

# Observatory Junior



## Admission Policy

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## DEFINITIONS

"**Applicant**" or "**Child**" means any Learner who applies or intends applying to Observatory Junior School for admission;

"**Budget Meeting**" means the annual meeting convened by the Governing Body to vote on the budget for the year in question;

"**Constitution**" means the Constitution of the Republic of South Africa Act 108 of 1996;

"**Education Legislation**" means the SA Schools Act, the National Policy Act and the WC Act;

"**Governing Body**" means the body vested with the governance of Observatory Junior School as contemplated in section 16(1) of the Schools Act;

"**Observatory**" and "**Observatory Junior**" means Observatory Junior School in Clifton Terrace, Observatory, Cape Town, being a public school with legal capacity as contemplated in chapter 3 of the Schools Act;

"**Learner**" means any person receiving education or obliged to receive education in terms of the Schools Act, subject to any amendment of the term as defined in the Schools Act from time to time;

"**Head of Department**" means the Superintendent-General of the Western Cape Department of Education;

"**National Policy**" means the admission policy for learners to ordinary public schools issued by the Minister of Education in terms of section 3(4)(i) of the National Policy Act and as Notice No 2432 of 1998;

"**National Policy Act**" means the National Education Policy Act 27 of 1996;

"**Parent**" means:

- the biological or adoptive parent or legal guardian of a Learner;
- the person legally entitled to custody of a Learner; or
- the person who undertakes to fulfil the obligations of a person referred to in paragraphs (a) and (b) towards the Learner's education at school,
- subject to any amendment of the term as defined in the Schools Act from time to time;

"**Policy**" means this admissions policy of Observatory Junior School, as amended from time to time;

"**Primary Residence**" means the home or residence at which the Learner resides permanently and for the major part of the school week;

"**Place of Employment**" means the work address of a parent who is in permanent full-time employment, that requires said parent to be physically present during normal working hours Monday through to Friday;

"**Principal**" means the principal of Observatory Junior School as appointed by the Western Cape Education Department from time to time;

"**Schools Act**" means the South African Schools Act 84 of 1996;

"**Sibling**" means each of two or more children having one or both parents in common; a brother or sister, including step-brother or step-sister and that reside at the same place of residence;

"WC Act" means the Western Cape Provincial School Education Act 12 of 1997;

"WCED" means the Western Cape Education Department; and

"WCED Policy" means the WCED's policy for the management of admission and registration of learners at ordinary public schools, published as Circular 0026/2010 as amended and/or supplemented from time to time.

## 1. INTRODUCTION

- 1.1 As a public fee-paying school, Observatory Junior School Governing Body must determine the Admissions Policy in terms of section 5(5) of the Schools Act. The Governing Body is required to reduce the Admissions Policy to writing and to make a copy of it available to the head of the WCED.
- 1.2 The Governing Body of Observatory Junior School has accordingly constituted the following as the Admissions Policy of the school, in the belief that its provisions are consistent with:
- The Constitution of the Republic of South Africa Act 108, 1996;
  - The National Education Policy Act 27, 1996 and any applicable policies determined in terms of this Act, including the Regulations for Admissions to Schools;
  - The South African Schools' Act 84, 1996 and subsequent amendments;
  - Regulations relating to minimum uniform norms and standards for public school infrastructure 2013;
  - The Western Cape Provincial School Education Act 12, 1997;
  - The promotion of Administrative Justice Act 3, 2000;
  - Judgments of the Constitutional Court on the rights, powers and obligations of school governing bodies.
- 1.3 This policy:
- 1.3.1 regulates and clarifies the principles of, the requirements for, and the expectations attendant upon the admission of applicants to Observatory Junior School;
  - 1.3.2 seeks to ensure the correct and fair handling of applications, the lawful administration of learner admission and registration, the commencement of effective teaching and learning on the first day of the school year, and the long-term maintenance of the special ethos and vision and mission statement of Observatory Junior School;
  - 1.3.3 is subject to, and shall be read in conjunction with, the Constitution and National and Provincial Education Legislation, the provisions of which shall prevail to the extent of any conflict with the provisions of this Policy.
- 1.4 Whereas Observatory Junior School is a public school, the Governing Body:
- 1.4.1 acknowledges that it has been entrusted with a public resource which must be managed not only in the interests of those who are learners and parents at the

time, but also in the interests of the broader South African community, and in the light of the values of our Constitution;

- 1.4.2 commits to working in partnership with the Head of Department to find workable solutions to matters of disagreement, and to engage meaningfully and in good faith on any disputes over this policy and any decision taken on the basis thereof; and
- 1.4.3 agrees that any such engagement will be directed towards furthering the interests of learners, taking account of the best interests of the child insofar as this does not impinge upon the rights or best interests of other children.
- 1.4.4 with the sole exception of requiring reasonable proof of ability to pay fees (due to ineligibility for fee exemption), the private Grade R of Observatory Junior School is bound by all other aspects of this clause.

## 2. POLICY AIMS AND PRINCIPLES

2.1 It is the aim of the school to:

- 2.1.1 Provide an environment where the race, culture, ethnicity, religion, language, gender, sexual orientation and socio-economic status of the individual are in no instances an impediment to his/her access to, or progress in, any aspect of school life;
- 2.1.2 Ensure that applicants encounter no material impediments to submitting applications as a result of their race, culture, ethnicity, religion, language, gender, sexual orientation and socio-economic status and to assist those who request help in the application process;
- 2.1.3 Promote transformation in line with the country's Constitution and eradicate direct and indirect discriminatory practices.

2.2 It is the policy of the school that:

- 2.2.1 No child will be refused admission on grounds of race, culture, ethnicity, religion, language, gender, sexual orientation, socio-economic status or financial circumstance, save for the exceptions in 2.2.2.

This aspect of the admissions policy will be applied with due cognisance that the language of teaching and learning is English. Learners applying to the school may need support to become sufficiently proficient in English so as not to prejudice their ability to progress academically.

- 2.2.2 Parent(s) of applicants for Grade R will be required to demonstrate reasonable proof of ability to pay fees for so long as Grade R remains private.

2.3 Applicants will not benefit from an 'inherited advantage' during the admissions process. This aspect of the policy will, however, be applied with due cognizance of the following:

- 2.3.1 It is regarded as unreasonable that a learner should be forced by the school's admission policy to travel to an institution which is not the closest suitable public

*MS*  
*MA*  
*AD*

school to where they live with their parent/s or caregivers. Consequently, in the absence of compelling and objective reasons why this should not be so, primary preference will be given to those applicants who live with their parent/s in closer proximity to this school than any other suitable public school.

2.3.2 Similarly, unless there are compelling reasons suggesting otherwise, secondary preference will be given to applicants whose place of residence is within a 2.5 km distance from the School, but who do not meet the "nearest public school" criteria in 2.3.1 above.

2.3.3 Unless there are compelling reasons suggesting otherwise, tertiary preference will be given to applicants whose place of residence is within a 5.0 km distance from the School, who do not meet either 2.3.1 or 2.3.2 above, provided that either or both of the parent(s) of the applicant also has/have a Place of Employment that is closer to the Grove than any other suitable public school.

2.3.4 Children of WCED/SGB permanent full-time staff employed at Observatory Junior School will be granted admission unless there are compelling reasons otherwise, such as special education needs not met at the school. This is in line with the principle of valuing staff in line with Observatory Junior School's employment and other policies.

2.3.5 It is regarded as unreasonable to disrupt family relationships by splitting the schooling of siblings. Any applicant who does not meet any of the criteria above but has a sibling in the school that will still be enrolled in the school in the year for which admission is being sought will receive consideration over other applicants who similarly fail to meet any of the criteria above.

2.3.6 Places that are not filled by the above criteria, will be prioritised for applicants who assist the school in achieving diversity aims as outlined further in 3.3.1 below.

2.3.7 In order for the school's admissions policy to follow the applicable legislation, the above criteria will apply to Grade R admissions despite Grade R being private. As a result, applicants who are enrolled at Observatory Junior School will proceed and be enrolled into Grade 1 unless it is not in the best interests of the child to do so.

### 3. FACTORS TAKEN INTO ACCOUNT IN CONSIDERING APPLICATIONS

3.1 In considering applications, the factors set out above in 2.3 will be taken into account, together with clauses 3.2 and 3.3 below as far as reasonably possible. However, the fulfilment of any one or more of the following provisions does not guarantee admission.

3.2 General Expectations -- In considering applications, the potential learner will be expected to:

- 3.2.1 Be able to cope academically with the specific demands of the grade.
- 3.2.2 Have successfully completed or been promoted out of the grade immediately below the grade in which the admission is sought, except that this requirement is not applicable to applicants for entry into Grade R or Grade 1.
- 3.2.3 Contribute and participate in all critical areas of school life: for example, sports, culture and other activities offered by the school over and above the academic programme and abide by the student code of conduct.

### 3.3 Factors considered in admissions decision processes

In considering applications, the following factors will be taken into account:

#### 3.3.1 Diversity

Observatory Junior School strives for a diverse learner body and therefore in its enrolment too, as part of the transformation aims and strategic pillars of the school. The admission of applicants will be so managed that the school's intake includes representation of the major demographic segments (including, but not limited to race, culture, ethnicity, religion, language, gender, sexual orientation and socio-economic status segments) broadly reflective of the Western Cape community.

#### 3.3.2 Gender

Appropriate gender representation will be taken into consideration in order to meet the goals of diversity above.

#### 3.3.3 Capacity

Enrolment numbers are limited to a maximum of 753 (seven hundred and fifty-three) learners in the primary school and 90 in Grade R (in accordance with teaching requirements and the capacity of the building).

#### 3.3.4 The circumstances of the applicant

3.3.4.1 Admission must be considered to be in the best interests of the applicant. Every application will be considered on its merits as determined by the principal, the Admissions Secretary, one other staff member; and, where necessary, in consultation with other professionals.

3.3.4.2 Observatory Junior School will consider admitting applicants with special education needs, where this is reasonably practical and is in the best interest of the applicant and where the school believes it can fully support these needs.

#### 3.3.5 Age

The Education Laws Amendment Act of 2003 provides that the admission age of a Learner to a public school for Grade 1 is "age five turning six by 30 June in the year of admission". However, the school's experience has been that it benefits children to enter Grade 1 in the year they turn seven. Children are therefore given preference for admission to:

3.3.5.1 Grade R in the year they turn six; and

*[Handwritten signatures and initials]*  
MS  
M.M  
AD

3.3.5.2 Grade 1 in the year they turn seven.

3.3.5.3 Applicants admitted to senior grades at Observatory Junior School must fall within two years of the average age within that grade cohort.

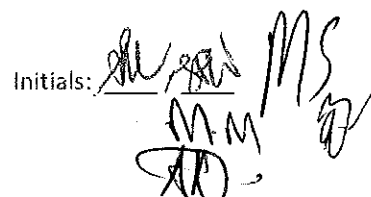
#### 4. ADMINISTRATION OF THE ADMISSIONS POLICY

In order to achieve the aims above, but also to ensure a just and equitable selection process, the measures listed below will be implemented during the admissions process.

- 4.1 In January each year (or as soon as practically possible thereafter), the closing date for applications is determined and will be in line with WCED timeline for school admissions.
- 4.2 Applications received by the closing date will be given preference over and processed before late applications. Late applications are subject to the provisions of clause 8 below.
- 4.3 No application will be accepted or regarded as being valid unless it is made by the parents, or legal guardians, or persons entrusted with the care of the minor learner by order of a competent court, or by a person authorised thereto, in writing, by one of the foregoing.
- 4.4 Where the number of applicants exceeds the number of available places in the school, grade or class for which application is made, applicants will be placed based on the criteria outlined in 2.3 which balances the various aims of the school.
- 4.5 A Parent shall be entitled to submit, together with the application, such additional documentation that may demonstrate compliance with the admission criteria as set out in the Policy and the School will be entitled to verify the authenticity of any documentation submitted. The School will be further entitled to set reasonable criteria on what constitutes "permanent" place of residence or employment in order to ensure fairness and equity for all applicants.
- 4.6 A written response from the Admissions Administrator to every application received by the closing date will be forwarded to parent(s). This response will be sent by email unless a response by post is requested by parent(s).

#### 5. APPLICATION DOCUMENTS AND PROCEDURE

- 5.1 An application for the admission of a learner to Observatory Junior School is either made online using WCED's online admissions portal or, where necessary, in writing to the admissions office of the School. This process can be subject to change depending on approved changes made by the Western Cape Education Department. The following required compulsory documents will also be submitted via the chosen channel:
  - 5.1.1 A certified copy of the applicant's most recent school report (where an applicant is currently enrolled in schooling);
  - 5.1.2 A fully completed hardcopy application form (available for collection from the school or by email where requested);
  - 5.1.3 A certified copy of the applicant's unabridged birth certificate or proof of application thereof;

Handwritten initials and signatures in black ink, including 'MS', 'MM', and 'AD'.



- 5.1.4 Certified copies of both parents' identity documents or foreign passport(s) if either parent is not a holder of a South African identity document;
  - 5.1.5 Where the applicant is not a South African citizen, permanent resident or in possession of a refugee permit, a written undertaking from the parent(s) to apply timeously for a study permit in accordance with the Immigration Act in the event a place is granted to the applicant;
  - 5.1.6 Proof of residence (a current lease agreement, deed of sale or rates account, not older than 3 months, will be accepted). A lease agreement should state the original date of occupation and duration of lease;
  - 5.1.7 Proof that the applicant has been immunised against polio, measles, tuberculosis, diphtheria, tetanus, hepatitis B and all other communicable diseases as required by law. In the event that the parent is unable to show proof of immunisation, the principal must advise the parent to have the applicant immunised prior to commencement of enrolment in the school; and
  - 5.1.8 Parents who require assistance in completing the application forms may approach the school for assistance.
- 5.2 Except where one parent is deceased, both parents must indicate their agreement by signing the application form. In the case of divorced or separated parents, it is the responsibility of the parent applying for application at the school to obtain a signed copy of the application form from the other parent.
- 5.3 If parents are divorced or separated and a parent is unable to contact the other parent for their personal or financial information or signature, or in any circumstances where only one parent has applied for admission for their child, an affidavit must be produced by the applicant parent detailing the circumstances.
- 5.4 If a child is adopted and the adoptive parents are not listed on the applicant's birth certificate, parents must supply a copy of the adoption order with the application.
- 5.5 If a child is in foster care, the carers must supply a copy of the court order legalising the foster relationship with the application.
- 5.6 Single parents whose circumstances are not addressed by any of the clauses above shall submit an affidavit attesting to their particular circumstances (for example 'other parent unknown').
- 5.7 A parent who has submitted a complete application will be issued with a numbered receipt. This receipt constitutes acknowledgement that the application has been received; it does not constitute acceptance of the application. Parents should retain these as documents of proof for any future follow up.
- 5.8 Once all applications have been considered and the admissions process has been completed, parents will be informed in writing whether the applicant has been admitted to Observatory Junior School or not.
- 5.9 If a parent does not confirm acceptance of admission within the period set, the offer will be deemed to have lapsed and the allocated place may be offered to another applicant.
- 5.10 The Member of the Executive Council for Education will consider appeals from a parent or applicant who has been refused admission to a public school in terms of section 5(9) of the Schools Act.

## 6 ADMISSION OF NON-CITIZENS

- 6.1 Children of parents who are not South African citizens will be considered for enrolment, subject to the relevant legal documentation being in order at the time of application and at all times during the course of their enrolment.
- 6.2 Depending on the category of immigration status, certified copies of the following documents need to be submitted at the time of application, in addition to the documentation specified at clause 5.1 above:
- 6.2.1 For children who are holders of a permanent residence permit – a certified copy of the permanent residence permit of the applicant and, if applicable, the applicant's parents
  - 6.2.2 For children who are holders of a refugee permit/asylum seeker - a certified copy of the refugee/asylum seeker permit for the applicant and, if applicable, the applicant's parents. Should the permit expire prior to completion of the child's studies suitable proof of application for an extension should be provided to the school three months prior to its expiry and the school should be notified of the result of the application as soon as it has been decided.
  - 6.2.3 In all other cases – a certified copy of the temporary residence document for the applicant and, if applicable, the applicant's parents. A study permit is not required at time of application, however **upon admission** for enrolment the applicant must have been issued a study permit/proof of application listing The Grove as the place of instruction prior to commencement of studies. Should this permit expire prior to completion of the child's studies suitable proof of application for an extension should be provided to the school three months prior to its expiry and the school should be notified of the result of the application as soon as it has been decided.
  - 6.2.4 Study permit holders who either fail to keep their permits current at all times and/or fail to settle outstanding fees prior to the start of a new academic year may be de-registered, in accordance with the provisions of the Immigration Act and other applicable legislation.

## 7. INCOMPLETE OR IRREGULAR APPLICATIONS

- 7.1 An application will be rendered null and void if:
- 7.1.1 the prescribed form (if not submitted online) is not completed in full;
  - 7.1.2 is unsigned
  - 7.1.3 the supporting documentation is not attached or not submitted online; or
  - 7.1.4 the content is misleading or misrepresents any material factors taken into account in the application process
  - 7.1.5 fraudulent documentation is submitted in support of any application

**i. LATE APPLICATIONS**

Applications submitted after the applicable closing date will only be considered:

- 8.1 After the applications received by the closing date have been processed; and
- 8.2 If there are still places available at Observatory Junior School

**ii. READMISSION AFTER REMOVAL FROM THE ROLL**

It may happen that a learner has been removed from the roll following poor attendance and in accordance with the procedures enumerated in the national or provincial attendance policies. Should such a learner apply for readmission to the school, the application will be considered and the admissions policy and its various criteria applied only after:


- 9.1 It has been ascertained that there is a vacant place in the school;
- 9.2 The pupil and his/her parents have convinced the school that his/her re-enrolment will be in the best interests of the applicant and the school. Every application will be considered on its merits as determined by the principal and in consultation with other professionals;
- 9.3 The school is convinced that the learner's future attendance is likely to accord with expectations.

**iii. FINAL TOTAL NUMBER OF ADMISSIONS**

- 10.1 It is accepted that the Governing Body's powers in respect of admissions are not unfettered, that this policy is not immune to intervention, and that the policy does not inflexibly bind other decision-makers in all circumstances.
- 10.2 The final number of learners accepted into the school at any one time may vary from the above on the basis of specific enrolments in a particular year, or upon the intervention of the Head of Department, with the understanding that any decision to overturn an admission decision of the principal, or depart from this admissions policy, must be exercised reasonably and in a procedurally fair manner. The class, grade and school enrolment shall in any event not exceed the calculated capacity by more than two learners in any one class, without the ratification by the School Governing Body of a motivated explanation from the School Management Team or Head of Education for such excess.

**iv. BUILT-IN DISCRETION OF THE PRINCIPAL**

The Governing Body grants the principal the right to accept two additional learners per class in any one grade at the request of the Education Department, or in the light of sound and valid reasons/circumstances, and on condition that education levels/standards are not unreasonably diminished if the principal applies such discretionary right. The principal is authorised to act in that manner in the first instance, and must then inform the Governing Body. Where exceptional circumstances require, the admission of additional learners above two per class in any grade must be ratified by the Governing Body.

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## V. INTERPRETATION

In addition to the definitions set out above, unless the context requires otherwise:

- 12.1 the singular shall include the plural and vice versa;
- 12.2 a reference to any one gender, whether masculine, feminine or neuter, includes the other two;
- 12.3 references to a statutory provision include any subordinate legislation made from time to time under provision and references to a statutory provision include that provision as from time to time modified or re-enacted as far as such modification or re-enactment applies, or is capable of applying, to this Policy;
- 12.4 references in this Policy to "clauses" and "sub-clauses" are to clauses and sub-clauses of this Policy;
- 12.5 the headings and subheadings in this Policy are for convenience only and are not to be taken into account for the purpose of interpreting it; and
- 12.6 words and expressions defined in the Education Legislation, but which are not defined in this Policy, shall bear the same meaning in this Policy as those ascribed to them in the Education Legislation.

## ACCEPTANCE OF POLICY

Adopted at Observatory on 7<sup>th</sup> day of May 2024

Signed: \_\_\_\_\_

Joshua Wynne  
Chairperson of School Governing Body

Sofeya Moonsamy  
School Principal

Review Date: 31 March 2027

School Stamp

Western Cape Education Department Intshona Kolani Isebe Lemfundo
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Wes-kaap Onderwysdepartement

Initials: SW, OM, MS, M.M, AD

This Admissions policy was accepted by **ALL** SGB members of Observatory Junior School on Tuesday, 7 May 2024 and will be up for review on or before 6 May 2027.

**SGB member:**

Sofeya Moonsamy

*Moonsamy*

Joshua Wynne

*[Signature]*

Michael Jason

*[Signature]*

Eric Bailey

*Eric Bailey*

Elie Tshibasut Mutombo

*Elie Tshibasut Mutombo*

Mandisa Mzamo

*Mandisa Mzamo*

Adiel Adams

*Adiel Adams*

Shannon Johannes

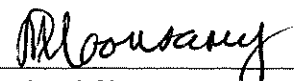
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Approved by the School Governing Body of Observatory Junior School

  
SGB Chairperson (J Wynne)

  
Principal (S Moonsamy)

23 June 2025

6 May 2027

Implementation Date

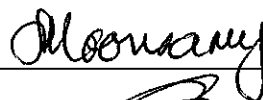
Review Date

## Admission Policy

This **Admission Policy** was adopted / accepted / reviewed by **ALL** SGB members of Observatory Junior School on Monday, 23 June 2025 and will be up for review on or before 6 May 2027.

### SGB member:

Sofeya Moonsamy



Joshua Wynne



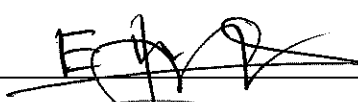
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Eric Bailey



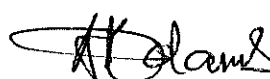
Elie Tshibasu Mutombo



Mandisa Mzamo



Adiel Adams



Shannon Johannes



Senzo Bacela

