

**NATIONAL NATIONAL COUNCIL OF PROVINCES**

**ORAL REPLY**

**QUESTION 109**

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**109. Ms T Breedt (Free State: FF Plus) to ask the Minister of Basic Education to ask the Minister of Basic Education:**

How will the Basic Education Laws Amendment Act, 2024 (Act No. 32 of 2024), (a) empower the diverse South African local cultural communities to decide over their (i) languages and (ii) cultural policies of their schools, (b) protect the languages and cultures of minority groups and (c) allow the various linguistic communities to educate their children in their mother tongue until matric?

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#### Response

It is important to note that the sections that talk to languages are on suspension until after 90 days that were set by the President. However, as they stand now the following is intended to provide:

#### (i) languages

The Governing Body has the power to determine the school language policy which must be in line with the Constitution, the Act and any applicable provincial law.

#### (ii) cultural policies of their schools

Subject to the Constitution, the Act and any applicable provincial law, a governing body of a public school must adopt a code of conduct for the learners after consultation with the learners, parents and educators of the school. This code of conduct must be aimed at establishing a disciplined and purposeful school environment, dedicated to the improvement and maintenance of the quality of the learning process, considering the diverse cultural beliefs, religious observances and medical circumstances of the learners at the school.

On reasonable ground a learner/parent may apply to the governing body for exemption from complying with certain provisions of the code of conduct on account of cultural/religious beliefs.

#### (b) protect the languages and cultures of minority groups

The protection of languages and cultures within the competence of a school lies in its policies and code of conduct.

#### (c) allow the various linguistic communities to educate their children in their mother tongue until matric.

In addition to the language policy power, there is a language framework that is working towards ensuring mother tongue usage up to grade 12 for other languages as Afrikaans and English are already catered for.