

Draft requirements for Boards of Trustees of Decile 1-7 Schools and Kura Choosing to Opt in to the Donations Scheme

Section 3 of the Education Act 1989 states that every person who is not an international student is entitled to free enrolment and free education at any State school during the period beginning on the person's fifth birthday and ending on 1 January after the person's 19th birthday. This means that schools or kura cannot charge domestic students a fee for enrolment or attendance, or for the delivery of the curriculum.

Draft requirements for schools and kura that opt in to the scheme*

1 Must not seek donations

- Boards of Trustees of schools and kura that opt in to the Donations Scheme must not "solicit" donations, except for overnight camps.

This means Boards of schools and kura that opt in must not ask students' families and whānau for donations, except for overnight camps.

2 Decisions must be transparent

- Boards of schools and kura may consult as they deem appropriate when deciding whether or not to opt in to the Donations Scheme.
- The Board's decision must be communicated to the school and kura community, including the families and whānau of prospective students.
- Boards of schools and kura wanting to opt in must make the decision each year. It is not possible to opt in for multiple years.

3 Are subject to monitoring and compliance

- Boards of schools and kura must notify the Ministry if they want to opt in to the scheme.
- The Ministry will provide advice and guidance to support the governance, management and operation of the scheme, including requirements.
- The Ministry will monitor and intervene where there is evidence of a breach of the scheme.
- Boards of schools and kura must provide information to the Ministry on request.
- If a Board of a school or kura breaches the scheme's requirements, the Ministry may withdraw it from the scheme and/or stop it from joining in future years.
- Where there is a breach, the Ministry may reduce future funding payments made to the Board of a school or kura to recover the funding provided under the scheme.

* Requirements are subject to confirmation by the passing of the Education (School Donations) Amendment Bill in late 2019

Payment types: There are three types of payments made to schools and kura by families and whānau

1 Donations

- Boards of schools and kura opting in to the Donations Scheme will receive \$150 (excl GST) per student for that year in exchange for not seeking donations (except for overnight camps).
- Boards of schools and kura opting in to the scheme can not ask students' families/whānau for donations, unless the Minister gazettes an exemption.
- Boards of schools and kura opting in to the scheme can receive unsolicited donations if families and whānau - or anyone else - wants to give to the school or kura.
- If families/whānau or any other organisations want to give a donation, GST is not payable and donation tax credits can be claimed.

2 Purchase of goods and services

- All purchases/sign ups are voluntary and cannot be compelled.
- If a purchase is agreed, payment can be enforced.
- GST is payable.
- Donation tax credits cannot be claimed.

3 Attendance dues

- These are compulsory for students attending state integrated schools or kura, regardless of whether the school or kura opts in to the Donations Scheme.
- Attendance dues are paid to the proprietor of a state integrated school or kura.
- Payment can be enforced and GST is payable. Donation tax credits cannot be claimed.
- State integrated schools and kura cannot increase attendance dues without the approval of the Minister of Education.

Examples

Key:   If the school has opted into the donations scheme, parents can be asked for a donation, but don't have to pay.   If the school has opted into the donations scheme, parents cannot be asked for a donation, and don't have to pay.  Parents must pay for this if they have agreed to purchase.

Enrolment

Application donation	Enrolment	
Enrolment donation	Enrolment	
Out-of-zone ballot donation	Enrolment	
Bond	Enrolment	

Fees for enrolment are unlawful in all cases, whether a school has opted into the donations scheme or not.

As enrolment is free, there can be no charge for anything associated with the enrolment process. Any "fee" charged is actually a request for a donation.

Camps and Trips

Overnight camp as part of specific course (Example - Year 12 outdoor education)	Curriculum	
Field trip as part of specific course	Curriculum	
Trip/visit as part of general curriculum	Curriculum	
Charge/fee for an extra-curricula event (Example - a weekend ski trip)	Goods & Services	
A forest hike as part of Education Outside the Classroom (EOTC)	Curriculum	
Overnight camp as part of general curriculum (Examples - Year 9 orientation camp, Year 7 EOTC camp)	Curriculum	

The Minister has signalled that overnight school/kura camps will be exempted from the Donations Scheme. This means that Boards of schools and kura who opt in to the scheme will still be able to ask parents and whānau for donations towards school/kura camps with an overnight component.

Families and whānau may be asked to contribute towards the cost of accommodation, food and travel to and from a camp. Such a request is a request for a donation. Families and whānau can choose to pay the donation in full, in part or not at all.

Students may not be excluded from attending an overnight camp that is part of curriculum delivery because of an inability or unwillingness to pay a donation towards the activity's cost.

ICT

Access to school/kura network	Curriculum	
Use of school/kura hardware	Curriculum	
Requiring students to provide devices such as tablets, smartphones, netbooks, laptops, Chrome Books (BYOD)	Curriculum	
Requiring students to provide software or pay for software licenses	Curriculum	
Requiring students to provide calculators	Curriculum	
Purchase of non-compulsory hardware or software	Goods & Services	

Information and communication technologies in schools and kura (ICT) are a cost of delivering the curriculum. Students can be charged for non-curriculum use of ICT (including internet), but cannot be charged for curriculum-related use.

Schools and kura can ask students' family/whānau to purchase a device for their student to use at school (BYOD). The family/whānau can choose to purchase or not (noting that many families/whānau may not be able to afford to purchase a device for their student).

Students must not be excluded from participating in courses or more general curriculum activity if their family/whānau is unwilling or unable to provide their own BYOD device.

All students must be allowed to use school or kura computers regardless of whether their families/whānau have contributed to the purchase and/or maintenance of the computers.

Enrolment in a computer studies course cannot be made conditional on family/whānau contributions.

Schools and kura may facilitate the purchase of non-compulsory hardware or software for families/whānau. This is a voluntary purchase of goods and services.

If you have questions about school donations or the school donations scheme please contact school.donations@education.govt.nz

Music

Tuition from Itinerant Teachers of Music	N/A	⊗⊗
Tuition – course-related, but not from Itinerant Teachers of Music	Curriculum	⊗⊗
Tuition – extra-curricula	Goods & Services	←\$
Instrument hire – course delivery	Curriculum	⊗⊗
Instrument hire – extra-curricula	Goods & Services	←\$

Itinerant Teachers of Music (ITMs) are paid for by the Ministry, so students taught by ITMs cannot be charged tuition fees.

Schools and kura may charge students for the hire of musical instruments used outside the delivery of the music curriculum, or for extra-curricula tuition it sources for its students.

Programmes and Courses

English for Speakers of Other Languages	Curriculum	⊗⊗
Reading recovery and Learning Support	Curriculum	⊗⊗
High school "subject fees"	Curriculum	⊗⊗
Specialist units (examples – Montessori, Arrowsmith, Māori or Samoan immersion)	Curriculum	⊗⊗
Supplementary programmes (examples – Mathletics, Education Perfect)	Curriculum	⊗⊗
STAR courses	Curriculum	⊗⊗
Tertiary-level courses offered as part of the school or kura programme	Curriculum	⊗⊗
Tertiary course (dual enrolment at tertiary institution)	Goods & Services	←\$
Gifted Education programmes	Goods & Services	←\$

Boards can purchase particular programmes for use in delivering the curriculum, but families and whānau cannot be made to pay for them.

Schools and kura are expected to cater for students' specific learning needs and there should be no charge to cover the cost of tuition.

Boards may charge for optional programmes during school and kura breaks or outside school and kura hours but cannot make families and whānau enrol their children/rangatahi in these programmes.

Programmes such as Mathletics can be purchased for home use (rather than the school or kura using it to deliver the curriculum) but families and whānau must be able to choose whether to purchase or not.

Where schools and kura purchase tertiary-level courses as part of the school/kura programme for senior students, families and whānau cannot be charged for these courses.

Where the school or kura facilitates enrolment in a tertiary course for a student, the student will be subject to whatever fees are associated with the tertiary course.

Gifted Education programmes and out-of-school extra programmes (e.g. one-day schools) are optional – it should be made clear that participation is voluntary, and incurs a charge.

State-integrated Schools and Kura

Attendance dues	Compulsory	←\$
-----------------	------------	-----

State integrated schools and kura are subject to the same law on free enrolment and free education as non-integrated schools and kura.

Proprietors can charge attendance dues up to the maximum amount approved by the Minister of Education, and may ask for donations for any purpose including matters related to the special character of the school.

Boards of state integrated schools and kura that opt in to the Donations Scheme are subject to the same requirements as Boards of non-integrated schools and kura that have opted in to the scheme.

Course Materials

Materials used as part of the curriculum delivery (examples – timber, food)	Curriculum	⊗⊗
Take-home component where parents/whānau have agreed to purchase (examples – letterbox, item of clothing)	Goods & Services	←\$

The cost of materials is part of the cost of curriculum delivery.

If a student chooses to take a completed item home, payment for the cost of the materials used can be enforced. Families and whānau should be informed of the choice to purchase so that they have notice of the likely cost. Schools and kura can require family/whānau to decide whether they want to purchase the take-home component when the student signs up for the course.

Food eaten as part of a food technology class is part of curriculum learning – this is because students need to taste the food they prepare to ensure it is fit for consumption (sensory evaluation).

Optional Activities

Visiting drama or music groups (non-curriculum)	Goods & Services	←\$
Weekend sports teams	Goods & Services	←\$
After-hours/lunchtime culture activities	Goods & Services	←\$
After-hours/lunchtime sports activities	Goods & Services	←\$
School Ball	Goods & Services	←\$

It should be made clear that participation in these types of activities is voluntary and that participation incurs a charge.

These types of activities belong clearly in the category of 'voluntary purchase of a good or service'. They can be summarised as 'pay or don't play'.

Students cannot be prevented from accessing optional activities because their family/whānau has not paid for other items (for example, schools/kura should not require whānau to pay for sports costs or a donation towards the school camp before they can buy a ticket to the school ball).

School and Kura Uniforms

School or kura uniform from school or kura uniform shop	Goods & Services	←\$
---	------------------	-----

Schools and kura are able to require students to wear a uniform as part of school/kura rules around conduct and appearance.

Schools are not expected to make significant profits from the sale of school uniforms. A small margin to cover the cost of sales is acceptable.

School and kura uniforms are a good/service that families and whānau can choose to buy from the school or kura or elsewhere. Even if the school or kura is the only seller of a new uniform, parents and whānau still have the option to purchase a second-hand uniform from somewhere else.

Resources and Stationery

Textbooks	Curriculum	⊗⊗
Workbooks (compulsory)	Curriculum	⊗⊗
Workbooks (voluntary purchase)	Goods & Services	←\$
Photocopying/printing (curriculum use)	Curriculum	⊗⊗
Photocopying/printing (personal, non-curricular use)	Goods & Services	←\$
Stationery (if parents decide to buy from school or kura)	Goods & Services	←\$

Students' families and whānau are expected to supply stationery. If families/whānau choose to purchase stationery from the school or kura, then payment can be enforced – however, families/whānau should not be compelled to buy stationery from the school or kura.

Schools are not expected to make significant profits from the sale of stationery. A small margin to cover the cost of sales is acceptable.

The \$150 grant received by schools and kura that opt in to the Donations Scheme can be used to pay for things like stationery for students whose families/whānau cannot afford to provide it.

Textbooks are part of the cost of curriculum delivery. Students cannot be made to purchase or hire textbooks, or pay a deposit to cover possible damage.

While textbooks should be provided free to students, students are expected to provide their own exercise books to work in. Workbooks can be sold but families and whānau cannot be made to buy them. If a workbook is made compulsory, then it must be provided by the school/kura.

Photocopying/printing that is associated with the delivery of the curriculum must be provided by the Board. Schools/kura cannot ask for a donation towards photocopying or printing expenses.

Miscellaneous

Membership fees (examples – parent organisations, ex student organisations)	Goods & Services	←\$
School magazine	Goods & Services	←\$
Heating, lighting and water charges	Operational cost	⊗⊗
Soap, hand sanitiser, tissues	Operational cost	⊗⊗

School magazines are an optional extra that students can choose to purchase if they wish to.

Boards cannot ask parents for contributions to operational costs – these costs should be covered by the school's operational funding.

Swimming

Swimming as part of general curriculum (at school/kura or off-site)	Curriculum	⊗⊗
Swimming as voluntary activity (lunch time or after hours)	Goods & Services	←\$

When a swimming session is part of the curriculum, students cannot be prevented from participating.