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TO : The Acting Deputy Director-General : Curriculum Policy, Support and Monitoring, Department of Basic Education
Department of Basic Education
Private Bag X895
PRETORIA, 0001
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ATTENTION : Dr LP Kriel

ICW : CALL FOR WRITTEN SUBMISSIONS FROM STAKEHOLDER BODIES AND MEMBERS OF THE PUBLIC ON THE DRAFT REGULATIONS PERTAINING TO THE NATIONAL CURRICULUM STATEMENT GRADES R-12

Dear dr. Kriel

Since its inception in 1992, the Association for Homeschooling represents the homeschooling community schooling in South Africa.

The Association would like to thank the minister for the opportunity for commenting on the draft regulations pertaining to the National Curriculum Statement.

The South African Constitution and the SA Schools Act acknowledge that learners have the right to receive their education at home. Many parents decide that it is in best interest of learners to receive their education at home, for a variety of reasons (e.g. because of bullying or no textbooks at schools).

According to draft regulations (Sec. 3.(2)a), the minimum entrance requirement for Grade 10 is an official Grade 9 school report which indicates that a learner has met the requirements for promotion to Grade 10. The implication of this is that it will not be possible to get a National Senior Certificate (NSC) through home education. Furthermore, according to the admission requirements of institutions that offer higher education, learners without an NSC cannot be admitted to further education. The implication of this is that these draft regulations will make it impossible for home learners to be admitted to tertiary education.

According to sec. 29(1)b of the constitution, every citizen has the right to further education. The draft regulations will therefore infringe on the constitutional right of homelearners to have access to further education.

According to sec. 22 of the constitution every citizen has the right to choose their trade, occupation or profession freely. If homelearners are not allowed access to further education, this right will be severely limited, because many occupations and professions require further education.

Because the draft regulations infringe on the constitutional rights of homelearners, these regulations unfairly discriminate against learners that receive their education at home.

The Association would therefore use this opportunity to request the minister to revise these regulations to make them consistent with the South African constitution, because the draft regulations are currently inconsistent with at least 3 sections of the constitution.

Yours sincerely

Bouwe van der Eems