

Statutory Instrument No. 122 of 1971

EDUCATION LAW, 1966

**TUTUME COMMUNITY COLLEGE BOARD OF GOVERNORS
ORDER, 1971**

(Published on 19th November, 1971)

ARRANGEMENT OF SECTIONS

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In the exercise of the powers vested in him by section 8 of the Education Law, 1966 (No. 40 of 1966), and of all other powers thereunto him enabling the Minister of Education being of the opinion that the establishment of a Board of Governors would be in the best interest of the Tutume Community College, hereby makes the following order

1. This order may be cited as the Tutume Community College Board Citation of Governors Order, 1971.

2. In this Order, unless the context otherwise requires — Inter-pretation.
“Board” means the Tutume Community College Board of Governors established by this Order;

“College” and “Tutume Community College” means the Tutume Secondary School together with any of its associated brigades and related educational activities;

“School” means the Tutume Secondary School;

	<p>“student” means any person attending at the Tutume Secondary School.</p>
Establishment of the Tutume Community College Board of Governors.	<p>3. A Board of Governors, named the Tutume Community College Board of Governors, is established, in which shall be vested the management and control of the following —</p> <p>Tutume Secondary School, and the Tutume Construction Brigade and other brigades which may, with the approval of the Minister, be established at Tutume.</p>
Membership of the Board	<p>4. (1) The Board shall consist of the following members —</p> <ul style="list-style-type: none"> (a) two members to represent the Ministry of Education appointed by the Minister; (b) two representatives of McConnell Foundation to be appointed by the African American Institute; (c) one member to be appointed by the Minister of Agriculture; (d) one member to be appointed by the Minister of Finance and Development Planning; (e) one member of parliament to be appointed by the Minister; (f) a District Commissioner to be appointed by the Minister of Local Government and Lands; (g) a member of the academic staff of the University of Botswana, Lesotho and Swaziland resident in Botswana, to be appointed by the Minister. <p>(2) The Board may at its discretion co-opt one person to full membership of the Board, who shall hold office for the same length of time as other members of the Board appointed in accordance with section 18 of this order.</p>
Chairman and Vice Chairman	<p>5. (1) The Chairman of the Board shall be appointed by the Minister from among the members of the Board.</p> <p>(2) There shall be a Vice-Chairman of the Board, who shall be a member of the Board elected by the Board.</p>
Secretary to the Board	<p>6. (1) The Principal of the College shall be Secretary to the Board but shall not be a member of the Board.</p> <p>(2) The Secretary to the Board shall be responsible, in accordance with such instructions as may be given him by the Board, for arranging the business for, and keeping the minutes of the Board and shall carry out such other functions as the Board may direct.</p>
Attendance of Principal and Vice-Principals at meetings of the Board	<p>7. (1) The Principal and the Vice-Principals shall attend all the meetings of the Board and its Committees unless expressly excluded therefrom by the Chairman of the Board or Committee, as the case may be, but they shall not be entitled to vote at meetings of the Board.</p> <p>(2) In the absence of the Secretary from the whole or part of a meeting</p>

of the Board or a Committee, the Board or Committee, as the case may be, shall appoint one of its members to carry out the duties of the Secretary for the meeting or such part thereof as the Secretary is absent.

- 8.** There shall be two Vice-Principals for the College as follows: Vice-Principals for the College
- (a) a Vice-Principal (School) who shall assist the Principal in all matters relating to the School; and
 - (b) a Vice-Principal (Extension Programme) who shall assist the Principal in matters relating to Brigades and the Community Programmes of the College.

9. (1) There shall be established a Committee of the Board to be known as the Executive Committee to which shall be delegated by the Board such of the Board's functions as are assigned to the Executive Committee in this order. Executive Committee

(2) The Board may establish such other Committees of the Board as it deems fit.

10. (1) The Executive Committee shall consist of the following members of the Board — Membership of the Executive Committee

- (a) the Chairman who shall be Chairman of the Executive Committee;
- (b) the Vice-Chairman;
- (c) one of the members, to be appointed by the Minister who represents the Ministry of Education; and
- (d) one of the members, to be appointed by the McConnell Foundation, who represents the McConnell Foundation.

(2) The Secretary of the Board shall be the Secretary of the Executive Committee.

11. (1) Everything authorised or required to be done by the Board may be decided by a majority vote of those present and voting. Proceedings of the Board

(2) Six members shall form a quorum at a meeting of the Board.

(3) At all meetings of the Board, each member shall have one vote on a question before the Board, and in the event of an equality of votes, the Chairman, whether the substantive Chairman or the Chairman for the purposes of that meeting by virtue of the provisions of subsection (4) or (5), shall have a casting vote.

(4) At any meeting of the Board from which the Chairman is absent, the Vice Chairman shall act as the chairman, for the meeting.

(5) In the absence of both the Chairman and the Vice Chairman for the meeting the Board shall elect a chairman from among its own members.

(6) Subject to the provisions of this Order, the Board may make its own rules governing the conduct of its meetings.

Powers and duties of the Board

12. (1) The Board shall, subject to the approval of the Minister determine the educational and general policies of the College.

(2) The Board shall cause to have prepared agreed estimates which shall be submitted to the Chief Education Officer for final approval.

(3) The Board shall meet in February and July of each year and at such other times as the Chairman may decide to be necessary or as the Minister may direct.

Powers and duties of the Principal

13. Subject to the provisions of the Education Law, the Principal shall —

- (a) be responsible for the overall control and administration of the college, the furtherance and good management of the school as an educational institution, and for all aspects of the organisation of the College;
- (b) be responsible for the admission of students;
- (c) be responsible for the collection of all fees and shall report all cases of non-payment to the Executive Committee;
- (d) suspend pupils after such period as may be laid down by the Executive Committee whose fees have not been paid, and report all such suspensions to the Executive Committee and to the Chief Education Officer; and
- (e) be directly responsible for the day to day expenditure of account to be kept, as may from time to time be prescribed by Financial Instructions.

Powers and duties of the Vice Principal (School)

14. Subject to the supervision and authority of the Principal, one of the Vice Principals shall be responsible for the academic aspects and the day to day organisation and administration of the school, and any other duties that may be allocated to him from time to time.

Powers and duties of the Vice Principal (Extension Programme)

15. (1) Subject to the supervision and authority of the Principal, the Vice Principal (Extension Programme), shall be responsible for —

- (a) the control and management of the brigades;
- (b) the supervision of the non-academic agricultural activities of the College;
- (c) the community programmes of the colleges; and
- (d) the keeping of the financial records of the brigades.

(2) Notwithstanding anything contained in subsection (1), in all matters that relate to the school, the Vice Principal (Extension Programme) shall liaise and consult with the Vice Principal (School), and subject to the

final decision of the Principal, the Vice Principal (School) shall have the final word.

16. (1) The Executive Committee may discuss and consider any and all matters of policy and staffing relating to the College, and may make recommendations to the Board. Powers and duties of the Executive Committee

(2) The Executive Committee shall be responsible for supervising the finances of Brigades and of the other educational practical activities of the College.

(3) The Executive Committee shall supervise the Principal in his implementation of the policies decided upon by the Board and approved by the Minister.

(4) The Executive Committee shall meet at least once in every period of three months and at such other times as the Committee or the Chairman shall direct.

(5) Subject to the provisions of this order, the Executive Committee may make its own rules governing its proceedings, voting and quorum:

Provided that all such rules shall be ratified by the Board.

17. (1) The Principal shall, subject to the direction of the Board, and the provisions of Financial Instructions, control the day to day expenditure relative to the administration of the College. Finances

(2) The Board shall cause to be kept proper accounts and records of all the equipment and materials in the College, and such accounts and records shall be kept in the manner laid down in Financial Instructions.

(3) As soon as possible after the end of each financial year, the Executive Committee shall cause the accounts for the year of the College to be balanced and an abstract of receipt and payment and a statement of assets and liabilities to be prepared and submitted to the Board.

(4) By the 31st August in each year, the Executive Committee shall cause estimates for the following financial year of income and expenditure for the College to be prepared and submitted to it.

(5) The Principal of the College shall prepare internal financial regulations not inconsistent with Financial Instructions which shall provide for —

- (a) the collection, receipt, custody, issue, expenditure, due accounting for, care and management of all funds;
- (b) internal financial and accounting procedures, relating in particular to internal control;
- (c) the books of account to be kept;
- (d) commitment control;

- (e) the purchase, safe custody, issue and the proper accounting for and stock-taking of such stores and property; and
 - (f) the preparation of estimates for revenue and expenditure.
- (6) The accounts of the College shall be subject to audit at any time by the Auditor General.
- (7) The financial year of the College shall extend from 1st April to the 31st March.

Appointment to the Board

18. (1) The persons appointed as members of the Board in accordance with section 4, shall be appointed within one month of the publication of this order and shall hold office until 31st March, 1973, but shall be eligible for re-appointment.

(2) Subsequent appointments in accordance with section 4 shall be for a period of two years from 1st April in the year in which they are made but members shall be eligible for re-appointment.

Revocation of appointment of removal of member

19. (1) The appointment of any person appointed as a member or Chairman of the Board in accordance with section 4 or 5 (1) may, at any time and for any reason, be revoked by the person or body making the appointment who or which shall, however, at the same time appoint a new member or Chairman in place of the member or Chairman whose appointment is revoked.

(2) Any revocation and new appointment made in terms of subsection (1) shall forthwith be notified to the Chairman of the Board and shall take effect when so notified.

(3) If any member of the Board appointed in accordance with the provisions of this order, fails, without the permission of the Chairman, to attend three consecutive meetings of the Board of which he has had notice, his appointment shall be terminated and the Chairman shall thereupon notify the appointing authority by whom or such member was appointed. Upon such notification the appointing authority shall appoint a new member in place of the member whose appointment is terminated, and the appointment of such member shall take effect when notified to the Chairman.

(4) A member appointed under the provisions of subsection (1) or (3) shall vacate his office, unless his appointment be earlier revoked or terminated, on the same date as the person in whose place he is appointed would have vacated his office if his appointment had not been vacated or terminated.

Vacation of office or incapacity of appointed member

20. If a member of the Board is temporarily unable to exercise his functions as a member of the Board or of a Committee thereof whether by reason of illness, absence or other cause, the appointing authority may appoint a temporary member of the Board to act in such member's place.

Dated the 12th day of November, 1971.

B. MOOKODI,
Permanent Secretary.

Ministry of Education, GABORONE.
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