

**CONSTITUTION OF THE SCHOOL
GOVERNING
BODY OF NELSON PRIMARY SCHOOL**

STREET ADDRESS:

POSTAL ADDRESS:

CONTACT DETAILS:

TELEPHONE:

CELLPHONE:

E-MAIL:

Contents

DEFINITIONS.....	4
Preamble.....	6
INTRODUCTION.....	6
VISION.....	7
MISSION STATEMENT.....	7
AIMS AND OBJECTIVES OF THE GOVERNING BODY.....	7
APPLICABLE LEGISLATION.....	8
LEGAL PERSONALITY.....	8
LIABILITY OF MEMBERS.....	9
GOVERNANCE OF THE SGB.....	9
Election of members and office bearers.....	9
Composition.....	9
Voting rights of members.....	10
Term of office of members.....	10
Eligibility as members of the governing body.....	10
OFFICE BEARERS.....	11
Duties of the chairperson.....	11
Duties of the vice-chairperson.....	11
Duties of the secretary.....	12
Duties of the treasurer.....	12
Duties of the finance officer.....	13
COMMITTEES.....	13
VACANCIES.....	14
INCIDENTAL VACANCIES.....	14
POWERS AND FUNCTIONS OF THE SGB.....	15
Powers of the governing body.....	15
Functions of the governing body.....	15
Allocated functions of the governing body (if applicable).....	17
Financial functions of the governing body.....	17
Failure by Governing Body to perform functions.....	18
Recusal of Member of the Governing Body.....	18
Reimbursement of member of Governing Body.....	18

MEETINGS OF THE SCHOOL GOVERNING BODY	19
Minutes of proceedings of meetings	20
Ordinary meetings of the governing body.....	20
Urgent meetings.....	20
Extraordinary meetings	20
Meetings - general.....	21
Quorum.....	21
Minutes of meetings.....	22
Annual general meeting of parents, educators and non-educators	22
Procedures of meetings	22
Non attendance of meetings by SGB members	23
CONTACTS.....	23
REVIEW	23
COMMUNICATION & EDUCATION	23
AMENDMENTS TO THE CONSTITUTION	23
IMPLEMENTATION DATE	24

DEFINITIONS

In these Measures any word or any expression to which a meaning has been assigned in the Act, bears the meaning assigned to it, and unless the context otherwise indicates -

- (i) “**Constitution**” means the *Constitution* of the Republic of South Africa.
- (ii) “**education department**” means the department established by section 7(2) of the Public Service Act, 1994 (Proclamation No 103 of 1994), which is responsible for education in the *Eastern Cape* ;
- (iii) “**educator**” means an *educator* as defined in the Educators Employment Act, 1994; “electoral officer” means an electoral officer referred to in Section 14
- (iv) “**governing body**” means a *governing body* contemplated in section 16(1); “interested party” means a parent of an enrolled learner at a school or a representative of a sponsoring body or person duly authorized by the Head of Department
- (v) “**Head of Department**” means the head of the Eastern Cape Education Department;
- (vi) “**learner**” means any person receiving education or obliged to receive education in terms of this Act;
- (vii) “**member of staff**” means an educator or non-educator employed at a *school and being on the payroll of the Department or the school governing body*;
- (viii) “**Member of the Executive Council**” means the *Member of the Executive Council* of a province who is responsible for education and training in the province of the Eastern Cape;
- (ix) “**Minister**” means the *Minister* of Education as defined in Section 1 of the Act;
- (x) “**officer**” means an employee or an educator of the Department appointed in terms of the Educators Employment Act, 1994 (Proclamation No 138 of 1994) or the Public Service Act, 1994 (Proclamation No 103 of 1994)
- (xi) “**parent**” means -
 - (a) the *parent* or guardian of a *learner*;
 - (b) the person legally entitled to custody of a *learner*; or
 - (c) the person who undertakes to fulfil the obligations of a person referred to in paragraphs (a) and (b) towards the *learner’s* education at *school*;
- (xii) “**principal**” means an *educator* appointed or acting as the head of a school;
- (xiii) “**province**” means a *province* established by section 124 of the *Constitution*;

(xiv) “**provincial legislature**” means a *provincial legislature* contemplated in section 125 of the Constitution;

(xv) “**public school**” means a *school* contemplated in Chapter 3;

“Representative Council of Learners” (RCL) means a Representative Council of Learners established in terms of section 11 of the Act

(xvi) “**school**” means a *public school as contemplated in Section 12 of the Act* or an *independent school* which enrolls *learners* in one or more *grades* between *grade zero* and *grade twelve*;

(xvii) “**this Act**” means South African Schools Act, 1996 (Act No. 84 of 1996) and all regulations promulgated under *this Act*.

Preamble

In terms of the South African Schools Act, No. 84 of 1996 (SASA), **NELSON PRIMARY SCHOOL** has been declared a public school. Every public school is required by law to have a governing body which is responsible for the governance and control of the school. This Act further requires that each public school draws up and functions in terms of a constitution according to which the School Governing Body will conduct its own affairs.

This document defines how the SGB of this school will operate.

We, the School Governing Body of Nelson Primary, declare that we are aware of and accept our responsibilities and will strive to fulfil our legislative mandate. We shall at all times act within the prescripts of applicable legislation and ensure accountability and transparency.

INTRODUCTION

THAT, the South African Schools Act 1996 makes provision for a democratic elected governing body at this school, which governs the school, with the exception of the professional management of the school;

THAT, the governing body is in a position of trust towards the school and that it must exercise its statutory activities in consideration of the rights of all learners, parents and teachers, as well as any other legal order; and

THAT, the functioning of the Governing Body is regulated by the Constitution of the Governing Body of NELSON PRIMARY

Name and Status

THE NAME OF THE GOVERNING BODY IS: The Governing Body of Nelson Primary

The Governing Body is an organ through which:

- the school as a legal person exercises its legal rights within its prescribed activities; and
- the school is governed, subject to any other legal rules and provisions as laid down in its Constitution

Implementation of the constitution

- The provisions of this constitution binds all members of the Governing Body, and, as far as relevant, all persons or bodies in their relationship with the school or Governing Body.
- Any matter concerning any aspect of status, composition, activities, duties or functions for which there is no provision will be regulated by the general provisions which deal therewith

VISION

- To create a positive teaching and learning environment while pursuing sound values for all.
- To assist in the creation of a positive.....
- To become a centre of excellence for the community.....

SCHOOLS TO ADD THEIR VISION TO THE DOCUMENT

MISSION STATEMENT

- Provide quality education to all learners thus realising their full potential.
- To contribute in providing quality education to all learners in the realisation of their potential.
- To promote the shared responsibility of parents and teachers to instil core values in learners and provide essential skills and knowledge for lifelong learning.

SCHOOLS TO ADD THEIR MISSION STATEMENT TO THE DOCUMENT

AIMS AND OBJECTIVES OF THE GOVERNING BODY

- To observe proper care, diligence and good faith in the exercise of our powers and the performance of our duties.
- To act in the best interest of the school.
- To promote the best interests of the school.
- To admit learners and serve their educational requirements without unfairly discriminating in any way.
- To determine the language policy of the school, subject to the Constitution, “the Act” (SASA) and any applicable provincial law.
No form of racial discrimination will be practised in the implementation of this policy.
- To ensure that religious observances are conducted at the school on an equitable basis and that attendance by learners and staff members is free and voluntary, without compulsion and coercion.
- To adopt a code of conduct for the learners after consultation with the learners, educators and all stakeholders at the school.
- The code of conduct will be aimed at establishing a disciplined and purposeful school environment, dedicated to the improvement and maintenance of the quality of the learning process.
- To establish a school fund and to control and administer it in accordance with directions issued by the Head of Department.

SCHOOLS TO ADD THEIR OBJECTIVES TO THE DOCUMENT

APPLICABLE LEGISLATION

The school shall be governed in accordance with the following applicable National and Provincial Acts and the regulations promulgated thereunder.

- The Constitution of the Republic of South Africa Act, 1996 (Act 108 of 1996), as amended, hereinafter referred to as “the Constitution”
- The National Admission Policy for Ordinary Public Schools, (Government Gazette 19377 of 1998) as promulgated in terms of the National Education Policy Act, 1996 (Act 27 of 1996), as amended [NEPA]
- The South African Schools Act, 1996 (Act 84 of 1996), as amended (SASA)
- The Employment of Educators Act, 1998 (Act no 76 of 1998)
- Public Service Act, 1998 (Proclamation No. 103 of 1994)
- The Labour Relations Act, 1995 (Act 66)
- The Regulations and Rules Governing Bodies of Public Schools published under general notice 786 of 1995.
- The Regulations relating to the exemption of parents from the payment of school fees in public schools (Government Gazette 29311 of 18 October 2006) as promulgated in terms of the South African Schools Act.
- The Promotion of Access to Information Act, 2000 (Act 2 of 2000)
- The Promotion of Administrative Justice Act, 2000 (Act 3 of 2000)
- The Education Policy Act, 1998 (Act No 12 of 1998)
- Public Finance Management Act (PFMA) 1 of 1999
- Draft National Treasury Regulations issued in terms of the PFMA, November 2012, GG nr 35939
- Auditing Professions Act 26 of 2005 Auditing Professions Act

LEGAL PERSONALITY

The school is a juristic person with legal capacity to perform its functions in terms of the South African Schools Act, 1996.

The school was constituted as a juristic person with effect from.....

LIABILITY OF MEMBERS

A member of the governing body does not incur personal liability for lawful acts of the governing body.

A member of the governing body is not liable for any debt, damage or loss incurred by the school unless he/she acted without authorisation, with malicious intent or negligently and can therefore be held responsible for such debt, damage or loss.

A member of the governing body who is a minor incurs no personal liability for any consequences of his or her membership of the governing body.

A member of the governing body who is a minor may not contract on behalf of a school.

A member of the governing body who is a minor by law may not vote on resolutions of the governing body which imposes liabilities on third parties or on the school.

GOVERNANCE OF THE SGB

The governance structure of Nelson Primary School shall be constituted as follows:

Election of members and office bearers

- The members of the SGB shall be elected in accordance with the procedure prescribed in the provisional regulations
- The Principal shall convene the first meeting of the SGB for a new term of office within fourteen days of the above election.
- At the first meeting the members shall elect a Chairperson, Vice-Chairperson, Secretary and Treasurer from the members. The Principal shall not be elected to any of these offices.

Composition

The governing body consists of

- a. the principal in his / her official capacity ,
- b. three educators elected by the educators employed at the school,
- c. one non-educator elected by non-educators employed at the school,
- d. six parents elected by parents,
- e. learner representatives (RCL) where applicable

- f. the owner of the land on which the school is situated or his or her nominee, co-opted, without voting rights
- g. members co-opted by the governing body. Co-opted members must fall into one of the following categories:
 - *community members (including donors),*
 - *persons with expertise in a specific field,*
 - *a vacancy has occurred.*

The majority of the members of the governing body shall be parents.

Voting rights of members

- a. The principal and elected members have voting rights.
- b. *In the case of a stay of votes, the chairperson has a casting vote.*
- c. Co-opted members have no voting rights. However, a co-opted member may enjoy voting rights if he/she has been co-opted to replace a member who has resigned.
- d. A member of a governing body who is a minor may not vote on resolutions of a governing body that impose liabilities on third parties or on the school.

Term of office of members

- a. The term of office of elected members, excluding learner representatives elected by the representative council of learners, is three years.
- b. The term of office of a learner representative elected by the representative council of learners is one year.
- c. Members of the governing body remain in office after the expiry of their term of office until the election of a new governing body.
- d. A member of the governing body may be re-elected or co-opted, as the case may be, after the expiration of his / her term of office.

Eligibility as members of the governing body

A member vacates his / her office if he / she

- a. no longer serves the best interest of the school,
- b. resigns,
- c. his / her son / daughter leaves the school,
- d. Is no longer employed as an educator or non-educator at the school,
- e. has been absent without leave from three consecutive ordinary meetings of the governing body.

OFFICE BEARERS

- a. At the first meeting of the governing body, or at the first meeting after the end of the terms of office of office bearers, the meeting elects a :
 - i. *Chairperson*
 - ii. *Deputy-chairperson (optional)*
 - iii. *Treasurer*
 - iv. *Secretary*
 - v. *Assistant-secretary (optional).*
- b. Whenever, for any reason, the office of one of the office bearers becomes vacant, the governing body, at the first meeting after the vacancy has occurred, elects one of its members to fill the vacancy for the unexpired period of office of his/her predecessor.
- c. Office bearers are elected for one year.
- d. Only parent members of the governing body not employed at the school may serve as Chairperson.
- e. An office bearer may be re-elected after the expiration of his/her term of office.
- f. The principal (or any delegated authority) presides at any meeting convened for the purpose of electing a chairperson.

Duties of the chairperson

- a. The chairperson
 - i. *presides at all meetings;*
 - ii. *calls meetings **after consultation with the principal;***
 - iii. *determines the agenda of meetings **after consultation with the principal;***
 - iv. *presides at the meetings of parents, educators, learners and non-educators called by the governing body.*
- b. The meeting will elect a chairperson from its members if both the chairperson and the vice-chairperson are absent from that meeting.

Duties of the vice-chairperson

- a. The Vice-Chairperson will replace the Chairperson should he / she be unavailable to preside over the meeting.

Duties of the secretary

- a. The secretary must give written notice of all meetings called by the chairperson.
- b. .The secretary takes minutes of every meeting.
- c. The secretary reads the minutes of the previous meeting at every ordinary meeting.
- d. The secretary attends to the correspondence of the governing body.
- e. The secretary must make sure that the proper records pertaining to the affairs of the governing body are kept in order.
- f. The secretary must keep minutes of all meetings of the governing body with parents, educators and non-educators.

Duties of the treasurer

The treasurer is the chairperson of the school Finance Committee. In this position the treasurer governs the functioning of all the financial operations of the school.

Recommendations on decisions relating to finance are made by the treasurer - these are approved by the finance committee and the SGB. The Treasurer needs to check that financial actions taken are in line with school financial policy - that is, governing the activities of:

- Finance Committee (inter alia expenditure of small amounts)
- Procurement Committee (expenditure of large amounts)

Responsibilities:

The treasurer has the following responsibilities:

- Ensure that the 'Treasurer's Report' is made available at the monthly fincom meeting; and submitted to the SGB Chairperson and school principal.
- Present the 'Treasurer's Report' at each regular SGB meeting (once a quarter). This report outlines current income and expenditure, and the present balance, and compares the actual position with the position anticipated by the budget. The report is in written form and is retained by the secretary as a permanent record.
- Ensure the development of an annual school budget in consultation with the finance committee.
- In his or her capacity as chairperson of the finance committee ensure the presentation of the budget at the Annual General Meeting.
- Answer questions related to finance at the AGM.
- Advise the parents at the AGM on the raising of funds.
- Attend regular Circuit FINCOM meetings with the principal and finance officer as per arrangements by the circuit manager.

Duties of the finance officer

The SGB will appoint, in writing, a Finance Officer to look after the day-day administration of money. The duties of the finance officer are determined as per the finance policy.

COMMITTEES

The governing body may:

- a. Establish committees including an executive committee.
- b. Appoint persons who are not members of the body to such committees on grounds of expertise, but an SGB member must chair each committee.

The standing committees of the governing body are the following:

- i. Executive Committee (EXCO)
 - The executive of the SGB shall consist of the chairperson, principal, secretary and treasurer.
 - The primary function of the EXCO is to be available to co-assist the Principal with any urgent matter affecting the day to day running of the school.
 - The matter(s) must be reported on and ratified at the next SGB meeting.
- ii. Finance Committee
 - The members of the finance committee are:
 - i. the Principal
 - ii. the treasurer
 - iii. the chairperson
 - iv. the finance officer
 - v. a parent

The above must be the minimum number of people for the finance committee.

- iii. Maintenance Committee
- iv. Fund-Raising Committee
- v. Education, Culture and Sports Committee
- vi. Disciplinary Committee
- vii. Policy Committee
- viii. QLTC (Quality Learning and Teaching Committee)
- ix. Safety Committee
- x. Appointments Committee

The chairperson of any standing committee must be a member of the governing body. If there is more than one governing body member on a standing committee, a chairperson is

elected at the first meeting. Each committee reports to each ordinary meeting of the governing body on its activities.

VACANCIES

Vacancies and subsequent election of replacement members will be determined and dealt with in accordance with the procedure prescribed in terms of “the Act”.

INCIDENTAL VACANCIES

An incidental vacancy in the governing body occurs when a member -

- a) submits a written resignation;
 - b) dies;
 - c) is relieved of his office in accordance with the Regulations;
 - d) is absent for three consecutive meetings without the permission of the governing body; or
 - e) is found to be incompetent as defined in the Regulations.
-
- If an incidental vacancy occurs in the office of any member except a parent member, such vacancy shall be filled in accordance with an election in terms of the regulations.
 - If an incidental vacancy occurs in the office of a parent member, such vacancy shall be filled at the discretion of the governing body, either in accordance with an election in terms of the regulations, or by co-option provided that the total number of parent members co-opted in terms of this paragraph may not exceed 40% of the total number of parent members of the governing body.
 - Members elected in terms of an incidental vacancy have full voting rights and remain members for the unexpired term of office of his/her predecessor.
 - Should an incidental vacancy occur due to the departure of an elected member, a co-opted member can be nominated and appointed to serve on the school governing body with voting rights for a period not exceeding 90 (ninety) days provided that the co-option ceases when the vacancy has been filled through a by-election which must be held within 90 (ninety) days after the vacancy has occurred.

POWERS AND FUNCTIONS OF THE SGB

Powers of the governing body

The governance of the school in terms of SASA is vested in the SGB of the school. In terms of SASA the SGB shall:

- a. Determine the admissions policy of the school (in terms of the provincial policy).
- b. Determine the language policy of the school (in terms of the provincial policy).
- c. Determine the policy for religious observance at the school (in terms of provincial policy).
- d. Determine the school's Code of Conduct for Learners.
- e. Suspend a learner from attending school -
 - as a correctional measure for a period not longer than a week;
 - pending a decision as to whether a learner is to be expelled from the school by the Head of Department;
- f. Determine, charge and enforce the payment of school fees payable by parents and learners.
- g. Join voluntary associations representing governing bodies of public schools.
- h. Apply to the Head of Department to be allocated increased functions
- i. Determine the school finance policy

Functions of the governing body

- (1) In terms of "the Act", the governing body must
 - promote the best interests of the school and strive to ensure its development through the provision of quality education for all learners at the school;
 - adopt a constitution
 - develop the mission statement of the school
 - adopt a code of conduct for learners at the school (**please attach learner code of conduct as an appendix to this policy**)
 - support the principal, educators and other staff of the school in the performance of their professional functions
 - determine times of the school day consistent with any applicable conditions of employment of staff at the school
 - administer and control the school's property, buildings and grounds occupied by the school including the school hostel (if applicable)

- encourage parents, learners, educators and other personnel of the school to render voluntary services to the school
 - recommend the appointment of educators in the school to the Head of Department, subject to the Educators' Employment Act, 1998 and the Labour Relations Act, 1995 (Act No 66 of 1995)
 - recommend the appointment of non-educators in the school to the Head of Department, subject to the Public Service Act, 1994, (Proclamation no 103 of 1994) and the Labour Relations Act, 1995 (Act No 66 of 1995)
 - at the request of the Head of Department, allow the reasonable use, under fair conditions, of the facilities of the school for educational programmes not conducted by the school
 - discharge all other functions imposed upon the governing body by or under these measures and
 - discharge other functions consistent with the Act as determined by the Minister by notice in the Government Gazette, or by the Member of the Executive Council by notice in the Provincial Gazette
- (2) The governing body may allow the reasonable use of the facilities of the school for community, social and school fund-raising purposes, subject to such reasonable and equitable conditions as the governing body may determine which includes the charging of a fee or tariff which accrues to the school.
- (3) The governing body may join a voluntary association representing governing bodies of public schools.
- (4) Subject to this Act, the Labour Relations Act, 1995 (Act 66 of 1995), and any other applicable law, a public school may establish posts for educators and employ educators additional to the establishment.
- (5) Subject to this Act, the Labour Relations Act, 1995 (Act 66 of 1995), and any other applicable law, a public school may establish posts for non-educators and employ non-educator staff additional to the establishment.
- (8) When presenting the annual budget contemplated in section 38, the *governing body of a public school* must provide sufficient details of any posts envisaged in terms of subsections (4) and (5), including the estimated costs relating to the employment of staff in such posts and the manner in which it is proposed that such costs will be met.

The Governing Body or a member of the governing body in his or her capacity as a member of the governing body shall not interfere with the professional work of an educator in the performance of his or her duties.

Allocated functions of the governing body (if applicable)

The governing body may, subject to the provisions of the Act, apply to the Head of Department in writing to be allocated any of the following functions:

- (i) Maintain and improve the school's property, buildings and grounds occupied by the school, including hostels, if applicable;
- (ii) Determine the extra-mural curriculum of the school and the choice of subject options in terms of provincial curriculum policy;
- (iii) Purchase textbooks, educational material and equipment for the school;
- (iv) Pay for services rendered to the school;
- (v) Provide an adult basic education and training class or centre subject to any applicable law; or
- (vi) Discharge other functions consistent with the Act and any applicable provincial law.

Financial functions of the governing body

The governing body 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
- establish a school fund;
- open and maintain a banking account;
- ensure that all money received by the school including school fees and voluntary contributions must be paid into the school fund;
- ensure that all money and other goods donated or bequeathed to or received in trust by the school is applied in accordance with the conditions of such donation, bequest or trust;
- ensure that the school fund and proceeds of any other asset of the school is used only for:
 1. *educational purposes at or in connection with the school;*
 2. *educational purposes at or in connection with another public school, by agreement with such other public school, and with the consent of the Head of Department;*
 3. *the performance of the functions of the governing body;*
 4. *another educational purpose agreed between the governing body and the Head of Department.*

- prepare a budget for each year according to guidelines determined by the Minister showing the estimated income and expenditure of the school for the following financial year;
- call a parents' meeting giving at least 30 days' notice for
 - 1*. *the consideration and approval of the budget referred to in the preceding paragraph by a majority of parents present and voting,*
 2. *the adoption of a resolution on the amount of school fees to be charged, and*
 3. *equitable criteria and procedures for the total, partial or exemption of parents from payment of the above school fees.*
- implement any resolution adopted by the parents in terms of clause 1* above
- appoint an auditor in terms of section 43 of the S A Schools Act, 1996 to audit the records and financial statements of the governing body;
- keep records of funds received and spent by the school;
- keep records of the school's assets and liabilities;
- prepare annual financial statements after the end of each financial year as required by section 42(b) of the S A Schools Act, 1996;
- submit a copy of the above financial statements to the Head of Department in terms of section 43(5) of the S A Schools Act, 1996.
- by process of law enforce the payment of school fees by parents who are liable to pay such fees.

Failure by Governing Body to perform functions

- If the governing body has ceased to perform its functions, the Head of Department must act as prescribed in sections 2(8), (9) and (10) of the Act.

Recusal of Member of the Governing Body

- A member of a governing body must withdraw from a meeting of the governing body for the duration of the discussion and decision-making on any issue in which the member has a personal interest.

Reimbursement of member of Governing Body

- Necessary expenses incurred by a member of the governing body in the performance of his or her duties may be reimbursed by the governing body out of school funds.
- No member of a governing body may be remunerated in any way for the performance of his or her duties as a governing body member.

Franchise

- Every parent having one or more learners enrolled at this school, shall be entitled to vote at an election of the parent members of the governing body of this school and only such parents will be admitted to the polling hall
- Any person who is entitled to vote, shall have one vote in respect of each candidate, with a maximum number of votes equal to the number of members elected in accordance with section 2
- A parent's vote may be exercised by a proxy vote that has the written authority of the parent, provided that a proxy vote may not exercise more than 2 proxy votes, subject to national policy.

MEETINGS OF THE SCHOOL GOVERNING BODY

- (1) The governing body shall meet at least once each school term.
- (2) The governing body shall keep minutes of its meetings and on request, make copies of its meetings minutes available for inspection by the Head of Department.
- (3) The Chairperson, in consultation with the Principal, shall determine the date, time and place of the meetings and the secretary shall at least 14 days prior to such meeting, notify each member in writing thereof: Provided that in the case of a matter requiring urgent handling in the opinion of the chairperson of the governing body at least 24 hour notice may be given.
- (4) Any person may on the invitation of the governing body be present at a meeting of such a body and take part in the discussions, but shall have no vote and shall leave the meeting when the governing body so decides.
- (5) The governing body may require a staff member of the school concerned to attend a meeting of such body in connection with any matter pertaining to the functions of the governing body.
- (6) The governing body shall determine its own rules pertaining to its meetings and procedures at those meetings.

Minutes of proceedings of meetings

- (1) The secretary shall keep minutes of the proceeding of every meeting.
- (2) The minutes of the proceedings of every meeting;
 - (a) Shall at the next meeting of the governing body, be submitted for approval;
and
 - (b) Shall at all times be open for inspection by the members and the Head of Department, or any office duly instructed by him or her, a parent, or a member of the staff of the school.
- (3) Upon the dissolution of the governing body or the expiry of its term of office, all minutes and other documents shall be handed to the principal.

Ordinary meetings of the governing body

- a. The governing body meets at least once during a school term. When necessary, the governing body may meet more often.
- b. Fourteen days written notice must be given of ordinary meetings.

Urgent meetings

- a. Meetings may be called on 24 hours written or verbal notice to discuss urgent matters.
- b. The only business which may be discussed at an urgent meeting is the business for which the meeting was called.

Extraordinary meetings

- a. The chairperson may call extraordinary meetings.
- b. The chairperson is obliged to call an extraordinary meeting on receipt of a written request signed by at least three elected members of the governing body setting out the business to be transacted at the meeting.
- c. The only business which may be transacted at an extraordinary meeting is the business for which the meeting is called.
- d. Fourteen days written notice must be given of extraordinary meetings.

Meetings - general

- a. Any meeting may be held at shorter notice than stipulated in the constitution, provided that:
 - i. All members agree to a particular meeting being held despite the lack of sufficient notice in terms of the constitution, or
 - ii. All members are present at a meeting called on short notice and pass a motion condoning the lack of adequate notice in terms of the constitution.
- b. A member of the governing body must withdraw from a meeting for the duration of the discussion and decision-making on any issue in which he/she has a personal interest.
- c. The meeting may invite any person to be present at its meetings and to take part in its discussion, but the person may not vote and shall leave the meeting when the governing body so decides.
- d. The non-receipt of a notice, duly dispatched, and the consequent absence of a member from a meeting does not affect the validity of the proceedings of such a meeting provided there is a quorum present.
- e. The chairperson decides on speaking turns and on matters of standing orders and procedure. Should a member raise an objection to such a decision, without further discussion the decision shall be voted on and the decision of the meeting shall be final.

Quorum

- a. At least 1 more than half of the members of the governing body shall constitute a quorum for any meeting of the governing body.
- b. If a quorum is not present at a properly constituted meeting, the meeting shall be adjourned and must take place within 14 days.
- c. The secretary must give notice of the adjourned meeting.
- d. The governing body is entitled to deal with all business on the agenda of an adjourned meeting on the day to which the meeting was adjourned, irrespective of whether a quorum is present or not.

[In terms of quorums, the following should be taken into consideration: Fair representation of all components with special focus on parents.]

Minutes of meetings

- a. The secretary records the minutes of every meeting.
- b. The secretary must record the following in the minutes of every meeting:
 - i. the names of the members who are present and who are absent stating whether such absence is with or without leave.
 - ii. the decisions taken by the meeting.
 - iii. discussions which took place at the meeting if required to do so by the meeting.
- c. The secretary shall circulate copies of the minutes to all members present at the meeting within 7 days prior to the next meeting. This will afford members the opportunity to scrutinize the minutes and to make any corrections to the minutes.
- d. After the commencement of every ordinary meeting, the secretary reads the minutes - (or it is taken as read) - of the previous meeting and the minutes of any extraordinary meeting or meetings which took place in the interim.
- e. A meeting adopts the minutes after they have been corrected as decided by the meeting, following any amendments which may have been made thereto.
- f. The approved minutes are confirmed by the signature of the chairperson and the date of confirmation.
- g. The minutes of meetings must at all reasonable times be open for inspection.

Annual general meeting of parents, educators and non-educators

The chairperson calls an annual general meeting of parents, educators and non-educators for the purpose of considering the:

- a. annual financial statements of the governing body, and
- b. the chairperson's report on activities of the governing body during the preceding year.

Procedures of meetings

- a. All apologies and non-attendance must be recorded and dealt with in terms of the conditions as set out under section "non attendance of meetings by SGB members" below.
- b. The School Governing Body will deal with matters of which prior notice has been given, and with other matters (matters arising) provided that approval of the meeting is obtained.
- c. Any person may attend and speak at an SGB meeting provided that approval of the meeting is obtained.
- d. Each member of the SGB has one vote. At the conclusion of voting, the Chairperson will exercise a casting vote if necessary. No member shall be allowed to nominate a proxy to vote on his/her behalf.

- e. The minutes of any meeting will be read or taken as read at the opening of the next meeting, and if approved will be signed by the Chairperson and the Secretary.
- f. When the SGB convenes parent meetings it must report on and discuss matters relating to the school. The Secretary must prepare and distribute to parents and educators at the school written reports on its activities.

Non attendance of meetings by SGB members

A member of the SGB who fails to attend three consecutive meetings of the Governing Body without notifying the Chairperson / Secretary of his or her absence from the meeting and without a valid reason shall be deemed to have resigned from office.

CONTACTS

To be added by the school

REVIEW

This policy will be reviewed on an annual basis.

COMMUNICATION & EDUCATION

Schools to provide detail of how the document and its contents will be communicated to the school community

AMENDMENTS TO THE CONSTITUTION

- a. A decision to amend the constitution will require a two-thirds majority vote in favour of the amendment by the members of the SGB after all members have been informed of such proposed amendment in writing at least two months in advance.
- b. If a quorum is not present at the meeting convened for this purpose, a second meeting will be called exclusively for this purpose at least two weeks after the first meeting. If two-thirds of the members are not present at this second meeting, proposed amendments may be effected by two-thirds of the members present.

IMPLEMENTATION DATE

This Constitution shall become operative and effective on the

_____ (Day) _____ (Month) _____ (Year)

Signatures of school governing body members indicating adoption of the constitution:

1. CHAIRPERSON	
2. DEPUTY-CHAIRPERSON	
3. SECRETARY	
4. TREASURER	
5. PRINCIPAL	
6. MEMBER	
7. MEMBER	
8. MEMBER	
9. MEMBER	
10. MEMBER	
11. MEMBER	