

ESTABLISHMENT OF COMMUNITY COLLEGE COUNCILS

GOVERNMENT NOTICE

DEPARTMENT OF HIGHER EDUCATION AND TRAINING

NO.

DATE

CONTINUING EDUCATION AND TRAINING ACT, 2006 (ACT NO. 16 OF 2006, AS AMENDED)

CALL FOR THE ESTABLISHMENT OF INTERIM COUNCILS FOR COMMUNITY COLLEGES IN TERMS OF SECTION 10(4) (b – g) OF THE CET ACT, (ACT NO. 16 OF 2006) AS AMENDED.

I, Bonginkosi Emmanuel Nzimande MP, Minister of Higher Education and Training, hereby request all duly established Community Colleges to establish councils for Community Colleges as contemplated in section 10(4) (b – g) of the CET Act, (Act No 16 of 2006).

The council of a community college must perform all functions, including the development of a college statute, which is necessary to govern the community college, subject to the Act and any applicable national or provincial law.

The council must, with the concurrence of the College Board:

- (a) develop the strategic plan for the community college which must incorporate:
 - (i) the mission, vision, goals and planning for funding of the community college,
 - (ii) address past imbalances, gender and disability matter,
 - (iii) include safety measures for a safe learning environment for students, lectures and support staff
- (b) determine the language policy of the community college, subject to approval by the Minister;

- (c) ensure that the community college complies with the accreditation requirements necessary to provide learning programmes in terms of standards and qualifications as registered in the National Qualifications Framework; and
- (d) must provide for a suitable structure to advice on policy for the student support services within the community college.

Dr BE Nzimande, MP

Minister of Higher Education and Training

Date

SCHEDULE

1. THE CRITERIA APPOINTMENT OF FIVE EXTERNAL MEMBERS OF COUNCIL IN TERMS OF SUB-SECTION 10(4)(b) OF THE CET ACT, (ACT NO. 16 OF 2006).

The purpose of this section is to call for nominations, by members of the public, of five external members of the council to be appointed by the Minister to serve as members of the community college council in terms of the Act.

- 1.1 Must ensure that the functions of the council are performed according to the highest professional standards;
- 1.2 Must ensure that the council is broadly representative of the Community College system and related interests;
- 1.3 Must ensure a thorough knowledge and understanding of Community College sector
- 1.4 Must be appreciative of the role of Community Colleges in the reconstruction and development programme and
- 1.5 Must be broadly representative of the demographics of the community served by the Community College in respect of race, gender and disability.
- 1.6 Nominations are to be made on forms available from the Department of Higher Education and Training, contact W.R Tshabalala, Tel 012 312 5377 or by email: Tshabalala.w@dhet.gov.za

2. THE CRITERIA FOR ELECTING MEMBERS OF THE ACADEMIC BOARD TO SERVE IN THE COMMUNITY COLLEGE COUNCIL IN TERMS OF SUB-SECTION 10(4)(c)

2.1 Sub-Section 10(4) (c) provides that one member of the academic board be elected by the academic board to serve in the College Council.

2.2 A person that is elected to represent the Academic Board must be any other person referred to in Item 17 of the Statute except the Principal as the Principal is an automatic member of the Council in terms of Sub-Section 10(4)(a).

2.3 The elected member of the Academic Board must a person who possesses the following skills:

- (a) Familiarity with the teaching, learning, research and academic functions of the college;

- (b) Understanding the internal monitoring and qualification systems;
- (c) Knowledge or understanding of the accreditation framework and legislation;
- (d) Knowledge of the community education and training sector;
- (e) Sound communication and report writing skills; and
- (f) Thorough knowledge of the code of conduct and other various rules of the college.

2.4 The deputy principal, lecturers at the college, executive members of the SRC shall each have a single vote to elect an academic board member among themselves.

2.5 It is desirable that a Council Member should be the presiding officer on or during the elections of an academic board member.

2.6 The principal shall not vote unless when there is stalemate, in which case his/her vote shall be the deciding vote.

2.7 Elections shall be conducted by means of a ballot.

2.8 Upon the declaration of the results of the elections, the College shall keep records of the following:

- (a) the names of persons who participated in the elections; and
- (b) the person who was nominated and elected to represent the academic board at the Council.

2.9 The acceptance form by the successful candidate signed by the candidate shall also be kept by the College detailing:

- (a) the name of the successful candidate;
- (b) the position at the College;
- (c) commitment to serve the College for the duration of the term of Council;
- (d) motivation by the principal (if any);

3. THE CRITERIA AND THE MANNER OF ELECTING A DONOR AS A MEMBER OF COUNCIL IN TERMS OF SUB-SECTION 10(4)(d) OF THE ACT

3.1 An elected donor must have been recognized and registered in the register of donors kept at the College as per Item 40 of the Standard College Statutes.

3.2 In order to be recognized as a donor, an elected donor must:

- (a) be a South African Citizen or a Company incorporated under the South African laws;
- (b) be registered with the South African Revenue Service;
- (c) have donated a greater value in proportion of movable and/or immovable assets;
- (d) disclose the nature of the business;
- (e) not be under any investigation for money related transactions in the Republic or elsewhere under any law;
- (f) must not be under administration/insolvency proceedings/business rescue proceedings;
- (g) In the case of a company, a resolution for effecting donation should be made available to the College;
- (h) In the case of an individual, partnerships, a joint resolution and/or consent by the other spouse should be made available to the College.

3.3 The elected donor should have shown interest in advancing quality education; and

3.4 The elected donor must not have a conflict of interest with the College or should not be conducting any business with the College nor future business, save after two years had expired since the resignation, removal or disqualification and a resolution to that effect must be kept by the College.

3.5 The elected donor shall serve for a period equivalent to that of the Council.

3.6 The Council shall deliberate and through a resolution decide on the successful donor to represent the Council.

**4. THE CRITERIA AND THE MANNER OF ELECTING A LECTURER AS A MEMBER OF COUNCIL
IN TERMS OF SUB-SECTION 10(4)(e) OF THE ACT**

4.1 An elected lecturer must be in a good standing in the College.

4.2 She/he must be a permanent employee of the College.

4.3 Elections shall be conducted by means of a ballot.

4.4 The Principal or his/her deputy shall be the presiding officer.

4.5 The acceptance form by the successful candidate signed by the candidate shall be kept at the College detailing:

(a) The name of the successful candidate;

(b) The position at the College; and

(c) Commitment to serve the college for the duration of the term of Council;

4.6 The elected member shall serve for the period equivalent to that of the Council.

**5. THE CRITERIA AND THE MANNER OF ELECTING ONE MEMBER OF THE SUPPORT STAFF
IN TERMS OF SUB-SECTIONS 10(4)(f) OF THE ACT AND TWO STUDENTS FROM THE
COMMUNITY COLLEGE IN TERMS OF SUB-SECTION 10(4)(g) OF THE ACT**

5.1 The Presiding Officer shall be one of the lecturers at the College.

5.2 Each year, any two elected candidates in the case of the SRC shall become automatic members of the Council.

5.3 A Support Staff member elected shall become an automatic member of the Council.

6. GENERAL

- 6.1 In the event of the appointment of the Administrator to take over the College the above Council Members' terms of office shall automatically cease in terms of section 46(4) of the Act.

Established Councils for Community Colleges in terms of this notice must be submitted by 01 April 2015 to:

The Director-General

Department of Higher Education and Training

Private Bag X 174

Pretoria

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Marked for the attention of Dr MMA Maharaswa