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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF EDUCATION

NO. R. 4445 **28 February 2024**

REGULATIONS RELATING

TO

2024 REPRESENTATIVE COUNCIL OF LEARNERS

OF PUBLIC SCHOOLS IN THE NORTH WEST PROVINCE

2024

I, Nkatisa Motsumi, Member of the Executive Council responsible for Education, hereby give notice in terms of section 11(2) of the South African Schools Act, 1996 (Act No. 84 of 1996) as amended, determining minimum functions and the procedures for the establishment and election of representative councils of learners in the Province of North West.



Member of the Executive Council for Education

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Abbreviations and Acronyms

PRO: Public Relations Officer

QLTC: Quality Learning and Teaching Campaign

RCL: Representative Council of Learners

SASA: The South African Schools Act 84 of 1996

SGB: School Governing Body

SMT: School Management Team

TLO: Teacher Liaison Officer

LEO: Local Education Office

CES: Chief Education Specialist

IGSS: Institutional Governance Support Services

1. Introduction

A Representative Council of Learners (RCL) is an organized learner body that represents the interests of learners in schools. It is a democratic structure established to ensure that learners have a voice in the decision-making processes within their schools. It is a platform that allows learners to express their opinions, contribute to school policies, and actively participate in shaping their educational experiences. It aims to foster student leadership, empowerment, and a sense of ownership among learners.

2. Legal Framework

According to the South African Schools Act (84 of 1996) every public school in South Africa with learners from Grade 8 – 12 (that is, all secondary schools) must establish an RCL. Every year, each grade must elect at least two representatives of different genders to serve on the RCL. Together these learners comprise the only official council of learners that represents all the learners in the school. Three learners from this council are then chosen to serve on the School Governing Body (SGB) together with parents and staff, and these elected learners have full voting rights on the SGB. The RCL works with the SGB and the School Management Team (SMT) to meet the aims of the school. It is important that the other members of the SGB pay attention to what the learners say and allow them the opportunity to voice issues, problems and challenges on behalf of the learners they represent.

3. RCL Code of Conduct

RCL code of conduct must comply with the following minimum requirements:

The RCL is expected to produce business plans for its term of office. First and foremost, RCL members have to lead and manage in the classroom as Class Representatives. As a collective in the RCL structure they have to lead learners while liaising with the SGB, SMT, departmental officials and other stakeholders. They have to communicate effectively among themselves, with other school structures in the school and forge relations with many others who have an interest in education.

The structure will assist in creating a platform from which general issues affecting RCL's are discussed, and good practice shared.

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4. Representative Council of Learners within a School

The RCL is the only official and only legitimate learner representative structure that must be democratically elected by learners at both classroom and school level to represent all learners in secondary and intermediate/combined public schools (Grade 8 to Grade 12). School managers and governors are therefore expected by law to discourage the establishment and existence of any other learner structures or formations in public schools.

5. Eligibility

A learner in the eighth grade or higher shall be entitled to stand for and vote in the election of the RCL. A learner may only serve on the RCL of the school he/she attends.

The following learners will not be eligible to serve on the RCL:

(a) A learner who has committed misconduct either in terms of the code of conduct of the school or the code of conduct for RCL members and has been suspended and expelled from school or the RCL, after conducting a fair disciplinary hearing.

(b) If a member resigns.

(c) If a member absents him/herself from three executive meetings with the RCL or SGB without permission.

6. Goals and Objectives of the RCL

(a) The Department`s main objective for establishing RCL's is in line with upholding democracy in our schools. The RCL structure and operation provide a platform for learners' voices to find expression in a school.

(b) As learners are represented in the SGB structure, they get to participate in decision-making processes regarding the school.

(c) RCL members assist in the organisation of extra - curricular activities and encourage other learners to participate in activities such as sports, drama, dance, debate, arts and other cultural activities.

(d) They act as catalysts for creating sound and healthy relationships among all stakeholders within the schooling community.

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7. Organisational Structure of RCL's in the education system

(a) The school level RCL must be established from two learners per class to form the basic structure of the Representative Councils of Learners in the education system.

(b) The Representative Councils of Learners have to be coordinated and supported within schools, across the circuits, districts, province and at national levels to ensure their development and the sharing of good practices across all provinces.

(c) Managers at every level of the system must ensure that RCL's are properly established, legally constituted and supported.

8. School RCL Structure

(a) A learner doing grade 8 or higher at a public school is the basic unit of the RCL organisational structure and forms the elective group for the RCL.

(b) The size of the RCL is determined by the number of classes in a school.

(c) Learners in each class elect two representatives to serve in the Council.

(d) The executive committee is democratically elected from members of the council according to provincial regulations.

(e) Members of the executive committee and additional members will be composed and function as per RCL constitution.

(f) The Executive Committee shall have the executive powers and will account to the Council.

(g) Members may not hold more than one portfolio.

9. The Circuit RCL Structure

(a) The Circuit Office will be responsible for the establishment, coordination and functioning of the Circuit RCL.

(b) Each school RCL will delegate its President and/or Secretary to sit in the Circuit Council.

(c) Circuit Council members will elect from among themselves the Executive Committee (Office Bearers).

(d) The primary aim of this structure will be to provide a platform for school RCL's within the circuit to engage and interact on common issues of learner interests. This will also afford RCL's opportunities to liaise with education authorities and other relevant stakeholders within the circuit/cluster.

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(e) The size of the Circuit Council will be determined by the number of schools offering Grade 8 and higher in the circuit.

(f) The Circuit Manager is expected to assist and support circuit RCL's with the necessary operational resources and logistical support.

10. The Local Education Office RCL Level Structure (LEO)

(a) The LEO Office will be responsible for the establishment, coordination and functioning of the LEO RCL.

(b) Circuit RCL will delegate its President and/or Secretary to sit in the LEO Council.

(c) LEO Council members will elect from among themselves the Executive Committee (Office Bearers).

(d) The primary aim of this structure will be to provide a platform for school RCL's within the LEO to engage and interact on common issues of learner interests. This will also afford RCL's opportunities to liaise with education authorities and other relevant stakeholders within the LEO.

(e) The size of the LEO Council will be determined by the number of Circuits with schools offering Grade 8 and higher.

(f) The IGSS Coordinator is expected to assist and support LEO RCL's with the necessary operational resources and logistical support.

11. The District RCL Structure

(a) The District Director (Senior Manager) will delegate the responsibility to establish and coordinate the functioning of the District RCL to a district official dealing with governance issues. The CES for circuit coordination is recommended for this task.

(b) The objectives of the District RCL will be to allow a coordinated functioning of all RCL's in the District as well as developing a uniform approach to matters of common interest for RCL's in the district.

(c) The President and/or Secretary of each LEO RCL will sit in the District Council and from among themselves elect an Executive Committee (Office Bearers) with the duties and organisational structure determined in the provincial RCL Regulations.

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(d) An official delegated by the District Director will be expected to provide support to the District Council in the form of capacity building, intervention, problem solving, logistics and material resources.

12. The Provincial RCL Structure

(a) The Presidents and Secretaries of each District RCL structure will form part of the Provincial Council.

(b) Members of the Provincial Council will elect from among themselves office bearers, whose composition will be

- President
- Deputy President
- Secretary
- Deputy Secretary
- Treasurer
- Public Relations Officer.

(c) It is envisaged that the RCL will be able to liaise with education authorities and other stakeholders at this level on matters concerning learners in particular and their education in general.

13. The National Level RCL Structure

(a) The structural composition of the National RCL will be made up of provincial presidents and secretaries and they will from among themselves elect office bearers as may be decided by the DBE.

(b) The structure will assist in creating a platform from which general issues affecting RCL's are discussed and good practice shared.

14. RCL Roles and Responsibilities

The RCL is a representative body given authority and mandate by learners to speak and make decisions on their behalf. The Structure is therefore accountable to the learners and must constantly liaise with education authorities at appropriate levels of the system. An RCL as a

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representative structure will among others have the following roles and responsibilities. The RCL must:

(a) Acknowledge and embrace diversity within their schools and foster unity among learners within that diversity.

(b) Promote the culture of learning while addressing the needs of all learners.

(c) Encourage good relationships within the school: between learners and educators; between learners and non-educator members of staff as well as between educators and parents of learners where necessary.

(d) Represent learners in the School Governing Body and keep learners informed of events at the school and in the community.

(e) Establish links with RCL's of other schools as well as with youth organisations for the benefit of all learners in the school.

(f) Promote sport, arts, and cultural activities in conjunction with the school management and governing body.

(g) Participate in a liaison role with all internal and external stake holders.

15. Communication Protocol

14.1 In terms of the RCL constitution, the learners' code of conduct and education policies, the protocol on communication must be adhered to in a manner that observes and respects authority. The line of communication and information flow must observe the structural hierarchy of the RCL and the education system at large. As a capacity building measure, relevant authorities are expected to empower RCL's on the observation of given protocols.

14.2 The liaison role of RCL must be in relation to the decision-making ability on issues at hand. This will assist in the creation of an environment where roles are clearly defined, and unnecessary collusions minimised. The RCL is expected to make learners aware of the importance of understanding due processes and procedures when dealing with issues affecting them.

16. The Teacher Liaison Officer (TLO)

15.1 According to the Personnel Administration Measures (PAM) found in the Employment of Educators Act 76 of 1998 (Chapter A, Section 4.3, (v)), the Deputy Principal shall supervise and or advise the RCL. In the case where the Deputy Principal delegates this responsibility, he/she must advise and supervise the TLO.

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15.2 The Deputy Principal becomes the Electoral Officer for the TLO Elections. The TLO reports to the Deputy Principal. In effect the TLO shall be accountable to the Deputy Principal on assumption of responsibility. To ensure and facilitate the smooth running of the election the Deputy Principal shall form an Electoral Team that shall assist him/her during the elections.

15.3 An ideal TLO must display the following qualities:

(a) Commitment and reliability;
(b) Responsibility and accountability;
(c) Benevolence and empathy;
(d) Keen interest in learner affairs;
(e) Sincerity and trustworthiness
(f) Ability and preparedness to work after hours
(g) Ability to support, guide, mentor and organize the RCL; and
(h) Ability to develop leadership capacity in the members of the RCL.

15.4 The Deputy Principal or the Teacher Liaison Officer (TLO) shall be the Electoral Officer for the RCL Elections.

17 Election of Class Representatives

16.1 Elections of class representatives at school level must be held in the first two to three weeks of the first quarter of the school academic year. Election of class representatives takes place annually in line with RCL term of office (January-December) as informed by the public school calendar. Classes will democratically elect two members to serve in the council under the supervision of the Deputy Principal/TLO.

16.2 The process must have all democratic attributes such that learners learn to appreciate the values and ethics enshrined in the Constitution of RSA. The election should be so democratic that all the learners who belong to that particular class have an equal opportunity to elect and to be elected. Particular considerations should be given to the following:

(a) Equitable participation of both girl and boy learners. That is, each class should elect a boy and girl learner to the RCL in mixed gender schools.
(b) Equitable representation of the different racial groups should be reflected in racially integrated schools.
(c) Elected learners should be potential positive role models.

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(d) Learners must be available to attend meetings and to attend to learner grievances.

(e) Elected learners must be available to offer their service long after school.

NB: No other system should be built into the election process of class representatives by the management of the school. The outcomes of the election process in each class must be regarded as final unless compelling reasons that prevent a learner from serving in the RCL exist.

18. Election of the RCL Executive Committee

17.1 RCL elections at school level must be held in the first two to three weeks of the first quarter of the school academic year.

17.2 After the Class Representatives are elected and the RCL constituted, members of the RCL must then elect an Executive Committee from amongst themselves by means of a secret ballot.

17.3 The Deputy Principal /TLO must convene this first RCL meeting wherein the Executive Committee is elected. The Executive Committee must be composed as follows:

The President who:

(a) Leads the RCL and gives overall direction of the structure.

(b) Chairs the Executive Committee as well as Council meetings.

(c) Coordinates the Council to ensure that appropriate policies and procedures stipulated in the School Code of Conduct and the RCL Constitution are in place and adhered to.

(d) Provides support and supervision to committee conveners.

(e) Represents the council as its figure head.

Deputy President:

The Deputy President will deputise for the President in his/her absence or as and when delegated to do so by the president.

Secretary:

The secretary will be the administrative head of the RCL. He/she must keep all RCL records, minutes and provide reports on programmes and decisions of the RCL. In addition to the above duties, the secretary will manage the RCL management plan and serve as a communication link with other stake holders.

Treasurer:

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The school shall make a budget provision for RCL activities. The treasurer leads fundraising, financial planning, and budgeting for the RCL's programmes. In executing his/her duties, the treasurer will:

(a) Keep records of funds (paper budget) allocated and donated to the RCL.

(b) Keep records of all funds spent and present financial reports to the executive committee and the Council as a whole.

(c) Lead the budgeting process within the financial management context of the RCL.

(d) Remain responsible for the financial oversight assisted by the TLO.

NB: It is not the responsibility of the RCL to authorise school spending. The only time the RCL can be influential in school financial matters is during SGB meetings. The SGB should encourage the RCL to actively participate in all matters of school governance.

19. Roles and Responsibilities of the RCL Executive Committee

The Executive-Committee:

(a) Performs the executive functions of the RCL mandated to them by the learner population as outlined in the RCL constitution.

(b) Ensures that the RCL runs smoothly and that its work is carried out. It should be noted that the office bearers cannot work by themselves. They must be supported by other learners.

(c) Meets regularly to deal with matters affecting the learner population.

(d) Acts as a link between educators and learners.

(e) Exercises its judgment to act in what is reasonably believed to be in the best interest of the RCL and the general learner population.

20. RCL Committees

19.1 One of the roles of the RCL is to establish committees which need to be aligned to the SGB as learner representation at the SGB is through the RCL.

19.2 The committees established must address the needs and interests of the RCL and the school.

Examples of such committees are:

- Education Committee
- Entertainment Committee
- Arts and Culture Committee

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- Health and Wellness Committee
- Fundraising Committee
- Sport Committee
- Safety Committee
- Social Awareness & Campaigns Committee

19.3 It is important that all learners in the school participate in learner affairs. Part of the task of the RCL is to ensure involvement of the body of learners in issues that affect them.

19.4 The Chairperson of the RCL can encourage learners to form interest groups and clubs that reflect their interests and passions. These groups are required to submit their plans, activities and budgets to the Executive. The Executive will table them at an SGB meeting for approval and once approved, will announce the plans at assembly for whole school participation and support.

19.5 The RCL committees must:

(a) Consist of the other members of the RCL (i.e. non-executive members) and members of the general learner body. In this way, the RCL will have enough people to perform its duties and also increase the participation of other learners in RCL activities;
(b) Have a chairperson who will direct, guide and report on all activities. The chairperson must always be an RCL member;
(c) Be given specific activities and functions to perform;
(d) Report regularly and be accountable to the RCL;
(e) Have a link with and understand what each one is doing so as to avoid duplication and confusion of roles; and
(f) Support and complement one another as they pursue the objectives of the RCL and utilize the resources.

21. The RCL Constitution

20.1 Every school must have constitution in place which governs how the RCL functions. The constitution sets out the rules, principles and duties of the RCL and should be developed in consultation with learners and the SGB.

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20.2 The following should be included in the constitution:

- Aims and objectives of the RCL
- The process for the election of RCL members
- When RCL elections take pace
- The process for the election of office bearers
- The duties of the members
- The duties of the office bearers
- Procedures for meetings of the RCL and its Executive, including how often they take place
- Processes and rules regarding the formation of RCL committees
- Processes and rules regarding the finances of the RCL
- Processes regarding the attendance of SGB meetings
- General stipulations or rules, such as:
  - Members may not hold office for more than a year
  - Member must be in Grade 8 or higher
  - Any changes to the constitution must be agreed by a two thirds majority
  - Members must give up their positions if they leave the school; bring the school into disrepute; is guilty of repeated misconduct

22. Learner Representation in SGB

21.1 RCL will elect members who will serve in the SGB guided by schedule A of Regulations Relating to the Elections of School Governing Bodies.

21.2 The TLO as Election Officer will help the RCL hold an election to vote learner representatives onto the SGB. This should take place as soon as possible after the RCL elections and must be by secret ballot.

21.3 Only members of the Executive may be elected onto the SGB. Elected RCL members of an SGB have the right and duty to attend all SGB meetings and have equal voting rights. However, these will not be exercised when the SGB wishes to enter into a contract with a third party. If elected learners are excluded from any other of the formal proceedings of the SGB then the results of these proceedings are not only invalid, but are, according to the law, illegal. This provides learners with a legitimate role in the governance of the school.

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21.4 Section 32 of the South African Schools Act says that learners can be excluded from decision making in the following circumstances:

(i)A member of a governing body who is a minor may not contract on behalf of a public school.

(ii)A member of a governing body who is a minor may not vote on resolutions of a governing body which impose liabilities on third parties or on the school.

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

21.5 The Head of Department may dissolve RCL if the principal of the school concerned, after consultation with the TLO, SGB and the RCL requests the Head of Department in writing to dissolve a representative council of learners, if the RCL has failed to perform its functions satisfactorily or has acted in a manner which is not in the best interests of the school.

21.6 A RCL dissolved shall be recomposed in accordance with election processes.

21.7 RCL must be allocated a portion from School Budget

23. Discharge of members of representative council of learners

The principal may, after consultation with the TLO, SGB and the chairperson of the RCL, discharge a learner member from the council if the learner member—

(a) commits an act which undermines the administration of the school, or encourages such an act to be committed by others;

(b) is disobedient or refuses to carry out a routine instruction given to him or her by any educator or a person in authority;

(c) is reluctant or refuses to fulfil duties;

(d) conducts himself or herself in an unbecoming or improper manner or is guilty of gross discourtesy towards another person; or

(e) has been found guilty of serious misconduct in terms of the school's code of conduct.

24. Vacancies

A vacancy that occurs shall be filled by means of a by-election. A learner member elected to fill a vacancy by means of a by-election serves for the unexpired period of the term of office of his or her predecessor.

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25 Dispute Resolution and Discipline

24.1 Procedure on dispute Resolution

24.1.1 Any dispute that arises amongst members of the RCL regarding its functions and operations will be resolved by the school principal.

24.1.2 Should the RCL be unable to resolve the dispute with the assistance of the principal, the dispute will be referred to the Circuit for resolution.

24.1.3 If the Circuit fails to resolve the dispute, the matter should be referred to the Local Education Office.

24.1.4 If the Local Education Office fails to resolve the dispute, the matter should be referred to the District.

24.1.5 If conciliation attempts by the district fail, the district should refer the matter to the Province for resolution and final decision.

24.1.6 Attempts should be made to resolve disputes within thirty-day period to ensure that no depute or impasse derails the RCL from fulfilling its mandate.

24.1.7 No member or party within RCL structures may opt for court litigation based on a dispute in the functions or execution thereof of by the RCL or impasse in relation to operation or interpretation of this constitution without having exhausted the aforesaid procedure.

24.1.8 If the dispute is amongst members of the RCL and has consequently weakened all structures of the RCL the MEC may dissolve the RCL and in accordance with the recommendations of the principal, circuit, district or/and province.

24.2 Discipline

24.2.1 All learners whose conduct during the election process or in the operations of any structures of learners' governance including national, provincial, district, circuit and school are destructive or obstructive, are guilty of misconduct and will be subject to the RCL Code of conduct.

24. 2.2 All acts of misconducts within the ranks of RCL structures must be submitted to the circuit and district.

25. Amendment

These Regulations may be amended from time to time, and in consultation with SGB's in the North West Province.

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ANNEXURE A

Acceptance and Commitment by RCL Members

1. I appreciate the legitimate role entrusted to me through the South African Schools Act. I understand that my primary goal for being at school is to learn; I also understand that in pursuit of education I have been given a mandate of building my leadership skills through representing fellow learners in the classroom and beyond.
2. My role will be to represent the interests of learners by bridging the gap between educators, the non-teaching staff, the School Management Team, the School Governing Body and learners. My interest will be the learner, who is at the centre of it all and the reason why schools exist.
3. My task is that of creating and maintaining a conducive atmosphere of teaching and learning in the classroom and the school.
4. As a young visionary I commit myself to upholding the spirit of Botho/Ubuntu in the manner in which I will represent learners and assist the management of the school in running the school.
5. I am committed to act as a role model to my peers through respect and diligence.
6. I am passionate about my role and committed to bearing fruit in all that I do within the RCL, the statutory body representing learners in our school.

SIGNED:

1. Name: _____ Portfolio: _____

Signature: _____ Date: _____

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ANNEXURE B

Meetings Procedures

Critical to the functioning of the RCL will be how meetings are conducted. Two important aspects to acceptable meetings procedures are the agenda of the meeting and how the minutes of such a meeting are captured as a true reflection of what happened in the meeting.

- An agenda is a list of meetings activities in the order in which they are to be taken up by the attendees, and as led by the Chairperson of the meeting. The Chairperson should guide and direct all discussions as per the agenda items while sticking to the times allocated for each item and the meeting.
- An agenda usually has a title, and contains the date, time and venue of the meeting followed by a series of points outlining the business of the meeting.
- Any Other Business (AOB). This allows participants to discuss points or matters raised before the adoption of the agenda. The chairperson may rule that such matters be deferred to the next meeting for thorough preparation.
- Announcements (Details of the next meeting and any other announcements that are relevant to the committee or the participants may be presented)
- Closure (Meeting is closed when it has concluded its business. If the meeting is to end before its business is concluded due to unforeseen circumstances, that is called adjournment)

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A full representation of an agenda or programme for a meeting could look like this

..... School

Representative Council of Learners Meeting Agenda

Venue:

Date:

Time:

Objectives of the Meeting:

Agenda Points

22 Opening and Welcome

23 Attendance Register/Apologies

24 Adoption of the Agenda {This is the session when the agenda points are discussed, agreed upon and finalized depending on the time at the committee's disposal}

25 Minutes {Minutes of the previous meetings are approved at this item as a true reflection of the said meeting}

26 Matters Arising {An issue that arises from the minutes}

27 Business of the Day {This is where the real meeting of the day begins with the discussion of the bulk of matters that address the objectives of the meeting}

28 Any Other Business

29 Announcements

30 Closure.

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DEPARTMENT OF EDUCATION

NO. R. 4446 **28 February 2026**

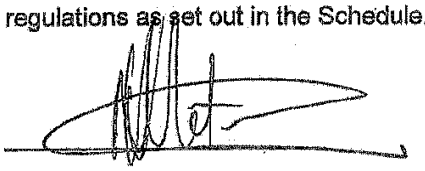
REGULATIONS RELATING
TO
2024 SCHOOL GOVERNING BODIES ELECTION
OF
PUBLIC SCHOOLS IN THE NORTH WEST PROVINCE

2024

REGULATIONS RELATING TO

ELECTIONS OF SCHOOL GOVERNING BODIES OF SCHOOLS

I, Ntsetsao Viola Motsumi, the Member of the Executive Council for Education in the North West Province has in terms of section 28 of the South African Schools Act, 1996 (Act No. 84 of 1996) as amended promulgated the regulations as set out in the Schedule.



Hon. Ntsetsao Viola Motsumi

MEMBER OF EXECUTIVE COUNCIL

NORTH WEST DEPARTMENT OF EDUCATION

REGULATIONS RELATING TO THE ELECTION OF SCHOOL GOVERNING BODIES AND GOVERNANCE OF SCHOOLS IN THE NORTH WEST PROVINCE

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Definitions

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

"Circuit Manager" refers to an official responsible for the management of a circuit;

"Co-opted member" means a parent of a learner at the school or a member of the community co-opted onto the governing body, with voting rights or without voting rights,

"**Comprehensive school**" refers to a technical, combined and mega farm schools;

"**CNS system**" means the candidate nominations system, a secure electronic system, to be used for the electronic submission of the information and documents contemplated in the National Election Guideline and Provincial SGB Election Regulations;

"**Days**" means calendar days including Saturdays, Sundays and public holidays;

"**District electoral officer**" means a senior district official at a district office responsible to oversee and manage the election process in the district;

"e-election" means a school governing body election in which electronic means are used in one or more stages;

"e-voting" means an e-election that involves the use of electronic means in at least the casting of the vote;

"e-voting station" means the voting station for an e-election established at a place as determined by the School Electoral Officer;

"e-voting system" the hardware, software and processes which use electronic means to make a choice between options in an election;

"**educator**" means any person, excluding a person who is appointed to exclusively perform extra-curricular duties, who teaches, educates or trains other persons or who provides professional educational services, including professional therapy and education psychological services, at a school;

"electronic ballot box" means the electronic means by which the votes are stored pending being counted;

"EMGD official" means an official appointed in the Education Management and Governance Development section of National Department of Education;

"**IGSS official** "means the official appointed in the Institutional Governance Support Services section of the North West Department of Education,

"**HOD"** means the head of the education department in the province;

"**Member**" means a member of the governing body;

"**Member of the Executive Council**" means the Member of the Executive Council who is responsible for education in the province;

"**Non-educator member**" means a person appointed according to the Public Service Act or the South African Schools Act who is not an educator at a school;

(i) "**parent**" means –

(ii) the biological or adoptive parent or legal guardian of a learner;

(iii) the person legally entitled to custody of a learner; or

(iv) the person who undertakes to fulfil the obligations of a person referred to in paragraphs (i) and (ii) towards the learner's education at school;

"**principal**" means an educator appointed or acting in a post established as the head of a school;

"**provincial elections co-ordinator**" means a senior provincial official at a provincial office responsible to oversee and manage the election process in the province;

"**public school**" may be —

(i) an ordinary school; or

(ii) a school for learners with special education needs; or

(iii) a school that provides education with a specialised focus on talent, including sport, performing arts or creative arts.

"**remote e-voting**" means e-voting where the casting of the vote is done by a device not controlled by an election official;

"**representative council of learners**" means a representative council of learners established in terms of section 11 of the Act;

"**school**" means an ordinary public school or a public school for learners with special education needs which enrol learners in one or more grades from grade R to grade 12.

"**school electoral officer**" means the Principal of another school. In exceptional cases the District Director may appoint a departmental official who is trained in order to manage the election process of the school.

"**sponsoring body**" means an organization or entity that provides financial, administrative, or other types of support to a public school for learners with special educational needs to ensure that it is operating effectively and efficiently. The sponsoring body may be a non-profit organization, a private corporation, or any other entity that has a vested interest in the success and well-being of the school

"teacher liaison officer" means the teacher elected by all enrolled learners from grade 8 (eight) to 12 (twelve) of the school;

"**the Act**" means the South African Schools Act, 1996 (Act 84 of 1996), as amended.

"voters' roll" means a register of all parents of learners enrolled at a school and those who are eligible to vote at a governing body election.

Introduction

The School Governing Bodies (SGB) are an important key feature in our schools as per the prescripts of South African Schools Act (SASA), 84 of 1996, as amended. SASA recognises the rights and responsibilities of all stakeholders involved in schools and compel every school to have a school governing body which is effective and functional. Since the election of school governing bodies is a democratic process, it has made them to attract more competent people, young parents, heightened community involvement and interest.

The governing body of every school have a legal status and its main objective is to promote the welfare of the school, this force its members to represent the school and its community but not individuals. Therefore, people elected into the SGB should have the learners' interest at heart by ensuring safe schools with a learning environment that will enhance the provision of quality learning and teaching.

The SGB elections are the third biggest elections after national and local government elections looking at the number of people to be elected into SGB structures in all schools. They call for maximised advocacy to the parents and communities to encourage full participation and support. These elections require diligent and committed officials at all levels, including School Governing Body Association members to ensure that the elections are inclusive, successful, free, transparent and fair.

All parents as defined in the South African Schools Act, 84 of 1996 with children enrolled at our public schools should participate by allowing themselves to be voted in and vote for other parents. Educators, non- educator staff members and learners should comply, take part during this process and allow the smooth running of the elections. Eligible voters are encouraged to elect competent, knowledgeable, capable and people with good standing in their communities into the school governing bodies of their schools.

Purpose

- To regularise the School Governing Body election process in the province
- To give effect to provincial SGB election regulations regarding governance in our schools
- To provide information on the participants during the school governing bodies elections
- To clearly outline the composition of the SGB
- To eradicate the challenge of personal interest by the community
- To ensure that processes outlined in these regulations are implemented in a fair and just manner through monitoring the process
- To guide the electoral officers and all involved during the election process

Application of Regulations

These regulations apply and are binding to the governing bodies of all public schools including special schools within the North West province.

1. **Composition of Governing Bodies for Schools**

1.1. The membership of the governing body of a school comprises the following members:

(a) Elected members;

(b) The Principal by virtue of his or her official capacity; and

(c) Co-opted members.

1.2. The elected members of the governing body referred to in sub paragraph 1.1(a) comprise the following members:

(a) Parents of learners at the school;

(b) Educators at the school;

(c) Members of staff who are not educators;

(d) Learners in the eighth grade or higher at the school, elected by the Representative Council of Learners from its ranks.

1.3. The number of parent members, educator members, non-educator members and learner members of a governing body must, depending on the type and grading of the school concerned, comply with Schedule A of these Regulations.

2. **Membership of Governing Bodies of public Schools for Learners with Special Education Needs shall be elected in terms of with Section 24 of SASA no 84 of 1996 as amended**

2.1. These Regulations will apply *mutatis mutandis* to governing bodies of public schools for Learners with Special Education Needs unless indicated otherwise.

2.2. The governing body of a school for Learners with Special Education Needs should be composed as follows:

(a) Parents of learners enrolled at the school, if reasonably practicable;

(b) Educators at the school;

(c) Members of staff at the school who are not educators;

(d) Learners in Grade 8 or higher, if reasonably practicable;

(e) Representatives of sponsoring bodies, if applicable;

(f) Representatives of organisations of parents of learners with special education needs, if applicable;

(g) Representatives of organisations of people with disabilities, if applicable;

(h) People to differently abled person, if applicable;

(i) Experts in relevant fields of special needs education; and

(j) The Principal by virtue of his or her official capacity.

2.3. The chairperson of the governing body in the case of a public school for Learners with Special Education Needs can be any member of the governing body elected from the persons referred to in sub paragraph 2.2 (a), (e), (f), (g), (h) and (i).

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2.4. The number of parent members, educator members, non- educator member and learner members of a governing body must, depending on the type and grading of the school concerned, comply with Schedule B of these Regulations.

2.5. Parents must elect the members referred to in sub paragraph 2.2(a) in accordance with regulation 15 and 16.

2.6. Educators employed at the school concerned must elect the members referred to in sub paragraph 2.2(b)in accordance with regulation 18.

2.7. Non-educator members must elect the members referred to on sub paragraph 2.2 (c)in accordance with regulation 19.

2.8. The Representative Council of Learners must elect the members referred to in sub paragraph 2.2 (d) in accordance with regulation 20.

2.9. Depending on the needs of the school, a maximum of two members per category may be appointed in terms of paragraph 2.2 (e), (f), (g), (h) and (i).

2.10. The Principal of the school must invite in writing relevant organisations/bodies/persons stated in paragraph 2 .2 (e), (f), (g), (h) and (i) to nominate members to serve on the governing body in the respective categories.

2.11. The Principal must submit in writing all the nominations referred to above to the Head of Department

2.12. The Head of Department must within 14 days of receipt of the nominations:

(a) appoint a subsequent number of members per category;

(b) notify each appointed member in writing of his or her appointment; and

(c) notify the Principal concerned of his or her decision.

2.13. The Principal shall inform the District Director concerned in writing of the names and addresses of the appointed members.

2.14. The appointment of the members in terms of paragraph 2.2 (e), (f), (g), (h) and (i) must be finalised at least 24 hours before the election of the parent member component.

3. Eligibility

3.1. A parent member of a governing body must be a parent of a learner officially enrolled at the school and who is not employed at the school;

3.2. A parent member who was eligible under sub-regulation 1.2(a) at the time of his or her election to the governing body ceases to be a member if the learner in respect of whom he or she qualifies as a parent member ceases to be officially enrolled at the school during the term of office for which the parent member was elected

3.3. A teacher member of a governing body must be a teacher, other than the principal, employed at the school. The teacher who has a child in the school can only be elected as a teacher component in the SGB but not as a parent

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3.4. A non-educator member of a governing body must be a person, other than a teacher, employed at the school;

3.5. A learner member of a governing body must be a member of the Representative Council of Learners (RCL);

3.6. **A person will not be eligible to be a member of a governing body if he or she:**

(a) is mentally ill and has been declared as such by a competent court;

(b) is an un-rehabilitated insolvent;

(c) has been convicted of an offence and sentenced to imprisonment in a court of law without the option of a fine, for a period exceeding six months or has not yet served his or her full period of imprisonment;

(d) has been declared to be unsuitable to work with children as stipulated in terms of the Children's Act, 2005 (Act 38 of 2005); or is listed in the register of people unsuitable to work with children in terms of the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007;

(e) does not fall within one of the categories of members who make up a governing body;

(f) no longer falls within the category of members that he or she represented at the time of his/her election;

(g) has had his/her membership terminated by the HOD in terms of SASA within the last five years;

(h) has consecutively failed to attend to scheduled SGB meetings three times without notification during the previous tenure

(i) has a financial, economic or personal interest in the school or works for a sole proprietor or juristic person that has a financial or economic interest in the school

(j) has a proven record of disruption(s) of schools: SGB minutes, registered cases/complains and investigations.

3.7. A person elected is confined to serve only one school.

3.8. A principal elected as a parent member is not allowed to serve in another school as office bearer.

3.9. An official of the Department of Education with direct supervisory responsibilities at the school in which s/he is a parent is not allowed to serve as office bearer.

3.10. A person may not be nominated for, appointed as or co-opted as an enfranchised member of a governing body or continue to be an enfranchised member of a governing body if he or she:

has a child, including an adopted child, spouse, life partner, parent, sibling, grandfather, grandmother, father-in-law, mother-in-law, brother-in-law, or sister-in-law who—

(i) is a member of the governing body concerned; or

(ii) works at the school concerned;

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4. Provincial Election Coordinator

The Provincial Head of Department must appoint a Provincial Election Coordinator in writing. The duties of a Provincial Election Coordinator are amongst others, to:

4.1. ensure that Provincial Regulations are prepared in order to conduct the SGB elections;
4.2. ensure that there is adequate advocacy concerning the election date;
4.3. ensure compliance with provincial procedures with regard to elections;
4.4. coordinate the resources to conduct efficient and fair governing body elections;
4.5. ensure that the School Electoral Officers have the templates and all documents required for the election process;
4.6. monitor and evaluate the election process in the province; and
4.7. consolidate a provincial database of governing body members after the elections.
4.8. to deal with unresolved matters referred to the office of the Provincial Election Coordinator.

5. District Electoral Officer

The District Director must appoint a District Electoral Officer in writing. The duties of a District Electoral Officer are amongst others, to:

5.1. coordinate the election processes in the district;
5.2. advise the district on the proposed strategy and implementation of the election in the district and ensure that the process is conducted as agreed;
5.3. compile a management plan to implement the provincial regulations;
5.4. ensure that each school has a School Electoral Officer in line with provincial regulations, and that the School Election Teams are established;
5.5. ensure that all election officials working at a public school level are adequately trained and are aware of their role and responsibilities;
5.6. ensure that all School Electoral Officers receive the provincial election Regulation/Notice and other documents in good time;
5.7. ensure that the election advocacy is conducted as planned;
5.8. ensure that the entire election process is monitored;
5.9. ensure that the names and contact details of the persons elected to governing bodies (refer to Template 1: Notification of all Members Elected to the Governing Body) are submitted within a week of the elections taking place;
5.10. ensure that they receive the Data Form (refer to Template 2: Governing Body Data Form) from the School Principal and submit it to the district within 14 days of the meeting at which the office bearers are elected;

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5.11. within 14 days, resolves disputes related to the decisions which could not be resolved at school level;

5.12. develops a database of newly elected governing bodies and submit it to the Provincial Election Coordinator; and

5.13. within 14 days compiles a written district report on elections and submit it to the Provincial Coordinator.

5.14. handle and resolve disputes not resolved by School Electoral Officer

6. District Electoral Team

District director or delegated officials must appoint district election team in writing. The duties of a District Electoral Team are amongst others, to:

6.1. administrate the appointment of a School Electoral Officer at each school in line with the national guidelines, which state that an official cannot serve as an Electoral Officer at a school where or she is employed;

6.2. provide training to School Electoral Officer;

6.3. draft and publish district election schedule for all schools in the district;

6.4. ensure that every school has a valid voters' roll based on the school admissions register before the election;

6.5. handle and resolve disputes not resolved by the School Electoral officer. I hope and trust that you will execute these functions to the best of your ability;

6.6. ensure that all schools advertise the elections in line with the provincial regulations and national and provincial guidelines;

6.7. support and monitor each school every step of the way;

6.8. ensure that all documentation pertaining to the to the SGB elections is available for verification;

6.9. develop and administer the database of all newly appointed SGB members in the district and making the data available to the provincial and national departments when required;

6.10. ensure that handover process take place smoothly.

7. School Electoral Officer

The District Director or delegated official must appoint a School Electoral Officer who is a Principal of another school in writing. The appointed Principal must not delegate this responsibility to the Deputy Principal except under unavoidable situations with the approval of the District. The duties of a School Electoral Officer are amongst others, to:

7.1. follow the principle of inclusion, transparency and democracy, rather than that of excluding the potential voters and will ensure compliance with the Protection of Personal Information Act;

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7.2. prepare a notice giving details of the date, time and venue of the nomination and election mode;
7.3. ensure that there is a suitable venue for the nomination/election mode;
7.4. ensure that the School Election Team knows the electoral process to be followed and complies with relevant legislation;
7.5. intervene in and resolve any disputes on the day of nomination/ election; and
7.6. submit election results to the district office.

8. The Principal

The role of the principal in her/his school is amongst others to:

8.1. assist SEO to prepare and sign notices to parents accordingly submit election results to the district office;
8.2. ensure that the details of parents are updated in the admission register and SA-SAMS system;
8.3. inform the departmental officials and the SEO of any change or identified problem/s;
8.4. establish and capacitate a School Election Team comprising of teachers, SMT members, TLO & non – educator staff members. A member of the SMT must lead this team;
8.5. not interfere with election process during the election during the election meeting at his or her school but should allow the SEO to run elections.

9. School Electoral Team

The principals must appoint in writing the school electoral team inclusion of school management team member (s) and Administrative Assistance. The duties of school electoral team are amongst the following:

9.1. assist SEO to prepare and sign notices to parents accordingly;
9.2. work closely with the principal and School Electoral Officer;
9.3. assist in developing the election management plan;
9.4. administer the registration of parents;
9.5. develop the voters roll of the school;
9.6. ensure that all necessary documents are available and there is access to offices for reproduction of election materials;
9.7. distribute and display advocacy materials;
9.8. administer logistical arrangements.

10. Code of Conduct for Electoral Officers (District and School)

An Electoral Officer, shall:

10.1. act honestly and with dignity;

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10.2. act in an unbiased way

10.3. be familiar with the election process and applicable legislation;

10.4. carry out the election in terms of the provincial prescripts

10.5. co-operate with school managers and line management;

10.6. manage the voting process in a fair and just manner;

10.7. deal with difficulties that may arise with courtesy;

10.8. be polite and diligent; and

10.9. not exceed his or her mandate.

11. The voters' roll

11.1. A voters' roll for each of the categories containing the names of all eligible parents, educators, non-educator members and learners, as the case may be, must be available as follows:

(a) the voters' roll for parents must be based on the school admission register. Eligible voters are those persons appearing in the admissions register as parents or who can show proof that they are parents as defined in the Act. Only two parents per learner are eligible to vote;

(b) the voters' roll must close 7 days before the election day to ensure that the School Electoral Officer can focus on the nomination and voting processes and quality assure the voters 'roll;

(c) the voters' roll for educators must consist of all educators employed at the school;

(d) the voters' roll for non-educator members must consist of all other members of staff employed at the school;

(e) the voters' roll for learners must consist of all members of the Representative Council of Learners (RCL);

11.1. The School Electoral Officer must, at least 14 days prior to the date of the election for parent members, inform the parents of the voters' roll as published by the public school;

11.2. School Electoral Officers should follow the principle of inclusion, transparency, and democracy, rather than that of excluding potential voter;

11.3. A voter must produce identity document during voters roll verification and voting.

12. Franchise

12.1. The nominee, proposer and seconder must be persons who appear on the voters' roll for their respective constituency of representation on the SGB;

12.2. Every parent of a learner officially enrolled at a public school is entitled to vote for parent members of the governing body and has one vote in respect of each nominee with a maximum number of votes equal to the number of parent members to be elected;

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12.3. Every educator, including the principal, employed at a public school is entitled to vote for educator members and has one vote in respect of each nominee with a maximum number of votes equal to the number of educator members to be elected;

12.4. Every member of staff is entitled to vote for a member of staff and has one vote. If the public school has only one nominee, that member is automatically elected;

12.5. Every member of the RCL is entitled to vote for learner members and has one vote in respect of each nominee with a maximum number of votes equal to the number of learner members to be elected;

12.6. Each public-school election must have a monitor appointed by the District Director where possible;

12.7. SGB associations will be entitled to deploy one observer per school;

12.8. **Proxy votes are not allowed.**

13. Quorum

A 15 % quorum is required for SGB Elections results to be confirmed. If the quorum is not met at the first election meeting, the election must be rescheduled within 14 days in which event the procedure prescribed in regulation 12, 13 or 14 shall be repeated. In the second election meeting no quorum is needed.

14. Nomination and Elections

14.1. The following election modes are available:

(a) Nomination and Election Mode;

(b) Full Day Election Mode and

(c) E-Election Mode.

14.2. Public schools must notify, in writing, the HOD or his or her delegate of the mode of election they will undertake, not less than 30 days prior to the date of election.

14.3. In granting permission for the election mode, the HOD or his or her delegate will consider whether:

(a) the mode of the election will promote the best interests of the public-school community and the public school and will allow for maximum participation of voters in the voting process;

(b) the mode of election will not discriminate unfairly against any potential voter or group of voters;

(c) sufficient provision is made for the nomination process; and

(d) sufficient resources are available for the preferred mode.

14.4. The HOD must respond within 7 days of receiving the notification. Failure to respond will be considered as affirmation for the school to proceed with the chosen election mode. provided that paragraph 14.3a- d is complied with as well within departmental directed specifications on service providers.

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14.5. The school may appeal to the MEC responsible for education in the province, in writing, within seven days from the date of notification of a decision, in terms of par 14.3.

14.6. The MEC responsible for education must, within seven days of receipt of an appeal, as contemplated in par 14.5 inform the school, in writing, of his or her decision and the reasons for the decision.

14.7. The principal must communicate the mode of election to the School Electoral Officer to prepare and sign notices to parents accordingly.

14.8. The School Electoral Officer must inform the District Electoral Officer of the mode of the election and submit a management plan 14 days prior to the elections.

14.9. The management plan referred to in subparagraph (8) must at least contain:

(a) the proposed date for the mode of the election;

(b) the time the election will start, times when voting stations are open and the closing time;

(c) the time that the votes will be counted, and results announced; and

(d) the schedule for school elections team members to monitor the voting stations to ensure that there are enough officials available for the process to continue.

15. Nomination and Election Mode

15.1. Dates, Times and Place of the Nomination and Election of Parent Members

(a) The School Electoral Officer must prepare notices (Template 5) in the prescribed form, which indicate the date, time (including duration) and place of the nomination and election.

(b) The nomination and election of members must be in line with the mode of election that the school will undertake.

(c) For this mode of elections, the nomination and election are two sessions of one meeting.

(d) When the nomination session ends the election session starts immediately.

(e) The School Electoral Officer must ensure that the notices regarding the nominations and elections are distributed and displayed in prominent places at the school and in the community at least 14 days prior to the date of the nominations and elections and hand the notice prior thereto to the principal.

(f) The principal must:

(i) Hand a copy of the notice to every learner of the school concerned, with the oral instruction to hand it to his or her parents, at least 14 days prior to the date of the nomination and election for parent members; or

(ii) Use any other method that works for the school community, as long as it in no way disadvantages any member of the school community; and

(iii) Candidates' profiles must be displayed on school grounds at least three days prior to the election and, with the permission of the candidate, may be distributed by electronic means to all parents.

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15.2 Nomination Meeting for Parent Members

The School Electoral Officer must ensure that:

(a) the required quorum of 15% is met before nominations start;

(c) the starting and closing time for nominations is indicated at the beginning of the meeting;

(d) nominations that were sent to school are announced ahead of opening for new nominations;

(e) for each nominee there is a proposer and a seconder; and

(f) the nominee, proposer and seconder appear on the voters roll.

15.3. Nomination Procedures for Parent Members

The Electoral Officer must:

(a) confirm that the 15% quorum of parents eligible to vote has been achieved before the start of the nomination meeting;

(b) close the nomination meeting and schedule it to a period not less than 14 days should the quorum not be formed. A quorum will not be required for the second meeting;

(c) explain the nomination procedure if the quorum of 15% is achieved;

(d) inform the meeting about nominations received in advance;

(e) set time for the nomination process;

(f) make nomination forms available to parents to complete and assist those who require assistance to nominate candidates;

(g) ensure that each form is correctly completed with the signature of the Nominee, Proposer and Seconder;

(h) verify that the nominee, the Proposer and the Seconder are all eligible parents in the school;

(i) disqualify nominations forms which do not meet the stipulated requirements;

(j) prevent the nomination of candidates through the raising of hands; and

(k) close the nomination meeting when the allocated time has elapsed.

15.4. Elections for Parents Members

(a) If the total number of valid nominations is equal to the required number of parent members after the elapse of the nomination time, those nominated are declared to be duly elected, and the School Electoral Officer must sign a declaration indicating that members were not elected by secret ballot, and that he or she has provided enough time for more nominations.

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(b) If the number of nominated candidates is more than the required number of expected parent members, the Electoral Officer must prepare ballot papers containing the names of all nominated candidates in alphabetical order (refer to Template 7: Ballot Paper for Parent Members). These ballot papers must have the school stamp on them, or some other distinguishing feature which prevents the ballot papers from being tampered with.

(c) Nominated candidates must be allocated numbers corresponding to the number next to their names on the ballot paper.

(d) The Electoral Officer must allow nominated parents to introduce themselves during which each parent needs to provide the following information:

i. full names;

ii. the names and grades of children in the school;

iii. occupation, skills and experience that may benefit the SGB; and

iv. the parent's vision for the school.

(e) The Electoral Officer must indicate the number of parents to be voted for as predetermined according to the size of the school, while ballot papers are being prepared.

(f) Each parent, verified on the voters' roll must receive a ballot paper to mark in **secret** a maximum number of parents as indicated in schedule A.

(g) The marked ballot paper must be folded and placed in a ballot box or any closed container provided for this this purpose.

(h) An illiterate person or a person who is not able to vote because of any physical challenge may, at his or her own request, be assisted by the School Electoral Officer with a witness identified by the voter.

15.5. Counting of Votes

(a) The Electoral Officer must open the ballot papers in the presence of monitors, observers and candidates who wish to be present.

(b) The Electoral Officer must reject a ballot paper:

i. which is without the school stamp or distinguishing feature as indicated in sub paragraph 15.4 (b);

ii. with more vote crosses than the number of members to be elected; or

iii. which is marked in such a way that it is not clear as to which nominee or nominees a cross can be allocated.

(c) A ballot paper with fewer crosses or marking than the expected number of parents to be voted for is valid.

(d) After the rejection of any spoilt ballot papers, the Electoral Officer must:

i. counts the votes in the presence of monitors, observers and nominees who wish to be present;

ii. announces to the monitors the name of each nominee and the number of votes cast for each;

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iii. completes the counted ballot papers form (refer to Template 8: Counted Ballot Papers and Declaration of Number of Voters) in order of the most votes to the least votes; and

iv. declares who has been elected in terms of the expected number of positions in the SGB. The parents with the most votes are listed first and parents with least votes listed last.

(e) Where the number of votes recorded for two or more nominees is equal and affects the outcome of the poll, the Electoral Officer must draw lots to determine the elected parent member. This must be done openly in the presence of the identified observers as indicated in 15.5(a) above.

16.Full Day Election Mode

This mode is a manual full day election in which voters physically come to the venue to cast their votes at any time within the allocated hours of the day without any meeting held. The counting of votes may proceed only if the number of votes cast by the close of the polls indicates that a 15% quorum of voters has been reached.

16.1 Nomination for Full Day Election

(a) The school electoral officer must prepare notices (Template 5) in the prescribed form, which indicates the date, time (including duration) and place of the nomination and election 14 days before the Election Day.

(b) Nomination takes place prior to the Election Day which is not more than 7 days and not less than 3 days prior to the elections.

(c) Nomination forms are made available to parents to complete, indicating the name and signature of the Proposer and Seconder, with the nominee signing to indicate acceptance of the nomination.

(d) The Nominee, Proposer and Seconder must all appear on the voters roll.

(e) The Nominee must provide the following information to accompany the nomination form for distribution to parents before the Election Day:

i. a recent passport size photo;

ii. full names;

iii. name(s) and grade(s) of child(ren) in the school;

iv. occupation, skills and experience that would benefit the school; and

v. the nominee's vision for the school.

(f) Candidates' profiles must be displayed on school grounds at least three days prior to the election and, with the permission of the candidate, may be distributed by electronic means to all parents.

16.2. Voting During the Full Day

The following takes place on the day of the elections:

(a) verification of eligible voters on the voters' roll;

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(b) handing out of stamped ballot papers containing the names of all nominated candidates in alphabetical order;

(c) The marking of the ballot paper by the parents secretly according to the expected number of parents to be elected or less;

(d) placing of the folded ballot paper in a sealed ballot box or container provided for this purpose.

16.3 Counting During the Full Day Election

(a) Counting is as during the normal election mode.

(b) Counting can only commence after it has been confirmed that the 15% quorum of votes have been cast.

(c) If the 15 % quorum is not met, the election must be rescheduled not less than 7 or more than 14 days from the date of the failed election.

17. E-Election Mode

E-Elections is a mode of elections in which electronic means are used in one or more stages. This mode of election can only be selected by schools which have the capacity to deliver such elections virtually due to available resources and having the majority of the parent having access to the required technology and data to participate in the election.

17.1 The Role of the School in Selecting e-Elections

In selecting this mode of elections, the school must:

(a) apply to the Head of Department or delegated official for approval to use this chosen mode of elections;

(b) inform parents about the platform that the school will use for the elections;

(c) provide guidance to the parents on how to use the election APP; and

(d) provide an IT specialist for technical support before and during the election.

17.2 Technical requirements for the e-voting system

(a) The Service Provide must provide a Cloud Based System.

(b) The Service Provider should provide a fully managed and maintained system including regular scheduled backups and relevant updates.

(c) The system should run on various platforms (e.g. Microsoft, Oracle etc.).

(d) The solution should be user friendly and be able to run on devices such as Laptops, Tablets, Smart Phones and have Browser compatibility.

(e) The programme must be accredited.

(f) The information collected during elections may not be used in any form or for any purpose other than the purpose stipulated in the agreement.

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(g) If the service provider wishes to use such information in any other form or for any other purpose, including, but not limited to, workshops, media releases and the like, it must submit to the provincial department a written motivation for approval for the use of such.

(h) The system must be able to generate reports and include the following functions:

i. import voters roll from a spreadsheet format (List, No, Names/s, ID No, etc);

ii. post pictures of candidates (user choice to toggle for on/off of function);

iii. allow for a number of votes per voter if there are multiple candidates;

iv. provide real time results for quorum purposes;

v. provide admin panel for Electoral Officer to monitor proceedings;

vi. authenticate parents on the voters' roll;

vii. set election start and end time;

viii. incorporate a User Log;

ix. provide the ability to cross-check and verify the correct operation of the e-voting and the accuracy of the result, to detect voter fraud, multiple votes by the same voter and to prove that all counted votes are authentic and that all votes have been counted;

x. provide an Audit Trail.

17.3 Nomination for e-Elections

(a) The school Electoral Officer must prepare notices (Template 5) in the prescribed form, which indicates the date, time (including duration) of the nomination and election 14 days before the Election Day;

(b) Nomination is similar to the nomination procedures followed in Full Day Elections (see paragraph except that the whole process from sending out notices, information and the submission of nomination form is done electronically;

(c) The completed nomination forms must be lodged with the School Electoral Officer not more than seven days and not less than 24 hours prior to the commencement of the elections;

(d) The school should be in a position to assist parents to upload documents when required to do so.

17.4 Voting During e-Elections

(a) Parents will receive log on details with a unique one-time pin to join the e-elections;

(b) The system must be able to verify the credentials of the parents as they log on through the provided pin based on the voters' roll to accept them into the elections;

(c) The Electoral Officer will explain the election process to the parents who have logged on;

(d) An online ballot paper will be made available to parents to cast their vote for the required number of parents to be voted for;

(e) Parents can log off after casting their vote.

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17.5 Counting e-Elections Votes

(a) The system should be able to calculate and provide results as soon as the election time has elapsed;

(b) The Electoral Officer must use all the available checks and balances to verify the authenticity of the results and sign them off;

(c) If case of a tie that affects the outcome of the results, the Electoral Officer should draw lots as a deadlock-breaking mechanism as in all other election modes.

18. Nomination and Election of Educator members

18.1. The School Electoral Officer will decide on a date, time and place for the nomination and election for educator members;

18.2. This process must be held at least 24 hours before the election of the parent member component;

18.3. The Principal must give the School Electoral Officer a list of all educators at the public school; This will serve as the voters' roll.

18.4. The School Electoral Officer must ensure that each educator at the public school receives a copy of the notice of the Nomination/Election (refer to Template 10: Notice of Nomination/Election for Educator Members of Staff) at least 14 days before the date of the election;

18.5. An educator can only be nominated and seconded (refer to Template 5: Nomination Form) by another educator employed at the public school;

18.6. The completed nomination forms must be lodged with the School Electoral Officer not more than seven days and not less than 24 hours prior to the commencement of the nomination and elections;

18.7. Each nomination form will have to be properly completed and handed in to the School Electoral Officer within the time that the School Electoral Officer allows for this purpose;

18.8. If the total number of valid nominations is equal to the required number of educator members, those nominated are declared to be duly elected, and the School Electoral Officer must sign a declaration indicating that members were not elected by secret ballot, and that he or she allowed sufficient opportunity for further nominations;

18.9. The School Electoral Officer and the Principal must use all reasonable means to ensure that the nomination process is successful at the first attempt;

18.10. If the nominations are more than the required number of educators, elections are conducted by secret ballot (refer to Template 7: Ballot Paper for Educator Members), using the same procedure as described for the parent members' elections;

18.11. Educators are obliged to stand for the elections as educator members in the SGB according to PAM document, Chapter A, ss3.4.4

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19. Nomination and Election Meeting of a Non-Educator Member

The procedure for the election of non-educator members to the governing body is as follows:

19.1. the procedure as set out for the nomination and election of the educator component applies, with the necessary changes, to this category of the governing body;

19.2. in cases where there are non-educator members at the public school, the position will be left unfilled;

19.3. food handlers receiving stipends from the SGB fall within this category;

19.4. where there is one non-educator members, that person is regarded as duly elected to the governing body

19.5. in cases where there are two or more non-educator members at a public school, a democratic election must be held to determine who should be elected to the governing body (refer to Template 5: Notice of Nomination Meeting for a Non-educator member); and

19.6. The School Electoral Officer may, with the approval of the non-educator members, draw lots as an alternative method to elect a non-educator member(s) if there are two non-educator members on the public school's staff establishment.

20. Nomination and Election of Learner Members

20.1. The Representative Council of Learners shall elect from its ranks learners who shall be members of the governing body

20.2. The procedure for the nomination and election of learner members shall be as prescribed for educator members with the assistance of the Teacher Liaison Officer.

20.3. The number of learners elected to the governing body should be in line with the formula for the calculation of members of the governing body as per category as indicated in Schedule A.

20.4. The learners must be made aware of section 32 of the Act, which outlines the status of minors on the governing body.

21. Dispute resolution procedure and Decision of the School Electoral Officer

21.1. The School Electoral officer shall decide all matters concerned with the nomination and election of nominees in terms of all the categories

21.2. All disputes should be reported to the School Electoral Officer during the process of the elections.

21.3. The School Electoral Officer shall resolve all disputes in order to declare elections undisputed. His or her decision during the election is final.

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21.4. If the School Electoral Officer is unable to resolve a dispute, the election should be completed and the dispute be referred to the District Electoral Officer within seven days after the Election Day.

21.5. The District Electoral Officer shall inform the complainant in writing of his/her decision and the reasons for it within 14 days of receipt of the complaint.

21.6. In the event that knowledge of any alleged irregularity only became available after completion of the election process, a dispute can be referred to the District Electoral Officer.

21.7. An appeal can be lodged with the MEC within 7 (seven) days, should the complainant not be satisfied with the decision taken by the District Electoral Officer.

21.8. The MEC must inform the complainant in writing of his or her decision and the reason thereof within 30 (thirty) days of receipt of the appeal.

22. Procedure after Election of Governing body

22.1. After the election of a governing body the School Electoral Officer must:

(a) place all documents, including ballot papers, used at such election in envelopes and seal the envelopes;

(b) keep those envelopes in safe custody for a period of at least three months from the date of the election of the governing body concerned;

(c) notify each elected member in writing of his or her being elected;

(d) notify the Principal of the public school in writing of the names and addresses of the persons elected as members, and inform the Principal that he or she must notify the parents of the election results within 14 days of the meeting;

(e) ensure that the District Director is informed in writing of the names and addresses of the persons elected as governing members (refer to Template 1: Notification of all Members Elected to the governing body); and

(f) submit an undisputed election declaration where this was the case, or a declaration detailing any disputes (refer to Template 9: Election Declaration Form).

22.2. The Principal must ensure that the Data Form (Template 2: Governing Body Data Form) is completed by every member of the newly elected governing body. This form must be submitted to the district office within 14 days after notification of the results of the election.

22.3. The Principal is required to inform the Provincial Department of Education of any changes in membership of the Governing Body within 14 days of those changes being effected to ensure that the database is up to date.

22.4. The newly elected governing body will assume its responsibilities when the governing body elections are declared free and fair, which declaration should be made on the same day as the election.

22.5. The newly elected governing body members will be subjected to vetting by an accredited vetting agency

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23. Election and term of Office-bearers

23.1. The Principal must convene the first meeting of the governing body within 14 days after he or she has been notified in writing of the names and addresses of all the members of the governing body;

23.2. At the first meeting of the governing body, members must from amongst themselves, elect office-bearers, who must include at least a chairperson, a treasurer and a secretary. The Principal shall preside at the election of the Chairperson of the School Governing Body who shall then officially preside over the meeting;

23.3. The office-bearers, with the exception of the learner component, shall remain in office for one year from the date of their election;

23.4. An office bearer of a governing body may be re-elected or co-opted after the expiry of his or her term of office;

23.5. If for any reason the office of an office-bearer becomes vacant, the governing body shall, 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; and

23.6. The Principal shall, after a meeting at which any office-bearer has been elected, notify the Head of Department forthwith in writing of the date of the meeting and of the name, address and office of the person elected.

24. By-elections due to vacancies in the governing body

24.1 The Chairperson of the governing body, in consultation with the Principal, must inform the District Director of any vacancies and arrangements for a by-election.

24.2 ASchool Electoral Officer must be a Principal of another school.

24.3 A by-election must be held whenever —

(a) the number of parent members of a governing body falls to a number equal to or less than the total of the other members of the governing body;

(b) the number of members who, at the constitution of a governing body, were elected, or declared elected, falls to a number equal to or less than the quorum referred to in the constitution of a fully constituted governing body; or

(c) a category of members of a governing body referred to in section 23 or 24 of the Act is no longer represented on a governing body.

24.4 A by-election must be held as and when there is a vacancy in the governing body. A vacancy shall occur in a governing body if a member –

(a) resigns;

(b) dies;

(c) becomes disqualified as indicated in paragraph 3;

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(d) absents himself or herself from three or more consecutive meetings of the governing body without a formal apology;

(e) is removed from office in accordance with provisions contained in a code of conduct noted in section 18A of the Act; or

(f) no longer falls within the category of members which he or she represented at the time of the election.

24.5 Whenever a vacancy occurs as envisaged in sub paragraph 21.3, a by-election must be held within 90 days of the occurrence of such vacancy.

24.6 A by-election must be held in accordance with paragraphs 12 to17, depending on the Category of the membership.

24.7 A member elected in accordance with this paragraph remains in office for the unexpired term of office of his or her predecessor, provided that he/she is still eligible.

25. Hand over

25.1. The Principal, as a member of the outgoing and the newly elected governing body, must manage the handing-over process by:

(a) officially handing over all governing body files to the newly elected governing body under the safe keeping of the principal;

(b) conducting an induction session for the newly elected members; and

(c) answering any questions that the newly elected governing body may have.

25.2. A list indicating the minimum documents that need to be handed over to the incoming governing body is included (Template 10: Handover guide).

26. Transitional provision relating to existing governing bodies

26.1. Where a governing body of a school was in existence prior to the elections its term of office must be deemed to have ended on the day before the date on which a governing body for that school is elected in accordance with these regulations.

26.2. Until the end of its term of office, a governing body of a school which was in existence immediately prior to the elections continues to perform all the functions it performed prior to the elections which it can lawfully perform until the first meeting of the newly elected SGB is convened by the principal and signatories have changed.

26.3. School Governing bodies are urged to refrain from concluding new agreements in the last three months of their term, unless it necessitated by exceptional circumstances

27. Liability, reimbursement and financial benefit

27.1. A member of a governing body is not liable for any debt, damage or loss incurred by the school as a result of his or her actions in his or her capacity as a member of the governing body unless he or

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she acted without authorization or with malicious intent, in which case he or she may be held responsible for such debt, damage or loss.

27.2. Necessary expenses incurred by a member of a governing body in the performance of his or her duties may be reimbursed by the governing body.

27.3. No member of a governing body or any relative of such member may derive financial benefit by virtue of his or her being a member of such governing body.

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

27.5. A school governing body should not enter into any contract that exceeds its three-year term of office.

28. Review

This Regulation is subject to review every three years to response to changes in school governance and election procedures.

29. Repeal of regulations

The Regulations relating to the election of school governing bodies and governance of schools contained in Notice ---------- of 2024 and published in the Extraordinary Provincial Gazette no 8203 on 14 April 2021 is hereby repealed.

30. Short Title

These regulations are called the "**Regulations relating to the election of school governing bodies and governance of schools in the North West Province, 2024"** and shall come into operation on the date of publication in the Provincial Gazette. / until the review of next SGB Elections

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31. Schedule

A	Composition of governing body of ordinary public schools by type and learner enrolment
B	Composition of governing body of public schools for learners with special educational needs by type and learner enrolment

32. Templates

Number	Template notation
1	Notification of All Members Elected to the Governing Body
2	Governing Body Data Form
3	Parents Voters 'Roll
4	Voters 'Roll
5	Notice of Nomination and Election Meeting
6	Nomination Form
7	Ballot Paper
8	Counted Ballot Papers and Declaration of Number of Voters
9	Election Declaration Form
10	Handover Documents
11	Election Monitoring Instrument(Election Day)
12	Pre-election monitoring
13	Governing Body Election Schedule
14	Public school readiness monitoring instrument
15	District readiness monitoring instrument
16	School governing body reporting template
17	Post-election monitoring instrument

SCHEDULE A

COMPOSITION OF GOVERNING BODYOF ORDINARYPUBLIC SCHOOLS BYTYPEAND LEARNER ENROLMENT

1. The numbers of a governing body of a public school are set out for each category of membership in the table below.

2. The number of members in a category will vary according to the type of public school and learner enrolment set out in columns 1 and 2.

3. In a school which does not have a non-educator member, the number of parents set out in column 5 shall be reduced by one and the total number of members set out in column 8 shall be reduced by one.

TYPE OF SCHOOL	NUMBER OF LEARNERS ENROLLED AT SCHOOL	PRINCIPAL	NUMBER OF EDUCATOR MEMBERS	NUMBER OF PARENT MEMBERS	NUMBER OF NON EDUCATOR MEMBERS	NUMBER OF LEARNER MEMBERS	TOTAL NUMBER OF MEMBERS
Primary School	1 to 159	1	1	4	1	0	7
Primary School	160 to 700	1	2	5	1	0	9
Primary School	701 and more	1	3	6	1	0	11
Secondary School	1 to 649	1	2	7	1	2	13
Secondary School	650 and more	1	3	9	1	3	17
Combined School	1 to 499	1	2	7	1	2	13
Combined School	500 and	1	3	9	1	3	17

SCHEDULE B

COMPOSITION OF GOVERNING BODYOF PUBLIC SCHOOLS FOR LEARNERS WITH SPECIAL EDUCATIONAL NEEDS BYTYPEAND LEARNER ENROLMENT

One member per applicable category. The table does not have the numbers for categories that are for appointment.

TYPE OF SCHOOL	NUMBER OF LEARNERS ENROLLED AT SCHOOL	PRINCIPAL	NUMBER OF EDUCATOR MEMBERS	NUMBER OF PARENT MEMBERS If reasonably practical	NUMBER OF NON EDUCATOR MEMBERS	NUMBER OF LEARNER MEMBERS If reasonably practical	Elected members	Total number of members
Primary School	1 to 149	1	2	5	1	0	9	Plus members appointed per applicable category
Primary School	150 and more	1	3	6	1	0	11	
Secondary School	1 to 149	1	2	6	1	1	11	
Secondary School	150 and more	1	3	8	1	2	15	
Combined School	1 to 149	1	2	7	1	2	13	
Combined School	150 and more	1	3	8	1	2	14 (15)	

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TEMPLATE 1

NOTIFICATION OF ALL MEMBERS ELECTED TO THE GOVERNING BODY

SCHOOL: .....

DISTRICT.....

ELECTION DATE:.....

SURNAME	NAMES	TELNUMBER	CELL NUMBER	FAXNUMBER	EMAIL
Principal					
Parents					
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
Educators					
1.					
2					
3.					
Non-educator members					
1.					
Learners					

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1.					
2.					
3.					

FULLNAME OF SCHOOL ELECTORAL OFFICER :.....

SIGNATURE: .....

DATE: ...../...../.....

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TEMPLATE 2

GOVERNING BODY DATA FORM

PROVINCE..... SCHOOLNAME.....EMIS NO: .....

Surname and initials	F	M	A	W	C	I	Yes	No	Primary	Secondary	Tertiary	None	Previous SGB experience in years	Previous SGB		SGB
														Yes	No	
Principal																
Parents																
1.																Chairperson
2.																
3.																
4.																
5.																
6.																
7																
8																
9																
Educators																
1.																
2.																
3.																

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Non-educator members																
1.																
Learners																
1.																
2.																
Appointed members(LSENschools)																
1.																
2.																

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TEMPLATE 3

PARENTS VOTERS'ROLL

SCHOOL:_____ **DISTRICT:**_____

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

No	SURNAME	NAME(S)	NAMEOFTHECHILD	GRADEOFTHECHILD
1				
2				
3				
4				
5				
6				
7				
8				
9				

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TEMPLATE 4

VOTERS'ROLL

SCHOOL:_____ **DISTRICT:** _____

COMPONENT: Place a cross(X) next to the correct component.

Educators		Non-educator member		Learners	

NO.	SURNAME	NAME
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		

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TEMPLATE 5

NOTICE OF NOMINATION AND ELECTION

NAME OF SCHOOL:_____ **DISTRICT:**_____ -

COMPONENT: Place a cross(X) next to the correct component.

Parents		Educators		Non-educator member		Learners

Notice is hereby given that nominations and elections for above category members of the governing body of the above-mentioned school, will be held on

…….. (date) at …… (time) at…….. (place).

For parent nominees, the proposer and the seconder must be parents of learners at the school. Nominees must be parents that are not employed at the school. For each category: the nominee, the proposer and the seconder must come from the membership of that category.

For the parents' elections, the nomination form must be returned to the school at least seven days before the elections are conducted. Profiles of nominees will be availed to the category members 3 days before the elections. For other categories the period is 24 hrs.

NB: It is the responsibility of the nominee and the voter to ensure that their names are on the school's voters' roll ,which can be viewed at the school

……

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TEMPLATE 6

NOMINATION FORM

NAMEOF SCHOOL: .....**DISTRICT**.....

COMPONENT :Place a cross(X) next to the correct component.

Parents		Educators		Non-educator member		Learners	

PROPOSER:

I, ... (full name) being (a parent of a learner/ an educator / a non-educator member / a member of the Representative Council of Learners of the above-mentioned school), hereby propose:

..... (full name of nominee) as a member of the governing body of the above-mentioned school.

SIGNATUREOF PROPOSER..... **DATE**.....

I, ... (full name) being (a parent of a learner/ an educator / a non-educator member / a member of the Representative Council of Learners of the above-mentioned school), hereby second the nomination:

..... (full name of nominee) as a member of the governing body of the above-mentioned school.

SIGNATUREOF SECONDER..... **DATE**.....

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DECLARATIONBYNOMINEE:

I, the nominee..... (Full names) accept the nomination and declare that I am not/have not:

(a) I am not mentally ill and have not been declared as such by a competent court;

(b) I am not an un-rehabilitated insolvent;

(c) have not been convicted of an offence and sentenced to imprisonment in South Africa or a foreign country without the option of a fine for a period 00exceeding six months or failed to serve a full period of imprisonment;

(d) have not been declared to be unsuitable to work with children as stipulated in terms of the Children's Act,2005(Act38of 2005) or registered on any offence register regarding child abuse.

(e) had my membership terminated by the HOD in terms of SASA.

SIGNATURE OF NOMINEE..... DATE.....

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TEMPLATE 7

BALLOT PAPER

NAMEOF SCHOOL: .....DISTRICT.....

COMPONENT: Place a cross(X) next to the relevant component.

Parents		Educators		Non-educator member		Learners	

VOTE BY PLACING A CROSS INTHE BOX NEXT TO THE NOMINEE(S) OF YOUR CHOICE, e.g., X

	Name	Vote by an X
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

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TEMPLATE 8

COUNTED BALLOTPAPERS AND DECLARATION OF NUMBER OF VOTES

NAME OF SCHOOL: .....DISTRICT..... TYPE OF SCHOOL: .....

COMPONENT: ..... DATE OF ELECTIONS.....

Number	Names of nominees(Most to least votes)	Number of votes
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

NUMBER OF ELIGIBLEVOTERS: _____

NUMBER OF ACTUAL VOTES : _____

NUMBER OF SPOILT PAPERS : _____

NAME OF SCHOOLELECTORALOFFICER:_____

SIGNATURE: _____

DATE:_____/_____/_____

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TEMPLATE 9

ELECTION DECLARATION FORM

NAME OF SCHOOL: .....DISTRICT.....

COMPONENT(S) OF ELECTIONS: ..... DATE OF ELECTION(S): .....

PLEASE COMPLETE THE RELEVANT SECTION

SECTION A: UNDISPUTED ELECTIONS

As the School Electoral Officer for the above-mentioned elections I declare that the election of all components were undisputed.

Signature..... **Date.....**

SECTION B DISPUTED ELECTIONS

As the School Electoral Officer for the above-mentioned school, I declare that the following component(s) of the election was/

Were disputed .....

.....

And hereby provide the detail of the said dispute(s).

.....

.....

NAMEOF SCHOOLELECTORALOFFICER: .....

SIGNATUREOF SCHOOLELECTORALOFFICER: ..... DATE...../...../.....

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TEMPLATE 10

DOCUMENTS FROM OUTGOING GOVERNING BODY CHAIRPERSON TO NEWLY ELECTED GOVERNING BODY CHAIRPERSON

(These documents are the property of the school and must be kept safely by the School Principal.) 2024 Hand over certificate

SCHOOL:_____**EMISNO:**_____**DISTRICT:**_____

I,_____(full names), the newly elected chairperson of the school governing body of(school's name) hereby certify that the following documents / e-copies have been handed over to the incoming SGB by the outgoing chairperson and or to be held in safe keeping at the school:

A. LEGISLATION

ITEM	Mark with an X		COMMENT
	YES	NO	
1. The South African School Act No.84 of 1996 as amended (SASA)			
2. Provincial Education Act			
3. Provincial Regulations related to the governing bodies of public schools			
4. National norms and standards for school funding (General Notice 869 of 2006)			
5. Code of Conduct Regarding the misconduct of learners at public schools and disciplinary proceedings			

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6. National Regulation for Exemption of parents from the payment of school fees (General Notice 1149of 2006)			

B. POLICIES

ITEM	Mark with an X		COMMENT
	YES	NO	
1. Admission policy			
1. Policy regarding school sport and cultural activities			
2. Policy regarding use of school buildings and facilities by non-school community members			
3. Policy on occupational health and safety			
4. Religion policy			
5. Language policy			
6. HIV and AIDS policy			
7. Code of conduct for learners			

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8. School's policy regarding payment of school fees and the school's sliding scale for determining school fees exemption (where applicable).			
9. The Constitution of the School Governing Body			
10. Provincial code of conduct for SGBs			
11. The vision and mission statement of the School			

C. FINANCIALRESOURCES

RECORDS SHOULD COVER THE SGB TERM OF OFFICE.

ITEM	Mark with an X		COMMENT
	YES	NO	
1. Minute book (for Financial Committee.)			
2. School assets register			
3. Cash book			
4. Receipt book (current) (Serial number:)			
5. Receipt book/s (completed) (Serial numbers:)			
6. Petty cash (Amount:)			
7. Bank statements for period 1 January to 30 June of current financial year			
8. Documentary proof of investment (if any) e.g. MEC permission.			
9. List of NGOs/partners approved by district and operating in schools			
10. Copy of 10th school day statistics			

11. Copies of contracts of all staff employed by the Public School			
12. Audited Financial Statements for period 1 January to 31 December of previous Year			
13. School's financial policy			
14. Approved school budget for current financial year			
15. Resolution to Charge School Fees – if applicable			

D. LEARNER PERFORMANCE

ITEM	Mark with an X		COMMENT
	YES	NO	
1. Copies of analysis of results of previous three years (all grades)			
2. Strategy to improve learner performance			
3. The School Improvement Plan – current year			

Outgoing SGB chairperson:

Name_____**Signature:**_____**Date:**____/_____/_____

Newly Elected SGB Chairperson:

Name_____**Signature:**_____**Date:**____/____/_____

NB. All SGB related documents should cover their term of office (3 years).

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ELECTION MONITORING INSTRUMENT (ELECTION DAY)

A. General Information

Items	Names	Contact details
1. Name and type of school		
2. Province		
3. District office		
4. Provincial official(name and designation)		
5. District official(name and designation)		
6. School Electoral Officer(name and designation)		

B. Preparations

1. How long before the nominations and elections were notices sent out?	
2.Election dates:	• Learners…… • Educators…….. • Non-educator member……
3. Comment on the suitability of the venue (e.g. space, furniture, lighting compliant).	
4. Were the voters checked against the voters 'roll?	

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5. Total number of learners at the school	
6. Number of parents on the voters 'roll	
7. Number of parents who signed the voters' roll	
8. What is the expected quorum (15% of the parents on the voters'?	
9.Demographics of learners at the school (e.g. 60%African, 20%White,10%Indian and10%Coloured)	

C. Nomination process

1. Was the quorum of 15% met? If not, when is the next election date?	
2. Did the School Electoral Officer clearly explain the nomination process?	
3. Did the School Electoral Officer invite further nominations?	
4. Were nominations conducted as per Provincial SGB notice?	
5. Were the nominees profiles available	

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4. Election process

1. What method was used to ensure that a voter was given one ballot? paper	
2. Did the School Electoral Officer clearly explain the election process?	
3. Was a ballot box(es) used?	
4. Did the election officer verify that the ballot boxes were empty prior to voting?	
5. Did the voting booths allow for secret voting?	
6. Was the counting process observed by the monitor?	
7. Were the election results announced to the monitor?	
8. Were any irregularities noted in the elections? State if any.	
9. Were there any grievances lodged? Provide a brief description of the grievance and how it was resolved.	
10. Did the School Electoral Officer have the Provincial SGB Elections Notice readily available and conduct the elections as prescribed?	
11. What Is the total number of parents elected?	
a. Gender (e.g. 4 men and 6 women)	
b. Racial breakdown	
c. People with disabilities	

Additional Comments/information/concerns

……

……

School Electoral Officer…… Signature…… Date: ……/……../……..

Name of Monitor…… Signature…… Date: ……../……../……..

Office of Monitor: ……

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TEMPLATE 12

PROVINCIAL PRE-ELECTION MONITORING INSTRUMENT

1. GENERAL INFORMATION

1.1 Province	
1.2 Period of election	
1.3 Provincial Electoral Officer	Name: Cell:

2. ADVOCACY

2.1. Radio stations that the Province has planned to use?	
2.2. How long will the messages be aired?	
2.3. What are the key messages?	
2.4. Newspapers that the Province has planned to use?	
2.5. What are the key messages?	
2.6. Are posters and flyers in place?	
2.7. What are the key messages of the posters and flyers?	

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2.8. What other forms of advocacy are in place?(e.g. road shows)?	
2.9. What was the most effective mode of advocacy in the previous elections? Motivate	
2.10. ***How and when is the MEC going to*** launch the elections?	

3. ELECTION BUDGET

3.1 Election budget	
3.2 Source of budget	

4. LIST OF DOCUMENTS

NB: If some of the following documents are not available, please indicate when they will be developed:

Are the following in place?

4.1 Provincial Notice for SGB elections	
4.2 Code of conduct for SGB members	
4.3 Samples of all templates to be used in the elections	
4.4 Documents for the training of electoral officers	

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4.5 SGB elections management plan	
4.6 Circulars to the districts on the SGB elections matters	
4.7. SGB election schedules from schools	
4.8. Provincial monitoring tools relating to SGB elections	

5. ELECTION TEAMS

NB: IF SOME OF THE FOLLOWING TASKS HAVE NOT YET BEEN CARRIED OUT, PLEASE INDICATE WHEN THEY WILL BE DONE:

5.1 Has a provincial election task team (including all stakeholders) established?	
5.2 have the district electoral officers been officially appointed in writing?	
5.3 Are district election teams established?	
5.4 Are school election teams established?	
5.5 Have all schools been paired?	
5.6 Have all election teams been trained on the provincial SGB elections notice?	

6. MONITORING AND EVALUATION

6.1 Is there a plan in place to monitor the elections?	
6.2 How will it be ensured that monitoring of the elections takes place?	
6.3 How will it be ensured that data on newly elected governing bodies is captured?	
6.4 Who will be responsible for the development of the election report?	
6.5 Will an external evaluation of the election process be conducted? If so by who?	

7. PHYSICAL RESOURCES

7.1 What type of venues are going to be used for governing body elections (e.g. school hall)?	
7.2 Do all schools have suitable venues for the purpose(in terms of space, furniture, ventilation etc.)?	
7.3 Are plans in place for availability of resources in schools(e.g. prepare ballot boxes and voting booths)?	
7.4 Will some of the physical resources be outsourced?Please specify.	
7.5 If resources are going to be outsourced, who will be potential providers?	

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COMMENTS/ADDITIONAL INFORMATION

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.....

.....

.....

.....

PROVINCIAL ELECTORAL OFFICER: .....

SIGNATURE.....

DATE...../...../.....

DEPARTMENT OF BASIC EDUCATION OFFICIAL:.....

SIGNATURE:.....

DATE:...../...../.....

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TEMPLATE 13

GOVERNING BODY ELECTION SCHEDULE

Province: .....District: .....Circuit: .....

Year of election: .....

Name of School	School Physical address	Town/City	Name of School Principal	Contact no of School Principal	Name of School Electoral Officer	Contact no of School Electoral Officer	Election date	Second election date(if applicable)	Date of meeting to elect SGB office bearers	Date of handover from outgoing to elected Chairperson

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TEMPLATE 14

SCHOOL READINESS MONITORING INSTRUMENT

1. Name and type of school	
2. Province	
3. District office	
4. Provincial/ District official (name and designation)	
5. Total number of learners in the school	
6. Demographics of learners in the school (e.g. 60% African, 20% White, 10% Indian and 10% Coloured)	
7. School Electoral Officer	Name:
	Designation:
	Twinned school:
8. Election dates:	Educators:
	Non-educator members:
	Learners:
	Parents:
9. Availability of Provincial SGB Elections Notice, SGB elections circular(s) News letters to parents.	
10. Election mode (/Meeting/ One Day? E-Election)?	
11. Readiness of voters' roll	
12. Election proceedings to be followed were sent to voters 30 days before the election day?	Date sent out:

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13. Election notices (invites) sent to Parents 14 days in advance?	Date sent out:
14. Were nominee profiles sent to parents at the regulated time and posted at suitable places?	Date sent out:
15. School Electoral Team appointed and trained on SGB Elections?	Date trained:
16. Suitable venue identified? (furniture, lighting.)	
17. Voting material prepared? (ballot box, projector or flip chart, election templates, pens, sign posts, tokens, etc.)	
18. Does the school have duplicating equipment for the instant production of ballot papers?	
19. Which modes of advocacy did the school use? (Evidence required)	
20. What measures are in place to ensure that there will be maximum participation by voters?	
21. Which election mode has the school planned for?	

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SCHOOL READINESS MONITORING INSTRUMENT (SGB ELECTIONS)

NB. If the school's Principal has been appointed as a School Electoral Officer, please populate a similar tool regarding the school for which such member is appointed as a School Electoral Officer for.

Additional information/Comments/Concerns

.....

.....

.....

.....

.....

School Principal/ SMT Member: .....Signature: ..... Date: ...../...../.....

Name of Monitor..... Signature:.....Date:...../...../.....

Office of Monitor: .....

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TEMPLATE 15

DISTRICT READINESS MONITORING INSTRUMENT

1.Province	
2.District office	
3.District Director	Name:
	Contact details:
4.District Electoral Officer	Name:
	Designation:
5. Does the district have: Provincial SGB Elections Notice, SGB elections circular(s).?	
6. Has the District Electoral Officer been appointed in writing?	
7. Has the District Electoral Team receive training? Date?	
8. Has the district appointed School Electoral Officers in writing?	
17 Has the District trained all School Electoral Officers? (Evidence and date required).	
10.Are all schools paired?	
11. Have all schools set two election dates?	
12. Has the district compiled a district schedule of elections per SGB component ?	

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13. District monitoring schedule and strategy are in place?	
14. What strategies have been put in place to ensure that all schools advocate for the elections and keep parents informed regularly?	
15. Do all schools have voters' rolls ready?	
16. Which modes of advocacy did the district employ? If none, what is to be done to remedy the situation?	
17. Has the district established a District Dispute Resolution Team?	
18. What systems will the district employ in recording and reporting on election information e.g. SASAMS	
19. What measures has the district put in place to support schools that may not have resources to conduct the elections?	
20. Is there a dedicated budget for the district to conduct elections?	
21. How many schools will conduct the elections electronically?	
22. Has the district prepared letters of recognition for the outgoing governors?	

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What are the 3 main risks of the district's SGB Elections? What strategies have been put in place to manage the risks?

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Additional Comments

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District Electoral Officer: ..... Signature.....Date: ...../...../.....

Name of Monitor: .....Signature.....Date: ...../...../.....

Office of Monitor: .....

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TEMPLATE 16

SCHOOL GOVERNING BODY REPORTING TEMPLATE

Province…….. District……..

Name of Circuit…… Name of Circuit Manager…….

No.	Name of School						
		Training of SEO	Voters roll verified	Twinning	Election Mode	Election Date	Second Election date
1.							
2.							
3.							
4.							
5.							
6.							

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TEMPLATE 17

POST ELECTION MONITORING INSTRUMENT

Items	Names	Contact details
1. Name and type of school		
2. Province		
3. District office		
4. Provincial official(name and designation)		
5. District official(name and designation)		
6. School Electoral Officer(name and designation)		

1.	PROCEDURE AFTER ELECTION OF GOVERNING BODY	YES	NO	COMMENTS
1.1	Did the School Electoral Officer place all documents, including ballot papers used in envelopes and seal the envelopes?			
1.2	Are the sealed envelopes in safe custody?			
1.3	Did the School Electoral Officer notify the principal of the school in writing of the names and contact details of the persons elected as members? (Template 1)			

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1.4	Did the SGB Chairperson ensure that the District is informed in writing of the names and contact details of the persons elected as SGB members? (Template)			
1.5	Did the School Electoral Officer include an undisputed election declaration or a declaration detailing any dispute? (Template 9)			

2.	ELECTION OF OFFICE-BEARERS	YES	NO	COMMENTS
2.1	Did the School Principal convene the first meeting of the governing body within 14 days after notification of the results of the election?			
2.2	Were office-bearers elected at the first meeting of the SGB?			
2.3	Is the Chairperson a parent member of the governing body?			
2.4	Did the Principal preside over the first meeting of the SGB?			
2.5	Did the SGB chairperson notify the district director in writing of the date of meeting and of the name, contact details and positions of the persons elected to serve in the SGB? (Template)			
2.6	Did the Principal inform the SGB before choosing office-bearers, of their responsibilities and to ensure that sub-committees are established and are led by sub-committee chairpersons (Template)			

3.	REGISTRATION OF SCHOOL GOVERNING BODY MEMBERS AND HANDING OVER PROCESS	YES	NO	COMMENTS
3.1	Was the first meeting of the newly elected SGB convened less than 14 days after the election of the parent component?			
3.2	Were the office-bearers elected at the first meeting of the newly elected SGB?			
3.3	Did the Principal ensure that the SGB Data Form (Template 2) was completed by every member of the new SGB?			
3.4	Was (Schedule R) submitted by the SEO to the District Office within 14 days after notification of the results of the election?			
3.5	Did the Principal of the school on behalf of the outgoing chair submit the data form to the Area Office within 14 days of the SGB's first meeting?			
3.6	Did the Principal, as a member of the old and new SGB manage the handing-over process?			
3.7	Were all SGB files officially handed over to the new SGB?			
3.8	Did the Principal conduct an induction session for the newly elected SGB members?			
3.9	Did the principal answer all the questions that the new SGB had?			

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3.10	Was a list of hand-over documents in the form of a certificate, indicating the documents that need to be handed over to the incoming SGB, signed by all the stakeholders : (Chairperson, Outgoing chairperson, Principal and the Circuit Manager)			

4. Comments / additional information/ concerns:

.....

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5. General remarks

.....

.....

.....

....

Principal **Signature** **Date**

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