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GOVERNMENT NOTICE

DEPARTMENT OF EDUCATION

No. 194

12 March 2010

SOUTH AFRICAN SCHOOLS ACT 84 OF 1996**NATIONAL NORMS AND STANDARDS FOR SCHOOL FUNDING****CALL FOR COMMENTS ON THE DRAFT AMENDMENTS TO THE NATIONAL
NORMS AND STANDARDS FOR SCHOOL FUNDING**

I, Angelina Matsie Motshekga, Minister of Basic Education, after consultation with the Council of Education Ministers, hereby invite comments from the public and interested parties on the proposed amendments to the National Norms and Standards for School Funding as set out in the Schedule. I intend to amend the National Norms and Standards by insertions after paragraphs 124, 130 and 170 of the amended National Norms and Standards for School Funding which were published in Government Notice No. 890, Government Gazette No. 29179 of 31 August 2006, corrected by Government Notice No. 1282, Government Gazette No. 29473 of 14 December 2006, amended by Government Notice No. 26, Government Gazette No. 30679 of 18 January 2006 and further amended by Government Notice No. 1089, Government Gazette No. 31498 of 17 October 2008, Government Notice No. 31574 of 4 November 2008, Government Gazette No. 31848 of 30 January 2009, Government Notice No. 32683 of 6 November 2009, Government Notice No. 32772 of 3 December 2009 and Government Notice 32804 of 11 December 2009.

The draft amendments seek to address the following:

1. Funding of special schools;
2. Criteria for recognition of a voluntary association representing governing bodies of public schools for purpose of funding;
3. Criteria for providing funding to recognised governing body associations to provide training to members of a governing body of a particular school or group of schools;
4. Criteria for granting an allocation for contribution towards membership fees of a recognised governing body association; and
5. Compensation to fee paying schools which accommodates poor learners for fee exemptions granted.

All interested persons and organizations are invited to comment on the amendments in writing and direct their comments to:


Mr D Hindle
Director-General: Education
Attention: Ms E Lubbe

By post: Department of Education
Private Bag X895
PRETORIA
0001

By fax: (012) 312-5920

By e-mail: lubbe.e@doe.gov.za

Comments should reach the Department within 30 days of this publication.


MRS ANGIE MOTSHEKGA, MP
Minister of Basic Education
Date: 22-02-2010

SCHEDULE

The National Norms and Standards for School Funding are hereby amended by insertions after paragraphs 4, 145 and 170 of the amended National Norms and Standards for School Funding which were published in Government Gazette No. 29179 of 31 August 2006, as amended, of the following:

"4A. FUNDING TO SPECIAL SCHOOLS

Implementation date to be determined after the amendment of South African Schools Act (SASA)

- (a) Subject to the provisions of the SASA, schools with special education needs consist of either:
 - (i) a special school to provide education to learners with barriers to learning; or
 - (ii) a special school which provides education with a specialised focus.
- (b) In the absence of national funding norms, the MEC will determine the basis and conditions to fund such schools.
- (c) The MEC must provide the Minister with a report on the operations and functionality of such schools on an annual basis. The Minister will determine and provide the MEC with a reporting format."

145A. RECOGNITION OF A VOLUNTARY ASSOCIATION REPRESENTING GOVERNING BODIES OF PUBLIC SCHOOLS FOR PURPOSE OF FUNDING

- (a) A Head of Department will consider recognizing a voluntary association representing governing bodies of public schools if:
 - (i) the association has made a written application for recognition to the PED using the application form attached as **APPENDIX A**;

- (ii) the members of the association have approved and adopted a written constitution which supports the principle of freedom of association in line with the South African Constitution and complies with all applicable legislative requirements;
- (iii) the purpose and objectives of the association are not for the acquisition of gain or profit and will promote the interest of education through its members as well as the schools they represent;
- (iv) expenditure incurred by the association is in line with the responsibilities, purposes and objectives of the association and in the interest of the governing bodies it represents.
- (iv) the association's membership clause do not discriminate against and exclude anyone on the grounds of school quintile or level of poverty; and
- (v) the association has a membership base of at least 10% of public schools within the province.¹⁾

¹⁾ *As an interim measure, associations will be considered for provisional recognition irrespective of the number of members represented with the proviso that the required membership level be attained within 3 years after the implementation of this policy. The provisional recognition of those associations which fail to meet the prescribed minimum membership level by the target date will be withdrawn.*

- (b) Recognition of voluntary associations representing governing bodies of public schools will be reviewed by the HoD annually and may be withdrawn if found not to comply with requirements as contemplated in paragraph 145A(a) or failure to comply with any other requirement imparted on it within this policy, after due process as determined by the HoD has been followed and the association has been informed, in writing, of the intended withdrawal of recognition.

145B FUNDING TO SCHOOL GOVERNING BODIES AS CONTRIBUTION TOWARDS PAYMENT OF SUBSCRIPTION FEES TO A RECOGNIZED VOLUNTARY ASSOCIATION REPRESENTING GOVERNING BODIES OF PUBLIC SCHOOLS

- (a) A governing body of a public school, as a member of a voluntary association, will qualify for funding in aid of its subscription fees if the voluntary association is recognized by the HoD.
- (b) Funding is intended to be a contribution towards payment of the annual subscription fees to a recognized voluntary association representing governing bodies, and will not necessarily cover the whole amount of a member's subscription fees.
- (c) The amount of funding in aid of subscription fees awarded to a governing body by the PED each year will be up to a maximum of the published national per learner quintile target allocation applicable to the school for that particular year calculated for two learners.

Example 1: The maximum amount in aid which may be allocated to a quintile 1 school in 2010 will be $R855 \times 2 = R1\,710$ (R855 is the national target per learner allocation in quintile 1 schools in 2010).

Example 2: The maximum amount in aid which may be allocated to a quintile 5 school in 2010 will be $R147 \times 2 = R294$ (R147 is the national target per learner allocation in quintile 5 schools in 2010).

- (d) Transfer of the contribution towards payment of annual subscription fees will be processed by the PED as follows:
 - (i) Schools which have been allocated the function to pay for services to the school under Section 21 (1) (d) of the South African Schools Act: The subsidy will be transferred into its school fund account. Payment of the full subscription fee over to the governing body association remains the responsibility of the school.
 - (ii) Schools which have not been allocated the function to pay for services to the school under Section 21 (1) (d) of the South African Schools Act: The subsidy will be transferred directly to the relevant governing body association on behalf of the school.

- (iii) PEDs must make transfer payments of contributions towards payment of annual subscription fees on or before 15 May of each year.
- (e) Where the total amount claimed by the schools is less than the provincial budget allocation for subscription fees, funds can be diverted to the budget allocated for capacity building of SGB members in the province, or for compensation for fee exemptions or to the school allocation via the adjustment estimates. Where the total amount claimed is greater than the budgeted allocation, the weighting system will apply.
- (f) The associations must, by 28 February each year, provide the PED with the following:
 - (i) their audited annual financial statements for the previous financial year. The financial statements must have, as an attachment, a declaration by the auditor on whether the association practices sound financial management.
 - (ii) a declaration of the amount of subscription fees payable by members for the year.
 - (iii) a list of members within the province with a letter from each school governing body confirming membership and signed by the governing body chairperson.

145C FUNDING TO SGB ASSOCIATIONS FOR CAPACITY BUILDING

Implementation date to be determined after the amendment of SASA

- (a) Funding will be provided, through the PEDs budgetary process, for capacity building of SGBs. This funding is intended for training by a recognized governing body association to members of a governing body of a school or a group of schools in order to improve performance of their statutory duties.
- (b) The HoD must determine the conditions for eligibility for funding. The conditions will be determined in consultation with recognized associations as contemplated in paragraph 145A(a) and a management checklist must be developed by the HoD as part of the conditions for eligibility to receive funding.

- (c) An SGB Association may submit proposals on the capacitation of SGBs to the HoD, and the HoD may also approach SGB Associations to submit such proposals. The proposal may include training of members of a governing body of a particular school which may not be a member of the association providing the training. These proposals must be submitted to the HoD by 30 June of the financial year proceeding the year in which the funding will be made available.
- (d) The proposal must at least detail the nature, extent, duration and financial implications for the training.
- (e) PEDs will give an indication of the awards by 15 February of the year following the submission. The funding will be paid as per agreed schedule effective from 1 April of the year of the award and it may exceed a year.

170A COMPENSATION FOR FEE EXEMPTIONS

- (i) A PED will determine an allocation for compensation for fee exemption to fee paying schools for each financial year.
- (ii) The schools will apply to the Head of Department for compensation not later than 31 January of each year using the application form (Appendix B). The application form must be completed and be certified by the official school auditor according to the audit guidelines (Appendix C). The minimum information to be provided by the school on application will include name of school; EMIS number; Physical address of the school; Name and contact details of the person that completed the form; the list of learners exempted from paying school fees in the previous year indicating the full name, surname and identity number of each learner.
- (iii) The information contained in the application form must be verified by the School Principal before submission and also be signed off by the Chairperson of the SGB, a representative of the school's Finance Committee and the official school Auditor.
- (iv) Any fraudulent information received will be subjected to a departmental investigation process as determined by the PED and which sanction may include disciplinary action against the principal who verified the information and/or

recovery of payment. Late submission (i.e. after 31 January of the year), incomplete information, altered information, incorrect information as well as information submitted in an incorrect format will render the application invalid. The originally completed application form, and not a copy, must be submitted.

- (v) Compensation will be based on the situation at the school in the previous school year, and payment will be made in the new financial year.
- (vi) The Provincial Education Department must make transfer payments of compensation for fee exemptions to schools on or before 15 May of the year during which the application is made. This implies that, if a school qualifies, compensation will only be paid on the number of FTE learners exempted which exceeds 5% of the total FTE of all learners of the school.
- (vii) The table below provides an example for calculating the level of compensation per learner based on the fee exemptions granted by the school per learner:

Table: List of learners exempted by the school in the previous year

Full names and surname of the learner	Official identity number of the learner	Possible school days enrolled (P)	Full time equivalent (FTE) = (Possible days + Official days) e.g. 200/150 = FTE = 0,75 (FTE)	Exempted percentage on school fee (> 0% but ≤ 100%) (E %)	FTE EXEMPTION (FTE x E%)+100%	PED per learner allocation	Compensation per learner (E% x No fee threshold x FTE) minus (PED per learner allocation to school) based on a no fee threshold of R784 in 2010 (C)	
Learner A	0000001	200	1	100%	1	R100	R684*	
Learner B	0000002	150	0.75	100%	0.75	R100	R388*	
Learner C	0000003	100	0.5	50%	0.25	R100	R96*	
Learner D	0000004	200	1	40%	0.40	R100	R214*	
Learner E	0000005	50	0.25	10%	0.03	R100	R0*	
Total Full Time Equivalent of Learners Exempted								R1482**

* These preliminary totals do not take into account provincial weight (W) as described below

** Preliminary total for the school

- (viii) A school will qualify for compensation if the total Full Time Equivalent (FTE) of learners exempted exceeds 5% of the total FTE of all learners of the school, i.e.

if the total Full Time Equivalent of learners exempted (2.43 in the example) is equal to or less than 5% of the total Full Time Equivalent of all learners, the school does not qualify for compensation.

- (ix) Each learner to be converted to a FTE, i.e. possible days enrolled ÷ official number of school days. The school will receive for each learner:

[% Exemption x FTE x NFT x Weight (W)] minus the per learner allocation for the school

where, NFT is the No Fee Threshold and W is calculated by dividing the total PED C-Allocation by the preliminary total exemption claim of all schools, therefore:

$W \text{ for the PED} = \text{C-Allocation} \div \sum \text{ of Preliminary Total (all schools)}$

If, for example, a province has budgeted R5 million for compensation for exemption and the preliminary total of claims for compensation by all schools in the province amounts to R6 million, the provincial weight will be calculated as follows: $W = 5,000,000 \div 6,000,000 = 0.83$

Example: If the total Full Time Equivalent of learners exempted (2.43) is equal to 15% of the total Full Time Equivalent of all learners, and the provincial weight is 0.83, the claim payable to the school by the PED will be R820 (R1 482 x 0.83 x ¹⁰/15)."

APPENDIX A**APPLICATION FORM****Recognition as Voluntary Association**

In terms of Paragraph 145A of the Amended National Norms and Standards for School Funding

Name of Association:**Domicilium (physical address):****Name of Chairperson/ Executive Director / National Secretary:****Telephone:****Fax:****E-mail:****Website:**I, in my capacity as of the

hereby make application for recognition as a Voluntary Association representing

governing bodies of public schools in the Province of

in terms of Paragraph 145A of the Amended National Norms and Standards for School Funding.

I confirm that the Association has consistently complied in all respects with its Constitution since its establishment and commits itself to adhere to the applicable provisions regarding recognition as outlined the Amended National Norms and Standards for School Funding.

Signed on this day of

month & year.

Signature_____
Date

APPENDIX A**Information & Supporting Documents:****1. Management**

Name of Chairperson	
Name of Secretary	
Name of Treasurer	

2. Constitution (A copy must accompany this application form)

Date formally adopted	
Date of the Association's most recent Annual General Meeting (attach copy of minutes)	

3. Code of Conduct (indicate with 'X')	Yes	No	(If 'Yes', submit a copy)
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4. Membership (Detailed list must accompany this application form)

Number of registered members	
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APPLICATION FOR COMPENSATION FOR SCHOOL FEES EXEMPTED DURINGSCHOOL YEAR

NAME OF SCHOOL:

EMIS NUMBER:

QUINTILE:

SCHOOL PHYSICAL ADDRESS:.....

.....

.....

TOTAL ALLOCATION AS PER FINAL ALLOCATION LETTER:..

PER LEARNER ALLOCATION AS PER FINAL ALLOCATION LETTER:

LEARNER ENROLLMENT AS PER SNAP SURVEY:.....

TOTAL NUMBER OF ATTENDED SCHOOL DAYS FOR ALL LEARNERS:

APPLICATION FORM COMPLETED BY:

FULL NAMES:.....

DESIGNATION:

CONTACT DETAILS:

AUDITOR DETAILS:

FULL NAMES:.....

CONTACT DETAILS:

LIST OF EXEMPTED LEARNERS

NAME OF LEARNER	ID Number	Date Enrolled	Date Withdrawn*	% Exemption	School fee**

**Only to be completed if the learner did not complete the school year at this school*

***School fee payable by learner if no exemption was granted*

FINCOM REP SIGNATURE:..... **DATE:**.....

PRINCIPAL SIGNATURE:..... **DATE:**.....

SGB CHAIRPERSON SIGNATURE:..... **DATE:**.....

AUDITOR CERTIFICATION (REFER TO AUDIT GUIDELINES):

I.....**HEREBY CERTIFIES THAT I HAVE VERIFIED ALL REQUIRED INFORMATION CONTAINED IN THE DOCUMENTATION IN SUPPORT OF THIS APPLICATION AND CONFIRM THE CORRECTNESS OF THE INFORMATION SUPPLIED.**

COMMENT:.....

AUDITOR SIGNATURE:..... **DATE:**.....

APPENDIX C

**NATIONAL GUIDELINES FOR THE AUDIT OF APPLICATION FOR
COMPENSATION FOR SCHOOL FEES EXEMPTED**

1. The audit must be completed and certified by the official school auditor, or a person appointed by the governing body in line with Section 43 of the South African Schools Act, before the application is submitted to the Provincial Education Department (PED).
2. The application for compensation will be for the previous school year, hence the situation at the school in the previous school year will apply.
3. The following documentation must be obtained from the school:
 - i. Final departmental allocation letter to the school for the year of application.
 - ii. Audited financial statements for the year of application.
 - iii. Learner attendance registers and quarterly/annual summaries of registers for the year of application.
 - iv. School admission register/s.
 - v. Snap survey for the year of application.
 - vi. Exemption application forms and documentation in support of application for each exempted learner.
 - vii. Documentation confirming / approving the exemption of each exempted learner.
4. The above-mentioned documentation obtained from the school must be used in verification of the correctness of all information provided.
5. Where supporting documentation is only available in electronic format, the auditor must request and be given access to the information.
6. The auditor must complete and sign the applicable section on the application form.
7. Any concerns or non-compliance with regard to the information audited must be reported in the space provided on the application form or on a separately attached note signed by the auditor.

APPENDIX C

8. All non-compliance or incorrect information must be corrected before the application form can be signed off by the auditor.
 9. Any fraudulent information will lead to the application being disqualified.
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