

Guidelines regarding voluntary contributions by parents at public schools

Purpose of these guidelines

1. These guidelines are intended to provide clarification on the Department of Basic Education's position regarding voluntary contributions by parents at public schools. It is also intended to increase awareness amongst parents and other role-players regarding the need to encourage a culture of benevolence amongst parents and communities in order to increase the ability of schools to offer learners a more comprehensive educational experience. The guidelines also provide guidance on how voluntary contributions should be administered by schools within the framework of existing legislation and policy.

Legislative framework

2. SASA (Section 36(1)) determines that a governing body of a public school must take all reasonable measures within its means to supplement the resources supplied by the state in order to improve the quality of education provided by the school to all learners at the school.
3. SASA (Section 20(h)) requires governing bodies to encourage parents, learners, educators and other staff at the school to render voluntary services to the school.
4. The National Regulations relating to the Exemption of parents from payment of school fees in public schools (Section 11) regulates that nothing prevents a parents who has been granted any type of exemption from making a voluntary contribution to the school fund.

Interpretation of legislative framework

5. School governing bodies at fee-charging schools as well as no-fee schools are allowed, and encouraged, to use voluntary contributions by parents in order to supplement their schools' resources and thereby extend the school's capacity to add value to learners' educational experiences. Any parent, including those granted any type of fee exemption, can consequently make voluntary contributions to the school.
6. Appropriate requests for voluntary contributions at no fee schools are not considered to be in breach of the intention or spirit of Government's no fee schools policy. Voluntary contributions should be viewed as a means whereby able parents or members of the community are able to advance the quality of the learning experience of their learners.

7. Voluntary contributions are in essence donations to a school. All South African schools qualify as public benefit organizations ('PBOs') in terms of the Income Tax Act and are consequently considered to be partially tax exempt entities. In the case of schools this favourable tax treatment can be used to the benefit of the school in attracting donations from parents, the community and business. In order to take advantage of these tax benefits the school must be properly registered as a PBO with SARS' tax exemption unit. This registration qualifies the school to issue Section 18A certificates which are required by donors in order to claim a tax deduction. Provincial Education Departments should ensure that schools are appropriately registered in this regard and also capacitated to deal with the required administrative processes.

Defining voluntary contributions

8. Voluntary contributions by parents can be defined as contributions to the school, in the form of money, in kind or a service made out of their own free will, by free choice without constraint or expectation of reward.

Administration of voluntary contributions

9. It is essential that the facility to collect voluntary contributions is executed by schools in a responsible manner that does not contravene the intention or letter of the enabling legislation. The following are principles which should be adhered to by schools with regards to administering requests for voluntary contributions:
 - (a) Voluntary contributions may not be collected from parents in order to circumvent or manipulate the payment of compulsory school fees.
 - (b) The communication must make it clear that the contributions are voluntary and that contributing is a matter of choice for parents. No form of pressure may be applied on parents to contribute.
 - (c) School governing bodies and school management should actively use occasions such as the annual school budget meetings and other parent meetings to encourage and motivate parents who are able to make additional contributions to the school to strongly consider doing so. These events should also be used to report on the extent to which voluntary contributions have assisted the school and how these funds have been used.
 - (d) Unless specified otherwise by the conditions attached to a contribution, all voluntary contributions received in the form of money must be deposited into the school fund.
 - (e) Parents cannot be required / asked to explain why they cannot make contributions.
 - (f) Principals must ensure that no learner or their family suffer any discrimination or embarrassment for not making voluntary contributions.