



## Mpumalanga Department of Education

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**School: KINGDOM RISE ACADEMY**

**Circuit: THULAMAHASHE**

**Region: BOHLABELA**

### Constitution *of the School Governing Body (SGB)*

*The platform for democratic governance and leadership practices in the schools of Mpumalanga Province*

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# Constitution of the School Governing Body

School Stamp

**This Constitution was adopted by the SGB on**

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(Date)

**Signatures:**

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SGB Chairperson

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SGB Secretary

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School Principal

&

**Verified by the Department of Education on**

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(Date)

**Signature:**

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# Constitution

## *of the School Governing Body (SGB)*

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### 1. Introduction

In terms of the South African Schools Act (SASA), No. 84 of 1996, Kingdom Rise Academy has been declared a public school. This implies that the school is a 'juristic person' with the legal capacity to perform functions as directed by the Act. This Act requires that each and every public school establishes a School Governing Body (SGB) that defines the basic principles and rules by which the school will be guided in its operation. The SGB should, henceforth, develop and adopt a Constitution which will govern and define its operations.

### 2. Purpose

The purpose of this Constitution, being the fundamental policy of the school, is to provide the legal authority to the SGB thereby specifying the manner in which the SGB will conduct its affairs. It also provides for the right of the SGB to adopt other policies for the school. This Constitution will only be functional once duly adopted by the SGB and verified by the Mpumalanga Department of Education.

### 3. Definitions

In this Constitution, unless the content indicates otherwise, the following definitions will be implied:

**Parent** – Any adult who is legally entitled to the custody of a learner in the school.

**Learner** – means any person receiving education or obliged to receive education at the school in terms of the SASA.

**Educator** – Any person who is employed at the school according to, and defined in terms of, the Employment of Educators Act, No. 138 of 1994.

**Principal** – An educator appointed or acting as the head of the school.

**Non-Educator** – A person employed at the school in any capacity other than that of an educator.

**Elected Member** – Any person duly elected to serve according to procedures defined in this Constitution.

**Ex-officio Member** – A person, without voting rights, who is requested to serve on the School Governing Body in his/her official capacity.

**Co-opted member** – A person, without voting rights who, is requested to serve on the SGB in order to provide a specialised service.

**Juristic Person** – An entity recognised by law with defined rights and responsibility and which can sue and be sued in a court of law.

**School** – a public school or an independent school which enrolls learners in one or more grades between grade zero and grade twelve as defined in the SASA.

## 4. Strategic Imperatives

### a. Vision

The vision of Kingdom Rise Academy is: to inspire creativity and innovation by providing students with opportunities to explore their passions, think critically, solve complex problems, and develop the skills needed to thrive in a fast-changing world.

### b. Mission

The mission statement of the school is: to empower lifelong learners by providing a nurturing and inclusive learning environment that fosters a deep love for learning, critical thinking skills, and a passion for personal growth. We are committed to cultivating a culture of curiosity, creativity, and resilience, where students are encouraged to take ownership of their learning journey and become active participants in their own education. We believe that education is a lifelong journey, and our mission is to inspire and empower our students to become lifelong learners who continually seek knowledge, embrace challenges, and make meaningful contributions to society.

To realise this mission, the school must provide the necessary facilities and infrastructure, recreational areas and educational material as well as well-trained teachers to fulfil the educational tasks.

## 5. Powers

The SGB is entrusted with the powers as stipulated in this Constitution in line with the Schools Act. In terms of the SASA, the SGB shall:

- c. Develop and adopt the Constitution of the SGB.
- d. Determine and adopt the school's Code of Conduct for Learners.
- e. Determine and adopt policies of the school amongst which shall be the:
  - i. Admissions Policy.
  - ii. Religious Policy
  - iii. Language Policy
- f. Determine and enforce the payment of school fees payable by parents in the school.
- g. Join voluntary associations representing the governing body of the school.
- h. Represents the interests, concerns, and needs of the student body
- i. Advocates for the rights and well-being of students
- j. Vote on important matters that affect the student body, such as changes to school policies, student fees, or the allocation of funds for student initiatives

## 6. Functions

### 6.1 In terms of the Schools Act, the SGB of a public school must:

- a. Promote the best interests of the school and strive to ensure its development through the provision of quality education for all learners at the school;
- b. Adopt a Constitution;
- c. Develop the vision and mission statement of the school;
- d. Adopt a code of conduct for learners at the school;
- e. Support the Principal, educators and other staff of the school in the performance of their professional functions;
- f. Determine times of the school day consistent with any applicable conditions of employment of staff at the school;

- g. Administer and control the school's property, and buildings and grounds occupied by the school, including school hostels, if applicable;
- h. Encourage parents, learners, educators and other staff at the school to render voluntary services to the school;
- i. Recommend to the Head of Department the appointment of educators at the school, subject to the Educators Employment Act, 1994 (Proclamation No. 138 of 1994), and the Labour Relations Act, 1995 (Act No. 66 of 1995);
- j. Recommend to the Head of Department the appointment of non-educator staff at the school, subject to the Public Service Act, 1994 (Proclamation No. 103 of 1994), and the Labour Relations Act, 1995 (Act No. 66 of 1995);
- k. At the request of the Head of Department, allow the reasonable use under fair conditions of the facilities of the school for educational programmes not conducted by the school;
- l. Discharge all other functions imposed upon the governing body by or under the Act; and discharge other functions consistent with the Act as determined by the Minister by notice in the Government Gazette or by the Member of the Executive Council by notice in the Provincial Gazette.
- m. Allow, through its discretionary powers, the reasonable use of the facilities of the school for community, social and school fund-raising purposes, subject to such reasonable and equitable conditions as the governing body may determine which may include the charging of a fee or tariff which accrues to the school.
- n. Meet as the SGB, at least once, every school term.
- o. Meet with parents, learners, educators and other staff at the school, respectively, at least once a year;
- p. Record and keep minutes of governing body meetings and make available such minutes for inspection by the Head of Department;
- q. Render a report on its activities to parents, learners, educators and other staff of the school at least once a year.
- r. Must submit a copy of its constitution to the Head of Department within 90 days of its election.
- s. Prepare an annual budget for the school.
- t. Prepare an annual financial statement.
- u. Open and maintain the school's bank account which must preferable be a cheque account.
- v. Establish and administer a school fund into which all monies received and collected by the school must be paid.

- w. Raise revenue including contributions to the school.
- x. Be prepared to avail the school's financial statements to an interested party on request for inspection.
- y. organizing and coordinating various school events and activities, such as fundraisers, social events, and community service initiative
- z. Act as a mediator in resolving conflicts or disputes among students, or between students and the school administration.

**6.2** This SGB has subject to the Act, applied to the Head of Department and has been allocated the following functions in terms of Section 21 of the Act:

- i. The school governing body plays a key role in drafting a number of policies, including the admissions policy, language policy, religious policy and the school's code of conduct.
- ii. The governing body is also involved in appointing staff at the school and managing the school's finances.
- iii. Some of the most significant and useful governing body functions are to promote the school's interests and ensure the provision of quality education
- iv. Act as a mediator in resolving conflicts or disputes among students, or between students and the school administration.

## 7. Composition of the school

- a. The average total enrolment of learners in the school presents the school with the marked (v) type/grade of school:

Type of school	Grading of school	
Primary schools	P1	✓
	P2	
	P3	
	P4	
Secondary school	S3	
	S4	
	S3	

<b>Comprehensive school</b>	<b>S4</b>	
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b. Given the enrolment and grading of the school, the SGB commands a school with the following composition:

<b>Post</b>	<b>Numbers</b>
<b>Principal</b>	01
<b>Deputy Principal</b>	0
<b>Chief Education Specialist</b>	0
<b>Educators</b>	07
<b>Non-educators</b>	03
<b>Learners</b>	114
<b>Total</b>	125

## 8. Membership of a governing body of an ordinary public school

The South African Schools Act stipulates that:

- a. The Member of the Executive Committee must designate an officer to conduct the process for the nomination and election of the members of the SGB.
- b. The Principal of the school shall preside over all meetings convened to elect the Chairperson of the SGB.
- c. The governing body of a public school shall comprise of the following:
  - i. Elected members;
  - ii. The Principal, in his or her official capacity;
  - iii. Co-opted members.

iv. Elected members of the governing body shall comprise a member or members of each of the following categories:

- Parents of learners at the school;
- Educators at the school;
- Members of staff at the school who are not educators; and
- A learner or learners in the eighth grade or higher at the school.

- d. A parent who is employed at the school may not represent parents on the governing body of the school.
- e. The governing body of an ordinary public school which provides education to learners with special needs must, where practically possible, co-opt a person or persons with expertise regarding the special education needs of such learners.
- f. The SGB may co-opt a member or members of the community to assist in the discharge of the SGB functions.
- g. The SGB may co-opt the owner of the property occupied by the school or a nominated representative of such an owner.
- h. Co-opted members do not have voting rights on the SGB.
- i. The number of parent members must comprise one more than the combined total of other members of a governing body who have voting rights.
- j. The term of office of a member of the SGB may not exceed a period of three (3) years.
- k. The term of office of an SGB member who is a learner at the school may not exceed a period of one (1) year.
- l. A member or office bearer may be re-elected or co-opted as the case may be after expiry of his/her term of office.
- m. The governing body of a public school contemplated in section 14 may co-opt the owner of the property occupied by the school or the nominated representative of such owner.
- n. The number of parent members must comprise one more than the combined total of other members of a governing body who have voting rights.
- o. If the number of parents at any stage is not more than the combined total of other members with voting rights, the governing body must temporarily co-opt parents with voting rights.

## 9. Office bearers

- a. The governing body must, from amongst its members, elect office-bearers, who must include at least a Chairperson, a Treasurer and a Secretary.
- b. Only a parent member of the governing body who is not employed at the public school may serve as the Chairperson of the governing body.

### 9.1 Duties of the Chairperson

The Chairperson of the SGB shall preside over meetings of the SGB. The Chairperson shall, in consultation with the Secretary, convene meetings of the SGB. The Chairperson shall also have the following duties:

- a. Preparing for a meeting of the SGB
- b. Sign minutes of the previous meeting to confirm their official status.
- c. Warranting that SGB meetings are conducted in a procedural and organised manner without interruptions.
- d. Ensuring that all members participate in and contribute to the meeting.
- e. Decide when motions would require a vote and put such motions and/or proposals for voting.
- f. Cast a deciding vote when necessary.
- g. Preside over meetings of the Governing Body.
- h. Develop a year plan for all meetings of the SGB and the sub –committee.
- i. Develop agendas for meetings in consultation with the secretary

### 9.2 Duties of the Vice-Chairperson

- a. The Vice-Chairperson shall deputise for the Chairperson when the Chairperson is absent in meetings.
- b. The Vice-Chairperson assumes of the responsibilities and duties of the Chairperson in the absence of the latter.

- c. Provide advice and support to the Chairperson in making decisions that are in the best interest of the student body.
- d. Support the Chairperson by working closely with him/her and accepting any delegated tasks that are assigned.
- e. Promoting student engagement and involvement in SGB activities.

### 9.3 Duties of the Secretary

- a. The Secretary shall perform the following duties:
- b. Keep and maintain regular communication with the Chairperson.
- c. The Secretary deals with all correspondences of the SGB.
- d. Convening of meetings in collaboration and consultation with the Chairperson.
- e. Taking minutes of SGB meetings.
- f. Making available such minutes for inspection by the Head of Department, when requested to do so.
- g. Rendering a report on its activities to parents, learners, educators and other staff of the school at least once a year.
- h. Ensuring the safe-keeping of all meeting documentations.
- i. Recording attendance and apologies of members.
- j. The Secretary shall provide information to members in order to assist them in meetings.
- k. Maintaining an organized and secure system for archiving SGB records, including minutes, reports, and other important documents.
- l. Collaborates with the Chairperson to prepare the agenda for SGB meetings.
- m. Coordinating meeting schedules, booking venues, and arranging necessary logistics for SGB meetings and events.

### 9.4 Duties of the Treasurer

- a. The Treasurer is the custodian of all the financial dealings of the SGB in the school.

- b. He/she is eventually responsible for all procedures and transactions pertaining to the income, expenditure and assets of the school.
- c. The Treasurer shall, in collaboration with the Principal and finance officer, prepare and present to the SGB, budget scenarios for the forthcoming financial year. This exercise will be carried out during the second half of the current financial year.
- d. The final budget shall be confirmed by the majority of the parents at the school's Annual General Meeting (AGM).
- e. The Treasurer shall provide support to the Finance Officer of the school.
- f. Shall, from time to time, scrutinise the school's monthly income and expenditure.
- g. Shall be responsible for the timeous payment of the school's accounts.
- h. Ensuring the preparations and presentation of monthly financial statements to the SGB.
- i. Shall liaise on financial matters, in collaboration with the Finance Officer, with the lawyers of the school.
- j. Ensure that the school adheres to the school's finance policy and the applicable legislations in its financial transactions.
- k. Arrange for the auditing of the school's finances and the availability of a proper financial audit report.
- l. Maintains accurate and up-to-date financial records for the SGB. This includes keeping track of income, expenses, and any financial transactions.
- m. Ensures that SGB expenses are properly authorized, documented, and reimbursed.
- n. liaise with the school administration or relevant school staff to ensure compliance with financial policies and procedures.

#### 9.4 Duties of the Financial Officer

The SGB shall appoint a Financial Officer for the school. Such an appointment shall be in writing.

The Financial Officer shall be an employee at the school.

- a. The Financial Officer is responsible for the day to day administration of the financial transactions of the school.
- b. Developing and managing the school's budget
- c. Maintains accurate and organized financial records for the school. This includes keeping track of income, expenses, and any financial transactions.
- d. Prepares regular financial reports that provide an overview of the school's financial status. These reports may be presented to school administrators, board members, or other stakeholders.
- e. Oversees the administration of payroll for school employees, ensuring that salaries and benefits are processed accurately and on time.

## 10. Committees of the SGB

The School Governing Body may:

- a. Establish committees, including an executive committee;
- b. Appoint persons who are not members of the governing body to such committees on grounds of expertise, but a member of the governing body must chair each committee.
- c. A governing body of an ordinary public school which provides education to learners with special education needs must establish a committee on special education needs.
- d. This school will establish the following committees:
  - i. Procurement committee.
  - ii. Finance committee.
  - iii. Fundraising committee.
  - iv. Building committee.
  - v. Safety and security.
  - vi. Disciplinary committee.

## 11. Meetings

- a. The SGB shall hold a meeting least once every school term.
- b. Separate meetings of the SGB shall be held with each of the following stakeholder groups; learners, parents, educators and other staff, at least once a year.
- c. The SGB of this school shall meet with the following regularly:

- i. The Principal
- ii. School Administrator
- iii. Finance Committee

d. The committees of the SGB shall meet frequently to discuss their business and report accordingly to the SGB. The meetings of the following committees of the SGB shall take place as indicated:

- i. Finance Committee: The Finance Committee shall meet monthly to discuss financial matters, review budgets, and provide financial reports to the SGB.
- ii. Finance committee: meet before and after parents meeting(finance meeting)
- iii. Disciplinary committee: Shall meet once per term and or when there is a challenge of discipline in nature.
- iv. Safety committee: Shall meet once prior to the S.G.B meeting or when there is a need that warrants such a meeting.
- v. Procurement committee: Before and after each purchase

e. Notices for meetings will be given as follows:

- i. Email: We will send a detailed email to the email address provided during registration.
- ii. Text Messages: We will send text message reminders to the mobile number provided.
- iii. School Website: Regular updates and announcements will be posted on our school's website.
- iv. Notices in Student Backpacks: We will also send paper notices home with your child, which will be placed in their backpacks.

f. The meetings of the SGB and its Committees shall be able to proceed if a quorum is formed. Such a quorum shall be formed for each committee.

g. All members must be aware of the agenda prior to the meeting. The meeting must deal, with matters of which prior notice has been given, and may deal with other matters provided that approval of the meeting is obtained;

h. For any urgent meetings at least 24hour notice is needed.

- i. Principal must always be aware of the governing body meetings to take place on the school premises adhering to the Safety policy of the school.
- j. Records of these meetings must be made available for all learners, parents, educators, or other interested parties in the school. Elected members of the school governing body must report back to their constituency regularly

## 12. Confidentiality

The SGB shall reserve the right to protect from exposing information it deems deified and being of the best interest to the school and the SGB itself.

## 13. Amendments to this Constitution

Any need that may arise to require the amendment of this Constitution will require the following steps to be adhered to in order for an amendment to be considered and effected:

- a. A proposal for an amendment shall be submitted to the Secretary of the SGB in writing.
- b. All amendments will be discussed in a duly constituted meeting of the SGB.
- c. An amendment will only be considered if it enjoys a two thirds majority support of the SGB.
- d. After the proposed amendment is voted for and supported by the two thirds majority of the SGB, the amendment in question shall be taken to the AGM of the parents where such an amendment shall be endorsed.
- e. No amendments of sections of this Constitution which are in line with the South African Schools Act shall be considered.
- f. All stakeholders shall be informed before making a final decision.
- g. Amendments of this constitution shall be made when the parents requires such amendments.
- h. Amendments shall be considered when the Department has amendments in SASA

## 14. Dissolution of the SGB

- a. The procedure for the disqualification or removal of a member of the governing body or the dissolution of a governing body, for sufficient reason in each case, shall be in line with the South African Schools Act.
- b. A governing body may be dissolved if there are sufficient reasons, such as gross misconduct or persistent failure to fulfill its responsibilities.
- c. The process for dissolution involves notifying the provincial education department in writing about the reasons for dissolution and seeking their approval.
- d. The department may conduct an investigation and, if necessary, appoint an administrator to oversee the affairs of the school until a new governing body is established.

## 15. Conclusion

This Constitution is the legal and official guiding document for the SGB of this school. The SGB shall be bound by the stipulations of this Constitution and it shall carry out its business of school governance in accordance with the stipulations of this document.