



Explain It Like I'm Five: A Plain Language Guide to all the clauses that are relevant to home schooling

New Definitions

Several definitions in the Act have been updated or changed.

A definition for **basic education** was added, stating that it will now encompass the complete journey from **grade R to grade 12** of the national curriculum.

The role of a **competent assessor** has been defined as either a **registered educator**, an **assessor** who has passed a relevant course, or a **body either registered to perform assessments, or recognised in the field of education**.

At the moment, while there are of course bodies registered to administer the National Senior Certificate, or Matric, there are to our knowledge no bodies registered to assess grade R to grade 9. The exact meaning of “recognised in the field of education” also remains unclear.

Home education is now described as a “purposeful” educational program primarily conducted within a child's home, under the **direct supervision (or direction) of a parent**. Importantly, while **tutors** and other forms of support are explicitly permitted, the number of subjects, and amount of time a tutor may cover, remains unclear.

Compulsory School Attendance and Penalties

The amendments in the BELA Bill prescribe mandatory school attendance from **grade R** or when a child reaches the age of **six**. This obligation persists until the last school day of the year in which the child reaches the age of **15 years or completes grade nine**, whichever comes first.

As before, the Minister of Education will determine compulsory attendance ages and grades for children with special needs. Furthermore, it is the responsibility of each province to ensure there is a sufficient number of schools to accommodate all eligible children.

However, the penalties for non-compliance have changed. Parents who fail to adhere to compulsory attendance without just cause, and after receiving a written notice from the Head of Department, can face a **fine, imprisonment for up to a year, or both**.

These penalties also extend to individuals who obstruct a learner from attending school. Similarly, deliberate interference with a school's educational activities can result in a fine or imprisonment for up to a year.

Registration

In order to home school, parents now **must** apply to the Head of Department for approval of the child's registration. Previously, the wording stated "may apply".

The Head of Department is **obligated to approve** the application if some specific criteria are met.

Firstly, they must be convinced that home education is indeed in the learner's best interest. Secondly, the parent is required to know how home education works, and thirdly, the Head of Department must be satisfied that the home education programme meets certain criteria. These criteria are that it must be appropriate for the learner's age, grade level, and ability, and also that it must largely cover content and skills comparable to the national curriculum.

Parents opting for home education must also **commit to providing the resources required, monitoring** learner progress, and arranging for **assessments** at the end of each phase. These assessments are to be conducted by a competent assessor, as described earlier, and must be submitted to the Head of Department at the end of each phase.

To be able to register for home education **these specific requirements must be met**. Failure to fulfil them means that the application for home education will be rejected.

If the Head of Department doesn't respond within **60 days**, the application is considered approved, provided the applicant can produce proof of submission.

Parents must inform the Head of Department at the end of each phase if they intend to continue home education.

However, parents are not obligated to request registration again at the end of each phase; a notification to the Head of Department suffices.

If the child is over 15 or has completed grade nine, they can continue to home educate without notifying the Head of Department. They can also choose to attend **public or independent schools** for grades 10 to 12.

Those who wish to take the **National Senior Certificate exam** must meet the relevant requirements the main one being that they register with an organisation that is registered with either SACAI of the IEB.

Home visits

Home visits have been removed from the BELA Bill. The provincial education department can only interview parents if they need to check information in an application or need to provide support with the application. Parents must be notified of the reasons for a check-in, and may choose to be interviewed at a venue other than the home.

Regulations

The Minister may make regulations on the administration and registration for home schooling.