

The Best Way of Collecting Fees without Infringing on the Liberties of Learners in Zimbabwean Primary Schools

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Abstract- The research was meant to establish the best way of collecting fees in primary schools without infringing on the liberties of learners using the grounded theory design as the government of Zimbabwe could no longer sustain the education for all policy vis-à-vis the financial demands. This thrust was achieved by way of an internet survey design meant to generate ideas. Information-rich respondents were purposefully sampled and thereafter a snowball sampling technique was employed to identify the twelve participants giving a summation of seventeen. Most respondents indicated that tuition in primary schools was only free in the rural areas not in urban schools considering the exorbitant levies parents pay inclusive of the private costs incurred. Re-educative strategies of change resulting in collaboratively agreed upon payment plans were suggested. These were to be commissioned by the police to make them legally binding. The legal route with its prohibitive costs was shunned.

Key words- Collaboratively; Exclusion; Exorbitant; Legal route; Payment plans; Re-educative strategies; Rights; Statutes.

1. INTRODUCTION

School fees and levies have become a bone of contention when schools open to both parents and the school management, let alone, to boarding schools. As part of the school's physical preparedness, teaching and learning materials need to be purchased before schools open. Over and above this predicament, boarding schools need to have purchased enough food to feed the learners as soon as schools open. This is usually not feasible because most parents do not honour their financial obligations on time and most school coffers are bankrupt by the time schools close. Under these circumstances, the school management is left with no alternative save to employ punitive measures so as to compel parents to pay their fees on time. They either exclude learners from school on the first day of the term or those who are boarders are not allowed to board the bus at all, for school authorities argue that: "Whose money are they going to spend?' This dilemma engages school authorities in mini-wars with parents. The former want fees to be paid on or before the term commences as regulated in the Government of Zimbabwe's School Regulations [GZSR] (2011)[9] while the latter want to be given some time to pay, citing the economic meltdown as their reasons of not doing so. Hence, the purpose of this research is to establish the best ways of collecting fees in schools without infringing on the fundamental rights of the learner.

2. BACKGROUND TO THE STUDY

As soon as schools open, newspapers are awash with cries of parents pleading with school authorities not to expel

their children for non-payment of fees. On the other hand, schools want these monies as early as yesterday as they argue that they cannot deliver their mandate to the public without funds, hence, the mini-wars. The plight of schools is complicated by the government's directive which urges schools not to exclude learners for non-payment of fees, as such action would be regarded as unconstitutional, and therefore, illegal (Constitution of the Republic of Zimbabwe[CRZ], 2013). This is consistent with the high court's landmark ruling of 2010 and 2011 which declared that denying children access to school was a violation of their rights under section 7(1) of the Children's Act (Mashudu, 2015)[11]. The court further argued that there was no valid legal step or proceedings that could be taken against a minor who had no contract with the institution to pay fees, for doing so was an abuse of authority, let alone, when pupils are used as pawns in the non-payment game (Mashudu). In that regard schools are usually advised to recover their monies through the courts which schools find expensive (Matimbe, 2014)[13]. Perhaps a re-look at the statutes which regulate the financial management and delivery of the education system in Zimbabwe would put the problem under investigation in its perspective.

Zimbabwe at independence adopted the Zimbabwe African National Union Patriotic Front (ZANU-PF) Election Manifesto of 1980 in its totality as it sought to redress the anomalies of the past education system which were colonial in orientation (Zvobgo, 2004)[22]. In its attempt to democratise the education system and eliminate the imbalances and inequalities of the past, the following principle became the blueprint on which all education reforms revolved on: The establishment of a "free and



compulsory primary and secondary education for all children of Zimbabwe" and there was, therefore, "not going to be any discrimination in the provision of education on grounds of colour, creed, tribe, culture, sex, religion, economic, background or ability/disability" (ZANU-PF Manifesto, p.12). The Manifesto further abolished racial and sex discrimination and placed education within the fundamental rights of every individual as stated in: "Education be considered and recognised by the people of Zimbabwe as a basic right (and not a privilege) for all young as well as the adults." In that light, education to a country whose democracy was at its infancy was being viewed as a vehicle for social and political transformation (Nziramasanga, 1999)[16]. This focus was also in line with the 1948 United Nations Charter on Human Rights to which Zimbabwe is a signatory (Mthethwa, 2015)[15].

The ZANU-PF government, after winning the elections in 1980 adopted these popularist policies not only to eradicate colonial practices of the time, but to appease the electorate as well against its meagre resources (Zvobgo, 2004)[22]. Its revolutionary stance and seriousness to address these anomalies was demonstrated in the Education Act of 1987 which was the by-product of the ZANU-PF Manifesto and the 1981 Amendment Act which was a stop gap measure. The Education Act of 1987 stipulated that:

- 1. a) Notwithstanding anything to the contrary contained in any other enactment, but subject to the provisions of this Act, every child in Zimbabwe shall have the right to education.
 - b) No child in Zimbabwe shall be refused admission to any school on the grounds of race, tribe, colour, religion, creed, place of origin, political opinion or the social status of his parents.
- It is the objective in Zimbabwe that primary education for every child of school-going age shall be compulsory and to this end it shall be the duty of the parents of any such child to ensure that such a child attends primary school.
- 3. It is the objective in Zimbabwe that tuition for primary education shall be free and the Minister shall encourage the attainment of this objective, in particular by the making of grants and other subsidies to all schools.

Galvanised by this statute, the government of Zimbabwe went overdrive in trying to reform the education system in Zimbabwe. Education, for the first time was being viewed as a human right and public good for social mobility, social justice and equality of opportunity (Mthethwa, 2015)[15] which could be accessed without prejudice. This is further buttressed by the CRZ (2013) which pronounces that "every citizen and permanent resident of Zimbabwe has a right to a basic and state funded education including adult education" (p. 28). The enrolment in the primary school ballooned as a result of the education for all (EFA) policy which had ripple effects on the Secondary and Tertiary institutions (Zvobgo, 2004)[22] due to the social

demand for education (Thompson, 1981). However, the compulsory element was never enforced (Zvobgo, 2004)[22]. These social developments of education impacted heavily on the manpower and infrastructural needs of the education system of Zimbabwe. Although donors came to her rescue, it was indeed a mammoth task which left the economy bruised. Despite those consequences, it has to be noted with pride that these celebrated days of independent Zimbabwe culminated in the literacy rates being second to Algeria in Africa as reported by Zvobgo (Walter, 2015)[20].

With time, the economy shrunk and the demands for education escalated aggravated by an increase in the population growth rate. The monumental social demand for education culminated in the economy and the donor community being strained and fatigued respectively. The former could no longer sustain the financial bill to match the magnitude of the growth which was envisaged in the area of education as a result of the reforms. This was a rude awakening to the government which was in independent mode as it tried to meet the economic realities of the time. In that regard, it was left with no choice except to apply the cost-benefit approach to planning education (Thompson, 1981)[18]. The 1987 Education Act was amended through the Education Amendment Act of 1991. The main provision of the Amendment Act was the reintroduction of tuition fees and levies in urban primary schools. The latter was implemented in rural schools only, and responsible authorities were required by the same statute to form School Development Committees/Associations (SDCs/As) to control the financial affairs of the schools. In that direction the statutory instrument 87 of 92 and 70 of 93 (379 of 98) meant to establish SDCs and SDAs respectively were promulgated which legalised the formation of these financial institutions. The same pronouncements are enshrined in the Education Act of 2006, although the mother document was that of 1987. Of late, the plight of parents has been made worse by the intended introduction of an examination fee at Grade Seven level which is pegged at \$3 per student. Government wants the payment to be staggered over a period of three years, that is paying a dollar each year commencing at Grade Five level which would make the learner be fully paid by the time s/he is in Grade Seven (Mthethwa, 2015)[15]. Despite that effort by government, some commentators argue that such a thrust would be against the government's full responsibility of ensuring that every child has access to education regardless of his/her social and financial status (Mthethwa, 2015)[**15**].

Within this scenario, the debate which is now raging on both in parliament and society is whether primary education in Zimbabwe is still free as pronounced by the statutes alluded to. Government on its part continues to argue that education is free as most of the monies paid by parents are highly subsidised (Mthethwa, 2015)[15]. Above all, different grants such as the per capita and improvement development grant for schools are still



available although erratic of late. Enrolment rates and economic status of the schools are indicators which government uses to disburse such funds to schools. Over and above that it pays salaries for teachers and under privileged learners are catered for under the Basic Education Assistance Module (BEAM) scheme (Matimbe, 2014)[13]. The latter scheme according to education managers is more of a liability as it is dispatched to schools when it is least expected and cannot be budgeted for. Despite all these debates whether economic meltdown or not, it is mandatory for schools to collect fees from parents for the provision of an efficient educative enterprise. However, to protect the learners, government has equally put statutes in place which education managers need to adhere to, to avoid infringing on the liberties of learners.

3. PAYMENT OF TUITION FEES, BOARDING FEES AND LEVIES AT GOVERNMENT AND LOCAL AUTHORITIES

According to the amended section of the Education Act of 2006, all fees paid in schools are regulated by the Secretary for Education. This notion is further regularised by the GZSR (2011, p. 70)[9] which stipulates that "The fees payable for instruction at local authority schools, and for accommodation in the hostels at these schools shall be the same as fees for equivalent government schools." The act goes further to pronounce that where differences arise in terms of fees charged by any SDC/A or local authority must be in agreement with the Secretary for Education through the school parent assembly. These fees as soon as they are regularised, they "are payable on or before the first day of each term" (GZSR, 2011, p. 70)[9], the loophole which many a time education managers have tried to capitalise on in their financial interactions with their bona fide parents located in their communities. However, the same statute further stipulates that "No fees shall be paid for tuition in rural primary schools." This latter policy directive was promulgated on the basis of ensuring that indigent learners in rural areas access basic education (Matimbe, 2014)[13] as enshrined in the CRZ

Contrary to that view, SDCs/As are mandated to charge, collect and administer levies (Education Act, 2006)[8]. These parent bodies are empowered by the GZSR (2011)[9] to charge levies in respect of each learner enrolled at the school and increase such levies when necessary once a year through the concurrence of the parent body and the Secretary for Education. Levies are charged for specific programmes or projects (Matimbe, 2014)[13]. They can also be used for the remuneration of teaching and non teaching staff, provision of equipment or facilities and maintenance of buildings on the school premises, among its many purposes (GZSR, 2011)[9]. The payment of levies by parents to schools is not mandatory and they can pay at an agreed upon period by the parent

body (Matimbe, 2014). This loose arrangement between the school and the parent is what has brought about problems in schools when it comes to the collection of levies.

4. RECOVERY OF FEES AND LEVIES AT GOVERNMENT AND LOCAL AUTHORITY SCHOOLS

Although the School and parent body are allowed to refuse to enrol at the school a learner in respect of whom fees are payable (GZSR, 2011)[9], this must be done with the concurrence of the parent body in accordance with directions given by the Secretary for Education. This is meant to safeguard the rights of learners from punitive measures schools may use to degrade and dehumanise them (Matimbe, 2014). Evidence of such dehumanising acts have been reported in various print and electronic media. A case in point is when about 30 students were excluded for non-payment of fees by being "caged" in a "fenced enclosure for two weeks, only to be released after their fees were fully paid up" (Moyo, 2015, p. 1). To make matters worse, some students complained that their parents were not permitted to make payment plans with the school authorities, a situation which irked the Minister of Education (Moyo, 2015)[14]. This behaviour by school authorities was in direct contravention of the statutes on the non- exclusion of learners for non-payment of fees (Mashudu, 2015; Mthethwa, 2015)[15]. It triggered an outcry from parents of learners which also evoked the sympathies of the politicians.

However, since the school is a body corporate which may sue or be sued in its own right (GZSR, 2011)[9], the statute moderates the disputes which usually emanate from nonpayment of fees by advising schools faced with such a predicament to proceed to a court of competent jurisdiction to recover such funds. This becomes a tall order for some schools which are usually operating on a shoe string budget. To the school authorities, the recommended legal route is not usually viable at all considering the meagre amounts it would be trying to recover. The current tuition fees paid by each learner in respect of the primary and secondary school are \$5.00 and \$10.00 respectively. The legal fee which debt collectors usually charge ranges from \$500.00 to a beast in the rural areas, thus making the legal route a financial burden which government schools can illafford (Walter, 2015)[20].

Schools, perhaps after conducting a cost-benefit analysis, have always taken a cheaper route which is in juxtaposition with the statute. They have either sent learners home on the first day of opening to collect fees or excluded them from boarding buses in case of boarders which is considered as unconstitutional. Enterprising and dynamic ones invite the parents to the school and devise a workable payment plan which is convenient to both parties, although problems still arise when the parent fails to honour the agreement (Moyo, 2015)[14]. Other ways of recovering fees have been suggested, such as employing such parents to do menial jobs at school which are



equivalent to what they owe (Ulusoy & Yolcu, 2014)[19], although others view this as exploitation of the parent by the school authorities. At secondary schools learners have been forced to do manual labour equivalent to their debt or results have been withheld to force parents to pay outstanding fees which courts consider illegal still (Mashudu, 2015)[11]. However, the use of labour on minors, a system which was alive during the colonial era as enforced by missionaries is considered as abusive by champions of human rights, although the crop of current Zimbabwean educational giants benefitted from it.

In the same vein, a study conducted in Turkey by Ulusoy and Yolcu (2014)[19] reveals that defaulting parents were engaged in non monetary activities such as participating in school trips, carrying out maintenance and repair work in the school, harvesting crops if it were in the rural areas, cooking at school functions, making them donate things such as books, radios or televisions and helping in the school office or tuck-shop in a collaborative manner would be an ideal alternative. Such a thrust requires a viable solidarity between the parents and the school. Similarly, parents engaged in this manner would require a deliberate, consistent and equitable monitoring system to be put in place so that at the end of the day, a fair day's work equivalent to the sum owed is done. On the other hand, enterprising education managers who have positive interrelationships with the captains of industry and commerce, local business people or non-government organisations may source donations from such sources for disadvantaged learners who are capable. Vibrant ones, mostly in private institutions go a step further by giving discounts to those parents who pay their fees on time as a way of trying to reduce debtors in their schools. What all this debate boils down to is that education managers are caught up in a quagmire of statutes and the economic realities on the ground as they attempt to make things happen in their organisations. The focus of this paper, therefore, is to establish meaningful ways of collecting outstanding fees from the parents in a legal fashion without infringing on the rights of the learners and impoverishing the parents in the process.

5. METHODOLOGY

Since the problem under investigation was a sensitive one encroaching on the liberties of individuals and government statutes as evidenced by the wars which usually emanate from non-payment of fees, a qualitative study employing a grounded theory was employed. The research sought to establish best ways of collecting fees without infringing on the liberties of the learners grounded on the views of the respondents. This method involves the use of multiple stages of data collection and the refinement and interrelationships of categories of information (Creswell, 2014)[1]. It is also based on empirical data and no amount of any other data can refute the theories generated from such data as observed by Glaser and Strauss (as cited in Denscombe, 2003)[2]. It avoids to start with preconceived

ideas which are contaminated by literature neither does it want to have a fixed sample (Denscombe, 2003)[2]. Instead it employs continued theoretical sampling to test and validate the developing codes, categories and concepts until reaching the point of theoretical saturation Strauss (as cited in Denscombe, 2003)[2].

An emailed questionnaire with ten open-ended questions seeking data in the following categories was used: position held, experience, education for all policy, parental financial contribution, challenges encountered, overcoming the challenges, non-exclusion policy, proposed examination fees and proposed best ways of collecting levies and fees. The information-rich respondents were chosen using a combination of purposeful and snowball sampling technique (Creswell, 2014)[1]. In that way a total of 17 participants participated in this internet survey research (Sue & Ritter, 2012)[17]. This approach allowed respondents to be interrogated one after the other until no new themes were emerging. In that way, the data collected was considered to be saturated.

6. DATA ANALYSIS AND DISCUSSION

Table 1: Respondents

Designation	Experiences	Frequency
Administrators	5yrs to 14 yrs	9
Lecturers/lecturers	1yr to 5 yrs	4
Senior teachers	7yrs to 14 yrs	2
Programme manager	9 yrs	1
Bursar	1 yr	1
	Total	17

Table one portrays that seventeen respondents responded to the ten internet questions which were emailed to them. The nine who were categorised as administrators were made up of two education managers, two Teachers-in-Charge of the Infant Department, four Heads of Departments and one Dean of students and their experiences ranged from five to fourteen years. Of the four lecturers, two of these were seniors while the other two were juniors whose teaching experiences ranged from one to five years. Significantly are the two Senior Teachers with seven and fourteen years of experience apiece who constituted this sample. Finally, the Programme Manager who has been in that position for nine years dealing with disadvantaged learners through a non-governmental organisation and the SDA Bursar added value to this research. This cross-section of respondents, their positions and varying years of experience were regarded as information-rich and gave credibility to the data collected. Questions 3 was meant to establish whether the operations of the school were in congruent with the policy of free EFA as pronounced in the statutes while question 4 was meant to substantiate this assertion in line with practical realities on the ground. The summations of the respondents' sentiments were:

Tuition is not free as levies paid and other sundry expenses charged by school authorities are more than the tuition fees stipulated by government.



Respondents claimed that while tuition fees paid in schools were nominal, levies charged were "exorbitant." A figure of "\$40.00 levy per term" was cited although modalities on the ground suggest that these differ depending on the location of the school. Sundry expenses: 'textbook fees, 'sports fees' and private costs ('pocket money', "bus fare", "costs of uniforms", and "stationery") which parents usually fork out made the generality of respondents conclude that education in urban areas was "not free", but "only free in the rural primary schools." respondent who intimated that tuition was "only free on paper" as the ground experience was in "direct contravention of the statutes" sums it all. One of the reasons advanced was that "education was no longer regarded as a birth right but a privilege of the elite" judging by the "costs incurred by the public to access it." This view was corroborated by one of the administrators who claimed that the EFA policy was "politically motivated although meant to redress the past anomalies.' He further conceded that it had of late become a "political gimmick." Consequently most of the respondents bemoaned the "removal of government subsidies and grants" which they believed their absence has "compromised the quality of educational delivery in schools due to lack of resources." Little wonder that the Programme manager did not see the logic of government not funding education like other "democratic states such as South Africa," as he claimed that if such a scenario goes unchecked, "high literacy rates which government had achieved through universal primary education would be reversed." Contradicting most of the respondents was one administrator who admitted that primary tuition was free in the sense that "fees paid by parents were "highly sudsidised and government paid teachers' salaries."

When they were asked to state problems schools encountered associated with the payment of levies and fees through question 5, the following challenges were raised:

- An increase of dropout rates and transferees.
- High learner turnover caused by learners who migrate to rural areas where tuition is free although they pay levies.
- Incomplete infrastructure and lack of educational resources.
- Sour relationships between the school management and parents.
- Schools failing to operate smoothly due to financial constraints.
- Delayed payment or non-payment of fees.
- Politically powerful parents delay paying fees or do not pay at all.
- Elderly parents and orphaned learners do not have the capacity to pay.
- Lack of proper accounting financial procedures makes parents lack credibility in the school system.

- High teacher/pupil ratio in government schools as they do not have the financial clout to hire extra staff.
- Furniture was in a poor state and it needed renewal or repair.

After that solutions to challenges enumerated above were sought through question 6 and the findings were as follows. Most respondents although in breach of the Ministerial directive, still believed that the "sending of learners home to collect fees was the best solution although many a time some of them did not return", hence increasing the number of "dropouts and learner turnover." Others strongly believed that "defaulting parents should be summoned to the school first, confronted and threatened with legal action before a payment plan is worked out." However, those who had attempted the legal route still complained that "parents still did not honour the payment plan" as they knew very well that government policy "did not allow schools to exclude learners for non-payment of fees". This policy directive seems to be making schools financially dysfunctional. Cases of parents deliberately enrolling their children at high fee paying schools and after defaulting then sue the schools when their children are excluded are rampant (Mashadu, 2015)[11]. Schools in such a catch 22 situation reluctantly suggested that debt collectors be engaged although parents have still been found wanting as observed in: "debt collectors were engaged and a few parents responded positively." When asked as to why they did not attach their properties as suggested by the Minister (Mthethwa, 2015)[15], the school authorities were rather hesitant to take that route. On the other hand, it appears there are some schools which have improved the collection of fees and levies by constantly "encouraging parents to pay through SDC/A meetings", "sending them reminders in the form of letters" and "short message service", although expensive. Despite that effort, schools had to deal with the "politically powerful parents who did not want to cooperate and influenced others not to pay". Contrary to the communication network suggested by some schools, others seemed "to admit learners on a termly basis" on condition that they had "fully settled their previous fees", if not they were excluded. On a positive note, some believed that dropout rates caused by "migration of learners to rural schools where tuition is still free" has somehow "decongested urban primary schools", a situation which needs further investigation.

All things being equal, it seems there are some schools which approach this saga in moderation. Such schools engaged defaulting parents in "fund raising activities" such as "chicken rearing." These parents provided "labour" as required. In serious and deserving circumstances, it was suggested that schools "seek donor funding" to cater for such learners without disrupting their learning process. One lecturer who suggested that school administrators be taught proper "financial management procedures for proper accountability and transparency" of public funds collected seems to have some grain of truth, more so, with



stories of some education managers misappropriating public funds prevalent (Masuku, 2015)[12]. When probed further via email, as to how this would improve the collection of fees, he claimed that "parents pay without being pushed when they have confidence in the financial system of the school," an issue schools need to address.

When respondents were further asked how best could fees be collected amid the Ministerial directive, the statutes and the court ruling, most of them demanded that the GZSR (2011, p.70)[9] statute be enforced instead of pandering to the political gallery and engaging in philanthropic discussions with defaulters. When probed further they claimed that schools "cannot be run on promises" and "resources are needed as of yesterday." This was supported by one administrator who claimed that parents in her catchment area, perhaps still operating in the independent mode "are all gainfully employed but still do not pay fees." Since such parents were not engaged so as to establish reasons for defaulting, the researcher deduced that parents were perhaps, indirectly suggesting that the "funding of education was the direct responsibility of government" as intimated by the lecturers interrogated.

However, despite such challenges bedevilling schools, others have found solace by "engaging parents through meetings" where the "value of education" is highlighted and their "financial contribution is encouraged" before they are engaged in "affordable payment plans" or "self-help projects such as flea markets". In that way they discovered that their commitment to pay was enhanced. By the same token, some schools strongly believed that engaging defaulting parents in "community projects" such as brick moulding was yet another viable alternative. At the worst, when all efforts have failed, they suggested that "debt collectors" be roped in.

Since the Ministry of Primary and Secondary Education intends to introduce examination fees for Grade Sevens with payments being staggered as from Grade Five level, their opinions were sought on how such a practice would affect the learners through question 8. Two distinct schools of thoughts seem to have emerged from this interrogation. Some respondents opinionated that:

Parents must be made to contribute at least something towards the education of their children even if it is nominal ... This would improve the delivery of primary education as exams would be marked on time and markers would equally be paid on time as well ... although the introduction of exam fees may be problematic at the initial stages, with time, parents would get acclimatised to it.

On the other hand those who were opposed to the idea portrayed their sentiments unreservedly in the following assertion:

Parents are already overburdened by the exorbitant levies which they are meant to pay; introducing exam fees would aggravate the plight of parents who are struggling to make ends meet. The exam fees will increase the dropout rate at

primary level ... and the inequalities between the rich and poor ... would widen in terms of access to education ... They would prefer to pay exam fees first instead of levies and tuition fees.

The gloomy picture painted by the above sentiment cannot be ignored. An increase in the dropout rates as a result of the introduction of exam fees would negate the fruits of the EFA policy. Those who would prefer to pay exam fees instead of levies and tuition fees would frustrate the collection of such fees, although some respondents suggested that to curb such a malaise from developing, "payment of exam fees should be on condition that levies and tuition fees have been paid first." As a way of minimising such a predicament, they further mooted that: "the exam fee be incorporated in the existing fee structure." Despite such efforts, the panic button pressed by the one respondent who reiterated that as long as schools "do not have proper financial accounting procedures in place, parents would not pay" continues to overshadow the positives.

When their opinions were sought through question 9 which prohibited exclusion as directed by the Minister who advocates for the legal route, various sentiments were registered.

Most respondents did not see the logic and economic sense of taking the legal route when legal costs are prohibitive. The approach was viewed as an additional financial burden to the already impoverished parents. In their view, the legal route was condemned as it was found to be "slow and stressful in terms of recovering unpaid fees" as compared to their traditional practice of excluding learners for nonpayment of fees. However, in their suggestion, the word 'exclusion' was avoided. To make matters worse, those who claimed to have attempted suing parents observed that many a time courts in their adjudication, were found to be more "sympathetic to the plight of parents at the expense of the school's financial woes". They complained that courts would judicially suggest workable and affordable payment plans from the parent's affordable level not the school's plight'. The bitterness of this approach was felt when the parents failed to honour the court decision and had their assets attached or lost their treasured beasts. This development did not augur well for school/community relationships as observed earlier on.

What can be deduced from this finding is that the legal route has brought more misery to the school than solutions. Instead school authorities have been found spending more of their precious administration time shuttling between the schools and the courts in pursuit of debtors at the expense of their core business – teaching. It is against this backdrop of events that some respondents suggested that "the parent Ministry administer the judicial route on behalf of the schools owed so as to mitigate their frustrations." In that light, advocates of the legal route with its prohibitive legal fees entailed intimated that it be pursued as the last resort when it comes to collecting outstanding fees that is, after the "exclusion policy", which many schools in their considered view was the "best method if well instituted",



had failed. Although the latter practice is illegal, schools preferred it because of the "quick returns" realised at no cost. This might be true if parents take it lying down, but when those who are aware of their constitutional rights decide to sue the school, the opposite may be true as well. Further still, it was observed that parents who deliberately defaulted because they knew that they were protected by the law were a thorn in the flesh to schools. These were regarded as "saboteurs" of this "noble policy" which had good intentions of "protecting learners from punitive school authorities" who employed degrading tactics. Such parents who capitalised on the policy directive loophole had no kind words from school authorities as they were regarded as "abusers who are arrogant". Hypothetical, supposed all parents delayed paying fees for one reason or another and knowing very well that their children would not be excluded from school, the 'running of schools becomes a challenge and the quality of education would be compromised' in the process. Perhaps, to minimise such confrontations caused by misconceptions of this nature, employing re-educative strategies of change would counteract "negative attitudes towards school" which would subsequently "increase the dropout rates" in the

Schools faced with a plethora of problems related to the non-payment of fees, were asked to suggest the best ways of collecting them through question 10 without encroaching on the liberties of the learners as enshrined in various statutes, the following observations were made.

Most respondents suggested that parents should be engaged on an equal basis on commencement of every term. The engagement process should be meant "to educate them on the importance of their financial contribution for the education of their children." After that workable and affordable payment plans may be designed at the beginning of each term. These contractual obligations should be between the parent and the bank which would collect fees on behalf of the school. To legalise their commitment, such plans should have "affidavits" commissioned by the police attached and the consequences of failing to honour them should be spelt out in no uncertain terms. Enforcement of such agreements after three warnings have been rendered useless should be by "garnish order". Further to that commitment to the agreement should be demonstrated by paying 50% of the fees and the rest in monthly instalments.

On the other hand, some schools preferred to implement the statute as stipulated (GZSR, 2011)[9]. Perhaps they are not aware that even if one takes this route, permission to exclude learners has to be sought from the Secretary for Education. Since habits are next to nature, the researcher inferred that such thoughts could be coming from advocates of the "exclusion policy." To such schools, those who fail to pay should be "handed over to the debt collectors without fail." One wonders where the finances of doing so would come from since many schools had professed bankruptcy. On a positive note, other schools which seem to be working in partnership with the

communities they are located in, reiterated that income generating projects be initiated which would cater for learners from impoverished backgrounds and their parents should be encouraged to provide labour during non-schooling days.

All things being equal, others were still for the idea that government should subsidise education fully as failure to do so was failure to fulfill its constitutional mandate. In that way schools would be saved from the "mini wars caused by defaulters". They even suggested that were government makes a commitment such as the BEAM programme; it must fulfill such promises to the letter to ease the financial burdens of schools.

7. CONCLUSIONS

The general view derived from this empirical research is that primary tuition is not free in the urban areas judging by the exorbitant levies which schools charge which are far above the government stipulated fees and the private costs parents incur in the process. However, in the rural areas it is considered a "free" commodity although, levies charged may be prohibitive as well. The major predicament faced by schools due to the problems associated with nonpayment of fees is that of dropouts which if not checked may reverse the gains of universal primary education government sought to achieve at independence. Similarly, the infrastructure and equipment currently in use in schools seems to be dilapidated and obsolete respectively due to an acute shortage of financial resources. Such challenges if not addressed may compromise the quality of educational delivery. Contributing to this plight are the financial management skills of educational authorities which if not sound may hinder the smooth collection and accountability of fees. Encouraging though, is the belief that re-educative strategies be adopted so as to eliminate the dependency syndrome caused by the post independent EFA policy. Such collaborative and transparent confrontations should culminate in affordable payment plans unique to the parent's financial woes being devised. These should be legalised by attaching affidavits commissioned by the police and the consequences of failure to honour such promises should candidly be spelt out. In the process, the way how vulnerable and marginalised groups would be accommodated should be explained. Engaging them in self-help projects either generated by the school or by individuals, or through labour should be an alternative route. Of noteworthy, were schools which preferred exclusion as opposed to the stressful and expensive legal route which they felt exhausted their energies at the expense of their core business of teaching. The former was preferred because it has quicker returns yet the latter, was considered costly, let alone, the attachment of assets which they abhorred as it impoverished parents.



8. RECOMMENDATIONS

It is against this backdrop of events that schools and parents engage each other in coming up with a workable and affordable payment plan in a collaborative manner. Ownership and commitment should be enhanced by legalising the plan. Before that, both parents and school authorities must be made aware of the requirements of the statutes which regulate the collection of fees and protect the rights of learners. The issue of defaulters needs to be addressed as well. While the legal route may sound to be an attractive option, the consequences of it in terms of costs involved and loss of property needs to be highlighted. Similarly, it may breed school/community relationships which may be detrimental to future financial engagement endeavours. In the process, there is need to equip education managers with financial management skills so as to enhance the collection process and instill credibility to the system.

Finally, there is need for schools to hold a stakeholder conference, politicians included so as demystify the misconceptions emanating from the earlier pronouncements of the EFA policy, so as to avoid the politically minded parents politicising the provision of education amid the operational costs which government alone cannot sustain.

However the results of this empirical research need to be interpreted with caution as the views of parents have not been incorporated and the internet survey conducted was not exhaustive as some follow up questions were not responded to despite such efforts. It is recommended that a face-to-face interview protocol be adopted using a mixed method approach so that weaknesses of both quantitative and qualitative approaches would be strengthened.

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