No. 870 **26 August 2009**

THE SOUTH AFRICAN SCHOOLS ACT, 1996 (ACT NO. 84 OF 1996) AS AMENDED

AMENDMENT TO POLICY AND REGULATIONS PERTAINING TO THE CONDUCT, ADMINISTRATION AND MANAGEMENT OF ASSESSMENT FOR THE NATIONAL SENIOR CERTIFICATE

I, Angelina Matsie Motshekga, Minister of Basic Education, hereby, in terms of s*ections 6(A)* and *61(c)* and *(d)* of the *South African Schools Act, 1996 (Act. No. 84 of 1996)*, hereby give my intention to call for public comment on the amendment to the *Regulations pertaining to the Conduct, Administration and Management of Assessment for the National Senior Certificate* as promulgated as *Government Notice, No.R872* in *Government Gazette, No.31337* on 29 August 2008 as set out in Schedule 2.

Deletions are in square brackets [ ] and in bold, while insertions are underlined.

SUBMISSIONS

It would greatly assist the Department of Education if all submissions could be prepared under the headings of the various Regulations and Paragraphs listed in the Regulation and policy Schedules. If you do not wish to comment under a particular Regulation or Paragraph, please indicate "No comment".

CLOSING DATE

The closing date for the receipt of comments is set as 21 days after publication of this Notice.

ADDRESS FOR SUBMISSIONS

Please send or deliver your submission to:

The Deputy Director-General (Further Education and Training)
Department of Education

Attention: Ms Z. Govender

Room 930
Sol Plaatje House

123 Schoeman Street

PRETORIA

Or

Private Bag X895
PRETORIA 0001

Or

Fax: (012) 312-5309
Tel: (012) 312-5303
E-mail: govender.z@doe.gov.za

AM MOTSHEKGA, MP
MINISTER OF BASIC EDUCATION
DATE:

SCHEDULE 2

Regulations pertaining to the Conducting, Administration and Management of Assessment for the National Senior Certificate, promulgated as *Government Notice, No. R872* in *Government Gazette No. 31337* of 29 August 2008

The Regulations pertaining to the Conducting, Administration and Management of Assessment for the National Senior Certificate, promulgated as *Government Notice, No. R872* in *Government Gazette No. 31337* of 29 August 2008 is hereby amended as follows:

Amendment of Regulation 7

1. Regulation 7 is amended by the substitution of subregulation (5) of the following subregulation-

"(5) The School-Based Assessment and Practical Assessment Task mark obtained by a [**repeat candidate**] part-time candidate in his or her last National Senior Certificate examinations will be valid for a period of [**three (3)**]two (2) years after the completion of the first National Senior Certificate examinations written by the candidate."

Amendment of Regulation 8

2. Regulation 8 is amended in the following way:

(a) by the substitution of subregulation (2) of the following subregulation-

"(2) A learner may change [**one**] two subjects in Grade 11, subject to the approval of the Principal of the school where the learner is registered."

(b) by the addition after subregulation 5 of the following subregulations-

"(6) National Senior Certificate candidates who sat for the National Senior Certificate examination and who wish to repeat the whole National Senior Certificate qualification obtained, may do so provided that the candidate:

(a) provides documentary evidence that he or she has offered the National Senior Certificate; and

(b) has met all the School-Based Assessment and Practical Assessment requirements for all subjects offered for the improved qualification.

(7) National Senior Certificate candidates who sat for the National Senior Certificate examination and who wish to register for a subject not offered in the said National Senior Certificate examination with the aim of meeting faculty requirements at a higher education institution, may do so, provided that the candidate:

(a) sat for the National Senior Certificate examination in the previous year;

(b) changes a maximum of one subject sat for in the Senior Certificate examination;

(c) provides documentary evidence that he or she has met the School-Based Assessment and Practical Assessment requirements in the subject to be changed;

(d) has met all the outstanding School-Based Assessment and Practical Assessment requirements for the new subject offered; and

(e) does not exceed a period of two years to complete the new subject."

Amendment of Regulation 18

3. Regulation 18 is amended in the following way:

(a) by the substitution of the introduction of the following introduction-

"A supplementary examination will be granted under the following conditions to a full-time and repeat candidate:"

(b) by the substitution of subregulation (1) of the following subregulation-

"(1) If a candidate has not met the minimum promotion and certification requirements [**in the final external examination**], but requires a maximum of two subjects to obtain the National Senior Certificate, he or she may:

(a) [**r**]Register for a maximum of two subjects for the supplementary examination in the following year.
(b) Subject to *subparagraph (c)*, [**T**]the[**se**] two subjects registered for must be subjects that the candidate sat for in the previous end-of-year examination.
(c) Register for Life Orientation, which is internally assessed, as one of the two subjects to be registered for the supplementary examination in *subregulation (a)*. The re-assessment of Life Orientation must be completed within the period in which the supplementary examination is conducted.
(d) A supplementary examination in a maximum of two subjects may only be exercised once by a candidate. A candidate may, however, spread the two subjects allowed over a maximum of two supplementary examinations of one subject each.
(e) Candidates that repeat one or more subjects must be allowed to combine their subjects based on the current National Senior Certificate requirements to obtain a National Senior Certificate.

(f) In combining these subjects contemplated in subparagraph (e), the performance in the best seven (7) subjects would be taken into consideration."

(c) by the substitution of subregulation (7) of the following subregulation-

"(7) A candidate who did not write or complete the end-of year examination with a valid reason has the opportunity to write the supplementary examination for the [**subject**] specific examination question paper that he or she did not write in the end-of-year-examination. However, should the candidate select to write the entire subject, even though he or she has been absent for one or more examination question papers, the candidate should be allowed to exercise this option."

(d) by the addition after subregulation (7) of the following subregulation-

"(8) Candidates who have failed the School-Based Assessment and Practical Assessment Task components, may be allowed to improve their marks obtained in these two components, subject to satisfactory arrangements being made with the relevant accredited assessment body."

4. Regulation 40 is amended by the addition after subregulation (2) of the following subregulation-

"(3) A condonation of a maximum of one (1) subject will be applied if a candidate requires a maximum of 2%, either to obtain a pass at 30% or 40%. Such a condonation will be applied only in one subject, if the application of such a condonation changes the status of the qualification."

Amendment of Annexure C

5. Annexure A of the Regulations is amended by:

(a) the substitution of paragraph (2) of the following paragraph-

"2. INCOMPLETE RESULTS

A learner's results are regarded as incomplete if he or she did not offer any component of the School-Based Assessment and/or a Practical Assessment Task mark and no valid reason was provided. This implies that the learner did not submit a specific assessment task specified for School-Based Assessment**[in the]** and Practical Assessment in the policy document, *An addendum to the policy document, the National Senior Certificate: A qualification at Level 4 on the National Qualifications Framework (NQF), regarding the National Protocol for Assessment (Grades R – 12)* and Subject Assessment Guidelines. In such an event, the code **["999"]**"444" is indicated on the mark sheet. In such an event the candidate cannot [be resulted] receive a result, since he or she has not satisfied the requirements of the National Senior Certificate. Such a candidate must be given three months from publication of the results to submit School-Based Assessment tasks and/or Practical Assessment Tasks for evaluation. If a candidate fails to do this, he or she will not qualify for a National Senior Certificate."

(b) the substitution of paragraph (3) of the following paragraph-

"3. OUTSTANDING MARKS

A mark is regarded as outstanding if, during the capturing process, the reason for the outstanding mark is not **[completely]** established. The code, "777", is used to indicate an outstanding mark. An outstanding **[internal assessment]** mark must be resolved as soon as possible and the "777" code replaced with either a mark or a

[**"999"**]. "444" code (absent). In the event where the learner was absent, based on valid reasons, the outstanding School-Based A[**a**]ssessment tasks and/or Practical Assessment Tasks must be submitted within the stipulated three-month period. Should the candidate not submit the School-Based A[**a**]ssessment tasks and/or Practical Assessment Tasks in the stipulated period, the code "777" will be changed to [**"999"**]"444", which will then be regarded as a failed subject."

Amendment of Annexure L

6. Annexure L of the Regulations is amended by the substitution of paragraph (3) of the following paragraph-

"3. Chief examiners must submit detailed plans with regard to the marking procedure and with special emphasis on:

(a) the flow of examination answer scripts through the marking teams;
(b) the mechanisms for controlling the flow of examination answer scripts;
(c) the moderation by senior markers;
(d) the checking of totals;
(e) The final mark is rounded down if the first decimal is less than 5 and rounded up if the decimal is 5 and above e.g. a final mark of 70,3 will be rounded down to 70 and a final mark of 70.6 is rounded up to 71.

[**(e)**](f) the completion of mark sheets; and

[**(f)**](g) the dispatching of completed examination answer scripts."

Amendment of Annexure M

7. Annexure M of the Regulations is amended by the addition of an additional clause to subparagraph (10) of paragraph 5-

(s)	The resulting of a candidate who is absent or irregular in the eighth and ninth subject:	• Where a candidate is absent or being investigated for an irregularity in an eighth and ninth subject, the candidate can receive a result provided the minimum requirements for the qualification are met. • Where a candidate is irregular in any component of the subject, the result for the subject will remain pending and the candidate should not receive a result, until the irregularity is resolved or the sanction period has expired."

SHORT TITLE AND COMMENCEMENT

8. These Regulations may be cited as the Amendment *Regulations Pertaining to the Conduct, Administration and Management of assessment for the National Senior Certificate*, published in *Government Gazette* and will come into effect on the date of publication in the *Government Gazette*.