LAERSKOOL VRYBURG



SCHOOL FEES, EXEMPTIONS AND ENFORCEMENT POLICY

SCHOOL FEES, EXEMPTIONS AND ENFORCEMENT POLICY

1. PURPOSE

This policy establishes a lawful, fair, transparent and consistent process for setting and collecting school fees, considering applications for full, partial or conditional exemption, managing arrears and enforcing payment where legally permitted. It supports responsible school financial management while protecting learners' dignity and access to education.

2. LEGAL FRAMEWORK

This policy must be read with the South African Schools Act 84 of 1996 (SASA), as amended, including the Basic Education Laws Amendment Act 32 of 2024 (BELA); the Regulations relating to the Exemption of Parents from Payment of School Fees in Public Schools, Government Notice R.1052, Government Gazette 29311 of 18 October 2006; applicable national norms and standards for school funding; and instructions issued by the North West Department of Education.

If this policy conflicts with legislation, regulations or a binding departmental instruction, the legal authority prevails. The SGB should obtain departmental or legal advice where interpretation is uncertain.

3. SCOPE AND SCHOOL FEE STATUS

3.1 This policy applies to compulsory school fees only where Laerskool Vryburg Primary is legally permitted to charge them.

3.2 The SGB must confirm the school's official fee/no-fee status each year against the applicable provincial and national determinations. If the school is designated a no-fee school and receives the applicable funding, compulsory school fees may not be charged except where legislation expressly permits it.

3.3 Voluntary donations and fundraising contributions must remain genuinely voluntary and must not be treated as compulsory fees.

3.4 If the school is permitted to charge fees, the amount and exemption arrangements must be approved through the statutory process.

4. PRINCIPLES

- Decisions must be lawful, fair, consistent, documented and confidential.
- Parents must be informed of the fee amount, payment arrangements and right to apply for exemption.
- A parent's inability to pay must be assessed under the prescribed regulations, not assumptions.
- No learner may be punished, humiliated or discriminated against because a parent has not paid or has applied for exemption.
- Only authorised persons may access confidential financial and exemption records.

5. DETERMINING SCHOOL FEES

5.1 The SGB must prepare the annual budget and proposed school fee in accordance with SASA. The budget must be presented to a general meeting of parents convened on at least 30 days' notice, for consideration and approval in accordance with the Act.

5.2 A school-fee resolution may be adopted only through the statutory parents' meeting process. It must state the fee amount and provide equitable criteria and procedures for full, partial or conditional exemption.

5.3 The school must retain the notice, attendance register, agenda, budget, minutes, voting record and adopted resolution.

5.4 The approved fee, payment dates, payment options and exemption procedure must be communicated to parents in writing.

5.5 A public school may not charge registration, administration or other compulsory fees outside the legal definition of school fees. It may not charge different school fees to learners in the same grade on the basis of curriculum or extramural curriculum.

6. LIABILITY AND PAYMENT ARRANGEMENTS

6.1 A parent is liable for school fees lawfully determined under SASA unless, or to the extent that, the parent has been exempted in accordance with the Act and regulations.

6.2 The SGB may approve reasonable instalment arrangements based on the family's circumstances and the school's financial procedures. Arrangements must be recorded in writing and applied consistently.

6.3 A payment arrangement does not remove the parent's right to apply for exemption. Staff must explain the exemption process when a parent indicates that payment is unaffordable.

6.4 Accurate statements and receipts must be issued. Disputed balances must be investigated promptly.

7. RIGHT TO APPLY FOR EXEMPTION

7.1 Parents who cannot afford school fees must be informed of their right to apply for full, partial or conditional exemption. Forms must be available from the principal or school financial office.

7.2 Applications must be submitted in writing to the SGB using the prescribed form and supporting information.

7.3 The school must handle applications confidentially and must not intimidate, shame or discourage parents from applying.

7.4 The school must assist parents with forms. An applicant may not be disqualified solely because a form is incomplete or incorrectly completed; staff must explain what information is needed and provide reasonable assistance.

7.5 Where a parent cannot obtain the other parent's income information for a reason recognised by SASA as amended, the applicant may provide the affidavit or court order allowed by law. The application must be assessed in accordance with the legislation and regulations.

7.6 The school must apply automatic exemptions or protected categories required by the current regulations, including applicable provisions concerning orphans and children in qualifying care arrangements.

7.7 Where an exemption is granted, it must be calculated retrospectively from the beginning of the school year where required by the applicable rules.

8. EXEMPTION CATEGORIES AND CALCULATION

8.1 Full exemption: The prescribed formula and regulations determine eligibility. Under the national regulations, where school fees amount to 10% or more of the combined annual gross income of the parents, the parent generally qualifies for total exemption, subject to the applicable rules and evidence.

8.2 Partial exemption: The school must apply the relevant regulatory bands and formula. It may not substitute local income thresholds or invent a different calculation.

8.3 Conditional exemption: This may be considered where permitted by the regulations, including circumstances involving a temporary inability to pay. Any conditions and review date must be reasonable, recorded in writing and lawful.

8.4 The assessment must use the information and formula required by the regulations, including relevant annual gross income, annual school fees, applicable additional monetary contributions and the number of children attending public schools where the formula requires these factors.

8.5 The SGB must apply the current regulatory rules and consider all relevant evidence fairly. Supporting documents must be stored securely.

9. APPLICATION AND DECISION PROCESS

1. The parent obtains the prescribed application form from the principal or school financial office.
2. The parent submits the form and supporting information to the SGB chairperson or designated official in accordance with the regulations.
3. The school acknowledges receipt, checks what information is needed and offers assistance with incomplete or incorrectly completed forms.
4. The SGB or financial committee assesses the application using the prescribed criteria and formula.
5. The decision and calculation are recorded in a secure exemption register.
6. The parent is notified in writing of the outcome within seven days after the application has been assessed, in line with the Department of Basic Education's published guidance and applicable regulations.
7. If exemption is refused or only partly granted, the written notice explains the decision and advises the parent of the right and deadline to appeal to the Head of Department.

The school must not automatically reject an application merely because a document is missing. Where information is unavailable, staff must consider evidence and the alternative affidavit or court-order provisions permitted by law.

10. APPEALS

10.1 A parent dissatisfied with an SGB decision concerning full or partial exemption may appeal to the Head of Department within 30 days after receiving the school's decision, in accordance with SASA and the applicable regulations.

10.2 The school must provide relevant records and assistance reasonably required for an appeal, when lawfully requested.

10.3 No parent or learner may be treated adversely for lodging an appeal.

11. ARREARS AND EARLY INTERVENTION

11.1 The school may send accurate statements and respectful reminders when accounts are overdue.

11.2 Before taking enforcement steps, the SGB must investigate whether a parent who is one month or more in arrears qualifies for exemption, as required by the exemption regulations. The parent must be informed of the right to apply and assisted where requested.

11.3 The school may invite the parent to discuss an affordable payment plan, a possible exemption application or an account dispute. Discussions must be private and appropriately recorded.

11.4 Failure to respond to a reminder does not, by itself, prove that a parent can afford the fees or remove the right to apply for exemption.

12. LAWFUL ENFORCEMENT

12.1 Under section 41 of SASA, the SGB may enforce payment only against a parent legally liable for the fees and only through lawful legal process.

12.2 Before referring a matter for legal action, the SGB or authorised finance committee must document that:

- the school was legally entitled to charge fees for the relevant year;
- the fee amount was properly approved and the balance is accurate;
- all payments, credits and exemptions have been accounted for;
- the parent received a statement and reasonable written notice of arrears;

- the parent was informed of the exemption procedure and offered assistance where appropriate;
- the required investigation into possible exemption eligibility has been completed;
- any appeal, payment arrangement or account dispute has been considered; and
- the action is proportionate, authorised under SGB procedures and consistent with law.

12.3 Legal proceedings may be initiated only with appropriate SGB authorisation and in accordance with the school's financial controls. The school should obtain suitable legal advice before issuing summons or pursuing execution.

12.4 Staff may not threaten arrest, public humiliation, unlawful seizure of property or any action not authorised by law. No employee may collect debts outside approved procedures.

13. PROHIBITED MEASURES

Non-payment, arrears, an exemption application or an appeal must not be used to:

- refuse or withdraw admission or continued access to public education;
- withhold a learner's report or educational records where prohibited by law or departmental instruction;
- exclude a learner from teaching, assessment, examinations or ordinary curriculum activities;
- humiliate or publicly identify a learner or family as a debtor;
- require a learner to collect money, perform work or act as a debt collector;
- impose unauthorised administration fees, penalties or interest; or
- circumvent the exemption process through charges that are compulsory in practice but not lawful school fees.

Any proposed restriction involving an optional service or activity must first be checked against current legislation and departmental policy. It must not be used to circumvent exemption rights or unlawfully penalise a learner.

14. RECORDS, CONFIDENTIALITY AND REPORTING

14.1 The school must maintain secure records of fee resolutions, accounts, receipts, arrears reminders, payment plans, exemption applications and supporting documents, decisions, appeals and enforcement approvals.

14.2 Access to exemption documents is restricted to authorised persons who need the information for their duties. Records must be retained and disposed of in accordance with applicable privacy and records-management requirements.

14.3 The SGB Finance Committee reports periodically to the SGB on fee income, arrears, exemptions and recovery activity. Reports to wider audiences must not identify individual families.

14.4 Financial records and statements must be prepared and presented as required by SASA and departmental instructions.

15. ROLES AND RESPONSIBILITIES

Role	Responsibility
SGB	Adopts and oversees the policy, fee resolution, exemption process, financial controls and any enforcement action.
SGB Finance Committee	Reviews accounts, arrears, payment arrangements and exemption decisions where lawfully delegated; recommends legal referral where justified.
Principal	Ensures parents are informed, forms and assistance are available, records are protected and staff follow the policy.
Finance staff / office	Issue accurate statements and receipts, maintain accounts and refer exemption requests to the designated official.

Teachers and other staff	Protect confidentiality; do not discuss family debt with learners; refer parents to the principal or designated official.
Parents / guardians	Provide accurate information, notify the school of relevant changes and communicate about payment difficulties or disputed accounts.

16. COMPLAINTS, REVIEW AND AMENDMENTS

16.1 Complaints about fee administration or the handling of an application may be submitted in writing to the principal or SGB chairperson and must be considered fairly.

16.2 This procedure does not replace a statutory appeal to the Head of Department.

16.3 The SGB must review the policy annually and whenever legislation, regulations, the school's fee status or departmental instructions change. Amendments must be approved through the applicable governance process.