

	TABLE VIEW HIGH SCHOOL CONSTITUTION OF THE GOVERNING BODY	2024
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1. DEFINITIONS

In this Constitution, unless the context indicates otherwise -

"education"

means instruction, teaching or training provided to learners in terms of the Act.

"governing body"

means the governing body of Table View High School referred to in section 16(1) of the Act.

"Head of Department"

means the head of the education department in the province of the Western Cape.

"measures"

means the measures relating to governing bodies of ordinary public schools (excluding public schools for learners with special education needs); **or** the measures relating to governing bodies of public schools for learners with special education needs (including public schools for learners sent or transferred thereto in terms of the Child Care Act, 1983 (Act 74 of 1983), and/or the Criminal Procedure Act, 1977 (Act 51 of 1977);

"Member of the Executive Council"

means the Minister of Education in the Western Cape.

"sponsoring body"

means a body or group of persons approved by the governing body and which is prepared to assist the school financially;

"learner"

means a child who is enrolled at Table View High - we subscribe to the requirements as set out in the S.A. Schools Act pertaining to the legal school going age. viz. grade 9 and 16 years of age. For grades 10 - 12 the school sees fit to make an allowance of two years either way.

"the Act"

means the South African Schools Act, 1996 (Act 84 of 1996), and the measures published thereunder; and

"the Constitution"

means the Constitution of the Governing Body of Table View High School.

2. NAME OF SCHOOL

Table View High School

3. STREET ADDRESS OF SCHOOL

Janssens Avenue
TABLE VIEW
7441

4. POSTAL ADDRESS OF SCHOOL

Janssens Avenue
TABLE VIEW
7441

5. STATUS OF SCHOOL

The school is a juristic person with legal capacity to perform its functions in terms of the Act.

6. GOVERNANCE AND PROFESSIONAL MANAGEMENT

- 6.1 Subject to the Act, the governance of the school is vested in its governing body: Provided that the governing body or a member thereof, in his or her capacity as a member, may not interfere with the professional functions of an educator in the performance of his or her duties.
- 6.2 The governing body stands in a position of trust towards the school.
- 6.3 Any member of the governing body who brings the school or the educators into disrepute on any public forum, or just by word of mouth will be asked to resign from the governing body.
- 6.4 If a parent or learner approaches a governing body member regarding a problem, the governing body member must point out the proper channels to be followed regarding the matter. If a governing body member has a problem regarding anything to do with the school or its educators, the governing body member must follow the correct channels. The position of governing body member is not one of privilege.
- 6.5 Subject to the Act and this Constitution, the professional management of the school must be undertaken by the principal under the authority of the Head of Department.

7. OBJECTIVES OF THE SCHOOL

- 7.1 To provide education to learners.
 - 7.2 To admit learners, subject to the provisions of section 5 of the Act and provide for their educational needs without discriminating unfairly in any way.
 - 7.3 To allow no form of racial discrimination whatsoever in the execution of the language policy of the school, subject to the provisions of section 6 of the Act.
 - 7.4 To allow religious observances at the school to be conducted on an equitable basis and attendance at them by learners and members of staff to be free and voluntary, subject to the provisions of section 7 of the Act.
 - 7.5 To use the school fund, all proceeds thereof and any other assets of the school only in accordance with the provisions of section 37 of the Act.
 - 7.6 To function financially in such a way that the school will fulfil its commitments.
 - 7.7 To service the community by preparing learners in such a way that they will take their place in the community as well-educated people.
 - 7.8 To provide the opportunity to the staff of the school to grow professionally, to obtain work fulfilment and to deliver education of the highest quality.
 - 7.9 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 benefit the learners of the school.
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8. FEEDER AREA

The school traditionally serves the following area:

Table View Borders :

South – Rietvlei up to an imaginary line running from Gill Rd to the sea.

East – Raats Drive up to an imaginary line running from Gie road to the sea.

9. FUNCTIONS AND ALLOCATED FUNCTIONS OF THE GOVERNING BODY

- 9.1 The governing body performs the functions which fall within its powers and which are necessary for the welfare of the school, subject to the provisions of sections 20 and 21 of the Act.
- 9.2 The governing body uses the school fund and assets of the school in accordance with the provisions of section 37 of the Act.
- 9.3 The governing body uses funds in accordance with the provisions of the Act and this Constitution, for the purpose of realising the above-mentioned objectives.
- 9.4 The governing body must provide services and facilities in the interest of the learners and of education, in accordance with the provisions of the Act and this Constitution.
- 9.5 The governing body must appoint auditors in accordance with the provisions of section 43 of the Act, to audit the financial records and statements of the school.
- 9.6 The governing body must adopt a code of conduct for the learners, after consultation with the parents, educators and learners of the school, in accordance with the provisions of section 8 of the Act.
- 9.7 The governing body must suspend and/or recommend the expulsion of learners who transgress the code of conduct in accordance with the provisions of section 9 of the Act.
- 9.8 The governing body must see to it that school fees are levied and may enforce the payment thereof in accordance with the provisions of sections 39, 40 and 41 of the Act.
- 9.9 The governing body drafts the credo and the mission of the school. The credo and mission must form part of this Constitution.

10. LIABILITY OF MEMBERS OF THE GOVERNING BODY

A member of the governing body is not liable for any debt, damage or loss incurred by the school unless he or she acted without authorisation, with malicious intent or negligently and can therefore be held responsible for such debt, damage or loss.

11. COMPOSITION OF THE GOVERNING BODY

- 11.1. the school principal or his / her nominated representative
- 11.2. elected representatives:
 - a. 7 parents, elected by parents or legal guardians of learners of the school
 - b. 2 educators, elected by the educators
 - c. 1 other staff member, elected by non-educators and
 - d. 2 learners in grade 8 or above elected by the Representative Council of Learners
- 11.3. optional co-opted members who do not have the right to vote (for example, members of the community, or the owner of the school property).

The majority of members of a governing body who have voting rights must be parents who are not in the employment of the school. Only parents must elect the parent members referred to in sub-paragraph (a)(i).

12. TERM OF OFFICE OF MEMBERS OF THE GOVERNING BODY

The term of office of a member of the governing body who is not a learner shall be as determined by measure 4 of the measures.

13. QUORUM

At least one more than half of the members of the governing body composed in accordance with the provisions of measure 2(1) of the measures, shall constitute a quorum at any meeting.

14. ELECTION OF OFFICE-BEARERS OF THE GOVERNING BODY

At its first meeting, where the principal presides, the governing body must elect office bearers from amongst its members who must include at least a chairperson, a treasurer and a secretary. Only a parent member of a governing body who is not employed at the school may serve as the chairperson of the governing body.

All office bearers shall remain in office for a term of 12 months from the date of their election.

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

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 remaining period of office of his/her predecessor.

15. TERM OF OFFICE OF OFFICE-BEARERS

15.1 Subject to the provisions of the measures, the term of office of the office-bearers shall be 12 months from the date of their election.

15.2 An office-bearer may be re-elected after the expiry of his or her term of office.

16. APOLOGIES FOR ABSENCE OF MEMBERS OF THE GOVERNING BODY

16.1 The governing body accepts leave of absence of a member or members for a period determined by the governing body.

16.2 If a member of the Governing Body is absent from Governing Body meetings for 3 meetings with or without apologies, the Governing Body can recommend that the member of the Governing Body stands down from their position on the Governing Body.

16.3 Apologies must be sent to the secretary via e mail to reception@tvh.co.za, on the morning of the meeting at the latest, or if on the evening of the meeting, a call to the Chairperson.

17. CASUAL VACANCIES IN THE GOVERNING BODY

A casual vacancy occurs and is filled in accordance with the provisions of the measures.

18. COMMITTEES

18.1 The governing body may, in accordance with the provisions of section 30 of the Act, appoint one or more committees to advise it, and, subject to the instruction of the governing body, to perform such functions as the governing body may determine. These committees must meet at least once a term.

- 18.2 The governing body may alter or invalidate any decision of a committee contemplated in paragraph 18.1

19. MEETINGS

- 19.1 The Governing Body will meet at least once a term. The meeting shall continue until all the items on the agenda have been dealt with.
- 19.1.1 The chairperson of a governing body shall determine the date, time and place of a meeting and the secretary of such body shall, at least 14 days prior to such meeting, notify each member in writing thereof, provided that in the case of a matter requiring urgent attention in the opinion of the chairperson of the governing body at least 24 hours' notice may be given.
- 19.1.2 At least one more than half the number of members of a governing body shall constitute a quorum for any meeting of the governing body. At least 50% of the voting members attending a meeting must be parent-governors.
- 19.1.3 A governing body shall determine its own rules relating to its meetings and meeting procedures.
- 19.1.4 Any person may on the invitation of the governing body be present at a meeting of such body and take part in the discussion, but shall have no vote and shall leave the meeting when the governing body so decides.
- 19.1.5 A governing body may require any staff member of the school concerned to attend the meeting of such body in connection with any matter relating to the functions of the governing body.
- 19.2 The governing body shall meet with learners, parents, educators and other staff at the school, respectively, at least once a year.
- 19.3 The governing body shall render a report on its activities to parents, educators, learners and other staff of the school at least once a year, and circulate an annual financial report to parents.
- 19.4 Meetings of the governing body are held in accordance with the provisions of the measures.
- 19.5 An extraordinary meeting is convened by the chairperson when he or she deems it necessary or when at least three members submit a written request and reasons for such a meeting.
- 19.6 Each member of the governing body has one vote. At the conclusion of voting, the chairperson shall, in addition to his or her deliberative vote, have a casting vote.
- 19.7 A member of the 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 has a personal interest.
- 19.8 Matters discussed at the meeting must be treated with the utmost confidentiality, and Governing Body Members may not discuss what occurs at governing body meetings with non-school governing body members outside of meetings. This includes disciplinary proceedings of any nature. The chairperson shall be the official spokesperson of the governing body.

20 MINUTES OF PROCEEDINGS OF MEETINGS

- 20.1 The secretary of a governing body shall keep minutes of the proceedings of every meeting and shall provide the Head of Department, or any officer duly designated by him/her, and each member with a copy of such minutes within 14 days of the meeting.
- 20.2 The secretary of a governing body shall provide, on request, a parent of a learner at that school, or member of staff at the school, with a copy of such minutes, provided that there will be no
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violation of the rights of persons and that the applicant requires if for the exercising or protection of his/her rights or interests.

20.3 The minutes of the proceedings of every meeting of a governing body or committee thereof shall at the next ensuing meeting of the governing body or committee thereof, as the case may be, be submitted for approval.

20.4 Upon the dissolution of a governing body or the expiry of its term of office, all minutes and other documents of such body or any committee thereof shall be handed to the principal concerned.

The minutes of the proceedings of meeting of the governing body shall be dealt with in accordance with the provisions of the measures.

21 BANK ACCOUNT

21.1 The governing body must open and maintain a banking account.

21.2 Subject to paragraph 21.1, all money received by the school, including school fees and voluntary contributions, must be paid into the school fund.

22. CLOSING OF THE FINANCIAL YEAR

The financial year commences on the first day of January and ends on the last day of December. The records and statements of the school must be audited subsequently in accordance with the provisions of section 43 of the Act.

23. SUBMISSION OF FINANCIAL STATEMENTS

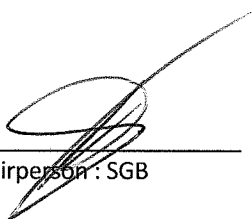
The governing body must submit to the Head of Department, within six months after the end of each financial year, a copy of the annual audited financial statements.

26. AMENDMENT OF CONSTITUTION

A decision to amend this Constitution requires a two-thirds majority of the total membership of the governing body after all members have been informed of the proposed amendment at least two months in advance.

If too few members are present at the meeting covered for this purpose, a second meeting must be called exclusively for this purpose at least two weeks after the first meeting.

LAST DATE REVIEWED: 15 May 2024. / LAST DATE ADOPTED: 15 May 2024.


Chairperson: SGB

15/05/2024
DATE