

ANNEXURE K

DEALING WITH DISCIPLINE AND MISCONDUCT – ASSESSMENT IRREGULARITIES

1. THE ASSESSMENT IRREGULARITIES COMMITTEE

(1) Composition

- (a) The Assessment Irregularities Committee must be made up of officials in the employ of the relevant provincial department of education recommended to the Head of Department for appointment by the Senior Manager of Assessment, Certification and Accreditation.
- (b) The Chairperson of the Assessment Irregularities Committee must be appointed by the Head of Department from amongst the ranks of the members of the Assessment Irregularities Committee.
- (c) The Chairperson of the Assessment Irregularities Committee must, in turn, appoint the Secretary of the Assessment Irregularities Committee.
- (d) The relevant provincial department of education, where necessary, may make use of legal representation. This person and under such circumstances may be included as an *ad hoc* member of the Assessment Irregularities Committee.

2. JURISDICTION

- (1) The Assessment Irregularities Committee has jurisdiction in any alleged assessment irregularity relating to or occurring during the:
 - (a) Compilation, monitoring and moderation of internal assessment;
 - (b) Writing the final Senior Certificate examination;
 - (c) Marking of examination answer sheets or answer scripts;
 - (d) Processing of external question papers;
 - (e) Processing and release of examination results;
 - (f) Conditions under which candidates are examined;
 - (g) Conditions under which educators examine; or
 - (h) Any other irregularities related to examinations.

3. DUTIES

- (1) The Assessment Irregularities Committee must investigate and make recommendations on appropriate action to the Senior Manager of Assessment, Certification and Accreditation in respect of the following:
 - (a) Misconduct by educators in the compilation, monitoring or moderation of internal assessment;

- (b) Misconduct by any person involved in any or all processes of assessment;
- (c) Misconduct by the Chief Invigilators or Assessment monitors or officials involved in the administration or running or management or monitoring of examination;
- (d) Misconduct by invigilators or any other person involved in the administration or management or monitoring of examinations at public or independent schools or learning institutions registered as assessment centres with the relevant provincial department of education;
- (e) Assessment irregularities involving candidates at public or independent schools or learning institutions registered as assessment centres with the relevant provincial department of education;
- (f) Irregularities in the appointment of Chief Invigilators or invigilators or Internal Moderators or Chief Examiners or Chief Markers or Deputy Chief Examiners or Deputy Chief Markers or Senior Markers or markers or Monitors or Assessment or Administration Assistants;
- (g) Any action by an outside body or person that may impact adversely in any way on the successful administration, management or monitoring of assessment or compromise the integrity and legitimacy of such assessment;
- (h) Assessment irregularities based on reports or complaints received from any quarter; and

- (i) Any other irregularities related to examinations.

4. IDENTIFICATION OF IRREGULARITIES IN RESPECT OF INTERNAL ASSESSMENT

(1) Candidates

- (a) Irregularities in respect of internal assessment and involving candidates may occur through a technicality or derive from misbehaviour or disobedience or stem from dishonesty.

(b) This category of irregularity includes:

- (i) A candidate not fulfilling the minimum requirements in respect of the compilation of a mark for internal assessment in a subject;
- (ii) A candidate refusing to abide by any or all of the minimum requirements in respect of the compilation of a mark for internal assessment in a subject;
- (iii) A candidate who, in respect of any component of a mark for internal assessment completed under controlled conditions, does the following:
 - (aa) Continues to create a disturbance or intimidate others, or behave in an improper or unseemly manner despite a warning; or
 - (bb) Drunk or disorderly conduct; or

- (cc) Persists in disregarding the arrangements or reasonable instructions of an invigilator despite a warning: or
- (dd) Continues to disregard assessment regulations despite a warning.

- (iv) A candidate knowingly making a false statement in respect of the authenticity of a particular component of the mark for internal assessment in the subject or the internal assessment mark for the subject as a whole.

(2) Assessment officials

- (a) Irregularities in respect of internal assessment may be committed by:
 - (i) Professional educators, such as educators or principals at schools or learning institutions or staff from Professional Support Services or related directorates or circuit managers, etc., whose normal job descriptions automatically incorporate such duties.
 - (ii) Educators in the immediate employ of an independent school or learning institution registered as an assessment centre with the relevant provincial department of education who, in the performance of assessment duties, are doing this under the jurisdiction of the relevant provincial department of education as assessment body.
 - (iii) Administrative personnel whose duties include work in respect of assessment, certification and accreditation.

- (iv) Administrative personnel in the immediate employ of an independent school or learning institution registered as an assessment centre with the relevant provincial department of education who, in the performance of assessment duties, are doing this under the jurisdiction of the relevant education department as assessment body.
- (v) Irregularities in respect of internal assessment involving assessment officials may be identified at any of the following stages:
 - (aa) The compilation of the mark for internal assessment at the school or learning institution.
 - (bb) The monitoring or moderation of the mark achieved in respect of internal assessment.
 - (cc) The capturing and processing of data;
 - (dd) Investigations in respect of suspected internal assessment irregularities.

5. IDENTIFICATION OF EXAMINATION IRREGULARITIES IN RESPECT OF THE SENIOR CERTIFICATE EXAMINATION

- (1) Examination irregularities of a technical nature
 - (a) Technical examination irregularities include:
 - (i) Failure to produce (as opposed to fraudulent) an identity document;
 - (ii) Late arrival at the assessment center;
 - (iii) Incorrect or no examination number;
 - (iv) Examination number not on the mark sheet;

- (v) Answer script damaged;
 - (vi) Examination answer script found amongst answer scripts from another assessment centre;
 - (vii) Examinations conducted at an assessment centre other than the assessment centre where the candidate registered;
 - (viii) Examination answer script lost or missing;
 - (ix) Prescribed (as opposed to issued) answer script not used; and
 - (x) Any other technical difficulty or problem with either answer scripts or answer sheets or proceedings.
- (2) Examination irregularities involving candidates stemming from misbehaviour or wilful disobedience regarding regulations or instructions issued during an examination
- (a) This category of examination irregularity includes:
 - (i) Creating a disturbance or intimidating others or behaving in an improper or unseemly manner despite a warning;
 - (ii) Disorderly conduct;
 - (iii) Disregard for the arrangements or reasonable instructions of the invigilator despite a warning; and
 - (iv) Disregard for examination regulations despite a warning.

- (3) Examination irregularities involving candidates stemming from dishonesty
- (a) This category of examination irregularity includes:
- (i) Before the commencement of the examination:
- (aa) Presentation of fraudulent identification documents;
or
- (bb) Bribery or attempted bribery; or
- (cc) Leaked external question paper.
- (ii) While the external question paper is being written:
- (aa) Possession of notes or any other unauthorised material which could in any way unduly assist in the answering of questions; or
- (bb) Copying from notes or textbooks or any other unauthorised material; or
- (cc) Copying from fellow candidates; or
- (dd) Attempting to obtain assistance from, or being assisted by another candidate; or
- (ee) Assisting, or attempting to assist, another candidate;
or
- (ff) Receiving assistance from any other source; or
- (gg) External question paper written by another or substitute candidate; or
- (hh) The use of another candidate's examination number; or
- (ii) Any other type of conduct or possession which could render improper assistance or unfair advantage to a candidate and thereby prejudice

other candidates being examined under the auspices of the relevant provincial department of education as assessment body; or

- (jj) Any other action, which is in contravention of regulations governing the administration or management under the auspices of the relevant provincial department of education as assessment body.
- (iii) As answer scripts are handed in or marked:
- (aa) The answer script handed in is different from that issued by the invigilator; or
 - (bb) Different handwriting in an answer script; or
 - (cc) Two examination answer scripts submitted for one candidate; or
 - (dd) Crib notes discovered;
 - (ee) No crib notes, but clear evidence of copying; or
 - (ff) Evidence of possible assistance by an invigilator; or
 - (gg) Indications that the candidate has been allowed to be examined in terms of an "open book" examination; or
 - (hh) Answers too similar to the memorandum; or
 - (ii) Answer script removed from the examination room and submitted later; or
 - (jj) Examination conducted outside the examination room or assessment centre without prior authorization.

- (4) Examination irregularities involving examination officials
- (a) Examination irregularities in respect of the examination may be committed by:
- (i) Professional educators, such as educators or principals at schools or learning institutions or staff from Professional Support Services or related directorates or circuit managers, etc., whose normal job descriptions automatically incorporate such duties.
 - (ii) Educators in the immediate employ of an independent school or learning institution registered as an assessment centre with the relevant provincial department of education who, in the performance of examination duties, are doing this under the jurisdiction of the relevant provincial department of education as assessment body.
 - (iii) Administrative personnel whose duties include work in respect of assessment, certification and accreditation.
 - (iv) Administrative personnel in the immediate employ of an independent school or learning institution registered as assessment centre with the relevant provincial department of education who, in the performance of assessment duties, are doing this under the jurisdiction of the relevant provincial department of education as assessment body.

- (b) Examination irregularities may be identified at any of the following stages:
 - (i) Setting or moderation or translation or editing of external question papers;
 - (ii) Typing or printing or packing or distribution or collection or delivery of external question papers or answer scripts;
 - (iii) Invigilation or monitoring;
 - (iv) Marking;
 - (v) Data capturing and processing; and
 - (vi) Release of examination results.
- (c) Actions, deemed irregular, include:
 - (i) Negligence;
 - (ii) Indolence;
 - (iii) Disobedience;
 - (iv) Failure to abide by relevant legislation or policies or regulations;
 - (v) Improper or disorderly behaviour;
 - (vi) Absence from duty without valid reasons.
 - (vii) Misappropriation of resources;
 - (viii) Actions detrimental to the interests of the relevant provincial department of education;
 - (ix) Unauthorised release of information;
 - (x) Misuse of authority for private gain or reward;

- (xi) Knowingly making false statements prejudicial to the interests of the relevant provincial department of education or for personal advantage;
- (xii) Committing of a criminal offence; and
- (xiii) Contravention of a prescribed code of conduct or set of rules such as failure to comply with any provision of this national policy.

6. ASSESSMENT IRREGULARITY PROCEDURES

(1) Procedures in respect of internal assessment candidates

- (a) Internal assessment irregularities involving learners must not be submitted to the Assessment Irregularities Committee, but dealt with at the level of the school or learning institution.
- (b) Where the candidate does not comply with the minimum requirements of any component of the internal assessment mark, the following applies:
 - (i) In the event of a valid reason for compliance failure, the candidate must be allowed the opportunity to redo the task or, where impractical, the mark for that particular component of the internal assessment mark should not be taken into consideration.
 - (aa) "Valid reason", in this context, constitutes the following:

- Medical reasons as supported by a valid medical certificate issued by a registered medical practitioner;
 - Humanitarian reasons, e.g. the death of an immediate family member. If supported by valid written evidence;
 - The learner appearing in a court hearing; supported by written evidence; or
 - Any other reason as may be declared valid by the Head of Department or his/her nominee.
- (c) Candidates must be reminded that the fabrication of evidence in general and especially in respect of the stipulations of paragraph 6(1)(b)(i)(aa) above constitutes fraud.
- (d) Where a candidate does not comply with the minimum requirements of internal assessment for a subject on the basis of valid reasons, evidence of such valid reasons must be included in the learner portfolio for that subject.
- (e) Where a candidate does not comply with the minimum requirements of internal assessment for a subject without a valid reason, a "0" (nought) is recorded and 0 is used in the compilation of the mark for the particular component or internal assessment as a whole (as may be applicable).
- (f) A distinction must be made between the use of nought (0) in the event of a candidate not complying with the minimum requirements of internal assessment for a subject without a valid reason and a candidate not complying with the minimum

requirements of internal assessment for a subject on the basis of a valid reason.

- (g) The absence of an internal assessment mark in any subject must result in the candidate registered for that particular subject receiving an “incomplete” result. The Directorate of Assessment, Certification and Accreditation must be informed of all cases where a candidate enters the final Senior Certificate examination without a final mark in respect of internal assessment.

(2) Procedures in respect of internal assessment – assessment officials

- (a) All suspected assessment irregularities in respect of internal assessment involving assessment officials must be brought to the immediate attention of the Directorate of Assessment, Certification and Accreditation.
- (b) Suspected internal assessment irregularities involving educators constitutes an act of misconduct and must be dealt with in accordance with the *Employment of Educators’ Act*.
- (c) Suspected internal assessment irregularities involving assessment officials employed in terms of the Public Service Act constitutes an act of misconduct and must be dealt with in accordance with the relevant Public Service Regulations.
- (d) Prior to an investigation being conducted in respect of assessment officials suspected an internal assessment irregularity, the Head of Department or his or her nominee, provided that substantial evidence in respect of the alleged irregularity exists, may:

- (i) Immediately suspend the services of a suspected defaulting official from marking or monitoring or moderation;
 - (ii) Immediately suspend the services of a suspected defaulting official in respect of any or all related assessment processes; or
 - (iii) In the case of independent schools or learning institutions registered as assessment centres with the relevant provincial department of education as an assessment body, insist on the application of the relevant clauses of the Service Contract entered into with the particular assessment centre.
- (3) Procedures in respect of examination irregularities of a technical nature at schools or learning institutions:
 - (a) Examination irregularities of a technical nature should not be submitted to the Assessment Irregularities Committee, but to the administrative team at the marking centre on the most appropriate action in each case.
 - (b) In the event of a candidate failing to produce an identity document or an acceptable alternative document providing identity and where the candidate is unknown to the invigilator, the procedures set out in paragraph 6(3)(a) in this policy document must be followed.
 - (c) Where an answer script is found amongst those from another assessment centre or where a candidate has been examined at an assessment centre other than the assessment centre where originally registered, the former assessment centre must contact the

assessment centre at which the examination should have been conducted and arrange through the regional office or area project office for the transfer of that candidate's answer script.

- (d) Where an answer script is lost, the matter must be referred to Umalusi to decide the most appropriate course of action.
- (4) Initial procedures in respect of examination irregularities stemming from misbehaviour or willful disobedience regarding regulations or instructions issued during an examination:
- (a) The invigilator, in all cases, must immediately bring the specific examination irregularity to the attention of the Chief Invigilator.
 - (b) The Chief Invigilator must then offer the candidate suspected of an irregularity the opportunity to make representations, either in writing or verbally, in the presence of the invigilator. If the Chief Invigilator, after considering the facts, finds that such an irregularity has indeed occurred, he or she must submit the matter to the Assessment Irregularities Committee for processing.
 - (c) In the event of a candidate persistently refusing to co-operate, the Chief Invigilator must request the candidate suspected of an irregularity to leave the assessment room, confiscate the answer script and note the date and exact time of its confiscation. Should the candidate refuse to leave, especially if paragraphs 6(4)(a) and 6(4)(b) apply, the Chief Invigilator may call upon the South African Police Services to assist.
 - (d) If the candidate agrees to co-operate, the Chief Invigilator must allow him or her to continue with the external assessment, in which

case another answer book with the date and exact time of issue noted thereon should be issued, the following the procedure and associated requirements set out in paragraphs of this policy document.

- (e) The Chief Invigilator must forward his or her report, together with a report from the invigilator on duty at the time of the suspected irregularity and the candidate's representation, accompanied by a written account of events or any statement or exhibit, to the regional office or area project office for onward transmission to the Assessment Irregularities Committee.
- (5) Initial procedures in respect of examination irregularities stemming from dishonesty
- (a) Examination irregularities identified as having occurred before the external question paper is written.
 - (b) Leakage of external question papers set at provincial level – the extent of which must be determined by the Assessment Irregularities Committee.
 - (i) If the leakage is widespread, the relevant provincial department of education must arrange for the external question paper to be re-written on a date to be decided. If the irregularity is confined to a single or few assessment centres, then it may be recommended to the Head of Department that the action taken be limited to those affected assessment centres.

- (ii) In the event of the leakage of an external question paper written at national level (the so-called national papers), the Head of Department or his or her nominee, together with the Director-General of the national Department of Education, the MEC, and the National Minister of Education should decide on the most appropriate course of action.
- (c) Examination irregularities identified as the external question paper is being written:
 - (i) The following procedure should be followed when an examination irregularity is suspected by the invigilator:
 - (aa) The invigilator must remove the candidate's answer script and write the word "IRREGULARITY" on the front outside cover page and the type, time, date and place of the irregularity.
 - (bb) The words "Answer script confiscated on.....at----- hours" must also be written on the outside cover page in bold print.
 - (cc) The invigilator must take possession of any unauthorised or incriminating material such as notes or any other object used directly or indirectly or in the possession of the candidate that may have been used to commit the irregularity.
 - (dd) Such material must be attached to the confiscated answer script, which then becomes the property of the relevant provincial department of education and neither the candidate nor his or her parents or guardians have the right to demand its return.

- (ee) The invigilator must then give the candidate a new answer script. This answer script must also be endorsed, this time with the words "NEW ANSWER SCRIPT" together with the time of issue.
- (ff) The candidate must be informed that the fact that he or she is allowed to continue with the examination does not serve as a condonation of his or her contravention of examination regulations and that a written report will be submitted to the Chief Invigilator at the conclusion of the examination and that the incident will be reported to the Assessment Irregularities Committee of the relevant provincial department of education.
- (gg) The invigilator must not allow any additional time to compensate for time lost in the course of detecting and processing the examination irregularity.
- (hh) The invigilator, following the completion of the examination, must immediately submit a full written report to the Chief Invigilator concerning the irregularity together with a report from the Principal of the school or learning institution where the examination is in progress.
- (ii) The candidate, following the completion of the examination, must be confronted about the irregularity and given the opportunity to provide a written declaration or response to the alleged offence.
- (jj) Where the candidate refuses to submit the required written declaration or provide a response, this refusal must be noted by the invigilator in writing.

The candidate should sign a document as an acknowledgement to that effect.

- (kk) Where the candidate refuses to comply with paragraph 6(5)(c)(i)(jj) another invigilator attached to the assessment centre must sign. This signature formalises the refusal of the candidate to append his or her signature.
 - (ll) The answer script, any incriminating material and all applicable statements must then be sent for marking in the normal way and subsequently forwarded to the Assessment Irregularities Committee.
- (6) Examination irregularities identified as the answer script is handed in or being marked
- (a) All examination irregularities suspected by markers must be reported immediately to the Senior Marker or Deputy Chief Marker or Chief Marker.
 - (b) Answer scripts in which suspected examination irregularities occur must be marked as usual with marks indicated on the front outside cover page. Irregularities must be circled in red ink and "IRREGULARITY" written in the margin alongside. Answer scripts containing irregularities must then be handed over, along with other answer scripts and completed mark sheets, to the Senior Marker or Deputy Chief Marker or Chief Marker for attention.
 - (c) If the Senior Marker agrees with the finding of the marker, he or she must clearly indicate on each answer script where the examination irregularity occurs and hand the whole batch of

answer scripts over to the relevant Deputy Chief Marker or Chief Marker.

- (d) Where the Senior Marker disagrees with the finding of the marker, he or she must hand the answer script back to the marker for normal processing.
- (e) After confirmation of the suspected examination irregularity by the Deputy Chief Marker or Chief Marker, the following must be done.
 - (i) Answer scripts containing examination irregularities must be separated from answer scripts that do not;
 - (ii) Clearly identify answer scripts containing examination irregularities by writing the word "IRREGULARITY" in bold print on the outside front cover page of every answer script;
 - (iii) Use a highlighter to mark the examination irregularity in the answer script;
 - (iv) Indicate the questions in regard to which examination irregularities occurred by circling the corresponding question numbers on the outside front cover page of the answer scripts involved;
 - (v) Indicate on the prescribed form where the examination irregularities occurred in the answer scripts, adding any additional information if and when required on the reverse

of that form, and then complete the rest of the form attaching it to the answer scripts containing irregularities;

- (vi) Photocopy the mark sheet;
 - (vii) Submit answer scripts containing examination irregularities, together with the completed report form and the photocopies mark sheet, to the Directorate of Assessment, Certification & Accreditation;
 - (viii) Continue to deal with mark sheets in the usual way; and
 - (ix) Return answer scripts without examination irregularities to the Directorate of Assessment, Certification and Accreditation in accordance with prescribed procedures.
- (7) Procedures in respect of investigations and hearings by the Assessment Irregularities Committee
- (a) General Principles
 - (i) A minimum of two (2) members of the Assessment Irregularities Committee must take part in all investigations and hearings.
 - (ii) Findings of an investigation or hearing must be submitted to a full sitting of the Assessment Irregularities Committee. Investigating officials or officials in control of a hearing in respect of an examination irregularity, while participating in deliberations of a full sitting of the Assessment Irregularities Committee, will be excluded from final

decision-making in respect of an examination irregularity investigated by them.

- (iii) All meetings of the Assessment Irregularities Committee and all examination irregularity investigations or hearings, at whatever level, must be minuted.
- (iv) No member of the Assessment Irregularities Committee may be involved in, or allowed access to any examination irregularity investigation or hearing or documentation involving a relative by blood or marriage or descent.
- (v) The Assessment Irregularities Committee may call upon any official in the service of the relevant provincial department of education or any invigilator or any candidate or learner to appear before the Committee and it may also question any candidate accused of an alleged Irregularity.
- (vi) The Assessment Irregularities Committee may call upon any person not in the immediate employ of the relevant provincial department of education but under its jurisdiction as assessment body to appear before the Committee and it may also question any such person in the normal course of an investigation or hearing.
- (vii) The Assessment Irregularities Committee has access to any room or place at any school or learning institution registered as assessment centre with the relevant provincial department of education and may scrutinise or take possession of any book or register or record or document or

article or other evidence which, in the opinion of the Committee, may be connected to the investigation.

- (viii) In cases of serious misconduct, where appropriate, the relevant provincial department of education should reserve the right to report any such cases to the South African Police Services for criminal investigation.
- (ix) Decisions and consequent recommendations by the Assessment Irregularities Committee must be made known to both the Senior Manager of the Directorate Assessment, Certification and Accreditation and the person or school or learning institution under investigation for an alleged irregularity within sixty (60) working days of the completion of the investigation.

(8) Procedures: Investigations and hearings

- (a) Procedures for investigations and hearings vary between candidates, examination officials and independent schools or learning institutions.
- (b) Procedures for Investigations and Hearings – Candidates
 - (i) Identification and confirmation of the suspected examination irregularity by the Assessment Irregularities Committee.
 - (ii) Written notification to the candidate concerned of the suspected examination irregularity.

- (iii) Written notification of an investigation or hearing to the candidate concerned or his or her parent or guardian or representative, which must either be registered or delivered against a signature acknowledging receipt.
- (iv) Where a candidate suspected of an examination irregularity or his or her parent or guardian or representative cannot be traced, the Regional Executive Manager must inform the Secretary of the Assessment irregularities Committee thereof in writing. The inability to trace or inform a candidate suspected of an examination irregularity or his or her parent or guardian or representative should not delay the processing of the irregularity in any way.
- (v) All candidates suspected of an examination irregularity must be allowed the opportunity to respond to the alleged irregularity within ten (10) working days of being notified of an irregularity investigation.
- (vi) Notification of a suspected of an examination irregularity must state clearly that the absence of a reply will neither delay the investigation or formal hearing in respect of the suspected examination irregularity.
- (vii) Due notice must be given to the candidate or his or her parent or guardian or representative of the date, venue and time of an investigation or hearing.
- (viii) The candidate or his or her parent or guardian or representative may attend the investigation or hearing.

Failure to attend an investigation or hearing should not delay the processing of the examination irregularity.

- (ix) Where the candidate or his or her parent or guardian or representative decides to make use of legal representation during an investigation or hearing, permission must be sought from the Chairperson of the Assessment Irregularities Committee at least three (3) working days before the scheduled hearing or investigation.
 - (x) Evidence presented at an investigation or hearing may take the form of material or written or oral or other evidence.
 - (xi) Findings of an investigation or hearing must be submitted to a full sitting of the Assessment Irregularities Committee. Investigating officials or officials in control of hearing in respect of an examination irregularity, while participating in deliberations of a full sitting of the Assessment Irregularities Committee, will be excluded from final decision-making in respect of examination irregularity investigated by them.
- (c) Procedures for Investigations and Hearings – Assessment Officials
- (i) Identification and confirmation of the suspected examination irregularity by the Assessment Irregularities Committee.
 - (ii) Written notification to the examination official concerned of the suspected examination irregularity.

- (iii) Written notification of an investigation or hearing to the examination official concerned or his or her representative, which must either be registered or delivered against a signature acknowledging receipt.
- (iv) Where an examination official suspected of an examination irregularity cannot be traced, the Regional Executive Manager must inform the Secretary of the Assessment Irregularities Committee thereof in writing. The inability to trace or inform a candidate suspected of an examination irregularity or his or her parent or guardian or representative should not delay the processing of the irregularity in any way.
- (v) All examination officials suspected of an examination irregularity must be allowed the opportunity to respond to the alleged irregularity within ten (10) working days of being notified of an examination irregularity investigation.
- (vi) Notification of a suspected examination irregularity must state clearly that the absence of a reply will neither delay the investigation or formal hearing in respect of the suspected irregularity.
- (vii) Due notice must be given to the examination official or his or her representative of the date, venue and time of an investigation or hearing.
- (viii) The examination official or his or her representative may attend the investigation or hearing. Failure to attend an

investigation or hearing should not delay the processing of the examination irregularity.

- (ix) A representative from a recognised trade union may attend the investigation or hearing pertaining to a suspected examination irregularity investigation against a member of that particular union. Hearings may only be attended as observers.
- (x) In the event of an investigation or hearing against an examination official in the employ of the relevant provincial department of education and serving at a regional office or area project office level, the relevant regional manager or leader of the area project office or his or her nominee should also attend the investigation or hearing.
- (xi) In the event of an investigation or hearing against an examination official not in the immediate employ of the relevant provincial department of education, his or her immediate supervisor should also attend the investigation or hearing.
- (xii) Where the examination official decides to make use of legal representation during an investigation or hearing, permission must be sought from the Chairperson of the Assessment Irregularities Committee at least three (3) working days before the scheduled hearing or investigation.
- (xiii) Evidence presented at an investigation or hearing may take the form of material or written or oral or other evidence.

- (xiv) Finding of an investigation or hearing must be submitted to a full sitting of the Assessment Irregularities Committee. Investigating officials or officials in control of a hearing in respect of an examination irregularity, while participating in deliberations of a full sitting of the Assessment Irregularities Committee, will be excluded from final decision-making in respect of an examination irregularity investigated by them.

(9) Sanctions

- (a) The Assessment Irregularities Committee is empowered to recommend to the Head of Department or his or her nominee :
 - (i) Whether a candidate should or may register for or participate in an examination activity administered by the relevant provincial department of education as assessment body;
 - (ii) That a defaulter be expelled or prevented from participating in a examination or being awarded a certificate;
 - (iii) Suspension of a defaulting examination officials from examinations, marking, monitoring or moderation or any related examination activity or process;
 - (iv) Suspension or cancellation of the results of a candidate found guilty of misconduct relating to examinations; and
 - (v) Deregistration of an independent school or learning institution as examination centre registered with the

relevant provincial department of education as assessment body where there is evidence of:

- (aa) The physical removal of the examination centre from the premises approved by the relevant provincial department of education.
- (bb) The undermining of the integrity of the examinations or related examination processes.
- (cc) Maladministration.
- (dd) The flouting of policies, regulations and guidelines.
- (ee) Other sanctioning as may be contained in national policies or guidelines or regulations not stated here.

(10) Appeals

- (a) Appeals, in all cases must be made in writing to the MEC within ten (10) working days of the receipt of the decision of the Head of the Department or his or her nominee in respect of an examination irregularity.
- (b) All appeals should include written reasons in support of the appeal.

ANNEXURE L

MINIMUM REQUIREMENTS FOR A COMPUTER SYSTEM

1. Browse Information on Files: Enable the user to browse through information available on all data files, e.g. look through candidates registered at a specific centre to find a candidate's ID number.
2. Entries: Candidate entries are registered per examination by means of electronic/magnetic media or directly within the on-line environment. Full candidate validation takes place according to the rules and regulations set out by National Education.
3. Mark Sheets: Generation of mark sheets, capturing and controlling of mark sheets. The mark sheets are also printed with bar codes for controlling the flow of mark sheets at strategic points.
4. Examination Results: All results are processed programmatically in accordance with the rules and regulations set out by the national Department of Education.
5. Mark Adjustment: Also known as "ogiving", compares the subject written marks to a five-year norm and recommends adjustment to give candidates a fair pass rate.
6. Subject information: All subject and paper information is carried forward from the previous examination and, where required, changes are made. Subject information has a direct influence on validation of candidate entries, candidate promotion and conversion, examination packing procedures, timetable, admission letters, etc.

7. Irregularities: Irregular candidates are suspended individually or per assessment centre. This subsystem controls the correspondence and investigations into these irregularities.
8. Region, Area, Circuit or Assessment Centres: All assessment centres are registered and allocated to a circuit, area and region as well as their respective provinces.
9. Candidates and Document History: Candidates who enter on an ongoing basis and apply for certification, are processed along with their historical information for possible certification.
10. Document issuing and issues: Control and enquiries concerning all documents issued by the department via the computer system since 1907.
11. Preliminary number of candidate entries: Is an optional system that can be used by management to gauge the number of candidate entries per school so that up front planning, budgeting and stationery requirements can be made.
12. Recovery of Funds: Control of funds received from assessment centres for examination fees paid.
13. Re-Marking and Checking: When a candidate applies for re-marking or re-checking his certificate is suspended and re-marking or re-checking takes place.
14. Supplementary Examinations: Automatic registration of learners that qualify for supplementary examinations.
15. Stationery and Examination Aids: Controlling of codes and descriptions used by candidates during examinations.

16. Question Paper Stock Maintenance: Used to monitor the reproduction of examination papers and to highlight shortages.
17. Packing of stationery/question papers: Reports are generated to assist with the packing and distribution of question papers and examination stationery supplied by the department.
18. Statistics: All statistics pertaining to pass and fail rates, entry irregularities, etc. can be extracted per province, region or at a national level, and made available for press releases, subject advisors, planners and management.
19. Timetable: Dates, times and duration of each question paper are maintained for candidate admission letters, payment of examiners, etc.
20. System Parameter and System Index Maintenance Indexes: Standard names used etc. are maintained by the systems administrator.
21. Word Processor: Editing of letters for irregularities, examination results, candidate entries, etc.
22. Examination Marking Claims: Control and payment of examiners for bulk marking sessions by means of cheque or direct payment.
23. Hand Claims: Indirect payment of examiners' claims and expenses incurred by means of cheque or direct payment.
24. SANMED Functions: Updating of sectors and magisterial codes per assessment centre for statistical purposes for the national Department of Education.
25. Invigilators' Claims: Payment of invigilators' claims and expenses incurred by means of cheque or direct payment.

26. Question Papers (setting of papers): Control of the setting of examination papers and correspondence between the department, examiners and moderators.
27. Examination Officials: Appointment and control of all examination officials' personal information.
28. Job Control and General Functions: Control of batch processes, bulk printing, task scheduling, etc.