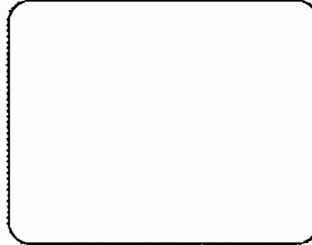


NORTHERN CAPE PROVINCE

PROFENSI YA KAPA-BOKONE

NOORD-KAAP PROVINSIE



IPHONDO LOMNTLA KOLONI

EXTRAORDINARY • BUITENGEWONE

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OFFICIAL NOTICE

OFFICIAL NOTICE 1 OF 2012

SOUTH AFRICAN SCHOOLS ACT, 84 OF 1996

REGULATIONS FOR THE ELECTION OF SCHOOL GOVERNING BODIES

I, Grizelda Cjiekella, Member of the Executive Council for Education in the Northern Cape Province and acting in terms of section 28 of the South African Schools Act, 1996, read with section 31 of the Northern Cape School Education Act, 1996, hereby publish, in the Schedule hereto, Regulations for the Election of School Governing Bodies of Public Schools in the Northern Cape.



GRIZELDA CJIEKELLA

SCHEDULE

1. Definitions

Any word or expression to which a meaning has been attached in the Act shall have the same meaning in these regulations, unless the context indicates otherwise-

“combined school” means a public school providing education in grades falling in the foundation, intermediate and senior phases of curriculum;

“department” means the Northern Cape Education Department;

“district director” means an official of the department appointed as director of the education district in which a public school is situated;

“learner member” means a learner officially enrolled in a public school and who has been elected to the governing body in terms of these regulations”

“member” means a member of the governing body who has been elected in terms of these regulations;

“non-educator member” means a person other than an educator, employed at a public school by the education department or by the school, and who has been elected to the governing body in terms of these regulations;

“ordinary public school” means a public school other than a public school for learners with special educational needs;

“primary school” means a public school providing education in the foundation and intermediate phase of the curriculum;

“secondary school” means a public school providing education from the eighth grade to the twelfth grade;

“representative council of learners” means the representative council of learners, duly constituted in terms of section 11 of the Act;

“the Act” means the South African Schools Act, 84 of 1996.

2. Application

These regulations shall apply to all public schools in the Province of the Northern Cape and shall come into operation upon publication in the Provincial Gazette.

3. Size of School Governing Bodies

The number of parent, educator and learner members of a governing body shall vary according to the type and grading of the school, as appears more fully in Annexure “A”.

4. Composition of Governing Bodies of Ordinary Public Schools

(1) A governing body of an ordinary public school shall consist of:

- (a) elected members;
- (b) the principal by virtue of his or her office; and
- (c) co-opted members.

(2) Elected members of the governing body shall comprise a member or members of each of the following categories:

- (a) parents of the learners admitted to the school;
- (b) educators employed at the school;
- (c) non-educator members of staff employed at the school; and
- (d) learners in the eighth grade or higher admitted at the school.

5. Composition of Governing Bodies of Public Schools for Learners with Special Education Needs

The school governing body of a public school for learners with special education needs shall be constituted as prescribed in section 24 of the Act.

6. Profile of a Governing Body

The particulars of each member of a school governing body shall be recorded in a prescribed manner and the format of such record shall be as per Annexure "B" and the information must be updated on an annual basis.

7. Co-opted Membership

(1) A governing body may at any time during its term of office co-opt any person to assist it in the discharge of its functions.

- (2) Subject to regulation 9(2) members co-opted in terms of sub-regulation (1) shall not have voting rights.
- (3) A governing body of a public school which provides education to learners with special needs, shall, where practicably possible, co-opt a person or persons with expertise in the field of the relevant education needs of such learners.
- (4) A governing body of a public school situated on private property may co-opt the owner of the property occupied by the school or the nominated representative of such owner.
- (5) If a governing body of a public school acts under sub-regulation (4), and there is more than one owner of the property on which the school is situated, such owners shall nominate one of their number, or a representative to represent them on the governing body.

8. Term of Office

- (1) Subject to sub-regulation (2), the term of office of a member of a school governing shall be three years calculated from the date of elections.
- (2) The term of office of a learner member shall be one year.
- (3) Office-bearers of a governing body shall hold office for a period not exceeding one year: Provided that an office holder may stand for re-election to office for a further one year.
- (4) A member of a governing body whose term has expired shall, subject to these regulations, be eligible for re-election.
- (5) A learner member shall, subject to these regulations, be eligible for re-election after the one-year term of office has expired.

9. Vacation of Office and Filling of Vacancies

- (1) Incidental vacancies shall occur whenever a member-
 - (a) resigns in writing;
 - (b) dies;

- (c) is removed from office in terms of section 18A of the Act;
 - (d) becomes ineligible in terms of regulation 8; or
 - (e) is absent from 3 consecutive meetings without reasonable explanation.
- (2) Should a vacancy contemplated in sub-regulation (1) occur in respect of an elected parent member, a school governing body may co-opt a parent to serve as a member with full voting rights for a period not exceeding 90 days.
- (3) Should a vacancy contemplated in sub-regulation (1) exist, the principal of the school shall in writing and within 14 days, inform the district director of the existence of such vacancy.
- (4) In the event of a vacancy in the categories of membership referred to in paragraphs (b), (c) and (d) of sub-regulation (2) of regulation 4, eligible members of the category concerned shall, within 60 days, hold an election to fill the vacancy.
- (5) The appointment of the co-opted member referred to in sub-regulation (2) shall take place within 21 days of the existence of the vacancy.
- (6) Within the 90 days referred to in sub-regulation (2), a by-election as prescribed in regulation 27 to elect a new member must be held.
- (7) A member elected in terms of sub-regulation (4) or (5), shall remain a member for the unexpired term of office of his or her predecessor.

10. Eligibility

- (1) A person shall be ineligible to be a member of a governing body if he or she:
- (a) is mentally ill and has been so declared by a competent court;

- (b) is an un-rehabilitated insolvent;
 - (c) has been convicted of an offence and sentenced to imprisonment without an option of a fine for a period exceeding six months and/or has not yet served his or her full period of imprisonment;
 - (d) found guilty on an act of misconduct in respect of his or her performance of governing body functions or resigns before disciplinary proceedings against him or her are concluded.
- (2) If a person elected as a member of a governing body ceases to fall within the category for which they were nominated and elected, he or she shall cease to be a member of the governing body.
- (3) A parent who is employed at a school may not be elected as a parent member of a governing body at the school.
- (4) A principal of a school may not be elected as an educator member of a governing body at the school.
- (5) No learner may be elected to a governing body of an ordinary public school unless he or she is admitted to the eighth grade or higher and he or she is an elected member of the representative council of learners at the school concerned.
- (6) In the case of learners with special education needs, learners in the eighth grade or higher may be elected, only if it is reasonably practicable.
- (7) A parent shall be entitled to vote only for a parent member of the governing body and shall have one vote in respect of each parent candidate.

- (8) An educator, other than the principal employed at a public school shall be entitled to vote only for educator members and shall have one vote in respect of each educator candidate.
- (9) A non-educator member of staff shall be entitled to vote only for non-educator members and shall have one vote in respect of each non-educator candidate.
- (10) Every member of the representative council of learners shall be entitled to vote only for a learner member, and shall have one vote in respect of each learner candidate.

11. Registration of Voters

- (1) The principal shall ensure that all parents complete the parent voters' registration form.
- (2) The format of the parent voters' registration form shall be as near as may be to Annexure "C".
- (3) No parent or guardian may be included on the voters' roll unless his or her name is recorded as such in the school admission register.
- (4) All voter registration forms shall be submitted to the school 10 days prior to the nomination and election meeting.
- (5) The format of the voters' registration form in respect of the other categories of voters shall also be as near as may be to Annexure "C", subject to necessary changes.

12. Voters' Rolls for Governing Body Elections

- (1) There shall be a voters' roll in respect of each of the categories of membership referred to in regulation 4(2), and the format of each voters' roll shall be as near as may be to Annexure "D".
- (2) The school principal shall compile the voters' rolls in respect of his/her school.
- (3) The school admissions register shall be used as the basis for the parent voters' roll.
- (4) Any person who produces proof that he or she is a parent as defined in the Act may have his or her name entered in the voters' roll.
- (5) The principal shall provide the school electoral officer with a copy of the voters' rolls upon request, or at least 7 days prior to the elections.
- (6) The voters' rolls shall be open to public scrutiny at any reasonable time.

13. Electoral Officers

- (1) The Head of Department shall appoint an official of the department as the provincial electoral officer.
- (2) The duties of the provincial electoral officer will be to:
- a. monitor the nomination and election process in the province;
 - b. adapt the templates to suit provincial monitoring objectives;
 - c. support the district electoral officers;

- d. liaise between the Head of Department and the districts;
- e. determine the provincial election dates for governing bodies;
- f. appoint district electoral officers in consultation with the District Directors;
- g. ensure that there is adequate publicity of the election date;
- h. ensure compliance with national guidelines and provincial procedures with regard to elections;
- i. develop materials and procedures for the training of district and school Electoral Officers and teams, and ensuring that this training takes place as planned;
- j. adjudicate on all appeals resulting from the nomination and election process;
- k. Monitor and evaluate the election process in the province;
- l. develop a database of School Governing Bodies on taking office;
and
- m. within 30 days of receipt of the report of the district electoral officers and the election monitors, compile a report on the elections to the MEC and Head of Department, and such report shall take into account the reports of the election monitors.

(3) The provincial electoral officer shall, in consultation with the district directors, appoint district electoral officers who shall be senior district officials of the district concerned.

(4) The district electoral officers shall:

- a) appoint a district electoral teams;
- b) co-ordinate the election processes in the districts;

- c) advise the provincial electoral officer on any matter relating to the elections and shall ensure the implementation of these regulations in the districts;
- d) compile a management plan to implement these regulations;
- e) designate school electoral officers for each school in the districts and also ensure that each school has established school election teams;
- f) ensure that each election official working at a school in the district is adequately trained to support the elections;
- g) ensure that all electoral officers receive the provincial election regulations and other documents in good time;
- h) ensure that election advocacy is conducted in the district in terms of a provincial plan;
- i) monitor the election process by visiting schools during elections;
- j) compile election dates for all schools in the district in line with the provincial management plan;
- k) ensure that the School Electoral Officers have informed district offices in writing of the dates of the election and of the names and addresses of the persons elected to School Governing Bodies;
- l) ensure that they receive the Data Form from the School Principals and submit these to the districts within 14 days of the registration meeting;
- m) Provide the Provincial Electoral Officer with a composite School Governing Body Data form within 30 days of the final election date;

- n) compile district reports on the elections and submit to the provincial electoral officer within 30 days of the nomination and election meeting;
- (5)The provincial and district electoral officers may not be nominated or elected as members of any governing body of any school in the province.
- (6)School electoral officers shall be any officer of the department designated by district electoral officers: Provided that principals shall not be electoral officers in respect of their schools.
- (7)The functions of school electoral officers before the election meeting shall be to-
- (a) prepare notices giving details of the date, time and venue of the election and nomination meeting. The format of the notice shall be as near as may be to Annexure "E";
- (b) ensure that eligible voters receive notice of the elections not less than 21 days before the election date;
- (c) ensure that nomination forms are available at the school 14 days before the nomination and election meeting and during the election meeting. The format of the nomination form shall be as near as may be to Annexure "F".
- (d) ensure that there is a suitable venue for the election meeting;
- (e) ensure that accurate voters rolls have been compiled.

- (f) ensure that principals and election teams of schools understand the procedures that are applicable, and that all the resources that will be needed for the elections are available.

- (8) School electoral officers may not be nominated or elected as members of governing bodies of schools for which they are electoral officers.

- (9) During the election meeting school electoral officers shall-
 - (a) explain the procedure for nominations and elections to the voters;

 - (b) let the nominees introduce themselves in accordance with these regulations;

 - (c) draw the attention of the voters to the provisions of the Act and of these regulations;

 - (e) manage the election process;

 - (f) Intervene and resolve any disputes on the day of election;

 - (g) submit election results and voters' rolls to district electoral officers; and

 - (h) submit the School Governing Body data to the district office within 30 days after the elections have been conducted.

14. Monitoring of Elections

- (1)The Provincial Electoral Officer shall appoint any number of persons to monitor all processes during elections.

- (2)Such a person/s shall:

- (a) have unhindered access to any proceeding relevant to the elections.
- (b) not interfere with any process relating to the elections.
- (c) compile a written report of his observations and submit it to the provincial electoral officer within 14 days of the conclusion of the elections.

15. Order of Elections

The election of the parent component of the governing body shall be held within 3 days after the nominations and elections of the educator, non-educator staff and learner members of the governing body.

16. Election Procedure for Educator Members of the Governing Body

- (1) The principal of a school shall provide the school electoral officer with a voters' roll for educators.
- (2) (i) The school electoral officer will determine the date, time, and place for the nomination and election meeting for educator members and
(ii) the meeting must be held at least 3 days prior to the election of the parent members.
- (3) The school electoral officer must give every educator at the school notice of the nomination meeting at least 14 days before the day of the meeting. The format of the notice shall be as near as may be to Annexure "G".
- (4) The nomination of an educator shall be done by the submission of a nomination form duly completed and signed by an educator employed at the

school making the nomination, one educator employed at the school supporting the nomination and the candidate, to the school electoral officer before the election day.

- (5) (i) In the event that the nomination is done at the meeting referred to in sub-regulation (3), the procedure described in sub-regulation (4) shall apply; and
(ii) that the submission shall be done within the time the school electoral officer has allowed for this purpose.
- (6) In the event that the total number of valid nominations is:
- (i) equal to the number allowed for educator members on the governing body, the nominated candidates shall be declared to be duly elected, and the electoral officer shall sign a declaration indicating that members were not elected by secret ballot, and that he or she allowed an opportunity for more nominations.
- (ii) lower than the number allowed for educator members on the governing body, the school electoral officer must convene another meeting before the parents' election meeting.
- (7) In the event that the number of the nominated candidates is greater than the number allowed for educator members on the governing body, the school electoral officer must conduct the elections by secret ballot as described in regulation 21. The ballot paper used for this purpose shall be as near as may be to Annexure "H"
- (8) Where a school has only two educators on its staff the school electoral officer may draw lots to determine who of the two will serve on the governing body.

17. Election Procedure for Non-Educator Members of Staff

- (1) The procedure described prescribed in regulation 16 shall apply to the nomination and election of non-educator members of staff: Provided that the format of the notice of the meeting shall be as near as may be to Annexure "I".
- (2) In cases where there is no non-educator member of staff at a school, the position will be left unfilled.
- (3) Where there is one non-educator member of staff he or she shall be regarded as duly elected to the governing body.
- (4) Where there are three or more non-educators at a school, an election must be held to determine who should be elected to the governing body.

18. Election Procedure for the Learner Members of the Governing Body

- (1) The procedure prescribed in regulation 16 shall apply to the nomination and election of members of the representative council of learners to the governing body: Provided that the format of the notice of the meeting and the ballot paper shall be as near as may be to Annexure "J" and "K", respectively.

19. Election Procedure for the Parent Members of the Governing Body

- (1) The school electoral officer shall prepare notices of the combined nomination and election meeting in which the date, time, and place of the nomination and election meeting shall be stated. The format of the notice shall be as near as may be to the Annexure "E" referred to in paragraph (a) of sub-regulation (7) of regulation 13.

- (2) The date, time and venue should be considered that will allow for maximum parent participation in the election.
- (3) Notices of the date time and venue of the nomination and election should be distributed and displayed in prominent places in the school and community at least 30 days prior to the date of the nomination and election meeting.
- (4) The principal of the school must ensure that:
- (a) a hard copy of the notice is handed to every learner at least 30 days prior to the proposed nomination and election meeting with clear verbal instruction to the learner to hand it to his or her parent; or
 - (b) a copy of the notice is sent to the parents of every learner at the school by post at least 30 days prior to the date of the nomination and election meeting for parent members; or
 - (c) use a combination of the two notification methods above, supplemented with any other method that works for the school community, as long as it in no way disadvantages any member of the school community;
 - (d) The notification must be in the school's language of instruction and in the home language(s) of the learners, where possible, to ensure maximum participation.

20. Quorum

- (1) A quorum of 15% of the total number of parents on the voters' roll is required for the nomination and election meeting to proceed.
- (2) If at the first meeting a quorum is not reached, the meeting must be rescheduled for another day not exceeding 7 days, and the same process

described above must be repeated. Notice of the second election meeting must clearly state that no quorum is required for that meeting.

21. Nominations and Elections

(1) The school electoral officer will determine the time and duration of the nomination process. Provided the time allocated is not less than 30 minutes and not more than 1 hour.

(2) The nomination of a candidate shall take place when the parent making the nomination:

(a) lodges with the school electoral officer, not more than 7 days and not less than 24 hours prior to the commencement of the nomination and election meeting, a nomination form duly completed and signed by the parent making the nomination, a supporter of the nomination and the candidate nominated, or

(b) makes the nomination during the time allowed for nomination in the election meeting: Provided that such nomination shall be supported by another parent and a nomination form referred to in paragraph (a) is duly completed by the proposer, the seconder and the candidate, and is lodged with the electoral officer in the meeting.

(3) No nomination shall be valid unless it is also supported by at least 10% of the total number of parents present at the nomination meeting.

(4) After the nomination time has expired the school electoral officer must:

(a) consider the nominations and reject the nomination of any candidate who:

- (i) has not been nominated in accordance with the procedure set out in these regulations;
 - (ii) is not eligible to vote or stand in terms of these regulations; or
 - (iii) has not completed the said nomination form as required in these regulations.
- (b) announce the names of the candidates whose nominations have been accepted.
- (5) If the total number of candidates whose nominations have been accepted:
- (a) is less than the number of members allowed for the category of the school concerned as set out in Annexure "A",
 - (i) the nomination time shall be extended by a period not exceeding 30 minutes, if the nominations are still lower than the required number allowed for the category the meeting shall adjourn for a period not exceeding 7 days.
 - (ii) If after the second nomination meeting held in terms of paragraph (a) of sub-regulation (5), the total number of valid nominations is still lower than the required number of parent members, the school electoral officer shall declare the nominated candidates to be duly elected and the provisions of regulation 7 shall apply: Provided that by-elections shall be conducted within 90 days after the day of such election.
 - (b) is equal to the number of the members referred to in paragraph (a), the school electoral officer shall declare all the nominees duly elected to the governing body; or

(c) is greater than the number of the members referred to in paragraph (a), an election shall be held by secret ballot.

(6) The total number of nominations shall not be more than two times the total number of positions in contest.

22. Casting of Votes

(1) The election shall be held on the date, time and place indicated in the notice of the nomination meeting.

(2) The school electoral officer shall explain the procedure that will be followed in the meeting and must at least stipulate that every nominated candidate will have the opportunity to state:

- a) his or her name;
- b) the names and grades of his or her children in the school;
- c) occupation and experience or skills; and
- d) briefly explain his or her vision for the governance of the school.

(3) The election shall be by secret ballot. The format of the ballot paper shall be as near as may be to Annexure "L".

(4) Before the ballot papers are distributed, the school electoral officer must ensure that every ballot paper has the school stamp on it, or some other distinguishing feature that prevents the ballot papers from being tampered with.

(5) The school electoral officer must explain the voting process, the minimum and maximum number of candidates to be voted for as well as how to record the vote.

(6) Before the election meeting the school electoral officer shall:

(a) prepare papers with numbers on them and making sure that once nominated each nominee is assigned a number corresponding to the number on the ballot paper;

(b) prepare papers with the names of all nominees on them in alphabetical order based on surnames; and

(c) distribute blank ballot papers wherein voters shall list the names or numbers of their chosen candidates in order of preference.

(7) A voter shall, in secrecy, record his or her vote on the ballot paper and then deposit the folded ballot paper in a box or other closed container provided for the purpose.

(8) An illiterate voter or a voter who suffers from a physical disability may, at their own request, be assisted by the school electoral officer or member of the electoral team in the presence of a witness identified by the voter.

(9) The school electoral officer shall reject any spoiled paper before counting the votes recorded for every candidate if:

(i) The ballot paper on which the official mark or stamp does not appear;

(ii) Ballot papers on which more votes are recorded than the number of members to be elected;

(iii) A vote which is completed in such a way that it is, in the opinion of the electoral officer, uncertain for which candidate or candidates a vote was recorded for.

(10) After the rejection of spoilt papers, the school electoral officer must-

- (a) count the votes in the presence of every candidate who wishes to be present;
- (b) announce to the whole meeting the name of each candidate and the number of votes cast for each; and
- (c) Complete the form as near as may be to Annexure "M" indicating the number of votes each candidate obtained.

(11) The school electoral officer must announce the candidates who have been elected, in the descending order of the number of votes obtained.

(12) Where there is a tie in the number of votes obtained by two or more candidates and this affects the result of the election, the school electoral officer shall draw lots to ascertain a result.

(13) The school electoral officer shall decide all matters relating to the nominations and election.

(14) A person should not act as proxy for more than one person.

23. Dispute Resolution

- (1) The school electoral officer shall decide all matters connected with the nomination of candidates and the poll.
- (2) All disputes shall be reported to the school electoral officer during the elections.
- (3) The school electoral officer is authorised to attempt to resolve all disputes and, as far as possible, ensure that the elections are free and fair.
- (4) Should the school electoral officer, for any reason, be unable to resolve a grievance, he or she must allow the election to be completed and thereafter refer the dispute to the district electoral officer within 7 days of the election.
- (5) If a complainant is not satisfied with the decision of the school electoral decision he or she may refer a dispute to the district electoral officer within 7 days of the election.
- (6) Should a complainant be dissatisfied with the decision of the district electoral officer he or she may lodge an appeal with the provincial electoral officer within 7 days of the decision of the district electoral officer.
- (7) The decisions referred to in sub-regulations (1), (5) and (6) must be made within 5 working days of the receipt of referral.

24. Procedure After Elections

- (1) After the election of a governing body, the school electoral officer must place all documents, including ballot papers, used at such election in envelopes and

seal the envelopes and hand them over to the district electoral officer within 7 days of the election meeting.

(2) The district electoral officer must-

- (a) keep the envelopes in safe custody for a period of at least 3 months from the date of the election;
- (b) notify each elected member in writing of his or her election within 7 days of the elections;
- (c) notify the principal of the school in writing of the names and addresses of the persons elected as members, and in such notice direct principal to inform all parents of the school of the election results within 14 days of the elections;
- (d) inform the provincial electoral officer in writing of the names and addresses of the persons elected as members of governing bodies in the district within 14 days of the elections;
- (e) issue a declaration as to whether or not the election was undisputed, and in the event that it was, issue declaration detailing any disputes which may have arisen.

25. Election of Office-Bearers

(1) Prior to the election of office-bearers the principal shall make the members of the governing body aware of their responsibilities and the need to ensure that office-bearers are as representative of gender and racial diversity of the school as possible.

(2) The school electoral officer shall convene the first meeting of the governing body within 14 days after publication of the results of the elections.

(3) At the first meeting of the governing body such body shall, from amongst its members, elect office bearers who must include at least a chairperson, a

treasurer and a secretary: Provided that the chairperson shall be a parent member of the governing body who is not employed at the school concerned.

- (4) Where for any reason the office of any office-bearer becomes vacant, the governing body shall, subject to the above provisions, at the first meeting after that vacancy has occurred, elect one of its members to fill that vacancy for the unexpired period of office of his or her predecessor.
- (5) The principal or his/her nominee shall preside at the meetings referred to in sub-regulations (1) and (3) above if both the offices of chairperson and vice-chairperson are vacant, otherwise the chairperson, or if he or she is not available, the vice-chairperson should preside.
- (6) In the case of a public school for learners with special education needs any member of the governing body elected in terms of these regulations may be elected as chairperson of the governing body.
- (7) There may not be more than two educator members serving as office-bearers of the governing body.
- (8) No member of a governing body may hold more than one office at the same time in the governing body;
- (9) The principal must, after a meeting at which any office-bearer has been elected in accordance with these regulations, forthwith notify in writing the district director concerned of the date of the meeting and of the name, address and office of the persons elected or nominated. The format of the notification to the district director shall be as near as may be to Annexure "N".

26. Deviation from Prescribed Procedures

- (1) The school electoral officer may after consultation with the district electoral officer and within 30 days prior to the election and nomination meeting, apply to the Head of Department for permission to deviate from the requirement of a single nomination and election meeting.
- (2) In considering the application the Head of Department shall have regard to any possible prejudice to the participation of parents.
- (3) The Head of Department shall decide on the application referred to in sub-regulation (1) within 14 days of the receipt thereof.
- (4) The Head of Department may, on good cause shown, allow any other deviation from the requirements in these regulations if, in his opinion, such deviation is justified.

27. Registration of Governing Body Members and Hand-over Procedure

- (1) At the first meeting referred to in sub-regulation (2) of regulation 25 the school principal must ensure that the particulars of every member of the new governing body appear on the data form referred to in regulation 6.
- (2) The principal must, within 14 days of the meeting, submit the data form to the district electoral officer.
- (3) The principal must inform the district director of any changes to the membership of the governing body within 14 days of those changes.

(4) The school principal must, as *ex officio* member, manage the transition process to ensure that the records of the old governing body are handed over to the new by:

- (4.1) Officially handing over all governing body files to the new governing body;
- (4.2) Conducting an induction session for the new members; and
- (4.3) Answering any questions that the new governing body have.

28. By-Elections

(1) By-elections to fill a vacancy on the governing body must be held within 90 days of the existence of the vacancy, or such other longer period as the Head of Department may, on good cause shown by the district director, allow, provided that the extension shall not exceed 30 days.

(2) The procedure described in regulations 16, 17, 18, 19, 20, 21, 22 and 23 shall apply to the by-elections.

29. Removal of Governing Body Members from Office

A member of the governing body of a public school may be removed from office in terms of section 18A of the South African Schools Act.

30. Repeal of Regulations

The Governing Body Regulations for Public Schools contained in Notice No. 7 of 2006, and published in the Extraordinary Provincial Gazette of 5 May 2006, are hereby repealed.

31. Short Title

These Regulations shall be known as the Regulations for the Constitution and Election of Governing Bodies in Public Schools in the Northern Cape, and shall come into effect on publication in the Provincial Gazette.

ANNEXURE "A"

COMPOSITION OF GOVERNING BODIES BY TYPE AND GRADING OF SCHOOL

1. The number of members of a governing body of a public school is set out for each category of membership in the table below.
2. The number of members in each category will vary in terms of regulation (8) 3, according to the type of school and its grading as set out in column 1 and 2 below.
3. In a school which does not have non-teaching staff, the number of parents set out in column 4 below shall be reduced by one and the total number of members set out shall be reduced by two.
4. The governing body of a public combined ordinary school or comprehensive public school will have the same composition as a public secondary ordinary school.

1 Type of school	2 Grading of school	3 Number of learners enrolled	4 Number of parent members	5 Number of educator members	6 Number of learner members	7 Number of non-teaching members	8 Principal	9 Total no of members
1. Primary	P1	<80	4	1	0	1	1	7
Ordinary	P2	80-159	4	1	0	1	1	7
Schools	P3	160-719	5	2	0	1	1	9
	P4	720+	6	3	0	1	1	11
2. Secondary	S3	<630	7	2	2	1	1	13
Ordinary	S4	630+	9	3	3	1	1	17
Schools								
3. Combined	S3	<500	7	2	2	1	1	13
Schools	S4	500+	9	3	3	1	1	17



Annexure "B"

Template 2

SCB DATA FORM																	
DISTRICT: _____																	
TOTAL NO. OF SCB MEMBERS: _____																	
Gender		Race			Disability		Education Level				Previous SCB	Previous SCB Training		SCB Portfolio			
F	M	Blk	Wh	Col	In	Yes	No	Primary	Secondary	Tertiary	None	Experience in years	Yes	No			
															Chairperson		
															Secretary		
															Treasurer		
S ENROLLED AT THE SCHOOL												Black	White	Coloured	Indian	Total	

Annexure "D"



Template 3

PARENTS' VOTERS ROLL

DISTRICT: _____

SCHOOL: _____

NB Only one child per family should appear on the voters' roll

SURNAME	NAME(S)	IDENTITY NUMBER	ADDRESS	NAME OF THE CHILD



Annexure "C"

Template 4

PARENT REGISTRATION FORM

In order to elect parents for the school governing body, the school's admissions register will be used as the basis for the electoral voters' roll

A 'parent' can mean:

- The parent or guardian of a learner in the school
- The person legally entitled to custody of a learner in the school
- A person who fulfills the role of a parent or custodian with regard to the learner's education at school

Only two parents of any learner are eligible to vote

Please complete the following form and return to the school principal as soon as possible. If you are not on the school admissions register you will not be able to vote or stand as a school governor.

NAME OF SCHOOL:
 NAME OF LEARNER:
 CLASS OF LEARNER:

PARENT 1	
Name of parent 1	
Address of parent 1	
Signature of parent 1	

PARENT 2	
Name of parent 2	
Address of parent 2	
Signature of parent 2	

Date:

Annexure "E"



Template 5

ELECTION OF MEMBERS OF GOVERNING BODIES
NOTICE OF SGB ELECTIONS
FOR
MEMBERS WHO ARE PARENTS OF LEARNERS

NAME OF SCHOOL: _____

Notice is hereby given that a meeting for the nomination and election of candidates for the election of _____ members of the governing body of the above-mentioned school will be held on _____ (date) at _____ (time) at _____ (place).

Candidates (who must be parents/guardians of learners at the school and who are not employed at the school) may be nominated by lodging with the electoral officer a nomination form duly completed by the candidate and his/her proposer and seconder. Both proposer and seconder must be parents/guardians of learners at the school. The nomination form must be returned to the school at least a day before the commencement of the above meeting.

Nominations will also be accepted at the nomination and election meeting. If candidates cannot be present at the nomination meeting, written proof must be submitted at the meeting to the effect that the candidate is willing to serve as a member of the governing body.

An election meeting will be held on the same day as the nomination meeting mentioned above.

NB: It is the responsibility of parents/guardians to ensure that their names are on the school's admission register, which can be viewed at the school. Only parents whose names are on the school's admission register will be entitled to participate in the school's governing body election.

SIGNATURE OF ELECTORAL OFFICER DATE

Tel:

Address:

.....

Annexure "F"



Template 6

**ELECTION OF MEMBERS OF GOVERNING BODIES
NOMINATION FORM**

NAME OF SCHOOL:

PROPOSER:

I,
(full name)

of
(residential address)

being (indicate correct response) a parent or guardian of a learner; an educator; a non-educator; a member of the Representative Council of Learners of the above-mentioned school, hereby propose:

.....
(full name of candidate)

as a member of the governing body of the above-mentioned school.

SIGNATURE OF PROPOSER

DATE

SECONDER

I,
(full name)

of
(residential address)

being (indicate correct response) a parent or guardian of a learner; an educator; a non-educator; a member of the Representative Council of Learners of the above-mentioned school, hereby propose:

.....
(full name of candidate)

as a member of the governing body of the above-mentioned school.

SIGNATURE OF SECONDER

DATE

Annexure "L"



Template 7

PARENT BALLOT PAPER

NAME OF DISTRICT:
NAME OF CIRCUIT:
NAME OF SCHOOL:

CHOOSE CANDIDATES BY PLACING A CROSS IN THE BOX NEXT TO THE
CANDIDATE(S) OF YOUR CHOICE e.g.

1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		



Annexure "M"

Template 8

COUNTED BALLOT PAPERS AND DECLARATION OF NUMBER OF VOTERS

TYPE OF ELECTION PARENT LEARNER
 EDUCATOR NON-EDUCATOR

DISTRICT: _____

SCHOOL: _____

DATE OF ELECTION TYPE OF SCHOOL PRIM SEC COMB LSEN

Number	Names of candidates (Most to least votes)	Number of votes
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		

TOTAL NUMBER OF ELIGIBLE VOTERS: _____
 TOTAL NUMBER OF VOTES CAST: _____
 SPOILT PAPERS: _____
 ELECTORAL OFFICER: _____
 SIGNATURE: _____
 DATE: _____

Annexure "N"



Template 9

NOTIFICATION OF OFFICE BEARERS ELECTED TO THE GOVERNING BODY

DISTRICT: _____ SCHOOL: _____
 MEETING DATE: _____

PORTFOLJO	SURNAMES	NAMES	TEL. NO.	CELL. NO.	FAX NO.	E-MAIL
1. Chairperson						
2. Secretary						
3. Treasurer						
Other Office Bearers						
1.						
2.						
3.						
4.						
Chairpersons of Governing Body Sub-committees (Specify)						
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						

SGB CHAIRPERSON: _____ DATE: _____
 SIGNATURE: _____

Annexure" G"



Template 10

**ELECTION OF MEMBERS OF GOVERNING BODIES
NOTICE OF SGB ELECTIONS
FOR EDUCATOR MEMBERS OF STAFF**

NAME OF SCHOOL:

Notice is hereby given that a meeting for the nomination and election of candidates for the election of members of the governing body of the above-mentioned school, will be held on (date) at (time) at (place)

Candidates (who must be educators at the school) may be nominated by lodging with the electoral officer a nomination form duly completed by the candidate, the proposer and the seconder, more than a day before the commencement of the above meeting. Both proposer and seconder must be educators at the school.

Nominations will also be accepted at the nomination and election meeting. If candidates cannot be present at the nomination meeting, written proof must be submitted at the meeting to the effect that the candidate is willing to serve as a member of the governing body.

An election meeting will be held on the same day as the nomination meeting mentioned above.

SIGNATURE OF ELECTORAL OFFICER

DATE

Tel:

Address:
.....

Annexure "H"



Template 11

EDUCATOR MEMBER BALLOT PAPER

NAME OF DISTRICT/REGION:

NAME OF CIRCUIT:

NAME OF SCHOOL:

CHOOSE CANDIDATES BY PLACING A CROSS IN THE BOX NEXT TO THE
CANDIDATE(S) OF YOUR CHOICE. e.g.

1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		

Annexure "I"



Template 12

**ELECTION OF MEMBERS OF GOVERNING BODIES
NOTICE OF SGB ELECTIONS
FOR NON-EDUCATOR MEMBERS OF STAFF**

NAME OF SCHOOL

Notice is hereby given that a meeting for the nomination and election of candidates for the election of members of the governing body of the above-mentioned school will be held on,(date) at(time) at(place)

Candidates (who must be non-educators at the school) may be nominated by lodging with the electoral officer a nomination form duly completed by the candidate, the proposer and the seconder more than a day before the commencement of the above meeting. Both proposer and seconder must be non-educators at the school (See paragraph 11).

Nominations will also be accepted at the nomination and election meeting. If candidates cannot be present at the nomination meeting, written proof must be submitted at the meeting to the effect that the candidate is willing to serve as a member of the governing body.

An election meeting will be held on the same day as the nomination meeting mentioned above.

SIGNATURE OF ELECTORAL OFFICER

DATE

Tel:

Address:

.....

Annexure "J"



Template 13

**ELECTION OF MEMBERS OF GOVERNING BODIES
NOTICE OF ELECTIONS
FOR LEARNER MEMBERS OF THE SCHOOL**

NAME OF SCHOOL:

Notice is hereby given that a meeting for the nomination and election of candidates for the election of members of the governing body of the above-mentioned school, will be held on..... (date) at (time) at (place).

Candidates (who must be members of the Representative Council of Learners of the school) may be nominated by lodging with the electoral officer a nomination form duly completed by the candidate, the proposer and the seconder more than a day before the above meeting. Both proposer and seconder must be members of the Representative Council of Learners of the school.

Nominations will also be accepted at the nomination and election meeting. If candidates cannot be present at the nomination meeting, written proof must be submitted at the meeting to the effect that the candidate is willing to serve as a member of the governing body.

An election meeting will be held on the same day as the nomination meeting mentioned above.

SIGNATURE OF ELECTORAL OFFICER

DATE

Tel:

Address:
.....

Annexure "K"



Template 14

LEARNER BALLOT PAPER

NAME OF DISTRICT/REGION

NAME OF CIRCUIT:

NAME OF SCHOOL

CHOOSE CANDIDATES BY PLACING A CROSS IN THE BOX NEXT TO THE
CANDIDATES (S) OF YOUR CHOICE. e.g.

1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		