

The Balderstone Sports Institute (BSI) Study Centre and Home Schooling

Parents are not always aware of their rights and obligations in terms of South African legislation pertaining to home schooling. It is important for the parents of BSI Study Centre students to understand the legal framework that applies to home schooling.

The SA Schools Act and the Policy on Home Education clearly states that home schooling is a legally recognised alternative to education at registered public and private schools.

BSI offers an integrated education and sport offering that provides for an environment conducive to self-directed learning. Balderstone Sports Institute (Pty) Ltd is a legal entity that provides study and support services for home schooled student-athletes. The BSI Study Centre provides study and support services for academic curricula, which are provided as home education programmes by educational providers (not BSI). Parents will contract directly with an education service provider. All interactions related to subject choices, the programme (curriculum), costs, assessments (formative and summative) and reporting should be between the parents and the education provider.

BSI is not a school but rather a sports institute that provides a study centre which, together with education providers, delivers an academic support service for student-athletes who are home-schooled allowing them to pursue their sport careers.

Home education is governed by Sections 3 and 51 of the South African Schools Act and should be read in conjunction with the Policy on Home Education. Both documents are referenced at the end of this addendum. Please make sure that you have read and understand their contents. If you have any questions of interpretation, please discuss these with us prior to signing this agreement.

We draw your attention to parts of the Policy on Home Education below (note that we are only highlighting certain sections).

Policy on Home Education

Definitions

“education programme” means an organised set of learning activities designed to enable a learner to develop knowledge, understanding, skills, attitudes and values relevant to the learner’s individual needs;

“home education” means a purposeful programme of education for a learner, alternative to school attendance, which:

- (a) is provided under the direction and supervision of the learner’s parent primarily in the environment of the learner’s home;
- (b) may include tutorial or other educational support if necessary secured by the parent on specific areas of the curriculum followed by the learner; and
- (c) meets the requirements for registration of a learner for home education contemplated in section 51 of the Act;

“home education site” means the home of a learner who is registered for home education in accordance with section 51 of the Act;

2. The objects of the policy on home education

The objects of this policy are to:

- (1) protect, promote and ensure the rights of learners to basic education;
- (2) recognise parents’ prior right to choose the kind of education that shall be given to their children;
- (3) provide for registration, implementation and monitoring of home education in accordance with section 51 of the Act and to provide for matters incidental thereto;

6. The legal background and context of home education in South Africa

(2) The South African Schools Act provides as follows:

(a) Section 3 (1) provides that:

- (1) Every parent must cause every learner for whom he or she is responsible to attend a school from the first school day of the year in which such learner reaches the age of seven years until the last school day of the year in which such learner reaches the age of fifteen years or the ninth grade, whichever occurs first.

7. Section 51 of the South African Schools Act

(1) The Act in section 51 provides for registration of learner for home education as follows:

Registration of learner for education at home

- (1) A parent may apply to the HOD for the registration of a learner to receive education at the learner's home.

8. The scope, character and rationale for home education in South Africa

8.2 The scope of home education in South Africa

- (1) Home education as contemplated in section 51 of the Act is:
 - (a) an education programme for the learner that takes place primarily in the environment of the learner’s home;
 - (b) an alternative to attendance at a public or an independent school;
 - (c) conducted in accordance with the requirements for the registration of a learner for home education provided for in the Act.

8.3 The character of home education

- (1) Home Education:
 - (a) is the oldest form of child education;
 - (b) precedes formal school education in all cultures;
 - (c) represents and honours a preference or wish of a parent to personally facilitate the education of her or his child in the family home.
 - (d) exposes the learner to the knowledge, skills and values required for:

- (i) admission to further education and training, higher education and/or employment; and
 - (ii) life as an active community member and citizen of the modern world.
- (e) allows for:
- (i) flexibility of learning provision, guided self-study and the use of a variety of media.
 - (ii) access to a varied array of public amenities (like libraries and museums), commercially available learning programmes (online and otherwise) and tutorial assistance.
 - (iii) networking amongst parents for the sharing of experiences, mutual encouragement and support.

9. General principles of home education

- (1) The principles for home education include that:
- (a) parents have a right to choose a child's home as a suitable educational environment for their children;
 - (b) there is a diversity of religious and educational philosophies held by parents providing home education for their children;
 - (c) the diversity of educational philosophies reflects the diversity of preferences of parents for particular forms of education for their children; and
 - (d) home education is committed to:
 - (i) offering a broad range of opportunities that foster in each child the development of the child's unique spiritual, emotional, physical, social and intellectual being;
 - (ii) valuing the individual needs, interests and aptitudes of each child; and
 - (iii) preparing each child to become an independent and effective citizen including global citizenship.

13. Conditions for registration of a learner to receive education at home

- (1) The conditions for registration of a learner to receive education at her or his home are set out in section 51 of the Act. These conditions include that:
- (a) the parent understands home education, accepts full responsibility for the implementation of home education for her or his child; and undertakes to:
 - (i) make suitable educational resources available to support the learner's learning;
 - (ii) monitor the learner's academic progress;
 - (iii) arrange for the learner's educational attainment to be assessed at a standard that is not inferior to that which is determined in the NCS
 - (iv) provide the HOD with the learner's assessment report signed by the competent assessor, as evidence at the end of each phase.
 - (b) the proposed education programme:
 - (i) is suitable for the learner's age, grade, level and ability;
 - (ii) covers the acquisition of content and skills at least comparable to the relevant national curriculum outcomes as determined by the Minister; and
 - (iii) is approved by the HOD.

18. Curriculum

18.1 Curriculum choice

- (1) The parent may choose to offer any curriculum that will be of a standard not inferior to the standard of education provided at public schools.

18.2 Planning

- (1) A parent should keep evidence of planned activities and tasks to be completed by a learner in accordance with the curriculum followed by the learner.

18.3 Teaching and learning

- (1) A parent should organise teaching, learning and assessment such that a learner is able to achieve the minimum outcomes and standards prescribed in the NCS.

18.4 The scope of tutoring a learner registered to receive education at home

- (1) The parent may, if necessary, enlist specific services of a tutor for specific areas of the curriculum.
- (2) The tutor in providing her or his services in respect of specific areas of the curriculum:
 - (a) may not replace the primary responsibility of the parent in respect of providing home education to the child; and
 - (b) may not attempt to play the role of a school under the pretext of providing a tutoring service to the learner, e.g. taking over the full responsibility for delivery of the curriculum at the learner's home or at another place away from the home education site.

27. Home education post compulsory attendance

- (1) A parent of a learner who wishes to continue with home education after the learner has completed the Senior Phase (Grades 7-9) or reached the age of 15 whichever comes first, is not required to apply for registration for home education as such a learner is no longer of compulsory attendance contemplated in section 3 of the Act.
- (2) A learner who has completed the Senior Phase (Grades 7-9) may choose to continue with her or his education at home or enrol at a public or independent school.

28. Exit examinations

- (1) A learner who chooses to continue with her or his education at home post compulsory school attendance is free to choose her or his own exit examinations relevant to her or his chosen curriculum under an examination body of her or his choice. This includes exercising a right to write an international examination which does not fall under the authority of Umalusi.
- (2) A learner who chooses to write an exit exam other than the NSC needs to determine the status of such an exam for admission to higher education institution(s) of her or his choice.

I have read and understand the above.

Links

SA Schools Act

<https://www.gov.za/documents/south-african-schools-act>

Policy on Home Education (Department of Basic Education)

<https://www.education.gov.za/Portals/0/Documents/Policies/Policy%20on%20Home%20Education%2020182.pdf?ver=2018-12-07-120557-807>