

Understanding School Governance

Manual 1

Introduction to School Governance



DEPARTMENT OF EDUCATION AND CULTURE
UMNYANGO WEMFUNDO NAMASIKO
DEPARTEMENT VAN ONDERWYS EN KULTUUR



PROVINCE OF KWAZULU-NATAL
ISIFUNDAZWE SAKWAZULU-NATAL
PROVINSIE KWAZULU-NATAL

Materials developed by the Media in Education Trust (MiET) for the KwaZulu-Natal Department of Education and Culture, under a subcontract with Aurora Associates International, Inc., Washington, D.C., for the U.S. Agency for International Development.

This Manual was compiled and published for the KwaZulu-Natal Department of Education by a team that included: Dr M Lotter, Department of Education; Mr C Waddy, Education Consultant; Mr S Naicker, Education Consultant; and Mr F Goolam, USAID/South Africa.

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This manual is based on an earlier version produced by the School Governance Unit, KwaZulu-Natal Department of Education and Culture.

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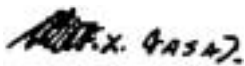
This publication was made possible through support provided by the U.S. Agency for International Development, under the terms of Contract No. 674-I-00-00-00007-00. The opinions expressed herein are those of the author(s) and do not necessarily reflect the views of the U.S. Agency for International Development.

Foreword by the Honourable Minister of Education and Culture, Province of Kwazulu-Natal.

Democratisation is a key characteristic of constitutional reform in South Africa and one aspect of it is the need for greater community involvement in the governance of schools. In 1997, as a result of provisions in the South African Schools Act, governing bodies became an important feature of public school life. In KwaZulu-Natal the School Governance Training Unit (now the School Governance Unit) was set up to help train governing bodies. Part of their initiative was the publication of a series of manuals dealing with various aspects of school governance. As a result of new legislation and policy reforms the time has now arrived for a reissue of these manuals in revised and updated form. A generous donation from USAID has made this possible.

These manuals are designed for day-to-day use by members of governing bodies, principals and educators, non-educators, the parent corps and learners. The contents are written in a user-friendly style without compromising on authenticity and validity.

I am confident that this set of manuals will contribute to a greater and more informed involvement of parents and other stakeholders in the governance of public schools.



Mrs FX Gasas
Minister of Education and Culture

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A comprehensive index can be found at the back of Manual 7.

Glossary:

The meaning of some of the words used in this manual

An act is a law made by Parliament or by a provincial government, for example, The South African Schools Act.

A constitution is a document that explains how an organisation must be run. It normally sets out the rules, regulations, functions and powers within which its members will operate. A capital 'C' is used to indicate that the National Constitution of South Africa is being referred to.

Governance is the act of governing or ruling an organisation, for example, a school.

The Head of Department of Education in Kwazulu-Natal. Also known as Superintendent General, Secretary of Education or Chief Executive Officer.

A law is a binding rule that must be obeyed or taken into account by all people.

Legislation is an Act of Parliament or of a provincial government.

Member of the Executive Council - the Member of the Executive Council of the Kwazulu-Natal Provincial Government who is responsible for education in the province.

Communication from the Department of Education and Culture to school governing bodies and school principals on matters relating to school governance and other issues.

The plan that is intended to guide and determine present and future decisions about the school.

The minimum number of people that must be present for a meeting to be in order.

A law made by a Cabinet Minister or an MEC in terms of an Act.

The South African Schools Act, 84 of 1996.

Act

Constitution

Governance

Head of Department

Law

Legislation

MEC

Official KZN DEC Circular

Policy

Quorum

Regulation

SASA

INTRODUCTION TO THE MANUALS

What are these manuals for?

This series of manuals has been designed to help school governing bodies in their task of overseeing the governance of schools. The manuals give an overview of the main issues that all school governing bodies need to understand and put into practice in order to be effective.

The manuals are an accessible training and reference guide for governing bodies. They explain the key requirements of National and Provincial legislation, and some of the practicalities of putting them into practice.

These manuals replace earlier manuals produced by the KwaZulu-Natal Department of Education and Culture soon after the South African Schools Act of 1996 required all public schools to form governing bodies.

The Manuals	
Manual 1:	Each manual deals with specific issues in school governance.
Manual 2:	Introduction to School Governance
Manual 3:	School Governing Body Elections
Manual 4:	Conducting Meetings and Keeping Records
Manual 5:	School Fund: Departmental Regulations
Manual 6:	Basic Financial Systems for Schools (training manual)
Manual 7:	Discipline and Codes of Conduct for Learners
	The School as Employer

Manual 1: Introduction to school governance

Manual 1 gives a brief overview of the background and functions of school governing bodies. It provides information on the way that school governing bodies should be structured, what their functions are, and discusses some of the key policies that you need to put in place.

This manual is an essential resource for new governing bodies and new members of governing bodies. It will also be useful for governing bodies that have been operating for a long time as it is an accessible reference guide to aspects of legislation which regulate the structure and functions of governing bodies. The information may help to answer some of the questions that your members have.

How to use these manuals

As a reference tool

The manuals are designed to be an accessible reference for members of governing bodies. They have been written and designed so that citizens who are not experts, but who play a role in school governance can have their questions answered in a way that is easy to understand, and is applicable to their own situations.

Wherever possible, the approach that has been used features:

- non-technical language;
- a 'frequently asked questions' approach;
- brief and straight-forward answers;
- references throughout the text to legislation which applies to particular issues;
- additional information and examples that will assist you to apply the information;
- exercises which can be used by individuals or governing bodies to help consolidate information;
- format and templates to help in carrying out various tasks;
- a comprehensive index.

The approach in these manuals is specifically designed to help with immediate queries and to allow members to become familiar with governing body issues. For technical and legal matters it is essential that the manuals be read in conjunction with the relevant legislation, most of which can be found in the two volumes making up the 'Operations manual for KwaZulu-Natal schools' which is available in all schools.

As a training tool

The exercises at the back of this manual are designed to be used for training of new governing bodies and new members of governing bodies. Members can work through the exercises on their own, or as a group. Even members of governing bodies who are familiar with the information may find the exercises useful. Some of them are based on case study examples or areas where there is often confusion or difficulty with putting the legislation and regulations into practice.

As a reference tool

As a training tool

In this column you will find additional information in boxes. The boxes for different kinds of information look different from each other. They are explained on this page.



How is this manual designed?

This manual is designed in the same way as this page. A question which is often asked by members of school governing bodies is given. The question is answered directly below it. The answers are as brief and direct as possible. They usually explain what is required by law in a way that is easier to understand than the legislation itself.

Where there is information that is regulated by legislation, you will see a box like this.



This box will tell you where to find more information in another manual or part of this manual.



This box will give examples.



This box will give you the definition or meaning of a word or concept.



The information in this box is an exception to the rule or a special case.



If there is more detailed information about how to do something it will be in a 'how to' box.



The information in this box is something that you should take particular note of.

1

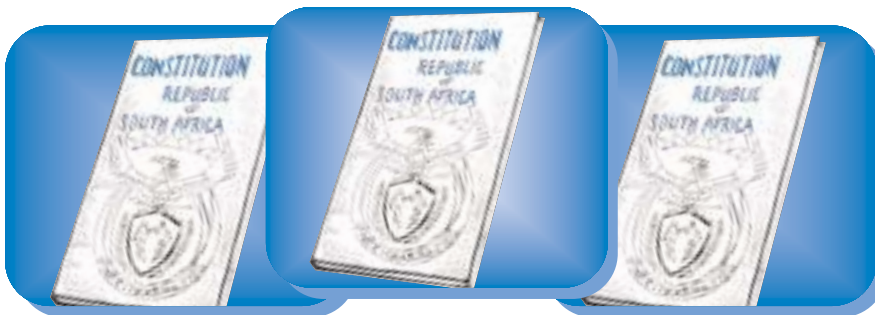
OVERVIEW OF SCHOOL GOVERNANCE

1.1 Why do we have governing bodies?

School governing bodies are an important part of the new education system in South Africa.

In April 1994 South Africa became a democratic country with a Constitution that promoted democratic values and principles. As the highest law in the country, the Constitution guides us in the way we build our education system and the way we go about running it. The Constitution says that everyone has a right to basic education. It also says that the state has a responsibility to:

- build enough schools and maintain them;
- ensure that teachers are well trained and paid;
- buy books and other necessary equipment;
- ensure that good standards of education are maintained;
- provide introductory training for newly elected governing bodies; and
- provide continuing training to existing governing bodies.



The State must also improve and transform education in accordance with the democratic values and principles of the Constitution. This means that the State must democratise education and that stakeholders like parents, educators, non-educators, learners and members of the community should be involved in the activities of schools. All stakeholders now have rights and responsibilities. This allows them to make decisions about ways in which schools are run. The most important duty of both the State and the various stakeholders is to provide the best possible education for all learners. The best way to do this is as a partnership. For this reason governing bodies were created. In order to do this the South African Schools Act (SASA) No. 84 of 1996 was passed and was later amended by the Education Laws Amendment Act, No. 100 of 1997, the Education Laws Amendment Act, No. 48 of 1999 and Education Laws Amendment Act, No. 53 of 2000. SASA recognises the rights and duties of all stakeholders and makes it compulsory for every public school to establish a governing body.

Governance means:
the act of governing,
guiding or ruling an
organisation.

South African
Schools Act
(SASA) 84 of
1996,

Education Laws
Amendment Act 100
of 1997, and
Education Laws
Amendment Act 48
of 1999.

1.2 What is a school governing body?

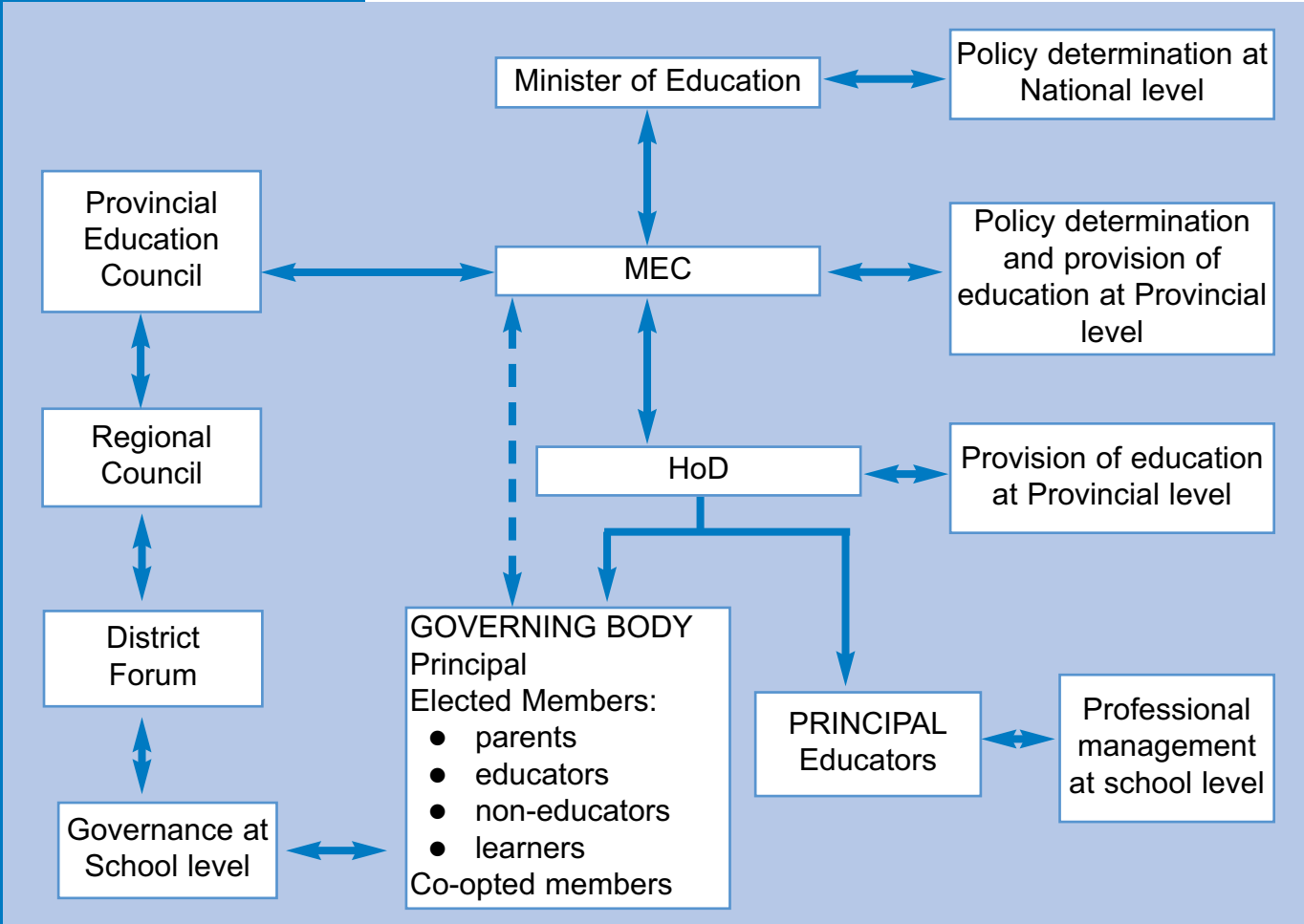
A governing body is a group of people who are either elected or appointed to govern a school. It is a body which has a legal status. Its members represent the school and its community.

Governing bodies determine the policies and rules for organising, managing and controlling schools within the relevant laws of the country and the budgets of the schools. The main objective of governing bodies is to promote the welfare of their schools and to ensure that the learners receive the best possible education. For this reason their most important task is to help their principals organise and manage their school's activities in an effective and efficient way.

Professional management refers to the role of the principal and his or her management in directing teaching and learning activities.

1.3 Where does the school governing body fit into the education system?

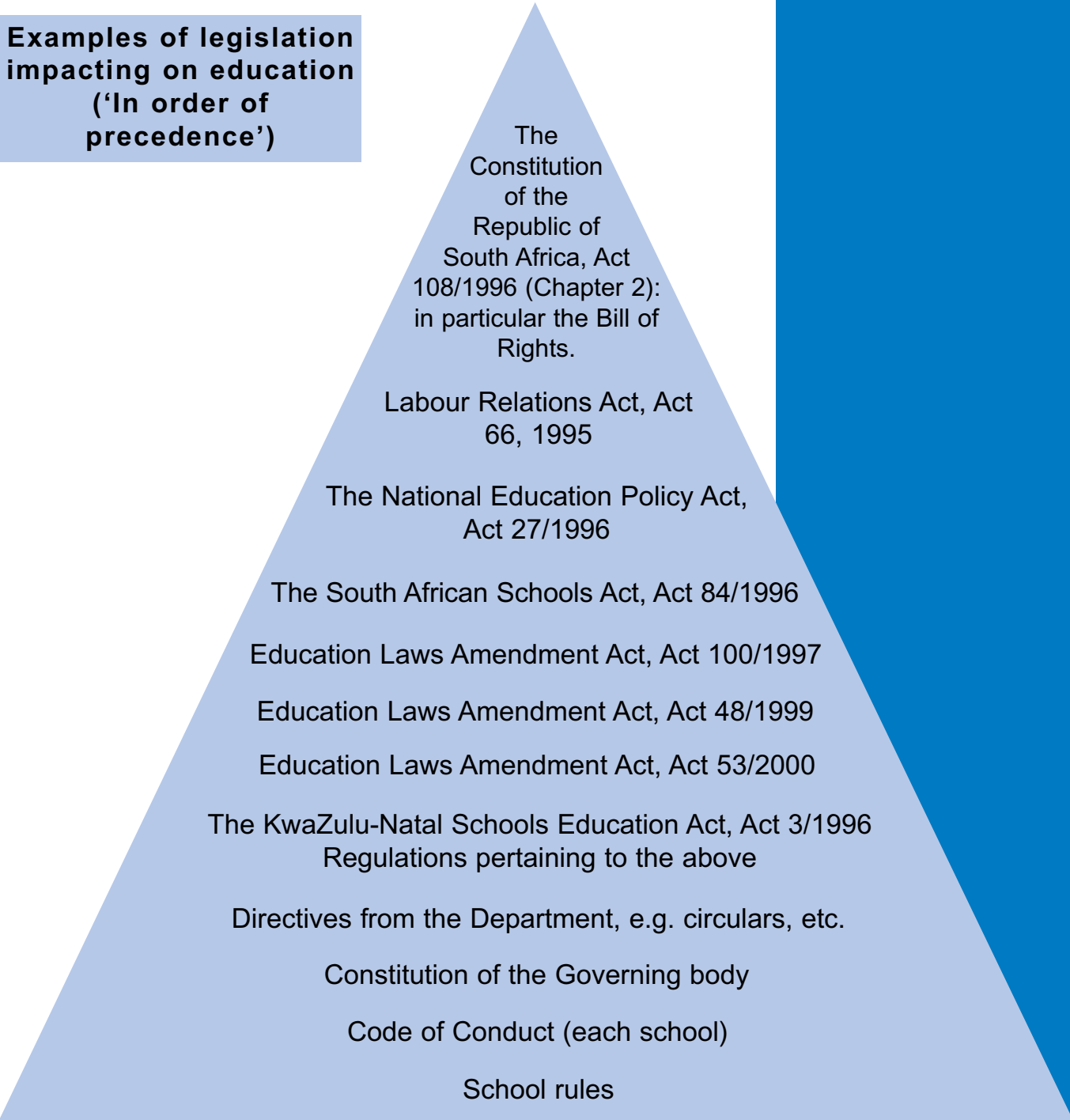
This diagram will help you understand its place.



1.4 How should a school governing body read and interpret legislation?

The diagram shows that there is an order of supremacy in legislation with the school governing body constitution being governed by provincial legislation, which is in turn governed by national legislation and the Constitution respectively.

Examples of legislation impacting on education ('In order of precedence')



N.B: ‘SUBORDINATE LAWS, ETC MAY NOT CONFLICT WITH THOSE ABOVE’



KZN3/1996,
Regulation 4.2,
P.N.149/97 says
that:

'A governing body or a member of a governing body in his/her capacity as member of a governing body, may not interfere with the professional work of an educator in the performance of his/her duties.'

1.5 Does the school governing body manage the school?

No, a school governing body does not manage the school.

Managing a school is the joint task of the principal, the school management team (SMT) and the governing body. Each one has a particular role to play.

The day-to-day running of the school is very much the work of the school principal and the staff with support from the school management team.

The principal is responsible for the professional management of the school. For example;

- the day-to-day running of the school;
- ensuring that the decisions of the governing body are properly carried out; and
- organising, controlling and monitoring teaching and learning activities in accordance with departmental regulations and directives.

The governing body assists the principal by offering leadership and deciding on a direction in which the school should go. It does this by formulating policy to achieve the school's vision and mission statement.

Although the principal and the governing body play different roles in school management and governance, it is important that they work closely together in the best interests of the school. The information in this manual will give you a better idea of how a governing body should be structured and should function in the governance and professional management of a school.

The following table highlights some of the differences between professional management and governance.

Principal (Professional management under the authority of the HoD)	Governing Body Governance
Perform and carry out professional (management) functions.	Promote the best interests of the school.
Day-to-day administration and organisation of teaching and learning at the school.	Ensure the development of the school by providing quality education for all learners at the school.
Perform the departmental responsibilities prescribed by law.	Develop and adopt policies.
Organise all the activities which support teaching and learning.	Support the principal, educators and other staff in carrying out their professional duties.
Manage personnel and finances.	Control and maintain school property.
Decide on the intra-mural curriculum, that is all the activities to assist with teaching and learning during school hours.	Decide on school times, taking into account the employment provisions of staff members and departmental regulations.
Decide on textbooks, educational materials and equipment to be bought.	Buy textbooks, educational materials or equipment for the school.

NOTES

2

STRUCTURES AND PROCEDURES**2.1 What is the membership of a school governing body?**

Each school governing body should have:

- 1) elected members;
- 2) the principal / acting principal; and
- 3) co-opted members.

The elected members should be elected at special meetings called for elections. You can read more about this in Manual 2, School Elections.

The elected members and the principal then decide whether they need to co-opt additional members.

Each of the members who is elected or co-opted will need to get a formal letter of appointment.

2.2 May a governing body serve more than one school?

In the best interests of education at the schools in question, the MEC may decide that the governance of two or more public schools may be undertaken by a single governing body. This can only be done after notice is given in the Provincial Gazette. Interested persons are given 30 days to make written submissions, and all submissions are considered.

2.3 Who are the elected members?

- 1) Parents of learners at the school.
- 2) Educators at the school.
- 3) Members of staff at the school who are not educators (for example, a clerk or cleaner).
- 4) Learners, if the school has an eighth grade or higher grades.



See:
SASA Section 23

SASA defines a parent as:

- (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.

eg

For example:

If a learner lives with his or her grandmother, and she acts as a parent with regard to the learner's education, the grandmother will be regarded as a parent. She can vote as a parent and be elected to the school governing body.

However, if a learner lives with his parent(s) and grandmother, and the grandmother wants to be a member of the governing body for her own personal reasons, she cannot convince the learner's parent to allow her to act as the parent. The law will not regard her as a parent in these circumstances.

KZN Circular
74/2000



A parent who is employed at the school may not represent parents on the school governing body.

All the elected members must have a direct link with the school. They must either attend the school as learners, be parents of the learners at the school, or work at the school. If this changes at any time during their term, for example, if their child leaves the school, or if an educator gets transferred, they can no longer be a member of the governing body in that capacity.



2.4 How many elected members should there be?

Principal

The principal is automatically a member (ex officio) of the school governing body; that is he/she is not elected.

Educators

If five or fewer educators are employed at the school, one educator is elected to the school governing body. If there are more than five, two educators must be elected.

Staff members who are not educators

One non-educator is elected.

If there is only one, he/she may automatically become a member. If there are none, the position on the SGB remains vacant.

Learners

If the school has 8th grade or higher grades, two learners are elected by the Representative Council of Learners (RCL).

Parents

There must be one more parent than there are other members with voting rights.



SASA, Section
23 KZN 3/1996,
Regulation 2
P.N. 149/97

eg

A small school, with fewer than 5 educators, no non-educators, and that goes up to grade 6 only, would have:

- 1 principal
- 1 educator
- 0 non-educator
- 0 learners



Total 2, therefore 3 parents elected.

Total membership of school governing body: 5

A larger school, with more than 5 educators, no non-educators, and that goes up to grade 8 or higher:

- 1 principal
- 2 educators
- 0 non-educator
- 2 learners



Total 5, therefore 6 parents elected.

Total membership of school governing body: 11

A large school, with more than 5 educators, 2 non-educators, and that goes up to grade 12.

- 1 principal
- 2 educators
- 1 non-educator
- 2 learners



Total 6, therefore 7 parents elected.

Total membership of School Governing Body: 13



The principal can appoint a staff members to assist the treasurer and secretary.

2.5 Who are the ‘co-opted’ members?

A co-opted member can be anyone who can assist the school governing body to do its work better. The school governing body might identify a particular need such as a knowledge of building and decide to co-opt a local builder to help them. Donors are often people whom the school governing body may wish to co-opt.

If your school provides education for learners with special education needs the school governing body *must* co-opt a person or persons with expertise regarding those needs.

The school governing body of a school situated on private land *may* co-opt the owner or a person nominated by the owner of the land.

- Usually co-opted members do not have voting rights (but see exceptions box).

- Co-opted members, like all the members, should be appointed formally, in writing.
- There can be no more than 5 co-opted members on a school governing body.

Voting rights of co-opted members

Co-opted members usually do not have voting rights. However there is one exception to this rule:

There has to be at least one more parent member than the combined total of the other members with voting rights. If at any time this ceases to be the case, the governing body has to make up the numbers by temporarily co-opting a parent or parents. These co-opted parents have voting rights. This situation lasts only until the vacancy is filled by a by-election which must occur within 90 days of the vacancy occurring.



2.6 What is representivity?

SASA speaks of the need for all roleplayers to be involved in school governance and the need for co-operation between all stakeholders to ensure education for all. This thinking comes from the Constitution of South Africa which among other things enshrines the rights of all people, particularly the rights of equality and right to education. The Constitution is based on democratic principles that include the promotion of fair representation for all members of our diverse society. Therefore it becomes desirable for all governing bodies to be fully representative of the communities that they represent.

What are some of the measures that a governing body could adopt to promote a democratically elected and representative governing body?

Once a school has analysed why the membership in its governing body does not represent the different communities that make up its parents' population (demographics), it must think of ways (strategies) to ensure representivity of its governing body. Some of the strategies are listed below:

- Encouraging all parents to participate in the election.
- Holding the election meeting at a time that is convenient for the majority of parents.
- Bringing to the parent's attention that a representative governing body is in the best interests of the school.
- Encouraging nominations from groups that are under-represented.
- Encouraging potential candidates to make themselves available for election.
- Making it known what membership of the governing body entails and what the school is prepared to do to enable members to attend meetings.
- Making it known that elected members will receive guidance on what is required of them.
- Arranging meetings so that parents can get to know each other.

If the governing body is not representative after the election, it should consider the views of those under-represented communities by;

- co-opting members from under-represented groups;
- appointing members from under-represented groups as members of committees of the governing body.

2.7 What office-bearers should we have?

At the first meeting of the school governing body, the following office bearers must be elected:

- 1) chairperson;
- 2) vice-chairperson;
- 3) treasurer; and
- 4) secretary

The principal, staff members and learner representatives cannot be the chairperson or vice-chairperson, however they may hold other positions such as treasurer or secretary.

The term of office of an office-bearer cannot be longer than one year. However, as long as they still qualify for membership, they may be re-elected as office bearers.

2.8 How long is the term of office of governing body members?

Learner representatives:

The learner representatives serve for one year.

All other voting members:

The term of office for all other voting members is a maximum of 3 years. The school governing body determines its lifespan. The period of office of a school governing body would be indicated in its constitution which may be amended from time to time. Of course, if they no longer qualify within those three years they can no longer be members.

As long as they qualify for membership, members can be re-elected as often as the people who are electing them want them to stay in office.

What is different if you have learners with special education needs?

Where possible, these learners with special needs must be catered for in mainstream education. If an ordinary school provides education to learners with special needs, the school governing body must co-opt a person or persons with expertise and skills regarding the special education of such learners, if this is possible. It must also establish a committee on special education needs.

If the school functions specifically to cater for learners with special education needs, there are particular provisions regarding the composition of the school governing body.

(SASA Section 24. and Section 12 of the Education Laws Amendment Act No. 48 of 1999).

2.9 What if we lose a member?

A governing body could lose a member for various reasons. For example, the member may move away from the area, or resign due to pressure of work, or the child of the member may leave the school.

What happens next depends on who it was who left the school.

An educator, a learner or a non-educator:

- The principal holds an election to replace the person who has left the governing body. This membership is for the remainder of the term of office.

A parent:

- If there are less than 6 months to go before the end of the school governing body's term of office, and there are enough members left to form a quorum, the remaining members elect a person to fill the vacancy for the remainder of the term of office.
- If the vacancy occurs with more than 6 months to go before the end of the term of office, an election must be held to fill the vacancy for the remainder of the term of office.

2.10 Should we form committees?

The school governing body should form any committees that it thinks will help it to govern well. These committees are chaired by members of the school governing body.

Examples of committees which are often appointed are:

- finance / fund raising;
- grounds and buildings;
- staff selection;
- school development; and
- academic.

Some of these committees meet often; others, such as staff selection, meet only when necessary.

2.11 Where should we meet?

It is up to the school governing body to decide where it is most convenient to meet. Most school governing bodies meet at the school, but if that is a problem they may choose another location. When you choose the place and the time for meetings, you should consider possible travelling problems, especially for the learner representatives and members from disadvantaged communities.

eg

For example:

Reasons the governing body committee cannot meet at the school might be:

- no transport;
- security reasons;
- no electricity for evening meetings.

2.12 How often should we meet?

The governing body must meet at least once every school term, (or every 3 months.) The secretary must give notice to each member in writing at least fourteen days before the meeting is due to take place. The notice should state:

- the date of the meeting;
- time of the meeting;
- place of the meeting; and
- the business that will be dealt with.

In addition to the usual meetings the chairperson can also call an urgent meeting or an extraordinary meeting.



See manual 3 for further details about meetings.



A member who is absent without leave from two consecutive ordinary meetings of the school governing body ceases to be a member.



KZN 3/1996,
Regulation 34
P.N. 149/97.

eg

For

example:

If members have to travel to a meeting with the Education Department in town, they will have to pay the taxi fare with their own money. The governing body may reimburse them for that amount after the trip.

2.13 Will we be paid for doing this work?

School governing body members cannot be paid to be members, to attend meetings, or to do their duties.

The only time that the governing body can give money to a member is if the member has paid for necessary expenses and needs to be reimbursed.

The school governing body cannot give the member the money in advance for possible future expenses.

The repayment comes out of school funds and there should be budget provision for this approved by the parents at an open meeting.

2.14 What is the legal status of the school governing body?

In section 1 you read that a school governing body has a legal status. This means that it is recognised by the law as a body that can make legal agreements with people and other organisations.

A public school is a 'juristic' person. This means that in the eyes of the law the school is just like a person. The school can, for example, buy and sell, sign contracts and so on. Of course this means that, like any other 'person' it can sue or be sued.

The school governing body performs various actions **on behalf** of the school but it is the school, not the school governing body or its individual members, that is held responsible for those actions.

2.15 How does the school governing body communicate with the department?

A governing body of a public school has the right to communicate with officials of the Department at all levels. The normal procedure is for the governing body to invite an official to attend a meeting of the SGB for a specific purpose. It may request an interview with an official.

A member of a governing body, like a parent of a learner at the school, who feels aggrieved at the work of a member of staff has the right to approach the principal about the matter. Should the principal fail to act to the satisfaction of the complainant, the latter may approach other departmental officials like the Superintendent of Education (management), the District Manager, the Director: Provision of Education Services or the Regional Chief Director to obtain satisfaction.

A member of staff at a school may be invited to attend a meeting of that school's governing body, but only to provide information that does not evaluate or seek to punish an educator. A governing body may not in any way investigate the work or behaviour of a member of staff employed by the State. A member of a governing body does not have the right to visit a member of staff to evaluate work performance.

Members of staff employed by the school, i.e. paid by the governing body, are subject to the employer-employee relationship as prescribed in the relevant legislation.



See manual 7: The School as Employer.

2.16 Do the learner members who are under 18 years old have the same rights and duties as other members?

The rights and duties of minors (persons under the age of 18) are limited in several ways:

- Minors may not make contracts with others on behalf of the school (see example).
- Minors may not vote on resolutions of the school governing body that impose liabilities on third parties or on the school.
- A minor can incur no personal liability as a result of being a member of the school governing body.

eg

If the issue being decided on is whether to order books for the library on credit, the learners may not be involved.

NOTES

3

FUNCTIONS

3.1 What are the functions of school governing bodies?

3.1.1 The school governing body must carry out the following functions:

Policy

- promote the best interests of the school and ensure its development
- adopt a constitution
- adopt the mission statement of the school
- adopt a code of conduct for learners at the school

Management

- help the principal, educators and other staff perform their professional functions
- decide on school times, which must tie in with the conditions of employment of the staff
- administer and control the school's property, buildings and grounds including school hostels
- encourage parents, learners, educators and other staff at the school to offer voluntary services to the school
- make recommendations to the Head of Department on the appointment of educators
- make recommendations to the Head of Department on the appointment of non-educators
- at the request of the Head of Department and under fair conditions, allow the school facilities to be used for educational programmes not offered by the school

Meetings

- meet at least every three months
- keep minutes of its meetings
- make the minutes available to the Head of Department on request



In some legislation, functions are called powers or duties.



SASA Section 20
KZN 3/1996
Regulations 4 &
5 P.N. 149/97



See page 43 for information on planning for development.

See page 50 for information on how to draft a constitution.

See page 36 for information on how to develop a mission statement.



See Manual 3 for more information on meetings.



See Manuals 4 and 5 for more information on financial management.

‘Concurrence of the minister’ means that the Minister has to agree. These policies have to be submitted to the Minister in writing for approval and cannot be implemented without the Minister's written approval.

Financial management

- prepare an annual budget
- establish and run a school fund into which all money received by the school must be paid
- raise revenues including voluntary contributions to the school in cash or some other form
- open and maintain a bank account
- prepare annual financial statements according to the prescribed guidelines
- on request by an interested party, make annual financial statements available for inspection
- annually report to parents, learners, educators and other staff at the school

General

- carry out all other functions given to governing bodies by SASA, the KZN School Education Act and all other applicable laws
- determine the admission policy of the school, with the concurrence of the Minister
- discharge other responsibilities determined by the Minister by notice in the provincial gazette

3.1.2 The school governing body may carry out the following functions:

- Determine the language policy of the school with the concurrence of the Minister.
- Determine the policy for religious observances at the school within the dictates of the Constitution.
- Determine, after approval by parents at a meeting called for this purpose, charge and enforce the payment of any school fees payable by parents of learners at the school in line with SASA.
- Join voluntary associations representing governing bodies of public schools.
- Allow other people or organisations to use the facilities of the school for community, social and school fund-raising purposes. The governing body can draw up a list of conditions of use, which will guide this policy. The conditions of use could include the fee or tariff for hiring of school facilities, which would go towards school funds.

- Establish posts for educators and employ educators additional to the establishment as long as it is in line with legislation.
- Establish posts for non-educators additional to the establishment as long as it is in line with legislation.



See Manual 7 for more information on employing staff.

3.2 Can the school governing body take on additional functions?

The Head of Department has the right to allocate certain other functions to school governing bodies. The Head of Department can decide to simply allocate these functions to a school but it is more usual that the school governing body applies to carry out the additional functions.

Before the application is granted in writing the Head of Department has to be satisfied that the school governing body can perform these additional function(s). The Head of Department may refuse to allocate these additional functions but only if the school governing body is not capable of carrying them out. The decision and the reasons for it must be given in writing. If anyone is unhappy with the Head of Department's decision he or she may appeal against it to the Member of the Executive Council (MEC.)

Any or all of the following may be allocated, in writing:

- Maintain and improve the school's property, buildings and grounds.
- Decide on the school's extra-mural curriculum and the choice of subject options (provided these tie into the province's curriculum policy).
- Buy textbooks, educational materials or equipment for the school, pay for services to the school.
- Administer the hostel by purchasing provisions, securing services, determine, collect and enforce the payment of hostel fees.



SASA
Section 21



Generally a school applies to take on the entire package of additional functions rather than just some of them.

eg

If a governing body does not keep good financial records, or uses employment procedures that are against the Labour Relations Act.



SASA
Section 22

eg

If a governing body has mismanaged its finances.

3.3 What if the school governing body fails to carry out its functions?

If the governing body does not carry out a function at all, or does not do it well enough, the Head of Department has the power to take away that function from the school governing body.

The Head of Department would first have to inform the school governing body that he or she is going to do this and why. The governing body must also have been given a reasonable chance to make representations about the matter and the Head of Department must have considered these representations.

If the Head of Department decides that the matter is urgent, a function or functions could be taken away without first contacting the school governing body but afterwards the Head of Department still has to give the governing body reasons for doing so and give them a reasonable chance to make representations about the matter. The Head of Department must consider all representations. If any person is unhappy with the decision of the Head of Department he or she may approach the MEC.

If the school governing body is not performing its functions the Head of Department must appoint people to perform those functions. These people can only be appointed for three months. Another school governing body must be elected within those three months. If the governing body is still not functioning after three months, the period can be extended in periods of up to three months as long as the total period is not more than one year. Within that period another school governing body must be elected.

3.4 What if a member of a school governing body has a personal interest in an issue being discussed at a school governing body meeting?

That member must withdraw from the meeting while the matter is being discussed and decided upon.



eg

If a member runs a garden services business and has put in a bid to service the school's grounds, that member should withdraw during any discussion or decision-making about the bids.

3.5 Who trains members of the school governing body?

The Head of Department has to establish programmes to provide:

- training for newly elected governing bodies so that they can perform their functions; and
- continuing training of school governing bodies so that they can continue to do their work well, and have the skills to take on additional functions.

The Head of Department also has to ensure that principals and other officers give all necessary assistance to school governing bodies in doing their work.

SASA
Section 19

NOTES

4

POLICIES

4.1 Making policy for your school

South Africa's new Constitution gave us a framework for a new education policy. The government developed new policies to change the old system of education. These changes include a:

- new way of governing schools;
- new way of managing schools;
- new way of financing schools; and
- new curriculum for schools.

The new legislation, like *SASA*, is based on these new policies. The policies and legislation give us the National picture and direction that education should be taking. In order to make these work well, each school needs its own policy as well.

4.1.1 What are policies?

Policies tell us what to do when certain issues and problems arise. Policies are usually plans that are used to achieve certain goals. They help in decision-making that involves the communities' values and main beliefs. In other words policies are guidelines for action in the day-to-day running of a school. They are useful in that they ensure fair methods, which all stakeholders know and agree to, of dealing with issues and problems.

Policies developed by a school should:

- reflect the vision and mission of the school;
- be developed in consultation with all those who have an interest;
- be approved by the governing body; and
- be easy to carry out.

Policies can be broadly grouped into three types:

- Compulsory policies, for example, a constitution.
- Problem-oriented policies for example, drugs and alcohol policy and AIDS policy.
- Technical policies, for example, financial policies and retrenchment policies for staff employed by the school.

A policy is a plan which guides action and decision-making.



Can policy change?
Once policies have been adopted they become firm and fixed guidelines for day-to-day practices in the school. Educators and school managers must act according to them. If circumstances change or the policy is difficult to implement, it may become necessary to review it.



SASA Section 20
KZN 3/1996
Regulations 4 &
5 P.N. 149/97.



See Section 4.3
and 4.4.

4.1.2 What are the compulsory policies required by legislation?

Every school must have a:

- School constitution;
- Mission statement;
- Code of conduct for learners;
- Admissions policy.

Every school should have a:

- Language policy; and
- Religious policy.

Schools can have problem-oriented and technical policies as well, if they are needed. They may be optional but could provide guidelines for school managers to use in their day-to-day running of the school.

4.1.3 How do we develop policies?

The school governing body is responsible for drawing up policies, but the principal and the school management team (SMT) also play an important role not only in their development but also in putting them into practice.

The following principles which are embodied in the Constitution of South Africa and SASA must be taken into account when developing policies:

- Consultation: The whole school community should be consulted.
- Accountability: People must be prepared to be held responsible for their actions. There must be a clear reason for every policy.
- Transparency: All members of the school community should understand all aspects of all policies. Nothing should be hidden.
- Fairness: The policies will always be applied in a just manner to all members of the school community. There will be no favouritism.

4.1.4 How do you make policies effective?

- The school governing body and school management team must encourage as much participation as possible. Different policies need different people to debate, discuss and decide on them, and to implement them.
- Research and consultation is always useful when drawing up a new policy. It is especially important when a policy is a difficult one or one where people have different viewpoints, for example, the code of conduct.
- Make sure that you can put them into practice by making them easy to understand and apply.

A suggestion for developing policy

Here are some useful questions to ask yourselves when you are developing policy:

A. *Developing policy guidelines*

- What are the basic values of the school?
- What are the main problems that this policy wants to solve?
- What goals does the school want to achieve?

B. *Working out policy choices*

- What are the different ways or choices you have to solve the problem?
- Evaluate each choice - what people, power, resources etc. do you have (or not have) to achieve this?
- Decide on a choice - which is the best way for your school to go?

C. *Putting policy into practice*

- Draw up steps for making policy happen.
- Check progress. How do we know if it is still happening and working?

(First Steps, p.50)



A constitution is a document that explains how an organisation must be run. It normally sets out the rules, regulations, functions and powers within which its members will operate.

Section 18 of
S.A.S.A.

4.2 Compulsory Policies

4.2.1 School governing body constitution

The first compulsory policy a governing body needs to develop is a constitution.

Is it necessary for a school governing body to have a constitution?

Yes. SASA states that a governing body must have a constitution that includes at least the minimum requirements decided by the Minister of Education and Culture (KwaZulu-Natal).

If the governing body has been formed for the first time it has to:

- write a constitution; and
- send it to the Head of Department of Education within ninety days of the election of the governing body.

A governing body which has just been elected should:

- find out if there is a constitution;
- write and adopt a constitution, if one does not exist;
- send a copy of the constitution to the Department of Education;
- if a constitution does exist, it may require amendments. An ordinary or extraordinary meeting should be called to amend the constitution. Members should be notified that the meeting is to discuss the proposed amendment/s. All amendments must be adopted with a two-thirds majority and a copy of the amended constitution must be sent to the Head of Department of Education.

If a governing body has a new member he or she should:

- get to know the constitution that was written by the previous members. This will help to increase his/her understanding of the way a governing body functions and will help him/her to become a more efficient school governor.

How does the school governing body write a constitution?

You can either call a meeting of all school governing body members or elect a sub-committee to write the constitution. However, you must call a full meeting to adopt the constitution.





SASA, Section
18 and KZN
3/1996,
Regulation 2
P.N. 149/97

What should go into the constitution?

The law determines many of the items in the constitution. The school governing body should know what these legal requirements are. Everything in the constitution has to be in line with the law, or the constitution is invalid. The governing body cannot change the provisions contained in the laws, even if all its members agree.

When drawing up a constitution, a governing body may choose either to:

- prepare a full document setting out the legal requirements which regulate its functioning and the matters agreed to by the governing body;

or

- write into the constitution only those items where agreement has to be reached by its members on its functioning. The legal requirements may be left out as these still apply whether they are written into the constitution or not.

A comprehensive constitution includes the following sections:

- Legal personality
- Liability of members
- Composition
- Voting rights of members
- Terms of office of members
- Eligibility as members of the governing body
- Functions of the governing body
- Powers of the governing body
- Ordinary meetings of the governing body
- Urgent meetings
- Extraordinary meetings
- Office bearers
 - ◆ Chairperson
 - ◆ Secretary
 - ◆ Treasurer
- Functions of office bearers
- Meetings
- Quorum
- Minutes of meetings
- Procedures to amend the constitution

- Vacancies
- Committees
- Annual general meeting of parents
- Annual general meeting of learners
- Annual general meeting of educators
- Annual general meeting of non-educators
- Signatures of school governing body members indicating adoption of the constitution

At the back of this manual, you will find an example of a constitution, which could be used by a governing body as a guide.

4.2.2 How do we develop a school vision?

The next compulsory policy that has to be developed is a mission statement. However, before this can be done the governing body must start by defining its vision.

Every member of the school community should be involved in developing a vision. This would lead to a greater participation and ownership of the process. A shared vision, incorporating everyone's ideas, is necessary to give the school clear direction. Everyone also has a common understanding about what the school is trying to do.

What is a vision statement?

A vision is a picture of the future you want to create. Imagine you are setting out on a journey. The first two questions you would ask are: where am I going and how am I going to get there?

A vision:

- is like your destination or your end-point;
- shows where you want to go and what you would like to be when you get there.

Once you have a clear idea of what you would like the school to become, you may write this down in the form of a statement.

A good vision statement should:

- be a written statement that you can tell or show to others;
- provide a realistic, believable and attractive picture of the school in the future;
- be shared by all stakeholders;

A vision is a dream of the ideal school.

eg

Example of a Vision Statement
Simunye C.P.
School's vision is: To provide quality education that will develop the full potential of every learner.

Values are the things we consider important. For example, 'the school should develop the full potential of all learners' means that the school's curriculum and extra-mural activities are planned in such a way as to accommodate every single learner and special provision would be made for children with learning difficulties.

Goals are the broad aims or intentions that you hope to achieve within the next few years. A goal of the school may be stated as 'by the beginning of next year our curriculum will include at least one technically oriented learning area.'

Resources are the things that are needed to achieve the school's mission for example, money, equipment, buildings and people (their skills, talents and abilities).

- be clear;
- place the school in the community;
- provide meaning to the work of people in the school and the school community;
- provide an opportunity for the school to adapt to changing circumstances;
- lead to action;
- be achievable in time.

(First Steps, D.E.C, 1997 pp.45-46)

Once the vision statement has been created the governing body members will be better prepared to develop the school's mission statement.

4.2.3 What is a mission statement?

Now that you know where you are going, you need to know how you are going to get there. A mission statement is a short, positive statement that describes the method and means by which the school's vision will be achieved. The school community's values, goals and resources inform this mission statement.

A mission statement is the vision stated in achievable and realistic terms. Whilst all schools desire the best for their learners, the mission statement should reflect a balance between idealism and workable reality. In other words the vision must be a balance between the dream of the ideal school and the realities that the community faces. For example, a school community might hope that all their learners are equipped to get a university education. They know that this is probably not a realistic dream, so they state in their mission statement that they hope to provide learners with an education that will allow them to further their studies.

How do you write a mission statement?

- All stakeholders of the school should be involved in developing the mission statement.
- The statement should say what the short, medium, and long-term plans of the school are. The details of the plans should appear in the 'action plan' and should be part of the daily business of the school.

What should be included in a mission statement?

A good mission statement should:

- give reasons why the school exists;
- say what the business of the school is;
- make it clear what stakeholders can expect from the school;
- be seen in the daily practice of the school;
- be shared by all stakeholders;
- guide policy decisions at the school;
- be displayed in public places;
- be changed over time;
- be easy to read.

Remember to periodically revisit your mission statement to help you stay focused on your goals. Sometimes circumstances and needs change which means that the mission statement may need revising.

eg

Example of a mission statement

Simunye C.P. is committed to work in partnership with the members of the school community to ensure that each student receives the best education possible. We will do this by:

- meeting the needs of all stakeholders;
- providing the necessary resources to ensure quality education;
- working in teams and being supportive, encouraging and trustworthy;
- preparing our learners to enter the careers of their choice as responsible citizens of society;

We hope to achieve these aims in a friendly and open atmosphere.

(First Steps, D.E.C, 1997 pp.47-48)

4.2.4 What is a Code of Conduct for Learners?

This is another policy that the governing body must draw up for the school. A code of conduct is a policy that not only reflects the rules of the school but also promotes positive discipline and self discipline. This policy is discussed in detail in Manual 6.

SASA, Section 8



SASA, Section 5



Fair discrimination is allowed for example, excluding girls from attending an all boys' school. Discrimination on the basis of race is always unfair.



The Head of Department may require a learner to be tested to assist in placement decisions for example a technical field, dance or music.

4.2.5 What is an Admissions Policy?

Another compulsory policy that the governing body is required to develop is the admissions policy. The governing body must ensure that its admissions policy does not conflict with the Constitution or any of the laws that relate to education. The admissions policy sets out the procedure for admitting learners to the school. This policy determines who may be admitted to the school and the manner in which this would happen.

What should the governing body consider when drawing up an admissions policy?

- No unfair discrimination on the grounds of race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation (for example homosexuality), age, disability, religion, conscience, belief, culture, language and birth.
- No learner may be turned away if the parent cannot or has not paid school fees.
- No learner may be turned away if his or her parent does not agree with the school's mission statement and code of conduct.
- No learner may be excluded if the parent refuses to sign an indemnity contract, which relieves the school of any claim for damages arising out of the education of the learner.
- No admission tests are allowed.
- Only the Minister of Education may determine age requirements for the admission of learners to a school or to different grades at a school.
- The rights and wishes of parents with special education needs must always be considered.
- The preference order method of admission must be followed as laid down in Section 34(d) of the National Education Policy Act 27 of 1996.

What is compulsory attendance?

It is every parent's responsibility to see to it that the learner is admitted to school on the first school day of the year in which he or she reaches the age of seven years, until the last school day of the year in which the learner reaches the age of fifteen years or the ninth grade, whichever comes first.



SASA, Section 3

4.2.6 What is a Language policy?

A language policy is another compulsory policy that the governing body should draw up. South Africa has eleven official languages and they enjoy equal status and respect. This right is guaranteed in the Constitution. Every learner has the right to receive education in the official language or languages of his or her choice where it is reasonably possible. Sign language has the status of an official language for the purpose of learning in a school. The national Constitution requires that the following aspects must be considered when developing a language policy:

- Equity (fairness, fairplay)
- Practicability (wherever possible or feasible)
- Redress (remedy, set right) discriminatory laws and practices

SASA, Section 6

Who decides on the school's language policy?

Governing bodies have the power to decide the language policy of the school. As the governing body you may choose the language to be used for teaching and learning in your school. However, you must consider what the Constitution, SASA, and the KwaZulu-Natal School Education Act have to say in this matter. The Minister of Education may lay down rules, norms and standards for the language policy in public schools. It must be remembered that language may not be used as a reason to keep learners out of your school on the basis of their race.

SASA,
Section 6 (3)

What should the governing body consider when drawing up a language policy?

The following questions may help you in putting together a language policy.

- What is the language preference of the majority of learners?
- How many learners are asking for instruction in another language?
- How much space is available to accommodate learners who wish to be instructed in another language?
- What are the languages of instruction of the surrounding schools?
- Does the school have educators on its staff who can teach in a particular language?
- What are the cost implications? Does the governing body have to appoint additional educators for whom it must pay?



4.2.7 What is a Religious Policy?

A further policy that you as a governing body should put together is a religious policy. It sets down the rules and guidelines that should be followed if religious activities are to be conducted at the school. These activities may include scripture reading, prayer and religious singing.

What should the governing body consider when developing a religious policy?

- Religious meetings must be conducted in an equitable (fair) manner.
- The Constitutional right of all learners and educators to have their religious views respected must be recognised.
- All learners and educators with different religious beliefs must have an equal opportunity to attend religious activities according to their faith.
- No one may be forced to attend a religious meeting or ceremony. SASA demands that the attendance of religious activities be free and voluntary.



Religious organisations that own the property on which a public school is built, have the right to insist that the type of religion practised at the school be continued.



4.3 What are problem-oriented policies?

Problem-oriented policies are policies that help the school management team and the school governing body to deal with issues that come up on a day-to-day basis. You can have many additional policies, but before starting out to develop any of these, you must be sure that you have consulted with all the stakeholders and that they have given their input.

Here are some examples of problem-oriented policies:

- Parental involvement policy
- Non-sexism policy
- Drug and alcohol policy
- AIDS policy
- Racial integration policy
- Attendance and punctuality policy
- Health policy
- Access to the school



4.4 What are technical policies?

Technical policies are those that require specialist knowledge and skills to develop. It would be useful to get an expert to help when putting together technical policies. One example is the financial policy. When developing this policy it is best to involve the school governing body treasurer, and possibly co-opt an accountant from the community.

Another example of a technical policy is a staff retrenchment policy. This affects only staff employed by the school. Here people with human resource and possibly legal backgrounds should be co-opted to write up this very specialised policy.



See Manuals 4 and 5 for more information on financial policy .



See Manual 7 - The School as Employer for more information on staff retrenchment policy.

5

PLANNING

Every school has to adopt a mission statement. This statement gives an idea of what the school would like to achieve. In order to achieve that mission, a school has to plan ahead. In the middle of the busy day-to-day activities in a school it is quite easy to neglect longer-term goals, but the most successful schools never lose sight of their vision and mission. They stick to their plan even if there are problems. If the plan turns out to be unworkable, they change it, but they never abandon it.

5.1 What is Planning?

Planning is thinking about the future and coming up with ways of shaping it so that you can achieve your mission. Schools do two kinds of planning:

- Operational Planning and
- Development Planning

Both are very important and need to be balanced.

Operational planning ensures that the school operates smoothly on a day-to-day basis, while development planning focuses on improving the school in the future. Each school will have a different emphasis. Some schools need to concentrate on operational problems in order to get the basics right, while other schools are able to spend more time on aspects of development. Over time the importance of each will change. In order to achieve the targets set in both operational and development planning, a very practical approach called 'Action Planning' can be used.

Operational Planning is sometimes called Maintenance Planning.



Read more about action planning on page 46.

5.2 Who should do the planning?

Planning should be a democratic and consultative process. When people are working together to achieve common goals it helps to build the partnership between them. Sharing ideas also means you have more ideas to choose from, and more power to convince others about your ideas.

A good way of planning is to appoint a planning committee, which is representative of all stakeholders. This 'School Development Committee' (SDC) should be small enough to operate efficiently and not all members need to belong to the school governing body. Ensure that those chosen are enthusiastic and dynamic. They should also be realistic and practical.

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If you are planning up to three years ahead, then towards the end of the year 2001 you would plan for the years 2002, 2003 and 2004. In 2002 your review would extend the planning to cover 2003, 2004 and 2005, etc.

eg

For example:
Strength: Learners commitment to their education.

Weakness: The school is not offering enough subject choices to meet learners' needs.

Opportunity: The school community is very skilled and is willing to help the school to develop.

Threat: Lack of financial resources.

5.3. When should we plan?

Planning is usually done at the end of a year, for a 3-year cycle. Each year the plan is reviewed and extended for a year.

Of course some of the things you plan for may be short-term and completed well within the planned-for period. Other plans may be longer-term. Longer-term plans should be reviewed every year.

If it is your aim to always be planning for up to three years ahead, then every year-end review will not only examine existing plans, but also include further planning that will extend the planning period by another year.

5.4 How should we plan?

When you are planning there are four important questions to answer:

- Where are we now?
- Where do we want to be?
- How shall we get there?
- How will we know if we have been successful?

5.4.1 Where are we now?

In order to develop, the school has to know where it is starting from. The planners must understand existing conditions. To find out more about the school an analysis can be done.

A simple form of analysis is called a 'SWOT' analysis. It examines people's feelings and perceptions about the school:

The questions to ask when doing a SWOT analysis are:

- What are our STRENGTHS?
- What are our WEAKNESSES?
- What OPPORTUNITIES exist?
- What THREATS are we facing?

Strengths and weaknesses are usually seen as internal, coming from within the organisation, whereas opportunities and threats are seen as external, coming from the outside.

In answering these questions the planners must be realistic and consider the school in its setting. For example, when thinking about opportunities it is easy to become too ambitious, which leads to disappointment later.

Try to make the SWOT analysis a short exercise. You should not spend so much time on it that the major exercise of planning suffers.

Concentrate on issues which affect the school's performance in its primary task; that of providing effective learning. Among these issues are the:

- present curriculum;
- present study patterns;
- staff;
- management operations;
- resources;
- community attitudes; and
- facilities.

To get more accurate information you may also decide to carry out an AUDIT. In this type of review you obtain detailed information, often about the same aspects of the school as in the SWOT analysis but from a more factual viewpoint. You can also include other aspects. Your audit can be as detailed as you wish to make it.

Once the analysis of the present situation is completed the SDC is in a much better position to plan for the future.

5.4.2 Where do we want to be?

When you developed your vision and wrote your mission statement you should have answered this question.

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For example, the SDC may see as a weakness the learners' preference for softer options in the curriculum- options which might make it harder for them to get jobs later.

eg

For example, you may wish to obtain detailed facts and figures about the careers of learners who have recently left the school. How did their subject options affect their lives?



Read the section on developing a mission statement on page 36.

See also the notes on Performance Indicators, on page 49.

A Priority is a 'main concern'.

5.4.3 How will we get there?

Finding your priorities

1. Decide, democratically, what it is that must be done in your school.

What action should be taken:

- immediately;
- over the period covered by your development plan.

These are your **PRIORITIES**.

2. Try listing your priorities in order of importance. Again, this should be a democratic process so that you are prioritising for the school, not just one group of stakeholders.
3. Concentrate on those at the top of your list - perhaps only the top three so that your plan is manageable. They become your targets.

You are now ready to begin more detailed planning.

Action Planning

If you have a school development committee (SDC), they should do the Action Planning, but they must obtain the approval of all stakeholders before they implement the plan.

An Action Plan is usually made up of many individual plans or actions - each one contributing to the overall development of the school.

Every action suggested by the Action Plan should be guided by the values in the mission statement.

An Action Plan answers the following basic questions:

What? Who? When? How?

Why? and Where? should be considered when necessary.

'Resources' include finance. Make sure that there is provision in the annual budget for the Actions that require expenditure.

Setting out your plan in a table can help simplify the planning. Here is an example of a table which you could use:

School Action Plan				
Goal: _____			Date: _____	
Strategy	Tasks	Performance Indicators	Time	Responsibility

When doing action planning:

- Make sure that everything planned is guided by the values in the mission statement.
- Try to involve a wide group of people in the implementation of the plans.
- Look for help and support in the entire school community.

It may be that a particular target can be achieved in a single year, but very often growth is achieved in small annual improvements.

How do you implement your action plans?

There are some simple rules to help you progress;

- *Keep to the plan*
Is the action on time? Is it within budget?
- *Organise*
Does everyone involved know what they should be doing?
- *Ensure ownership*
Who is responsible for each action?
- *Check on progress*
How are we doing? Are there progress reports and records?
- *Support*
Is the action receiving sound support from others?

It may happen that progress is slow. In such a case the planners will have to decide what is causing the setback, and how to adjust the plan as a result. When you revise planning always include the person responsible for the particular action.

Annual review

Every year the school's overall development must be reviewed. Part of this is a review of what progress has been made in meeting your prioritised targets.

You should review:

- Membership of the committees - both the SDC and the various committees implementing the action plans.
- Progress in all the actions making up the overall Action Plan.
- The Mission itself. Is it still suitable? If so, is reasonable progress being made towards achieving it? What are the obstacles? Can they be overcome?

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Example:

Assume that your school is unhappy with its Senior Certificate results. It sets the quantitative goal of a 100% Pass within 3 years.

As a first step it calls for a report from the principal, with recommendations, explaining possible reasons for the present inadequacies. The principal is asked to report back within one month. The successful receipt of this report could be classed as an intermediate performance indicator. Such a report would be essentially qualitative, although it may contain some quantitative elements such as poor attendance statistics.

5.4.4 How will we know if we have been successful?

Whilst drawing up your Action Plan you should be thinking about how you will judge your progress as well as the outcome of the actions. One way is to identify some '**performance indicators**'. These are practical ways of assessing success.

Performance Indicators may be:

- *Qualitative.*

In much the same way as a SWOT analysis tends to rely on feelings and reactions, so may certain performance indicators.

- *Quantitative.*

In the same way as an audit relies on measurable indicators, so can you have some performance indicators which provide figures as a basis for assessment.

Such checks are especially valuable in deciding on future actions.

In a longer-term improvement plan it is a good idea to set intermediate targets or performance indicators. If possible these should be measurable.

Finally, do not forget to celebrate success. Remember that praise and thanks are highly motivating. Moreover many people will probably have made great personal contributions towards overall success. Their efforts should be recognised.



The South African Schools Act and KZN 3/1996, Regulation P.N. 149/97.



Although the law does say how a governing body should be made up, it is useful to include this section in your constitution as the composition may differ from school to school. See Section 2.4 of this manual.



3.2 One educator, if there are no more than five educators employed at a school.

3.3 This may be omitted if there are no non-educators employed at a school. If there is only one non-educator employed at the school the reference to an elected non-educator may be omitted.

3.4 The number of parents must exceed the total of other voting members by one.

Example of a school governing body constitution

Here is an example of a governing body constitution.

In this document, all the parts that are required by law are included in the text.

- The things that the governing body must discuss and reach agreement on are printed in bold.
- The requirements in ordinary print are binding even if they are not included in the constitution, and may not be changed.

Constitution of Ilanga Secondary School Governing Body

1. LEGAL PERSONALITY

The school is a juristic person with legal capacity.

2. 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 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.

3. COMPOSITION

The governing body consists of:

- 3.1. the principal in his or her official capacity;
- 3.2. **two** educators employed at the school;
- 3.3. one non-educator elected by non-educators employed at the school;
- 3.4. **Five** parents elected by parents;
- 3.5. **up to five members co-opted by the governing body.**

4. VOTING RIGHTS OF MEMBERS

- 4.1. The principal and elected members have voting rights.
- 4.2. **In the case of an equal vote, the chairperson has a casting vote.**
- 4.3. Co-opted members have no voting rights. However, a co-opted member may enjoy temporary voting rights if he/she has been co-opted to replace a member who has resigned.

- 4.4. 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.

5. TERMS OF OFFICE OF MEMBERS

- 5.1. The term of office of elected members, excluding learner representatives elected by the representative council of learners is three years.
- 5.2. The term of office of a learner representative elected by the representative council of learners is one year.
- 5.3. Members of the governing body remain in office after the expiry of their term of office until the election of a new governing body.
- 5.4. A member of a governing body may be re-elected or co-opted, as the case may be, after the expiration of his or her term of office.
- 5.5. The term of office of elected and co-opted members comes to an end upon the adoption of a motion of no confidence in the governing body by parents at a properly constituted meeting of parents.

6. ELIGIBILITY AS MEMBERS OF A GOVERNING BODY

A member vacates his or her office if he or she:

- 6.1. no longer meets the requirements;
- 6.2. resigns;
- 6.3. is elected by educators or non-educators employed at the school as their representative and he or she is transferred or seconded away from the school;
- 6.4. has been absent without leave from two consecutive ordinary meetings of the governing body;
- 6.5. passes away.

7. FUNCTIONS OF THE GOVERNING BODY

- 7.1. Promote the best interest of the school and strive to ensure its development through the provision of quality education for learners at the school.
- 7.2. Develop a mission statement for the school.
- 7.3. Adopt a code of conduct for learners at the school.
- 7.4. Support the principal, educators and other staff of the school in the performance of their professional duties.
- 7.5. Determine times of the school day consistent with any applicable conditions of employment of staff at the school and minimum length of school days determined by the Minister.
- 7.6. Administer and control the school's property, and buildings (or buildings and hostel) occupied by the school.



Co-option of members is recommended to ensure gender and demographic representation on a governing body. Also see section 23 (5, 6, 7, & 8 of SASA and regulation 2(3,4,5 & 6) of R149 of 1997.



The motion of no confidence must be passed by 15% of the parent population who have learners at the school. See KZN3/1996 Regulation 30 P.N. 149/97.



If additional functions are allocated to a governing body, these must be set out in its constitution specifying the authority by which this is done.



See Manuals 4 and 5 for more information.

- 7.7. Encourage parents, learners, educators and other staff at the school to render voluntary services to the school.
- 7.8. Recommend to the Head of Department the appointment of educators at the school, subject to the Employment of Educators Act (Act 76 of 1998) the Labour Relations Act, 1995 and the Education Laws Amendment Act, No. 48 of 1999.
- 7.9. Recommend to the Head of Department the appointment of non-educators at the school, subject to the Public Service Act, 1994 and the Labour Relations Act, 1995.
- 7.10 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 at the school.
- 7.11 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 it may determine including the charging of a fee or tariff which accrues to the school.

8. DUTIES OF THE GOVERNING BODY

These are listed below:

- 8.1. 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.
- 8.2. Establish a school fund.
- 8.3. Open and maintain a banking account.
- 8.4. Ensure that all money received by the school including school fees and voluntary contributions must be paid into the school fund.
- 8.5. Ensure that 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.
- 8.6. Ensure that the school fund and proceeds of any other asset of the school is used only for -
 - 8.6.1 educational purposes at or in connection with the school;
 - 8.6.2 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;
 - 8.6.3 the performance of the functions of the governing body; and
 - 8.6.4 any other educational purpose agreed between the governing body and the Head of Department.

- 8.7. 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.
- 8.8. Call a parents' meeting giving at least 30 days' notice for -
 - 8.8.1 the consideration and approval of the budget referred to in the preceding paragraph by a majority of parents present and voting; and
 - 8.8.2 the adoption of a resolution on the amount of school fees to be charged; and
 - 8.8.3 equitable criteria and procedures for the total, partial or conditional exemption of parents from payment of the above school fees.
- 8.9. Implement any resolution adopted by parents in terms of clause 8.8.1 above.
- 8.10 Appoint an auditor/accounting officer to audit the records and financial statements of the governing body.
- 8.11 Keep records of funds received and spent by the school.
- 8.12 Keep records of its assets and liabilities.
- 8.13 Prepare annual financial statements after the end of each financial year.
- 8.14 Submit a copy of the above financial statements to the Head of Department.

9. POWERS OF A GOVERNING BODY

A governing body may -

- 9.1. by process of law enforce the payment of school fees by parents who are liable to pay such fees;
- 9.2. determine the language policy of the school;
- 9.3. issue rules for the conduct of religious observances at the school;
- 9.4. suspend a learner from attending school -
 - 9.4.1. as a correctional measure for a period not longer than a week;
 - 9.4.2. pending a decision as to whether a learner is to be expelled from the school by the Head of Department;
- 9.5. join a voluntary association representing governing bodies of public schools;
- 9.6. apply to the Head of Department to be allocated increased functions;

10. ORDINARY MEETING OF A GOVERNING BODY

- 10.1. The governing body meets at least once during a school term.



The governing body may stipulate that it will meet more often.



The governing body may agree on a longer notice period.



See manual 3 for more information.

10.2. Fourteen days' written notice must be given for meetings.

11. URGENT MEETINGS

11.1. Meetings may be called on 24 hours' written notice to discuss urgent matters.

11.2. The only business which may be discussed at an urgent meeting is the business for which it was called.

12. EXTRAORDINARY MEETINGS

12.1. The chairperson may call extraordinary meetings.

12.2. 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.

12.3. Fourteen days' written notice must be given for an extraordinary meeting.

12.4. The only business which may be transacted at an extraordinary meeting is the business for which the meeting is called.

13. OFFICE BEARERS

13.1. At the first meeting of the governing body, or at the first meeting after the expiration of the terms of office of office bearers, the meeting elects:

13.1.1. a chairperson;

13.1.2. vice-chairperson;

13.1.3. treasurer;

13.1.4. secretary.

13.2. Whenever for any reason the office of one of the office bearers becomes vacant, the governing body, at the first meeting after the vacancy occurs, elects one of its members to fill the vacancy for the unexpired period of office of his or her predecessor.

13.3. The term of office of an office bearer may not exceed one year.

13.4. Only a parent member of a governing body who is not employed at the school may serve as chairperson or vice-chairperson.

13.5. A member or an office bearer may be re-elected after the expiration of his or her term of office.

13.6. The principal presides at any meeting convened for the purpose of electing a chairperson.

14. CHAIRPERSON

14.1. The chairperson -

14.1.1 presides at meetings;

14.1.2 calls meetings **after consultation with the principal;**

14.1.3 **determines the agenda of meetings after consultation with the principal;** and

14.1.4 presides at meetings of parents, educators, learners and non-educators called by the governing body.

14.2. The meeting elects a chairperson from its members if both the chairperson and the vice-chairperson is absent for a meeting.

15. HONORARY SECRETARY

15.1. The secretary must give written notice of all meetings called by the chairperson.

15.2. The secretary takes minutes at every meeting.

15.3. The secretary reads the minutes of the previous meeting at every ordinary meeting.

15.4. The secretary attends to the correspondence of the governing body.

15.5. The secretary must make sure that the records pertaining to the affairs of the governing body are kept in proper order.

15.6. The secretary must keep minutes of all meetings of the governing body with parents, learners, educators and non-educators.

16. HONORARY TREASURER

16.1. The treasurer must report on the finances of the governing body at each ordinary meeting. This allows the members to ratify all expenditure incurred.

16.2. The treasurer must present the annual financial statement and the proposed budget for the ensuing year at the annual general meeting of parents or at any other meeting of parents called to discuss the annual financial statements of the governing body, the proposed budget and proposed school fee structure for the ensuing year.

17. MEETINGS

17.1. Any meeting may be held at shorter notice than the notice provided for in the constitution provided -

17.1.1 all members agree in writing to a particular meeting being held despite the lack of sufficient notice in terms of the constitution; or

17.1.2. all members are present at a meeting called at short notice and pass a motion condoning the lack of adequate notice in terms of the constitution.



If the principal designates a member of his staff to assist the secretary, the secretary will be an honorary secretary.



If the principal designates a member of his staff to do the actual work of treasurer, the treasurer will be an honorary treasurer.

- 17.2. 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 or she has a personal interest.
- 17.3. The meeting may invite any person to be present at its meetings and to take part in its discussion, but may not vote and shall leave the meeting when the governing body so decides.
- 17.4. The non-receipt of a notice, duly dispatched, and the consequent absence of a member from a meeting does not affect the validity of proceedings at such a meeting provided there is a quorum present.
- 17.5. The chairperson decides on speaking turns and on matters of standing orders and procedure. Should a member raise an objection to such a decision, the decision, without further discussion, shall be voted on and the decision of the meeting shall be final.

18. QUORUM

- 18.1. The majority of the members of the governing body forms a quorum.
- 18.2. If a quorum is not present at a properly constituted meeting, the meeting shall be adjourned for at least 8 days but not more than 14 days.
- 18.3. The secretary must give notice of the adjourned meeting.
- 18.4. 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.

19. MINUTES OF MEETINGS

- 19.1. The secretary records the minutes of every meeting in **English (or in any other language decided on by the meeting)** in a bound book with fixed numbered pages used exclusively for that purpose.
- 19.2. The secretary must record the following in the minutes of every meeting:
 - 19.2.1 the names of the members who are present and who are absent stating whether such absence is with or without leave;
 - 19.2.2 the decisions taken by the meeting; and
 - 19.2.3 discussions which took place at the meeting if required to do so by the meeting.
- 19.3. After the commencement of every ordinary meeting, the secretary reads the minutes of the previous meeting and the minutes of any extraordinary meeting or meetings which took place in the interim.

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For example:

The total membership of the governing body is thirteen. Seven members must be present to constitute a quorum. For details see Manual 3.

- 19.4. A meeting adopts the minutes after being corrected as described by the meeting, following any amendments which may have been made thereto.
- 19.5. The approved minutes are confirmed by the signature of the chairperson and the date of confirmation.
- 19.6. The minutes of meetings must at all reasonable times be open for inspection by the members **and the Head of Department.**

20. VACANCIES

If a vacancy arises within six months before the expiration of the term for which parents are elected to the governing body, due to the departure of a parent member, and the remaining members are sufficient to form a quorum, the remaining members elect, by majority vote, a person or persons to fill the vacancy or vacancies for the remainder of the period of office of the governing body.

21. COMMITTEES

21.1. **The standing committees of the governing body are the following:**

- 21.1.1. **finance committee (all governing bodies must make provision for the establishment of such a committee);**
- 21.1.2. grounds and building committee;
- 21.1.3. fund-raising committee;
- 21.1.4. library committee;
- 21.1.5. executive committee;
- 21.1.6. staff selection committee.

21.2. The members of a finance committee are:

- 21.2.1. **the principal;**
- 21.2.2. **the treasurer;**
- 21.2.3. **chairperson; and**
- 21.2.4. **a parent**

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

21.3. **The members of the fund-raising committee are three governing body members elected by the governing body plus one person elected by the governing body who is not a member of the governing body.**

21.4. **At its first meeting, a committee elects its own chairperson who must be a member of the governing body.**

21.5. Each committee reports to each ordinary meeting of the governing body on its activities.



A special education committee is compulsory if the school has a class for learners with special education needs.

A standing committee is a permanent committee of the SGB.

The need for a standing committee in a particular area depends on the particular needs of a school and the community that it serves.



Section 30(1)(b) of SASA, 1996 says that the governing body may appoint members to a committee including persons who are not members of the governing body on the grounds of expertise.

22. ANNUAL GENERAL MEETING OF PARENTS

The chairperson calls an annual general meeting of parents for the purpose of considering the:

- 22.1. **annual financial statements of the governing body;**
and
- 22.2. **the chairperson's report on the activities of the governing body during the preceding year.**

23. ANNUAL GENERAL MEETING OF LEARNERS

The chairperson calls an annual general meeting of learners for the purpose of considering the:

- 23.1. **annual financial statements of the governing body;**
and
- 23.2. **the chairperson's report on the activities of the governing body during the preceding year.**

24. ANNUAL GENERAL MEETING OF EDUCATORS

The chairperson calls an annual general meeting of educators for the purpose of considering the:

- 24.1. **annual financial statements of the governing body;**
and
- 24.2. **the chairperson's report on the activities of the governing body during the preceding year.**

25. ANNUAL GENERAL MEETING OF NON-EDUCATORS

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

- 25.1. **annual financial statements of the governing body;**
and
- 25.2. **the chairperson's report on the activities of the governing body during the preceding year.**

26. AMENDMENTS TO THE CONSTITUTION

All amendments to the constitution must be adopted with a two-thirds majority of the members on due notice at either an ordinary or extraordinary meeting of the governing body.

AGREED TO BY THE FOLLOWING MEMBERS OF THE GOVERNING BODY:

On 29 April 1999 at Kwa Mashu.

- | | | |
|-----|---------------|--------------|
| 1. | B.E Malinga | principal |
| 2. | S.Ngcobo | parent |
| 3. | R.Dlamini | parent |
| 4. | B.Gwambe | parent |
| 5. | S.Hadebe | parent |
| 6. | F.Msomi | parent |
| 7. | L.Bhengu | parent |
| 8. | R.Cele | parent |
| 9. | Themba Mkhize | learner |
| 10. | Thoko Zama | learner |
| 11. | C.Mthembu | educator |
| 12. | S.Nxele | educator |
| 13. | G.Chonco | non-educator |

NOTES

ACTIVITIES

1. STRUCTURE

See if you can answer these questions about the structure of a school governing body.

Choose the one that you think is the correct answer.

1. The principal is
 - a. elected to the school governing body
 - b. automatically part of the school governing body
 - c. a non-educator representative on the school governing body.
2. If there is only one non-educator on the staff
 - a. there will be no non-educator representative on the SGB
 - b. that person may become the non-educator representative.
 - c. that person will be a co-opted member.
3. If there are 5 or more non-educators on the staff
 - a. 1 non-educator is elected to the SGB
 - b. 2 non-educators are elected to the SGB
 - c. 3 non-educators are elected to the SGB
4. A co-opted member
 - a. votes on policy and administrative decisions, but not on day-to-day management issues
 - b. can only vote if he or she is a parent
 - c. can only vote if he or she is temporarily co-opted to replace an elected member.
5. An educator at the school who is also a parent
 - a. can be elected as a parent representative at that school
 - b. can be elected as an educator representative
 - c. cannot be elected
6. There should be
 - a. no more than 5 parent members on an SGB
 - b. more parent members than co-opted members on an SGB
 - c. more parent members than other voting members on the SGB

7. Learner representatives are elected to the school governing body if the school runs from:
 - a. grade 8 to grade 12
 - b. grade 1 to grade 6
 - c. grade 4 to grade 7
8. A school governing body should meet at least:
 - a. 3 times a year
 - b. 4 times a year
 - c. 5 times a year
9. A member will cease to be a member if he or she misses
 - a. the meeting to adopt the constitution
 - b. two ordinary meetings in a row without leave
 - c. three ordinary meetings in one year
10. The SGB can co-opt
 - a. a maximum of 5 members
 - b. as many members as it needs to, as long as they all have children at the school
 - c. as many members as it needs to, as long as they have skills that the SGB needs

If you could answer all of these questions easily, without having to look for the answers in your manual, you have a very good understanding of the structure of an SGB.

2. FUNCTIONS

(a) True or false?

Decide whether the following statements are true or false.

	True/False
1. To help the educators perform their professional functions, school governing body members should sit in on some of their lessons.	
2. A mission statement sets out what the school intends to achieve in the next few years.	
3. The school governing body should encourage staff members to offer extra voluntary services to the school.	
4. The school governing body is tasked with the administration and control of the school's grounds and buildings, therefore they should be involved with the SMT in deciding who should teach where.	
5. Anyone can ask to examine the school's financial statements.	
6. A school decides to add on a laboratory and, even though it has had the additional function of maintaining and improving the school's property allocated to it, it has to consult the DEC about it before going ahead.	
7. There is a public holiday on a Tuesday, so the school governing body has the right to allow the school to operate on a previous Saturday then take the Monday off.	
8. As long as the money is receipted, the SGB is permitted to use cash received as school fees to pay for the work of a contractor, without that money being channelled through the school bank account.	
9. The school governing body agrees to a request from the local cultural society to make the school's premises available on a Saturday morning, on a non-payment basis, for a choir competition. This is acceptable as the school governing body controls the use of the school buildings.	
10. The school governing body is not permitted to join any association that claims to collectively represent school governing bodies.	

(b) Whose responsibility?

Study the list of functions below and decide whether each one is the responsibility of:

- the school governing body (G) ,
- the SMT (M) ,
- the DEC (D) or
- a combination of the different groups.

Write the initial representing the correct group in the column on the right. In some cases you may wish to write more than one group.

	G/M/D
1. Determination of the school's curriculum.	
2. Supervision and control of educators' work.	
3. Matters concerning learners' wellbeing.	
4. Compilation of school's mission statement.	
5. Formulation of school's action plans.	
6. Compilation of the school's instructional timetable.	
7. Allocation of subjects/classes to educators.	
8. Allocation of educators involved in co-curricular duties.	
9. Selection of school's representative teams / groups.	
10. Determination of the examination dates.	
11. Determination of criteria for awards to learners.	
12. Guidance and control over state-employed non-teaching staff.	
13. Allocation of use of school's facilities by outsiders.	
14. Fund-raising.	
15. On-going (in-service) training of educators.	
16. Utilisation of physical facilities for the benefit of the learners.	

17. Drawing up of the school fund budget. 18. Monitoring of the instructional effectiveness of educators. 19. Appraisal of members of the school's management team. 20. Apportionment of funds for various activities at the school. 21. Adoption of code of conduct for learners. 22. Maintenance of learner discipline. 23. Investigation of allegations of alleged professional misconduct by educator. 24. Suspension and/or the expulsion of a learner from a hostel. 25. Monitoring of academic standards of the school. 26. Monitoring of academic progress of learners. 27. Determination of the system of examination/testing at the school. 28. Interviewing of applicants for post level 1 posts at the school. 29. Identification of promotion posts to be filled at the school. 30. Recruitment of educators. 31. Legal action against parents who have not paid school fees. 32. Public relations/marketing of the school. 33. Decision to request an evaluation of the school's performance. 34. Meeting with the Superintendent of Education (Management) on a regular basis. 35. Involvement in the pastoral care programme for the educators. 36. Action against an inefficient educator. 37. Unfavourable remarks about the work performance of an educator: decision to take action. 38. Admission of learners to the school.	G/M/D
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39. Setting criteria for the use of school facilities by outsiders. 40. Recommendation on the expulsion of a learner. 41. Identification of post level 1 state-funded posts. 42. Communication with the parents; general and specific. 43. Determination of holiday times for the school. 44. Confirmation of permanent appointments. 45. Motivation of parents to become involved in the school. 46. The arrangement of visits by subject advisers. 47. The planning of the school's yearly programme. 48. The daily management of the school. 49. Recommendation on the appointment of state-funded non-educator staff. 50. Recommendation on the appointment of educators to posts at the school.	G/M/D
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3. POLICIES

(a) Case study: Constitution of the school governing body

People have different views on the need for a constitution. Some believe that it is just a document that is required by the Education Department whilst others believe that it is necessary for the smooth running of the governing body.

It is the second meeting of the newly elected governing body of Simunye Primary School and they are keen to start with their work. Mrs Mkhize, the chairperson, wants to start the meeting. Mrs Ngcobo, a parent member, objects, saying " Some of the members of the governing body are absent and we can't make decisions without them." Miss Nxumalo, the principal, disagrees and says " But seven members out of the twelve members are present, therefore the meeting should continue." Mr Malinga, a parent member, is also unhappy and says, " I received notice of the meeting only yesterday." Mrs. Mkhize, the chairperson, apologises and starts the meeting with a prayer.

Mr. Zaca, the secretary says, "I am unable to write down what is going on in this meeting. None of the other parent members can do this well." The chairperson suggests that an educator representative should assist the governing body with this duty. Miss Mthembu, one of the educator representatives says, "It is not our duty to be the secretary." The principal asks Mr Hlela, the other educator representative to assist the governing body secretary to record the minutes.

Mrs Ngcobo says, "The community is unhappy with teachers who are coming late to school and wish to talk to them." Miss Mthembu objects saying, "This is a professional matter." The meeting becomes chaotic and everyone is talking out of turn.

There is so much confusion and no one knows what to do next.

- a) How do you think a constitution would have helped the new governing body at Simunye C.P School ?
- b) Simunye C.P.School decides to adopt a constitution similar to the one shown on pages 50 - 60 of this manual. How would this constitution have helped them to solve the following problems which occurred in the meeting:
 - The minimum number of people required for a meeting (quorum)
 - Notice period for meetings.

- Appointment of a 'honorary secretary'
- The difference between governing body functions, duties and powers and professional matters of the school.

(b) Our SGB: The constitution

If your SGB does not have a constitution you should complete the activity on this page. If your SGB does have a constitution complete the activity on the next page instead.

Drafting a constitution

- Make a list of all the things that you will need to discuss and make decisions about before you write the constitution.
- Plan how you are going to go about writing a constitution. Write down all the steps you need to follow from now until the final constitution is adopted. Remember to include consultation meetings as well.

Hint: Look through the example constitution on page 50. All the things you will need to agree are printed in bold.

(c) Amending a constitution

Read the constitution for your SGB and answer these questions

- Do you understand everything in the constitution?

If you said no, you will have to mark the sections that you do not understand and get someone to explain what they mean. If no one on your SGB understands something, you have a problem! You might need to ask someone from the school community, or from the Department of Education to explain it.

- Is there anything in the constitution that is making it harder for you to do your work as an SGB?

What is it? Is it something that you can amend?

- If it is something that you can amend, draft an amendment.

Look at the example constitution on page 50. If the information about that issue is written in bold, you can re-discuss this issue and amend the constitution so that you can operate better. If the information is in plain text, you cannot amend the constitution. It is something that the law says you have to do.

(d) Our SGB: Vision Statement

If your school has a vision statement, write it down.

If your school does not have a vision statement, write down what you think it should be.

(e) Our SGB: Mission Statement

If your school has a mission statement, write it down.

If your school does not have a mission statement, write down what you think it should be.

(f) Case study: Admissions policy

Zanele is a grade 6 learner who comes from Mafekeng . Her father has been transferred to a town close to Simunye C.P.School. The school's language policy is that English and IsiZulu are the languages of instruction. Zanele is fluent in Tswana but is having difficulty with IsiZulu and English.

- i) As the school is not sure of her competency in IsiZulu and English, the principal wishes to administer a test to see if she can cope at the school. Is he allowed to do this ? Give reasons for your answer.
- ii) Can the school refuse to admit Zanele?
- iii) If she is refused admission, can her parents argue that she is being discriminated against?
- iv) What can her parents do if she is refused admission at Simunye C.P.School?

(g) Role Play: Problem oriented policy making

Study each of the roles below and then get a few members of the governing body to take the part of the different characters who are trying to address the problem of drug abuse at Ilanga Secondary School.

Recently at Ilanga Secondary School the educators have been complaining that some of the learners have become disruptive in class and there has been an increase in learner aggression. They suspect that some of the learners are taking drugs. At one of the governing body meetings at the school, this matter was discussed and the following views emerged.

The chairperson, Mrs Mkhize, is concerned that the learners at the school are becoming difficult to teach and there is a breakdown in discipline. She believes that something must be done to improve the situation.

The principal, Mr Hlela, agrees and says that he suspects that some of the learners may be taking drugs. He then goes on to suggest that the educators should search the learners on a regular basis.

The learner representative, Mandla, is adamant that this is a violation of the learner's rights that are guaranteed in the Constitution of South Africa. This, he says, guarantees individuals the right to privacy and dignity. He is unhappy that the learners should be treated in this manner and is against any form of search procedures.

Ms. Mthembu, the educator representative, suggests that the governing body draw up a policy on drugs and alcohol abuse; and in this way the problem relating to drugs could be addressed. She believes that all the role players should be consulted.

(h) Our SGB: Problem oriented policy making

Complete the table below. In the left hand column write down the problems that exist at your school. In the right hand column, put a tick next to all the problems that you think can be addressed by having a policy.

Problems that exist at our school	Policies needed

Choose one of the policies that you have said you will need. Make a plan to develop that policy, by writing down all the steps you need to follow from now until the policy is adopted. Think about the all meetings, consultation processes, and writing tasks that need to be done when you make the plan.

4. PLANNING

a) Planning for an SGB

This activity will help you to plan the structure of your SGB, if your school does not have one, or if you need to change the structure.

Reproduce this list then write down the number of representatives that you need to elect. If you have already elected them, write down their names as well.

Principal

Educators

Learners

Non-educators

Parents

Do you need any co-opted members?

Write down the people and skills that you have in mind.

(b) Who plans?

The school development committee (SDC) at Simunye CP School consists of:

- The principal, who has been there many years;
- The deputy principal, also a long serving member of staff;
- The chairperson of the school governing body, who tends to let the principal take over; and
- A newly appointed staff member, not a member of the school governing body.

What do you think might be the possible strengths and weaknesses resulting from the composition of this SDC?

In your SGB:

Who plans?

What would be the best way for your SGB to do planning?

Do you think you need an SDC?

Who should be on the SDC?

(c) A SWOT analysis

To set about planning, the SDC decided to do a SWOT analysis. The following items appeared frequently on most lists. Try classifying them as Strengths, Weaknesses, Opportunities and Threats:

- Poor security
- Donation of 5 computers
- Sound discipline
- Stable staff
- Erection of large factory nearby
- Parents do not regard education as a top priority
- Absence of specialist rooms
- Recent water connection
- Large outstanding electricity bill
- Many learners moving to the cities
- Inadequate stationery and text-book supply
- Training programmes being offered for School Governing Body members

In your SGB:

What are the Strengths, Weaknesses, Opportunities and Threats of your SGB?

To answer this question divide a full page into 4 squares like the example below.

Some things to consider...

What some people would consider as weaknesses or threats, others may consider as challenges and opportunities for future growth.

Strengths	Weaknesses
Opportunities	Threats

(d) Identifying issues

The SDC decides to identify things in the school that need attention. It lists 10, then puts the list up in various places around the school with the request that anybody interested should comment on it.

What is your opinion of this method?

In your SGB

How would you go about identifying issues and consulting roleplayers?

(e) Identifying Priorities

The SDC decides to prioritise its list of development projects.

To do this democratically it decides to ask the school governing body, the staff and the RCL as groups to list each item in order of importance. The three lists will then be studied by the SDC and a final list drawn up by them.

Comment on this method.

In your SGB:

What do you think the best way of prioritising issues would be for your SGB?

(f) Performance indicators

A school chooses 'improving learner attendance and punctuality' as one of its priorities.

The following performance indicators were chosen to help it decide whether it was succeeding. Try classifying them as either quantitative or qualitative.

- Outlook of the learners towards late-coming
- Attendance as shown on the registers
- Number of learners late for lessons after break
- Community attitudes towards learners seen wandering in the streets during school time

Can you think of any others?

Some things to consider...

How did the SDC arrive at its list?

Will all stakeholders have a chance to comment?

How will stakeholders comment?

Some things to consider...

Is this a fair and democratic system?

How will each group decide on the order in its list?

5. MOTIVATING THE SGB

Read this case study, then answer the question below.

The school governing body of Simunye CP School has been meeting regularly for two years but little has been achieved and some of the members are becoming unhappy. Attendance has become irregular. Mr Ngcobo, a parent who owns a shop in the nearest town, has stopped coming altogether and the attendance of the others is not at all regular. Many say that they cannot attend meetings during the day as they are at work and they do not like travelling at night. The staff representatives have also missed several meetings. They complain about the meeting times as they have transport problems.

The committees set up by the school governing body in its first year have stopped operating, and it is not often that the treasurer is able to present an up-to-date financial report.

Mrs Mkhize, the chairperson, is in low spirits about the whole situation, but is still keen to improve it.

What advice would you give Mrs Mkhize ?

Answers:

In some cases these are suggested answers and you may well come up with valid alternatives.

1. Structure

- 1 - b
- 2 - b
- 3 - a
- 4 - c
- 5 - b
- 6 - c
- 7 - a
- 8 - b
- 9 - b
- 10 -a

2. Functions

(a) True or False

- 1. False. SGB members should not interfere in professional functions.
- 2. True.
- 3. True. See SASA Reg. 20(1)(h)
- 4. False. The SGB SMT should work together, but the SMT decides on the day-to-day administration.
- 5. False. Can do so only if they can prove an interest (eg if they are parents).
- 6. True. The school property remains State owned therefore the State should be consulted.
- 7. False.
- 8. False. See KZN Reg. 68(2).
- 9. True. See KZN Reg. 4(1)(g) and Reg 5(1)(f).
- 10. False. See KZN Reg 5(1)(e).

(b) Whose responsibility?

1	G/M	11	G/M	21	G	31	G	41	M
2	M	12	M	22	G/M	32	G/M	42	M/D/G
3	G/M	13	G/M	23	M/D	33	G	43	D
4	G/M	14	G/M	24	G/M	34	M	44	D
5	G/M	15	M/D	25	G/M/D	35	G/M	45	G/M/D
6	M	16	G/M	26	M	36	M/D	46	M
7	M	17	G/M	27	M	37	M	47	M
8	M	18	M	28	G	38	G/M	48	M
9	M	19	D/M	29	D	39	G	49	G
10	M/D	20	G/M	30	G/M	40	G	50	G

3. POLICIES

(a) Case study: Constitution of the school governing body

- i) The constitution is a document that explains how the SGB should be run. It sets out the rules, regulations, functions and powers within which its members will operate. Therefore a constitution would have given each member a clear idea of what they can or cannot do.
- ii) The constitution would:
 - state the minimum number of people that are necessary to conduct a governing body meeting, for example, at least 50% of the members must be present;
 - give the minimum period for notice of a meeting, for example fourteen days' notice for ordinary meetings;
 - state that an educator or non-educator may be required to assist the governing body secretary;
 - define the functions of the governing body in such a way that it is clear about what matters the governing body may engage in.

(f) Case study: Admissions Policy

- i) No. Section 5 of SASA clearly states that no tests may be administered in relation to the admission of learners. Only the Head of Department may request a learner to undertake a suitable test where it would be in the educational interest of a learner.
- ii) No. The National Education Policy Act 27 of 1996 sets out the admission policy for ordinary public schools. Zanele may only be refused admission if the school is over-subscribed and if this is the case, Simunye C.P. must refer her to a neighbouring school (for more information see Governmental Gazette 19377 of 19 October 1998)
- iii) Zanele's parents may argue discrimination if she is refused admission on the basis of language, i.e. if the school argues that she is Tswana speaking and is not fluent in English or Isizulu. On the other hand, Zanele's parents may not demand that she receives instruction in Tswana as Simunye C.P. School may argue that it is not reasonably possible to offer a single learner instruction in Tswana.
- iv) If Zanele is refused admission on the grounds that she is not competent in English and IsiZulu her parents may bring this to the attention of the H.O.D. for redress.

In compiling these manuals we acknowledge the use of the following

Understanding the SA Schools Act	Department of Education
First Steps	Department of Education
School Governance	Department of Education, Training, Arts and Culture, Province of the Northern Cape
School Governance	Department of Education, Culture and Sports, Province of the Eastern Cape

