

THE MANAGEMENT OF ADMISSION AND REGISTRATION OF LEARNERS AT APEX HIGH SCHOOL

1. PREAMBLE

- 1.1 Whereas Apex High School (“the School”) is a public school, having juristic personality, the governance of which is entrusted to the School’s Governing Body (“the SGB”);
- 1.2 And whereas the SGB is empowered to determine the admission policy of the School, subject to the applicable statutory provisions;
- 1.3 And whereas it is the aim of the School to provide a school environment where the race, culture religion and economic standing of the learner are in no instances an impediment to a learner’s access to the School;
- 1.4 Now, therefore the SGB has constituted the following policy as the admission policy of the School (“the admission policy”), in the belief that its provisions are consistent with the legislative framework below.

2. LEGISLATIVE FRAMEWORK

The admission of learners to the School is subject to the following statutory provisions:

- 2.1 The Constitution, No. 108 of 1996 (“the Constitution”);
- 2.2 The South African Schools Act, No. 84 of 1996 (“the SASA”);
- 2.3. The National Education Policy Act, No. 27 of 1996;
- 2.4. The Admission Policy for Ordinary Public Schools, GG 19377, Notice No. 2432 of 1998, dated 19 October 1998 (“the National Policy”);
- 2.5. The Western Cape Provincial School Education Act, No. 12 of 1997, as amended (“the WCPSEA”);
- 2.6. The WCED Policy for the Management of Admission and Registration of Learners at Ordinary Public Schools (“the Western Cape Policy”);
- 2.7. The Promotion of Administrative Justice Act, No. 3 of 2000;
- 2.8. The Refugees Act, No.130 of 1998;
- 2.9. The Immigration Act, No. 13 of 2002.

3. GENERAL PROVISIONS

- 3.1 The SGB acknowledges that:
 - 3.1.1 it stands in a position of trust towards the School.
 - 3.1.2 it has been entrusted with a public resource that must be managed in the interests of learners, parents and the broader community in which the School is located; and
 - 3.1.3 the admission policy has to adhere to and must be consistent with the relevant legal provisions and enactments to the extent that they are valid and binding upon them and take precedence over the right of the SGB to determine the admission policy to the School.
- 3.2 The SGB strives to:

- 3.2.1 ensure the lawful administration of learner admission and registration in the School;
- 3.2.2 facilitate the admission of learners to the School in a timely and efficient manner;
- 3.2.3 enable effective teaching and learning to commence on the first day of the school year and the first day of successive school terms; and
- 3.2.4 ensure the School's development by providing quality education and promoting the best interest of the learners attending the School.

4. LEGAL RESPONSIBILITY FOR THE PROCESSS REQUIRED TO CO-ORDINATE AND ADMIT LEARNERS TO ORDINARY PUBLIC SCHOOLS

- 4.1 The Constitution⁷ provides that a child's best interest is of paramount importance in every matter concerning the child. The School and the SGB require strict observance by the Head of the Department ("the HoD") / the HoD delegate(s) / the Principal of the aforesaid provision, as a prerequisite to any decision to be taken regarding the admission of a learner to the School.
- 4.2 The SGB determines the admission policy of the School.
- 4.3 The HoD is responsible for the administration of the admission of learners to a public school. The HoD may delegate the responsibility to admit learners to a departmental official.
- 4.4 The HoD must co-ordinate the provision of schools and the administration of admissions of learners to ordinary public schools with governing bodies to ensure that all eligible learners are suitably accommodated in terms of the SASA.
- 4.5 The HoD must determine a process of registration for admission to public schools. The Western Cape Education Department ("the WCED") has developed the CEMIS registration system for the registration of learners in accordance with the provisions of the National Policy. This system is aimed at enabling the admission of learners in a timely and efficient way, as well as the tracking of all learners who enter the school system.
- 4.6 The Member of the Executive Council for Education, referred to as the Provincial Minister of Education in the Western Cape ("the Minister"), considers appeals from a parent or learner who has been refused admission to a public school.
- 4.7 Subject to the National Policy, the SGB requires the HoD / the HoD delegate(s) / the Principal to co-ordinate the admission of learners to the School, in consultation with it, and the SGB undertakes to give constructive support in ensuring that all eligible learners are suitably accommodated.
- 4.8 The HoD / the HoD delegate(s) / the Principal, whilst engaged in the process of deciding upon applications for admissions, must take the admission policy in account demonstrably, fairly and in accordance with the law at all times. The SGB requires the HoD / the HoD delegate(s) / the Principal to allow the SGB full access to and copies of any register of files kept as part of the admission process.

5. LEGAL PRINCIPLES

- 5.1 The admission policy of the School must be consistent with the Constitution, the National Policy, the SASA and the WCPSEA.

- 5.2 Unfair discrimination: The School will not unfairly discriminate against a learner who applies for admission to the School. Therefore, no pupil will be refused admission on grounds of race, gender, culture, language, religious belief or financial circumstance.
- 5.3 Testing of learners: The School will not administer any test relating to the admission of a learner to the School, or direct or authorise the Principal or any other person to administer such a test.
- 5.4 Feeder zones: The School takes cognisance of the fact that the WCED has not determined any feeder zones for public schools in the Western Cape.
- 5.5 School language policy: The SGB determines the language policy of the School, subject to the Constitution, the SASA and any other applicable law.
- 5.6 Over-age learners:
 - 5.6.1 An over-age learner is a learner who is more than two years older than the age group norm (the Grade plus six years).
 - 5.6.2 The School will, subject to the provisions below, not refuse continued education at the School to learners who are in the school system, but who have become over-age because of repeating grades:
 - 5.6.2.1 When transferring from one school to another, such over-age learner may be admitted only with the approval of the circuit team manager.
 - 5.6.2.2 A learner who has repeated one or more years at school is exempt from the age grade norm, except that, if a learner is three years older than the norm age per grade, the HoD must determine whether the learner will be admitted to that grade.
 - 5.6.2.3 Multiple repetition in one grade is not permissible.
 - 5.6.2.4 Where insufficient vacancies exist at the School, learners of the compulsory school-going age shall have preference of admission over deregistered learners who are not of compulsory school going-age and over-age and under-age learners. Deregistered learners who are above the compulsory school-going age will be referred to an AET centre or an FET college.
- 5.7 Parental responsibility: Every parent must ensure that a child for whom the parent is responsible, attends school from the first school day of the year in which such a learner turns seven, until the last school day of the year in which the learner reaches the age of 15 years or the ninth grade, whichever occurs first.

6. THE CAPACITY OF THE SCHOOL

- 6.1 In consideration of its budget and compliance with the prescribed norms and standards, the SGB has determined that the capacity of the School shall be limited to 1 200 pupils made up of a maximum capacity of 40 learners per class and 240 per grade.
- 6.2 The School shall not admit more than 240 learners into grade 8.
- 6.3 The final number of learners accepted into the School at any one time shall not exceed the capacity in any one grade without the motivation of the Principal and ratification by the chairperson of the SGB. In reaching a decision on this figure all relevant factors will be taken into account, including, but not limited to the following:

- 6.3.1 The education needs, safety and well-being of the learners are at paramount importance in the determining the capacity of the School;
- 6.3.2 The number of available teachers at the School;
- 6.3.3 The maximum number of learners permitted per class;
- 6.3.4 Internationally recognised best practice with regard to class size in order to deliver effective and efficient quality education;
- 6.3.5 Space requirements, including areas for administration needs for teachers and other staff;
- 6.3.6 The need to provide workspace to support the educational process by providing designated and exclusive space for the management and administration of the School, staff workrooms, a staff common room including work and common rooms for maintenance;
- 6.3.7 The number of appropriate, designated and suitably sized classrooms;
- 6.3.8 Space needs for sport, learning support, cultural – and recreational programmes and activities to take place at the School;
- 6.3.9 The provision of continued space for Library education, Computers, a School hall, Science and Technology laboratories;
- 6.3.10 The provision of sufficient sanitation and ablution facilities and playground space for the total number of pupils and staff.

7. SELECTION CRITERIA

- 7.1 The School is a parallel-medium school equipped with human resources to cater primarily for those learners whose mother tongue or chosen language of tuition is the medium of tuition at the School.
- 7.2 The School will, where it is reasonably practicable and where the School has the relevant educational support, admit learners with special educational needs.
- 7.3 Admission to Grades 9 – 11 will be considered only if there are vacancies in the relevant grade.
- 7.4 Only in exceptional circumstances will applications be considered for learners entering Grade 12.
- 7.5 Where it becomes necessary to select learners because the number of applicants exceeds the number of available places in the School, grade or class for which the application is made, admission shall be based on the criteria below.
- 7.6 Applicants must note that the absence or presence of one or more of these criteria does not mean that a learner will necessarily be refused or guaranteed admission to the School.
- 7.7 The selection of a learner shall be based on the following criteria, which are set out in no particular order:
 - 7.7.1 The timely submission of a duly completed application form together with all the required supporting documentation;
 - 7.7.2 The successful completion of or promotion out of the grade immediately below the grade in which the admission is sought;
 - 7.7.3 The learner's proficiency in English or Afrikaans, which are the languages of teaching, learning and communication at the School;

- 7.7.4 Learners residing with their parents in the Blueberry Hill, Clairewood, Devon Park Village, Devon Park, Electric City, Forest Village, High Places, Hillcrest Heights, Park Village, Pine Place, Russells Rest, Sillwood Heights, Stratford Green and Tuscany Glen suburbs;
- 7.7.5 The available number of places at the School, determined by the School's capacity and the School's commitment to providing quality education to all its learners;
- 7.8 The precise application of the admissions criteria, the evaluation of each application against the criteria and the weighting afforded to each criteria shall remain within the discretion of the SGB.
- 7.9 Whilst the School and SGB know that they may not unfairly discriminate against a learner on whose behalf an application is made for admission, and have no intention thus to discriminate, and whilst they are desirous of playing their part in the education of learners in partnership with the State, they appreciate that the School cannot accommodate all learners and that some process of (fair) discrimination regarding admission of learners is inevitable. Therefore, and in view of the foregoing, it is the School's policy that the following preference be afforded to applications –
- 7.9.1 First, those in respect of learners *bona fide* (genuinely) residing with their parents (as defined in SASA) within the natural feeder area of the School, and whose mother tongue is the medium of tuition of the School.
- 7.9.2 Second, those in respect of learners *bona fide* (genuinely) residing with their parents (as defined in SASA) within the natural feeder area of the School, and whose chosen medium of tuition (the choice being exercised by the parent(s) in the application of admission) is the medium of tuition of the School.
- 7.9.3 Third, those in respect of learners whose parent or parents is/are genuinely employed at an address within the natural feeder area of the School, and whose mother tongue is the medium of tuition of the School.
- 7.9.4 Fourth, those in respect of learners whose parent or parents is/are genuinely employed at an address within the natural feeder area of the School, and whose chosen medium of tuition (the choice being exercised by the parent(s) in the application for admission) is the medium of tuition of the School
- 7.9.5 Fifth, learners residing outside the natural feeder area of the School, whose mother tongue is the medium of tuition of the School, and who wish to study a subject or subjects offered by the School and no other school closer to the learner's place of residence.
- 7.9.6 Sixth, learners residing outside the natural feeder area of the School, whose chosen medium of tuition (the choice being exercised by the parent(s) in the application) is the medium of tuition of the School, and who wish to study a subject or subjects offered by the School and no other school closer to the learner's place of residence.
- 7.9.7 Finally, learners residing outside the natural feeder area of the School, and whose mother tongue or chosen medium of tuition is the medium of tuition of the School, on the basis of first come, first served.

7.9.8 Notwithstanding the foregoing, the SGB reserves the right, in conjunction with the district director, to afford overriding preference to siblings of learners already enrolled at the School.

8. SCHOOL FEES

8.1 The School is a no fee school.

8.2 The School will not charge a registration fee, a deposit, re-admission or pre-admission testing fees, or any other fees at the time of application.

9. THE ENROLMENT OF LEARNERS AT THE SCHOOL

9.1 Phase 1: Application for admission. The first phase involves the following:

9.1.1 An applicant has to make application for the admission to the School to the Principal of the School. The applicant has to complete and present the application form and the required compulsory documents to the School.

9.1.2 The School has to notify the parent or learner that the application for admission has been successful or unsuccessful, and if successful, the parent or learner must either accept or reject the place in the School.

9.1.3 The Principal will inform the parent or learner, by no later than the date determined by the WCED each year, that the learner has been admitted to the School or has not been admitted to the School.

9.1.4 Where the learner has been accepted, the parent or learner must confirm that the learner will accept the grade place at the School. If the School does not receive the parent or learner's response by the due date, the learner will lose the grade place.

9.1.5 If a learner is placed on a waiting list, parents must apply to other schools to ensure the admission of the learner in the next year at another school, as a place in the School may not become available.

9.2 Phase 2: Registration for enrolment.

The second phase commences after acceptance of a learner with the compulsory registration of the learner on the Central Education Management Information System (hereinafter referred to as "CEMIS") as part of the school enrolment.

10. DOCUMENTATION REQUIRED FOR ADMISSION TO AND ENROLMENT AT THE SCHOOL

10.1 Admission documents

10.1.1 The School must on request supply prospective applicants with an application form for admission. The WCED CEMIS Learner Registration Form is used by the School. In addition to the compulsory CEMIS information, the School will request other information required by the School for its own administrative and record purposes.

10.1.2 The following documents must accompany the duly completed and signed (to be signed by both parents and the learner, or in the case of a single parent, only such parent and the learner) application form in order for the application to be considered:

- 10.1.2.1 An official unabridged birth certificate, or a certified copy thereof, or in the absence of such document, official proof that application has been made to the Department of Home Affairs for a birth certificate;
 - 10.1.2.2 Written proof of immunisation against the following contagious diseases: polio, measles, tuberculosis, diphtheria, tetanus and hepatitis B;
 - 10.1.2.3 The most recent original academic school report issued by the school last attended by the learner;
 - 10.1.2.4 A certified copy of a utility account or lease agreement of the parents;
 - 10.1.2.5 A certified copy of each parent's identity document;
 - 10.1.2.6 Such additional documents as may be prescribed by the School from time to time;
 - 10.1.2.7 To align the admission process with the WCED CEMIS, an original school transfer letter is required from the school where the learner is enrolled in cases where a learner wishes to transfer to the School from another WCED school;
 - 10.1.2.8 Learners transferred to the School from an independent school also need to have all the documents mentioned above;
 - 10.1.2.9 Learners transferred to the School from home education also need to provide all the above-mentioned documents, except the transfer letter or transfer letter when applying for admission.
 - 10.1.2.10 Learners transferred to the School more than 2 weeks after the start of the school year, need to provide the Learner's Portfolio from the previous school.
- 10.1.3 The Western Cape Policy applies equally to learners who are not citizens of South Africa and whose parents are in possession of a temporary or permanent permit for residents issued by the Department of Home Affairs. In addition to the aforesaid compulsory documents, non-South African citizens also need to submit the following documents:
- 10.1.3.1 Residents' permit: A certified copy of the official permit of residence must accompany the application form in order for the application to be considered; OR
 - 10.1.3.2 Study permit: A learner of a learner's parents who entered the country on a study permit, shall present the study permit when making application for admission, a certified copy of the study permit must accompany the application form in order for the application to be considered. An exception to this provision will apply to learners who come from countries where study permits are only issued once a learner can prove that he has been admitted at a school in South Africa: Such learners will not be required to submit study permits when submitting their applications for admission to the School. Should such a learner's application be successful, he will be admitted provisionally on

condition that he has to submit his study permit when he registers at the School.

- 10.1.4 Persons classified as illegal immigrants must, when they apply for admission to the School for their children or for themselves, show evidence that they have applied to the Department of Home Affairs to legalise their stay in the Country in terms of the Immigration Act, No. 13 of 2002, or the Refugees Act, No. 130 of 1998.

10.2 Registration documents

- 10.2.1 All learners in the WCED school system must be registered in the WCED's CEMIS system.
- 10.2.2 A learner registration form is used to register learners who entered the WCED school system for the first time and must accompany the application when the learner registers at the School from another province or country.
- 10.2.3 The CEMIS transfer certificate is required when the learner leaves the School for another WCED school. This certificate is used to remove the learner from the one school and to register the learner at the other school.
- 10.2.4 The CEMIS de-registration certificate is required when learners who previously left the WCED school system, wish to return and enrol at a WCED public school again. The certificate therefore has to accompany the application form.
- 10.2.5 The WCED CEMIS replaces the manual admission register as required by National Policy. The School will ensure that a register or file is kept of all learners' admission details, parental addresses, medical information, etc, as this information is not on the CEMIS system. The School will also regularly update the information of learners.
- 10.2.6 The School will request a learner-profile of a learner from the previous school that the learner attended. The learner-profile will contain the latest learner information, assessment record and a record of the learner's grade progressions.

11 ANNUAL ADMISSION TIME FRAMES

- 11.1 Application for the admission of learners who apply for the first time at the School for a following year starts on the first school day in February each year and closes on a date as prescribed by the WCED. The onus is placed on Applicants to familiarise themselves of the closing date for each year.
- 11.2 Therefore, parents who wish to enrol their children at the School for the first time must apply for admission and register the learner at the School in the year preceding the school year to which the learner's application for admission pertains.
- 11.3 All applications for admission to the School must be submitted to the Principal of the School.
- 11.4 The learner's parents will receive notice by no later than the date determined each year by the WCED, whether the learner's application was successful or not successful.
- 11.5 Only after the applications received by closing date have been dealt with, will the School consider late applications, and then only if there are still places available in the School.

11.6 All unsuccessful applicants will then be waitlisted and advised also to apply at other schools.

11.7 The School will keep a proper register of all applications for admission.

12 RIGHT OF APPEAL

Any learner or parent of the learner who at the end of the application period has been refused admission to the School, may appeal in writing to the Member of Executive Council (known in the Western Cape as the Minister of the Western Cape Education Department) against the decision of the School.