

# School and preschool governance guideline

This guideline is a recommended course of action under the operational policy framework. Any edits to this page must follow the process outlined on the [creating, updating and deleting policy documents](#) page.

## Overview

The guideline outlines the operational requirements of governing councils and affiliated committees including structure and membership, constitutions and meetings.

## Scope

This guidance applies to school and preschool employees, school governing councils and affiliated committee members to implement the [administrative instructions and guidelines \(PDF, 1.1 MB\)](#), section 5.

## Detail

School and preschool governance is the partnership between a preschool or school's local community as represented on its governing council and the preschool director or principal working together to develop the future directions for the preschool or school. Jointly they monitor and report progress to continually enhance the performance of the preschool or school and the achievement of its students.

Preschool and school governance is founded on a legal framework including the [Education Act 1972](#), the [Children's Services Act 1985](#) and the [administrative instructions and guidelines \(PDF, 1.1 MB\)](#).

The governing council is accountable to the preschool or school community and the Minister for representing the views of the community regarding the priorities and educational needs of its students and children, and for supporting the principal or preschool director in their role.

## The governing council

The governing council is a representative group of at least 5 members. There is no upper limit to the total number of members. The number of members must be specified in the council's constitution.

The governing council meets regularly (at least twice a term as required by clause 11.2.1 of the constitution), to represent the whole school community in:

- understanding local educational needs
- setting broad directions for the school or preschool
- monitoring and reporting achievements.



# Structure and membership of the governing council

The governing council has between 2 and 6 categories of membership.

2 categories – parent and principal or preschool director (ex-officio) members – are required.

4 categories – community, student, staff and affiliated committee members – are optional, depending upon local circumstances. While these 4 member categories are optional, governing councils are encouraged to involve such members where possible in order to give full expression to their community's needs and advice.

It is advisable to regularly review the membership of the governing council to ensure that it is reflective of and meets the needs of the preschool or school community.

## Parent members

Parents must form the majority of the governing council membership, except for a school that is wholly or principally for adult students.

The number of parent members must be specified by the governing council in its constitution. There is no limit to the number of parent members of a council but it is advisable that the number, together with the other members, makes for a council size that can be effective in its meetings and in fulfilling its legal and other responsibilities.

## School and preschool leaders (ex-officio)

The principal or preschool director is an ex-officio member of the governing council. This means that the position on governing council is granted to the member because they hold the office of principal or preschool director. They are not voted or nominated by any group. If a governing council serves more than 1 school and/or preschool then both leaders are members.

## Community members

The governing council may appoint up to 3 local community members. These may be from business, industry or significant and relevant community groups. They may be people with particular skills relevant to the current goals of the council, or they may be members of local or state government.

## Staff members

Up to 3 staff members are elected to council by a meeting of all preschool or school employees. The number of staff is determined by the total number of students:

- 60 or less students – no elected staff
- 61 to 300 students – 1 elected staff
- 301 to 601 students – 2 elected staff
- 601 or more students – 3 elected staff.

If a governing council serves more than 1 preschool or school, the student numbers for each school will determine the number of staff that may be nominated to council by employees at that school or preschool.

## Student members

Up to 2 student members may be elected to the governing council by the students of the school.

## Affiliated committee members

A nominee from each affiliated committee of the governing council can be a member of the council, up to a maximum of 3 members, representing different affiliated committees.

## The role of the governing council

The role of governing council is expressed through the legislation, the [administrative instructions and guidelines \(AIGs\) \(PDF, 1.1 MB\)](#) section 5, the governing council constitution and the governing council code of practice. The role of the governing council is to:

- focus on improving student learning outcomes in collaboration with the principal or preschool director and staff
- develop a cooperative working relationship between the governing council and the principal or preschool director and staff
- represent the whole school community in understanding local educational needs
- set general directions for the preschool or school
- monitor and report on achievements.

The different roles of the governing council and the principal or preschool director should be understood and respected. The principal or preschool director has specific educational and organisational leadership responsibilities for which they are accountable to the Minister through the Chief Executive of the department. Governance and preschool or school management should be clearly separated.

# Functions of the governing council

The council must:

- involve the school community in the governance of the school by:
  - providing a focus and a forum for parental and school community involvement and values
  - identifying the educational needs of the local community and the attitude of the community to educational developments within the preschool or school
  - ensuring that the cultural and social diversity of the preschool or school community is considered and the needs of all student groups are appropriately identified
- set the general directions of the preschool or school by developing broad policy statements such as the site learning plan, the budget, and student safety, welfare and discipline policies
- monitor and report on:
  - the site learning plan
  - finances (including governing council enterprises and programs such as OSHC and canteen)
  - the council's operations.
- raise money for preschool or school related purposes
- maintain property
- manage OSHC and canteen responsibilities.

## The governing council constitution

### The model constitution

The Minister has published, under section 89(1) of the [Education Act 1972](#), a governing council model constitution. Councils are required to use the model constitution, with the addition of the council's name and membership configuration to reflect local circumstances in the document.

Governing councils become incorporated bodies under the Education Act 1972 once they have an approved constitution in place. Incorporation establishes a legal entity that protects the members from the debts and liabilities of the association and allows the association to:

- continue regardless of changes to membership
- accept gifts and bequests
- enter into contracts and to sue and be sued.

## Approval of constitutions by the Minister

All governing council and affiliated committee constitutions must be approved by the Minister or delegate. If a council or an affiliated committee wishes to alter their constitution they must reapply for approval of the constitution, informing the Minister of the alteration and the reasons for the alteration (see section 89(2) of the [Education Act 1972](#)).

An approved constitution has an approved by stamp on the front page, and will be signed and dated by the Minister or their delegate.

Refer to the approval process [flowchart and letter template](#) to seek the Minister's approval for a constitution. Your education office can provide advice if required.

## Amendments to constitutions

The model constitution was developed to assist governing councils to fulfil their governance role and functions and to strengthen and support public education in the community.

If a governing council feels that the current model constitution does not meet its needs, the council can seek to amend the model. This will require a special resolution of the council, a submission setting out the reasons for the alteration to the Minister for approval, and approval in writing by the Minister.

The constitution can be altered by:

- the direction of the Minister, in accordance with section 88 of the Education Act 1972
- a special resolution by the council and approved in writing by the Minister.

A change to the constitution has no effect until approved by the Minister or their delegate.

For more information refer to [governing council constitution amendments request – template](#).

## Role of governing council members

### Role of the chair

The chair:

- is a member of the governing council
- must not be a staff member of the preschool or school or a person employed in an administrative unit for which the Minister is responsible (as per the constitution)
- acts as spokesperson for the council
- calls and presides over all meetings
- prepares the agenda in consultation with the executive comprising office holders and the principal
- ensures meetings are properly convened and quorum is met
- ensures full and balanced participation in meetings
- facilitates voting on motions
- ensures resolutions of council are acted on.

## Role of the treasurer

The treasurer:

- is a member of the governing council
- must not be a staff member of the preschool or school
- can be one of the community representatives with the requisite skills
- chairs the finance advisory committee
- sets the agenda for the finance meetings with the principal or preschool director
- organises the budget planning process and timeline with the principal or preschool director
- presents the draft budget, as agreed by the finance advisory committee to the governing council
- reports to the governing council on budget progress, potential budget adjustments, the reasons for the adjustment and the plan to address them.

## Role of the secretary

The secretary:

- gives notice of meetings, and the closing times for receiving nominations for office bearers and committees
- manages council correspondence
- assists the chair in the preparation of the agenda and notice of meetings
- ensures minutes are taken and distributed, including the keeping of minutes
- keeps records of members of council and terms, including all casual vacancies
- is responsible for having available at all times the constitution, standing orders, minutes, reports, correspondence, code of practice and common seal
- can take the minutes of council meetings, although this function can also be undertaken by a minute secretary if the council chooses.

## Role of the ex-officio members – principals or preschool directors

Preschool or school management and educational leadership is the responsibility of the principal or preschool director and staff with accountability to the Minister through the Chief Executive. Educational leadership is not a part of the governance role involving the governing council (see [functions of the governing council](#)).

The principal or preschool director is a member of the governing council by virtue of being the preschool or school leader, and must:

- be on the finance advisory committee, or have a nominee
- present a report to each governing council meeting setting out achievements against the site learning plan and any other targets or criteria set by the council
- keep the governing council advised of directions and information from the department.

## Role of the ordinary member

The ordinary member must:

- attend all meetings or put in their apology
- consider nominating to be on one of the committees of council
- bring their experience and expertise to the council
- ensure that once a decision is reached by council, that all councillors support that decision in the preschool or school community
- act in the best interests of the preschool or school community
- be prepared for council meetings and willing to openly discuss the issues
- consult with the preschool or school community to inform themselves.

## Committees of the governing council

A governing council has the power to establish committees under its constitution by a resolution at a council meeting. While the work of committees may be reported in the school or preschool annual report, committees are not listed in the constitution and the governing council may vary them from time to time to meet local needs.

Committees assist the governing council to carry out its functions more efficiently and effectively by handling matters that require considerable discussion, development or planning. They may be established to give advice on such responsibilities as finance, buildings and grounds, education policy and community relations.

Governing council committees are seen as a valuable way of:

- assisting the council to meet its responsibilities by expanding the number and range of people involved in governance and leaving the main body to focus on its broader governing role
- broadening opportunities for more parents and caregivers, staff and other community members with particular expertise to be involved
- providing other entry levels for the participation of interested parents and caregivers, community members and potential future council members
- providing for the appropriate involvement of students and bringing student opinion to the attention of the council
- increasing employee involvement and strengthening the link between staff and the governance of the preschool or school.

A good way to involve the whole school community in the committees of governing council is to report on their work and the involvement of interested people through the preschool or school newsletter. This allows the community to understand the variety of committees and express their interest in being part of their work. Committees are an excellent training ground for future council members.

## Mandated committees

### Finance advisory committee

Governing councils in preschools or schools must establish a finance advisory committee in accordance with their constitution (clause 15.3). Membership must be determined by the council and must include the treasurer and principal or preschool director (or their nominee). The finance advisory committee must meet at least once each term (see clause 15.3.3 of the constitution).

The finance advisory committee supports the governing council through the treasurer to:

- review the proposed budget provided by the principal or preschool director to make sure it will achieve the broad direction collaboratively developed by the governing council, the principal or preschool director and employees
- make sure the budget is achievable and sustainable in both the short and long term - the budget should be prepared using the site budget planning tool
- check the finance information provided by the principal, preschool director or school finance officer until the treasurer is confident in reporting at the governing council meeting
- make sure that income and expenditure match the budget forecast using the governing council report
- develop and recommend to the governing council a policy on financial delegations that will allow for minor deviations from the approved budget (where the budgeted amount needs to be revised eg an item is to be purchased that was not included in the original budget or the actual cost of an item will exceed the budgeted amount). These delegations would be relevant to the size of the preschool or school and the budget, but would allow for day-to-day business to be transacted easily, with the variances reported back to the finance advisory committee or the governing council.

### As required mandated committees

Governing councils must also establish committees where they are responsible for running a canteen, out of school hours care, School Watch or residential facilities.

The [administrative instructions and guidelines](#), section 5 provides details for the operation of such committees.

The governing council ensures that the work of mandated committees is clear and coordinated by determining the terms of reference for each committee. These include directions on:

- Tenure - clarifying the committee's status as an ongoing standing committee or a working group with a specified task and an end date.
- Membership - usually described as a core membership of 3 or more, with the ability for the committee to attract more members itself. Membership should include at least 1 council member.
- Functions - are directly related to one or more of the governing council's functions under its constitution.
- Operational powers - clarifying the decision making powers of the committee and matters that must be referred to council for decision. Under the [Education Act 1972](#) and the governing council constitution, the governing council may delegate some of its functions and powers to a committee. The governing council constitution or administrative instructions and guidelines outline limitations.
- Consultation - clarifying any requirements for the range and depth of consultation.
- Reporting - specifying the method and frequency of reporting to the governing council. Some committee reports, particularly financial reports, are required under the administrative instructions and guidelines.

## Affiliated committees (schools only)

The [Education Act 1972](#) (section 86) allows the Minister to authorise the establishment of a committee to be affiliated with a governing council. Affiliated committees must operate under a constitution approved by the Minister. The department provides a model constitution for affiliated committees. The model lists the requirements of the Act and provides guidelines for affiliated committees in developing a constitution for approval by the Minister.

See [affiliated committees](#) and the [affiliated committee constitution approval letter template](#).

Some examples of affiliated committees are: parents and friends associations, parent clubs, welfare clubs and old scholars association. Affiliated committees have their own constitution and are not committees of the council. The activities of an affiliated committee must be endorsed by the principal of the school.

An affiliated committee may maintain its own accounts or have its account as part of the school's consolidated account. If the affiliated committee's account is part of the consolidated account, the affiliated committee is entitled to representation on the finance advisory committee of governing council.

For support or advice about parent clubs and parents and friends associations contact the [South Australian Association of Parent Clubs](#) (SAASPC) 8272 4640.

Councils of schools with significant Aboriginal student enrolments (other than Anangu schools, which have a parent majority on the council, must establish formal ways of ensuring that Aboriginal views and needs are considered. An Aboriginal community voice affiliated committee of the council is a good way to achieve this.

Affiliated committees are a good way to involve the school community in the school and in the decision making processes undertaken at the school. Affiliated committees allow an opportunity for views and ideas to be expressed by the school community and can increase the level of involvement and representation.

# Meeting procedures

There are 4 types of governing council meetings; annual general meeting, a general meeting, an ordinary meeting and an extraordinary meeting.

Annual general meeting of the council and preschool or school community is held once a year in accordance with the constitution. It is held after the release of the annual report and financial statements. The meeting is used to discuss the performance and activities of council and the preschool or school and to elect parent members.

A general meeting of the council and preschool or school community is called for a specific purpose that relates to the affairs, functions or membership of the council.

An ordinary meeting of the governing council is the regular gathering of council members to conduct the business of council and to discuss matters and make formal decisions.

An extraordinary meeting of the governing council is a non-regular meeting of members of council to consider special resolutions and other business of which notice has been given.

## The annual general meeting

### Purpose

The purpose of the annual general meeting is to:

- present the annual report and financial statements
- elect parents to the council.

### Frequency

The governing council must call an annual general meeting within 4 months of the end of the preschool or school financial year (a financial year for a preschool or school is a calendar year).

For further information refer to clause 11 (meetings) of your governing council constitution.

## Preparation

Before the annual general meeting the chairperson should provide for:

- notice of meeting - At least 14 days' written notice of the meeting must be given by the means generally used to communicate with the preschool or school community. In addition the meeting should be brought to the notice of the community at large, eg by notice on an external community bulletin board, if one exists, or by announcement in a local or regional newspaper. The notice must specify the date, time, place and purpose of the meeting.
- Refer to [administrative instructions and guidelines \(schooling sector\)](#) section 5: school councils, affiliated committees and related matters for sample forms
- notice of expiry of members' terms, and eligibility to re-nominate - As a matter of courtesy, a letter of appreciation to each retiring councillor advising them of the expiry of their term of office and pointing out their eligibility to nominate or seek nomination for a further period of office or, in the case of a member elected from the floor of the annual general meeting, stand for re-election.
- notice of need for audited financial statements - The treasurer should be advised of the need to provide audited financial statements of the preschool or school accounts for which the council is responsible. These need to be in the form required by the Chief Executive for the 12 month period for the preschool or school financial year immediately prior to the annual general meeting (constitution clauses 18, 19.2.2 and 19.3). Where audited statements are not available, the audited statement must be made available for inspection as determined at the meeting.
- electing staff and student members - The principal or preschool director should arrange for the election of staff representatives and, where appropriate, election or nomination of student representatives in accordance with the constitution (constitution clause 7).
- nominations for other members - The names of persons to represent affiliated committees, and of those who may be considered for appointment to council in accordance with the constitution (constitution clauses 6.2.8 and 13.10.1), should be sought. The council should consider and determine these memberships at its first meeting.

## Conduct of meeting

Chairing - the chair must call and preside at the annual general meeting. The principal or preschool director is required to conduct the election of parent members at the meeting as set out at clause 13.3 of the constitution.

Quorum - for a preschool the quorum is 10 per cent of members (see clause 6.2.4 of the preschool constitution).

For a school there is no defined quorum. If the requirement for a vote arises the principal and council chair should assess whether there is adequate representation or adequate numbers of the school community present to proceed with a vote.

Voting - persons 18 years and over can attend and vote at a general meeting. However, only parents can participate in the election of council members (see clause 13.2 of the constitution).

Refer to [administrative instructions and guidelines \(schooling sector\)](#) section 5: school councils, affiliated committees and related matters for sample forms.

Minute taking - proper minutes of the annual general meeting must be taken. The [minutes](#) should be concise but unambiguous and should be sufficiently clear to be followed by persons not present at the meeting concerned.

## Post meeting formalities

Following the annual general meeting the principal or preschool director should:

- arrange for the return to the council of such books, papers, funds, and council property that may be in the possession of retiring members
- alter school records to update the names and addresses of the newly elected parent council members
- forward to the regional director details of persons who have retired after an aggregate of 10 or more years' service and are eligible for a certificate of appreciation from the Minister
- fix in consultation with members the date, time and location of the first council meeting and notify members accordingly.

Refer to [administrative instructions and guidelines \(schooling sector\)](#) section 5: school councils, affiliated committees and related matters for information on recognition of long service.

## First meeting of the governing council after an annual general meeting

### Purpose

The purpose of the first meeting of the governing council following an annual general meeting is to:

- receive the nominations from affiliated committees and staff, and determine the direct appointment of members of the community
- elect office bearers including a chairperson, secretary and treasurer.

### Preparation

Notice of the first meeting must be given 7 days prior to the meeting time. Some councils may wish to provide notice of the council meeting at the same time as notice is given for the annual general meeting if the council wishes to hold the first meeting of council immediately following the annual general meeting to finalise the council membership.

The agenda for the first meeting will cover nominations receipts, council appointment determinations, and office bearer elections.

### Conduct of meeting

Convening the meeting - The principal or preschool director must call and preside at the first ordinary meeting of the governing council as soon as practicable after the declaration of the results of an election.

Confirming a quorum - The quorum for the first meeting of council is the majority of the filled positions of council. The principal or preschool director should confirm that a quorum exists prior to commencing the meeting. If after 30 minutes there is no quorum, the meeting will be adjourned to a time and place to be determined.

Chairing the election of the council's chair - The principal or preschool director will chair the first meeting of council and will call for nominations for the position of chair.

Continuing the meeting - Once a chair has been elected the principal or preschool director should hand over the conduct of the meeting to that person. The chair then oversees the election of the remaining office bearers, the appointment of other members and any other business.

Minute taking - Proper minutes of the first ordinary meeting of council must be taken. The minutes should be concise but unambiguous and should be sufficiently clear. The minutes must reflect the acceptance of nominations, the proposed appointments to community positions and the names of the office bearers.

## Ordinary meetings of the governing council

### Purpose

These are the regular meetings of the governing council to transact business and make determinations in relation to their functions and powers.

### Frequency

The governing council must meet at least twice in each term as required by clause 11.2.1 of the constitution.

### Preparation

Notice of the meeting must be sent out in writing at least 7 days prior to the meeting time. Notice can also be given at the previous council meeting as part of the agenda.

The agenda will be determined between the chair and the principal or preschool director, or by the office bearers and the principal or preschool director. It is a local decision as to who will liaise to set the agenda. Any papers, reports and minutes from committees that are available should be sent out with the agenda to allow all members time to understand the issues prior to the meeting.

### Conduct of the meeting

Quorum - The quorum for an ordinary council meeting is a simple majority of the filled positions of the council.

Councillors do not have a right to appoint a proxy to attend governing council meetings.

If there is no quorum present after 30 minutes, the meeting must be adjourned to such time and place as those councillors present determine.

Meeting procedure - None of the Act, the regulations or the constitution prescribe council meeting procedures. This reflects the view that councils, as discrete legal entities (under incorporation), should be capable of conducting their affairs in a manner consistent with recognised meeting practices, modified where necessary to suit local conditions. Each council should, as a matter of good practice, and to ensure that meetings run smoothly, have a set of standing orders that guide how the formal part of the council meeting is conducted. The department has developed a set of [model standing orders](#).

It is important that all council members are made aware of the standing orders adopted for running the meeting so they feel comfortable to participate.

Meeting agenda - There is no set format for council meetings, but there should be a formal part of the meeting for accepting apologies, correcting and accepting the minutes of the previous meeting, correspondence, reports, discussion, and voting on motions.

Time should be allowed for open discussion, presentations, moving into sub groups, workshops, guest speakers, visits to areas of the school and other activities as the council deems appropriate to carry out its powers and functions.

Voting - Except in the case of a special resolution, a decision of the majority of those councillors present and eligible to vote is the decision of the council.

The chairperson must have a deliberative vote only. In the event of tied votes, the chairperson does not have a second or casting vote and the motion must be taken to be defeated.

Voting must be by show of hands or in the case of a meeting by telephone or electronic means by voice or in writing.

With the agreement of the governing council an observer can attend the meeting but does not have voting rights.

A secret ballot must be conducted for:

- a contested election
- a special resolution to remove an office holder from office.

A council member may call for a secret ballot on any matter being voted on by council at an ordinary meeting. It is rare that a matter other than those listed above would require a secret ballot.

Proxy voting for special resolutions - Voting by proxy is only allowed in the case of a special resolution.

If a councillor will be absent from a meeting that will vote on a special resolution they are entitled to appoint another councillor or, in that councillor's absence, the chairperson as their proxy for voting on a special resolution.

The councillor must complete a proxy voting form obtained from the secretary and give the completed form to their proxy to take to the meeting. In any event the councillor should inform the council chairperson of their planned absence and the name of the councillor appointed as proxy.

Minute taking - Proper minutes of ordinary council meetings must be taken. The minutes should be concise but unambiguous and should be sufficiently clear.

## Regular business of council meetings

### Developing the site learning plan

The site learning plan identifies the key improvements to the learning and wellbeing of children and students that the school or preschool is committed to achieving. It states the specific priorities and annual targets that will be pursued in the context of the school or preschool's long-term strategic directions and the identified priorities from the department's strategic plan. It is initiated by the principal or preschool director, and developed in consultation with the staff, and the community through the governing council. This plan must incorporate state and Australian government requirements as well as local priorities that will achieve the broad direction set by the governing council.

The governing council monitors the progress against the site learning plan at each ordinary meeting.

## Developing the site budget

The school or preschool budget is drafted by the principal or preschool director for the consideration of the finance advisory committee and then the governing council as a plan for resource allocation over the next year to enable it to achieve the objectives of the site learning plan.

In preparing the budget the principal or preschool director must use the site budget planning tool, and take into account:

- the broad policies and educational requirements of the school or preschool
- all anticipated items of income and proposed expenditure including, salaries, curriculum and administration costs, utilities, facilities, grants and committed funds
- departmental requirements
- risk management, sustainability, industrial and accountability requirements
- any reductions or modifications suggested by the finance advisory committee or governing council.

The principal or preschool director presents the draft budget to the finance advisory committee. The finance advisory committee should seek clarity, assess risks and suggest areas to be considered or adjustments that need to be made to the draft budget. This process should continue until such time as the treasurer is comfortable in taking an interim budget to the governing council for approval before the end of the calendar year (prior to the budget year). The interim budget operates after governing council approval, until the final budget, which takes into account changes that become apparent at the beginning of the preschool or school year, is presented to governing council for approval. The final approval should be effected by the end of term 1 each year.

The principal or preschool director then implements and monitors the budgeted income and expenditure against the actual income and expenditure, with the ability to vary it as outlined in the policy on financial delegations that will allow for minor deviations from the approved final budget.

The principal or preschool director works with the site finance officer to produce reports for each finance advisory committee meeting in a clear and easily understood form that enables members to fully grasp and discuss the school or preschool's budget standing. The principal or preschool director's report to the finance advisory committee will contain:

- reports of how the school or preschool's actual income and expenditure is tracking against the budgeted income and expenditure
- early information if income or expenditure are likely to be outside of budgeted amounts
- recommended actions to address variances and risk assessment where necessary.

The treasurer will use the information from these reports to formulate their regular report to the governing council.

[Financial management checklist, governing council, schools and preschools.](#)

# Extraordinary meetings

## Purpose

The chair must call an extraordinary meeting of council if they receive a written request from at least 3 councillors. The request to hold the meeting will also establish the issue to be addressed at the meeting.

An extraordinary meeting is a non-regular meeting of members of the council to consider a special resolution (amendment to the constitution) and to discuss other business of which notice has been given. Not all motions for an extraordinary meeting require a special resolution.

## Frequency

These are irregular meetings to address specific issues and are confined to the issue they were convened for. Such meetings are rare.

## Preparation

Notice of the meeting must be given in writing to all councillors within a reasonable time setting out the time, date, place and object of the meeting.

The purpose of the meeting will be limited to the object and the business of the meeting must be confined to this object.

If a special resolution must be debated at the meeting and voted on, then 21 days written notice of the motion is required. If 21 days has not lapsed then discussion can take place but a formal vote on the resolution cannot be completed until the 21 days have passed.

## Conduct of the meeting

Quorum - Is a majority of the filled positions of the council.

Councillors do not have a right to appoint a proxy to attend governing council meetings. However if at the extraordinary meeting a special resolution is to be debated on, councillors are able to appoint another council member or the chair to act as proxy for the special resolution vote only.

If at the expiration of 30 minutes after the appointed time for the meeting there is no quorum present, the meeting must be adjourned to such time and place as those councillors present determine.

Voting - except in the case of a special resolution, a decision of the majority of those councillors present and eligible to vote is the decision of the council.

The chairperson must have a deliberative vote only. In the event of tied votes, the chairperson does not have a second or casting vote and the motion must be taken to be defeated.

Voting must be by show of hands or, in the case of a meeting by telephone or electronic means, by voice or in writing. The chair or a member may call for a secret ballot depending on the nature of the matter being dealt with.

With the agreement of the governing council an observer can attend the meeting, but does not have voting rights.

Minute taking

Proper minutes of all meetings must be taken. The minutes should be concise but unambiguous and should be sufficiently clear.

## General meetings

### Purpose

A general meeting must be held for any other reason relating to the affairs, functions or membership of the council, determined by agreement between the council chairperson and the principal or preschool director (see clause 11.1.6 of the constitution).

### Frequency

These are irregular meetings and would only be held in exceptional circumstances.

A general meeting must be held at the request of the Chief Executive, or by resolution of council, or at the request of 20 parents of the school or one half of the parents of the school, whichever is less.

### Preparation

Notice of meeting - at least 14 days written notice of the meeting must be given to the school or preschool community by the means generally used to communicate with the school or preschool community. In addition the meeting should be brought to the notice of the community at large, eg by notice on an external community bulletin board, if one exists, or by announcement in a local or regional newspaper.

The notice must specify the date, time, place and purpose of the meeting.

### Conduct of the meeting

Quorum - for a preschool the quorum is ten per cent of members (see clause 6.2.4 of the preschool constitution).

For a school there is no defined quorum. If the requirement for a vote arises the principal and council chair should assess whether there is adequate representation or adequate numbers of the school community present to proceed with a vote.

Voting - persons 18 years and over can attend and vote at a general meeting.

Minute taking - proper minutes of the general meeting must be taken. The minutes should be concise but unambiguous and sufficiently clear.

## Other governance bodies

### School councils

The department introduced the current model of local governance with governing councils in 2000. Prior to this sites had school councils which are advisory bodies only. These councils had limited role and functions to provide advice to the principal to strengthen and support public education in the community. Although most sites have transitioned to a governing council, a few school councils remain.

Much of the information provided in relation to governing councils is applicable to school councils.

The membership of a school council is a minimum of 5 members and a maximum of 23 members. The object of a school council is to provide advice to the principal. The school council is an advisory body.

In the case of a school council the principal of the school must call and preside at the general meetings of the school community, the timing is to be agreed between the council chairperson and the principal of the school.

## Children's centres

Governance at a children's centre is undertaken on the governing council model. The governing council constitutions that have been developed for the various children's centres reflect the unique dynamics of the particular community and the centre configuration. The membership of children's centre governing council varies from that required of a school or preschool as it needs to incorporate multiple parties such as schools, preschools, childcare centres and other bodies.

# Roles and responsibilities

## Director, Conditions for Learning

Maintain and review these guidelines every 3 years or as required due to legislative amendment.

## Principal policy adviser, Governance

Provide advice and support to leaders and council members to ensure effective and efficient governance of preschools and school and council operations.

## Principals and preschool directors

Comply with the requirements of the AIG's section, these guidelines and any other relevant departmental policy or procedure.

## Governing council and affiliated committee members

Comply with the requirements of the AIG's section 5, these guidelines and any other relevant departmental policy or procedure relevant in support of council or committee business.

## South Australian Association of State School Organisations (SAASSO)

Support, advise, train, and advocate for state school governing councils. Contact [SAASSO](mailto:info@saasso.asn) by email at [info@saasso.asn](mailto:info@saasso.asn) or 8223 2266.

# South Australian Association of School Parents' Clubs Inc (SAASPC)

Promotes and develops the interest of parents in the education and general welfare of children at preschool and school and develops and maintains contact with parent groups throughout the state and acts as an advocate for parents on educational matters. Contact [SAASPC](#) on 1800 724 640.

## Supporting information

The following books are recommended to assist governing councils, where the Act, constitution or administrative instructions and guidelines are silent. All governing councils have access to department support, firstly through the Education Office and the Corporate Office:

Lang, A. D. (2006) *Horsley's Meetings Procedure Law and Practice*, Butterworths, Australia

Magner, E. S. (1994) *Joske's Law and Procedure at Meetings in Australia*. Tenth Edition. The Law Book Company, Australia

Renton, N.E. (2005) *Guide for Meetings and Organisations*. Vol 1, Pyrmont, NSW, Law Book Co

Renton, N.E. (2005) *Guide for Meetings and Organisations*. Vol 2, Pyrmont, NSW, Law Book Co

## Related legislation

[Education Act 1972](#)

[Children Services Act 1985](#)

## Related policy documents

[Administrative instructions and guidelines – section 5](#)

[A guide to the information privacy principles instruction for government school councils and governing councils](#)

[Governing council resources and tools](#)

[Returning officers' guide to governing council elections](#)

[South Australian Association of State School Organisations \(SAASSO\)](#)

[South Australian Association of School Parent Clubs \(SAASPC\)](#)

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