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DEPARTMENT OF BASIC EDUCATION

NO. 1352

18 DECEMBER 2020

THE SOUTH AFRICAN SCHOOLS ACT, 1996 (ACT NO. 84 OF 1996)

CALL FOR WRITTEN SUBMISSIONS ON THE AMENDMENT OF THE REGULATIONS PERTAINING TO THE NATIONAL CURRICULUM STATEMENT GRADES R-12 TO RECOGNISE SOUTH AFRICAN SIGN LANGUAGE AS A HOME LANGUAGE FOR PROMOTIONAL PURPOSE

1. I, Angelina Matsie Motshekga, Minister of Basic Education, hereby, in terms of section 61(c) and (d) of the South African Schools Act, 1996 (Act. No. 84 of 1996) and after consultation with the Council of Education Ministers, intend to amend the Regulations Pertaining to the National Curriculum Statement Grades R-12. Interested persons or organisations are hereby invited to submit written comments on the amendment of the regulations as contained in the Schedule within 30 calendar days from the date of publication.
2. Comments must be forwarded for the attention of Dr R Poliah by:

Post to:

The Director General,
The Department of Basic Education
Private Bag X895,
Pretoria, 0001,

(b) Hand to:

The Department of Basic Education
Sol Plaaityje House,

222 Struben Street,
Pretoria,
0001

(c) Fax to:

+27 (0)12 328 9828; and

(d) By email to:

poliah.r@dbe.gov.za

For Attention: Ms MA Mohale

AVAILABILITY OF THE DOCUMENTS

The draft amendments are available on the Departmental website: www.education.gov.za, under Resources, Legislation, and Call for Comments.

Angie Motshekga
MRS ANGIE MOTSHEKGA, MP

MINISTER

DATE: 05/11/2020

SCHEDULE

GENERAL EXPLANATORY NOTE

[.....] Words in bold in square brackets indicate omissions from the existing policy.

_____ Words underlined with a solid line indicate insertions into the existing policy.

DEFINITIONS

1. In these regulations “the Regulations” means the Regulations Pertaining to the National Curriculum Statement Grades R-12 published under Government Notice No. R1114 (GG 36041 of 28 December 2012) as amended by Government Notice No. R235 (GG 38589 of 20 March 2015); Government Notice No. R1162 (GG 39435 of 20 November 2015); Government Notice No.- R1495 (GG 40472 of 2 December 2016); and Government Notice No. R1404 (GG 41321 of 15 December 2017)

Amendment of Regulation 2 of the Regulations

2. The definition of “Deaf learner” is hereby amended by the substitution for the definition of “Deaf learner” of the following definition:

““Deaf learner” – means a learner who is either in a special school in terms of section 5(6) of the South African Schools Act, 1996 (Act No. 84 of 1996), or in an ordinary school where he or she has been assessed and verified by a registered health professional as Deaf. Such a Deaf learner may, in terms of section 6(4) of the South African Schools Act, 1996, offer South African Sign Language, which has the status of an official language for the purposes of learning[,as a language of learning and teaching in lieu of the second required official language].”.

Amendment of Regulation 5 of the Regulations

3. Regulation 5 of the Regulations, is hereby amended –

(a) by the substitution in sub regulation (1) in paragraph (c) for sub-paragraph (iA) of the following sub-paragraph:

“(1) (c)(iA) Deaf learners may, subject to *regulation 18(5)*, select South African Sign Language at Home Language level listed in Table 1A **[in lieu of the official language at First Additional Language level as contemplated in *sub-paragraph (b)*].**”;

(b) by the substitution in sub regulation (2) in paragraph (a) for sub-paragraph (iA) of the following sub-paragraph:

“(2)(a)(iA) Deaf learners may, subject to paragraph 14(5), select South African Sign Language at Home Language level **[in lieu of the official language at Home Language level as contemplated in *sub-regulation (1)*].**”;

(c) by the substitution in sub regulation (3) in paragraph (a) for sub-paragraph (iA) of the following sub-paragraph:

“(3)(a)(iA) Deaf learners may, subject to paragraph 21(1)(eA) select South African Sign Language at Home Language level **[in lieu of the official language at First Additional Language level as contemplated in *sub-regulation (1)*].**”;

(d) by the substitution in sub regulation (4B) in paragraph (b) for sub-paragraph (iA) of the following sub-paragraph:

“(4B)(b)(iA) Deaf learners may, subject to regulation 18(5)(a), select South African Sign Language at Home Language level listed in Table B4A **[in lieu of the official language at First Additional Language level as contemplated in *sub-regulation (4)(a)*].**”.

Amendment of Regulation 6 of the Regulations

4. Regulation 6 of the Regulations pertaining to the National Curriculum Statement R – 12, is hereby amended –

(a) by the substitution in sub regulation (1) in paragraph (e) for sub-paragraph (iiiA) of the following sub-paragraph:

“(1)(e)(iiiA) Adequate Achievement (Level 4) (50%-59%) in South African Sign Language at Home Language level as contemplated in *paragraph 5(1)(a)(iA)*, **[if offered by Deaf learners in lieu of an official language at First Additional Language level].**”;

(b) by the substitution in sub regulation (2) in paragraph (a) for sub-paragraph (ii) item (bbA) of the following item:

“(2) (a) (ii) (bbA) Adequate Achievement (Level 4) (50%-59%) in South African Sign Language at Home Language level as contemplated in regulation 5(2)(a)(iA)[, if offered by Deaf learners in lieu of an official language at First Additional Language level].”; and

(c) by the substitution in sub regulation (3) in paragraph (a) for subparagraph (ii) item (bbA) of the following item:

“(3)(ii) (bbA) Adequate Achievement (Level 4) (50%-59%) in South African Sign Language at Home Language level as contemplated in regulation 5(3)(a)(iA)[, if offered by Deaf learners in lieu of an official language at First Additional Language level].”.

Short title and commencement

5. This Regulation is called the Amendment Regulations pertaining to the National Curriculum Statement Grades R-12, 2020 and will come into effect on the date of publication in the Government Gazette.

DEPARTMENT OF BASIC EDUCATION

NO. 1353

18 DECEMBER 2020

NATIONAL EDUCATION POLICY ACT, 1996 (ACT NO. 27 OF 1996)
THE SOUTH AFRICAN SCHOOLS ACT, 1996 (ACT NO. 84 OF 1996)

CALL FOR WRITTEN SUBMISSIONS ON THE AMENDMENT OF THE NATIONAL
POLICY PERTAINING TO THE PROGRAMME AND PROMOTION REQUIREMENTS
OF THE NATIONAL CURRICULUM STATEMENT GRADES R-12 TO RECOGNISE
SOUTH AFRICAN SIGN LANGUAGE AS A HOME LANGUAGE FOR
PROMOTIONAL PURPOSE

1. I, Angelina Matsie Motshekga, Minister of Basic Education, acting under section 3(4)(l) of the *National Education Policy Act, 1996 (Act No. 27 of 1996)* and 6A (1) of the *South African Schools Act, 1996 (Act No. 84 of 1996)*, and after consultation with the Council of Education Ministers, intend to amend the Policy pertaining to the Programme and Promotion Requirements of the National Curriculum Statement Grades R – 12 as contained in the Schedule. Interested persons or organisations are hereby invited to submit written comments on the amendments to the policy hereto within 30 calendar days from the date of publication.
2. Comments must be forwarded for the attention of Dr R Poliah by:

Post to:

The Director General,
The Department of Basic Education
Private Bag X895,
Pretoria, 0001,

(b) Hand to:

The Department of Basic Education

Sol Plaaitjie House,
222 Struben Street,
Pretoria,
0001

(c) Fax to:
+27 (0)12 328 9828; and

(d) By email to:
poliah.r@dbe.gov.za
For Attention: Ms MA Mohale

AVAILABILITY OF THE DOCUMENTS

The Policy pertaining to the Programme and Promotion Requirements of the National Curriculum Statement Grades R – 12 is available on the Departmental website: www.education.gov.za, under Resources, Policies, and Curriculum and Assessment.



MRS ANGIE MOTSHEKGA, MP
MINISTER

DATE: 05/11/2020

SCHEDULE

GENERAL EXPLANATORY NOTE

[.....] Words in bold in square brackets indicate omissions from the existing policy.

_____ Words underlined with a solid line indicate insertions into the existing policy.

Definitions

1. In this policy, “Policy” means the National Policy pertaining to the Programme and Promotion Requirements of the National Curriculum Statement Grades R – 12 Policy, published under *Government Notices No. 1115 and 1116 in Government Gazette No. 36042 of 28 December 2012 as amended by Government Notice No. 564 (GG 37840 of 18 July 2014); Government Notices No.625 and 626 (GG 37910 of 13 August 2014); Government Notices No. 236 and 237 (GG 38590 of 20 March 2015); Government Notice No. 1161 (GG 39435 of 20 November 2015); Government Notices No. 1496 and 1497 (GG 40472 of 2 December 2016); and Government Notice No.1402 (GG 41321 of 15 December 2017).*

Amendment of definition of “Deaf learner”

2. The definition of “Deaf learner” is hereby amended by the substitution for the definition of “Deaf learner” of the following definition:

“**Deaf learner**” – means a learner who is either in a special school in terms of *section 5(6) of the South African Schools Act, 1996 (Act No. 84 of 1996)*, or in an ordinary school where he or she has been assessed and verified by a registered health professional as Deaf. Such a Deaf learner may, in terms of *section 6(4) of the South African Schools Act, 1996*, offer South African Sign Language, which has the status of an official language for the purposes of learning **[as a language of learning and teaching in lieu of the second required official language]**.”

Amendment of paragraph 6 of Policy

3. Paragraph 6 of the Policy is hereby amended by the substitution for subparagraph (2bA) of the following subparagraph:

“(2bA) Deaf learners may, subject to *paragraph 7(6)*, select South African Sign Language at Home Language level listed in Table 1A **[in lieu of the official language at First Additional Language level as contemplated in *sub-paragraph (b)*]**.”.

Amendment of paragraph 7 of Policy

4. Paragraph 7 of the Policy is hereby amended by the substitution for subparagraph (3bA) of the following subparagraph:

“(3bA) Moderate Achievement (Level 3) (40%-49%) in South African Sign Language at Home Language level as contemplated in *paragraph 6(2)(bA)*, **[if offered by Deaf learners in lieu of an official language at First Additional Language level]**.”.

Amendment of paragraph 12 of Policy

5. Paragraph 12 of the Policy is hereby amended by the substitution for subparagraph (1A) of the following subparagraph:

“(1A) Deaf learners may, subject to *paragraph 14(5)*, select South African Sign Language at Home Language level listed in Table 6A **[in lieu of the official language at First Additional Language level as contemplated in *sub-paragraph (1)*]**.”.

Amendment of paragraph 14 of Policy

6. Paragraph 14 of the Policy is hereby amended by the substitution for subparagraph (bA) of the following subparagraph:

“(bA) Moderate Achievement (Level 3) (40%-49%) in South African Sign Language at Home Language level as contemplated in *paragraph 12(1A)*, **[if offered by Deaf learners in lieu of an official language at First Additional Language level]**.”.

Amendment of paragraph 19 of Policy

8. Paragraph 19 of the Policy is hereby amended by the substitution for subparagraph (1A) of the following subparagraph:

“(1A) Deaf learners may, subject to *paragraph 21(1)(eA)*, select South African Sign Language at Home Language level listed in Table 11A **[in lieu of the official language at First Additional Language level as contemplated in sub-paragraph (1)]**.”.

Amendment of paragraph 21 of Policy

9. Paragraph 21 of the Policy is hereby amended by the substitution for subparagraph (1bA) of the following subparagraph:

“(1bA) Moderate Achievement (Level 3) (40%-49%) in South African Sign Language at Home Language level as contemplated in *paragraph 19(1A)* **[, if offered by Deaf learners in lieu of an official language at First Additional Language level]**.”.

Amendment of paragraph 27 of Policy

10. Paragraph 27 of the Policy is hereby amended by the substitution for subparagraph (2aA) of the following subparagraph:

“(2aA) Deaf learners may, subject to *paragraph 33(2)(a)(i)*, select South African Sign Language at Home Language level listed in Table B4A **[in lieu of the official language at First Additional Language level as contemplated in sub-paragraph (2)(a)]**.”.

Short title and commencement

11. This Policy is called the Amended National Policy pertaining to the Programme and Promotion Requirements of the National Curriculum Statement Grades R - 12, 2020, and will come into effect on the date of publication in the *Government Gazette*.