

# Fairmont High School Governing Body Constitution

## PREAMBLE

We the educators, non-educators and parents of this institution lay claim to a public education and acknowledge that we fall under the jurisdiction of the Western Cape Education Department (herein referred to as WCED) and that we are governed by the South Africans Schools Act of 1996.

## VISION

The vision of this school is to equip our pupils to participate effectively in a common future with all South Africans.

## MISSION STATEMENT

The mission of this Institution is to strive to be a place of quality, a place to grow.

We are committed to excellence in teaching, learning and research and through this process improve the quality of life of our pupils, our community and hence the greater South African public.

Through affordable high quality learning opportunities, we endeavour to prepare our students to meet in a critical and creative way the diverse needs of our community and a society in transition.

We are committed to the development of a healthy body and mind in our pupils through the promotion of both sporting and cultural activities <sup>1</sup>and the enrichment of the teaching staff through ongoing training and career pathing.

## 1 AIMS AND OBJECTIVES OF THE SCHOOL AND IT'S GOVERNING BODY

- To provide pupils with their educational needs, without discriminating unfairly in any way.
- To allow no form of racial, <sup>2</sup>gender and/or other discrimination whatsoever in the execution and discharging of our duties.
- To allow religious observance at the school to be conducted on an equitable basis and attendance at them by pupils and members of staff to be free and voluntary, subject to the provisions of section 7 of the Act.
- To function financially in such a way that the school shall fulfil it's commitments.
- To serve the community by preparing pupils in such a way that they will take their place in the community as well-educated people.
- To provide the opportunity for staff to grow professionally, to obtain work fulfilment and to deliver education of the highest quality.
- To make a contribution to the promotion of sport and culture in general, but specifically to use sport and culture activities as educational opportunities to the benefit of the school <sup>3</sup>and its stakeholders.

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<sup>1</sup> Inserted: and the enrichment of the teaching staff through ongoing training and career pathing

<sup>2</sup> Inserted: gender and/or other

<sup>3</sup> Inserted: and its stakeholders

- To strive for mutual decision-making by parents, teachers and the management of the school.
- To build a caring, involved and creative community of pupils, parents and staff.
- To provide a regular forum for the discussion of the relevant matters affecting the school and it's community.
- To develop and activate a code of conduct for pupils, parents, educators and non-educators so that the above aim/objectives could be obtained.
- Engineering a balance between the rights of the individual, and the well- being of the school and the community.

## **2 LEGAL PERSONA (STATUS)**

Fairmont (herein after referred to as “ the school”) is a juristic person with legal capacity vested in it's School's Governing Body (herein after referred to as the SGB).

## **3 LIABILITY OF MEMBERS**

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

## **4 COMPOSITION OF THE SGB**

- The Principal in his/her official capacity as the representative of the WCED
- <sup>4</sup>Seven parents elected by parents
- Two educators elected by educators
- One non-educator elected by non-educators
- Two pupils elected by the pupils
- Any co-opted member from the community brought in to carry out a specific function.

## **5 TERM OF OFFICE OF MEMBERS**

- The term of office of all elected members is three years.
- Members of the SGB remain in office after the expiry of their term of office until the election of the new SGB.
- Members may be re-elected or co-opted after the expiry of their term of office.
- In the event of an adoption of a vote of no-confidence in the SGB at a properly constituted meeting of parents, the term of office of all elected members and co-opted members shall come to an end.
- The term of office of all office bearers is one year.
- Any office bearer may be re-elected after his/her term of office has expired.

## **6 MEMBERS OF THE SGB**

Membership shall be open to any member of the non-educator staff, educator staff, parents and learners who are directly associated with the school.

## **7 ELIGIBILITY AS MEMBERS OF THE SGB**

- 7.1 The term of office of elected parent members is to be completed.
- 7.2 A member vacates his/her office if he/she:

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<sup>4</sup> Replaced: Five with Seven

- 7.2.1 Resigns.
- 7.2.2 If his son/daughter leaves the school.
- 7.2.3 Has been absent without written apology for three consecutive meetings.
- 7.2.4 Is no longer employed as an educator or non-educator at the school.

## **8 VOTING RIGHTS**

- 8.1 The Principal and all elected members of the SGB have voting rights.
- 8.2 The chairperson has a casting vote as well as his/her vote.
- 8.3 Co-opted members have no voting rights.

## **9 ELECTION OF SGB MEMBERS/FILLING OF CASUAL VACANCIES**

The election of a new governing body or the filling of casual vacancies shall be conducted in accordance with the provisions of the measures as laid down in the Schools Act of 1996.

## **10 ELECTION OF OFFICE BEARERS.**

- 10.1 The Principal shall preside at the first, and any meeting held to elect a chairperson,
- 10.2 Thereafter the chairperson shall preside over proceedings.
- 10.3 Members shall elect from their ranks, a chairperson, vice chairperson, secretary<sup>5</sup> and a treasurer (co-opted members may not be office-bearers).

## **11 DUTIES OF THE SGB**

The SGB shall carry out all functions stipulated under the provisions of the SA Schools Act of 1996, among others.

- 11.1 To determine school policies regarding school hours, language policy, religious policy, dress code, learner's code of conduct, etc...
- 11.2 To develop goals and objectives for the school.
- 11.3 To support the Principal and the staff in the execution of their duties and professional functions.
- 11.4 To promote the best interest of the school and to strive to ensure its development by encouraging the school community to volunteer services to the school.
- 11.5 To administer and control all school property.
- 11.6 To establish a school fund, to open and maintain a banking account with a registered banking institution.
- 11.7 To honour conditions of donation, bequests as trust of all goods or money received for by school including voluntary contributions.
- 11.8 To ensure that all money and assets of the school is used only for the purpose for which they are intended as stipulated in the SA Schools Act of 1996.
- 11.9 To keep sound records of all funds received and spent by the school and to see that the Financial Records are properly audited.
- 11.10 To keep records of school's assets and liabilities.
- 11.11 To enter into contracts, negotiate loans, deals on behalf of the school and commit the school to fulfil all the legal obligations and agreements which may result from these arrangements.
- 11.12 To, by process of law, enforce the payment of school fees.

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<sup>5</sup> Deleted: assistant secretary

- 11.13 To make recommendations with regard to the appointment/promotion of educators/co-educators to the Head of Department(WCED).
- 11.14 To investigate any charges of misconduct/breach of promise and to take appropriate action
- 11.15 To make recommendations with regard to suspensions/expulsions of learner, in breach of the school's code of conduct, to the Head of Department(WCED).
- 11.16 To join a voluntary association representing governing bodies of public schools.

## **12 MEETINGS**

- 12.1 The SGB may call general meetings, special meetings, annual general meetings and parent meetings as may be required.
  - 12.1.1 The SGB shall meet at least once every school term.
  - 12.1.2 A week's notice shall be given of pending meetings.
  - 12.1.3 Special meetings may be called with 24 hours notice to deal with urgent matters.
- 12.2 The SGB shall render a report on its activities to parents, educators and other staff at least once a year.  
All school financial records shall be made available for inspection upon request by any parent or interested person.
- 12.3 A member of the SGB, must withdraw from the discussion and decision making on any issue in which the member has a personal interest.
- 12.4 **QUORUM**
  - 12.4.1 A simple majority of members (50% + 1) shall form a quorum for all SGB meetings.<sup>6</sup> However, the parent members must be present in the majority in the quorum.
  - 12.4.2 If a quorum is not present, the meeting shall be adjourned for a period not exceeding 14 days
  - 12.4.3 The secretary shall give notice of an adjourned meeting
- 12.5 **MINUTES**
  - 12.5.1 The secretary shall keep a record of all SGB meetings, in a bound book or files, specially kept for that purpose.
  - 12.5.2 The minutes must at all times be available for scrutiny by the Head of Department (WCED) or his/her representative.

## **13 COMMITTEES**

- 13.1 The SGB may establish committees to ensure that all functions and duties are carried out.
- 13.2 All SGB sub-committees must be chaired by an elected SGB member, but may have co-opted members serving on them
- 13.3 Committees must table reports on its activities/ progress to general meetings of the SGB.
- 13.4 Portfolios which will be created are:
  - 13.4.1 **EXECUTIVE COMMITTEE (EXCO)**  
The executive of the SGB shall consist of the chairperson, secretary and treasurer.  
The primary function of the EXCO is to be available to co-assist the Principal with any urgent matter affecting the day to day running of the school.  
The matter(s) must be reported on and ratified at the next SGB meeting.

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<sup>6</sup> Inserted: However, the parent members must be present in the majority in the quorum.

- 13.4.2 DISCIPLINARY COMMITTEE (DC)
  - 13.4.2.1 The DC shall consist of 5 members: 2 educators and 3 parents(one educator can be replaced by a non-educator if non-educator discipline matters are addressed).
  - 13.4.2.2 For an emergency DC meeting, any 3 of the 5 members ( of which at least 2 are parent members) will constitute the DC, co-opted members will come from the educators.
  - 13.4.2.3 The DC will be elected from teachers and parents of the SGB.
  - 13.4.2.4 A simple majority of DC members will constitute the DC, and will attend to minor or urgent disciplinary matters, and will report their findings/corrective measures at a later date, to the next meeting of the SGB.
- 13.4.3 FINANCE/FUNDRAISING COMMITTEE
- 13.4.4 OTHER

**14 AMENDMENTS**

All amendments of the constitution must be prepared by two members and submitted at least 14 days before the SGB, and shall be enforced only if it is accepted by two-thirds majority.

The new clause must be reflected with a footnote reflecting the old clause and the date of the amendment.

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Signed (Chairperson: Governing Body)

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Date Updated

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Updated By (Name)