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Contents

<i>No.</i>		<i>Gazette No.</i>	<i>Page No.</i>
GENERAL NOTICES • ALGEMENE KENNISGEWINGS			
Basic Education, Department of/ Basiese Onderwys, Departement van			
503	Disaster Management Act (57/2002): Amendment of Directions issued in terms of regulation 4(3) of the regulations of the Act regarding the re-opening of schools and measures to address, prevent and combat the spread of COVID-19.....	43715	3

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF BASIC EDUCATION**NOTICE 503 OF 2020****DISASTER MANAGEMENT ACT, 2002****AMENDMENT OF DIRECTIONS ISSUED IN TERMS OF REGULATION 4(3) OF THE REGULATIONS MADE UNDER THE DISASTER MANAGEMENT ACT, 2002 (ACT NO. 57 OF 2002) REGARDING THE RE-OPENING OF SCHOOLS AND MEASURES TO ADDRESS, PREVENT AND COMBAT THE SPREAD OF COVID-19 IN THE NATIONAL DEPARTMENT OF BASIC EDUCATION, ALL PROVINCIAL DEPARTMENTS OF EDUCATION, ALL EDUCATION DISTRICT OFFICES AND ALL SCHOOLS IN THE REPUBLIC OF SOUTH AFRICA**

I, Angelina Matsie Motshekga, Minister of Basic Education, in terms of regulation 4(3)(b) of the Regulations made under the Disaster Management Act, 2002 (Act No. 57 of 2002), as published under Government Notice No. R.480, in Government *Gazette* No. 43258 of 29 April 2020, as amended, hereby amend the Directions regarding the re-opening of schools and measures to address, prevent and combat the spread of COVID-19 in the National Department of Basic Education, and all Provincial Departments of Education, all education district offices and all schools in the Republic of South Africa, as published under Government Notice No. 343, in Government *Gazette* No. 43465 of 23 June 2020, as amended, as set out in the Schedule.

**MRS AM MOTSHEKGA, MP****MINISTER OF BASIC EDUCATION****DATE: 15 SEPTEMBER 2020**

SCHEDULE

Definition

1. In this Schedule, the “Directions” means the Directions regarding the re-opening of schools and measures to address, prevent and combat the spread of COVID-19 in the National Department of Basic Education, and Provincial Departments of Education, and all schools in the Republic of South Africa, as published under Government Notice No. 343, in Government *Gazette* No. 43465 of 23 June 2020 and further amended under Government Notice No. 357, published in Government *Gazette* No. 43488 of 29 June 2020, Government Notice No. 370, published in Government *Gazette* No. 43510 of 7 July 2020, Government Notice No. 371, published in Government *Gazette* No. 43511 of 8 July 2020 and Government Notice No. 411, published in Government *Gazette* No. 43578 of 2 August 2020.

Amendment of direction 1 of Directions

1. Direction 1 of the Directions is hereby amended by the substitution for the definition of “DBE Standard Operating Procedure” of the following definition:

“ **‘DBE Standard Operating Procedure’** means the Department of Basic Education Standard Operating Procedure for the Prevention, Containment and Management of COVID-19 in Schools and School Communities, available on the Department of Basic Education website, accessible through the following link:

<https://www.education.gov.za/Portals/0/Documents/Recovery%20plan%20page/Links%20for%20schools/dbe-standard-operating-procedure-for-covid-19.pdf;>”.

Amendment of direction 8 of Directions

2. Direction 8 of the Directions is hereby amended—

- (a) by the substitution for the heading of the following heading:

“Learners with special education needs”;

- (b) by the substitution for sub-direction (1) of the following sub-direction:

“(1) (a) All public schools, including public schools for learners with special education needs, as contemplated by the South African Schools Act, must comply with all Directions, Guidelines and Circulars regarding the re-opening of schools.

(b) In addition to paragraph (a), all public schools, including public schools for learners with special education needs, as contemplated by the South African Schools Act, must comply with the guidelines developed for the specific categories of learners, as contained in the DBE Standard Operating Procedures.”

- (c) by the deletion of sub-directions (2) and (3); and

- (d) by the substitution for sub-direction (8) of the following sub-direction:

“(8) Where a learner with special education needs does not return to school for any of the reasons referred to in direction 5(7)—

(a) the Head of Department must make all reasonable efforts to ensure the—

(i) availability and distribution of teaching and learning material in appropriate modes and access to remote support from teachers;

(ii) provision or loan of education-specific assistive devices for use at home, where necessary; and

(iii) provision of and access to therapeutic services where necessary; and

- (b) a parent, caregiver or a designated family member of such learner must—
 - (i) on a form substantially similar to Annexure E1, apply, as contemplated in direction 6, for full or partial exemption of the learner from compulsory school attendance;
 - (ii) specifically request support for teaching and learning material, assistive devices or therapeutic services, as contemplated in paragraph (a); and
 - (iii) ensure that any teaching and learning material and assistive devices, as contemplated in paragraph (a), are collected or accessed and returned as per arrangement with the school.”.

Amendment of direction 9 of Directions

3. Direction 9 of the Directions is hereby amended—

(a) by the substitution for sub-direction (4) of the following sub-direction:

- “(4) Subject to sub-direction (4A), if a hostel is found not to have complied with the measures and requirements, as confirmed in terms of sub-direction (2)—
 - (a) the hostel will be closed until such time as the hostel complies with these measures and requirements;
 - (b) no learners will be allowed on the premises of the hostel; and
 - (c) the principal or chairperson of the governing body or school board or their delegated official must, as soon as reasonably possible—
 - (i) inform the parents, caregiver or designated family member of the learners that the hostel will be closed;

- (ii) request the parents, caregiver or designated family member of the learners to fetch the learners from the hostel; and
 - (iii) make arrangements with the parents, caregiver or designated family member of the learners to ensure the provision of learning material and continued teaching to learners.”;
- (b) by the insertion after sub-direction (4) of the following sub-direction:
 - “(4A) (a) In order to provide for the necessary suitable accommodation needs of learners, including learners with special education needs, if a hostel exceeds the number of learners it can accommodate in accordance with social distancing requirements, the hostel will not be required to close in its entirety: Provided that the school or hostel makes provision for alternatives, including those contemplated in direction 15(3), in order to ensure that the accommodation of learners in hostels complies with health, safety and social distancing requirements.
 - (b) Where a hostel cannot provide alternatives, as contemplated in paragraph (a), the Provincial Department of Education must, subject to available resources, assist in the provision of additional infrastructure capacity, to provide for the suitable accommodation needs of such learners, including alternative accommodation for a hostel.”; and
- (c) by the addition after sub-direction (7) of the following sub-direction:
 - “(8) This direction applies to the hostels of all public schools, including public schools for learners with special education needs, as contemplated by the South African Schools Act.”.

Amendment of direction 15 of Directions

4. Direction 15 of the Directions is hereby amended—

(a) by the substitution for sub-direction (1) of the following sub-direction:

“(1) Every school, hostel or office must comply with the social distancing requirements as prescribed in the Regulations, DBE Standard Operating Procedures and DBE Guidelines.”;

(b) by the deletion of sub-direction (2);

(c) by the substitution for sub-direction (4) of the following sub-direction:

“(4) Subject to direction 7(1), schools with large enough facilities to comply with health, safety, and social distancing requirements do not have to change their traditional and daily timetable models, and may continue to operate in accordance with those timetable models.”; and

(d) by the addition after sub-direction (4) of the following sub-direction:

“(5) A school that has a large enough facility may accommodate more than 50 learners, officials and parents in that facility at a time, strictly for educational purposes: Provided that all health, safety and social distancing health, safety and social measures for COVID-19 are complied with.”.

Substitution of Annexure E1 of Directions

5. Annexure E1 of the Directions is hereby substituted for the following Annexure:

“ANNEXURE E1

APPLICATION FOR EXEMPTION OF LEARNER TO ATTEND SCHOOL

[Application in terms of directions 6(2)(a),6(2)(b), 6(1)(c), 8(8)(b)(i) and 8(8)(b)(ii)]

(To be completed by the parent/caregiver/designated family member)

I, _____ (Name and surname), the parent, caregiver or a designated family member *(delete whichever is not applicable)* of _____ (Name of learner) who is in Grade _____ at _____ (Name of school), hereby apply to the Head of Department to exempt the learner from compulsory school attendance, in terms of section 4 of the South African Schools Act, 1996 (Act No. 84 of 1996), for the period of the national state of disaster.

I do so, and take full responsibility, to oversee the learning of the learner at home as indicated in the signed agreement (Annexure E2). The reasons for my application for exemption are as follows:

Reason	Further Details
Underlying health condition and/or comorbidity of the learner or a close family member	
General concern over the risk of transmission of COVID-19	

In respect of a learner contemplated in direction 6(1)(a): Evidence of medical condition of learner is **attached/not attached** *(delete whichever is not applicable)*.

In respect of a learner contemplated in direction 8(8), the parent/caregiver/designated family member of the learner must, in terms of direction 8(8)(b)(ii), specify the support needs of the learner in respect of teaching and learning material, assistive devices or therapeutic services, as follows:

PART	Support Needs of Learner	Further Details
A	Teaching and Learning Support Material	
B	Assistive Device	
C	Therapeutic Services	

Signed at _____ on this _____ day of _____ 2020.

Parent/Caregiver/Designated family member

Full Name

Contact number: _____”.

Commencement

6. These amendment directions come into operation on the date of publication thereof in the Government *Gazette*.

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