

**CURRO DURBANVILLE HIGH SCHOOL PARENT  
COMMITTEE CONSTITUTION**

**January 2017**

## **1. PURPOSE OF THIS CONSTITUTION**

The purpose of this constitution is to describe the constitution, operations, responsibilities and mandate of a parent advisory committee at schools managed by Curro Holdings Ltd, herein referred to as Curro and/or the Company.

## **2. ESTABLISHMENT**

A school parent advisory committee is established through the following steps:

- 2.1 The prescription of this constitution, by Curro, to a parent advisory committee.
- 2.2 The adoption of this constitution at a general parent meeting.
- 2.3 The election of a parent advisory committee as contemplated in this constitution.
- 2.4 The signing of the constitution by the chairperson of a parent advisory committee.

A parent advisory committee operates as a non-profit organisation with no personal financial benefits paid to any members thereof.

## **3. NAME**

The name of the committee for Curro Durbanville is Curro Durbanville High School Parent Advisory Committee, hereinafter referred to as the PAC.

## **4. LEGAL CAPACITY**

The PAC shall have full legal capacity for its own operations, within its mandate, as set out in this constitution and through its duly elected and authorised representatives. Without derogating from the generality thereof, the legal capacity shall include the capacity to make resolutions, enter into negotiations, conclude agreements, generate funds in accordance with the provisions of this constitution, open and maintain a bank account, institute and defend legal action and generally do anything and everything required to implement and fulfil the activities contemplated in terms of this constitution, in as much as none of the above will contravene or contradict any Curro policies, school policies or in any way interfere with the operations of the school.

## **5. MISSION**

The mission of the PAC is to mobilise parents in a structured manner to engage and become part of the school community in a manner that will benefit the learners and the school. Parents will, through their involvement and specific skills, support the school management in an advisory capacity on matters that will add value to all parties, especially the learners. Parent involvement will not interfere with the professional educational management of the school.

## **6. OBJECTIVES**

The objectives of the PAC are to:

- 6.1 Advise the executive head and school management team of the school about matters affecting and impacting the different portfolios associated with the PAC.
- 6.2 Organise events at the school in accordance with this constitution.
- 6.3 Advise the executive head and school management team on parents' views on matters relating to the school and its activities.
- 6.4 Communicate with parents and promote cooperation between the home and the school.
- 6.5 Promote the conservation of resources and respect for the environment.
- 6.6 Assist parents in communication with the school and, where necessary, provide support for individual learners and their parents in communications with the school.
- 6.7 Organise PAC activities and events.
- 6.8 Contribute to the effectiveness of the school by promoting the involvement of parents and other community members.

## **7. POWERS AND DUTIES**

The PAC shall have the power and/or duty to:

- 7.1 Recommend to the school the undertaking of events, activities and steps which are, in the opinion of the PAC, reasonably necessary for the welfare of the school and in the best interest of its learners and educators.

- 7.2 Provided that it is done in conjunction with the school, raise and manage funds independently from school fees, other monies payable by parents to the school and funds raised during school events.
- 7.3 Meet with the parents or school management and any other party deemed appropriate or necessary for any purpose deemed necessary following the proper arrangement of such meetings and after informing the executive head of the intention to hold such meeting.
- 7.4 Do its work without any member of the PAC being remunerated in any manner for the performance of his/her duties.

## **8. ACTIVITIES**

The PAC:

- 8.1 Must adopt this constitution.
- 8.2 Must promote the code of ethics of Curro.
- 8.3 Must, at all times, promote the interests of learners and the school and strive to ensure support for its development through the provision of quality education and extramural activities for all learners at the school.
- 8.4 Must encourage parents, learners and other parties to render voluntary services to the school.
- 8.5 May make recommendations regarding the school's buildings, grounds, extramural activities and curriculum of the school.

## **9. CONDUCT AND ETHICS**

In fulfilling their duties, all members of the PAC must agree to act in an ethical and honourable manner at all times.

As part of this commitment, each elected member must sign a copy of the PAC agreement to Curro Code of Ethics, which contains an extract from the Curro Code of Ethics as signed by employees.

Furthermore, all elected and co-opted members to the PAC and its subcommittees must:

- 9.1 Uphold the constitution, policies and procedures of the school.

- 9.2 Perform his/her duties with honesty and integrity.
- 9.3 Work to ensure that the well-being of learners is the primary focus of all decisions.
- 9.4 Respect the rights of all individuals.
- 9.5 Take direction from parents, ensuring representation processes are in place.
- 9.6 Encourage and support parents and learners with individual concerns to act on their behalf and provide information on the process for taking forward concerns.
- 9.7 Work to ensure that issues are resolved through due process.
- 9.8 Strive to be informed and only pass on information that is reliable.
- 9.9 Respect all confidential information.
- 9.10 Treat information received in confidence from a representative from the school, a learner, parent or other member of the school community as such and not divulge such information without permission from the person giving the information.
- 9.11 Declare any interest, either directly or indirectly, in a proposed contract or transaction with the PAC and disclose fully and promptly the nature and extent of his/her interest.

## **10. COMPOSITION**

Where nursery, primary and high schools share a campus, the nursery school will have its own PAC and the primary and high schools each their own PAC on condition that the learner numbers in each of the primary and high schools exceed 800 learners. Primary and high school PACs can agree to work together or hold joint meetings.

### **10.1 Elected Members**

The elected members of the PAC will be parents of learners enrolled at the school and shall be elected by the parents of the school in accordance with the provisions of this constitution. The number of parents to be elected per committee is determined by the executive head before the election of PAC members, being not less than five members per committee, with a maximum of two parents per grade allowed on the PAC, as contemplated in this constitution. Parents who are employed by the school may not be elected as a member of the PAC. The spouse of a person employed by the school is, however, eligible to be elected to the PAC.

The executive head of the school will always be an ex officio member of the PAC.

### **10.2 Chairperson, vice-chairperson, treasurer and secretary**

At the first meeting of the duly elected PAC, the members of the PAC shall elect a chairperson, a vice-chairperson, treasurer and secretary in accordance with the provisions of this constitution.

### **10.3 Subcommittees**

The PAC shall establish subcommittees as required. Possible portfolios are:

- 10.3.1 Sport and cultural
- 10.3.2 Marketing and PR
- 10.3.3 Social events and functions
- 10.3.4 Infrastructure
- 10.3.5 Transport
- 10.3.6 Health and safety
- 10.3.8 Community

A subcommittee may cover more than one portfolio and portfolios may be added if deemed necessary by the PAC.

### **10.4 Co-opted members**

- 10.4.1 The PAC may, as and when required, co-opt a member/members of the parent community to assist it in the discharge of its functions and, in particular, to ensure that the PAC is demographically representative.
- 10.4.2 Co-opted members shall not have voting rights on the PAC.

## **11. DUTIES OF OFFICE BEARERS**

### **11.1 The chairperson shall:**

- 11.1.1 Be the official spokesperson for the PAC.
- 11.1.2 Convene and preside at meetings.
- 11.1.3 Ensure that agendas are prepared and presented.

- 11.1.4 Ensure that the PAC's activities comply with the provisions of this constitution and achieve the objectives and purposes of the PAC.
- 11.1.5 Know the constitution and the rules of the school.
- 11.1.6 Submit an annual report to the parents.
- 11.1.7 Be one of the signing officers.

**11.2 The vice-chairperson shall:**

- 11.2.1 Deputise in the absence or upon request of the chairperson.
- 11.2.2 Assist the chairperson in the performance of his/her duties.
- 11.2.3 Also be one of the signing officers.

**11.3 The secretary shall:**

- 11.3.1 Keep the minutes of all the meetings.
- 11.3.2 Ensure that members are notified of all the meetings.
- 11.3.3 Safely keep all records of the PAC.

**11.4 The treasurer shall:**

- 11.4.1 Be one of the signing officers of the PAC.
- 11.4.2 Have financial books ready for inspection and auditing.
- 11.4.3 Present an annual financial statement at the annual general meeting of parents.
- 11.4.4 Give updates of the income and expenditure at all general meetings.

**12. DISQUALIFICATION FOR ELECTION**

A parent shall automatically be disqualified from being a member or being elected as a member of the PAC where:

- 12.1 The parent is employed by the school.
- 12.2 The parent is in arrears with payment of school fees for a period exceeding thirty days after the date of notice calling for such payment and has not been exempted therefrom.

- 12.3 The parent has been convicted of an offence involving dishonesty.
- 12.4 The parent has been declared insolvent or put under judicial management by a court of law.
- 12.5 The parent has been declared unsound of mind or unable to manage his/her own affairs by a court of law.

### **13. ELECTION OF MEMBERS**

The members of the PAC shall be elected in accordance with the following procedure:

- 13.1 Only parents not included in the exemptions stipulated above are eligible for election.
- 13.2 The election date for the first election of a PAC will be published by the executive head of the school and from the second election the election date will be published by the existing PAC before the expiry of its term of office.
- 13.3 The publication of the date and time of an election to be held shall occur at least twice during two consecutive weeks at least fourteen days prior to the election meeting.
- 13.4 Publication shall take place in writing addressed to the address of each parent and sent by hand, post or electronically to the official address of each parent as registered in the school records.
- 13.5 Nominations of candidates can be submitted to the appointed representative of Curro, in the case of the first election, or to the secretary of the existing PAC from the second election by any parent in writing in the prescribed format, at least seven days prior to the election date.
- 13.6 All nominations must be seconded in writing by a second parent who shall not be a spouse or partner of the nominating parent.
- 13.7 All nominations must be accompanied by a written confirmation signed by the nominee, confirming his/her willingness to stand for election.
- 13.8 Failure to comply with the above will result in the nomination being invalid and not entertained.
- 13.9 Nominations will be published at the school forty eight hours prior to the election.
- 13.10 The parents present at the election meeting at the time when the vote is to be taken will constitute the quorum.
- 13.11 Only parents present at the meeting at the time when the vote is to be taken will be eligible to vote and no proxies will be accepted.



- 13.12 Ballot papers reflecting the names of all nominees as members of the PAC will be distributed to the parents in attendance and they will then elect the PAC by each voting for a minimum of one and a maximum equal to the total number of PAC members to be elected.
- 13.13 Ballot papers will be counted at the meeting immediately after the voting has taken place and the result will be made available at the meeting.
- 13.14 Ballot papers shall be kept by the PAC for a period of two years from the election date and shall, at the request of any parent, be made available for verification and scrutiny.
- 13.15 In the event of two or more nominees receiving the same number of votes, a final vote shall be taken between only those nominees having received the same number of votes.

#### **14. ELECTION OF OFFICE BEARERS**

- 14.1 The executive head shall convene the first meeting of newly elected PAC within fourteen days of election.
- 14.2 At the first meeting of the newly elected PAC the members shall, by majority vote, appoint a chairperson, a vice-chairperson, a treasurer and a secretary.
- 14.3 The chairperson, vice-chairperson, treasurer and secretary shall, subject to the provisions of this constitution, remain in their offices for a period of one year from the date of their election as members of the PAC, but are, after the expiry of the said term, eligible for re-election for the remaining time of their term.
- 14.4 If the position of chairperson, vice-chairperson, treasurer or secretary becomes vacant, the PAC shall, at the first meeting after the vacancy has occurred, elect one of its members to fill the vacancy for the unexpired period of office.

#### **15. TERM OF OFFICE**

The term of office of a member of the PAC shall be three years. Notwithstanding this, the members of the PAC shall continue to hold office until a new PAC is elected, subject thereto that the period may not exceed three calendar months after the expiry of the three year term. In the interest of continuity, it is the responsibility of outgoing members to ensure that all information regarding portfolios is handed over to the new members.

#### **16. VACANCY**

A vacancy of membership of the PAC shall occur when a member:

16.1 Submits a written resignation.

16.2 Passes away.

16.3 Is absent from three consecutive meetings without an apology acceptable to the PAC.

16.4 Becomes disqualified to act as a member on the basis of any of the criteria listed.

A vacancy shall be filled by means of an election for the specific portfolio in which the vacancy occurs.

The elected member will then fill such position for the remainder of the term of office of the substituted member.

## **17. NON-PERFORMANCE**

An elected officer of the PAC or its committees who fails to perform the duties of the office, whether through inability, negligence or other reasons, may be given an official notice of non-performance by a two third vote of the members present at a duly convened meeting.

## **18. DISMISSAL FROM OFFICE**

An elected officer of the PAC or its committees who receives two official notices of non-performance shall be dismissed from office. The office shall become vacant.

## **19. RESIGNATION**

An elected officer of the PAC may submit a resignation in writing to the PAC at any time.

## **20. LEAVE OF ABSENCE**

The PAC may grant leave of absence of a member or members for a period determined by the PAC where appropriate.

## **21. QUORUM**

Attendance by the majority of the members of the PAC shall constitute a quorum for a meeting of the PAC.

## **22. MEETINGS**

- 22.1 The PAC shall hold not less than one ordinary meeting per school term.
- 22.2 An extraordinary meeting shall be convened by the chairperson when he/she deems it necessary or when at least three members submit a motivated written request for an extraordinary meeting.
- 22.3 Ordinary and extraordinary meetings shall take place after written notice has been issued to each member at least seven days prior to the meeting. The notice of the meeting must include the agenda of the matters to be discussed at the meeting, provided that, in the case of matters of urgency, the chairperson may give such shorter notice as deemed appropriate.
- 22.4 The PAC shall deal with matters of which prior notice has been given as well as any other matter which the chairperson or any other member, with the approval of the meeting, has raised.
- 22.5 Any person may, upon invitation of the PAC, attend a meeting and participate in the discussions, but without the right to vote.
- 22.6 The PAC may, after consultation with the executive head and when deemed appropriate, invite member/members of the staff of the school to attend a meeting for the purpose decided upon by the PAC.
- 22.7 Each member of the PAC has one vote.
- 22.8 In the event of a deadlock of votes, the chairperson may exercise a casting vote.
- 22.9 A member of the PAC may, with or without a concise statement of reason, have it noted that he/she voted against a specific decision.
- 22.10 The secretary of the PAC shall minute the essence of all discussions and each decision taken at the meeting and provide each member with a copy thereof within ten days after the meeting.
- 22.12 The PAC shall make available such minutes for inspection by other parents, if required.
- 22.13 The minutes of a meeting shall be approved by the PAC at the next meeting and the approved minutes shall be signed by the chairperson.
- 22.14 The chairperson shall decide on all matters of standing order and procedure.

## **23. SUBCOMMITTEES**

- 23.1 The PAC shall establish subcommittees with specific portfolios, each portfolio committee consisting of the responsible member for a particular portfolio and three other parents.
- 23.2 The PAC may also, in its own discretion, appoint project committees as it may deem appropriate from time to time.
- 23.3 At least two members of the PAC shall be ex officio members of any project committee.

## **24. PAC FUND**

The PAC may establish a fund and administer it in accordance with the following:

- 24.1 All monies received will be paid into a bank account opened in a name designated by the PAC.
- 24.2 Members of the PAC shall be appointed as signatories for that purpose by the PAC.
- 24.3 The PAC fund, or proceeds thereof, shall be used only for matters directly related to and for the benefit of the learners and school, any educational purpose agreed between the PAC and the school and the performance of the functions of the PAC.
- 24.4 No funds shall in any circumstances be paid to any member of the PAC or any of its portfolio committees or project committees or to any educator or staff member of the school.

## **25. FINANCES**

- 25.1 All funds of the PAC will be on deposit in a bank or financial establishment registered under the Bank Act.
- 25.2 The PAC shall name at least three signing officers, one of whom will be the treasurer, for banking and legal documents. Two signatures will be required for these documents.
- 25.3 A need for audits will be agreed upon by the members at any general meeting or by the request of Curro, where upon agreed, an independent auditor will be appointed as needed.
- 25.4 Provided adequate notice is given, any records may be viewed by appointment.
- 25.5 The financial year of the PAC will be 1 January to 31 December.

## **26. FINANCIAL RECORDS AND STATEMENTS**

The PAC shall:

26.1 Keep records of funds received and spent for all financial transactions.

26.2 As soon as practicable, but not later than three months after the end of each financial year, draw up annual financial statements in accordance with good corporate governance and relevant legislation.

26.3 The PAC shall, within its own discretion and as a gesture of transparency, provide to any relevant party, at request, a copy of its financial statements.

26.4 On request by Curro management, provide access to all records at all times to Curro management.

## **27. GENERAL MEETING OF PARENTS**

A general meeting, other than the first meeting referred to above, of the parents of the school must be convened by the PAC at least once per year.

Notice of such meeting shall:

27.1 Be delivered at least fourteen days prior to the meeting to every parent of the school at the parent's last known street, email or other address or by handing a copy thereof to a learner residing with his or her parent.

27.2 Specify the date, place and time as well as the agenda of the meeting.

A quorum shall consist of those parents present at the meeting.

Each parent has one vote and voting upon any matter shall occur by a show of hands and decisions will be made by simple majority.

Any person other than a parent may, at the invitation of the PAC, attend a meeting and participate in its deliberations, but shall not have a vote.

## **28. PROCEDURES AT GENERAL MEETINGS**

28.1 The chairperson of the PAC, or in his/her absence the vice-chairperson, acts as chairperson of the general meeting of parents.

28.2 In the event of both the chairperson and the vice-chairperson of the PAC being absent, a member of the advisory committee will be nominated by the other members to act as chairperson.

28.3 Subject to the provisions of this constitution, the chairperson of the meeting shall decide on the order and procedure at the meeting and should a parent raise an objection to such decision, the decision shall, without further discussion, be voted upon and the decision of the meeting shall be final.

## **29. AMENDMENT OF CONSTITUTION**

The initial constitution of the PAC in its entirety is prescribed by Curro.

Amendments to the constitution can be made by:

29.1 Tabling the proposed amendment at a general parent meeting.

29.2 Decisions to amend the constitution require a two third majority vote at a duly constituted general meeting of parents and after the parents have been informed of the proposed amendment in writing at least fourteen days before such a meeting.

29.3 Should such an agreement be reached, the proposed amendment must be submitted to the operational committee (OPCO) of Curro for written approval. The decision of the OPCO will be reached within fourteen days of the proposed amendment being submitted by the PAC and will be final and binding.

29.4 No amendment is effective unless Curro has approved such in writing.

## **30. ENACTMENT**

This constitution will come into operation on the date it is signed by the chairperson.

**SIGNED**

A handwritten signature in black ink, appearing to be 'K French', written over a large, faint oval shape that serves as a placeholder for a stamp or seal.

Signature Chairperson: K French

15 Jan 2017