

# Progressive Principal's Association

## Constitution

### 1. NAME

The name of the association is the Progressive Principal's Association  
(herein referred to as **"PPA" or the Association**)

The term "Principal"  
(herein referred to as **Principals and Deputy Principals**)

### 2. VISION

Vision founded in 2011 will be included:

1. Its intention to form a Principals Organisation based on the following principles:
  - supporting and creating a truly non-racial, non-sexist and democratic education system
  - the levelling of the educational playing fields i.e. equal numbers of teachers and non-teaching staff across schools as well as the provision of equal physical and sporting infrastructure at schools
  - firmly on the side of the poor
  - support to like-minded principals, teachers, non-teaching staff and students
  - holding the National and provincial education department accountable.

### 3. OBJECTIVES

- 3.1 To promote and enhance educational leadership and effective school management structures.
- 3.2 To provide opportunities for the professional development of Principals and deputy Principals
- 3.3 To adopt a code of ethics
- 3.4 To participate in curriculum development and on-going educational processing.
- 3.5 To recognise and promote the role of the principal in the school and the community.
- 3.6 To facilitate communication amongst educational stakeholders.
- 3.7 To undertake educational research, publish journals and/or news sheets and disseminate professional literature.
- 3.8 To promote liaison with teacher associations and unions.
- 3.9 To establish links with associations of principals. (Regional, provincial, national and international)

3.10 To regulate relations between employees and employers, including any/all employers' organisations.

3.11 To promote the professional and educational interests of members.

3.12 To plan and organise its administration and lawful activities.

3.13 To promote, support or oppose any proposed legislative or measures affecting interests of learners and the teaching profession.

3.14 To encourage the settlement of disputes between members and employers' organisations by conciliation, mediation or arbitration.

3.15 To provide access to information and to raise awareness of socio-economic circumstances affecting the best interest of our learners and educators.

3.16 To create platforms for continuous training of our educators and learners.

#### **4. STATUS OF THE ASSOCIATION**

This PROGRESSIVE PRINCIPALS' ASSOCIATION shall be a body corporate with perpetual succession capable of entering into contractual and other relations. The organisation shall retain the power to sue and be sued in its own name, and shall be an organisation not for gain.

#### **5. POWERS (INVESTED IN) OF THE ASSOCIATION**

5.1 To collect, solicit and accept any asset or monies for the purpose of forming and carrying out the objectives of the Association.

5.2 To undertake any activity deemed necessary by the Progressive Principals' Association to extend its ability to carry out its objectives and serve its members.

5.3 To take legal action on behalf of its members within the scope of the Progressive Principals' Association's objectives.

5.4 To take part in consultation, litigation and dispute resolution proceedings.

#### **6. MEMBERSHIP**

6.1 Permanently appointed Principals and Deputy Principals of pre-tertiary educational institutions shall be eligible for full membership if they subscribe to the objectives of the Progressive Principals 'Association.

6.2 Acting Principals and Deputy Principals of pre-tertiary educational institutions will be granted full membership, during their period of office.

6.3 Any member of the Progressive Principals' Association may be granted honorary membership of the Progressive Principals' Association. Honorary members shall be entitled to hold office and to vote.

6.4 A member shall cease to be entitled to any of the benefits of membership, including the right to vote if:

6.4.1 the membership fees or other charges due by him/her to the Association are more than three months in arrears;

6.4.2 during any period while he/she is under suspension in terms of this Constitution;  
and

6.4.3 found guilty in bringing the name of the organisation into disrepute.

## **7. DISCIPLINE**

7.1 A member may be suspended, fined or expelled as may be determined by the Disciplinary Committee:

7.1.1 he/she fails within 14 days of demand, in writing, by the provincial secretary to pay membership fees, fines or levies which are more than three months in arrears;

7.1.2 he/she infringes any of the terms of this Constitution or acts in a manner which is detrimental to the interests of the Progressive Principals' Association.

7.2 There shall be a right to appeal against suspension, the imposition of a fine or expulsion to the first executive meeting.

7.3 Notice of any such an appeal shall be given to the regional secretary in writing within fourteen working days of the date on which the decision of the Disciplinary Committee was communicated to the person concerned.

7.4 No member may be suspended, fined or expelled unless he/she has been afforded the opportunity to state his/her case personally at a meeting of the regional executive, of which he/she has received not less than fourteen days notice in writing from the secretary. The matter with which the member is charged shall be set out in such a notice.

7.5 A member who has appeared before the provincial executive shall, if he/she is dissatisfied with the decision of the regional executive, and has lodged an appeal in the manner herein provided, have the right to restate his/her case personally to the provincial meeting which shall consider the matter.

7.6 A member shall be entitled to call witnesses in support of his/her case when attending a meeting of the provincial executive or a general meeting.

7.7 Any decision taken by the executive shall, when an appeal has been lodged, be subject to ratification or otherwise by a general meeting.

7.8 There shall be a right of appeal to the Provincial Executive against the decision of a provincial general meeting. Notice of such appeal shall be given to the general secretary in writing within thirty days of the date on which the decision of the provincial general meeting was communicated to the person concerned. The national executive, after making such investigation as it may deem fit, may confirm, vary or reverse the decision of the province concerned.

## **8. ACTIVITIES**

The activities of the Progressive Principal's Association shall include, but need not be limited to:

8.1 An annual conference of the Progressive Principals' Association.

8.2 Annual General Meetings of members at Regional, Provincial level.

8.3 Other activities required to fulfil the objectives of the Progressive Principals' Association.

8.4 Management Committee, Regional Executive and Provincial Executive meetings.

8.5 To plan and organise its administration and lawful activities.

## **9. ADMINISTRATION**

9.1 The management, administration and the business of the Association shall be performed by the Provincial Executive.

9.2 All agreements, contracts, powers of attorney and other documents requiring signature or authorization on behalf of the Association, shall be signed by such persons as may be appointed by the Executive Committee.

9.3 The Executive Committee shall have the power to delegate authority to a sub- committee or task group duly formed for a particular purpose.

## **10. COMMITTEES**

### **10.1 THE MANAGEMENT COMMITTEE**

10.1.1 The Provincial Executive Committee shall be appointed by the Elected Members but shall always comprise of:

(i) President

(ii) Vice President

(iii) Secretary

(iv) Public Relations Officer

(v) Treasurer

(vi) (Additional members) Representative from each Region

Wynland  
Weskus  
Swartland

10.1.2 The Executive shall be the highest governing and decision-making authority of the Association.

Together with any other suitable persons who are of good standing with the provinces.

## **10.2 ELECTION OF THE OFFICE BEARERS (changed 3 to 2)**

10.2.1 The office bearers will be elected by the AGM which will be comprised out of all members who have voting powers.

10.2.2 AGM – Each year

- Offices will be held for two years.

## **11. DUTIES, RESPONSIBILITIES AND POWERS OF THE NATIONAL EXECUTIVE OFFICE BEARERS**

### **11.1 THE PRESIDENT**

11.1 Shall call meetings of the Provincial Executive at his discretion.

11.2 Shall preside at all meetings of the Provincial Executive and Executive

11.3 Shall have a casting vote only.

11.4 Shall prepare and present a written Annual Report of the activities of the Association for the Annual General Meeting.

11.5 Shall liaise closely with regional chairpersons.

### **11.2 THE VICE-PRESIDENT**

11.2.1 Shall deputise on behalf of the President in the absence or unavailability of the latter in all duties and functions.

11.2.2 Shall take responsibility of organising and co-ordinating sub-committees.

### **11.3 SECRETARY**

11.3.1 Shall take and keep minutes of the Provincial Executive, of the Progressive Principals' Association.

11.3.2 Shall give notice of meetings of as instructed by the Provincial Executive of the Provincial Principals' Association.

11.3.3 Shall receive and despatch and archived correspondence on behalf of the Association.

11.3.4 Shall perform such duties as imposed by this Constitution or as the Annual General Meeting may direct.

11.3.5 Shall perform duties imposed on him/her as decide by the Labour Relations Act, 1995, and other relevant legislation relating to the keeping of records and the furnishing of information to the Registrar.

## **11.4 TREASURER**

11.4.1 Shall manage the finances of the Progressive Principals' Association in accordance with the Financial Policy of the PPA.

11.4.2 Shall issue official receipts for all monies received.

11.4.3 Shall submit audited quarterly reports to the Provincial Executive and when requested by the Executive.

11.4.4 Shall submit audited financial reports to the AGM.

## **12. REPRESENTATIVES OF THE REGIONS**

12.1 Southern Suburbs

12.2 Mitchells Plain

12.3 West Coast

12.4 Central Cape Town

12.2 The Regional Executive should consist of at least the following:

12.2.1 President

12.2.2 Vice President

12.2.3 Secretary

12.2.4 Treasurer

12.3 Elections of the office bearers shall take place biennially at the Regional Annual General Meeting.

12.4 One of the executive members shall serve as Provincial Representatives on the Executive.

## **12.5 PROVINCIAL MEETINGS**

12.5.1.1 At least four Executive Meetings annually

12.5.1.2 Special Executive meetings

12.5.2 Resolutions of the meeting shall be adopted by majority vote of voting delegates. Voting on a resolution shall be by show of hands unless the meeting decides otherwise. The President or other presiding person shall have a casting vote only.

## **12.6 QUORUM**

12.6.1 Quorum for Executive meetings: 50% of members plus one.

12.7.2 Quorum for voting purposes at AGM: 20% of members and at least 10% per region.

## **13. REGIONS**

13.1 A Region of the Association may be established in any area where there are not less than 10 (ten) members of the Association.

13.2 The Provincial Executive shall have the right to investigate the affairs of any region annually, and shall have access to all records.

13.3 When a member leaves the area of jurisdiction of any region and takes up a post in the area of another region s/he shall be entitled to become a member of the latter region after given due notice to the former region.

13.4 The management of the affairs of a region shall be vested in a Regional Executive Committee consisting of at least a chairperson, vice-chairperson, a secretary and a treasurer.

13.5 They shall hold office for a year and be eligible for re-election.

13.6 Vacancies occurring on a regional executive committee shall be filled at the first ensuing regional meeting.

13.7 All power shall be invested in the Regional Executive Committee.

13.7.1 The Regional Executive Committee will have the power to manage membership.

13.7.2 To deal with disputes between members and their employers and endeavour to settle disputes;

13.7.3 To appoint from time to time, such subcommittees as it may deem fit for the purpose of investigating and reporting on matters referred to them by the executive committee.

13.7.4 To open and operate a banking account in the name of the region.

13.7.5 To do such other lawful things as, in the opinion of the regional executive

committee, is in the interest of the Progressive Principals Association or its members and which is not inconsistent with the objectives of the Constitution.

#### **14. REMOVAL OF OFFICE BEARERS AND REPRESENTATIVES**

14.1 An office bearer, official or provincial representative may be removed from the office:

14.1.1 If she/he infringes any of the provisions of this constitution; and

14.1.2 If s/he acts in a manner which is detrimental to the interests of the organization.

14.2 No office bearer or member may be removed from office unless s/he has been afforded an opportunity to state his/her case personally at the Executive.

14.3 An office bearer or provincial representative who has appeared before the Executive and who is dissatisfied with the decision shall have the right to appeal. The appeal shall be noted in the agenda of the Association and the decision of the Association shall be final.

14.4 Any member of the Executive who fails to attend three consecutive meetings without an acceptable written apology shall forfeit membership of The Executive Committee.

#### **15. MEETINGS AND QUORUM**

15.1 The following meetings shall be held:

15.1.1 The Annual General Meeting, sixty days calendar notice of which shall be given to members.

15.1.2 At least four Provincial Executive meetings per annum.

15.1.3 Special meetings called by the Executive Committee where the need arises.

15.2 The president or, in his/her absence, the vice-president or, in the latter's absence, a person appointed by the executive, shall preside over the proceedings at the Annual General Meeting. Resolutions of the meeting shall be adopted by majority vote of voting delegates. Voting on a resolution shall be by show of hands unless the decided otherwise. The president or other presiding person shall have a casting vote only.

- 15.3 Members of the Executive shall be notified in writing of the time and place of meetings by the Secretary at least 60 days before the dates of such meetings: provided that shorter notice, being not less than 24 hours, may in the discretion of the president be given in respect of special meetings. To every notice of a meeting an agenda should be attached. Unless otherwise provided herein all matters for consideration by the executive shall be decided on motion duly seconded and voted by a show of hands.
- 15.4 No motion shall be considered unless seconded. All matters forming the subject of motions shall be voted upon by show of hands.
- 15.5 Minutes of all meetings to be kept safely and always on hand for members to consult.
- 15.6 Minutes must be circulated to all regions at least 30 days in advance.

## **16. TASK GROUPS**

- 16.1 The Executive Committee shall establish Task Groups for specific purposes at its own discretion or as directed by any decisions made at Annual General Meetings.
- 16.2 All work done by the Task Groups shall not be final until ratified by the Provincial Executive or General Meeting.

## **17. LIMITATION OF RIGHTS AND LIABILITIES OF MEMBERS**

- 17.1 Membership of the Association does not and shall not give to any member any proprietary rights, title or claim to, or any interests in any of the property or assets or income of the Association, nor shall a member by such membership incur personal financial liability in respect of any claim made or action brought against the Progressive Principals' Association or in respect of any loss incurred by the Association.
- 17.2 The property and income of the Association shall be used solely to further the aims and objectives of the Progressive Principals' Association, and no portion thereof shall be transferred directly or indirectly through the medium of dividends, bonuses or other means as profit to members.

## **18. AMENDMENTS TO THE CONSTITUTION**

- 18.1 The Constitution may be amended at the AGM.
- 18.2 No amendment shall be considered unless at least thirty days prior notice of the

proposed amendment has been given to the President.

18.3 Such notice shall be transmitted to all representatives on the National Executive at least two weeks prior to the meeting at which it is to be considered and after due consultation with members.

18.4 Any such amendment shall require a two-thirds of members present including proxy rates at at AGM.

18.5 No changes or additions shall have any force or effect until certified in terms of section 10 I (3) of the Labour Relations Act, 1995 and all other relevant affected legislation.

## **19. WINDING UP**

19.1 The Association shall be wound up if a ballot conducted in the manner described in the constitution not less than three-fourths of the total number of members of the Progressive Principals' Association vote in favour of a resolution that the organisation be wound up.

19.2 If for any reason the Progressive Principals' Association is unable to continue functioning the following provisions shall apply:

19.2.1 The last appointed President of the Association, or if he/she is not available, the available members of the last appointed Provincial Executive of the Association, shall forthwith transmit to the Labour Court a statement signed by him/her or them setting forth the resolution adopted or the reasons for the Association's inability to continue to function, as the case may be, and request the Labour Court to grant an order in terms of section 103 of the Labour Relations Act, 1995.

19.2.2 The liquidator appointed by the Labour Court shall call upon the last-appointed office-bearers of the Association to, deliver to him/her the Association's books of accounts showing the assets and liabilities together with the register of members showing for the 12 months prior to the date on which the resolution of the winding-up was passed or to the date as from which the Association was unable to function, as the case may be, the membership fees paid by each member and his/her address as at the date.

19.3 The liquidator shall also call upon the said office-bearers to hand over to him/her all unexpended funds of the Association and to deliver to him/her the Association's assets and the documents necessary to liquidate the assets.

19.4 The liquidator shall take the necessary steps to liquidate the debts of the Association from its unexpended funds and any other monies realised from assets of the Association, and if the said funds and monies are insufficient to pay all creditors after the liquidator's fees and the expenses of winding-up have been met. The order in which creditors shall be paid shall be the same as that prescribed in any law for the time being in force relating to the distribution of the assets of an insolvent estate, and the liquidator's fees and the expenses of winding-up shall rank in order as that of an insolvent estate and as though the expenses were the costs of sequestration of an insolvent estate.

19.5 After the payment of debts, the remaining funds, if any, shall be handed over to the Nelson

## **20. INTERPRETATION OF THE CONSTITUTION**

The interpretation of the Constitution shall be determined by the Executive Committee.

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Ms R O'Shea

INTERIM PRESIDENT

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DATE