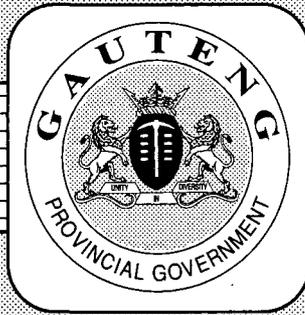


**THE PROVINCE OF  
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# Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

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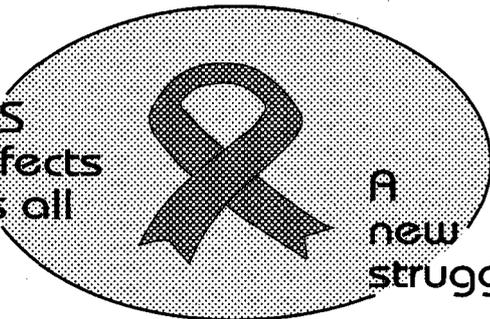
Vol. 8

PRETORIA, 21 FEBRUARY 2002  
FEBRUARIE

No. 47

**We all have the power to prevent AIDS**

AIDS  
affects  
us all



A  
new  
struggle

**Prevention is the cure**

**AIDS  
HELPLINE**

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DEPARTMENT OF HEALTH

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## GENERAL NOTICE

### NOTICE 486 OF 2002

#### GAUTENG DEPARTMENT OF EDUCATION

#### SCHOOLS EDUCATION ACT, 1995 (ACT No. 06 OF 1995)

#### DRAFT NOTICE OF DETERMINATION OF GUIDELINES FOR THE ESTABLISHMENT OF THE REPRESENTATIVE COUNCIL OF LEARNERS

The Member of the Executive Council for Education has, under the power vested in him in terms of section 11(2) of the South African Schools Act, 1996 (Act No. 84 of 1996) and section 4 (d) (iv) of the Education Policy Act, 1998 (Act No. 12 1998), made the draft guidelines for the establishment, election and functions of the Representative Council of Learners, including minimum requirements with which Representative Council of Learners in public schools within the province of Gauteng must comply in their Constitution and Standing orders as set out in the Schedule hereto.

Members of the public are invited to send their comments on these draft regulations to:

Willie Masemola  
 355-0076 (Tel)  
 Fax 355-0640  
 13th Floor 1313/1314  
 111 Commissioner Street  
 Arcade Building  
 GAUTENG

### SCHEDULE

#### DEFINITIONS

1. Unless the context indicates otherwise, the definitions set out in regulation 1 of the Governing Body Regulations for Public Schools Notice No. 1457 of 1997 shall apply throughout this Schedule.

“**Election Officer**” means the Teacher Liaison Officer;

“**Executive**” means the Executive Committee of the Representative Council of Learners;

“**Head of Department**” means the Chief Executive Officer of the Gauteng Department of Education.

2. Minimum Requirements of Constitution and Standing Orders of a Representative Council of Learners:

- 2.1 Within 30 days of its election the Representative Council of Learners must develop a constitution or adopt an existing one.
- 2.2 The Constitution should set out clearly such information as is necessary to ensure effective communication with the Representative Council of Learners by interested parties.
- 2.3 The Constitution should set out such aims and objectives as are feasible and which fall within the framework established by law.
- 2.4 The Constitution should indicate which activities the Representative Council of Learners shall perform the furtherance of its aims and the achievement of its objectives and which fall within the framework established by law.
- 2.5 The Constitution should set out procedures for meetings of the Representative Council of Learners and its Executive Committee.
- 2.6 The Constitution should stipulate that members of the Representative Council of Learners and members of its Executive Committee may hold office for a period not exceeding one year.
- 2.7 The Constitution should stipulate that a decision to amend the Constitution shall require a two-thirds majority of the total membership of the RCL after all members have been informed of such proposed amendments in writing at least two months in advance.
- 2.8 The Constitution should stipulate that a quorum of 80% of members are not present at the meeting contemplated in paragraph (7) above, a second meeting shall be called exclusively of this purpose at least two weeks after the first meeting.
- 2.9 The Constitution will stipulate that if two-thirds of the members are not present at this second meeting, the proposed amendments may be effected by two-thirds of the members present.
- 2.10 The amended constitution must be consistent with the provisions of the School Education Act, 1995 (Act No. 06 of 1995), and its regulations, and that until such confirmation is received, no amendment to the Constitution shall be valid.

2.11 The amended constitution must be submitted to the Head of Department for ratification

## ELECTION AND COMPOSITION OF THE EXECUTIVE COMMITTEE

### 3. COMPOSITION OF THE EXECUTIVE

3.1 The Representative Council of Learners' Executive Committee shall comprise of the following:

- (a) A president.
- (b) A treasurer.
- (c) A secretary.
- (d) A public relations officer (PRO).

### 4. ELECTION OF EXECUTIVE

- 4.1 The election of the Executive Committee members of the Representative council of Learners (i.e. President, Treasurer, Secretary and a Public Relations Officer) shall be held towards the end of the third term or beginning of the fourth term of each academic year. All learners at the school are entitled to vote in this election.
- 4.2 All deputies shall be elected from members of the Representative Council of Learners elected as the class representatives in the following year.
- 4.3 The school can decide on whether voting would be done for each portfolio or whether the candidate with the most votes shall be the President of the Representative Council of Learners followed by the Secretary, Treasurer and Public Relations Officer.
- 4.4 The twelfth-grade learners shall not stand as candidates for the executive but they are allowed to vote.
- 4.5 A learner must be nominated and or seconded for election as a member of the Executive by registered learners at the school.
- 4.6 Nominations may be made—
  - (a) by lodging a nomination form duly completed by the proposer, seconder and candidate with the election officer not more than seven days and not less than one day before the nomination meeting. Nominations may be made for specific portfolios in the Executive or generally depending on the choice in respect of (4.3) above;
  - (b) by proposing a learner as a member during the nomination meeting, provided that another learner present seconds the nomination and a nomination form duly completed by the proposer, seconder and candidate is lodged with the election officer with the time allotted in the nomination meeting by the election officer of this purpose.
- 4.7 The election officer shall after the allotted time, consider all nominations and reject those which do not comply with the requirements of this regulation.
- 4.8 Voting shall be done by secret ballot.
- 4.9 Canvassing and campaigning by candidates should be allowed for a period not exceeding two weeks before the election day.
- 4.10 All the deputies shall be elected from members of the Representative Council of Learners members elected as the class representatives in the following year.
- 4.11 No member of the Representative Council of Learners may hold more than one portfolio in the Executive Committee.
- 4.12 The Teacher Liaison Officer should ensure that there is a formal, well organised handover of all documentation and audited financial records by the out-going Representative Council of Learners to the newly elected executive.
- 4.13 The Teacher Liaison Officer must provide capacity building for the newly elected executive so that they are able to undertake their functions in the new-year.

### 5. GENERIC FUNCTIONS OF THE EXECUTIVE COMMITTEE

#### 5.1 The President

- 5.1.1 Chairs all meeting of the Representative Council of Learners.
- 5.1.2 Attends and represents the Representative Council of Learners at meetings with other schools/ organisations (other members may attend meetings on behalf of the Representative Council of Learners if and when mandated to do so).

#### 5.2 The secretary

- 5.2.1 The secretary of the Representative Council of Learners shall ensure that minutes of the proceedings of the Executive meetings are kept and submitted for approval at the next meeting of the executive.

- 5.2.2 The secretary of the Executive shall act as secretary for all other meetings involving the Representative Council of Learners and shall keep records of all proceedings at such meetings.
- 5.2.3 The secretary of the Executive Committee shall ensure that notices for both Executive and general meetings unless otherwise stated (emergency meetings) are issued timeously.
- 5.2.4 The secretary of the Executive Committee shall upon request by the Principal of the school, through the Teacher Liaison Officer, provide any copy of minutes requested.
- 5.2.5 The Secretary reads all correspondence at meetings and responds to correspondence when requested.
- 5.2.6 All minutes are to be signed after adoption by both the Chairperson and the Secretary and dated with the day, month and year.

**5.3 The treasurer**

- 5.3.1 Keeps a record of moneys received (donations, fundraising, i.e. income, etc).
- 5.3.2 Ensures that the money collected is handed over to the school to be recorded under Representative Council of Learners in the school funds account.
- 5.3.3 Keeps records of money spent (expenditure).
- 5.3.4 Is responsible for fund-raising and organising ways of getting money.
- 5.3.5 Regularly (once a month) informs members of the Representative Council of Learners of the state of the Representative Council of learners finances.
- 5.3.6 Must ensure that funds are used for the purposes of promoting the educational interest of the learners as reflected in the School Development Plan.
- 5.3.7 The Treasurer must write an annual report for the handover of the finances to the next Representative Council of Learners.

**5.4 The public relations officer**

- 5.4.1 Promotes the image of the school and the Representative Council of Learners.
- 5.4.2 Becomes the spokesperson and mouthpiece of the Representative Council of learners, working with the Chairperson and the Executive of the Representative Council of Learners.
- 5.4.3 Makes statements to other organisations/media only when mandated by the Executive Committee of the Representative Council of Learners and the Teacher Liaison Officer.

**6. ELECTION OF THE CLASS REPRESENTATIVES**

- 6.1 Each class of learners in a school shall elect by not later than the end of the second month of the academic year at least one representative to a Representative Council of Learners, which shall be composed of all such elected representatives and the Executive Members. Where there are any given classes of learners with both male and female learners, one male and one female learner shall be elected.
- 6.2 Representivity in the Representative Council of Learners should reflect the racial composition of the school.
- 6.3 The election officer for such elections shall be the Teacher Liaison Officer, or any other person nominated by the Head of Department.
- 6.4 The nomination and voting process will be the same as for the election of the Executive above.
- 6.5 No educator or non educator on the staff of the school are allowed to vote in these elections.

**7. FUNCTIONS OF THE REPRESENTATIVE COUNCIL OF LEARNERS**

**7.1 The functions of the Representative Council of Learners shall be—**

- 7.1.1 To build unity among learners in the school;
- 7.1.2 to address or promote the needs of all learners in the school; which includes the extra-curricular and co-curricular activities of the school;
- 7.1.3 to keep learners informed about events in the school and in the community;
- 7.1.4 to encourage good relationships within the school between learners and educators, and between learners and non-educator members;
- 7.1.5 to encourage good relationships within the school between educators and parents of learners;
- 7.1.6 to establish, for the benefit of learners in the school, fruitful links with the Representative Council of Learners in other schools, and with other youth formations;
- 7.1.7 to establish sub-committees; and
- 7.1.8 to contribute towards the general order and discipline of the school and the development of a code of conduct for learners;
- 7.1.9 to participate in the School Governing Body meetings with a mandated position and to report back to the Representative council of Learners;
- 7.1.10 and to canvass opinion on issues from the learner body which are tabled at the School Governing Body meetings;

- 7.1.11 to promote such values as contained in the constitution of the Republic of South Africa, particularly the Bill of Rights and the values promoted therein;
  - 7.1.12 to elect two representatives from all the learners in the school as members of the School governing Body.
- 7.2 Establishment of sub-committees:
- 7.2.1 At the first Representative Council of Learners meeting of the next academic year, the subcommittees should be identified.
  - 7.2.2 The subcommittee chairpersons should be elected at the first meeting of the sub committees of the Representative Council of Learners of the academic year.
  - 7.2.3 Ad hoc subcommittees may be established as per need during the course of the year.
  - 7.2.4 The subcommittee chairpersons are accountable to the Executive of the Representative Council of Learners and shall report, in writing, on their activities to the Representative Council of Learners once a month.

### 8. STATUTORY PROVISION

- 8.1 The Representative Council of Learners is a Statutory Body and therefore schools must institutionalise an elected Representative Council of Learners to address all learners affairs at the school.
- 8.2 The prefect system may not exist after the 31 December 2001.
- 8.3 Where the Student Representative Council or similar body was in existence immediately prior to the publication of this Notice, its term of office shall be deemed to have ended on the day before the date on which the RCL is elected in accordance with this Notice.

### 9. APPOINTMENT/ELECTION OF THE TEACHER LIAISON OFFICER

- 9.1 The learners and educators at the school must annually democratically elect the Teacher Liaison Officer.
- 9.2 The roles and functions of the teacher liaison officer:

The Teacher Liaison Officer's (TLO) main responsibility is to—

- 9.2.1 initiate the establishment of Representative Council of Learners which is elected by the general learner body at regular democratic elections;
- 9.2.2 ensure that the Representative Council of Learners is supported by the school management and governance;
- 9.2.3 ensure that the Representative Council of Learners supports the vision and mission of the school;
- 9.2.4 serve as the Election Officer during the RCL elections;
- 9.2.5 ensure that the Representative Council of Learners remain relatively functional, i.e. to see how things are going within the Representative Council of Learners, whether they are aware of scheduled meetings, whether their projects are being fulfilled and so on;
- 9.2.6 ensure that opportunities are taken to include learners in the school's decision making processes that directly affect them;
- 9.2.7 ensure that Representative Council of Learners members are credited for their tasks and are given some form of recognition;
- 9.2.8 ensure that the Representative Council of Learners members are provided with an on-going capacity building programme;
- 9.2.9 ensure that the school's extra-curricular programme enables learners to hold regular Representative Council of Learners meetings of class representatives and to report back on discussions undertaken;
- 9.2.10 ensure that parents, educators and the principal accept the Representative Council of Learners activities as an integral part of the overall learner's development and also that they accept the Representative Council of Learners as active participants in decision-making processes within the school where relevant;
- 9.2.11 liaise with the relevant district office officials where required, on issues relating to the office of the Representative Council of learners.

### 10. REPEAL OF NOTICE

The Notice of Determination of Guidelines for the Establishment, Election and Functions of Students' Representative Council of Learners Notice No. 1059 of 1997 is hereby repealed.

# IMPORTANT NOTICE

The  
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**NEW PARTICULARS ARE AS FOLLOWS:**

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*In future, adverts have to be paid in advance  
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**HENNIE MALAN**

Director: Financial Management  
 Office of the Premier (Gauteng)

