

## Playgroups vs. Schools

Q. The *peshara* for playgroups as mentioned previously was 25-33% of the regular tuition. Why does it seem that the expectation regarding schools is to pay closer to full tuition?

1. As a matter of fact, there is a possibility from a Halachic standpoint that parents should have to pay schools even less than playgroups. As a *Morah* would have the law of a regular *poel* (employee), and an employee potentially has more of a binding obligation for the full year. In regards to a school, there is no single person that the parent is hiring, rather the parent is paying for a commitment for the school to provide a suite of goods and services, and it is more like a *mecher* (purchase) and thus may be considered less of a binding agreement.

In addition, many schools have gotten or may be receiving additional funding to help them stay afloat.

### **Schools have an advantage regarding parents paying tuition for the following 4 reasons.**

1. Takanas Yehoshua ben Gamla – Parents have an obligation to educate their children, and therefore have a personal obligation to support the yeshiva system and to ensure that it is financially viable.
2. In most cases, a school is continuous for the next year.
  1. People don't want to renege on their contract which in turn would break the relationship with the school.
  2. The Moetzes is obligating boys to stay "in school" and to participate in whatever form of education the school is providing. (this may depend on the age of the child).
  3. On a practical level, should the schools suffer losses this year, they would possibly have to raise tuition next year to make up for the loss.
3. Schools are trying to provide as close to a full day of learning as possible. They are trying to keep a regular schedule and therefore are entitled to much more of the tuition than by playgroups. As stated above, schools are obligating students to participate in the classes and therefore, insofar as the child is enrolled in the school, even if the child is not participating in the classes all that much, it would potentially be similar to asking for refund because child played hooky.
4. Generally the schools give many tuition breaks, and even those who pay full tuition are not necessarily paying the entire cost of education. Now, technically once there is an agreement between the parties, the negotiated tuition becomes the price, but for purposes of a *pesahra* (settlement) this is included in the equation.