



## **EFF STATEMENT ON THE BASIC EDUCATION LAW AMENDMENT BILL CURRENTLY BEING DELIBERATED ON**

Wednesday, 16 August 2023

The Economic Freedom Fighters (EFF) is in support of the amendment to the South African Schools Act, the Basic Education Law Amendment Bill currently going through clause-to-clause deliberations in parliament this week. We, however, do have a few concerns we will be bringing up in the deliberations.

The Basic Education Laws Amendment Bill, initiated in 2013 by the Minister of Basic Education, is the outcome of a comprehensive effort aimed at standardising public basic education. A Task Team was appointed to research necessary amendments, identifying the South African Schools Act of 1996 and the Employment of Educators Act of 1998 for revision. The resulting Bill, first introduced in 2017, was temporarily set aside for additional consultations.

The Bill aims to mandate compulsory education from Grade R to Grade 12, criminalising those who obstruct a child's schooling without valid reasons. While we fully support this, the EFF will advocate for lowering the school entry age to 3, especially as nursery schools shift to the Department of Education.

The EFF strongly backs the empowerment of principals to oversee learner attendance and take action if a pupil's whereabouts remain unknown after 24 hours of absence. This provision aims to address the concerning issue of high school dropout rates.

However, this provision might overburden principals. It cannot rest solely on their shoulders. In our 2019 manifesto, we proposed that each school should have its own social worker to address issues like this through active comprehension of the underlying social challenges contributing to learner dropout rates.

Research shows that in 2010 indicate 1.1 million learners entered grade 1. Out of this initial cohort, only 755,981 learners remained enrolled for their National Senior Certificate in 2022.

Enforcing mandatory schooling for all school-age children is a vital measure to prevent any child from being left out of education. However, this approach doesn't fully address the broader societal issues causing some children's school absenteeism. The Bill lacks provisions for addressing situations where children miss school due to circumstances like being part of child-headed households or having to care for a sibling or parent.

We are, therefore, pushing for collaborative measures with social development to tackle obstacles preventing school attendance, with a focus on safeguarding the child's well-being above all else.

Regarding the proposed language changes, the EFF endorses the authority granted to heads of departments to make ultimate decisions on school language policies. This responsibility cannot solely rest with School Governing Bodies (SGB), as language is often employed in former white schools to marginalise black learners.

This is particularly so in the Western Cape, where Afrikaans is used as a language of instruction to exclude African learners who will then eventually struggle and fall off. We therefore support that language standardisation be centralised within the education department, ensuring alignment with government directives and adaptable to the unique contexts of schools and their learners.

This same principle should extend to the Code of Conduct for all schools, placing it under departmental authority rather than SGB's, which can misuse their power to exclude.

Currently, cases like Crowthorne Christian Academy in Midrand expelling a young black girl over her dreadlocks, despite a recent change in their hair policy, highlight the ongoing challenges black children face in expressing their natural hair. These issues stem from historical colonial and apartheid legacies that unjustly hinder African children from accessing the education they deserve and are still maintained in these SGB's.

Regarding the amendment to the Employment of Educators Act, we vehemently endorse the provision that bars educators from engaging in any business with the State. Numerous instances have emerged where educators engage in business activities within their affiliated schools, diverting their focus from their primary role of educating children.

This aligns with the current Public Administration Management Act, which restricts public servants from engaging in state-involved businesses due to potential conflicts of interest. Consequently, this clause stands as a positive and necessary reform.

Furthermore, we endorse the proposal of a stricter legislative stance on school admission policies. The current scenario of parents scrambling for school placements at the start of the year is unacceptable. The admission policy should be under the department's jurisdiction, reducing schools' authority to exclude learners based on weak criteria like residency.

However, we strongly reject the provision allowing alcohol at schools under specific conditions. There should never be any circumstance permitting alcohol use on school premises, regardless of the situation. This clause must be removed.

Finally, regarding disciplinary hearings, we propose that learners should have the right to be represented by their parents or guardians under these circumstances. It is crucial that no child faces a disciplinary hearing without the presence of a responsible adult.

All the concerns stated here are being raised as we deliberate this Bill in parliament, and look forward to fully supporting the Bill, once these concerns are addressed.

**ISSUED BY THE ECONOMIC FREEDOM FIGHTERS**

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