

## **The school governing body – questions and answers**

### **1. When does the governing body election take place and what is my role as a parent?**

Each of the more than 24 000 public schools in South Africa has a democratically elected school governing body. School governing body elections are held every three years. The 2024 school governing body elections will take place in March. Parents may consult their children's school to determine its specific election date.

By participating in the governing body election, every parent is afforded the opportunity to improve education at the school. This represents parents' opportunity to make a difference in schools. Every parent has a responsibility and democratic right to show interest and participate in the way in which the school is governed and managed.

Parents may participate in the election by standing for election and/or casting their vote on voting day. The voters' roll for parents is based on the school's admissions register. Eligible voters are those persons who are recorded as parents in the admissions register or are able to furnish proof of parenthood as defined in the Schools Act. Only two parents per learner are entitled to vote. Parents should therefore ensure that their details appear in the school's admissions register.

### **2. What roles/duties does a school governing body have?**

All activities in and around a school are mainly regulated by the South African Schools Act. The core provision with regard to the functions of governing bodies is found in section 16(1), read in conjunction with section 16(3), which stipulates that the governance of every public school is vested in its governing body. The Schools Act, in section 21 and 22, then imposes certain functions and duties on the governing body. The school governing body

plays a key role in drafting a number of policies, including the admissions policy, language policy, religious policy and the school's code of conduct. The governing body is also involved in appointing staff at the school and managing the school's finances. Some of the most significant and useful governing body functions are to promote the school's interests and ensure the provision of quality education.

Furthermore, it is important to note that section 16(2) provides that a governing body occupies a position of trust towards the school. This means that a governing body is expected to act in the school's best interests at all times and that a governing body member can incur personal liability if he/she should ever breach this relationship of trust. Therefore, it is essential to ensure that the members elected to the governing body are people of integrity who have the school's interests at heart.

### **3. Who constitutes the school governing body, and how are parents elected to it?**

The membership of the governing body of an ordinary public school consists of:

- (a) parents of learners at the school;
- (b) educators at the school;
- (c) non-educator staff members at the school;
- (d) learners in Grade 8 or higher at the school; (e) the principal, in his/her official capacity; and (f) co-opted members.

The number of parent members must constitute one more than the combined total of all other voting members of the governing body. Only a parent member of a governing body who is not employed at the public school may serve as the governing body chair.

Each province must promulgate a set of regulations that properly describes the election procedure. Each school has an electoral officer who oversees the entire process. In terms of the parent component, these members may be nominated and seconded by other parents only. Nominations occur by way of a nomination form completed by the proposer, seconder and candidate and handed to the electoral officer. A nomination meeting is then held where additional candidates may be nominated and all candidates are introduced to

all parents. The election may take place directly following the nomination meeting or at a later stage in the form of a full-day election.

The election occurs by way of secret ballot and the electoral officer is expected to inform parents of the election results.

Feel free to visit [www.fedsas.org.za](http://www.fedsas.org.za) to download your province's electoral regulations.

#### **4. What does a full-day election entail?**

A quorum of 15% of parents on the voters' roll is required for the election meeting to continue. In an attempt to afford more parents the opportunity to vote in the governing body election and to achieve a quorum, schools may choose to hold a full-day election instead of an election meeting. In this way, parents who would not necessarily have been able to attend a single meeting may cast their vote at any stage during voting day.

The nomination process is identical to that followed for an election meeting. Normally, a full-day election takes place alongside another school activity that also requires parent involvement or, in the case of schools with hostels, on a Friday when parents come to fetch their children for the weekend.

Should the school decide to deviate from the single election meeting, a quorum of 15% of voters is required for votes to be counted.

#### **5. What is the difference between a school governing body and a school management team?**

Firstly, a school governing body is a statutory institution. In other words, it is composed in terms of a law – in this case, the South African Schools Act – whilst there are no legal prescripts on the composition of a school management team. Secondly, a school governing body is democratically elected from various groups of persons: For example, parent members are elected by parents, and educator members by fellow teachers. A school management team is usually composed by the school principal, consisting of the principal him/herself and other senior educators at the school, such as the vice-principal and departmental heads. The school management team assists the principal in carrying

out his/her responsibilities, which is why the principal should decide which of his/her staff members are in the best position, are most suitable and have the best qualifications and skills to serve in the management team.

The school governing body is primarily responsible for establishing policies such as the admissions and language policy of the school, as well as the school's code of conduct. However, as most members of the governing body are unable to be present on the school grounds the entire day, they may delegate certain duties to the school principal, including the execution or implementation of the policies. In addition, in terms of section 16(3) of the Schools Act, the principal is responsible for the professional management of the school. In short, this means the management of all curricular, or academic, affairs of the school. Therefore, the function of a school management team is to assist the principal in performing his/her professional management functions as well as exercising the powers and functions delegated to him/her by the governing body.

## **FEDSAS Support and Legal Services**

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