



**impaq**

# **GUIDELINE FOR PARENTS LINKED TO TUTORS**

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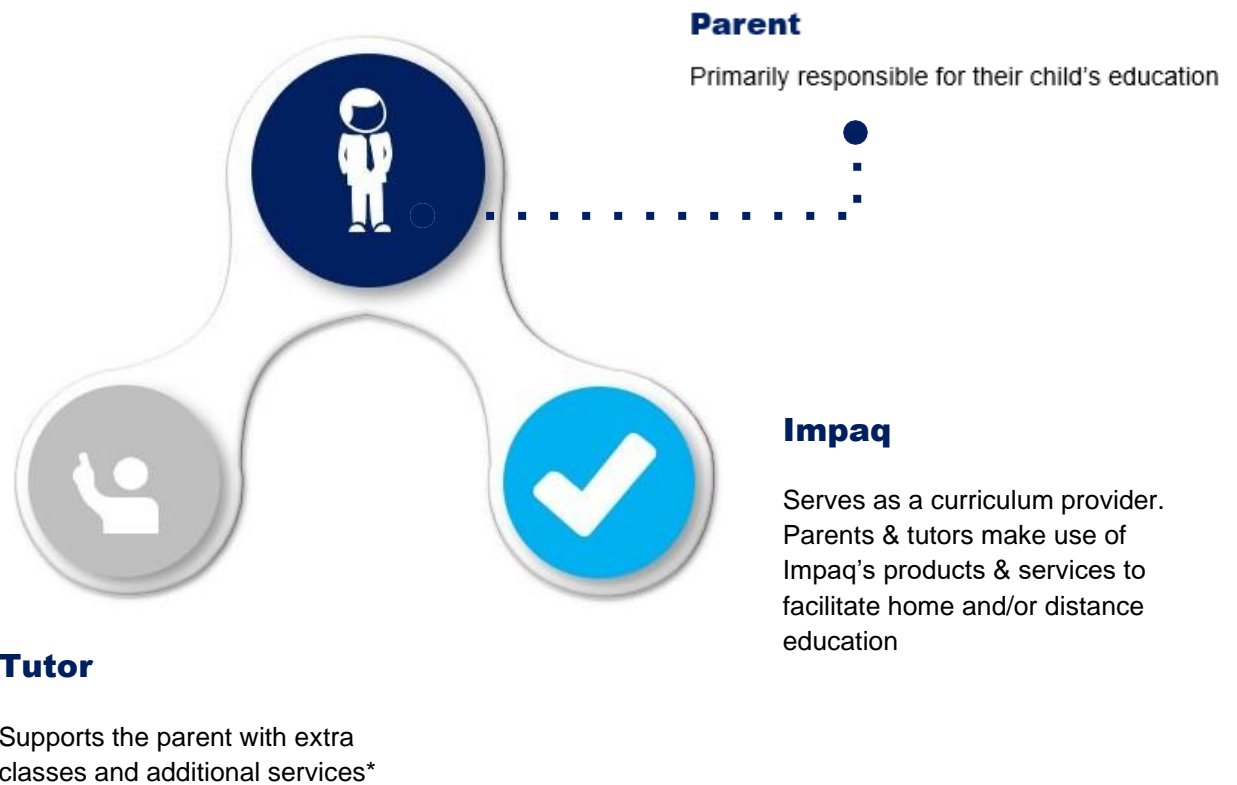


# 1. HOME EDUCATION IN SOUTH AFRICA

The South African Schools Act no. 84 of 1996 (“the Act”) allows parents to elect to educate their own children as an alternative to the children receiving education from a public or independent school. In terms of the Act, home education is a form of education rendered by a parent to their own child, at the residential home of that child.

When a child is educated at a school, it is the responsibility of the school to ensure that the education of the child is of a good standard and, where applicable, complies with the requirements of the national curriculum (CAPS). When a child is educated at home, the responsibility shifts to the parent and cannot be delegated or assigned to anyone else. Parents are responsible for ensuring that the standard of education received at home is at least equivalent to the standard of education the child would have received in a public school.

Parents may use Impaq’s products and services to render home education to their children and may use tutors and extra classes to assist in the education of their children, however, parents remain the primary parties responsible for their children’s education.



## 2. ROLE OF THE PARENT IN HOME AND DISTANCE EDUCATION

The various guidelines and policies that attempt to explain the responsibility of a parent is summarised in this section. When home educating a child, a parent assumes responsibility over the following:

- Ensuring that home education is in the best interest of the learner.
- Understanding the requirements and landscape of home education and accepting full responsibility for the implementation of home education for the learner, including understanding the legal requirements and policies issued by government.
- Choosing an educational programme that is suitable for the learner's age, grade level and ability; and that covers the acquisition of content and skills at least comparable to the relevant national curriculum (CAPS) outcomes as determined by government.
- Ensuring that the place where learning will take place is appropriate to support learning and making suitable educational resources available to support the learner's learning.
- Monitoring the progress of the learner and keeping records that are available on request.
- Arranging that a competent person assesses the child's progress on an annual basis and retaining evidence of the assessment report.
- Appointing an independent, competent assessor to assess the progress of a learner against the minimum outcomes and standards at the end of Grade 3, Grade 6 and Grade 9, and submitting a report to the Head of Department.
- Maintaining a portfolio of work containing samples of writing, worksheets, workbooks and creative materials used or produced by the learner.
- Keeping the portfolio of work, summative record or assessment schedule for three years after the home education programme is terminated/completed.
- Ensuring that the child is appropriately registered with the PED (Grade 1 – 9).

**The DBE and PEDs spend a considerable amount of time, together with quality assurance bodies, monitoring public and independent schools to ensure that teachers and school leaders execute their responsibilities adequately, as is their duty under the law. Similarly, the DBE and PEDs need to spend time and effort to monitor the home education market to fulfil their duty under the law.**

In terms of Section 51 of the South African Schools Act, there is no legal requirement to register learners in the FET Phase (Grade 10 – 12) with a PED. The registration of FET learners with an examination board is sufficient to complete the FET Phase. Learners registered with Impaq are registered with the independent examination board SACAI, which in turn is provisionally accredited by Umalusi. This enables learners to be assessed in order to obtain a matric certificate, which is formally known as the National Senior Certificate (NSC). Currently, learners may not register directly with the assessment body, but must register for the NSC through a distance education provider or a registered school.

**It is important to note that a tutor should not control the direction and supervision of learning for a home-educated learner – this remains the responsibility of the parent.** The focus of this document is to highlight the difference between official education received from a school and the typical operating model of a tutor business which is distinct and different to that of a school.

The Department of Basic Education (DBE) and Provincial Education Departments (PEDs) have a duty to protect a learner's right to receive an education and ensure that such education conforms to the minimum norms and standards required by law. It is important to ensure that the services that a tutor provides comply with the legal framework provided, and that a tutor does not present themselves as something that they are not.



### 3. IMPAQ'S ROLE IN HOME AND DISTANCE EDUCATION

Impaq is not a registered school. Impaq is a curriculum products and service provider. Our products are CAPS aligned. We develop and provide products and services that enables home and distance education parents to teach their children in the comfort of their homes.

**Home-education parents remain responsible to register their children (Grades 1 to 9) with a PED** and. Should parents require guidance in terms of how to register their child with a PED, please refer to the document available on *my.Impaq* under General Documents.

Impaq is registered with the assessment body, SACAI, to present the National Senior Certificate (NSC) to learners in the FET Phase (Grades 10 to 12). Learners in this phase registered with Impaq, are registered with SACAI. SACAI is provisionally accredited with Umalusi who oversees the NSC in South Africa for SACAI, the DBE and the IEB. It is important to note that parents remain the primary responsible party and that all rules and regulations in this phase is governed by the assessment body in consultation with Umalusi. Strict adherence to the compliance regulations is necessary as failure to abide by this jeopardises SACAI's accreditation, Impaq's ability to present the NSC and ultimately, the learners' marks.

### 4. TUTOR BUSINESSES VS SCHOOLS

Tutors register with Impaq to make use of Impaq's products and services. A tutor business should not be perceived as a school and may not act as a school. In broad terms, this means that the tutor is not allowed to, at any point, take over the responsibilities of the parent as a school would have done.

Impaq is not responsible for the education rendered by a tutor as Impaq cannot legally manage, control or regulate the business conducted by independent businesses such as tutors. The parent remains responsible for all assessments of home educated learners regardless of whether the learner is linked to a tutor or not.

A tutor business is commonly referred to as a "tutor centre or learning centre" and constitutes **the place of business of an independent tutoring services provider that is not registered as a school.**

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The South African Schools' Act protects the child's right to lawful education. Parents have two options; they can:

- **enrol the learner with a school** registered with the Department of Education (school received a valid EMIS number); OR
- **home educate the child** – by definition, take full responsibility for the child's education by registering the child with the DBE (Grade 1 to 9) or a service provider registered with an accredited assessment body (Impaq registered with SACAI). **In this context, a tutor may only provide support.**



**It must be emphasised that a tutor business may therefore in no sense infringe on the responsibility of the parent to educate the child by taking on this responsibility and acting as a school.**

The table below provides an overview of the differences between a tutor business and a school. This is not an exhaustive list, but provides you with a guideline in terms of the key differences to be mindful of:

<b>Differences between a tutor business and a school</b>	
<b>Tutor Business</b>	<b>School</b>
	
<b>Does not provide official education</b> but supports this with supplementary tutorials or extra classes	<b>Provides official education</b> and is responsible for the supervision of teaching and learning
<b>Cannot register the child with a PED</b> as this is the sole responsibility of the parent in home education	<b>Schools must be registered with a PED</b>
Services rendered are done so on a <b>contractual basis</b>	Services rendered are done so on a <b>statutory basis</b> in terms of the School's Act
<b>Should never call itself a school</b> or give the impression that it is a school	Refers to itself and the business it conducts as a school
<b>Should not charge "school fees"</b> , but tutorial services can be quoted at an hourly rate or bundled as packages that parents can purchase	<b>Charges school fees</b> within the framework provided wby the DBE, as it is registered to do so by a PED
<b>Should not refer to tutors without the relevant qualifications as "teachers"</b> , however, teachers may decide to offer tutorial services outside of a school	<b>Schools employ qualified teachers</b> with SACE numbers to educate learners
<b>Should not perform official assessments of learners</b> and may not represent itself to do so. Tutors may, at the parent's request, perform supporting administrative functions and offer services such as invigilation and marking if qualified and competent to do so	<b>Performs official assessments of learners</b>
<b>Does not determine whether the learner should progress to the next grade</b> as this is the role of the parent	<b>Determines whether a learner should progress to the next grade or not</b>



<b>Should not issue education qualifications or represent itself to do so (including report cards separate from Impaq reports) as only accredited providers are authorised to issue registered qualifications</b>	<b>Issues different forms of education qualifications based on its accreditation status</b>
<b>Should not require compulsory attendance to tutorials or extra classes</b>	<b>The Act prescribes compulsory attendance at a school</b>
<b>Not required to group learners into classes based on grade or academic achievement. Tutors have the freedom to decide the manner in which it groups learners</b>	<b>Typically groups learners according to strict guidelines for each grade or academic achievement</b>
<b>Should not prescribe any uniforms</b>	<b>Typically prescribes to a strict uniform code</b>

When a tutor centre operates as a school, it should register as a school with a PED. A tutor centre may not register learners for home education with a PED on behalf of the parent, as this is the obligation of the parent. The services typically provided by a tutor centre do not constitute home education (or another form of official education) and therefore the Act does not apply to a tutor centre.

If you are uncertain whether the learning centre is registered as a school, you may request from the learning centre the proof of registration in the form of an EMIS-number. You may confirm the registration with Impaq via [tutorsupport@impaq.co.za](mailto:tutorsupport@impaq.co.za).

