



24 January 2020

To: **Basic Education Minister, Angie Motshekga**
Personal Assistant to the Minister of Basic Education
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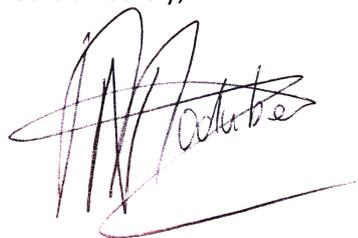
Dear Minister Motshekga,

RE: SUBMISSION IN RESPECT OF THE REVISED DRAFT BASIC EDUCATION LAWS AMENDMENT BILL, 2019

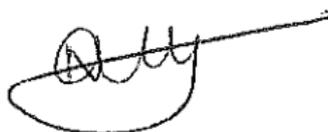
1. The above matter refers.
2. In December 2019, Equal Education (EE) and Equal Education Law Centre (EELC) were made aware, through media reports, that a revised draft Basic Education Laws Amendment Bill (“revised draft Bill”) had been circulated to certain stakeholders, who were invited to comment by 15 January 2020.
3. EE and EELC did not receive the revised draft Bill from the Department of Basic Education (DBE), despite our organisations making extensive submissions on the previous draft Bill and having made consistent requests to the DBE for updates on the process of revising the draft.

4. On 7 January 2020, EE and EELC wrote to the DBE requesting an opportunity to submit comments on the revised draft Bill. However, we were informed that such requests should instead be directed to the Ministry.
5. We were further informed that a meeting with key stakeholders would be taking place next week to discuss specific aspects of the revised draft Bill. It is our understanding that these stakeholders include teacher unions and governing body associations.
6. It is against this background that EE and EELC have prepared a brief submission on key aspects of the revised draft Bill for your consideration.
7. We are pleased to note that some of EE and EELC's recommendations, stemming from our joint submission on the 2017 draft Basic Education Laws Amendment Bill, have been incorporated in the revised draft Bill, either partially or in their entirety. We welcome and support these changes, including shifts toward more meaningful consultation with governing bodies and school communities on important decisions relating to a school; clearer criteria in some cases to guide such decisions and; in certain respects, better safeguards to ensure that learners' best interests are protected when such decisions are made.
8. Noting these improvements, EE and EELC remain concerned about certain new amendments contained in the revised draft Bill and some amendments where our previous recommendations have not been incorporated.
9. Attached to this letter, please find our submission, which has incorporated input from EE's high school learner members, Equalisers.
10. We would urge the Minister and Department to ensure broad stakeholder consultation in the process of revising the draft Bill. In particular, we believe that it is imperative that learner input be considered during important deliberations on the revised draft Bill and therefore request that EE and EELC attend the meeting scheduled for next week, to provide input on contributions made by this constituency.
11. In addition, given the significant changes introduced in the revised draft Bill and in the spirit of public participation, we believe it appropriate that the revisions be gazetted for public comments before the revised draft Bill is submitted to Parliament.
12. We kindly request that you consider our recommendations and our request to attend the meeting next week.
13. We look forward to your urgent response.

Yours sincerely,



Equal Education General Secretary
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Equal Education Law Centre Director
Nurina Ally