

Understanding School Governance

Manual 2

School Governing Body Elections



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



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

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Activities

Forms



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

Glossary:

The meaning of some of the words used in this manual

A box into which the votes are placed.

Ballot Box

A form that voters use to indicate their choice of candidate(s).

Ballot paper

A person who is standing for an election.

Candidate

The process of choosing a candidate or candidates for a vacant position(s).

Election

The person who is in charge of an election.

Electoral officer

Head of Department of Education in KwaZulu-Natal. Also known as Superintendent General, Secretary of Education or Chief Executive Officer (CEO).

HoD

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

MEC

The act of proposing or suggesting someone for election.

Nomination

The person who has been proposed to stand for election.

Nominee

Member of the staff of a school who is not defined as an educator in terms of the Educator's Employment Act, 138 of 1994.

Non-educator

Representative Council of Learners.

RCL

The rules or guidelines that enlarge on an Act.

Regulations

Ballot forms that have been completed incorrectly or defaced.

Spoilt papers

To choose a candidate in an election.

Vote

List of people who are allowed to vote in an election.

Voters' roll

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:	Introduction to School Governance
Manual 2:	School Governing Body Elections
Manual 3:	Conducting Meetings and Keeping Records
Manual 4:	School Fund: Departmental Regulations
Manual 5:	Basic Financial Systems for Schools (training manual)
Manual 6:	Discipline and Codes of Conduct for Learners
Manual 7:	The School as Employer

Manual 2:

School Governing Body Elections

Manual 2 gives an overview of school elections and how school governing body members are elected. The role of the electoral officer, who is the school principal or acting principal, is highlighted and a step-by-step explanation is given for the way he or she should conduct school elections. The Representative Council of Learners (RCL) is also covered and a guide for its election is given. The procedure that should be followed in holding school elections of the following sectors is explained:

- Parent members
- Educator members
- Non-educator members
- Learner members

This manual is an essential resource for new governing bodies and new governing body members. It is useful in helping governing bodies understand school elections and is an accessible reference guide to aspects of legislation that regulate school elections.

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

SCHOOL ELECTIONS**1.1 WHAT ARE SCHOOL ELECTIONS?**

The South African Schools Act (SASA) of 1996 introduced a new way of governing schools. One of the things that the Act introduced was that every school has to have a governing body which is made up of elected members. By voting the school community chooses who it wants as members of the school governing body. All members (except for co-opted members and the principal who is a member in his or her official capacity) are elected on to the governing body. Schools hold elections where people in each sector of the school community elect representatives. These sectors are:

- parents
- educators
- non-educators
- learners (only in schools with grade 8 or higher grades).

An election is a process of choosing a member(s) by voting. The successful member(s) are those with the most number of votes.

Candidates are the people who are standing for an election.





The election procedures are decided by the provincial MEC (Member of the Executive Council who is the Minister of Education and Culture: KwaZulu-Natal). The MEC has to publish these procedures in the Provincial Gazette. These include:

- The terms of office of members and office-bearers.
- Identifying the person to conduct the process for the nomination and election of members of the governing body.
- The procedure for ending membership of the governing body and the closure of a school governing body.
- The procedure for filling a vacancy on the governing body.
- Issuing guidelines to promote the highest level of representivity on the governing body.
- Determining a formula for the calculation of the number of members to be elected in each of the categories.
- Deciding on any other matters necessary for the election, appointment or assumption of office of members of the governing body.



1.2 When are elections held?

When you should hold elections depends on whether your school has had a governing body in the past or not.

New schools:

When a new school is opened a governing body has to be elected. The election must be held within sixty days of the new school opening.

Older schools that do not have a governing body:

With older schools the first election meeting must be held within sixty days of a date decided by the MEC. Governing body elections took place in public schools in KwaZulu-Natal after the publication of Provincial Gazette No. 5202 dated 15 May 1997.

Schools that already have a governing body:

Elections are held immediately after the previous governing body's term of office has expired. The election may not be held more than thirty days before the previous governing body's term of office has expired or later than thirty days after the expiry date.

The old governing body whose term of office has expired, must remain in office until the new governing body is elected. Remember that previous members, who are still eligible to be elected, may offer themselves for re-election for another term.

eg

For example:
If a governing body's term of office expires on the 30th of November, elections for the new governing body cannot happen before the 1st of November or after the 30th of December.

1.3 How many elected members should there be?

Principal

The principal is automatically a member of the school governing body.



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 non-educator he or she may offer to serve as a member of the governing body . If there are none, the place remains vacant.



Learners

If the school has 8th grade or higher grades, the RCL elects two learners.

Parents

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



Education Laws
Amendment Act
No. 100 of 1997



See
Manual 1
for details on how to
calculate the number
of parent members.



Representivity is discussed in both manuals 1 and 2 because it is regarded as a vital transformational issue.

1.4 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.

Here 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 could include:

- 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 parents' attention that a representative governing body is in the best interests of the school.
- Encouraging the nominations from groups that are underrepresented.
- 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 underrepresented communities by:

- Co-opting members from underrepresented groups.
- Appointing members from underrepresented groups as members of committees of the governing body.

1.5 What is the term of office of members?

Learners

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. Of course, if they cease to qualify within those three years they also cease to be members. If they qualify, members can be re-elected again in following elections.

Office-bearers

The term of office of an office-bearer cannot be longer than one year. An office-bearer may be re-elected in the following years until his or her three year term of office as a member of the governing body expires.

1.6 Who qualifies to vote?

1.6.1 Parents



Only parents of learners at the school are allowed to vote. Their names appear in the voters' roll. This section is discussed in detail later on page 28.

If another adult is acting as a parent or guardian with regard to a learner's education, that adult can be put onto the voters' roll as a parent. In extended families it often happens that a person other than the natural parent (for example, a grandmother) assumes the role of a parent. If this happens, that person may vote as a parent and stand for election. However, the guardianship or parenthood of a child cannot be traded off simply in order to make a person who is not the parent or guardian eligible to vote and stand for election in a school governing body election.

Educators who are parents of learners at the school may vote in an election for parent members as well as for educator members, but may not stand for election as a parent member at that school.

Office-bearer:

An office-bearer is an official of the school governing body; for example the chairperson, vice chairperson, secretary and treasurer. Also discussed in Manual 1 and Manual 3.

SASA defines a parent as:

- (a) The parent or guardian of a learner.
- (b) The person legally entitled to custody of a learner.
- (c) The person who undertakes to fulfill the obligations of a person referred to in paragraphs (a) and (b) towards the learner's education at school.



Regulation 7(e)
P.N. 149/1997



Education
Laws
Amendment
Act No.48 of 1999

A non-South African citizen (or anyone who does not have a permanent resident permit) has the right to vote in a school governing body election but may only stand for election if they have permission in writing from the Head of Department (HoD).

1.6.2 Educators



All educators employed at the school may participate in the school elections. This includes governing body-appointed educators.

1.6.3 Non-Educators



Non-educators who are serving at the school may vote for non-educators who wish to serve on the school governing body. This includes governing body-appointed members of staff.

1.6.4 Learners



All learners from grade eight onwards are allowed to vote for a learner who will serve on the RCL. The RCL then elects two members who will serve on the governing body.

1.7 Who can stand for school governing body elections?

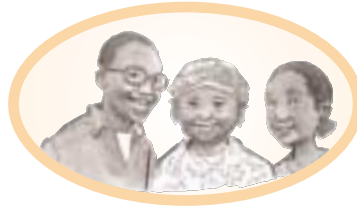
1.7.1 Parents



Only parents of learners at the school are allowed to stand for election to the governing body. The conditions described in section 1.6.1 above, apply. However non-South African residents are not allowed to stand for elections without the written permission of the HoD.

1.7.2 Educators and Non-educators

Any educator or non-educator employed at the school can stand for elections. Non-South African residents may not stand for elections without the written permission of the HoD.



1.7.3 Learners

All learners who are in grade eight or higher may stand for election to the RCL.



1.8 Who cannot be elected as a governing body member?

A person may not be elected as a governing body member if he or she:

- has been convicted of an offence and sentenced to more than twelve months' imprisonment without the option of a fine either inside or outside South Africa. If he or she served the sentence more than five years ago, this restriction no longer applies;
- is of unsound mind and has been declared so by a competent court. This means that a court has said that he or she has a mental problem, which makes it impossible for him or her to make decisions on behalf of other people or about finance;
- is an unrehabilitated insolvent; or
- is not a South African resident, unless he or she has got permission in writing from the HoD.



Regulation 7
P.N. 149/1997

Unrehabilitated insolvent people are those who have been declared bankrupt and have not corrected the situation. They may not borrow money again until they have made amends.

NOTES

2

ELECTION PROCEDURES

2.1 Who is in charge of school elections?

An electoral officer is the person in charge of the election. This person is responsible for conducting and managing all aspects of the election. The HoD appoints the electoral officer in writing. The electoral officer may appoint assistant electoral officers.

The principal or acting principal is the electoral officer of all governing body elections, including the by-elections, which take place if a member resigns during his or her term of office.

2.2 What are the duties of an electoral officer?

The electoral officer:

- Manages and administers the election in a fair and just manner.
- Understands all regulations relating to school elections and ensures that they are followed.
- Appoints assistant electoral officers.
- Compiles a voters' roll of parents, educators and non-educators.
- Ensures that all election proceedings are recorded and that minutes are taken of all election meetings.
- Presides at any meeting for the purpose of an election of the representative council of learners and school governing body.
- Decides in consultation with other roleplayers the date, time and venue of election meetings.
- Checks on who is allowed to:
 - ◆ be present at election meetings;
 - ◆ vote;
 - ◆ stand for election.
- Calls for nominations and announces the number of candidates to be voted for.
- Prepares ballot papers for elections.
- Supervises the casting of votes.
- Appoints people to count the votes.
- Draws up the final list of successful candidates and announces them to the meeting.



In Circular No.25 of 1997 the HoD

appointed school principals and acting principals as electoral officers for the representative council of learners and the governing body.



Sometimes the HoD may

appoint an electoral officer who is not the principal or acting principal of the school.



Regulation 8 P.N 149/1997 and

KZN Circular No.: 25 of 1997.



The Regional Chief Director is the person who is in charge of education for a particular region for example, Pietermaritzburg, Vryheid and Port Shepstone.



The electoral officer and assistant electoral officers may not be candidates or propose or second a candidate. The electoral officer and assistant electoral officer must promise to keep all information relating to the elections confidential.

- Ensures that all documents used in the election are stored.
- Notifies each candidate in writing of his/her appointment to the school governing body.
- Presents a report to the Regional Chief Director on the election process.
- Submits a list of the members of the school governing body, the constituents they represent, their addresses, telephone and fax numbers to the Regional Chief Director.

2.3 What should the electoral officer know before he or she conducts an election meeting?

The electoral officer must know all the sections of SASA which deal with elections very well before the election meeting.

The information is in the following sections of SASA:

Chapter 1(xiv)	Definition of 'parent'
Section 11	Representative Council of Learners
Section 23	Membership of the governing body of an ordinary public school
Section 28	Election of members of a governing body, including representivity
Section 29	Office bearers of a governing body
Section 31	Term of office of members and office bearers of governing bodies.

The electoral officer must have a good understanding of the following: Public Notice No.149 of 1997 and Public Notice No.151 of 1997.

- Regulation 7 Eligibility as members of a governing body
- Regulation 8 Electoral officers
- Regulation 9, 15 and 16 Notice of an election meeting
- Regulation 10 Decision on eligibility as voter or candidate
- Regulation 11 Election meetings
- Regulation 12 Nominations
- Regulation 13 Voting

2.4 What are the documents and forms that are needed?

There are some standard forms that have been designed to help you to run an election that is free and fair. If there are any problems with the process, they can be easily resolved by referring to the relevant documents.

The forms that are prepared before the election also help in managing a good election.

It is important for every electoral officer to have the following documents and forms on hand at the election:

- The South African Schools Act, No.84 of 1996.
- The KwaZulu-Natal Schools Education Act, No. 3 of 1996.
- Public Notice No.149 of 1997 relating to governing bodies of public schools.
- KwaZulu-Natal Circular No.25 of 1997 which appoints the principal or acting principal as the electoral officer.
- Letter of appointment of each assistant electoral officer to be issued by the electoral officer at each school (principal or acting principal).
- Guidelines for meetings (see Manual 3, Conducting Meetings).
- Public Notice No.151 of 1997 relating to learner organisations.
- Procedures for the election of each of the following:
 - ◆ The election of a representative council of learners for each school and thereafter the election of the representative council of learners' members to the school governing body.
 - ◆ The election of parent members.
 - ◆ The election of educator members.
 - ◆ The election of non-educator members.
- Attendance register.
- Voters' roll or list of parents who are eligible to participate in the elections.
- Form: Undertaking of secrecy/confidentiality to be signed by the electoral officer and assistant electoral officer(s).
- Notice of meeting.
- Nomination forms.



There are some sample forms at the back of this manual for you to use.

- Acceptance of nomination forms.
- Nomination form for absent person. A person who is not able to be at the meeting, can fill in this form before the meeting to indicate in writing that he or she accepts the nomination.
- Example of a letter to be sent to successful candidates:
 - ◆ A learner candidate elected to the governing body.
 - ◆ A parent, educator, and non-educator candidate elected to the governing body.

3

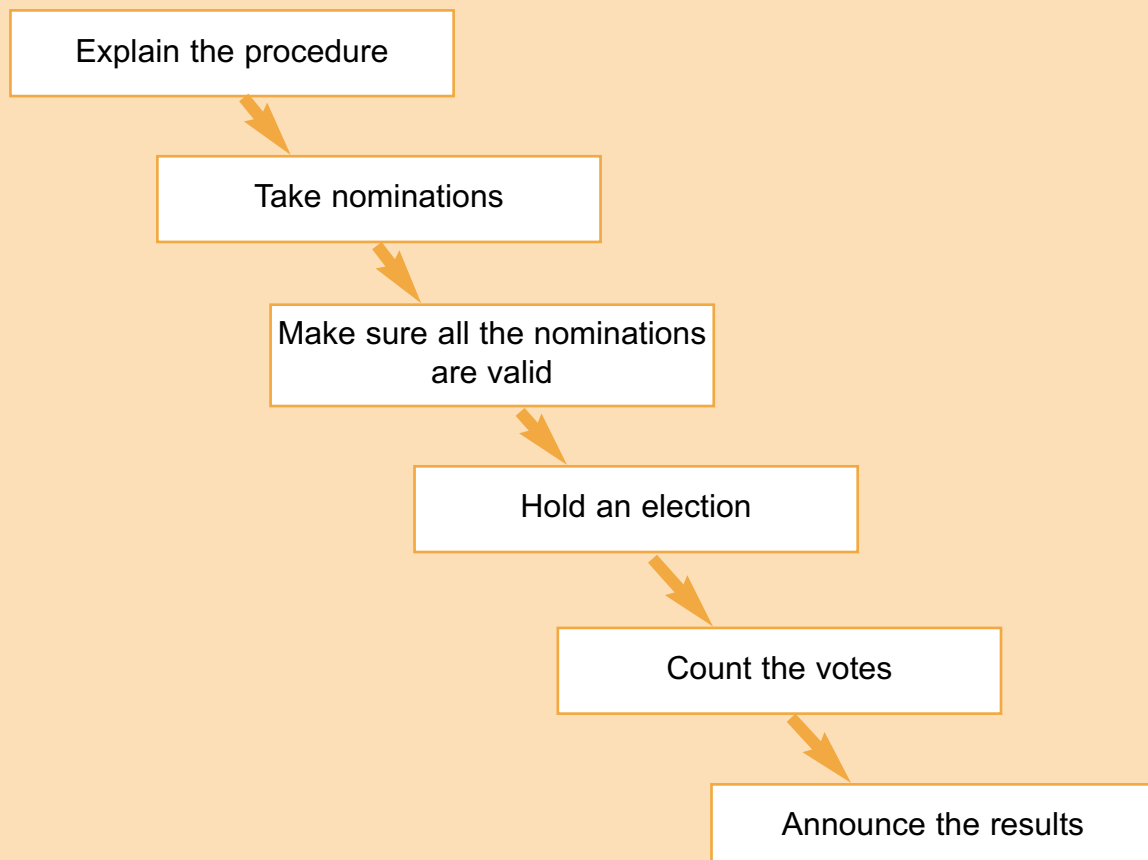
THE ELECTION MEETING

The electoral officer will need to hold four election meetings. There should be an election meeting for:

- Parents;
- Educators;
- Non-educators; and
- Learners.

The procedure that should be followed at all of the meetings is similar. However, at the meetings for parents and non-educators there may be many people who cannot read or write so you may need to use a different voting method. Also at the meeting to elect learner representatives, the learners will be electing a RCL and not representatives for the school governing body.

The procedure for the election meetings is:

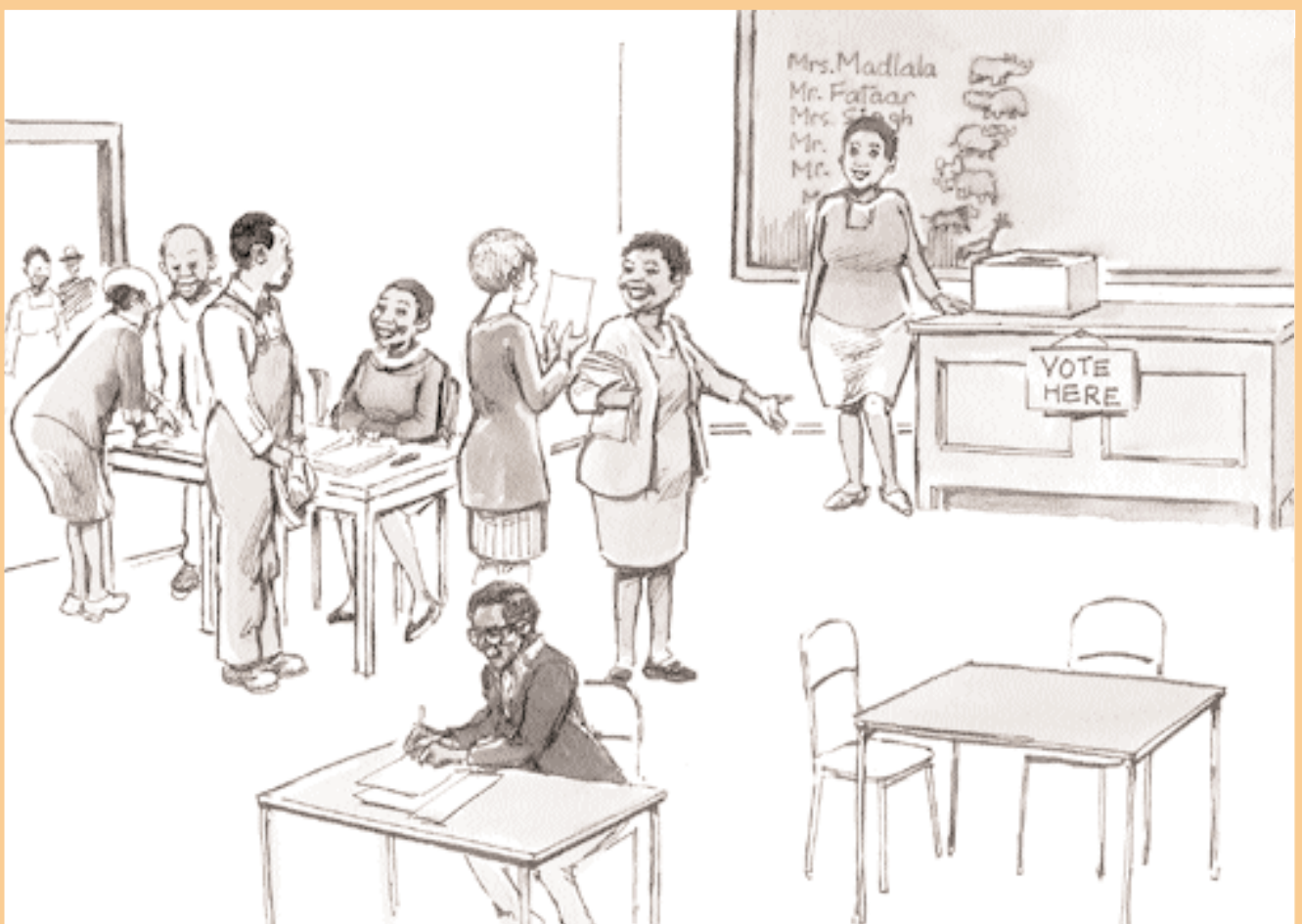


Although the procedure is similar for all the meetings, it is not exactly the same. You should also read the sections of this manual which give more information about holding each of the four different meetings.

3.1 How should the electoral officer prepare the venue for the election meetings?

The following steps will help the electoral officer to manage the elections:

- The election room/s should be prepared beforehand. Areas should be set aside for the voters' roll, handing out ballot papers, ballot boxes and counting tables. These areas should be clearly marked. The room must have a writing board or a flip chart.
- An attendance register should be taken of all those present. You could have a list for those attending to fill in at the door.
- Only those people who are entitled to vote should be present in the meeting. Anyone whose name does not appear on the voters' roll should be asked to leave the meeting. Consider checking people off on the voters' roll as they come into the room. This will prevent problems later on in the meeting. If you are expecting many voters at the meeting, you might need to have a few assistant electoral officers doing this task.



3.2 What should the electoral officer say at the meeting?

The electoral officer should address all those present at the beginning of the meeting. He or she should introduce him/herself as the electoral officer and any assistant electoral officers and vote counters.

- Inform the meeting that the first part of the meeting is for nominations and the second part of the meeting is for the actual election.
- Explain that there are regulations about who can and cannot stand for election. Explain what the restrictions are.
- Offer assistance to voters, especially those who cannot read and write.
- Ask those who are not entitled to vote, to leave the meeting.
- Tell the meeting how many people they will elect to serve on the governing body.
- Give the name of the assistant electoral officer who will act as secretary to the meeting and record the minutes of the proceedings.
- Inform the voters that they may vote for as many or fewer candidates as there are vacancies, and no more. Remind them how many people they will be electing. A voter who votes for more than the number of vacancies will have his or her vote declared a spoilt vote.
- Inform the voters that voting will be by secret ballot.



Regulation 7
P.N. 149/1997.
See section
1.8 of this Manual



Non-South
African
Residents who do
not have the
permission of the
HoD may not stand
for elections.



See
section 1.3 of this
Manual

A nominee is someone who has been asked to stand for election. The person who nominated him or her is called a proposer. A seconder is another person who supports this nomination.



Sample copies of nomination forms are included at the end of this manual.



Regulation 12(2) of P.N. 149/1997

3.3 How are nominations made?

The first part of the meeting sets out to get nominations for the vacant positions to be filled on the governing body. The electoral officer should decide how much time will be allocated for nominations and should clearly state the cut-off time after which no more nominations will be accepted.

You can use the following guidelines for the nominations process:

Asking for nominations

- Nominees must be proposed and seconded by people who are on the voters' roll.
- Nominations can be in writing and these could be presented to the electoral officer before or at the meeting. Nominations can also be given verbally at the meeting.
- People who cannot read and write should be assisted to fill in nomination forms.
- If a person who is not present at the meeting is nominated, the electoral officer must be given a written note from him or her saying that he or she accepts the nomination.
- After allowing for a reasonable period of time for nominations the electoral officer should declare that nominations are closed and that no more nominations will be accepted. If there are less nominations than the number of candidates to be voted for, the electoral officer can allow more time for nominations.
- If there are less nominations than the number of candidates to be voted for, the electoral officer can, with the approval of the meeting, encourage the people at the meeting to submit more nominations.

Considering the nominations

- When nominations have closed, the electoral officer must consider all the nominations and reject the nominations of those:
 - ◆ not properly nominated and seconded by people on the voter's roll;
 - ◆ who are not present at the meeting, and who have not accepted their nominations in writing;
 - ◆ nominees who are not eligible because of the conditions described in sections 1.7 and 1.8.

Candidate speeches

- Successfully nominated candidates or their proposers should then be given an opportunity to deliver a short speech (no longer than two minutes) to the meeting. In the speech the candidate should state why he or she would be a suitable person to serve the governing body.

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Speech:

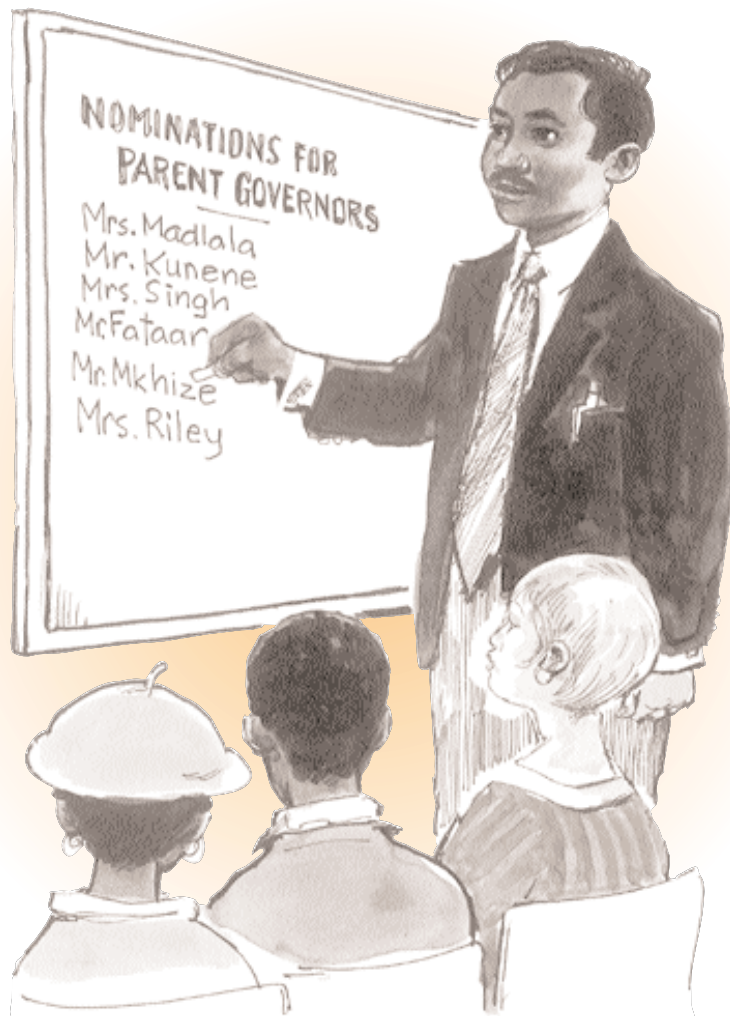
I am Patience Madlala. I am a clerk at the hospital and I have a son who is in grade 3. I wish to serve as a member of the Simunye C.P School governing body. If I am elected I promise to attend all meetings and will be committed to improving the conditions at the school. I have served in other community structures previously and I believe that I have sufficient experience to become a good governing body member. I am passionate about my son's education and would like to see that he and the other children in our community get the best possible education.

Deciding on the next step

- If the number of nominations is equal to the number of members who have to be elected, the electoral officer must declare the nominated persons duly elected. All those people who have been nominated will be elected members of the governing body.
- If more people have been nominated than are required to fill the positions on the governing body, after closing the nominations the electoral officer must immediately write down the names and initials of the successful candidates on a chalkboard so that it is clear to the meeting who has been nominated.
- If there are fewer nominations than the number of vacancies to be filled, the electoral officer must stop the meeting and call another election meeting. SASA and the Regulations in P.N. 149/1997 state that the parent members must always be one more than the total number of the other members.



At the second election meeting, the nomination process should start from the beginning again. Nominations submitted for the first election meeting are invalid.



3.4 How does voting happen?

Ballot Papers

Every voter who is eligible to vote must be handed a ballot form which has been approved by the electoral officer. It must have a distinctive mark on it, for example:

- The school stamp.
- The signature of the electoral officer.
- A special colour code.

All ballot forms must look the same.

Procedure for voting (Voting Method 1)

This is the procedure for the voting method that is used for most school elections. You may want to run the parent election in a different way. There is more information on this in section 4 of this manual.



See The Sample of a ballot paper at the back of the manual.

The electoral officer must do the following:

- Ensure that every voter is given a ballot paper.
- Show the voters that the ballot box is empty and then seal it in their presence.
- Explain the procedure for the casting of votes. These are the things which should be covered:
 - ◆ The confidentiality of all votes will be respected. It is a secret ballot.
 - ◆ The names of those nominated are listed on the chalkboard/flipchart etc.
 - ◆ Each voter writes the name(s) of the candidate(s) that he/she wishes to vote for on the ballot form.
 - ◆ Every voter has one vote for each candidate.
 - ◆ A voter who votes for more than the number of vacancies will have his/her vote declared a spoilt vote.
 - ◆ The ballot will be spoilt if a voter crosses out or writes over a name on the ballot paper.
 - ◆ The ballot form is then folded and placed into the ballot box by the voter.
 - ◆ Those that require assistance may ask the electoral officer.
 - ◆ Voters can only ask the electoral officer or assistant electoral officer to put his or her vote in the ballot box, if the voter cannot do it him/herself.
- Allow the voters to cast their votes. Make sure that the procedures outlined above are followed.
- Check that all the voters who wish to do so, have cast their votes and then declare the voting closed.

eg

There are 7 vacancies in the governing body and 10 nominations have been received. The total number of votes per voter that should be cast is 7. If there are more than 7 votes, the ballot paper is then declared spoilt. However, the voter may vote for fewer than 7 of the candidates.

A ballot paper must be regarded as spoilt if:

- It is unclear to the electoral officer who is being voted for.
- More names are written on the ballot paper than votes allowed.
- The ballot paper is not the official paper issued.
- A name has been crossed out or written over.



What happens if two candidates get the same number of votes?

If this happens for the last place on the list of candidates, the electoral officer must ask the voters to vote again for one of these two candidates.

Discrepancies are differences that occur.

3.5 How are the votes counted?

Before the election, the electoral officer would have appointed some members of the staff to count the votes. The meeting will need to nominate some voters to observe the counting process. The counting must be done in a place where everyone at the meeting can see what is happening.

The following steps should be followed in counting the votes:

- Under the supervision of the electoral officer, the counters should count how many ballot forms have been cast.
- If the number of ballot forms is equal to or less than the number of people who have voted, the counting may begin.
- If there are more ballot forms than people who voted, the voting should be repeated.
- All discrepancies must be recorded in the minutes of the meeting.
- The electoral officer will draw up the final list of successful candidates, sign and date the list and then have their names and initials written on the chalkboard.
- The electoral officer must announce the names of the successful candidates to the meeting.

3.6 What happens after the election?

There are more important tasks for the electoral officer after the election.

- All of the documents, including nomination forms and ballot papers used in the election, are extremely important and should be sealed in an envelope. This envelope must be kept in a place of safe-keeping for at least three months after the election.
- All of the successful candidates must be informed in writing of their election to the governing body.
- Finally, the electoral officer must inform the Regional Chief Director in writing, of the date of the election, the names and initials of the successful candidates, their identity numbers, addresses, telephone numbers and fax numbers where available.

3.7 What if someone wants to appeal the result of an election?

Any person who can vote in a governing body election may lodge an appeal to the Head of Department (HoD) if he or she believes that prescribed procedures were not followed. All appeals must be lodged within twenty-one days of the election. The HoD may, after investigation declare an election invalid and call for a re-election if he or she is satisfied that the prescribed procedures were not followed.



Regulation 19
P.N/49/1997

NOTES

4

PROCEDURES FOR ELECTING PARENT MEMBERS TO A SCHOOL GOVERNING BODY



4.1 How many parents should be elected?

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



See Manual 1

4.2 Who is responsible for conducting parent elections?

The electoral officer who is the principal or acting principal is in charge of conducting all school elections. Before the election, the electoral officer should:

- first, ensure that he or she has a good understanding of all the Acts and regulations that relate to school elections;
- organise an election for the parent members of the school governing body;
- decide whether or not to appoint assistant electoral officers if he/she thinks this is necessary in order to conduct a good election. These appointments must be done in writing;
- prepare a voters' roll of parents.



Remember the definition of PARENT in SASA and make sure that the information in the voters' roll is consistent with the details given to the school at learner registration.

4.3 What is a voters' roll?

A voters' roll is a list of parents who are eligible to vote in a school governing body election. Only parents who are listed on the voters' roll will be allowed to vote in the election. It is very important that the voters' roll is accurate, that all the parents of learners at the school are included, and that no one who is not a parent is included. Only parents who are listed on the voters' roll will be allowed to stand for election, and to nominate or second a candidate.

Anyone who does not meet the requirements and cannot be defined as a parent in terms of SASA and KZN Circular No.3 of 2000 will not be listed in the voters' roll and should not be allowed to vote or even to attend the election meeting. Any person who claims to be a parent must prove to the satisfaction of the electoral officer that he/she is a parent.

4.4 How is a voters' roll prepared?

A list of all parents with learners at the school must be drawn up. To do this you should examine the learner admission forms or the admission register for learners and make a list of all the parents. Take note of who signed or indicated verbally to the satisfaction of the principal that he/she is a parent of a learner at the school. Take care to ensure that the names of no more than two parents of every enrolled learner appear on the voters' roll.

The voters' roll of parents should have the following information:

- Full names of the learners.
- Learners' grade designation.
- Full names of their parents.
- Whether the parent is a South African resident or not. (A non-South African resident is entitled to vote but is not eligible to stand as a candidate in the election, unless the HoD has granted written permission. This letter must be shown to the electoral officer before nominations close for the election.)

You should write the voters' roll in alphabetical order, so that it is easy to check on names later.

An example of a voters' roll of Simunye C.P. School

eg

Parent's name	Non S.A Citizen	Learner's name	Grade
Bhengu, Jabu	Yes	Bhengu, Sipho	4c
Bhengu, Joyce			
Cele, Nathi		Cele, Themba	6a
Cele, Ntombi		Cele, Tandi	4b
Dlamini, Wiseman		Dlamini, Nosipho	3c
Ogunkulati, Miriam		Dlamini, Joseph	5a
Gaza, Dumisani		Gaza, Nokuthula	7b
Kanu, James		Kanu, Robert	1d
Mkhize, Julia			
Khoza, Chris		Khoza, Moses	2b
Khoza, Nonhlanhla			



In the example, the mother's name follows directly below the father's name, even if her surname is different from the learner's father's surname.

4.5 What should an electoral officer do before the election?

The electoral officer should decide on the date, time and venue for the election meeting. This should be done in consultation with as many people as possible. The meeting should take place at an appropriate and convenient time and venue for parents.

He or she must send out notices of the meeting to all parents who are eligible to vote and to stand for election. If the electoral officer is not the principal of the school he or she must hand a notice of the meeting setting out the date, time and place of the meeting to the principal for distribution at least twenty days before the meeting.

- The electoral officer must inform the parents of the election meeting at least fourteen days before the election.

He/she must do this by:

- ♦ handing a copy of the notice to every learner of the school with the instruction that they must hand this to their parents; or
- ♦ sending a copy of the notice to the parents by post;
- ♦ displaying a copy of the notice at any visible spot at the school or any other area if necessary, for example, churches, social clubs, community centres etc.



See copies of notices at the back of this manual.



Have you thought about:

1. Refreshments for parents.
2. The timing of the meeting (are there lights at the school? Is it safe to meet at that time? Will parents have to travel a long distance? Is public transport available at that time?).
3. Alternative plans if there is an unexpected event, for example a heavy rainstorm.



See

Section 3.2 of this manual.



4.6 The election meeting

4.6.1 What should the electoral officer say at the meeting?

At the beginning of the meeting the electoral officer should cover all the points in section 3.2 of this manual. At the parents' election meeting he or she should also tell parents that members of staff who are parents of learners enrolled at the school may vote, but may not stand as candidates.

4.6.2 How are nominations made?

Nominations at the parents meeting are made using the procedure which is outlined in section 3.3 of this manual.

Remember that:

- Nominees must be proposed and seconded by parents of learners enrolled at the school.
- Parents who cannot read and write should be assisted to fill in nomination forms.

4.6.3 How does voting happen?

There are two possible voting methods that can be used at a parents' election meeting. The methods are explained in detail on the following pages.

The first method requires voters to write down the names of the candidates they want to vote for on a single ballot sheet. It is the method that is covered in section 3 of this manual. This method will work well if most of the parents can read and write well, and only a few need assistance from the electoral officer.

The second method is a way for parents to vote without having to write anything down. They will use a separate ballot paper for each candidate they wish to vote for. This method may take longer, and it is difficult to run the election as a secret ballot election.

The electoral officer must make a decision about the best method to use for that particular school.

Voting Method 1

This is the procedure for the first voting method. The electoral officer must do the following:

- Ensure that every voter is given a ballot paper.
- Show the parents that the ballot box is empty and then seal it in their presence.
- Explain the procedure for the casting of votes. These are the things which should be covered:
 - ◆ The privacy of all voters will be respected. It is a secret ballot.
 - ◆ The names of those nominated are listed on the chalkboard.
 - ◆ Each voter writes the name(s) of the candidate(s) that he/she wishes to vote for on the ballot form.
 - ◆ Every voter has one vote for each candidate.
 - ◆ A voter who votes for more than the number of vacancies will have his/her vote declared a spoilt vote.
 - ◆ The ballot will be spoilt if a voter crosses out or writes over a name on the ballot paper.
 - ◆ The ballot form is then folded and placed into the ballot box.
 - ◆ Those that require assistance may ask the electoral officer.



See
Section 3.4 of this
manual.



Regulation 14,
P.N149/1997

- ◆ Voters can only ask the electoral officer or assistant electoral officer to put his or her vote in the ballot box, if the voter cannot do it.
- Allow the parents to cast their votes. Make sure that the procedures outlined above are followed.
- Check that all the parents who wish to do so, have cast their votes and then declare the voting closed.

Voting method 2

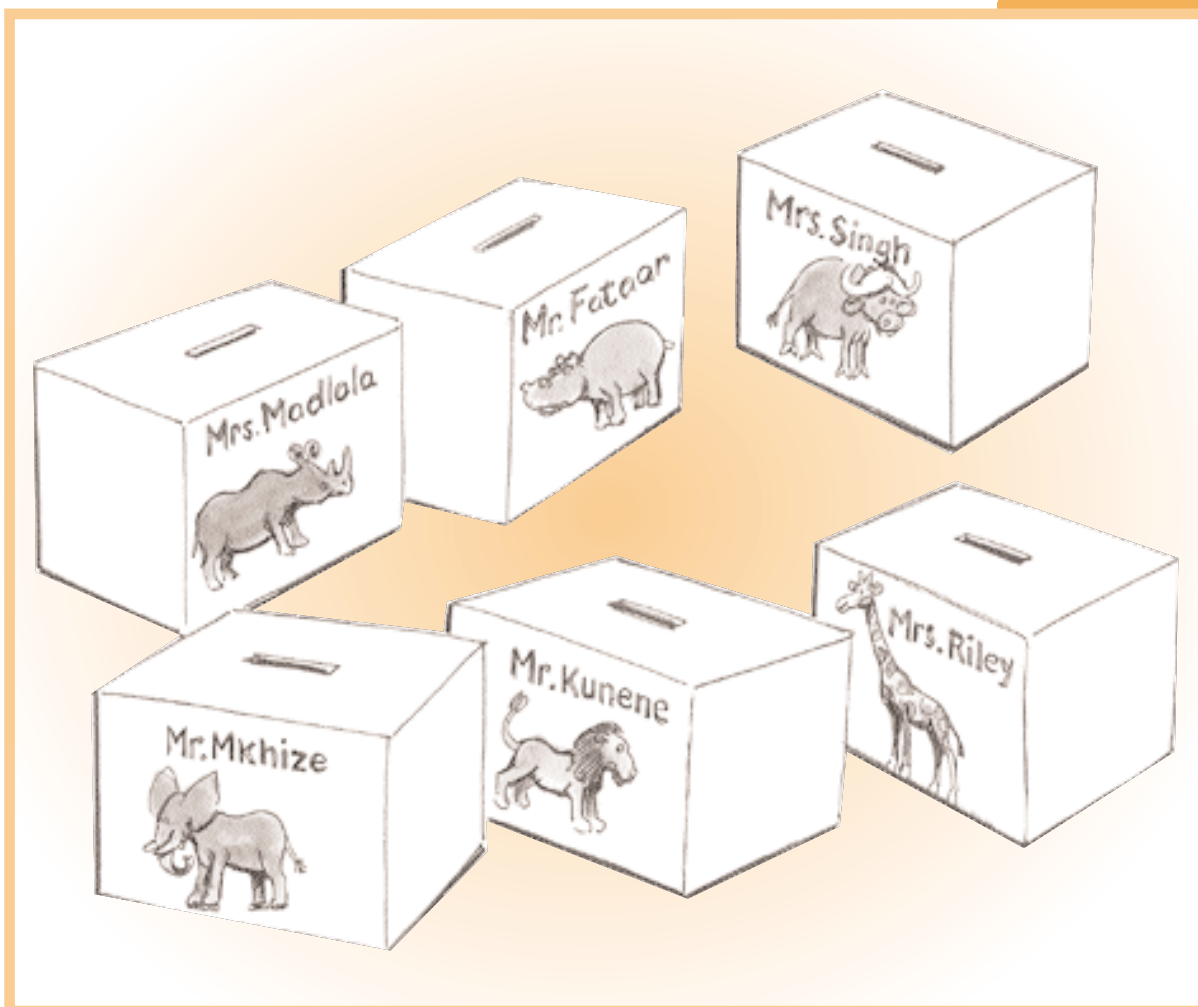
The electoral officer can use this method if he or she thinks that this is a more appropriate method. In making this decision the electoral officer will be guided by the number of parents who cannot read or write.

This is the procedure for the second voting method. The electoral officer must do the following:

- Give each voter a ballot paper for every vacancy that exists. All ballot papers must have the official stamp of the school or the electoral officer's signature on them. Mark separate ballot boxes for each candidate. You can do this by:
 - ◆ Writing the candidate's name on the box.
 - ◆ Colour coding each ballot box.
 - ◆ Attaching different symbols for every candidate to every box.
- Explain the procedure for the casting of votes:
- The privacy of all voters will be respected. You could ask all the parents to go out of the room and then come in one by one to cast their ballots.
- The names of the candidates should be listed on the chalkboard. You can write the names in different colours or put a symbol next to the candidate's name.
- Every voter has one vote for every vacancy that exists.
- Only the official ballot paper is to be used.
- The ballot forms are not marked or written on.
- Each ballot form is folded and placed into the ballot box(es) of the candidate(s) the parent wishes to vote for.
- Those that require assistance may ask the electoral officer.

Voters can only ask the electoral officer or assistant electoral officer to put his or her vote in the ballot box and no one else, if the voter cannot do it.

- Allow the parents to cast their votes. Make sure that the procedures outlined above are followed.
- Supervise the casting of votes and check that each voter places only one official ballot paper into the box of the candidate of their choice.
- Check that all the parents that wish to do so, have cast their votes and then declare the voting closed.



4.6.4 How are votes counted?

Votes are counted in exactly the same way in all of the election meetings. The procedure for counting of votes is in section 3.5 of this manual.



See
Section 3.5 of this
manual.

NOTES

5

PROCEDURES FOR ELECTING EDUCATORS TO A SCHOOL GOVERNING BODY



5.1 Who is responsible for conducting the election of educators?

The electoral officer, who is the principal or acting principal, is the person who is responsible for conducting this election. The electoral officer may appoint assistant electoral officers and they must be given letters of appointment. However, the electoral officer and assistant electoral officers may not be candidates or propose or second a candidate.

The electoral officer must be familiar with aspects of the legislation, regulations, departmental circulars and procedures relating to school elections.

5.2 How many educators are elected to the school governing body?

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 educators, two educators must be elected.

KZN Circular No. 25 of 1997 and KZN Circular No. 65 of 1998.



The duties and responsibilities of the electoral officer are discussed in sections 2.1, 2.2, 2.3 and 2.4 in this manual.



See Section 1.3 of this manual.



Education laws
Amendment 48
of 1999.

An educator is any person who teaches, educates or trains other persons, or who provides professional educational services, including professional therapy and educational psychological services, at a school. Any person who exclusively performs extra-curricular duties is not defined as an educator; for example a soccer coach who does not offer any other lesson at school.

5.3 Who are allowed to vote in, and stand for, elections?

All educators who are employed at the school are allowed to participate in governing body elections to elect educator members. This includes governing body-appointed educators.

Non-South African citizens may vote for educator representatives but may not stand as candidates for election, unless they have the written permission of the HoD.

The names of all educators who qualify to vote must be listed in a voters' roll.

The voters' roll must be displayed in a prominent place in the staff room or somewhere in the school for the attention of all educators. Educators should be given time to make objections to the voters' roll and add further names of those who qualify to participate in the election.

5.4 When does the election of educator members of the governing body take place?

The election must take place within seven days of the parents' election. It may happen either seven days before, or seven days after the parents' election.

The electoral officer should decide on the date, time and venue of the meeting in consultation with the educators and other roleplayers. Seven days' notice of the meeting must be given. If it is practicable every educator should be personally given a copy of the notice, by the principal or acting principal.

5.5 The election meeting

5.5.1 What should the electoral officer say at the meeting?

At the beginning of the meeting the electoral officer should cover all the points in section 3.2 of this manual. At the educators' election meeting he or she should also:

- State that all nominees, proposers and seconders must be educators at the school.

5.5.2 How are nominations made?

The nominations procedure for the election of educators is the same as the procedure for parents. The electoral officer must be well informed about the regulations which guide who can and cannot be elected as an educator representative.

Nominees must be proposed and seconded by educators employed at the school.

5.5.3 How does voting happen?

At the educators' election meeting you should use the procedures outlined in section 3.4 of this manual.

5.5.4 How are votes counted?

Votes are counted in exactly the same way as for the parents' election meeting. The procedure is outlined in section 3.5 of this manual.



See
Section 3.2 of this
manual.



See
Section 3.4 of this
manual.



See
Section 3.5 of this
manual.

NOTES

6

PROCEDURES FOR ELECTING NON-EDUCATORS TO A SCHOOL GOVERNING BODY



6.1 Who is responsible for conducting the election of non-educators?

The electoral officer who is the principal or acting principal is the person who is responsible for conducting this election. The electoral officer may appoint assistant electoral officers who must be given letters of appointment. The electoral officer and assistant electoral officers may not be candidates or propose or second a candidate.

The electoral officer must be thoroughly familiar with aspects of the legislation, regulations, departmental circulars and procedures relating to school elections.

6.2 How many non-educators are elected to the school governing body?

Only one non-educator may be elected to the school governing body.

KZN Circular
No. 25 of 1997



Regulation 7
P.N 149/1997

6.3 Who are allowed to vote in, and stand for, elections?

All non-educators who are employed at the school are allowed to participate in governing body elections to elect non-educator members. This includes governing body-appointed non-educators. Non-South African citizens may vote for non-educator representatives but may not stand as candidates for election without the written permission of the HoD. The names of all non-educators who qualify to vote must be listed in a voters' roll. The voters' roll must be displayed in a prominent place in the school for the attention of all non-educators. Non-educators should be given time to make objections to the voters' roll and add further names of those who qualify to participate in the election.



If the electoral officer is not the principal of the school he/she must hand a notice of the meeting setting out the date, time and place of the meeting to the principal for distribution at least fourteen days before the meeting.

6.4 When does the election of non-educator members of the governing body take place?

The election must take place within seven days of the election of the parent representatives. The election may take place either seven days before, or seven days after the parents' election. After consultation with roleplayers the electoral officer decides on the date, time and venue for the election meeting. Seven days' notice of the meeting must be given. If it is possible every non-educator should be given a copy of the notice personally by the principal or acting principal.

6.5 The election meeting

6.5.1 What should the electoral officer say at the meeting?

At the beginning of the meeting the electoral officer should cover all the points in section 3.2 of this manual. At the non-educators election meeting he or she should also:

- state that one non-educator is to be elected to serve on the governing body;
- say that each voter has only ONE vote. A voter who votes for more than one of the nominees will have his/her vote declared a spoilt vote;
- state that all nominees, proposers and seconders must be non-educators at the school.



See
Section 3.2 of this
manual.

6.5.2 How are nominations made?

Nominations for election of non-educators happen in the same way as the other nomination procedures covered in this manual. You will find the nomination procedure in section 3.3 of this manual.

The electoral officer should note that if there is only one candidate the electoral officer must declare that person duly elected.

6.5.3 How does voting happen?

The procedure for voting is in section 3.4 of this manual. If any of the non-educators at your school are illiterate the electoral officer could either assist them with voting, or decide to use voting method 2 to run the election. Voting method 2 is covered in section 3.6 of this manual.

6.5.4 How are votes counted?

Votes are counted in exactly the same way as for the parents' election meeting. The procedure is outlined in section 3.5 of this manual.



See
Section 3.3 of this
manual.



See
Section 3.4 of this
manual.



See
Section 3.5 of this
manual.

NOTES

7

PROCEDURES FOR THE ELECTION OF REPRESENTATIVE COUNCIL OF LEARNERS AND LEARNER REPRESENTATIVES TO THE GOVERNING BODY.



7.1 What is the Representative Council of Learners?

A representative council of learners (RCL) is established in schools that have learners who are in grade eight or higher. After the learners have chosen a RCL, two of its members are then elected to the school governing body.

The RCL is the body that represents learners on matters concerning them. It is the link between the learners of the school and the school management and governing body. The RCL is required to build unity among the learners, and keep learners informed about events in the school and in the community. The RCL is also tasked with the responsibility of encouraging good relationships between learners, educators and non-educators. The governing body consults the RCL when a code of conduct is compiled for all learners at the school. The RCL is required to support this code of conduct, which sets out to establish discipline in the school and an environment that is dedicated to the improvement and maintenance of the quality of the learning process.

SASA
Section 11(1)

Public schools with learners with special education needs may be exempted from establishing a RCL.



Regulation 3
P.N 151/1997



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

- Minors may not make contracts with others on behalf of the school.
- 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.

The RCL is a constituted body whose powers are decided by the governing body in consultation with the learners. The RCL's constitution sets out the following details:

- The composition of the RCL.
- The election of members for the RCL.
- The election of a chairperson, vice-chairperson and secretary.
- The term of office of members.
- Meetings to be held by the RCL.
- Voting procedures to be followed at meetings.
- Keeping of minutes.
- The functions and duties of office-bearers.

7.2 Who is responsible for managing the RCL election?

The school principal or acting principal is the electoral officer in charge of the election of the RCL. The electoral officer may appoint as many assistant electoral officers as required. In a large school it may be necessary to appoint educators to conduct the election meeting in their class. This must be done in writing and the electoral officers must sign an oath of confidentiality. The electoral officer and assistant electoral officers may not propose or second a candidate.

The electoral officer must be familiar with aspects of the legislation, regulations, departmental circulars and procedures relating to school elections.

7.3 When are RCL elections held?

RCL elections are held once a year as the term of office of the RCL member is one year. The elections should take place during the first term of each year. The term of office of a learner member of a governing body is one year. A learner may be re-elected as a RCL nominee for a period of only one year at a time.

7.4 How many learners are elected to the RCL?

Each class, in schools with grade eight or higher classes, is entitled to elect one representative to the RCL.

7.5 Who are allowed to vote and stand for elections?

All learners in grade eight or higher classes are allowed to participate in RCL elections.

7.6 The election meeting

7.6.1 How is the election of the RCL organised?

The following steps will assist the electoral officer to manage the elections:

- Elections will be conducted in each class group separately. For example if there are six classes in grade nine then there will be six separate elections.
- An assistant electoral officer must be appointed for each class election.
- The electoral officer should consult with the relevant stakeholders before setting the date for the election.
- The learners should be given sufficient notice of the date, time and venue of the election for each class group.
- Learners can be informed verbally or notices could be displayed in prominent places in the school.
- The election should be regarded as an opportunity to educate the learners about elections, electoral procedures, and democracy in practice. Classes could be encouraged to conduct some form of election campaign with speeches, election manifestos, placards and so on.

eg

Composition of RCL of Simunye High School.

Grade 8 (a,b,c,d)	4 members
Grade 9 (a,b,c)	3 members
Grade 10 (a, b)	2 members
Grade 11 (a,b)	2 members
Grade 12 (a)	1 member
Total membership	12 members



Each class in grade eight or higher is allowed one representative on the RCL

7.6.2 What should the electoral officer say at the meeting?

The electoral officer should:

- introduce himself/herself as the electoral officer and his/her assistant electoral officers;
- give the name of the assistant electoral officer who will act as secretary to the meeting and record the minutes of the proceedings;
- say that each voter has only ONE vote. A voter who votes for more than one of the nominees will have his/her vote declared a spoilt vote;
- state that all nominees, proposers and seconders must be learners in the class; and
- Inform learners that voting will be by secret ballot.



See
Section 3.3 of this
manual.

7.6.3 How are nominations made?

The first part of the meeting sets out to get nominations for the vacant positions that learners will fill in the RCL. You should use the guidelines for the nomination process which are in section 3.3 of this manual.

7.6.4 How does voting happen?

The electoral officer must do the following:

- Ensure that every voter is given a ballot paper.
- Show the learners that the ballot boxes are empty and then seal them in their presence.
- Explain the procedure for the casting of votes:
 - ◆ The privacy of all voters will be respected.
 - ◆ The names of the candidates are listed on the chalkboard.
 - ◆ Each voter writes the name of the candidate that he/she wishes to vote for on the ballot form.
 - ◆ Each voter has one vote.
 - ◆ The ballot form is then folded and placed into the ballot box personally.
 - ◆ No voter may request any person other than the electoral officer or assistant electoral officer to insert his/her vote in the ballot box, unless there are special circumstances approved by the electoral officer.

- Allow the learners to cast their votes, ensuring that the procedures outlined above are followed.
- Check that all the learners who wish to do so, have cast their votes and then declare the voting closed.

7.6.5 How are votes counted?

The votes should be counted using the procedure in section 3.5 of this manual.

If there is a tie between two representatives, the representative must be determined by lot.



See
Section 3.5 of this
manual.

7.6.6 How is the RCL represented on the School Governing Body?

Once the RCL has been elected, two of its members must be chosen to serve on the school governing body. The electoral officer should call a meeting of the successful candidates who were elected by their classes. At this meeting the RCL members should be informed that an election will take place for the learner members of the governing body. The procedures for election which are used in this manual in sections 3.3 and 3.4 should be used.

The electoral officer must remember to inform the RCL members that they have two votes each. If they vote for more than two learners, their vote will be declared spoilt.



See
Section 3.3 and 3.4
of this manual.

NOTES

8

HOW ARE THE OFFICE-BEARERS OF THE SCHOOL GOVERNING BODY

The electoral officer must hold a meeting of the school governing body within twenty-one days after its election.

Office-bearers are elected using the same procedure for the election of parent members. At the first meeting of the governing body the meeting elects a:

- Chairperson
- Vice-chairperson
- A treasurer
- A secretary .

Again the principal, who is the electoral officer, is responsible for conducting the election. Remember that the principal, educators, non-educators and learners are not eligible for election as chairperson or vice-chairperson.

The term of office of an office-bearer cannot be longer than one year. An office-bearer may be re-elected in the following years until his or her three year term of office as a member of the governing body expires.



Regulation 18
of R149, 1997



The Regional Chief Director may approve the holding of the first meeting at a later date if he/she is satisfied that there are good reasons for not holding the meeting within the prescribed time.

ACTIVITIES

A. If applicable, use this space to write down the number of representatives that you need to elect. If you have already elected them, write down their names.

Principal

Educators

Learners

Non-educators

Parents

B. See if you can answer these questions about School Governing Body elections.

Listed below are a number of statements. Please indicate with a cross in the space provided whether the statement is true or false.

- 1. Governing bodies are always elected by parents, learners and educators only.
- 2. Should there be two educators on the staff, apart from the principal, both automatically serve on the school governing body.
- 3. A learner who is a minor and who serves on the governing body cannot be held liable for contractual obligations of the governing body.
- 4. In deciding who is to represent them on the governing body, all of the learners in a combined primary and high school are involved in an election.
- 5. A school with grade eight only, can elect a representative council of learners and this body in turn can elect two representatives to the governing body.
- 6. To have the right to vote at parent elections for a governing body a parent must have a child at the school.
- 7. The term of office of all members of a governing body is three years.
- 8. The term of office of an office-bearer is one year.
- 9. Governing body-appointed educators may not vote in governing body elections.
- 10. The principal who is the electoral officer may propose or second a nomination for educator members.
- 11. Learner representatives on the governing body may come from the same grade.
- 12. Three educators, apart from the principal, may serve on a governing body in one year.
- 13. A rehabilitated insolvent may be elected to a governing body.

True	False

- 14. Non-educator members serve for only 1 year on a governing body.
- 15. A non-educator at the school may be nominated as a candidate at the parent's election provided the non-educator is the parent of a child at the school.
- 16. After a RCL has been elected the principal nominates two of the elected learners to serve on the governing body.
- 17. All documents pertaining to the governing body elections must be kept in safe-keeping for at least 3 months.
- 18. If more ballot forms are counted than the number of voters present at the election meeting, the electoral officer may discard the extra ballot forms.
- 19. Nominations may be accepted until just prior to the counting of the votes at an election.
- 20. If there is a tie in votes for parent members the electoral officer must toss a coin to decide who will be a governing body member.

True	False

C. Choose the one that you think is the correct answer

1. The electoral officer of a governing body election is usually
 - a. the governing body chairperson
 - b. the principal or acting principal
 - c. an educator
2. Governing body elections are held for
 - a. parents, educators and non-educators
 - b. parents, non-educators and learners
 - c. parents, educators, non-educators and learners (grade 8 or higher)
3. Governing body elections must be held once
 - a. every two years
 - b. a year
 - c. at least every three years
4. The following people may not stand in a governing body election
 - a. educators and non-educators appointed at the school
 - b. unrehabilitated insolvents
 - c. learners in grade 8 or higher
5. The electoral officer may not
 - a. vote in an election
 - b. declare the results of an election
 - c. appoint assistant electoral officers
6. Spoilt papers are papers that
 - a. have no votes recorded on them
 - b. have been altered
 - c. both of the above
7. Learner members are elected
 - a. every three years
 - b. once a year
 - c. once every two years
8. A voters roll is a list of all the
 - a. nominees
 - b. candidates
 - c. people who qualify to vote in an election

9. A non-South African resident/citizen may
 - a. not vote
 - b. not stand for election without the written permission of the HoD
 - c. not stand for election
10. Educators who are parents of learners at the school may
 - a. not vote in the parent election
 - b. vote in the parent election
 - c. stand as a candidate in the election of parent members
11. The maximum number of educators that are elected onto the governing body is:
 - a. one
 - b. two
 - c. three
12. The election meeting of educators and non-educators must be held within
 - a. 21 days of the election of parent members
 - b. 30 days of the election of parent members
 - c. 7 days, before or after the election of parent members
13. A candidate is someone who
 - a. wishes to stand for an election
 - b. has been proposed and seconded as a nominee
 - c. has the highest votes
14. The electoral officer declares nominations closed when
 - a. there are more nominations than vacancies
 - b. the time set for nominations has expired
 - c. both of the above
15. All documents pertaining to school elections must be kept safely for a period of:
 - a. six months
 - b. three months
 - c. one month

D. Case studies

- (i) Mrs Jabu Hlela is the grandmother of Lindiwe in grade 5 at Simunye C.P School. Mrs Hlela has been caring for the child as her parents are working in Johannesburg. At an election meeting she accepts nomination for election to the school governing body.

Is she eligible? What ruling should the electoral officer make?

- (ii) Mr Nathi Ngubane pays the school fees for his grandson Dumisani who lives with his parents and grandparents. At an election meeting Mr Nathi Ngubane insists that he should be given a ballot paper.

What should the electoral officer do? Should he/she allow Mr.Ngubane to vote in the election?

- (iii) Mrs Joy Khumalo is an educator at Simunye C.P. School. She has a daughter in grade 1. At the governing body election meeting of parents she votes for the candidates that she prefers.

(a) Is she allowed to vote for parent members?

(b) Can she offer herself as a candidate to serve on the governing body? Explain.

(c) Can she vote again for educator candidates? Discuss.

- (iv) Miss C.F Zondi, the mother of Ntombi in grade 6 at Simunye C.P.School served a 3 months' jail sentence for trafficking in drugs. She has been nominated to stand for election to the governing body.

(a) Is she allowed to stand for election?

(b) Can she vote in the election?

- (v) Mr Kanu, a Zambian citizen, has a daughter at Simunye C.P.School. He receives a notice from the school inviting him to an election meeting.

(a) Is he allowed to vote in the election?

(b) Can he stand for election as a parent candidate?

- (vi) At the election of parent members at Simunye C.P School, the electoral officer discovers that there are more ballot forms in the ballot box than the number that was issued.

What should he/she do?

E. Preparing for an election meeting

What are some of the things that the electoral officer must do to prepare for an election meeting?

Make a list of the documents and forms that an electoral officer should have at hand at an election meeting

F. How would you prepare a voters' roll? Use the table below to prepare a sample of a voters' roll.

Remember to list learners from the same family together, next to their parent's name.

Parent's name	Non-South African Resident/Citizen?	Learner's name	Grade

G. Use the space below to plan your election venue.

What areas must be set aside for the different election activities?

Remember to set aside an area to ensure that voters are able to complete their ballot forms and cast their votes in privacy.

Classroom No. 8	Classroom No. 9

H. What factors should an electoral officer take into account in deciding on date, time and venue of an election meeting for parents?

I. Role Play.

- (i) You are Miss Nxumalo, the principal as well as the electoral officer, of Simunye Combined Primary School. A notice has been sent to the parents of learners to attend a meeting to elect members of the governing body. The day has arrived.

Explain the voting procedure to the parents.

- (ii) You are Miss Nxumalo, the electoral officer of Simunye C.P School. You have explained the electoral process and nominations have been made. You have declared nominations closed and have just announced the names of the candidates. Mr Ndlovu, a parent who has just come to the meeting, states that he wishes to stand for election. Another parent Mrs Dlamini supports Mr Ndlovu and proposes his name. The electoral officer explains why Mr Ndlovu cannot stand for election.

Study each of the roles and then get a few members of the governing body to take the part of the different characters in a roleplay.

- (iii) You are a candidate standing for election as a parent member. You have been asked to deliver a short speech on why you think you would be suitable to serve on the school governing body.

What would you say?

Answers

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

B. True/False

1. False (non-educators as well)
2. False
3. True
4. False (only grade 8 or higher)
5. True
6. True
7. False - learner members = 1 year
8. True
9. False - (any educator employed at the school)
10. False
11. True
12. True (an additional educator may be co-opted)
13. True

14. False
15. False
16. False
17. True
18. False
19. False
20. False

C. Choose the correct answer

1. (b)
2. (c)
3. (c)
4. (b)
5. (a)
6. (c)
7. (b)
8. (c)
9. (b)
10. (b)
11. (b)
12. (c)
13. (b)
14. (b)
15. (b)

D. Case Studies

- i) Yes, she is eligible to stand for election to the governing body. Mrs Hlela, the grandmother, must be allowed to participate in the election as she is assuming the role of a parent and is fulfilling the functions of a parent towards the education of a learner at school. The principal who may be the electoral officer, must be satisfied that Mrs Hlela is indeed fulfilling the functions of a parent towards Lindiwe. (See KZN Circular 3 of 2000).
- ii) Yes, if the electoral officer is convinced that Mr Nathi Ngubane is fulfilling other functions of a parent towards the education of a learner at school as well, for example, he supervises the child's school work, attends parent meetings, calls at school when asked to, fills out documents required by the school, etc. The electoral officer must be convinced that the sole act of payment of school fees is not being used to allow someone to

participate in elections. Furthermore, there should be proof that the parents have relinquished their responsibility to the grandparent. (See KZN Circular 3 of 2000).

- iii)
 - a) As a parent she is allowed to vote for other parent members.
 - b) She may not offer herself as a candidate as a parent member because SASA and the KwaZulu-Natal Schools Act 3 of 1996 forbids educators from representing parents on the governing body at the school where they teach. However, if elected she may represent educators on the governing body.
 - c) Yes. She may vote firstly for parent members at the election (meeting for parents) and then secondly vote for educator members at their election meeting.
- iv)
 - a) Yes, she may stand for election if the proper nomination procedures were followed (See section 1.8 of this manual).
 - b) Yes. She may vote in the elections.
- v)
 - a) According to SASA and KZN P.N. 149/97 a non-resident who is a parent may vote in the school election.
 - b) Yes. He may, provided that he has the written permission of the HoD.
- vi) He should immediately declare the election null and void. This discrepancy must be recorded in the minutes of the election meeting. Another election must be held.

E. See Sections 2.2, 2.3, 2.4 and 3.1. of this manuals

KwaZulu-Natal
Department of Education and Culture

SCHOOL GOVERNANCE

UNDERTAKING OF SECRECY/CONFIDENTIALITY

Name of school _____

I, the undersigned

_____ (Insert name)
do hereby undertake not to divulge any information which may come to my
knowledge in the course of the execution of my duties as electoral officer / assistant
electoral officer.

Signed _____ at (place) _____ on (date) ____/____/20____.

Witnesses

Date

1. _____

2. _____

KwaZulu-Natal
Department of Education and Culture

ELECTION OF GOVERNING BODY

**NOTICE OF MEETING FOR THE ELECTION OF PARENT
MEMBERS TO THE GOVERNING BODY OF:**

(name of school)

Notice is hereby given that a meeting for the election of members to the governing body of the above school will take place as follows:

Date: _____

Time: _____

Place: _____

Nominations may be submitted in writing to the electoral officer or given verbally at the meeting. Nomination forms are available. However, nominations may be submitted in writing in the form of a letter by the proposer and seconder, provided that the requirements as per the regulations are met.

Time will be allocated prior to the commencement of the election meeting for nominations to be made at the election meeting.

I, as principal / acting principal of the above school, have been appointed
ELECTORAL OFFICER for the above election - refer KZN CIRCULAR No. 25/1997.

Date:

Signature of the Electoral Officer

Address of School

KwaZulu-Natal
Department of Education and Culture

ELECTION OF GOVERNING BODY

**NOTICE OF MEETING FOR THE ELECTION OF LEARNERS
TO THE GOVERNING BODY OF:**

(name of school)

Notice is hereby given that a meeting for the election of members to the governing body of the above school will take place as follows:

Date: _____

Time: _____

Place: _____

Nominations may be submitted in writing to the electoral officer or given verbally at the meeting. Nomination forms are available. However, nominations may be submitted in writing in the form of a letter by the proposer and seconder, provided that the requirements as per the regulations are met.

Time will be allocated prior to the commencement of the election meeting for nominations to be made at the election meeting.

I, as principal / acting principal of the above school, have been appointed ELECTORAL OFFICER for the above election - refer KZN CIRCULAR No. 25/1997.

Date:

Signature of the Electoral Officer

Address of School

KwaZulu-Natal
Department of Education and Culture

ELECTION OF GOVERNING BODY

**NOTICE OF MEETING FOR THE ELECTION OF EDUCATORS
TO THE GOVERNING BODY OF:**

(name of school)

Notice is hereby given that a meeting for the election of members to the governing body of the above school will take place as follows:

Date: _____

Time: _____

Place: _____

Nominations may be submitted in writing to the electoral officer or given verbally at the meeting. Nomination forms are available. However, nominations may be submitted in writing in the form of a letter by the proposer and seconder, provided that the requirements as per the regulations are met.

Time will be allocated prior to the commencement of the election meeting for nominations to be made at the election meeting.

I, as principal / acting principal of the above school, have been appointed
ELECTORAL OFFICER for the above election - refer KZN CIRCULAR No. 25/1997.

Date:

Signature of the Electoral Officer

Address of School

KwaZulu-Natal
Department of Education and Culture

ELECTION OF GOVERNING BODY

**NOTICE OF MEETING FOR THE ELECTION OF NON-
EDUCATORS TO THE GOVERNING BODY OF:**

(name of school)

Notice is hereby given that a meeting for the election of members to the governing body of the above school will take place as follows:

Date: _____

Time: _____

Place: _____

Nominations may be submitted in writing to the electoral officer or given verbally at the meeting. Nomination forms are available. However, nominations may be submitted in writing in the form of a letter by the proposer and seconder, provided that the requirements as per the regulations are met.

Time will be allocated prior to the commencement of the election meeting for nominations to be made at the election meeting.

I, as principal / acting principal of the above school, have been appointed ELECTORAL OFFICER for the above election - refer KZN CIRCULAR No. 25/1997.

Date:

Signature of the Electoral Officer

Address of School

KwaZulu-Natal
Department of Education and Culture

**ELECTION OF PARENT MEMBER TO A SCHOOL'S
GOVERNING BODY**

NOMINATION FORM

Name of Public School: _____

Proposer

I, _____
(Full names)

of _____

_____ (Residential address)

being a parent of a learner of the above school, hereby propose

(Full name of Nominee)

(who is a parent of a learner enrolled at this school) as a member of the
governing body of the above-mentioned school.

Date

Signature of Proposer

Second

I, _____
(Full names)

of _____

_____ (Residential address)

being a parent of a learner of the above school, hereby second

(Full name of Nominee)

(who is a parent of a learner enrolled at this school) as a member of the
governing body of the above-mentioned school.

Date

Signature of Second

KwaZulu-Natal
Department of Education and Culture

**ELECTION OF EDUCATOR MEMBER TO A SCHOOL'S
GOVERNING BODY**

NOMINATION FORM

Name of Public School: _____

Proposer

I, _____
(Full names)

being an educator at the above school, hereby propose

(Full name of Nominee)

(who is an educator at this school) as a member of the governing body of the
above-mentioned school.

Date

Signature of Proposer

Secunder

I, _____
(Full names)

being an educator at the above school, hereby second

(Full name of Nominee)

(who is an educator at this school) as a member of the governing body of the
above-mentioned school.

Date

Signature of Secunder

KwaZulu-Natal
Department of Education and Culture

**ELECTION OF NON-EDUCATOR MEMBER TO A
SCHOOL'S GOVERNING BODY**

NOMINATION FORM

Name of Public School: _____

Proposer

I, _____
(Full names)
being a non-educator at the above school, hereby propose

(Full name of Nominee)
(who is a non-educator at this school) as a member of the governing body of
the above-mentioned school.

Date

Signature of Proposer

Secunder

I, _____
(Full names)
being a non-educator of the above school, hereby second

(Full name of Nominee)
(who is a non-educator at the above school) as a member of the governing
body of the above-mentioned school.

Date

Signature of Secunder

ELECTION OF LEARNER MEMBER TO A SCHOOL'S GOVERNING BODY

Name of Public School: _____

I, _____
(Full names)
of grade: _____ being a learner of the above school, hereby propose

(who is a learner enrolled at this school) as a member of the governing body of the above-mentioned school.

Signature of Proposer

I, _____
(Full names)
of grade: _____ being a learner of the above school, hereby second

(who is a learner enrolled at this school) as a member of the governing body of the above-mentioned school.

Signature of Seconder

KwaZulu-Natal
Department of Education and Culture

ELECTION OF MEMBERS TO A SCHOOL GOVERNING BODY

ACCEPTANCE OF NOMINATION FORM:
PARENT MEMBERS

I, _____
(First names and surname)

of _____

_____ (Residential Address)

hereby accept nomination as a candidate in the election of the governing body
of _____ (Full name of School)

I, further declare that I am fully aware of the stipulations of the Regulations
disqualifying persons from being candidates for this election.

Signature

Date

Proposer: _____ (Full names)

Signature

Date

Seconder: _____ (Full names)

Signature

Date

Under regulation 7 of the Regulations this nomination is ***accepted/rejected**.

Signature of Electoral Officer

Date

*Delete whichever is not applicable.

KwaZulu-Natal
Department of Education and Culture

ELECTION OF MEMBERS TO A SCHOOL GOVERNING BODY

ACCEPTANCE OF NOMINATION FORM: EDUCATOR MEMBER(S)
--

I, _____
(First names and surname)

Hereby accept nomination as a candidate in the election of the governing body
of _____ (Full name of School)

I, further declare that I am fully aware of the stipulations of the Regulations
disqualifying persons from being candidates for this election.

Signature

Date

Proposer: _____ (Full names)

Signature

Date

Seconded: _____ (Full names)

Signature

Date

Under regulation 7 of the Regulations this nomination is ***accepted/rejected**.

Signature of Electoral Officer

Date

*Delete whichever is not applicable.

KwaZulu-Natal
Department of Education and Culture

ELECTION OF MEMBERS TO A SCHOOL GOVERNING BODY

ACCEPTANCE OF NOMINATION FORM:
NON-EDUCATOR MEMBER(S)

I, _____
(First names and surname)

Hereby accept nomination as a candidate in the election of the governing body
of _____ (Full name of School)

I, further declare that I am fully aware of the stipulations of the Regulations
disqualifying persons from being candidates for this election.

Signature

Date

Proposer: _____ (Full names)

Signature

Date

Seconder: _____ (Full names)

Signature

Date

Under regulation 7 of the Regulations this nomination is ***accepted/rejected**.

Signature of Electoral Officer

Date

*Delete whichever is not applicable.

KwaZulu-Natal
Department of Education and Culture

ELECTION OF MEMBERS TO A SCHOOL GOVERNING BODY

ACCEPTANCE OF NOMINATION FORM: LEARNER MEMBERS

I, _____
(First names and surname)

of grade: _____ hereby accept nomination as a candidate in the election of the
governing body of _____ (Full name of School)

I, further declare that I am fully aware of the stipulations of the Regulations
disqualifying persons from being candidates for this election.

Signature

Date

Proposer: _____ (Full names)

Signature

Date

Seconder: _____ (Full names)

Signature

Date

Under regulation 7 of the Regulations this nomination is ***accepted/rejected**.

Signature of Electoral Officer

Date

*Delete whichever is not applicable.

KwaZulu-Natal
Department of Education and Culture

ELECTION OF MEMBERS TO A SCHOOL GOVERNING BODY

NOMINATION FORM FOR ABSENT PERSON
--

I, _____
(First names and surname)

being the officially appointed electoral officer, declare that written proof to my satisfaction has been submitted that:

(First names and surname)

who is not present at this election to complete the nomination form will, if elected, be willing to serve as a member of the governing body of

(Name of School)

Proposer: _____ (Full names)

Signature _____ Date _____

Seconded: _____ (Full names)

Signature _____ Date _____

Note: Letter of acceptance from the nominated candidate attached.

Under regulation 7 of the Regulations this nomination is ***accepted/rejected**.

Signature of Electoral Officer

Date

*Delete whichever is not applicable.

KwaZulu-Natal

Department of Education and Culture

(Letter informing a learner candidate of his / her election to a school governing body)

School Address

Date: _____

(Name of successful candidate)

(Address of successful candidate)

Dear _____

Governing Body: _____ (Name of School)

It gives me pleasure to confirm that at the election held on

_____ at _____
(Date) (Place of Election)

you were elected as a member of the school governing body. Your term of office will be one year.

I wish to congratulate you, on behalf of the Head of Department of the KwaZulu-Natal Department of Education and Culture, and wish you success.

Electoral Officer

KwaZulu-Natal

Department of Education and Culture

(Letter informing a candidate of his / her election to a school governing body)

Note: Applicable to Parents, Educators, and Non-Educators.

School Address

Date:

(Name of successful candidate)

(Address of successful candidate)

Dear

Governing Body:

 (Name of School)

It gives me pleasure to confirm that at the election held on

 at

(Date) (Place of Election)

you were elected as a member of the school governing body. Your term of office will be no more than three (3) years.

I wish to congratulate you, on behalf of the Head of Department of the KwaZulu-Natal Department of Education and Culture, and wish you success.

Electoral Officer

KwaZulu-Natal
Department of Education and Culture
APPOINTMENT OF ASSISTANT ELECTORAL OFFICER

School Address

Date: _____

Name and address of Assistant
Electoral Officer

GOVERNING BODY ELECTION: _____ (School)

In Terms of KZN Circular No. 25/1997 you _____
(Name and Initials)

are hereby appointed as an Assistant Electoral Officer to assist at the election
meeting to be held at _____ on _____
(Time)s (Date)

At _____ (Place)

Please signify your acceptance by signing this form.

ELECTORAL OFFICER

ASSISTANT ELECTORAL
OFFICER

Date: _____

Note: You are required to sign an undertaking of secrecy / confidentiality before you
will be allowed to act as an assistant electoral officer.

KwaZulu-Natal

Department of Education and Culture

School Address

The Regional Chief Director

Date: _____

GOVERNING BODY ELECTIONS: _____(School)

At the governing body elections held on (Dates) _____ Parents,
_____Educators, _____Non-educators, _____Learners,
at (Place) _____ the following persons were elected to
serve on the governing body of the above school.

Name & Initials	Address	Telephone	Fax No.
Educator Member(s):			
1.			
2.			
Non-Educator Member(s):			
1.			
Learner Members			
1.			
2.			
Parent Members			
Chairman:			
1.			
Vice-Chairman:			
2.			
Treasurer:			
3.			
Secretary:			
4.			
5.			
6.			
7.			

ELECTORAL OFFICER

KwaZulu-Natal
Department of Education and Culture

BALLOT FORM

Name of School: _____

School stamp or signature of the electoral office/assistant electoral officer(s):

Names of candidates to be listed on the ballot form below and the voter to place a clear **X** alongside the name(s) of the person(s) he/she wishes to vote for.

ALTERNATIVELY: each voter to write the names of the candidates for which he/she votes and then place an **X** alongside the names.

	NAMES OF CANDIDATES	Place an X in this column against the name(s) of the candidates for whom you vote.
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.s		

N.B.: THE ELECTORAL OFFICER MAY ADAPT THIS FORM ACCORDING TO CIRCUMSTANCES.

CHECKLIST FOR ELECTORAL OFFICER

- | | | |
|-----|--|--------------------------|
| 1. | Election room - seating and other arrangements | ☐ |
| 2. | Directions to meeting room | ☐ |
| 3. | Lighting (candles in the event of electricity failure) | ☐ |
| 4. | Refreshments | ☐ |
| 5. | Voters' roll | ☐ |
| 6. | Nomination forms - before elections | ☐ |
| 7. | Nomination forms - at the election meeting | ☐ |
| 8. | Acceptance forms | ☐ |
| 9. | Attendance registers - people in charge | ☐ |
| 10. | Ballot papers | ☐ |
| 11. | Ballot boxes | ☐ |
| 12. | Counting tables | ☐ |
| 13. | Appointment of counters | ☐ |
| 14. | Appointment of assistant electoral officers | ☐ |
| 15. | Declarations of confidentiality | ☐ |
| 16. | Notice of meeting (do not forget a reminder) | ☐ |
| 17. | Voting tables | ☐ |
| 18. | Name tags | ☐ |
| 19. | Stationery (pens, labels, etc) | ☐ |
| 20. | Letters of appointment | ☐ |
| 21. | Minutes secretary | ☐ |
| 22. | Invite observers to oversee counting | ☐ |

