updated mark as part of the appeal's evidence, where applicable;
- h) in the event of a Grade 10 or 11 progressed learner being retained on the basis of the number of days absent exceeding 20 days, present the attendance register of the class – clearly indicating the days absent without a valid reason;
- i) document the findings and recommendations on a separately attached appeal report for each appeal's case;
- j) complete part 2 of the appeal form; and
- k) invite the parents/guardians to the school to inform them of the outcome of their appeal – a transparent process is advised by explaining and demonstrating to parents/guardians how the investigation was done and presenting all the assessment evidence.

10.2 The re-marking process:

- a) If a re-marking process is required, this must not be done by the original marker, but by the departmental head/subject head or another subject teacher.

- b) The district appeals committee will not conduct a re-mark process if the school appeals committee did not administer the process of re-marking/moderation.
- c) The moderator must re-mark with a green pen and sign and date the script.

10.3 Submission of appeals to the district office:

- a) If the parents/guardians **accept** the outcome of the appeal for the learner to be retained, the appeal is **not referred** to the district office.
- b) Schools will prepare all the assessment appeals' evidence and enclose it in a clearly marked envelope/box (indicating the name of the school and the subject) for the district assessment and examination coordinator.
- c) All evidence must be delivered to the district office by no later than the second Friday in February of each year and must be addressed as follows:
For attention: District assessment and examination coordinator
Re: Submission of appeals
Name of school
- d) The official who receives the appeal consignment must acknowledge receipt after the contents of the appeal consignment has been verified against the number of appeals per school. The school will retain a signed copy as proof of submission.
- e) In the event where the school failed to submit the necessary information, the assessment and examination coordinators will request this from the principal via email. The assessment and examination coordinator will follow up with a telephone call.

11. **Only the following criteria may be considered for parents/guardians to appeal:**

- a) The learner did not meet the progression and promotion requirements according to the NPPPR. No appeal will be investigated if the percentage required for progression or promotion is 3% and higher.
- b) The learner has already spent four years in a phase.
- c) Parents/guardians were actively involved with the progress of the learner and regularly attended parent/guardian meetings after the issuing of reports during the year.

12. **The following parent/guardian motivations will not be considered for investigating appeals at school and district office level:**

- a) Financial reasons
- b) Personal reasons, i.e., divorce, death in the family, etc.
- c) Traumatic experiences that are cited to have caused the learner to be retained
- d) A learner's mental and emotional well-being as a result of trauma, which could have influenced their performance
- e) The learner being overage
- f) Allegations of negligence on the part of the school or a teacher – these must be directed to the circuit manager as a formal complaint
- g) Incorrect subject choices in the case of the Further Education and Training (FET) band or if the learner will change subjects in the next grade if the appeal is overturned
- h) An abnormality as a result of violence or any unusual circumstances

- i) Regression, i.e., the parent/guardian motivated for the learner to repeat the year despite meeting the progression guidelines/promotion requirements – these are dealt with as a submission to the Head of Education by 22 February of each year.

13. Roles and responsibilities of district offices

- 13.1 Prior to the investigation, the district office will be required to complete **Annexure B** and email it to the parents/guardians.
- 13.2 Depending on the grade/phase of the learner, the appeal will be issued to the Foundation Phase, Intermediate Phase, Senior Phase or FET Phase coordinators if further investigation is required.
- 13.3 The assessment and examination coordinator will administer the appeal as follows:
 - a) Allocate an appeal case number for each appeal as follows –
Grade 3 learner – District/Phase/Circuit no./Appeal no (e.g. MN/FP/C4/01).
 - b) Register all the appeals on the district appeals database (**Annexure F**).
 - c) Verify all the documents received.
 - d) Assign the appeal to a subject/curriculum adviser, where applicable, for investigation.
 - e) Follow up on each case and discuss the outcome of the appeal.
 - f) Ensure that the appeal report (**Annexure E**) is completed.
 - g) Record the findings and recommendations on the district appeals database (**Annexure F**).
- 13.4 All appeal investigators must submit the outcomes and evidence to the assessment and examination coordinator for discussion, consideration and recommendation to the district director.
- 13.5 Subject advisers must conduct a thorough verification of marks from scripts to recording sheets to the schedule by investigating the fairness/validity of the assessment and the standard of marking.
- 13.6 It is strongly recommended that the task and/or controlled tests/examinations are re-marked.
- 13.7 Marks must be physically counted to determine that there were no addition errors.
- 13.8 The findings and recommendations of the appeal process must be documented unambiguously on the management of appeals form (**Annexure E**).
- 13.9 The findings and outcome of the appeal must be discussed with the phase coordinator who will present the case to the assessment and examination coordinator for consideration.
- 13.10 The district director will make the final decision regarding the outcome of all appeals.

- 13.11 The assessment and examination coordinator submits the district appeals database (**Annexure F**) and district appeal report to Head Office.
14. All appeal cases are unique and it is recommended that they are dealt with on their own merits, bearing in mind that decisions are made in the best interests of learners.
15. All appeal cases that were a result of an examination or assessment irregularity must be tabled before a full sitting of the District Assessment Irregularities Committee, which may impose a suitable sanction. If the appeal is the result of misconduct, the matter must be referred to the Directorate: Employee Relations.
16. Principals are requested to bring the contents of this circular to the attention of all teachers and parents/guardians.

SIGNED: B WALTERS

HEAD: EDUCATION

DATE: 2023-11-28