

Draft requirements for Decile 8-10 Schools/Kura and Schools/Kura Not Opting 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 cannot charge domestic students a fee for enrolment or attendance, or for the delivery of the curriculum.

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

1 Donations

- » These are voluntary payments, no matter who asks for them.
- » They can be for general purposes, or for a specific purpose.
- » They can be requested but payment cannot be compelled or enforced.
- » Families and whānau can choose to pay in full, in part, or not at all.
- » GST is not payable.
- » Donation tax credits can be claimed.

2 Purchase of goods and services

- » All purchases/sign ups are voluntary and cannot be compelled.
- » If 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 and kura. They are the only compulsory payment in the school/kura system.
- » Attendance dues are payable 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.

Schools cannot charge for enrolment or for the delivery of the curriculum

- » It is unlawful to charge or compel any payment for anything associated with the enrolment process, but schools and kura that do not have an enrolment scheme may seek donations towards enrolment costs. If a school or kura decides to seek a donation towards enrolment costs, they must make it clear that the donation is not a necessary part of the enrolment process, and enrolment will occur regardless.
- » It is unlawful for a school or kura to "charge" or compel any payment for anything associated with delivery of the curriculum.
- » Activities are part of the curriculum if they are necessary for children's learning. If there is an expectation that students will attend or participate in an activity, it is likely to be part of the curriculum.

Examples

Key: ✓ = Payment can be enforced ✗ = Payment cannot be compelled or enforced



Enrolment

Item	Item category	
Application donation	Enrolment	✗
Enrolment donation	Enrolment	✗
Out-of-zone ballot donation	Enrolment	✗
Bond	Enrolment	✗

Fees for enrolment are unlawful.

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.

Boards of schools and kura that do not have enrolment schemes (and have not opted in to the Donations Scheme) can ask for a voluntary donation. Parents and whānau can choose to pay the donation in full, in part, or not at all.



Camps and Trips

Item	Item category	
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	✗
Camp as part of general curriculum (Examples - Year 9 orientation camp, Year 7 EOTC camp)	Curriculum	✗

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 a camp or going on a trip that is part of curriculum delivery because of an inability or unwillingness to pay a donation towards the activity's cost.



ICT

Item	Item category	
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 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

Item	Item category	
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 & Courses

Item	Item category	
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/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 it 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 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

Item	Item category	
Attendance dues	Compulsory	✓

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

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

It should be made clear who the recipient of donations is – the board of trustees or the proprietor.

Course Materials

Item	Item category	
Materials used as part of the curriculum	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

Item	Item category	
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

Item	Item category	
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

Item	Item category	
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.

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, a Board may only ask for a donation towards its cost. Parents and whānau can choose to pay all, some or none of the requested donation.

Photocopying/printing that is associated with the delivery of the curriculum must be provided by the Board.

Miscellaneous

Item	Item category	
Membership fees (example – parent organisations, ex student organisations)	Goods & Services	✓
School magazine	Goods & Services	✓
Heating, lighting and water charges	N/A	✗
Soap, hand sanitiser, tissues	N/A	✗

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

Item	Item category	
Swimming as part of general curriculum (at school/kura or off-site)	Curriculum	✗
Swimming as a voluntary activity (lunch time or after hours)	Goods & Services	✓

When a swimming session is part of the curriculum, students cannot be prevented from participating on the grounds that families/whānau have not contributed towards costs.