

Basic Education Committee adopts Basic Education Laws Amendment Bill

The Portfolio Committee on Basic Education has adopted the Basic Education Laws Amendment (Bela) Bill.



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In a statement on Tuesday, committee chairperson, Bongiwe Mbinqo-Gigaba, said this brings the bill, which has been more than 20 years in the making, in line with continuing the transformation agenda of the basic education sector.

Some of the proposals that were adopted in the bill include making Grade R the new compulsory school-starting age; penalties for parents who do not ensure that their children are in school and confirmation that corporal punishment is no longer allowed at schools, with penalties for those found guilty of such offences.

Mbinqo-Gigaba said during voting on the bill, the majority of members of the committee voted in support of the bill, while three members voted against the adoption of the bill.

Mbinqo-Gigaba said the proposed amendments are to align the bill with developments in the education landscape and to ensure that systems of learning are put in place in a manner that gives effect to the right to basic education, as enshrined in section 29(1) of the Constitution of the Republic of South Africa, 1996.

She emphasised that the committee extensively deliberated on all clauses of the bill.

“In some instances, all members of the committee agreed that certain proposed amendments did not belong in the bill and ensured that they were removed, whereas in other instances, the committee vigorously debated clauses which saw the majority of members of the committee agreeing to retention of such clauses. This is all to ensure that we better the education landscape of the next generation.

“The committee held extensive public hearings across the country. We heard oral submissions in Parliament from stakeholders and thousands of written submissions were considered when debating and drafting this legislation,” Mbinqo-Gigaba said.

In terms of language policy, the amendment states that the governing body must submit the language policy of a public school and any amendment thereof to the Head of Department (HOD) for approval.

The language policy must also take into consideration the language needs of the broader community. The committee further adopted the proposed amendment that the Head of Department, after consultation with the governing body of the school, has the final authority to admit a learner to a public school.

“The contentious proposed amendment, regarding home education, was partially agreed to. This amendment provided for the HOD to, when considering an application, require a delegated official to conduct a pre-registration site visit.

“It was agreed that the said site visits can happen at any place of choice, should parents not agree to such visits at their homes. Furthermore, a report at the end of each phase will now be required by a qualified educator or assessor to prove the competency of the learner in that phase,” the committee said.

Some proposed amendments were scraped in totality. The proposed amendment regarding the sale of alcohol on school premises after hours during functions did not get support from the committee.

The proposed amendment dealing with members of a governing body, who must disclose on an annual basis all their financial interests and the financial interests of their spouse, partner and immediate family members also did not garner support and was deemed too onerous an administrative task.

The bill and the report of the committee will now be referred to the National Assembly for debate and consideration.

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