



Fébé Potgieter-Gqubule
Cell: 074 182 3887 Fax: 086 581 2095
E-mail: febe_potgieter@hotmail.com
6 Frolich Street, PARYS, 9585

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REF: DHET Community Education and Training Centers Task team

For attention: All Task team members

Dear Colleagues

Re: MATTERS ARISING FROM MEETING WITH ADV. BOSHOF, DHET

Overview of issues

1. We had a meeting last week with Adv Boshof from DHET regarding the draft *Further Education and Training Colleges Amendment Bill* (attached).
2. Adv. Boshof explained that parallel to the Green Paper process, they are preparing for Parliament's legislative programme this year, to give legal effect to some of the policy proposals contained in the Green Paper.
3. The FETCA Bill seeks to amend the *Further Education and Training Colleges Act 16 of 2006* and in its current form aimed at giving legal framework to the following policy proposals in the Green Paper:
 - (a) Expanding the definition of "Further education and training" to include A(B)ET and therefore NQF level 1, as well as part-qualifications.
 - (b) Expanding the definition of "college" to in addition to the current public and private FET colleges, to also make for an institutional type referred to as Community and Education and Training Centres.
 - (c) The change of names of FET colleges to Vocational and Continuous Education Colleges (VCECs).
 - (d) The establishment of the South African Institute for Vocational and Continuous Education and Training.
 - (e) Transitional arrangements, that allows for
 - the current (public?) FET colleges to transition to VCECs;
 - the current PALCs to transition to Community Education and Training Centres
 - (f) The FETCA Bill further intends repeals the Adult Education and Training Act no. 52 of 2000.

4. The envisaged timeline for the FETCA Bill was explained as follows by Adv. Boshof:
 - Publication of draft Bill (still in process of approval by Minister) – March 2012
 - Deadline for submissions on Draft Bill – 26 March 2012
 - Submission to Cabinet – April 2012
 - Parliament – 1 June 2012

Discussion

5. The incorporation of AET as part of an expanded further education sector is in line with the proposals to this effect in the Green Paper, as well as the policy proposals in the *National Development Plan. Vision for 2030*. The NDP (NPC 2011:266) for example states that
"An expanded system of further education and training and skills development needs to offer clear and meaningful education and training opportunities for young people who have obtained a low pass in the National Senior Certificate, as well as older people who have wish to develop their skills, adults who left school early or had no access to education and young people between the ages of 16 and 20 who have completed grade 9 and left school."
6. It could therefore be assumed that this expanded FET system will now also specifically include AET and literacy campaigns. This raises the question of whether into the future we will still need separate AET legislation.
7. The expansion of FET to include NQF 1, the inclusion of the Community Education and Training Centres as an institutional type in the draft Bill and the provision for transitional arrangements for PALCs should therefore be welcomed.
8. However, it seems premature to include the repeal of the AET Act, 2000 and its subsequent amendment laws in the initial publication of the Bill, without integrating A(B)ET in a more comprehensive manner into the FETC Amendment Bill. For example, in the current Bill there are no amendments to the Preamble of the FETC Act that allows for the incorporation of ABET and literacy, the detailed provisions with regards governance, funding, provisions for private AET providers (including subsidies to specified registered private AET centres), the establishment of NABABET/NABAET, provisions with regards employment of educators, determination of national education policy for PALCs, and the provision of monitoring and evaluation for AET. In addition, there also do not seem to be provision for literacy campaigns as part of this expanded FET system.

Recommendations

9. The Task team as part of the discussion on the Concept document on 5 March 2012 should also consider the legal and policy implications raised

by the above matters and our broader recommendations. The Concept document has a separate section on Legal and Policy issues.

10. We should furthermore invite Adv Boshof to a meeting of the Task team to discuss our approach and the FETC Amendment Bill in more details.

Looking forward to your inputs.

Regards

Refugio Ayubal