

MOWBRAY BAPTST CHURCH
PEAKVIEW PRE-PRIMARY SCHOOL
CONSTITUTION

1 February 1989

Amended 15 November 1993

Amended 31 July 2000

Amended 9 July 2005

Amended 9 March 2006

Amended 6 December 2017

1. NAME

PEAKVIEW PRE-PRIMARY SCHOOL

2. AIM:

To provide Christian-based pre-primary education to learners between the ages of two & a half [2.5] to six years [6] in accordance with the School's STATEMENT OF FAITH herewith:

As educators under God we believe that:

"The fear of Lord is the beginning of wisdom and knowledge of the Holy One is understanding." -[Prov. 9:10]

We acknowledge our need of

"Christ Jesus, who has become for us wisdom from God"- [1Cor.1:30]

We therefore provide a Christ-centred programme in which the learner, though never pressured, -is made aware of the One who said,

"Let the little children come to Me, and do not hinder them, for the kingdom of heaven belongs to such of these." [Matt. 19:14]

[New International Version}

3. REGISTRATION AS A NON-PROFIT ORGANISATION

3.1. The School shall be registered in terms of section 13(5) of the Non-profit Organisations Act No 71 of 1997, and comply with any other requirements imposed in terms of that Act unless the Commissioner in consultation with the Director of Non-Profit Organisations designated in terms of section 8 of the Non-profit Organisations Act No 71 of 1997, on good cause shown, otherwise directs.

3.2. The School shall exist in its own right, separately from its Members or the Church

4. SCHOOL GOVERNING BODY

The School shall be under the control and management of a governing body consisting of six members of the MOWBRAY BAPTIST CHURCH [hereinafter referred to as the Church] and six persons drawn from the School. The School Governing Body Members form the Management committee who will manage the School.

4.1. The six members of the Church shall be appointed annually at the Annual General Meeting of the Church.

4.1.1. From these six church members, the Church Executive shall appoint a CHAIRPERSON of the School Governing Body, who shall have a casting vote.

4.2. The six persons drawn from the School shall consist of:
The Principal,
One Educator
and four parents or legal guardians

4.3. The Secretary and Treasurer shall be appointed from among the members of the governing body, failing which persons may be co- opted to exercise these functions.

4.4. The School shall continue to exist even when its membership changes and there are different office bearers.

5. ELECTION OF PARENT REPRESENTATIVES

The parent representatives shall be elected at the first meeting of the PARENTS not later than the 15h February of each year.

5.1 ELECTION PROCEDURE

Nomination forms shall be sent out TEN days before the date of the Parents' Meeting. The forms shall be signed by the person nominating and the person nominated. Voting at the meeting shall be by secret ballot and each nominee shall be elected by a simple majority. All parents and / or legal guardians of enrolled learners shall be entitled to vote.

5.2 Two-thirds of the current parents shall constitute a quorum.

6 MEETINGS

6.1 School Governing Body meetings shall be held at the request of the Chairperson, the Principal or Committee members at least once per quarter.

6.1.1.1 The quorum for these meetings is two-thirds of the serving Committee members.

6.2 Parents' Meetings shall be held at least twice a year. Written notice of these meetings shall be sent out 14 days before the date of the meetings.

6.3 A Special Parents' Meeting may be convened upon written request of at least TEN parents. A quorum is two thirds of the current parents.

6.4 The Secretary of the School Governing Body will keep/take minutes in a meeting and will distribute a copy of it to every member present or absent.

6.5 Decisions made in meeting be voted by show on hands.

7 FUNCTIONS OF SCHOOL GOVERNING BODY

7.1 The control over the School rests with the School Governing Body and the decisions are subject to ratification by the Church Executive whenever deemed necessary by the Chairperson. The School Governing Body is responsible for;

7.1.1 The standard of education in co-operation with the teaching staff.

7.1.2 The maintenance of buildings and equipment.

7.1.3 The purchase of new apparatus and the creation of new facilities as needed for school activities.

7.1.4 The finances of the School.

7.1.5 The appointment of teaching and ancillary staff, with the following provisos:

7.1.5.1 The principal shall be a committed Christian, in good standing in a local evangelical church, and who is in full agreement with the School's Statement of Faith in paragraph 2.

7.1.5.2 In the appointment of all staff, preference will be given to suitably qualified committed Christians, as defined in 7.1.5.1

7.1.5.3 Staff vacancies shall be advertised by word of mouth and /or through the appropriate media.

7.1.5.4 A sub-committee, appointed by the School Governing Body, shall examine the written applications and interview those applicants whose curriculum vitae indicate that they best meet the requirements of the post.

- 7.1.5.5 The sub-committee shall recommend the name/s of the most suitable candidate(s) to the School Governing Body, for appointment.
- 7.1.5.6 All appointments shall be ratified by the Church at the next Members' Meeting.

7.1.6 The submission of annual and financial reports to the Church and parents

8 FUNCTIONS OF THE CHURCH

8.1 To pray for the blessing of Almighty God on the School and its functions.

8.2 To encourage the Christian ethos of the school

8.2.1 Starting the day with devotions

8.2.2 The educators reading and narrating Bible stories

8.3 FACILITATE ANNUAL CHRISTIAN EVENTS:

8.3.1 Dedication of the School to God at the beginning of each year.

8.3.2 Enactment of the Nativity of Jesus at the Christmas season.

8.3.3 Easter celebration.

8.3.4 Farewell Service at end of each year.

8.4 Ensure no discrimination against parents and learners on grounds of culture, race, religion, gender or language,

8.5 Ensure that no religious compulsion is exercised.

8.6 Ensure that in the event of a vacancy to be filled preference is given to children of members of the Mowbray Baptist Church and siblings of present and past pupils, in that order.

9 INCOME AND PROPERTY

9.1 The School shall keep a record of everything it owns.

9.2 No donation shall be accepted which is revocable at the instance of the donor for reasons other than a material failure to conform to the designated purposes and conditions of such donation, including any misrepresentation with regard to the tax deductibility thereof in terms of section 18A: Provided that a donor (other than a donor which is an approved public benefit School or an institution, board or body which is exempt from tax of section 10 (1)(CA)(i), which has as its sole or principal object the carrying on any public benefit activity) may not impose any conditions which could enable such a donor or any connected person in relation to such donor to derive some direct or indirect benefit from the application of such donation.

9.3 The income and property of the School however derived shall be applied solely towards the promotion of the objectives of the School, as set forth in this constitution, and no portion thereof shall be paid or transferred directly or indirectly, by way of dividend, bonus or otherwise whatsoever by way of profit, To any person; provided that nothing herein contained shall prevent the payment in good faith of remuneration to any officer or staff member of the School or to any member thereof in return for services actually rendered to the School. The payment must be a reasonable amount for the services that have actually been rendered.

- 9.4 Only money paid out of a member of the School for expenses on behalf of and authorised by the School Governing Body shall be refunded.
- 9.5 Where the School provided funds or assets to any association or persons contemplated in paragraph (b)(iii) of the definition of "public benefit activity", reasonable steps will be taken to ensure that the funds are utilised for the purpose for which it has been provided.
- 9.6 Members or Office Bearers of the School, Church or School Governing Body, do not have any rights over things that belong to the School.

10 FINANCE

- 10.1 The School Financial Year extends from 1st January to 31st December of each year.
- 10.2 A qualified Auditor shall be appointed at the AGM to check that the School's finances have been recorded and disbursed correctly.
- 10.3 The Treasurer's responsibility is to control the day to day finances of the School. The Treasurer shall arrange for all funds to be deposited into a bank account in the name of the School, and keep proper records of all the finances.
- 10.4 Whenever funds are withdrawn from the bank account, at least two signatories appointed by the School Governing Body must sign the withdrawal or cheque. All cheques and other documents so signed are regarded as duly signed on behalf of the School.
- 10.5 Proper books of accounts with supporting documents shall be kept of all sums of money received and expended by the School, and of the properties, assets and liabilities of the School.
- 10.6 At the end of each financial year a set of accounts and a balance sheet shall be drawn up and submitted with the books for audit and certification by the duly appointed Auditor (para.3.1).
- 10.7 The School shall not carry on any business activity such as commercial trading operations, letting of property or speculative transactions.
- 10.8 Funds available for investment may only be invested with registered financial institutions as defined in section 1 of the Financial institutions (Investment of Funds) Act, 1984, and in securities listed on a licensed stock exchange as defined in the Stock Exchange Act, 1985 (Act No 1 of 1985).
- 10.9 The School shall provide the Director of Non-profit Organisations with the necessary documentation and information, in writing and within the prescribed periods, as specified in terms of section 19 (1) of The Non-profit Organisations Act No.71 of 1997.
- 10.10 The School shall submit the required returns for income tax together with the relevant supporting documents.

11 MOVEABLE / IMMOVEABLE PROPERTY

All moveable and immoveable property of the School, which is not registered in the name of Mowbray Baptist Church on which premises the School is housed, shall be vested in and registered in the name of the School itself.

12 LEGAL ACTIONS

All legal actions, applications and /or proceedings brought by or against the School shall be in the name of the Chairperson and such Chairperson shall sign and execute all power of Attorney and all relevant deeds and documents for and on behalf of the School.

13 AMENDMENT OF THE CONSTITUTION

Amendments to the Constitution require a two-thirds majority of votes at an Annual or Special Parents and Educators' Meeting provided that in the notice mention is made of the amendment concerned, Such amendment is subject to ratification by the Church at its next meeting. A copy of all amendments must be submitted to the Commissioner for Inland Revenue.

Note-New parents must sign acceptance of the Constitution as Amended.

14 LANGUAGE MEDIUM

The teaching medium shall be English.

15 DISSOLUTION

Should it be necessary, a special Church meeting convened especially for the purpose, together with the School Governing Body, can decide with a two-thirds majority that the school be dissolved and will also then decide how the available assets will be dealt with, with the proviso that on dissolution the remaining assets will be transferred to religious institution or needy school with similar objectives within the Republic of South Africa, which is itself exempt from income tax in terms of section 10(1) of the income Tax Act.

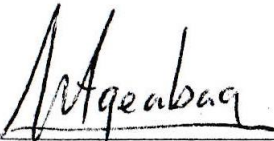
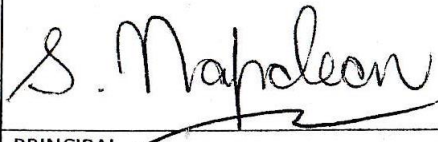
16 INTERPRETATION OF CONSTITUTION

In the event of any difference of opinion arising with regard to any clause of the constitution, the interpretation thereof by the Chairperson (in consultation with the Church whenever necessary) will be accepted as the correct one.

17 LIMITATION OF ACTIVITIES

The activities of the School shall be confined to the Republic of South Africa and the funds of the School shall be applied within this area.

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CHAIRMAN OF SCHOOL GOVERNING BODY	PRINCIPAL