

First Edition  
March 2024

# ED WATCHDOG

*Keeping an eye on the  
Educational horizon.*



# WHO IS ED WATCHDOG?

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## ED WATCHDOG



Hello!



Hello and welcome to the first edition of Ed Watchdog news. Ed Watchdog was born out of a need to write articles that have core beliefs and opinions on the current Basic Education Laws Amendment Bill (BELA Bill). It was a pen name meant to allow for anonymity but grew on me. 'Ed' stands for education and 'Watchdog' well... I'm a watchdog for education.

The BELA Bill Fight is ongoing and the main focus of this and future publications will be mainly about the BELA Bill, but I hope to have various other articles as well..

The aim is to bring you education-related news, views, and more. Articles in this publication are opinion pieces. Different views mean different opinions. Everyone has an opinion and I'm not excluded from that.

Being anonymous has its advantages but that train has set sail. Or is it that the boat has left the station? Far too many know who I am behind the name already so here is letting the rest of you in on the secret.

I am Charmaine de Wet – better known as CharmaineC38 in various WhatsApp groups. The cat is out of the bag. I will work up to a photo of me in other publications but for now, you have a name.

Ed Watchdog has grown on me and has now blossomed into a publication. I hope to grow it further with more writers adding their opinions on education.

With no further ado here are the articles.... Right after the important disclaimer.

**Disclaimer: Articles in this publication are opinions of the Authors or opinions of those being interviewed and must not replace professional legal advice. The reader is advised to conduct their own research on opinions viewed and seek legal advice by qualified practitioners.**

# WHAT IS THE BIG DEAL ON HOMESCHOOLING AND THE BELA BILL?

ED WATCHDOG 



Home education was first recognized in South Africa in 1996. Since then, it has grown exponentially. The number of home-educating families is estimated to be from 10,000 to 100,000 or more depending on who you ask. Since covid and lock down the number is estimated to have possibly doubled with many families choosing to continue home education indefinitely.

Home education is not new. There have been consultations, misconceptions, information sessions, and misunderstandings between home schoolers and the DBE as far back as 2014 and even earlier. All these have led up to what we see in Clause 35 of the BELA Bill. But what we see in Clause 35 and hear when DBE officials, such as Mr. Ndbele, is vastly different. Before we continue there is one important misconception to clear up. This is an important one and you will see why later in the article.



**It is clear in the South African School's Act 84 of 1996, Section 51(1) that Home Education is at the learner's home.**  
“A parent may apply to the Head of Department for the registration of a learner to receive education at the learner's home”

# WHAT IS THE BIG DEAL ON HOMESCHOOLING AND THE BELA BILL?

ED WATCHDOG 

Veteran homeschoolers have been insisting from all channels as far back as 200, that home education, homeschooling, and homeschool is a child receiving their education in their own home. Centres, however, have either unknowingly, knowingly, or through encouragement and lack of correction from certain curriculum service providers, been calling themselves homeschools. Parents have assumed that centres are homeschooling. And certain government officials still get it wrong today. BELA Bill.



At a Freestate public hearing held on 15th February 2024 at the Nakedi Indoor Sports Centre in Parys, Hon. Mangisa spoke on various issues including homeschooling. "We have got fly-by-night homeschooling or home-based education. Parents who take their children then the next..." He shrugs and goes on further to say, "Then that school is no longer there. Remember, independent schools are subsidized by the department, therefore, there must be an agreement that when we subsidize you, we expect you to perform at this level..."  
(at the 2:50:02 mark. [https://fb.watch/qmY\\*am3fYQ/?mibextid=Nif5oz](https://fb.watch/qmY*am3fYQ/?mibextid=Nif5oz))

## According to the BELA Bill, Clause 35, Section 51(1) Home Education takes place at home

If the parent of a learner who is subject to compulsory attendance as contemplated in section 3(1) chooses to educate the learner at home, such parent must apply to the Head of Department for the registration of the learner to receive home education.

Homeschooling is not fly by night or a school that can just disappear. Hon. Mangisa mistook home education with unregistered micro-schools that are also known as tutor centres or cottage schools. It is important to add that these centres are not made provision for in the South African School's act. They are usually too small or don't have school-like facilities to be considered for registration as an Independent school. Classes are small and sometimes have mixed grades. "Let's do it 2gether 4 EDUCATION" (a non-profit organization) has established the Standard Commission for Independent Alternative Education centres (SCI AEC) in answer to this, but centres are still not homeschooling.

# WHAT IS THE BIG DEAL ON HOMESCHOOLING AND THE BELA BILL?

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The South African Constitution addresses the right to education, including provisions for independent schools. Specifically, Section 29(3) of the Constitution: “Everyone has the right to establish and maintain, at their own expense, independent educational institutions”

The Constitution makes provision for independent educational institutions. It has no provision for home education, so they added it under the Independent school section. This is where the confusion comes in. Home education takes place in the learner's home. It is not an Independent school but alternative education. Alternative Education, however, has no provision in the Constitution. Home Education must now follow 29(3) of the Constitution.



All Independent institutions must not discriminate on the basis of race, must register with the state, and maintain a standard that is not inferior to the standards at a comparable public educational institution, according to 29(3) of the Constitution.

“Independent schools have to operate within the confines of the Constitution and national and provincial legislation. However, critical to their independence is the freedom of a school to use its professional judgement to make decisions without undue state interference.” - ISASA, School Registration (Source: <https://www.isasa.org/school-registration/>)

Learners are also not denied the right to choose between a public or independent, also known as private, schools. Independent schools do not have to show assessments end of each phase but do need to have qualified SACE registered teachers.

If Home Education is considered under 29(3) of the Constitution, then parents must register for it. That is a given. But Clause 35 does not stick to the Constitution. Independent schools have prescribed rules and regulations but more freedom of choice on curriculum. For Home Education however, more regulations are imposed on curriculum choice.

# WHAT IS THE BIG DEAL ON HOMESCHOOLING AND THE BELA BILL?

ED WATCHDOG 

Clause 35, Section 51(2)(a)(iii)  
the proposed home education programme is suitable for the learner's age, grade level and ability and predominantly covers the acquisition of content and skills at least comparable to the relevant national curriculum determined by the Minister;

According to the online Cambridge dictionary 'predominantly' means mostly or mainly and comparable means similar in size, amount, or quality to something else. The programme can be any curriculum, according to Mr. Ndbele. According to the BELA Bill, it can be any curriculum as long as it is:

1. Mainly the skills and content contained in the national curriculum as determined by the Minister and;
2. Similar to the skills and content contained in the national curriculum as determined by the Minister.

We are constantly told that the BELA Bill is not about curriculum, yet not only is 'basic education' defined in terms of curriculum, but home education is confined to specific curriculum criteria.

Home Education is legal. It is a learner receiving their education in their own home. Home Education is placed under 29(3) of the Constitution in the same category as Independent Schools. Independent schools however are allowed more freedom than home education. A learner cannot be denied the choice between a public or an Independent School but can be denied the right to choose Home Education if certain criteria is met. Independent Schools have more freedom on curriculum but, if a parent does not adhere to the criteria in regard to the programme stipulations, the registration for home education can be denied and, effectively, the learner will be denied the choice to home education.



# FOLLOW UP TO CONNECT THE DOTS CLAUSE 39, ABORTION, AND CSE

ED WATCHDOG 

In an article I wrote titled Connect the Dots which was published by Concerned Citizen, I connected the dots between the BELA Bill Clause 39(a), Section 61(aA) "on the management of learner pregnancy", the Children's Act Section 129, and the Policy on the Prevention and Management of Learner Pregnancy. A connection was more specifically made to Clause 39(a) and to the choice of termination of pregnancy (CToP). Several points were made by quoting directly from these documents as well as the South African Schools Act 84 of 1996. It was a rather technical read and Concerned Citizen had to add a warning that read: "Many quotes are taken directly from Policy documents, the BELA Bill or other Acts. Certain sections of this article may prove difficult to read, however please persevere and read till the end." In an attempt to stick to just what was contained in those documents the article had become a rather difficult read. I will attempt to simplify the follow up article but first an update as to what has happened since that article was published.



# FOLLOW UP TO CONNECT THE DOTS CLAUSE 39, ABORTION, AND CSE

ED WATCHDOG 



Marie Sukers, in the Portfolio Committee on Basic Education, Clause by Clause deliberation in August 2023, called for proof that the Policy had been tabled in Parliament. Policies have to go through a process before being gazetted and have to be accepted in Parliament before being put into practice. At the SONA held in February 2024 the Minister of Basic Education, Angie Motshekga, admitted that the Policy was never tabled. It had not gone through the proper process. This same Policy was used in 2023 in a meeting with the Commission of Gender-Based Violence to show what efforts the Department of Basic Education (DBE) had been making to address learner pregnancy. The Policy on the Prevention and Management of Learner Pregnancy has been in effect since 2018. Nobody currently knows if it will be tabled officially or fall away. For now, it can no longer be used to show the intention behind Clause 39(a). Unfortunately.

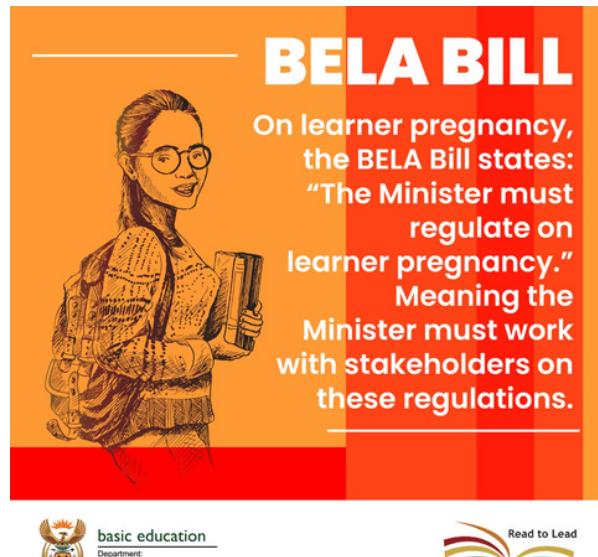
The DBE has put a stop from anyone using any connections outside of the BELA Bill in order to show the connections of abortion or CSE to Clause 39(a) in the BELA Bill. Their representatives make it clear that abortions, CSE, and curriculum is not contained in the BELA Bill and many who have chaired the current public hearings echo the same sentiment and have even said they will not accept comments that mention anything outside of the BELA Bill. Challenge accepted!

DBE officials across the country all claim that the necessity for Clause 39(a) is due to pregnant learners being excluded from the right to attend a school both during their pregnancies and after. The high pregnancy rate of learners is one of the many contributing factors to the high dropout rate as well. I agree that this is a crisis, and pregnant learners should have continued access to education, but the wording of Clause 39(a) does not reflect the intention. In order for the DBE to encourage a better perspective of Clause 39(a) they have begun to use info graphics. I will use these to highlight what actually stands in the BELA Bill because that is what we, as citizens, are being told we have to do.

# FOLLOW UP TO CONNECT THE DOTS CLAUSE 39, ABORTION, AND CSE

ED WATCHDOG 

In the orange info picture, the DBE has conveniently left out the word 'management'. The full line in Clause 39(a) reads: "on the management of learner pregnancy".



According to the Cambridge online dictionary 'management' means the control and organization of something. The Minister does work with others to formulate regulations and regulations have a process to follow, but who are the stakeholders that will be involved in order to control learner pregnancy? We are told to stick to what is in the BELA Bill. If this is the case, then the DBE should have included the word 'management' in their info graphic. Stakeholders are not mentioned in the BELA Bill but if that is the intention then the Clause should reflect it and name the stakeholders.

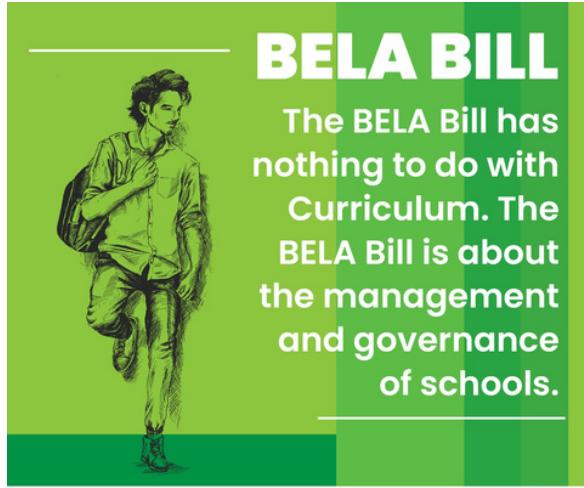
In the blue info graphic, it states that the BELA Bill doesn't mention anything about termination of pregnancy. This is true. The intention, as explained by DBE officials, is that Clause 39(a) is to do with the right to basic education for pregnant learners and the DBE will not be referring these learners for termination of their pregnancy. The DBE's mandate is education. The Clause states that regulations will be made on the management, or control, of learner pregnancy. How will they control learner pregnancy in terms of education? Will they be educating them on their right to terminate the pregnancy from age 12 and up without consent



or informing their parents according to the Children's Act Section 129 and where to go for termination? This would be part of the curriculum and the BELA Bill is not about curriculum. Isn't it?

# FOLLOW UP TO CONNECT THE DOTS CLAUSE 39, ABORTION, AND CSE

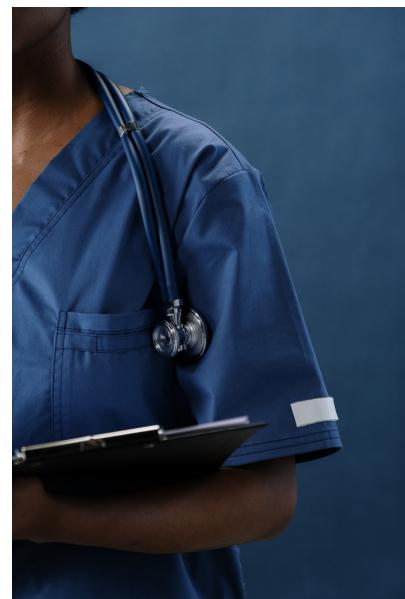
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We are told that the BELA Bill has nothing to do with the curriculum. In the previous version of the BELA Bill (B2-2022) Clause 1(a) read as follows: "basic education' means grade R to grade 12, as evidenced in the National Curriculum Statement;" In the latest BELA Bill the word 'means' was changed to 'includes'. If the word 'means' had remained, then it would entail that the information in the National Curriculum Statement is part of this definition and every curriculum available in South Africa would have had to conform to the National Curriculum Statement. The definition is still in the BELA Bill and only the one word has change which now means that the National Curriculum Statement is just an example as to what basic education is.

Is Clause 1(a) on the definition of 'basic education' not, in part, reference to curriculum? In the BELA Bill Clause 35, Section 51(2)(a)(iii) it mentions the programme, which also means curriculum, to be used in regard to Home Education. To tie it together Clause 40 of the BELA Bill, which seeks to amend the Preamble, adds the line "facilitate the education of children through the promotion and protection of the right to basic education.". Basic education, as is defined in the BELA Bill, Clause 1(a), is anything that follows the example of the National Curriculum Statement.

Currently a pregnant learner is refused the right to attend a school as they are a medical risk, but the DBE wants schools to accept the risk and provisions made for these learners. They want to manage, or control, learner pregnancy at schools. This could point to regulations made to mitigate the risk. What will these regulations be? Will it pertain to having facilities on school premises to handle any incidents that could occur before an ambulance is able to arrive? As mentioned previously the DBE's intention for Clause 39(a) is to ensure that pregnant learners are not excluded or discriminated against in any way so that their right to education is upheld. There is already a Clause in the BELA Bill that speaks about discrimination.



# FOLLOW UP TO CONNECT THE DOTS CLAUSE 39, ABORTION, AND CSE

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Clause 4(a) of the BELA Bill states: "(1) A public school must admit, and provide education to, learners and must serve their educational requirements for the duration of their school attendance without unfairly discriminating in any way." This Clause does not exclude pregnant learners. If regulations are made on the management of learner pregnancy and those regulations will only be about including pregnant learners to ensure their right to education is upheld, then does this Clause not cover that?



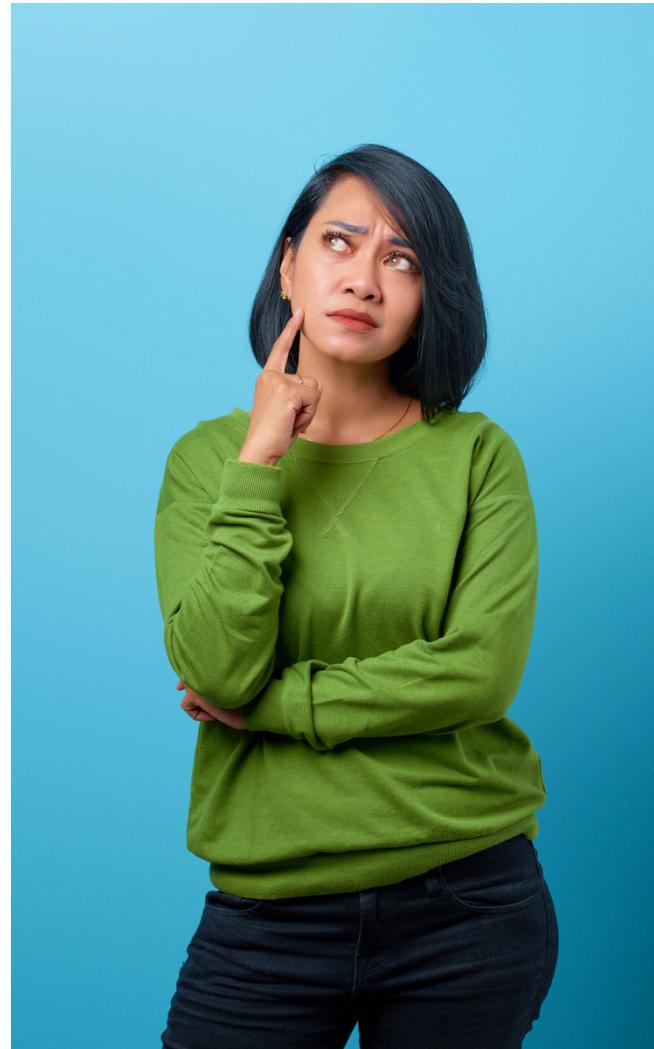
If Clause 39(a) on the management of learner pregnancy is not about controlling all aspects of learner pregnancy but just on adapting school environment for the risks and ensuring the pregnant learner's right to education is upheld, then the wording should reflect the intention. The current wording raises too many questions and the DBE officials wording in explanation does not reflect in the Clause. The pregnant learner cannot be discriminated against according to Clause 4(a) therefore no regulation on controlling schools in order to continue a pregnant learner's education is not needed. Clause 39(a) on the management of learner pregnancy should change to "on the inclusion of pregnant learners".

In terms of curriculum, it is mentioned in the BELA Bill in Clause 1(a) on the definition of 'basic education' and in Clause 40 to amend the Preamble of the South African School's Act 84 of 1996 as well as Clause 35, Section (51)(2)(a)(iii) on the Home Education programme to be used. There is a pre-existing Section, Section 61, in the South African School's Act that Clause 39 in the BELA Bill seeks to amend. In Section 61, specifically Section 61(1)(c), it states that the Minister can make regulations in order to prescribe a national curriculum statement applicable to public and independent schools (Important Note: Section 61(1)(c) is in the South African School's Act 84 of 1996 and is NOT in the BELA Bill). Clause 39 is made up of other subsections.

# FOLLOW UP TO CONNECT THE DOTS CLAUSE 39, ABORTION, AND CSE

ED WATCHDOG 

Clause 39(b) of the BELA Bill seeks to add a subsection to Section 61 of the South African School's Act. Clause 39(b) states: "(2) The regulations contemplated in subsection (1) may provide that any person who contravenes a provision thereof or fails to comply therewith is guilty of an offence and liable, on conviction, to a fine or to imprisonment for a period not exceeding six months, or to both a fine and such imprisonment." This means that if any parent, teacher, SGB, or other person that goes against any regulations made in regard to the national curriculum statement, which is used as the example for the definition of 'basic education', or against any regulation on the management (or control) of learner pregnancy is liable, on conviction, up to six months jail time, a fine, or both. CSE can become a regulation to manage learner pregnancy or form part of the national curriculum statement as determined by the Minister and, should any person disagree, there may not be an opt out option.



It should be mentioned how regulations are made. They have a long process. They need to be researched, presented and discussed in Parliament, put forward to the public to comment on, those comments brought to Parliament and, if the majority agree, then the regulation is gazetted and comes into effect. Laws are above regulations and regulations are above Policy. Content in Policies can also become regulations. This is if there is a reliable democratic government in power. It might be wise to mention that 9 500 submissions during the PCBE process in regard to the BELA Bill was put aside, the Policy on the Management of Learner Pregnancy did not go through the proper process, and comment by the public on matters such as Bills, regulations, and Policies is usually called for near the end of a year when many are preparing for holidays.

# FOLLOW UP TO CONNECT THE DOTS CLAUSE 39, ABORTION, AND CSE

ED WATCHDOG 

Abortion and CSE is not in the BELA Bill. The BELA Bill will not prescribe CSE or send learners for pregnancy terminations. The Minister, though, is open to making regulations on each in future through the avenues the BELA Bill may open to him or her. And if anyone disagrees with future regulations made, they may face severe consequences.



Despite the gag on mentioning abortions, CSE, and curriculum - as it is not mentioned directly in the BELA Bill – it can still tie into the BELA Bill with vague wording such as Clause 39(a), other Clauses that are already in place in terms of intention in regard to Clause 39(a) such as Clause 4(a), and unfair practice that will influence curriculum in the future such as Clause 39(b) in conjunction with Section 61(c) of the South African School's Act.



I do hope I have been able to not become too technical. With a love of law and a passion for the truth I do understand that, at times, I can get too in depth. I will be watching out for comments on this topic and do my best to simplify it if I am able to.



# IT WAS STARING AT ME

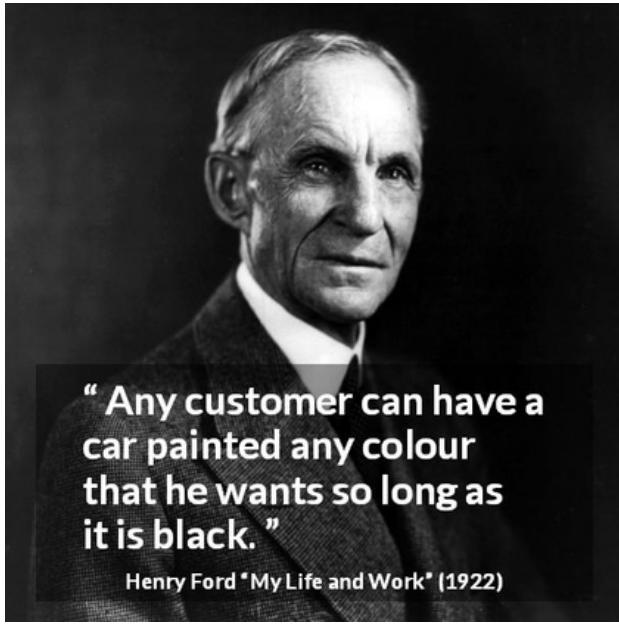
ED WATCHDOG 

I tend to notice a lot in terms of the BELA Bill but there are times some things escape notice. The BELA Bill has 54 Clauses. It is packed with legal jargon and vague language. There are times that reading it together with a focus on language and word usage is required and other times even reading it in conjunction with the South African School's Act 84 of 1996. In this instance the words I focused on were in terms of the programme prescribed in Clause 35 on Home Education. I focused too in-depth instead of looking at it through a wider lens.

Clause 35, Section 51(2)(a)(iii) of the BELA Bill reads as follows: “the proposed home education programme is suitable for the learner’s age, grade level and ability and predominantly covers the acquisition of content and skills at least comparable to the relevant national curriculum determined by the Minister;”

We are constantly being told by DBE officials that homeschoolers can use any curriculum. Mr Ndbele in an interview on the 2nd of November 2023 reiterated that any curriculum can be used. He went on to add that it can be a Chinese curriculum and used other various country names to illustrate his point. I have used the above Clause to show that homeschoolers cannot use any curriculum. To do this I focused on the words “predominantly” and “comparable.” I should have focused on the overall clause then I would not have missed the final piece to the puzzle.

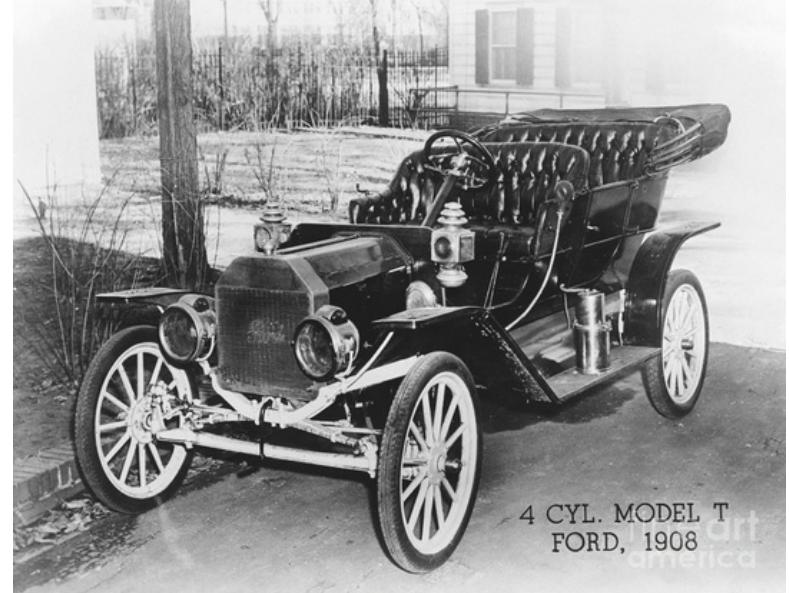
‘Predominantly’ means mostly or 50% and more of something. ‘Comparable’ means similar to something. In any Act ‘Minister’ means the relevant Minister for that department. For example, the ‘Minister’ mentioned in the Children’s Act is the Minister of the Department of Social Development and the ‘Minister’ mentioned in the School’s Act will be the Minister of the Department of Basic Education.



**“Any customer can have a car painted any colour that he wants so long as it is black.”**

Henry Ford “My Life and Work” (1922)

Henry Ford was an American car manufacturer who created the Model T in 1908 and went on to develop a factory assembly production line method that revolutionized the automotive industry. He is also famous for the line: “Any customer can have a car painted any colour that he wants as long as it is black.” Education has become a factory assembly line of one size fits all and this is clearly seen in Clause 35, Section 51(2)(a)(iii). You can use any curriculum if it is mostly and similar to what will be determined by the Minister.



You can use a Chinese curriculum, a Charlotte Mason curriculum, Classical conversions, a Waldorf Curriculum, a Montessori Curriculum, or any other curriculum. If it is similar to whatever the Minister will determine. If the programme required, as specified in Clause 35, Section 51(2)(a)(iii), was a car and the Minister was Henry Ford then homeschoolers would be allowed to choose any colour as long as it is either dark grey or black.

And I am left shaking my head and kicking myself for narrowing down my focus on two words instead of looking at the bigger picture.



# PRE-PUBLIC HEARING WORKSHOP GAUTENG

**Article by Rebekka Liebenberg HSSA**



The Gauteng legislature extended an invite to education stakeholders, to attend a pre public hearings workshop on the BELA bill on the 14th of February 2024 at the Gauteng Provincial Legislature Auditorium. Despite the invite reflecting the date of 6 February 2024, we have not been able to establish where the invite was sent for dissemination into the sector for which the Gauteng Provincial Legislature is responsible. Some of us happened to see the invite on social media on the 13th of February, and managed to go along to see what the Public Participation Unit was presenting on behalf of the Education Portfolio Committee.

The invitation was extended mainly to organisations, but individuals were also welcome. Amongst the delegates were reps from youth organisations, social workers, health care professionals, Union representatives, political party representatives, leadership from religious organisations, principals and teachers associations, School governing bodies and others. Myself and another delegate appointed as a monitor for the Pestalozzi trust were there to represent the homeschooling sector.

The Meeting started very late. The start time was supposed to be 9am but the public participation coordinators started the workshop at around 10.30 am. Snack packs and water were provided in the morning and a full lunch was served in the afternoon. The room was stifling hot with no windows or fans and the aircon was broken. some of the seats were also broken.

The workshop presenters (Mr L Mothobi and Mr S Mthwazi), together with a panel from the DBE offered a read through of the BELA bill amendments as per the DBE's perspective of what the public need to know and understand. The idea was to inform via a summary of the changes. The team did not appear to be well prepared and the slide show was nothing more than a screen share of sections of the BELA bill, and the more complex and important aspects were skimmed over. We did get a printed version of the latest Draft.

# PRE-PUBLIC HEARING WORKSHOP GAUTENG

Article by Rebekka Liebenberg HSSA



Mr Mothobi's introduction included a cursory introduction of the structure of government and the role of the Gauteng Legislature and its involvement in promoting public involvement. One aspect of his explanation was rather confusing in that he spoke of filling policy gaps. It has been my understanding that Acts are passed and that policy is meant to further add to this for the sake of implementation and management. The gentleman said that "the Cabinet gives a go ahead to a bill on a policy cycle" where the Bill is crafted in response to these policy gaps.

It was explained that the workshop's purpose was not to hash out or debate the amendments and clauses, but rather to discuss our questions for the sake of clearly understanding the meanings. There was generally a lack of agreement that the document actually said what it meant to say and during the Q&A session, the DBE were not able to answer all the questions and concerns. This was not a typical workshop and the interactive aspect was not very engaging. Some questions were answered in very great detail while others were clearly deflected. There was a clear effort to skirt around specific issues, and the general answers to those was that that is not the "meaning" of the clause. Homeschoolers have been saying for a long time that what the DBE says is 'meant' by the amendments are not what is actually written. The delegates ask about this and the DBE reiterated multiple times that their lack of coverage of certain aspects was absolutely not a case of trying to ignore or misrepresent the meaning.

The clause 39 question on abortion did crop up, but there was reticence to allow that discussion and the panel just said that this is not contained in the Bill. There were many ACDP delegates present, in their ACDP shirts, and the panel were careful not to completely discount the concern.



My questions were along the lines of seeking guidance on how we should structure our written submissions and the response was that they want clause and section details (as in where it is found in the SASA and EEA) and they want to know how and why it won't work, and also how to improve it. The one Gentleman on the DBE team explained that the person/people reading your submission need to take it and then re-present it to the committee and explain what they understand from your explanation, and then offer the solution or ideas you have come up with. Going forward, they want us to help them understand what we can see the bill doing, and that we have to also give them the tools with which to present our case to the committee so that they will be able to effect the necessary changes to the clauses.

# PRE-PUBLIC HEARING WORKSHOP GAUTENG

Article by Rebekka Liebenberg HSSA



In my opinion, we need to offer what it is that the amendments MEAN to implement according to the black and white wording on paper, and how these might be misused due to choice of wording, or because of where they come from in SASA and EEA.

Simply looking at the clauses alone or rejection of the clauses without qualification is not going to do much more than record a general sentiment which may or may not be officially recognised. We need to break it down and unpack the wording and prove to the people who are reading our submissions that the wording together with the supportive documents contain too many loopholes for abuse. The mechanism by which the law will function needs to be exposed in detail.

The delegates were invited to share the email address of the Education Portfolio Committee Senior Coordinator with their organisation members for the purpose of sending their submissions on the BELA bill, over and above the public hearings. There is as yet no cut off date for these submissions.

Please send your Gauteng related submissions to Ms Sharlene Gaya (0795229239)  
Email: [sgaya@gpl.gov.za](mailto:sgaya@gpl.gov.za)

You can also send general questions to [talktothemec@gauteng.gov.za](mailto:talktothemec@gauteng.gov.za)

The DBE contact person who will be able to advise on the specific amendments themselves should you have detailed questions, is [ngcobozi@gauteng.gov.za](mailto:ngcobozi@gauteng.gov.za)

Please go to any public hearings in your area and take a written submission with you. If you get to speak, make sure to have notes with you so that you can mention the numbers and sections of the act that is being amended. If you can, also offer a solution or why the amendment should be removed altogether. For the purpose of homeschooling Clause 35 is what we can focus on.

Yours in Homeschooling,

Rebekka Liebenberg  
HSSA

# PUBLIC HEARINGS AND WRITTEN SUBMISSIONS TIPS

ED WATCHDOG 

At recent public hearings attendees have been warned to include only what is in the BELA Bill. This means we have to step up in speeches and written submissions. It is not so easy though as the majority are not legal experts. The Clause-by-Clause summary they give as well as the explanation given at the public hearings can be misleading.

- Pick a Clause.
- State what you understand in regard to it or don't understand about it and/or
- State what you think is wrong with the Clause.
- Make a suggestion for the change or ask it to be removed until clarity can be made.

Written submissions are not limited in how much can be stated but public hearings speakers are mostly limited to 3min. This makes it difficult to unpack all the issues in such a short amount of time. Keeping it short can help.

It is important to stick to what is in the BELA Bill. Below is an example of what not to say or write:

- Clause 39(a)
- Means that schools will become clinics
- Schools can't become clinics.

Above will be rejected as Clause 39(a) does not say schools will become clinics. It only mentions regulations being made on the management of learner pregnancies. Below is an example of what will be accepted if mentioning Clause 39(a):

- Clause 39(a)
- Don't fully understand it as the language is vague and does not fit the explanation by the DBE officials. They say it is to include pregnant learners.
- Change the wording to reflect the explanation. Use "inclusion" instead of "management".

# PUBLIC HEARINGS AND WRITTEN SUBMISSIONS TIPS

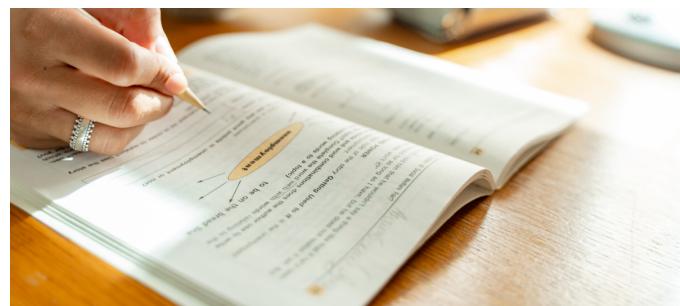
ED WATCHDOG 



Mentioning Alcohol will not be accepted as the Clause no longer stands in the BELA Bill.

Writing or speaking about CSE will be rejected as the BELA Bill does not directly mention this.

Unless mentioning Clauses that specifically deal with curriculum (Such as Clause 1(a), Clause 35 (Section 51(2)(a) (iii)), or Clause 40) any other mention of curriculum will be rejected.



Mentioning broken infrastructure, pit toilets, lack of teachers, or anything that points to the current broken educational system will be rejected.



This won't be easy, but with just a mention of the specific Clause you want to highlight and have removed or changed in the BELA Bill you can already make a big difference to your speech or written submission.



Writing submissions and attending public hearings are your democratic right. There are also other platforms available and Dear South Africa is such one platform. To send a submission on their platform go to: <https://dearsouthafrica.co.za/bela-bill-ncop/>

To explain more as to what they are about the following has been taken from their webpage:

*DearSouthAfrica.co.za is a not-for-profit platform that enables the public to co-shape all government policies, amendments and proposals. Since launching in 2018, we've run many successful campaigns and have amassed a considerably large active participant network of over 1 million individuals across the country and beyond.*

*We do not run petitions. We run legally recognised public participation processes which allow citizens to co-form policy at all levels of governance. Whereas petitions, even if they contain thousands of signatures, are considered as a single submission by government, our process ensures that each comment made through dearsouthafrica.co.za is recognised and counted as an individual submission by government.*

*Furthermore, we keep an accurate record of all participation and produce a publicly available report at the end of each project. This report forms the foundation of a sound legal case should the necessity to challenge the decision arise.*

*Participation in decision-making processes is free and presents an opportunity for citizens, civil society organisations and other interested parties to influence the development of policies and laws which affect them.*

*We've made it easy for you as a responsible citizen of South Africa, to influence government decisions before they are made.*

*Prevention is better than cure.*

**Written Submissions still open at date of publication:**

# OPEN

Freestate

**Deadline 5 March**

fuzilien@fsl.gov.za

conies@fsl.gov.za

matshabalalam@fsl.gov.za

pusletor@fsl.gov.za

Gauteng

**Deadline 5 March**

Mr Pheello Mashiloane

Email: pmashiloane@gpl.gov.za

Whatsapp: 071 687 6729

Mr Thabo Kekana

Email: tkekana@gpl.gov.za

Whatsapp: 071 687 6735

Northern Cape

**Deadline 12 March**

dfritz@ncpleg.gov.za

Eastern Cape

**Deadline 15 March**

mdaniels@ecelg.gov.za

Western Cape

**Deadline 4 April**

wasiema.hassenmoosa@wcpp.gov.za

Whatsapp voice notes or messages to

060 250 6165

Online form:

<https://forms.office.com/r/hKVpkPGbbY>

# WE'RE CLOSED

**Written Submissions that have closed at date of publication:**

NCOP - National

KZN

Limpopo

Mpumalanga

North West

**Above information may be subject to change.**

# PUBLIC HEARINGS STILL OPEN

ED WATCHDOG 

**Public Hearings that have been concluded at date of publication:**

Freestate  
Gauteng  
KZN

Limpopo  
Mpumalanga  
North West

**WE'RE  
CLOSED**

**OPEN**

**Public Hearings still ongoing at date of publication:**

## Eastern Cape

### *Team 1:*

- 4 March, 10h00  
Kariega, Babs Madlakane Hall
- 5 March, 10h00  
Motherwell, Raymond Mhlaba Hall
- 6 March, 10h00  
Northern Area, Chatty Community Hall
- 7 March, 10h00  
New Brighton, Nangoza Jebe Hall
- 8 March, 10h00  
City Hall, City Hall (reception)

### *Team 2:*

- 4 March, 10h00  
Aberdeen, Library Hall
- 5 March, 10h00  
Steytleville, Town Hall
- 6 March, 10h00  
Addo, Masizakhe Hall
- 7 March, 10h00  
Hankey, Vusumzi Landu
- 8 March, 10h00  
Makhanda, Noluthando Hall

### *Team 3:*

- 4 March, 10h00  
Mt Fletcher, Solomzi Community Hall
- 5 March, 10h00  
Maclear, Nqanqarhu Town Hall
- 6 March, 10h00  
Sterkspruit, Bunga Hall
- 7 March, 10h00  
Burgersdorp, Town Hall
- 8 March, 10h00  
Aliwal North, Joe Slovo Hall

### *Team 4:*

- 4 March, 10h00  
Cradock, Vusubuntu Hall
- 5 March, 10h00  
Ladyfrere, Ladyfrere Town Hall
- 6 March, 10h00  
Engcobo, Engcobo Indoor Sports Centre
- 7 March, 10h00  
Cofimvaba, Cofimvaba Memorial Hall
- 8 March, 10h00  
Komani, Indoor Sports Centre

**Above information may be subject to change.**

# PUBLIC HEARINGS STILL OPEN

ED WATCHDOG 

**Public Hearings still ongoing at date of publication:**

# OPEN

## Eastern Cape

### *Team 5:*

- 4 March, 10h00  
Matatiele, Nokhwezi Community Hall
- 5 March, 10h00  
Bizana, St Patrick Hospital
- 6 March, 10h00  
Lusikisiki, Nongoma Community Hall
- 7 March, 10h00  
Qumbu, Tsolo Town Hall
- 8 March, 10h00  
Mthatha, OR Tambo Hall

### *Team 6:*

- 4 March, 10h00  
Butterworth, DOE District office Hall
- 5 March, 10h00  
Ngqushwa, Ncumisa Kondlo Hall
- 6 March, 10h00  
Alice, Alice Town Hall
- 7 March, 10h00  
Mdantsane, DOE – District Office Hall  
(Rubusana)
- 8 March, 10h00  
King Williams Town, Schornville Community  
Town Hall

## Western Cape

- 15 March, 18h00  
Paarl, Huguenot Community Hall
- 22 March, 18h00  
Saldanha Bay, White City Multi-Purpose  
Community Centre
- 4 April, 18h00  
Cape Town, Chamber (Sixth Floor)  
Provincial Legislature Building

## Northern Cape

- 23 March, 10h30  
Springbok, Bergsig Libra Hall

**Above information may be subject to change.**



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# Pestalozzi Trust

*[www.pestalozzi.org](http://www.pestalozzi.org)*

The BELA Bill Abuse Hotline, operated by the Pestalozzi Trust, is a dedicated line for reporting any issues or irregularities encountered during the Basic Education Laws Amendment (BELA) Bill hearings. This initiative aims to ensure transparency, fairness, and inclusivity in the hearing process by addressing concerns such as inadequate public notification, insufficient educational sessions prior to hearings, limited bill copies or language support, and restrictions on public input. Stakeholders are encouraged to contribute by sending reports, including text, voice notes, or videos, through the dedicated WhatsApp and Telegram lines.

Issues worth reporting include:

- **Notification and Accessibility:** Cases where the public was not adequately notified about hearings, including where the dissemination of the notices was not widespread.
- **Pre-Hearing Preparation:** Instances where no preliminary education sessions were held before public hearings, leaving participants under-informed about the bill's content and implications.
- **Access to Copies of the Bill:** Situations where there were insufficient copies of the bill available at hearings, or where copies were not provided in the languages prevalent in the area, hindering understanding and participation.
- **Time Management and Fairness:** Concerns about briefings, introductions, and explanations consuming excessive amounts of time, thereby limiting the opportunity for public comment. Also, any attempts to dictate what the public could or could not discuss should be noted.
- **Participant Manipulation:** Observations of individuals being bussed in to hearings without any prior knowledge of the bill, potentially skewing the nature of public input.

This effort supports the Trust's wider mission to monitor the hearings effectively and advocate for fair legislative processes.

You can send text, voice notes, or videos to the following contact details:

\*WhatsApp: 069 407 7938\*

\*Telegram: 071 356 1528\*

**Top Tip:** Add the number to your contacts before sending text, voice notes, or videos. If you are struggling you may need to add +27 in front of these numbers.