Pestalozzi Trust News Nugget/Nuusbrokkie 2021.03.19

(Klik hier vir Afrikaans)

Fight the BELA Bill: Write to your MEC

Dear member

As stated in a previous nugget, there will be various opportunities over the next year or two to engage with the government in our attempts to stop the Basic Education Laws Amendment (BELA) Bill from becoming law. Here is our first opportunity!

According to the National Education Policy Act (NEPA) the Minister must first consult with the Council of Education Ministers (CEM) before introducing new legislation in parliament. This council consists of the provincial education ministers and the national education minister. It is expected that the BELA Bill will soon be discussed at the CEM. The time has come for home educators to call on their elected representatives to protect their rights and freedoms.

What are the problems with the BELA Bill?

We have started highlighting some of the problems with the BELA Bill in the first part of our series "BELA in your Home". Alongside these reasons there are a number of problems with how the bill is being prepared for tabling in parliament:

- The Pestalozzi Trust has provided two legal opinions to the DBE that set out that home visits infringe on the right to privacy. These concerns haven't been addressed.
- The Bill was drafted without any basis in research. For example, there is no credible research on the number of home learners. How can the impact of the BELA Bill be assessed if there are no accurate statistics on something as basic as the number of home learners in South Africa?
- The Socio-Economic Impact Assessment (SEIA) has not considered the budgetary impact of the bill on parents and provinces. The costs associated with such assessments could potentially run into the tens of millions of Rands. South Africa can ill afford another wasteful expenditure.

For a provincial education department to approve a bill with such flaws would be reckless. Many more families have become home educators as a result of the pandemic. Thanks to home education many families were able to realise the right to education of many learners, while the schools were closed, and home education made it possible to re-open the schools without placing vulnerable learners and family members at risk. The conditions under which the Bill was proposed no longer exist and work needs to be done to understand the new environment.

What should provincial ministers do?

Home educators should call on provincial education ministers to prepare for the CEM meeting on the BELA Bill by taking the following actions:

- Agree to meet with home education associations, interest groups, parents and experts prior to discussing the Bill in the CEM and inform themselves on the concerns of home educators.
- Engage with home education organisations, such as the Pestalozzi Trust and Liberty in Learning members, that can provide research-based advice on the socio-economic impact of the bill in the province.

What can home educators do?

It is thanks to home educators participating in the BELA Bill and Home Education Policy campaigns in 2017 and 2018 that education departments have started to listen to the home education movement. As the BELA Bill moves closer to parliament, the time has again arrived for home educators to let themselves be heard. There are various ways in which home educators can get involved:

- We encourage you to join and support the associations and special interest groups that work with the Pestalozzi Trust in the Liberty in Learning Coalition. Join one of these associations and support their campaigns. **Click here** for a directory of associations and special interest groups in this coalition.
- Write to the education minister in your province and convey the following points in your own words:
    a) How long you have been home educating and how it has impacted your family.
    b) That you are concerned that the BELA Bill will have an impact on your family for the following reasons:
        - Education officials with whom you have no relationship will invade the privacy of your home.
        - The home education provisions in the BELA Bill have ignored research on home education that was presented to the department in 2014/15.
        - The home education provisions in the BELA Bill could make home education unaffordable to your family.
    c) Call on the provincial minister to do the following:
        - Engage with the associations in your province.
        - Engage with the Pestalozzi Trust to share the research that was done and the legal opinion on the home visit provision.

Click here for a directory of all the provincial education ministers. You will find all the contact details you need to send a letter there. When sending your letter please BCC homeschoolfreedom1996@gmail.com, so that the Trust can keep track of how many letters have been sent.

Thank you!

(Click here for English)

Beveg die BELA Bill: Skryf aan jou MEC

Beste lid

Soos ons in ‘n vorige nuusbrokkie uiteengesit het, sal daar in die loop van die volgende jaar of twee verskeie geleenthede wees om met die regering te skakel in ons pogings om te voorkom dat die Basic Education Laws Amendment (BELA) Bill wet word. Die tyd vir die eerste so ‘n geleentheid het nou aangebreek!

Volgens die National Education Policy Act (NEPA) moet die Minister eers met die Council of Education Ministers (CEM) konsulteer voor nuwe wetgewing aan die parlement voorgelê kan word. Hierdie raad bestaan uit die provinsiale onderwysministers en die nasionale onderwysminister. Daar word verwag dat die BELA Bill eersdaags by die CEM bespreek gaan word. Dis nou die geleentheid vir tuisskolers om ‘n beroep op hul verkose verteenwoordigers te doen om hul regte en vryhede te beskerm.

Wat is die probleme met die BELA Bill?

In die eerste aflewering van ons reeks, BELA in jou Huis, het ons sommige van die probleme met die BELA Bill uitgewys. Benewens hierdie redes is daar ander probleme ook met die wyse waarop die wetsontwerp voorberei word om in die parlement ter tafel gelê te word:

- Die Pestalozzi Trust het twee regsopinies aan die DBO verskaf wat toon dat tuisbesoeke inbreuk maak op die reg op privaatheid. Dit is nog nie aangespreek nie.
- Die BELA Bill is opgestel sonder enige navorsingsbasis. Daar is byvoorbeeld geen geloofwaardige navorsing oor die aantal tuisleerders nie. Hoe kan die impak van die BELA Bill bepaal word as daar geen akkurate statistiek oor iets so basies soos die aantal tuisleerders in Suid-Afrika is nie?

- Die Socio-Economic Impact Assessment (SEIA) het nie die begrotingsimpak van die BELA Bill op ouers en provinsies in ag geneem nie. Sulke assesserings kan tiene miljoene Rande kos. Suid-Afrika kan nouliks verdere verkwisting bekostig.

Dit sou roekeloos wees as 'n provinsiale onderwysdepartement 'n wetsontwerp met soveel gebreke goedkeur. Die pandemie het tot gevolg gehad dat baie meer gesinne begin tuisskool het. Danksy tuisonderwys kon baie gesinne hul leerders se reg op onderwys realiseer terwyl die skole gesluit was, en danksy tuisonderwys kon die skole weer open sonder om kwesbare leerders en hul gesinslede in gevaar te stel. Die omstandighede waaronder die BELA Bill gepromulgeer is, bestaan nie meer nie, en daar is heelwat werk nodig om die nuwe onderwysomgewing te kan verstaan.

Wat moet provinsiale ministers doen?

Tuisskolers moet 'n beroep doen op hul provinsiale onderwysministers om die volgende te doen, wanneer hulle voorberei vir die CEM-vergadering oor die BELA Bill:

- Stem toe om verenigings vir tuisonderwys, belangegroepe, ouers en kenners te ontmoet, vóór die BELA Bill in die CEM bespreek word, en verneem waaroor tuisskolers besorg is.
- Kontak tuisonderwys-organisasies, soos die Pestalozzi Trust en lede van Liberty in Learning, wat navorsingsgebaseerde advies oor die sosio-ekonomiese impak van die BELA Bill in die provinsie kan verskaf.

Wat kan tuisskolers doen?

Danksy die deelname van tuisskolers aan die veldtogte teen die BELA Bill en die Beleid op Tuisonderwys in 2017 en 2018 het onderwysdepartemente begin luister na die tuisonderwysbeweging. Noudat die BELA Bill besig is om die parlement te nader, het dit weer tyd geword vir tuisskolers om hulle stemme te laat hoor. Daar is verskillende maniere waarop hulle betrokke kan raak:

- Ondersteun die verenigings en spesiale-belangegroepe wat met die Pestalozzi Trust saamwerk in die Liberty in Learning Coalition. Sluit by een van hierdie verenigings aan en ondersteun hul veldtogte. **Klik hier** vir 'n indeks van verenigings en spesiale-belangegroepe in hierdie koalisie.
- Skryf aan die onderwysminister in jou provinsie en dra die volgende punte in jou eie woorde oor:
    a) Hoe lank tuisskool jy al, en watter impak het dit op jou gesin gehad.
    b) Verduidelik dat die BELA Bill om die volgende redes 'n impak op jou gesin gaan hê:
        - Onderwysamptenare sal as vreemdelinge inbreuk maak op die privaatheid van jou huis.
        - Die tuisonderwysvoorwaardes in die BELA Bill neem nie die navorsing in ag wat in 2014/15 aan die departement gelewer is nie.
        - Die tuisonderwysvoorwaardes in die BELA Bill kan tuisonderwys onbekostigbaar maak vir jou gesin.

c) Doen ‘n beroep op die provinsiale minister om die volgende te doen:
   - Tree in gesprek met die verenigings in jou provinsie.
   - Tree in gesprek met die Pestalozzi Trust om die navorsing te bekom wat gedoen is, asook die regsopinie oor tuisbesoeke.

Klik hier vir ‘n indeks van al die provinsiale onderwysministers. Al hulle kontakdetails vir ‘n brief is daar. Wanneer jy ‘n brief stuur, BCC dit asseblief aan homeschoolfreedom1996@gmail.com, sodat die Trust tred kan hou met die briewe wat gestuur is.

Baie dankie!

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