
CONSTITUTION OF THE EVANS RIVER K-12 SCHOOL COUNCIL

1. NAME

- 1.1 The name of the School Council will be the Evans River K-12 School Council. (Hereinafter called "The Council".)

2. DEFINITIONS

- 2.1 "APPOINTED MEMBER" means any person on the Council appointed as a community member.
- 2.2 "BUDGET PLAN" means a general outline of anticipated income and expenditure for the financial year.
- 2.3 "COMMUNITY MEMBER" means any person appointed to the Council from local government/business/industry or a particular section of the local community (which was previously unrepresented through elected parent members).
- [N.B. A currently employed member of a school staff cannot be an "APPOINTED MEMBER" on the Council.]
- 2.4 "CONSTITUENCY" means the whole body of voters who are eligible to elect their representatives on Council.
- 2.5 "COUNCIL" means the Evans River K-12 School Council.
- 2.6 "COUNCILLOR" means an elected/appointed member, the Executive Member of the Council or the President of the Evans River K-12 School Parents and Citizens Association (or the identified alternative executive member).
- 2.7 "ELECTED MEMBER" means any person on the Council elected by the relevant constituency to represent the school staff or the parents.
- 2.8 "EXECUTIVE MEMBER" means the Principal of Evans River K-12 School.
- 2.9 "PARENT" means the parent, guardian or any person who has actual custody of a student enrolled at Evans River K-12 School.
- 2.10 "PARENT COMMUNITY" means all parents of students enrolled at Evans River K-12 School.
- 2.11 "PARENT MEMBER" means any parent elected to the Council as well as the President of the Evans River K-12 School Parents and Citizens Association (or the identified alternative executive member).
- [N.B. A member of Evans River K-12 School staff may not be a parent member on the Council. Only one (1) parent member may be a currently employed member of a school staff from another school.]
- 2.12 "PARENT ORGANISATION/S" means the Evans River K-12 School Parents and Citizens Association.
- 2.13 "QUORUM" means the minimum number of persons required to attend a meeting before any business can be transacted.

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- 2.14 "SCHOOL COMMUNITY" means the school staff, parent and local community of Evans River K-12 School.
- 2.15 "SCHOOL STAFF" means all persons employed at Evans River K-12 School by the Department of Education and Training (teaching and non-teaching staff). This includes persons employed at the school under externally funded programs and all casual teaching staff.
- 2.16 "STUDENT" means any student enrolled at Evans River K-12 School.
- 2.17 "SUPPLEMENTARY SERVICES" means support provided to the school by parents and other members of the community to enrich the educational program of the school.

3. AIMS AND OBJECTIVES

3.1 Aim:

To enable formal school community participation in planning and management of Evans River K-12 School and to foster closer links between the school and its community.

3.2 Objectives:

The School Council will:

- (i) Represent the interest and needs of all members of the school community,
- (ii) Identify local educational needs and priorities,
- (iii) Determine and advise on broad school policies,
- (iv) Assess and determine the school's broad budget priorities,
- (v) Encourage and promote community participation in the school,
- (vi) Present and promote a positive image of the school in the local community.

4. ROLE OF THE SCHOOL COUNCIL

- 4.1 The School Council will operate within the context of the relevant legislation and the stated policies and priorities of the Government and the Department of Education and Training.
- 4.2 The School Council is accountable to the Director-General, through the District Superintendent
- 4.3 The Principal remains accountable under the Public Finances and Audit Act for the management of the school finances.
- 4.4 The Principal is accountable to the District Superintendent for the total management of the school and for the implementation of the broad policies and priorities determined by the Council.
- 4.5 Within the context of relevant legislation and the stated policies, priorities and expenditure and staff allocations of the Government and the Department of Education and Training, the School Council will:
- have representation on the interviewing panel for the selection of the incoming Principal when a vacancy occurs and is to be filled by advertisement and interview;
 - develop a profile for the position of Principal of the school for the consideration for the District Superintendent on the transfer or retirement of an incumbent Principal and the selection of a new Principal;

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- determine the aims and educational goals of the school;
 - identify local educational needs and priorities;
 - determine local student welfare policies and the school's Fair Discipline Code;
 - assess the school's financial needs;
 - determine the school's broad budget priorities and develop a budget plan;
 - advise the Principal on the implementation of the budget plan;
 - examine reports on expenditure provided by the Principal at intervals determined by the Council;
 - provide guidance for the Principal on supplementary services required by the school;
 - establish policies for community use of school facilities;
 - assess the needs of the school from time to time in areas such as buildings, grounds, facilities, school transport, starting/finishing times and matters which could affect neighbouring schools;
 - advise the District Superintendent and the Principal on these and other issues except those relating to the employment, appointment and efficiency of school staff;
 - establish effective liaison with other school/community committees to promote activities consistent with school policies;
 - present and promote a positive image of the school in the local community, in order to increase parent and community awareness and willingness to become involved in the school; and
 - provide an annual report to the school community on the activities of the School Council.

5. MEMBERSHIP AND COMPOSITION

5.1 The composition of the Council will be as follows:

- (i) The Principal as Executive Member;
- (ii) The President of the Evans River K-12 School Parents and Citizens Association (or the identified alternative executive member);
- (iii) Four parent members elected from financial P&C members;
- (iv) Three school staff members elected from the teaching and non-teaching staff;
- (v) Two student members elected by the Students' Representative Council; and
- (vi) Two community members appointed from local government/business/industry or other relevant groups from the local community.

The total number of Councillors is thirteen.

An additional Council member may be appointed by the District Superintendent to remedy any imbalance of representation.

5.2 Executive Member

5.2.1 The Principal of the School is automatically the Executive Member.

5.3 President of the Evans River K-12 School Parents and Citizens Association

5.3.1 The President of the Evans River K-12 School Parents and Citizens Association is automatically a member of the School Council.

5.3.2 Where the President of Evans River K-12 School Parents and Citizens Association declines to join the Council, the Association is to identify another executive member for this position.

5.3.3 The President of Evans River K-12 School Parents and Citizens Association (or alternative executive member) is to provide a written report of each Council meeting to the Association at it's next meeting. A copy of the minutes of Council meetings are to be tabled at the following P&C meeting.

5.4 Elected Members

5.4.1 A member of Evans River K-12 School staff may not be a parent member on the Council. Only one (1) parent member may be a currently employed member of a school staff from another school.

5.4.2 At least two (2) school staff members must be teachers.

5.4.3 Elected members must provide a written report of each Council meeting to constituents at the next meeting of their constituents.

5.4.4 Any elected member representing school staff or parents may be removed by the respective group following a Special General Meeting of the relevant constituency called for that purpose. (See Constitution section 16.2.)

5.5 Community Members

5.5.1 A currently employed member of a school staff cannot be a community member on the Council.

5.5.2 An appointed member may only be removed by the District Superintendent. (See Constitution section 16.3.)

5.6 Co-opted Members

5.6.1 Council may co-opt other members of the community to assist the Council for a specific purpose and for a specific period.

i. Such positions are advisory and do not have voting rights on the Council.

5.7 General

5.7.1 A person who is a member of a School Council at another school cannot be a member of Evans River K-12 School Council except with the approval of the relevant District Superintendent(s).

6. TENURE OF COUNCIL

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- 6.1 The term of office for elected/appointed members of the Council will be two years, commencing the first meeting after the Annual General Meeting.
 - 6.2 Elected/appointed Council members may hold office for no more than three terms of office consecutively, i.e. elected/appointed members may hold office for no more than six years consecutively.

7. ELECTION OF COUNCILLORS

- 7.1 Elections for members to represent the school staff, parents and students, and the appointment of community members, will take place in September.
- 7.2 Announcement of Council members representing the school staff, parents & citizens association, students' representative council and community will be made in the school newsletter prior to the Annual General Meeting in October.

7.3 Method

- 7.3.1 Election for representatives of the school staff, parents, and students.
 - (i) The Principal will arrange for the compilation of a list of eligible voters in each constituency before elections take place.
 - (ii) All members of the school staff are eligible and entitled to vote for their representatives on the School Council.
 - (iii) All financial members of the Evans River K-12 School Parents and Citizens Association are eligible to vote for the parent representatives on the School Council.
 - (iv) Election procedures will be advertised in the school newsletter so that all school staff and parents have the opportunity to nominate and to vote for their particular representatives.
 - (v) Nominations are to be submitted by the advertised closing date, in writing, on the form provided. Each nominee must be PROPOSED and SECONDED by members of the constituency she/he is to represent.

The nominee must sign the nomination form indicating a willingness to accept the nomination.

The nominee may withdraw within one school day of the closing of nominations.
 - (vi) If more than the required number of candidates is nominated, the Principal will ensure that an election is conducted so that all members of the respective constituency have the opportunity to vote for their representatives.
 - (vii) The election of parent representatives will take place by secret ballot. Parents may vote in either of the following two manners:
 - a. through either voting in person at the school office prior to the August meeting of the P&C Association or by
 - b. voting at the August meeting of the P&C Association.

The exhaustive preferential system of voting shall be used.
 - (viii) Any election for school staff will take place by secret ballot.
 - (ix) Student representatives will be elected by the Students' Representative Council.

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- (x) The results of the elections will be published in the school newsletter.

7.3.2 Community Members

- (i) The District Superintendent will appoint the community members.
- (ii) Expressions of interest for the community representatives will be called during September. All members of the newly elected Council (except community representatives) will consider the expressions of interest for community members positions. The expressions received will be ranked and a recommendation will then be forwarded to the District Superintendent for consideration. (See Constitution section 5.5)
- (iii) Appointed members will be confirmed at the first meeting of the newly constituted Council.

8. COUNCIL OFFICE BEARERS

8.1 The School Council will have the following office bearers:

President: An elected parent member or an appointed community member (other than a member of the school staff)

Secretary: An elected staff or parent member or an appointed community member

Executive Member: The Principal

8.2 Office Bearers will be elected at the first meeting of the newly constituted Council which will be held within one (1) month of the Annual General Meeting. (See Constitution section 9.1.2.)

8.3 The President of the School Council may not be a member of any school staff.

8.4 The Principal as Executive Member will assume the responsibilities normally associated with the position of Treasurer.

8.5 Office bearers have the power to co-opt assistance from time to time as approved by Council. Co-opted persons have no voting rights.

8.6 Roles and Responsibilities

8.6.1 President:

- chairs the meetings
- prepares in consultation with the Executive Member the meeting agenda
- in the event of a split vote the President shall have the casting vote
- promote the school council's decisions
- effectively liaises with all council members

8.6.2 Secretary:

- is responsible for preparing and circulating the minutes of each meeting within fourteen (14) days of that meeting to all Councillors.
- is responsible for making available copies of the confirmed minutes from the school

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- is responsible for the preparation of correspondence
 - maintains official records of the Council
 - prepares in consultation with the President and the Executive Member items for inclusion in the school newsletter to inform the school community of the Council's decisions.

8.63 Executive Member:

- is responsible for the implementation of the broad policies and priorities determined by Council;
- is responsible for negotiating all contracts on behalf of the Council;
- is adviser to the Council on educational matters;
- is responsible for the preparation of the Annual Report on the activities of the Council to be presented at the AGM;
- is responsible in consultation with the President for the preparation of general financial reports of the Council as required by the Council;
- is responsible in consultation with the President for the provision of financial advice as necessary to the Council;
- is responsible in consultation with the President for the preparation of the draft budget plan for consideration by Council;
- is responsible in consultation with the President for the preparation of the Annual Financial Report to be presented at the AGM;
- is responsible for the transition from one Council to the next.

9. COUNCIL MEETINGS

9.1 Frequency

- 9.1.1 The Council will meet not less than eight (8) times per year.
- 9.1.2 The first meeting of a newly constituted Council will be held within one (1) month of the AGM to elect office bearers. (See Constitution section 8.20)
- 9.1.3 The date, venue and time of Council meetings will be decided by Council.
- 9.1.4 The dates, venues and times of Council meetings will be advertised in the school newsletter. This should be in at least seven (7) days in advance.

9.2 Quorum

- 9.2.1 A quorum of Council meetings will be seven (7).
- 9.2.2 If the quorum is not reached, matters on the Agenda may be discussed but no decisions will be taken.

9.3 Attendance

- 9.3.1 Councillors are to attend all meetings.
- 9.3.2 If a Councillor is unable to attend a meeting apology must be made prior to the meeting to a member of the Council.

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- 9.3.3 Should an elected member fail to attend two consecutive meetings, or four meetings in total, without approval, the Council will discuss the absence and may ask the constituents represented to consider removing the representative. The candidate with the next highest number of votes at the last election will then fill the vacancy. If there are no other candidates, the represented constituents will be asked to appoint a new representative.
 - 9.3.4 Should an elected member resign or transfer out of the school community, the candidate with the next highest number of votes at the last election will then fill the vacancy. If there are no other candidates, the represented constituents will be asked to appoint a new representative.
 - 9.3.5 Should an appointed member fail to attend two consecutive meetings, or four meetings in total, without approval, the Council will discuss that absence at a Special General Meeting and any recommendation will be forwarded to the District Superintendent for decision.
 - 9.3.6 In the absence of the President of the Council, the meeting shall elect a chairperson for that meeting.

9.4 Agenda

- 9.4.1 The meeting Agenda will be issued to the Council Members three working days prior to the meeting.
- 9.4.2 Any member of the school community who wishes Council to debate a particular matter should brief their elected representative on the matter and request that it be debated.
- 9.4.3 Items not published on the Agenda may be dealt with in general business.

9.5 Minutes

- 9.5.1 Minutes will be prepared by the Secretary and circulated to all Councillors within fourteen (14) days of the meeting.
- 9.5.2 Minutes of a meeting will be made available through the school within fourteen (14) days of the meeting (through the school office).
- 9.5.3 Minutes of all meetings will be kept at the school.

10. COUNCIL MEETING PROCEDURES

10.1 Formal meeting procedures will apply

10.1.1 Time limits for speakers are set.

Time limits are:

reports: five minutes

mover of motion: three minutes when moving a motion plus two minutes right of reply before voting takes place.

seconder and subsequent speakers on motion: three minutes speaking once only unless to amend to seek clarification or unless the Council moves into committee.

Extensions of time may be agreed to by procedural motion.

10.2 Voting

- 10.2.1 Each member of Council will be entitled to one vote. The President will have an additional casting vote should the vote be tied.

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- 10.2.2 Decisions will be taken by a simple majority. Proxy votes will not be permitted.
 - 10.2.3 Co-opted members or visitors will not have voting rights.
 - 10.3 Council may invite members of the school community to attend a Council meeting for a specific purpose. Such visitors have no voting rights and cannot introduce items of business at the meeting.

11. ANNUAL GENERAL MEETING (AGM)

- 11.1 The Annual General meeting will be held in October.
- 11.2 Notice of the AGM will be given fourteen (14) days in advance to all members of the school community.
- 11.3 The quorum for the AGM will be nine (9).
- 11.4 Items not published on the Agenda will be dealt with at the Chairperson's discretion in general business.
- 11.5 Reports of all Council activities will be presented at the AGM by the relevant office bearers and conveners of committees of the Council.

12. SPECIAL GENERAL (EXTRAORDINARY MEETINGS)

12.1 Procedure

- 12.1.1 A Special General Meeting of the school community may be called at any time during the school term when requested by the following:
 - i) by the majority of councillors;
 - ii) by representatives of 20% of the families of the students at the school in writing to the President or the Executive Member;
 - iii) by a majority of the school staff;
 - iv) by the Principal in writing.
- 12.1.2 A Special General Meeting will be called for the purposes of:
 - i) recommending amendments to the constitution;
 - ii) recommending the removal of an appointed member;
 - iii) dissenting from a Council decision;
 - iv) recommending the dismissal of the present Council;
 - v) obtaining the views of as many people as possible.
- 12.1.3 Such a meeting will be held within fourteen (14) days of the request.
- 12.1.4 A Notice of Motion will be circulated to the school community at least seven (7) days prior to the meeting date.

12.2 Quorums

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- 12.2.1 If the purpose of the meeting is to obtain the views of as many people as possible, no quorum need apply and the meeting may make a recommendation to the Council on the matter under consideration.
 - 12.2.2 The quorum for Special General Meeting called under clause 12.1.2 (i-iv) will be at least 20% of the families of the school.

12.3 Voting

- 12.3.1 To be carried, motions require a two-thirds majority of those present and eligible to vote.

12.4 Outcomes of Special General Meetings

- 12.4.1 Recommendations arising from such meetings must relate to the matters advertised for the purpose of that meeting and no other matters may be raised at that meeting.
- 12.4.2 A decision to act on any recommendation arising from meetings held to obtain the views of as many people as possible will remain the responsibility of the Council.
- 12.4.3 Recommendations arising from meetings held to amend the constitution, to remove appointed members, to dissent from a Council decision or to seek the dismissal of the present Council will be forwarded to the District Superintendent by the President and the Executive Member for approval.

13. COUNCIL RECORDS

- 13.1 Council records including copies of the Constitution and all Agenda, minutes, correspondence, files, financial reports and committee reports will be retained within the school at all times unless authorised by the President or the Executive Member.

14. BUDGET PLAN

- 14.1 The Council, in determining broad budget priorities and developing the school budget plan, will take account of all funds available to the school from government, parent and community sources. This budget plan will be developed in the context of the School Manual on Financial Management.

14.1.1 The Council will provide the opportunity for all members of the school community to make their priorities known in the context of the educational aims of the school, the school's organisation and the available resources before developing the budget plan.

14.1.2 The Council will give due consideration to the views expressed by contributing groups or individuals in determining broad budget priorities and developing the school budget plan.

15. AMENDMENTS TO THE CONSTITUTION

- 15.1 Amendments for the constitution will only be considered at a Special General Meeting of the school community called for that purpose (see Constitution section 12). All proposed amendments will be submitted to the District Superintendent for approval.

16. REPLACEMENT OF COUNCIL MEMBERS

16.1 Casual Vacancies

When a casual vacancy for an elected Councillor occurs the position will be filled by appointment from the relevant constituency.

Where the former Councillor was an office bearer of the School Council, the position will be filled by election from within the Council.

- 16.2 Any Council member who represents the school staff or the parents may only be removed by the respective group after a Special General Meeting called for that purpose by the constituency and a replacement elected according to the established election procedures (see Constitution section 7.3.1.).

- 16.3 An appointed member may only be removed by the District Superintendent and replaced according to Constitution section 7.32

If the School Council wishes to have an appointed member removed, a Special General Meeting will be called for that purpose. Any recommendations from the Special General Meeting to have an appointed member removed will be submitted to the District Superintendent for approval.

17. DISMISSAL OF THE SCHOOL COUNCIL

- 17.1 Any proposal to dismiss the School Council may only be considered at the Special General Meeting called in accordance with Constitution section 12. Any recommendation from the Special General Meeting to dismiss the Council will be forwarded to the District Superintendent for approval.

17.2 If the Council is dismissed, a new Council will be formed in accordance with the established election procedures (see Constitution section 7.3.1).

17.3 Members of a dismissed Council are eligible for election to a new Council.

18. RESOLUTION OF DISPUTES

18.1 Where matters occur which cannot be resolved by established Council procedures or by the calling of a Special General Meeting, the District Superintendent shall resolve the matter in dispute.

19. RELATIONSHIPS WITH COMMITTEES/ORGANISATIONS

19.1 The Council will establish procedures for liaison with the Evans River K-12 School Parents & Citizens Association, local government and business houses as it sees appropriate.