The Deputy Director-General: Curriculum Policy, Support and Monitoring

Department of Basic Education

222 Struben Street

Pretoria

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XXDecember 2017

Attention: Ms P Ngcobo

Dear Ms P Ngcobo,

**Draft POLICY ON HOME EDUCATION – Comments**

[NOTE 1: SHOULD YOU WISH TO SEND AN ANONYMOUS SUBMISSION: The requirements for identifying yourself are much less explicit than they were when submitting comments to the BELAbill. It is merely stated that you must provide “contact details”. The Pestalozzi Trust will therefore not make the same provisions for anonymous submissions as in the case of BELABill. To submit an anonymous submission, merely send the email to homeschoolfreedom1996@gmail.com and put “ANONYMOUS” in the subject line. The Pestalozzi Trust will remove you contact details and forward to DBE.]

[NOTE 2: PLEASE USE YOUR OWN WORDS, USE THIS TEMPLATE MERELY AS A GUIDE]

[NOTE 3: MUCH OF THE INFORMATION IN THIS SUBMISSION WILL BE THE SAME AS YOUR BELA BILL SUBMISSION. THE MOST IMPORTANT ISSUE THAT HAS BEEN ADDED CONCERNS THE CONFUSION OVER LEGALITY THAT MAY HAVE BEEN CREATED BY THE DBE. PLEASE READ THE SECTION MENTIONING COTTAGE SCHOOLS IN THE FACT SHEET]

**Executive Summary**

[YOU SHOULD WRITE THIS LAST; IT IS A SUMMARY OF YOUR KEY POINTS]

[THE DRAFT POLICY MENTIONS COTTAGE SCHOOLS IN THREE PLACES. THESE PROVISIONS ARE VERY THREATENING TO COTTAGE SCHOOLS]

[STATE WHY COTTAGE SCHOOLS ARE IMPORTANT TO YOUR FAMILY]

[EXPRESS YOUR CONCERN THAT COTTAGE SCHOOLS HAVE NOT BEEN CONSULTED WHILE THE POLICY WAS BEING DRAWN UP. THE DBE IS AWARE OF THE PHENOMENA OF COTTAGE SCHOOLS, YET HAS NOT CONSULTED WITH THEM ON THE POLICY. THIS IS A MAJOR OVERSIGHT IN THE CONSULTATION PROCESS]

[ASK THAT COTTAGE SCHOOLS NOW BE IN INCLUDED IN THE PROCESS]

**Background**

[GIVE A BRIEF BACKGROUND ON YOUR FAMILY’S INVOLVEMENT WITH A COTTAGE SCHOOL. STATE HOW MANY CHILDREN YOU HAVE; IN WHICH GRADES/OF WHAT AGE; HOW MANY ATTEND COTTAGE SCHOOL. DO ANY ATTEND ANOTHER TYPE OF SCHOOL OR ARE EDUCATED AT HOME. STATE HOW LONG THEY HAVE BEEN IN A COTTAGE SCHOOL.]

[STATE YOUR REASONS FOR SENDING YOUR CHILD TO A COTTAGE SCHOOL. STATE THE TYPE OF SCHOOL YOUR CHILD ATTENDS (GENERAL, SPECIAL NEEDS ETC.)]

[DETAIL YOUR CHILD’S EXPERIENCES IN ANOTHER TYPE OF SCHOOL THAT LED YOU TO SEND YOUR CHILD/ CHILDREN TO A COTTAGE SCHOOL]

[STATE IF ANY OF THE FOLLOWING APPLY. YOU ARE ADVISED **NOT** TO REVEAL THE NAMES OR DETAILS OF THIRD PARTIES (I.E. CHILDREN, PARENTS, YOUR SCHOOL, OTHER SCHOOLS, OFFICALS ETC. UNLESS YOU HAVE EXPLICIT WRITTEN PERMISSION TO DO SO. SPEAK ONLY ABOUT YOUR OWN CHILDREN AND EXPERIENCES. SHOULD YOU HAVE A CRIME OR ANY INFRINGEMENT OF LAW TO REPORT, DO SO BY APPROACHING THE AUTHORITIES. THIS SUBMISSION IS NOT THE CORRECT FORUM FOR REPORTING ANY BREACHES OF LAW]:

* YOUR SCHOOL HAS CLOSE TIES WITH PRIVATE OR PUBLIC SCHOOLS.
* YOUR CHILDREN HAVE BEEN REFERRED TO YOUR SCHOOL BY REGISTERED SCHOOLS (PUBLIC OR PRIVATE) OR TEACHERS AT REGISTERED SCHOOLS.
* YOUR CHILDREN HAVE BEEN REFFERED TO YOUR SCHOOL BY MEDICAL PRACTIONERS, PSYCHOLOGISTS, EDUCATIONAL PROFESSIONALS.
* THERE IS NO PLACE IN LOCAL SCHOOLS FOR YOUR CHILDREN. DETAIL YOUR EXPERIENCES IF YOU TRIED TO ENROL THEM AND FAILED.
* THERE ARE NO LOCAL SCHOOLS THAT CATER TO THE NEEDS OF YOUR CHILDREN.
* DETAILS OF THE CURRICULUM YOUR SCHOOL FOLLOWS OR METHOD OF EDUCATION USED.
* STATE IF THEY FOLLOW CAPS.]

[STATE THE BENEFITS YOUR FAMILY HAS DERIVED FROM A COTTAGE SCHOOL EDUCATION]

**Comment**

[YOU ARE NOW AWARE THAT THE DEPT. VIEWS COTTAGE SCHOOLS AS UNREGISTERED PRIVATE SCHOOLS. THE REFERENCES BELOW ARE FOR YOUR CONVENIENCE]

Draft Policy On Home Education

Definitions: "illegal independent educational institution" means a variety of independent educational institutions operating like schools such as cottage school, tutor centre, home school centres, tutorial centre whilst not registered with a PED in terms of the act;

Section 8(2)(2) “an illegal independent educational institution i.e. unregistered with the state in terms of the Act such as certain institutions that have become commonly known as tutorial centres, cottage schools and micro schools do not form part of the scope of home education.”

Section 10(1) the responsibilities and roles of the parent shall include but not limited to- … (k)(iii) associate herself or himself or cause the child to be associated with any illegal independent educational institution in respect of the home education provision. Such an association in violation of the act, is not in the best interests of the learner, and shall amount to a reason upon which the HOD may investigate and which may lead to withdrawal of the registration of a learner to receive education at home.

[PLEASE CAREFULLY READ THE SECTION IN THE FACT SHEET ON THE DRAFT POLICY THAT MENTIONS COTTAGE SCHOOLS (NUMBER 5). IT APPEARS THE DBE THEMSELVES MAY HAVE CONTRIBUTED TO THE CONFUSION OVER COTTAGE SCHOOLS. COMMENT ON THAT HERE]

[STATE THAT YOU WISH TO SEND YOUR CHILD TO A SCHOOL THAT OPERATES WITHIN AN APPROPRIATE LEGAL FRAMEWORK.]

[EXPLAIN THE BENEFITS YOUR FAMILY WOULD DERIVE FROM LEGALITY.]

**Conclusion**

[RESTATE THE FOLLOWING IN YOUR OWN WORDS. BUT YOU CAN ALSO USE IT AS IS, IF YOU AGREE WITH ALL OF THE POINTS MADE.]

*The current approach of the DBE of merely stating that cottage schools are illegal is by no means constructive and is in fact destructive as it will only drive cottage schools underground. The only solution to this situation is broad-ranging dialogue and  meaningful consultation.*

*There are anything up to 50 000 Cottage schoolers in SA. The DBE does not even appear to know how many cottage schoolers there are.*

*This is a practical reality that the DBE has to deal with and they may have been a contributing factor. They cannot simply wish the phenomena away now by merely stating repeatedly that it is illegal.*

*The legally conflicted situation that cottage schools find themselves in can only be addressed by the DBE working with cottage schools to find an appropriate path to legal certainty and compliance.*

*The Pestalozzi Trust is at the moment the only channel for cottage schools to raise their issues for the very reasons that these wide-ranging statements of illegality have made many owners and parents fearful. Meaningful consultation can only take place in an environment in which cottage schools can participate without fear and in order to create that environment the DBE needs to offer a period of amnesty for all cottage schools.*

[YOUR NAME]

[E-MAIL ADDRESS]