

## **AMERICAN INTERNATIONAL SCHOOL OF CAPE TOWN**

### **CONSTITUTION OF THE SCHOOL COUNCIL**

#### **INTRODUCTION**

1. Recognizing that:
  - 1.1 The American International School of Cape Town (AISCT) is a private educational institution in South Africa offering the children of expatriates and local parents a progressive international US-based education and is registered as an independent school in terms of the South African Schools Act of 1996;
  - 1.2 AISCT is the trading name of a Section 21 South African company, The AISCT Learning Academy, the directors of which serve the interests of its shareholders, being private parties, also associated with the International Schools Development Foundation;
  - 1.3 AISCT has accepted it is important to gain and retain the confidence and co-operation of the parent body;
  - 1.4 The effective owners and the parent body of AISCT have agreed to the establishment of a School Council to facilitate the management of and planning for AISCT;
  - 1.5 This Constitution recognizes the establishment of a School Council on the terms set out below.



## DEFINITIONS

- “AISCT” - The American International School Cape Town, a school owned by the company, The AISCT Learning Academy, situated at 42 Soetvlei Avenue, Constantia
- “ISDF” - An associated Foundation, the International Schools Development Foundation
- “parent” - The parent of, or person legally responsible for, a pupil
- “pupils” - Students enrolled as such at AISCT
- “the board” - The Board of directors of The AISCT Learning Academy, including both Directors and Members of the board.
- “the company” - The AISCT Learning Academy, a company registered in South Africa under registration number 2001/007306/08 in accordance with Section 21 of the Companies Act

## NAME AND OBJECTIVES

2. The name of this organization is the School Council of AISCT.
3. Its objectives are:



- 3.1 to assist and advise the headmaster and the board in relation to the creation and implementation of policy and the management of the school in accordance therewith;
- 3.2 to assist in enrolling and maintaining pupil numbers at a financially viable level;
- 3.3 to assist, where invited to do so and without unsolicited interference, in the management of the school;
- 3.4 to make recommendations regarding the items to be considered for inclusion in the budget of the school, to recommend financing requirements in the form of fees, sponsorships, voluntary donations and investments in order to ensure AISCT's ability to recruit and retain suitable staff by being able to offer competitive remuneration and other benefits;
- 3.5 to promote the school, its employees, pupils, and parent body;
- 3.6 to ensure the long-term welfare, well-being, and proper education of the pupils.

#### STATUS

4. The School Council is an organization that exists within the school structure and is not a legal body separate from the school and the company. The School Council Constitution must be read together with the AISCT Memorandum of Incorporation and AISCT School Policy.
5. The members of the School Council shall be indemnified from any liability when acting within the Constitution of the School Council.



## MEMBERS

6. There shall be seven members of the School Council, three of whom shall be appointed by the board (one of whom shall be the Consul General of the United States of America or his/her appointee) (“appointed members”), one of whom shall be elected by the teachers employed by the school (“the staff member”) and three of whom shall be parents elected by the parent body (“the elected members”).
7. Each elected member shall be elected for an initial term of two years and should preferably serve as such for a maximum of four consecutive years. Each staff member shall be elected for a term of one year and should preferably serve as such for only one term. The maximum periods of service referred to herein may be relaxed or waived by the School Council.
8. Elected members will be elected bi-annually (every two years) at a meeting of the parent body held within three weeks of the commencement of the new academic year in question and on not less than one week’s notice to the parent body in the form of a notice sent by email to such parents who have furnished an email contact address to the school and by written notice to all others.
9. Nominations of candidates for election shall be invited by notice as aforesaid two weeks before the bi-annual election meeting, and the notice of the meeting shall contain the names (and such other details as the School Council may deem appropriate) of those nominated for election.
10. Any elected member will, after expiry of his or her term as such, be eligible for appointment as an appointed member.



11. Any member of the School Council may be removed from office by a vote of five members of the School Council voting to remove that member. In the event of the removal of a member in terms of this clause, or the resignation of a member, a substitute shall be co-opted by 1) the board (in the case of board appointees), by 2) the Consul General (in lieu of his/her nominees), by 3) the School Council in the case of an elected member and by 4) the teaching staff in the case of a staff member, to cover the remaining period to have been served by the departing member's term. Persons appointed to fill vacancies must be eligible for School Council membership under the terms of the Constitution.
12. Although the School Council will seek to conduct its business on the basis of consensus, each member shall have a single vote for the purpose of voting on motions, resolutions, and the like. Voting shall be by voice or show of hands, except at the discretion of the Chairperson at the request of a School Council member. Subject to what is set out in clause 11 above, a motion will be carried by a majority of those present at a quorate meeting.
13. Any School Council member who is unable to attend a scheduled School Council meeting may give written authorization to another member to vote by proxy. The authorization shall be limited to casting a vote on specific issues and must include directions to the proxy holder on how to vote.
14. The School Council shall be at liberty to invite any parent and interested persons of the AISCT community to attend any one or more of its meetings and to take part for all purposes save that of voting as a member of the School Council. Non-members of the School Council shall be admitted as observers only and shall not participate in discussions or address questions to the School Council unless requested to do so.



15. Save as aforesaid, meetings will not be open to general parent participation.
16. The headmaster of the school shall be regarded as an invitee to all meetings of the School Council unless the School Council specifically resolves to the contrary in relation to a particular meeting or portion thereof.
17. Should the headmaster not be invited to attend a School Council meeting, the council chairperson will advise the board in writing, prior to this action, as to why his exclusion is deemed necessary. If the headmaster is disinvited to two consecutive meetings, further disinvites would require board confirmation.

#### OFFICE BEARERS

18. The School Council shall, at the first meeting following the bi-annual election of elected members, appoint a chairperson, a deputy-chairperson, a secretary and any other office-bearers the School Council deems appropriate, given the functions and requirements of the School Council from time to time. Election of office bearers shall be by secret ballot.
19. Each of the office bearers of the School Council shall hold office until the meeting following the next election of elected members or until they are no longer members of the School Council, whichever is earlier.
20. In the event that an office bearer ceases to be a member of the School Council, the remaining School Council members shall at its next meeting select a person to fill that vacancy. Should such election cause another vacancy, such vacancy shall also be filled through election at the same meeting.



## MEETINGS

21. A quorum at a meeting of the School Council shall be four members of the School Council, plus the Chairperson. In the event of a deadlock the Chairperson shall have a casting vote. If the Chairperson is not present, the Vice Chairperson fulfills the role of the Chairperson.
22. Meetings of the School Council shall be held as determined by the School Council, but not less than every second month of the year.
23. Meetings of the School Council shall be held at the school premises or at such other venue as the School Council unanimously decides and on a date and time determined by the School Council.
24. The Chairperson or the headmaster shall issue the notices for all the meetings of the School Council.
25. Minutes of meetings shall be kept by the secretary and circulated amongst members of the School Council for adoption at the next meeting. At this point the Chairperson, at his or her sole discretion, may remove any sensitive personal matter from the minutes.
26. A copy of the minutes shall be filed with the headmaster of AISCT.
27. Adopted minutes, from which any sensitive personal matter has been removed, signed by the secretary, shall be made available for inspection at the request of any parent and other members of the school community at the administrative office during normal business hours.



28. Decisions taken at School Council meetings are not binding until the minutes have been adopted and ratified, unless otherwise decided by the School Council.
29. Recommendations to the board shall be forwarded to the headmaster, who will in turn forward same to the board for consideration.
30. Notice of subsequent meetings shall be given orally at the close of each meeting by the chairperson or headmaster, save that any member may, on one week's written notice to the other members or such shorter period as the School Council may subsequently ratify, convene a special meeting of the School Council.
31. Information relating to the work of the School Council which has been designated as confidential by the School Council shall not be discussed outside meetings of the School Council.
32. At the discretion of the Chairperson, a member must withdraw from a meeting or discussion, for the duration of such meeting or discussion and decision making, where such member has a personal interest in the matter.

#### SUB-COMMITTEES

33. The School Council shall be empowered to create or appoint sub-committees to investigate and report to it on any matter falling within its objectives and/or to carry out on its behalf any function required to be fulfilled by it in terms of this Constitution.

#### AMENDMENT OF CONSTITUTION



34. This Constitution may be amended by a vote of at least two-thirds of those present at a quorate meeting of the School Council and the agreement of the board, at a School Council meeting specifically called for the purpose and for which at least one month prior notice shall have been given in writing.
  
35. Any such amendments shall be proposed in writing, signed by two office bearers and/or School Council members, and sent to the secretary at least three weeks prior to the meeting.



## Revision Log

Revised 04 December 2018

Revised 09 October 2018

Revised 09 May 2011

