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PROVINCIAL NOTICE

[No. 182 of 2006]

MEASURES RELATING TO GOVERNING BODIES FOR SPECIAL PUBLIC SCHOOLS

Under section 40 read with section 35 of the Free State School Education Act, 2000 (Act No. 2 of 2000), I, MA Tsopo, Member of the Executive Council responsible for Education, hereby determine the following measures as set out in the Schedule.

SCHEDULE

Definitions

1. In this Notice, any word or expression to which a meaning has been assigned in the Act has the meaning so assigned to it, unless the context indicates otherwise, and -

“**Notice relating to Governing Bodies of Public Schools**” means the Notice promulgated in Provincial Notice No. 106 of 2006 relating to Governing Bodies of Public School (Excluding Special Public Schools);

“**school**” means a special public school; and

“**the Act**” means the Free State School Education Act, 2000 (Act No. 2 of 2000).

Formulae for the calculation of members of the governing body

2. (1) At a school -
 - (a) which does not enrol learners in the eighth grade or higher, there must be no learner members and the number of parent members must be reduced by the number of learners set out in the table in subparagraph (2) and the total number of members must be reduced accordingly;
 - (b) where no non-educators are employed the number of parent members as set out in the table in subparagraph (2) must be reduced by one and the total number of members must be reduced accordingly;
 - (c) with less than three educators, the principal must also represent the educators of the school and the number of parent members as set out in the table in subparagraph (2) must be reduced by one and the total number of members must be reduced accordingly.

PROVINSIALE KENNISGEWING

[No. 182 van 2006]

MAATREËLS BETREFFENDE BEHEERLIGGAME VIR SPESIALE OPENBARE SKOLE

Kragtens artikel 40 saamgelees met artikel 35 van die Wet op Vrystaat Skoolonderwys, 2000 (Wet No. 2 van 2000), bepaal ek, MA Tsopo, Lid van die Uitvoerende Raad verantwoordelik vir Onderwys, die volgende maatreëls soos uiteengesit in die Bylae.

BYLAE

Woordomskrywing

1. In hierdie Kennisgewing, het 'n woord of uitdrukking waaraan 'n betekenis in die Wet geheg word, die betekenis daaraan geheg en, tensy uit die samehang anders blyk, beteken -

“**die Wet**” die Wet op Vrystaat Skoolonderwys, 2000 (Wet No. 2 van 2000);

“**Maatreëls betreffende Beheerliggame van Openbare Skole**” die Kennisgewing afgekondig in Provinsiale Kennisgewing No. 106 van 2006 betreffende Beheerliggame van Openbare Skole (Uitgesonderd Spesiale Openbare Skole); en

“**skool**” 'n spesiale openbare skool.

Formules vir die berekening van aantal lede van beheerliggame

2. (1) By 'n skool -
 - (a) wat nie leerders in die agtste graad of hoër inskryf nie, moet daar geen leerderlede wees nie en moet die getal ouerlede met die getal leerderlede soos uiteengesit in die tabel in subparagraaf (2) verminder word en moet die totale getal lede dienooreenkomstig verminder word;
 - (b) waar geen nie-opvoeders in diens is nie, moet die getal ouerlede soos in die tabel in subparagraaf (2) uiteengesit, met een verminder word en moet die totale getal lede dienooreenkomstig verminder word;
 - (c) met minder as drie opvoeders moet die prinsipaal ook die opvoeders van die skool verteenwoordig en moet die getal ouerlede soos uiteengesit in die tabel in subparagraaf (2), met een verminder word en moet die totale getal lede dienooreenkomstig verminder word.

(2)

CATEGORIES OF MEMBERS	NUMBER OF LEARNERS ENROLLED AT THE SCHOOL		
	Less than 300	300-900	More than 900
Parents	5	7	9
Learners	1	2	3
Educators	1	2	3
Non-educators	1	1	1
Principal	1	1	1
Total number of members	9	13	17

- (3) Whenever a category which did not exist at the time when a governing body was constituted becomes relevant, a by-election must be held or the necessary appointments must be made in accordance with this Notice to fill such vacancy.
- (4) A governing body shall not be deemed to be improperly constituted if it is not reasonably practicable that learners at the school or the parents of learners at the school be represented on such governing body.
- (5) Under circumstances referred to in subparagraph (4), the number of members per category as set out in the table in subparagraph (2) must be adjusted accordingly.
- (6) A maximum of three appointed representatives of sponsoring bodies may serve on a governing body, if applicable.
- (7) One representative of the following categories of members may also serve on a governing body -
- organisations of parents of learners with special education needs, if applicable;
 - organisations of disabled persons, if applicable;
 - disabled persons, if applicable; and
 - experts in appropriate fields of special needs education, if applicable.

Appointment of members

3. (1) For members of a governing body referred to in paragraphs 2(6) and 2(7), the principal of the school concerned must invite in writing relevant categories of persons, organisations and institutions to nominate double the number of members that are required to serve on such governing body.
- (2) The principal of a special public school must submit in writing all the nominations referred to in subparagraph (1) to the Head of Education.

(2)

KATEGORIEë VAN LEDE	GETAL LEERDERS INGESKRYF BY DIE SKOOL		
	Minder as 300	300-900	Meer as 900
Ouers	5	7	9
Leerders	1	2	3
Opvoeders	1	2	3
Nie-opvoeders	1	1	1
Prinsipaal	1	1	1
Totale getal lede	9	13	17

- (3) Wanneer 'n kategorie wat nie bestaan het tydens die verkiesing van 'n beheerliggaam nie van toepassing word, moet, in ooreenstemming met hierdie Kennisgewing, 'n tussingverkiesing gehou word of moet die nodige aanstellings gedoen word om sodanige vakature te vul.
- (4) 'n Beheerliggaam word nie geag onbehoorlik saamgestel te wees as dit nie redelikerwys uitvoerbaar is dat leerders aan die skool of ouers van leerders aan die skool op die beheerliggaam verteenwoordig word nie.
- (5) Onder omstandighede bedoel in subparagraaf (4), moet die getal lede per kategorie soos in die tabel in subparagraaf (2) uiteengesit, dienooreenkomstig aangepas word.
- (6) 'n Maksimum van drie aangestelde verteenwoordigers van borgliggame moet op 'n beheerliggaam dien, indien van toepassing.
- (7) Een aangestelde verteenwoordiger van elk van die volgende kategorieë van lede kan ook op 'n beheerliggaam dien -
- organisasies van ouers van leerders met spesiale onderwysbehoefte, indien van toepassing;
 - organisasies vir gestremde persone, indien van toepassing;
 - gestremde persone, indien van toepassing; en
 - deskundiges in toepaslike velde van spesiale behoefte-onderwys, indien van toepassing.

Aanstelling van lede

3. (1) Vir lede van 'n beheerliggaam bedoel in paragrafe 2(6) en 2(7), moet die prinsipaal van die betrokke skool toepaslike kategorieë van persone, organisasies en instellings skriftelik uitnoui om dubbel die getal lede wat vereis word om op sodanige beheerliggaam te dien, te nomineer.
- (2) Die prinsipaal van 'n spesiale openbare skool moet die nominasies bedoel in subparagraaf (1), skriftelik aan die Onderwysheer voorlê.

- (3) The Head of Education must within seven days of receipt of the nominations -
 - (a) appoint the subsequent number of members per category;
 - (b) notify each appointed member in writing of his or her appointment; and
 - (c) notify the principal concerned in writing of his or her decision.
- (4) The principal shall inform the district manager concerned in writing of the names and addresses of the appointed members.
- (5) The district manager is an educator appointed permanently or temporarily or acting as head of an education district.

General provisions

4. Excluding paragraphs 1 and 2 of the Notice relating to Governing Bodies of Public Schools, the provisions of said Notice applies with the necessary changes to Governing Bodies of Special Public Schools.

Short title

5. This Notice is called Measures relating to Governing Bodies for Special Public Schools, 2006.

- (3) Die Onderwyshoof moet binne 'n periode van sewe dae na ontvangs van die nominasies -
 - (a) die betrokke getal lede per kategorie aanstel;
 - (b) elke aangestelde lid skriftelik van sy of haar aanstelling verwittig; en
 - (c) die betrokke prinsipaal skriftelik van sy of haar besluit verwittig.
- (4) Die prinsipaal stel die betrokke distriksbestuurder skriftelik in kennis van die name en adresse van die aangestelde lede.
- (5) Die distriksbestuurder is 'n opvoeder wat permanent of tydelik aangestel is of wat waarneem as hoof van 'n onderwysdistrik.

Algemene bepalings

4. Uitgesluit paragrawe 1 en 2 van die Kennisgewing betreffende Beheerliggame van Openbare Skole, is die bepalings van genoemde Kennisgewing met die nodige veranderinge van toepassing op Beheerliggame vir Spesiale Openbare Skole.

Kort titel

5. Hierdie Kennisgewing heet Maatreëls betreffende Beheerliggame vir Spesiale Openbare Skole, 2006.