



8 March 2024

Comment on the BELA Bill

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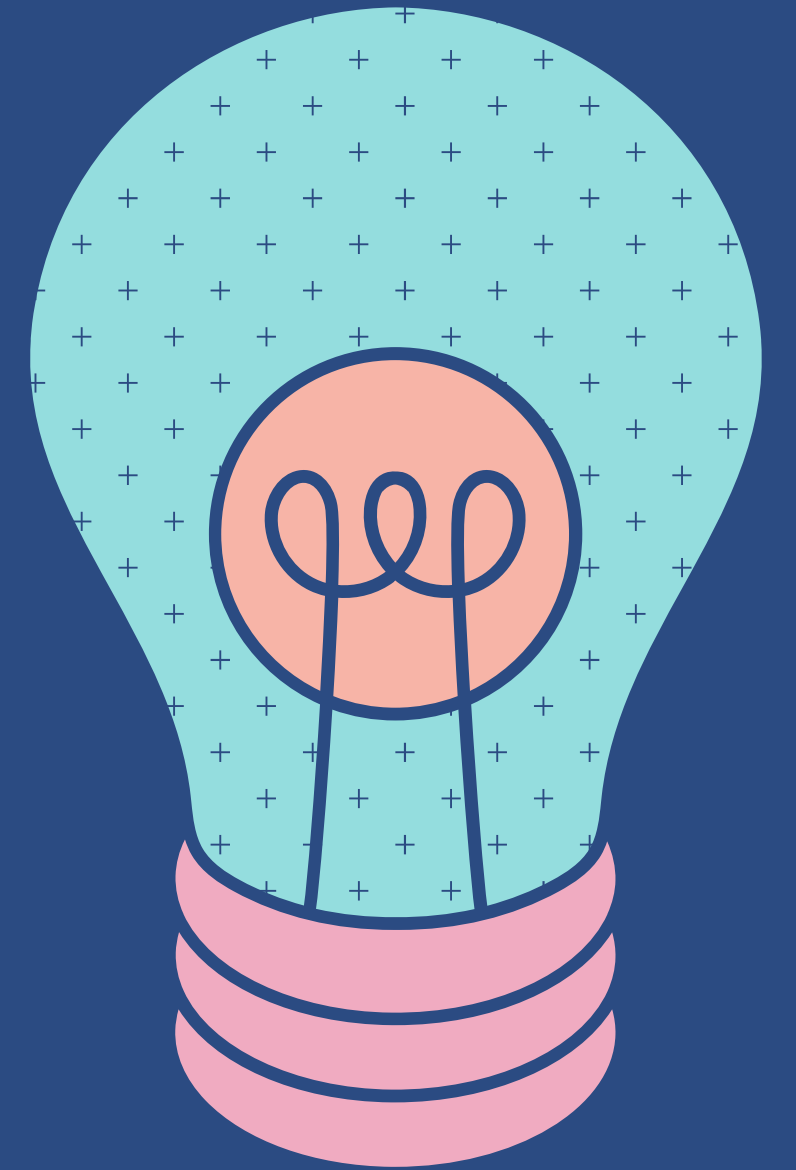


Background of Education First Research Group

Coalition of researchers, educators, institution owners, learners, and concerned citizens, emphasizing the fundamental human right to education

Micro-school

defined as educational institutions with 135 or fewer learners, operating outside traditional legal frameworks. These schools often cater to students with special educational needs or those who have not thrived in conventional settings, offering multi-grade environments and tailored learning approaches.



What makes micro-schools unique?

- Multi-grade environments
- Individualised
- Alternative school leaving options in addition to NSC
- Low pupil-to-teacher ratio
- Many cater to students with special needs
- Support students who have not thrived in mainstream environments
- Located near registered public schools
- Small, fewer staff, less space which makes it difficult to meet large school criteria when registering



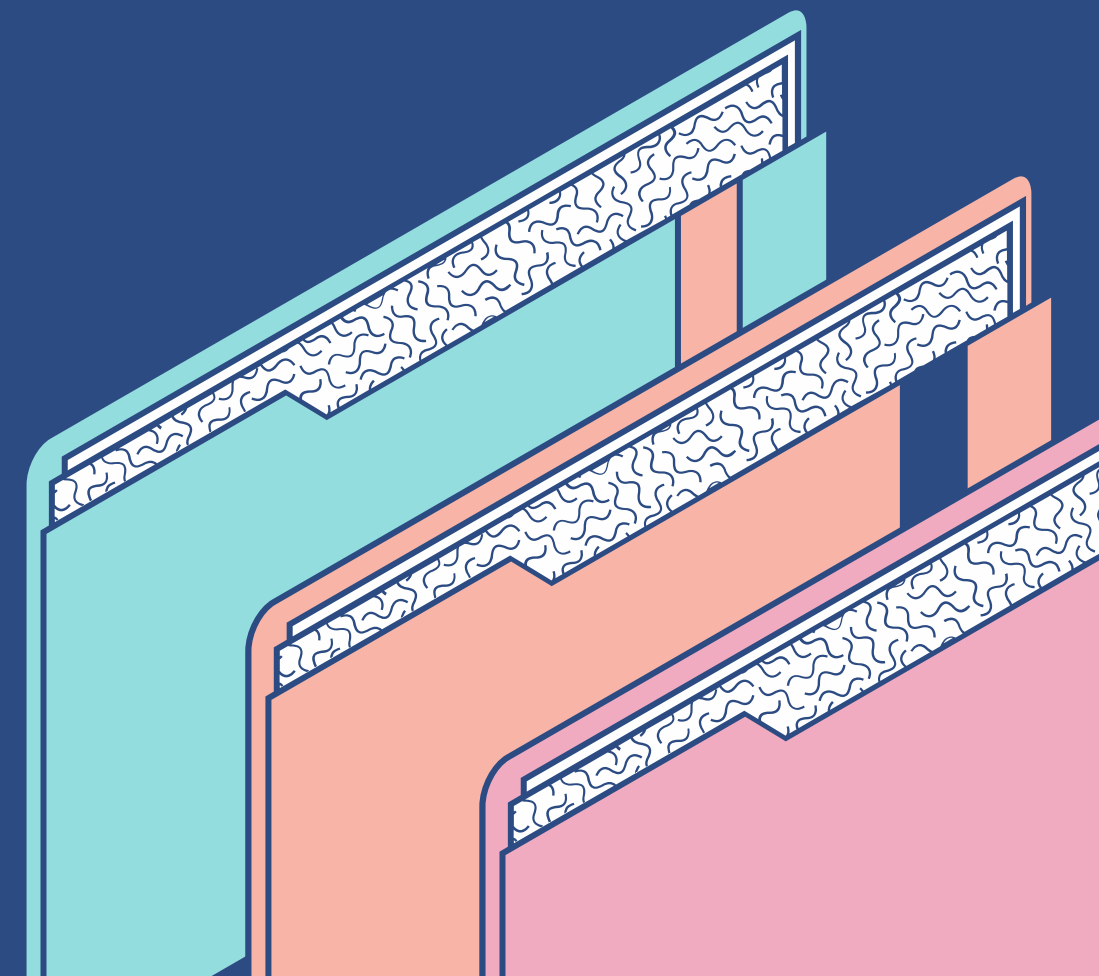
Development and Evolution

- Emerged from a misinterpretation of the Policy on Home Education Registration.
- Belief in the permissibility of an independent form of education, distinct from traditional schools.
- Natural development from parents seeking alternatives within home schooling.
- Grew as parents, unable to home school, turned to micro-schools for personalized education.
- Accelerated growth, especially during and after the COVID-19 pandemic.
- Founded post-2010 to meet the demand for small-scale, personalized education.



Development and Evolution

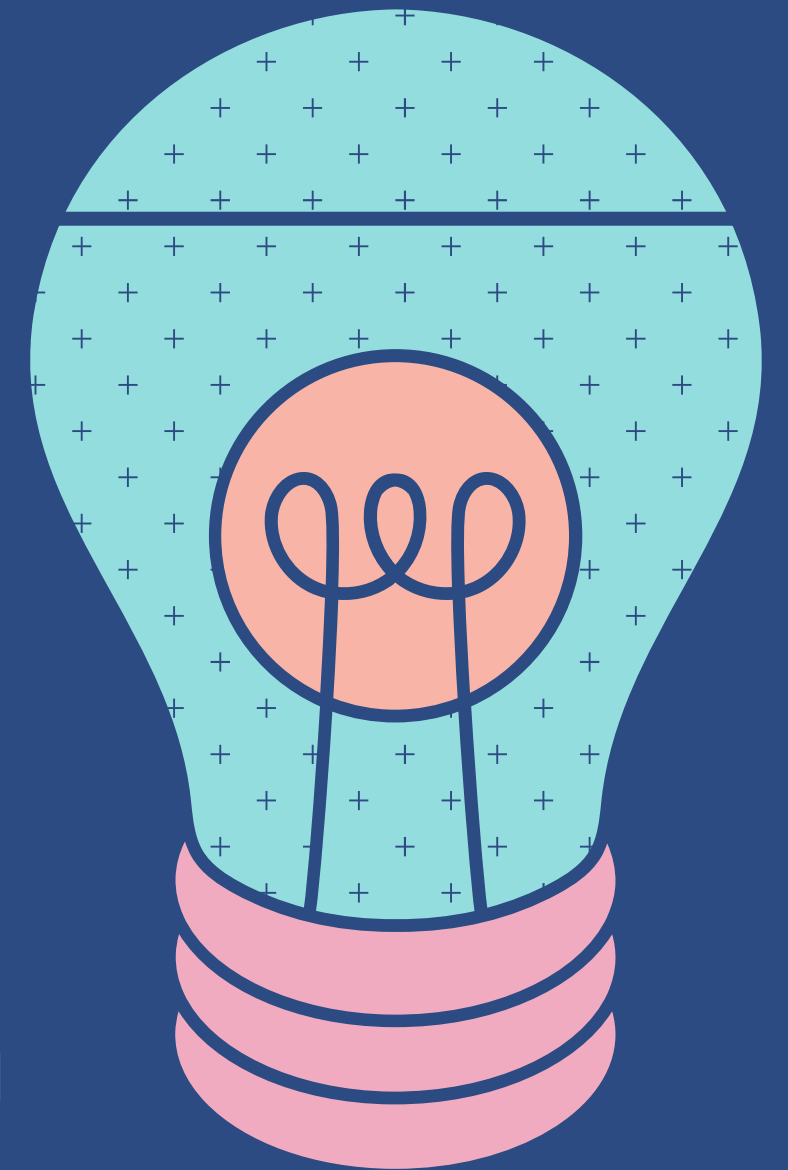
- Rapid expansion, particularly in areas with insufficient school spaces.
- Despite smaller size, the number of micro-schools rivals that of independent schools.
- Acknowledged by the Department of Basic Education (DBE) for several years.
- DBE labeled micro-schools as "illegal independent educational institutions" in 2018.
- Closure of nearly 70 micro-schools in Gauteng
- Parents seeking alternatives left without proper guidance or support.



Legal Status and Challenges

Registration is unaffordable

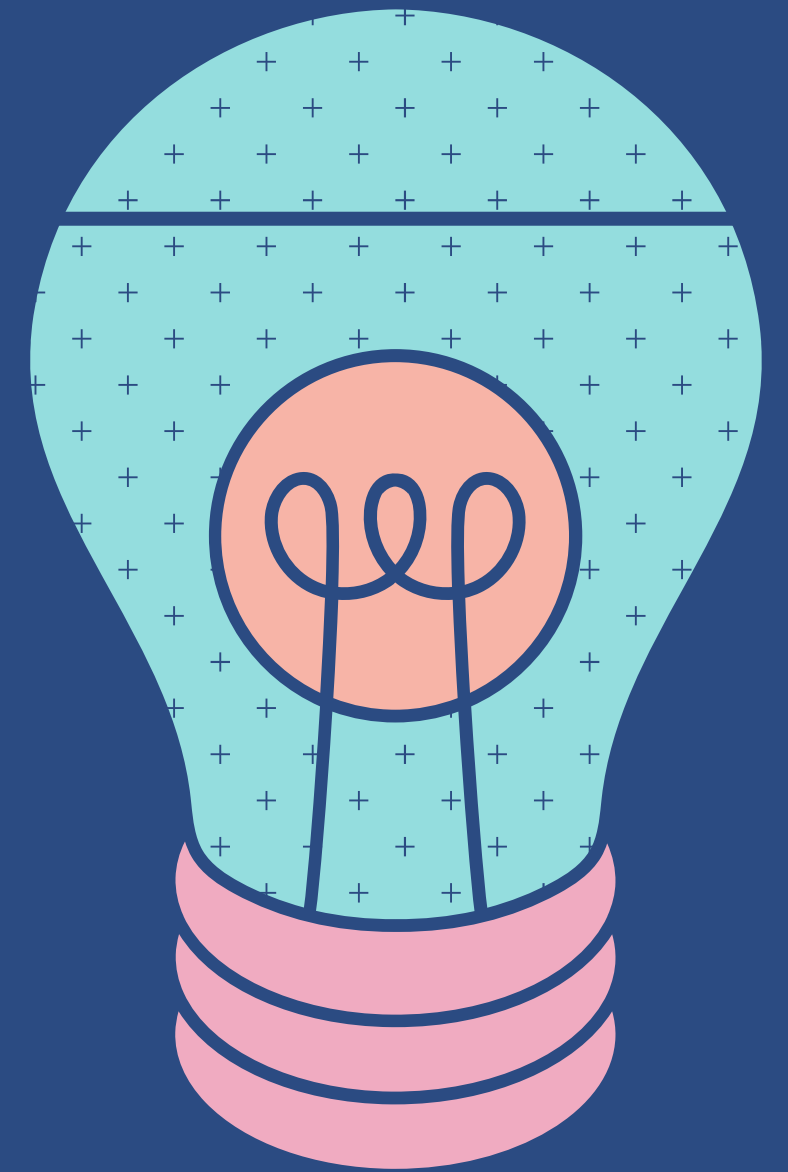
- Nearly 80% of independent micro-schools would like to be able to register.
- The cost of registration for a micro-school could amount to as much as R170 000 which can not be absorbed by such a small number of students



Legal Status and Challenges

Need for Legal Framework

- The current lack of a legal framework exposes the learners, parents, owners and both the DBE and the PEDS to a number of legal risks
- DBE has known about IMS for years
- Concerns about fly-by-night operators taking advantage



Lack of Engagement and Research Inadequacy of the SEIA

- **Clause 33 proposes increasing the penalty for establishing and operating an unregistered independent school from three to twelve months.**
 - **Lack of engagement with IMS**
 - **The DBE has not undertaken any research into micro-schools.**
 - **This lack of research means that the Socio-Economic Impact Assessment is inadequate.**



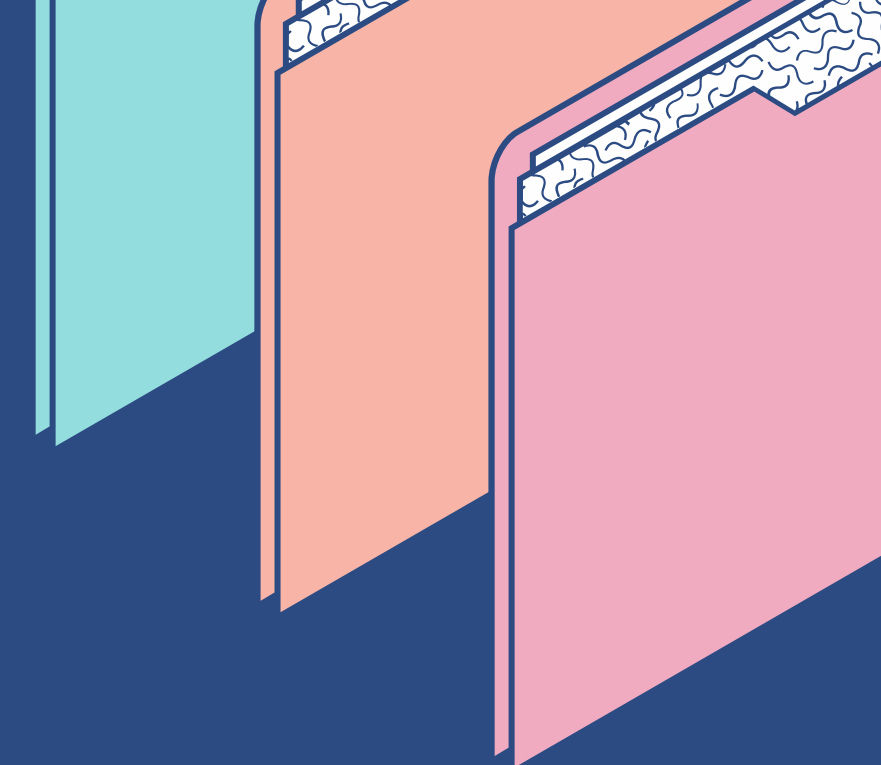
Proposals by Education First



1. That specific provisions be added to the BELA Bill that instruct the MECs to issue instructions for the registration of independent micro schools.
2. The right to use alternative curricula, educational approaches and assessment processes and procedures is protected
3. The best interests of learners are protected by including key principles of the Children's Act in Chapter 5 of the South African Schools Act.
4. The increase in the penalty to twelve months be removed from the Bill.
5. That unregistered independent institutions are included in dispute resolution processes.

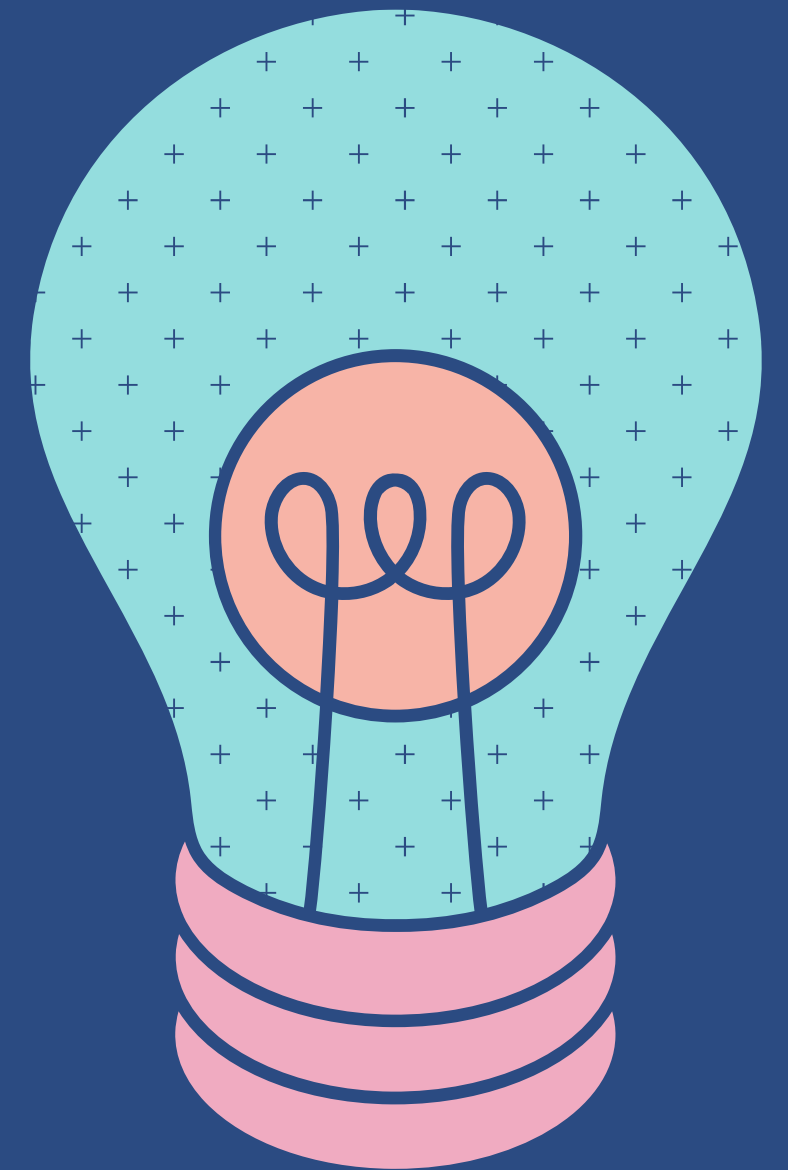
Additional Considerations

1. Micro-schools receive a full rebate on Umalusi fees.
2. Duplications between the provisional registration processes of the PEDS and Umalusi should be eliminated.
3. Micro-schools are invited to present to the Select Committee wide of the BELA Bill process.
4. Special note be taken of the role that micro-schools play in providing education to learners with special needs and those who struggle in the CAPS environment and research be conducted into how independent micro-schools can assist on a national level in addressing the special needs crisis.
5. Micro-schools are included in the representative structures established by the Minister of Basic Education, at national level and the MECs in their respective provinces.



EFRG Clause by Clause Amendments

- Detailed proposed amendments are included in the IMS Submission
- Emphasis on definitions to include IMS, alternative curricula and modalities
- Protection of autonomy wrt assessment and curricula
- Admission Age Criteria
- Registration
- Penalty of Clause 33
- Subsidies to IMS
- Best interests of learners wrt school closures





In Conclusion



Thank you

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