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education

Department of
Education
FREE STATE PROVINCE

14 MARCH 2019

TO : CHIEF DIRECTOR: CURRICULUM MANAGEMENT
CHIEF DIRECTOR: EDUCATION DEVELOPMENT AND SUPPORT
CHIEF DIRECTOR: DISTRICT MANAGEMENT
DIRECTORS: DISTRICT OFFICES
DISTRICT CESSs: CURRICULUM MANAGEMENT
DISTRICT CESSs: EDUCATION DEVELOPMENT AND SUPPORT
DISTRICT CESSs: SCHOOL MANAGEMENT AND GOVERNANCE
CIRCUIT MANAGERS
DISTRICT DCESSs: EXAMINATIONS AND ASSESSMENT
PRINCIPALS: ALL SCHOOLS
TEACHERS' UNIONS

EA 04 of 2019

GUIDELINES FOR THE MANAGEMENT OF APPEALS RELATING TO PROGRESSION AND PROMOTION AT SCHOOL AND DISTRICT LEVEL

1. Parents or guardians have the right to appeal when they are dissatisfied with the progression or promotion results of their child/children.
2. The stipulated appeal procedure is important to ensure transparent assessment practices at schools, fairness to all learners and consistency in dealing with appeals across the province.
3. Principals must ensure that all parents and guardians are informed about the procedure to be followed when lodging an appeal.
4. When the end-of-year schedules are signed off by the circuit manager, principals must ensure that evidence of learning is available for all learners who are not ready for progression or who have not been promoted.
5. The authority to manage appeals on the different levels should be read in line with the National Policy Pertaining to the Programme and Promotion Requirements of The National Curriculum Statement Grade R to 12. This implies that District Directors/Circuit Managers/Principals/Officials must be guided by the specific requirements in the policy as amended in 2013.

TIME FRAMES FOR THE MANAGEMENT OF APPEALS

6. A parent or guardian may appeal in writing to the school principal by the first Friday after schools reopen in January by specifying the reasons why the progression or retention decision is being contested.

7. The onus shall be on the parent or guardian, as the appealing party, to show why the progression or retention decision should be overruled.
8. The school principal should communicate the outcome of the appeal to the parent or guardian within **five** working days of receipt of the appeal.
9. **If the parent or guardian is not satisfied with the outcome of the appeal, he or she may appeal in writing to the District Director within **three** days of receipt of the outcome of the appeal from the school principal.**

SUBMISSION TO THE DISTRICT DIRECTOR THROUGH THE OFFICE OF THE PRINCIPAL

MANAGEMENT OF APPEALS AT SCHOOL LEVEL

10. Procedure to be followed by school principles:
 - 10.1 Issue the parent or guardian with the appeal form (**Annexure A**) on the day of lodging the appeal and ensure the completion of Part1 of the appeal form by the parent or guardian.
 - 10.2 Gather the required information from the teachers' files, evidence of learning, learner books/profiles and all evidence of interventions. (This information must be filed and be available to the appeals' investigating officials).
 - 10.3 Provide a register of appeals to the Circuit Manager (CM), informing him/her about the appeal(s), by the second Monday of the first term.
 - 10.4 Together with the school management team, reconsider all evidence, make a decision regarding to the appeal and obtain written approval from the CM if the promotion or progression result has to be changed.
 - 10.5 Complete Part 2 of the appeal form (**Annexure A**). The completed form must be returned to the parent and a copy should be filed.
 - 10.6 **The outcome of the appeal must be communicated to the parent or guardian within **five** working days of receipt of the appeal.**
 - 10.7 **Keep all the supporting documents used in the appeal process for a minimum period of **three** months.**

MANAGEMENT OF APPEALS AT DISTRICT LEVEL

APPEAL DIRECT TO THE DIRECTOR? SHOULD BE THE CM

11. **The office of the District Director must send a letter of acknowledgment of the appeal to the parent or guardian within **three** working days of receiving the appeal.**
12. The Director must refer the appeal to the Circuit Manager and request him/her to form an investigation team to investigate the appeal. If the appeal involves a subject or subjects, or a learner with barriers to learning, the relevant official(s) should be co-opted to assist with the investigation.
13. The Circuit Manager must assign a case number to each appeal lodged and record it on the appeals database (**Annexure B**)
14. Based on the investigation and all the supporting evidence, the Circuit Manager must write a report, make recommendations (**Annexure C**) and complete Part 3 of each appeal form.
15. The Circuit Manager must submit the report to the Director, who will complete Part 4 of the appeal form.

16. The office of the District Director must write a letter to the school and to the parent or guardian, informing them of the outcome of the appeal. The decision of the District Director is final.
17. All appeals must be finalised by 15 February of each year.
18. All appeal cases that were a result of examination or assessment irregularities must be tabled before a full sitting of the District Assessment Integrity Committee (DAIC), which may impose a suitable sanction.
19. If the appeal is the result of misconduct, the matter must be referred to Labour Relations.
20. District Directors and Principals are kindly requested to bring the contents of this circular to the attention of all teachers and parents.

ADV TH MALAKOANE
SUPERINTENDENT-GENERAL OF EDUCATION

DATE:_____



ANNEXURE A

APPEAL FORM

PART 1: PARENT/GUARDIAN			
<p>I,, parent/guardian of in grade at(name of school) wish to appeal against the promotion/progression decision made about my son/daughter for the following reason(s):</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>			
Contact details of parent/guardian	Address:	Cell no.	Home tel. No. Work tel. No.
Signature:		Date:/...../20.....
PART 2: PRINCIPAL			
<p>I,, principal of have investigated the above appeal and have decided that: (Please tick in the appropriate box).</p>			
	<input type="checkbox"/> The original decision should be upheld, i.e. the learner will remain in the same grade.		
	<input type="checkbox"/> The original decision should be overruled, i.e. the learner will be allowed to progress to the next grade.		
Reason(s):	<p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>		
Signature:		Date:/...../20.....
<p>If you are not satisfied, you may contact the district director at:</p> <p>Tel. No:..... Email:.....</p>			

PART 3: CIRCUIT MANAGER

I,, Circuit Manager of the Education District, have investigated the above appeal and have decided that: (Please tick in the appropriate box).

The original decision should be upheld, i.e. the learner will remain in the same grade.

The original decision should be overruled, i.e. the learner will be allowed to progress to the next grade.

Reason(s):
.....
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.....
.....
.....

Signature: Date:/...../20.....

PART 4: DISTRICT DIRECTOR

I,, Director of the Education District, have investigated the above appeal and have decided that: (Please tick in the appropriate box).

The original decision should be upheld, i.e. the learner will remain in the same grade.

The original decision should be overruled, i.e. the learner will be allowed to progress to the next grade.

Reason(s):
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THIS DECISION IS FINAL

Signature: Date:/...../20.....



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CASE NO.	DATE THE APPEAL WAS LODGED	NAME OF LEARNER	NAME OF SCHOOL	GRADE	FINDINGS	RECOMMENDATION BY INVESTIGATION TEAM	DECISION OF THE DISTRICT DIRECTOR
e.g.	11 January 2019	Van Rensburg, G	Hopeful High School	9	The investigation showed that the learner achieved only 30% for English HL instead of 40% minimum pass rate.	The school's decision is upheld.	APPROVED
1							APPROVED/NOT APPROVED
2							APPROVED/NOT APPROVED
3							APPROVED/NOT APPROVED
4							APPROVED/NOT APPROVED
5							APPROVED/NOT APPROVED
6							APPROVED/NOT APPROVED
7							APPROVED/NOT APPROVED
8							APPROVED/NOT APPROVED
9							APPROVED/NOT APPROVED
10							APPROVED/NOT APPROVED

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Tel: 051 404 8582 **Fax:** 086 548 3280



ANNEXURE C

REPORT ON THE OUTCOME OF THE PROGRESSION/PROMOTION APPEAL

EDUCATION DISTRICT:.....

NAME OF LEARNER:..... **DATE:**.....

SCHOOL:..... **GRADE:**.....

INVESTIGATION TEAM			
BACKGROUND:			
<p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>			
FINDINGS OF THE INVESTIGATION:			
<p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>			
RECOMMENDATION:			
<p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>			
TEAM LEADER (CIRCUIT MANAGER)			
Name:		Date:/...../20.....
Signature:			