



# **NORTH WEST NOORDWES**

**EXTRAORDINARY • BUITENGEWOON**

**PROVINCIAL GAZETTE  
PROVINSIALE KOERANT**

**Vol: 264**

**MAHIKENG**

14 April 2021

14 April 2021

**No: 8203**

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ISSN 1682-4539



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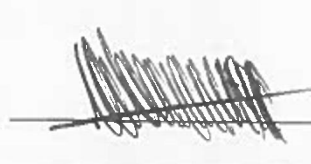
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**PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS****PROVINCIAL NOTICE 38 OF 2021****REGULATIONS RELATING TO****ELECTIONS OF SCHOOL GOVERNING BODIES OF PUBLIC SCHOOLS**

I, Mmaphefo Wendy Matsemela, 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.



25/02/2021

Hon. Mmaphefo Wendy Matsemela

MEMBER OF EXECUTIVE COUNCIL

NORTH WEST DEPARTMENT OF EDUCATION

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

**Published under**

Provincial Notice...of 2021 (PG...of 2021)



## **i. 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 public 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. Teachers, non-teaching 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.

## **ii. 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 SGBs
- 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

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### iii. 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 coordinator”** means

aseniordistrictofficialatdistrictofficerresponsibletooverseeandmanagethe election process in the district;

**“Nomination and election mode”**: meeting where parents will nominate parents to be elected to the SGB

**“Full day election mode”** means” This mode is a manual full day election where manual voting begins at a specified time and continues for an extended period as determined by the School Electoral Officer.

**“e-election mode”** 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 public 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 the North West 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 public 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 public school; or

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

(iii) a public 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 departmental official who is trained in order to manage the election process 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.



**iv. 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 Public Schools**

1.1. The membership of the governing body of a public 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.

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 public 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 with disabilities, 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).
- 2.4. The number of parent members, 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.
- 2.5. Parents must elect the members referred to in sub paragraph 2.2(a) in accordance with paragraph 12.
- 2.6. Educators employed at the school concerned must elect the members referred to in sub paragraph 2.2(b) in accordance with paragraph 15.
- 2.7. Non-educator members must elect the members referred to on sub paragraph 2.2 (c) in accordance with paragraph 16.
- 2.8. The Representative Council of Learners must elect the members referred to in sub paragraph 2.2 (d) in accordance with paragraph 17.
- 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
- 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
- 3.4. A non-teaching staff 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 in South Africa or in a foreign country, without the option of a fine, for a period exceeding six months;
  - (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) A person who has a proven record of disruption(s) of schools: SGB minutes, registered cases/complaints and investigations
- 3.7. A person elected and 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.

#### **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

## **5. District Electoral Coordinator**

The District Director must appoint a District Electoral Coordinator in writing. The duties of a District Electoral Coordinator 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 public 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;
- 5.11. within 14 days, resolve disputes related to the decisions which could not be resolved at school level;
- 5.12. develop a database of newly elected governing bodies and submit it to the Provincial Election Coordinator; and
- 5.13. within 14 days compile a written district report on elections and submit it to the Provincial Coordinator.

## **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. administrating 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 he or she is employed;
- 6.2. providing training to School Electoral Officers;
- 6.3. drafting and publishing district election schedule for all schools in the district;



- 6.4. ensuring that every school has a valid voters' roll based on the school admissions register before the election;
- 6.5. handling and resolving 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. ensuring that all schools advertise the elections in line with the provincial regulations and national and provincial guidelines;
- 6.7. supporting and monitoring each school every step of the way;
- 6.8. ensuring that all documentation pertaining to the SGB elections is available for verification;
- 6.9. developing and administering 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. ensuring that handover processes 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. prepare a notice giving details of the date, time and venue of the nomination and election mode;
- 7.2. ensure that there is a suitable venue for the nomination/election mode;
- 7.3. ensure that the School Election Team knows the electoral process to be followed and complies with relevant legislation;
- 7.4. intervene in and resolve any disputes on the day of nomination/ election; and
- 7.5. 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
- 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 - teaching staff members. A member of the SMT must lead this team.
- 8.5. Avail PPEs for election purposes
- 8.6. not interfere with election process 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. The duties of school electoral team are amongst the following:**

- 9.1. Work closely with the principal and SEO
- 9.2. Assists in developing the election management plan
- 9.3. Administer the registration of parents
- 9.4. Develop the voters roll of the school
- 9.5. ensure that all necessary documents are available and there is access to offices for reproduction of election materials
- 9.6. Distribute and display advocacy materials
- 9.7. Administer logistical arrangements.

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

An Electoral Officer, shall:

- 10.1. act honestly and with dignity;
- 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 public 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 public school;
  - (d) the voters' roll for non-educator members must consist of all other members of staff employed at the public school;
  - (e) the voters' roll for learners must consist of all members of the Representative Council of Learners (RCL).
- 11.2. 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.

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

## **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.
- 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 public 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 15, 16 or 17 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 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 public 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.
- 14.5. The public 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 public 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 public 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. The nomination and election of members must be in line with the mode of election that the public school will undertake.
- (b) For this mode of elections, the nomination and election are two sessions of one meeting.
- (c) When the nomination session ends the election session starts immediately.
- (d) The School Electoral Officer must ensure that the notices regarding the nominations and elections are distributed and displayed in prominent places at the public 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.
- (e) The Principal must:
  - (i) Hand a copy of the notice to every learner of the public 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 public school community, as long as it in no way disadvantages any member of the public school community; and

(iii) Post nominee profiles in a convenient place for parents to be able to view at least 3 school days before the Election Day.

## **15.2. Nomination of Parent Members**

**15.2.1.** A parent must be nominated (refer to Template 6: Nomination Form) and seconded only by a parent of a learner of the public school concerned, by –

- (a) lodging with the Principal, who will hand over the nominations to the School Electoral Officer, not more than seven days and not less than 24 hours prior to the commencement of the nomination meeting, a nomination form duly completed by the proposer, seconder and nominee. The nominee need not be present at the nomination meeting; or
- (b) nominating a parent who must be proposed and seconded on the nomination form completed by the proposer during the nomination part of the meeting.
- (c) ensuring that the nominee meets the requirements of paragraph 3 and appends his/her signature.

**15.2.2.** The School Electoral Officer must:

- (a) ensure that the required quorum of 15% is met before nominations start
- (b) explain the nomination procedure if the quorum of 15% is achieved;
- (c) determine the time to be allowed for the nominations at the commencement of the nomination meeting, and must inform the meeting thereof;
- (d) ensure that the nominations that were sent to public school are announced ahead of opening for new nominations; make nomination forms available to parents to complete and assist those who require assistance to nominate candidates;
- (e) ensure that each form is correctly completed with the signature of the nominee, proposer and seconder;
- (f) ensure that the nominee, proposer and seconder appear on the voters roll;
- (g) close the nomination meeting when the allocated time has elapsed.

**15.2.3** After expiry of the time for nomination referred to in subparagraph (2)(c), the School Electoral Officer must

- (a) consider the nominations and reject the nomination of any nominee who —
  - (i) has not been nominated in accordance with subparagraph (1);
  - (ii) is not eligible to serve on the SGB; or



(iii) in the case of a nomination referred to in subparagraph (1)(b), has not completed the said nomination form, unless written proof to the satisfaction of the School Electoral Officer of the public school is submitted before the expiry of the time referred to in subparagraph (2)(c), that such nominee will be willing to serve as a member of the governing body and meets the eligibility requirements;

- (b) announce the names of the nominees whose nominations have been accepted.
- (c) if the quorum is not met at the first election meeting, the election must be rescheduled not less than 7 or more than 14 days from the date of the first meeting in which event the procedure prescribed in paragraph 12 shall be repeated. A quorum will not be required for the second meeting.
- (d) nominations made prior to the first nomination meeting will remain valid at the second nomination meeting.

**15.2.4. If the total number of nominees whose nominations have been accepted –**

- (a) is less than the number of members required in respect of the category concerned, a new meeting at which new nominees must be nominated shall be convened not less than 7 or more than 14 days after the first meeting;
- (b) is equal to the number of members required in respect of the category concerned, the School Electoral Officer must declare every accepted nominee to be duly elected as a member of the governing body 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; or
- (c) is more than the number of members required in respect of the category concerned, an election must be held in accordance with paragraph 15.3.

**15.3. Elections of Parents Members**

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

- (d) The School Electoral Officer must indicate the number of parents to be voted for as predetermined according to the size of the public school, while ballot papers are being prepared.
- (e) 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 1.
- (f) The marked ballot paper must be folded and placed in a ballot box or any closed container provided for this purpose.
- (g) A person requiring assistance, at his or her own request, must be assisted by the School Electoral Officer with a witness identified by the voter.

#### 15.4.Counting of Votes

- (a) The School Electoral Officer must open the ballot papers in the presence of monitors, observers and nominees who wish to be present.
- (b) The School Electoral Officer must reject a ballot paper:
  - (i) which is without the school stamp or distinguishing feature as indicated in sub paragraph 15.3 (a);
  - (ii) with more vote marks/crosses than the number of members to be elected; or
  - (iii) which is marked in such a way that it is uncertain as to which nominee or nominees a vote was recorded for.
- (c) A ballot paper with fewer votes recorded than the number of candidates to be elected is valid.
- (d) After the rejection of any spoilt ballot papers, the School Electoral Officer must:
  - (i) count the votes in the presence of monitors, observers and nominees who wish to be present;
  - (ii) announce to the monitors and observers the name of each nominee and the number of votes cast for each;
  - (iii) complete 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) declare 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 School Electoral Officer must draw lots to determine the elected parent member. This must be done openly in the presence of the monitor, nominees and observers as indicated in 15.4(a) above.

#### 16. Full Day Election Mode

- (a) This mode is a manual full day election where manual voting begins at a specified time and continues for an extended period as determined by the School Electoral Officer.
- (b) 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 of Parent Members

- (a) The School Electoral Officer must ensure that the notices regarding the nominations and elections are distributed and displayed as contemplated in subparagraph 15.1(d) and that it is distributed to parents as prescribed in paragraph 15.1(e).
- (b) A parent must be nominated (refer to Template 6: Nomination Form) and seconded only by a parent of a learner of the public school concerned who must appear on the voters roll by lodging with the School Electoral Officer, not less than 7 days prior to the commencement of the election day, a nomination form duly completed by the proposer, seconder and nominee;
- (c) 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.
- (d) The profiles of all nominated candidates must be distributed to all parents 3 days before the Election Day.

### 16.2. Election of Parent Members

- (a) The School 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.
- (b) Nominated candidates must be allocated numbers corresponding to the number next to their names on the ballot paper.
- (c) 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.
- (d) The marked ballot paper must be folded and placed in a ballot box or any closed container provided for this purpose.
- (e) A person requiring assistance, at his or her own request, must be assisted by the School Electoral Officer with a witness identified by the voter.

### 16.3. Counting of Votes

- (a) For the counting of the votes the procedure as contemplated in paragraph 15.4 will be followed.
- (b) Counting can only commence after it has been confirmed that the 15% quorum of votes have been cast.



- (c) If the quorum is not met at the first full day election, the election must be rescheduled not less than 7 or more than 14 days from the date of the first meeting in which event the procedure prescribed in paragraph 13 shall be repeated. A quorum will not be required for the second meeting.

## **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 public 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. E-voting – Operational requirements**

- (a) The nomination of members must take place in accordance with paragraph 16.1.
- (b) An e-voting station must be established at a place as determined by the School Electoral Officer where the e-voting can take place.
- (c) The e-voting and remote e-voting must be held on the date and at the time and place as determined by the School Electoral Officer.
- (d) The Principal must at least 14 days prior to the date of the e-election:
- (e) Inform the voters, in clear and simple language, of the way in which the e-election will take place, and any steps a voter may have to take in order to participate and vote; and
- (f) Provide an official list of the software to be used in the e-election. At the very least it shall indicate the software used, and a brief description.
- (g) Remote e-voting may not start at an earlier time than the opening of the e-voting station at the public school. Remote e-voting shall not continue after the end of the voting period at e-voting station at a public School.
- (h) Before any e-voting takes place, the School Electoral Officer shall satisfy itself that the e-voting system is working efficiently and correctly and that the necessary security measures referred to in paragraph 17.2 are in place.
- (i) For every e-voting channel, support and guidance arrangements on voting procedures shall be set up for, and be available to, the voter. In the case of remote e-voting, such arrangements shall also be available through a different, widely available communication channel.
- (j) The School Electoral Officer shall ensure that:
  - (i) the relevant software and services can be used by all voters; and
  - (ii) users are supplied, whenever required and possible, with additional facilities, such as special interfaces or other equivalent resources, such as personal assistance.

- (k) There must be equality in the manner of presentation of all voting options on the device used for casting an electronic vote.
- (l) A list of the nominees which must stipulate at least:
  - (i) a recent passport size photo;
  - (ii) his or her name;
  - (iii) the grade/s of his or her child/children in the school;
  - (iv) occupation and experience or skills;
  - (v) vision for the school; and
  - (vi) must be made available and be presented with equality on all the e-voting systems and shall also be made publicly available by other means before the e-voting date.
- (m) The School Electoral Officer must ensure that the e-voting system presents an authentic ballot to the voter. In the case of remote e-voting, the voter shall be informed about the means to verify that a connection to the official server has been established and that the authentic ballot has been presented.

#### **17.2. Technical requirements of the e-voting system as prescribed by the department**

- (a) In order to ensure democratic elections, the voter interfaces of e-voting systems must be usable and understandable by as many people as possible.
- (b) The e-voting system must verify the eligibility of the voter before the vote can be cast.
- (c) The e-voting system shall authenticate the voter and shall ensure that only the appropriate number of votes per voter are cast and stored in the electronic ballot box.
- (d) The e-voting system shall ensure that the voter's choice is accurately represented in the vote and that the sealed vote enters the electronic ballot box.
- (e) The e-voting system shall maintain the availability and integrity of the votes. It shall also maintain the confidentiality of the votes and keep them sealed until the counting process.
- (f) After the end of the e-voting period, no voter shall be allowed to gain access to the e-voting system.
- (g) The e-voting system shall contain measures to preserve the availability of its services during the e-voting process. It shall resist, in particular, malfunction or breakdowns.
- (h) The School Electoral Officer shall appoint at least one person, on grounds of expertise, who will have access to the central infrastructure of the electronic platform and the election data. Critical technical activities shall be carried out by this person. As far as possible, such activities shall be carried out outside election periods.
- (i) The counting process shall:
  - (i) Accurately count the votes and the counting of votes shall be reproducible;
  - (ii) Maintain the availability and integrity of the electronic ballot box and the output of the counting process as long as required.

- (iii) 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.
- (iv) Provide the ability to verify that an e-election has complied with the applicable legal provisions, the aim being to verify that the results are an accurate representation of the authentic votes.
- (j) Consideration shall be given, when developing new products, regarding their compatibility with existing ones, including those using technologies designed to help people with disabilities.

#### **18. Nomination and Election of Educator members**

- (a) The School Electoral Officer will decide on a date, time and place for the nomination and election for educator members. This process must be held at least 24 hours before the election of the parent member component.
- (b) The Principal must give the School Electoral Officer a list of all educators at the public school. This will serve as the voters' roll.
- (c) 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.
- (d) An educator can only be nominated and seconded (refer to Template 5: Nomination Form) by another educator employed at the public school.
- (e) 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.
- (f) 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.
- (g) 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.
- (h) The School Electoral Officer and the Principal must use all reasonable means to ensure that the nomination process is successful at the first attempt.
- (i) 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.
- (j) Educators are obliged to stand for the election as educator members in the SGB (PAM)

#### **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:

- (a) 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;
- (b) in cases where there are on-educator members at the public school, the position will be left unfilled;
- (c) where there is only one non-educator member, that person is regarded as duly elected to the governing body;
- (d) 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
- (e) 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 if there are two non-educator members on the public school's staff establishment.

## **20. Nomination and Election of Learner Members**

- (a) The Representative Council of Learners shall elect from its ranks learners who shall be members of the governing body.
- (b) 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.
- (c) 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.
- (d) 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**

- (a) The School Electoral Officer shall decide all matters concerned with the nomination and election of nominees in terms of all the categories.
- (b) All disputes should be reported to the School Electoral Officer during the process of the elections.
- (c) The School Electoral Officer shall resolve all disputes in order to declare elections undisputed. His or her decision during the election is final.
- (d) 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. 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.
- (e) 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.
- (f) 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.



- (g) 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.

## **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. A School 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;
- (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 24.3, 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 15 to 20, depending on the Category of 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 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 public school governance and election procedures.

## **29. Repeal of regulations**

The Regulations relating to the election of school governing bodies and governance of public schools contained in Notice 42 of 2018 and published in the Extraordinary Provincial Gazette no 7860 on 13 March 2018 is hereby repealed.

## **30. Short Title**

These regulations are called the “**Regulations relating to the election of school governing bodies and governance of public schools in the North West Province, 2021**” and shall come into operation on the date of publication in the Provincial Gazette.



# COMPOSITION OF GOVERNING BODY OF PUBLIC SCHOOLS FOR LEARNERS WITH SPECIAL EDUCATIONAL NEEDS BY TYPE AND 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	PRINCIPAL	NUMBER OF EDUCATORS OR MEMBERS	NUMBER OF PARENT MEMBERS	NUMBER OF NON-EDUCATOR MEMBERS	NUMBER OF LEARNER MEMBERS	ELECTED MEMBERS	TOTAL NUMBER OF MEMBERS
Primary School	1 to 149	1	2	5	1	0	9	Plus members appointed per
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)	

# TEMPLATE1

## NOTIFICATION OF ALL MEMBERS ELECTED TO THE GOVERNING BODY

SCHOOL: .....

DISTRICT: .....

ELECTION DATE: .....

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

FULL NAME OF SCHOOL ELECTORAL OFFICER: .....

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

## 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	Previous SGB		SGB
														Yes	No	
Principal																
Parents																
1.																
2.																
3.																
4.																
5.																
6.																
7.																
8.																
9.																
Educators																
1.																
2.																
3.																
Non-educator members																
1.																
Learners																
1.																
2.																
Appointed members (LSEN schools)																
1.																

Chairperson

2.

# TEMPLATE 3

## PARENTSVOTERS'ROLL

SCHOOL: \_\_\_\_\_ DISTRICT: \_\_\_\_\_

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

No	SURNAME	NAME(S)	NAME OF THE CHILD	GRADE OF THE CHILD
1				
2				
3				
4				
5				
6				
7				
8				
9				

10

# 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	

**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 available 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.

.....

**NAME OF SCHOOL ELECTORAL OFFICER**

.....

**SIGNATURE OF SCHOOL ELECTORAL OFFICER**

**DATE:** ...../...../..... **Tel:**

### TEMPLATE 6

**NOMINATION FORM**

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

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

Parents		Educators		Non-educator		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.

**SIGNATURE OF 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.

**SIGNATURE OF SECONDER..... DATE.....**

**DECLARATION BY NOMINEE:**

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 exceeding 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 (Act 38 of 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.....**

# TEMPLATE 7

## BALLOT PAPER

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

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

Parents		Educators		Non-educator member		Learners	
---------	--	-----------	--	---------------------	--	----------	--

VOTE BY PLACING A CROSS IN THE 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.			
11.			
12.			
13.			
14.			
15.			

### TEMPLATE 8

#### COUNTED BALLOT PAPERS 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 ELIGIBLE VOTERS: \_\_\_\_\_

NUMBER OF ACTUAL VOTES: \_\_\_\_\_

NUMBER OF SPOILT PAPERS: \_\_\_\_\_

NAME OF SCHOOLELECTORAL OFFICER: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

**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).

.....  
 .....  
 .....

**NAME OF SCHOOL ELECTORAL OFFICER:** .....

**SIGNATURE OF SCHOOL ELECTORAL OFFICER:** ..... **DATE**...../...../.....



Tel/Cell .....

### TEMPLATE 10

#### DOCUMENTS FROM OUTGOING GOVERNING BODYCHAIRPERSON TO NEWLY ELECTED GOVERNING BODYCHAIRPERSON

(These documents are the property of the school and must be kept safely by the School Principal.) 2018 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				
6. National Regulation for Exemption of parents from the payment of school fees (General Notice 1149 of 2006)				

## B. POLICIES

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

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

### C. FINANCIAL RESOURCES

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		COMMENT
	X		
		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			
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**OutgoingSGBchairperson:**

Name \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

**NewlyElectedSGBChairperson:**

Name \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

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

### TEMPLATE 11

#### ELECTION MONITORING INSTRUMENT (ELECTION DAY)

##### A. GeneralInformation

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:	<ul style="list-style-type: none"> <li>• Learners.....</li> <li>• Educators.....</li> <li>• Non-educator members.....</li> </ul>
3. Comment on the suitability of the venue (e.g. space, furniture, lighting, COVID-19 regulations)	
4. Were the voters checked against the voters' roll?	
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' roll)?	
9. Demographics of learners at the school (e.g. 60% African, 20% White, 10% Indian and 10% 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	

**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: .....

**TEMPLATE 12****PROVINCIAL PRE-ELECTION MONITORING INSTRUMENT A PROVINCE****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?	

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	



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	
4.9. COVID-19 Regulations	

## 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?	
5.7 Have all election teams been trained on covid-19 regulations	

## 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, PPEs, etc.)?	

7.3 Are plans in place for availability of resources in schools(e.g. prepare ballot boxes and voting	
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?	

**COMMENTS/ADDITIONAL INFORMATION**

.....

.....

.....

.....

.....

**PROVINCIAL ELECTORAL OFFICER: .....**

**SIGNATURE.....**

**DATE...../...../.....**

**DEPARTMENT OF BASIC EDUCATION OFFICIAL:.....**

**SIGNATURE:.....**

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





## 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, COVID-19 Regulations.	
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	Date sent out:
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 COVID-19_SGB Elections?	Date trained:
16. Suitable venue identified? (furniture, lighting and COVID-19 Regulations).	
17. Voting material prepared? (ballot box, projector or flip chart, election templates, pens, sign posts, tokens, PPEs, 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?	
22. Did the school budget for PPEs and put measures in place to procure such?	
23. Visible social distancing demarcation signs inside and outside voting room?	

**SCHOOL READINESS MONITORING INSTRUMENT (SGBELECTIONS)**

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**

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

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

Office of Monitor: .....

### TEMPLATE15

#### 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), COVID-19 protocols?.	
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?	

24. 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?	
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? Include	
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?	



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: .....

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001.  
Contact Centre Tel: 012-748 6200. eMail: [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)  
Publications: Tel: (012) 748 6053, 748 6061, 748 6065  
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