

# **Mount Colah Public School Parents and Citizens' Association**

## **-Constitution-**

### **1. NAME**

This body shall be known as the Mount Colah Public School Parents and Citizens' Association, a body corporate under the Parents and Citizens' Associations Incorporation Act, 1976.

### **2. OBJECTS AND FUNCTIONS**

The objects and function of this Association shall be those set out in Section 116 of the Education Reform Act 1990 which include

a. The objects:

- 1) to promote the interests of the school by bringing parents, citizens, students and teaching staff into close co-operation; and
- 2) to assist in providing facilities and equipment for the school and in promoting the recreation and welfare of the students at the school.

b. The functions:

- 1) to report, when requested by the Minister for Education and Training, on the material requirements of the school and to advise on the subject of maintenance of the school, alterations and additions to school facilities and the selection of new sites;
- 2) to assist and co-operate with the teaching staff in public functions associated with the school;
- 3) to be responsible for the election of parent representatives to any school council constituted at the school in consultation with the Principal of the school to ensure consistency with any guidelines for elections issued by the Director-General of School Education;
- 4) to assist in any matters in which the Minister may seek the co-operation of the Association and to exercise such other functions as may be prescribed by the regulations. (Under the Education Reform Act, 1990).

### **3. SCHOOL STAFF**

The Association shall not exercise any authority over the teaching staff or any matter relating to the control or management of the school. School staff may become members of the Association. The Principal of the school, or the Principal's nominee, shall be a member, ex-officio of the Association and all its committees.

### **4. MEMBERSHIP**

Membership will be open to all parents of pupils attending the school, and to all citizens within the school community. The Association shall maintain a register of members. A person whose

name appears in the register and who has paid the annual subscription shall be a member of the Association. The register shall be updated after each general meeting by the Secretary or the Secretary's nominee. If the name of a person has been omitted from the register when that person is otherwise entitled to be a member, and their name should have been recorded in the register, then that person shall be a member of the Association.

## **5. OFFICE BEARERS**

- a. The executive committee, which shall be constituted of the officers of the Association and up to six other members, shall carry out decisions of the Association. Members of the executive committee shall not receive any remuneration or other material benefit by reason of their position in the Association. A member of the executive committee may be removed from office by resolution of the Association carried at a properly convened general meeting or special meeting, providing at least seven days notice has been given to members.
- b. The Officers shall consist of President, two Vice-Presidents, Treasurer and Secretary and shall be elected at the Annual General Meeting.
- c. The President shall preside at all meetings except that in the absence of the President one of the Vice-Presidents shall preside and in the absence of the President and Vice-Presidents, the committee shall elect a chairperson.
- d. The Secretary shall attend meetings and keep a record of all business conducted, and shall hand over records, minutes, account books, etc., to the incoming secretary on relinquishing office.
- e. The Treasurer shall receive and deposit monies, maintain records, draw cheques and present accounts to each general meeting, present all records for auditing each year and shall hand over all records to the incoming treasurer on relinquishing office. The requirements for handling money, keeping records, etc., in the School Manual on Financial Management, shall be followed. Should it be necessary during the unavoidable absence of the Treasurer, another officer of the Association may receive any monies, issue receipts and either deposit the monies in an Association account or hand the monies to the Treasurer within two business days, taking a receipt for same.

## **6. CASUAL VACANCIES**

Any casual vacancy on the executive shall be filled by a ballot of the members of the Association at any general meeting. A casual vacancy shall have arisen where a member of the executive committee:

- a. dies,
- b. resigns from the committee by notice in writing,
- c. ceases to be a member of the Association,
- d. is removed under clause 5(a), or
- e. has a continuing and long term incapacity to fulfill the functions of the position.

## **7. ANNUAL GENERAL MEETING**

An Annual General Meeting shall be held once each year. At this meeting all officer and other positions will become vacant and then be filled by nomination, and where necessary by ballot of members. All nominees shall be members of the Association. The audited balance sheet and annual report will be presented. An auditor for the ensuing year who is not an officer of the Association shall be appointed. Qualified auditors, i.e. Members of the Australian Society of Certified Practising Accountants, the Institute of Chartered Accountants in Australia or National Institute of Accountants shall be chosen.

## **8. GENERAL MEETING**

A general meeting shall be held at least once during each school term.

## **9. SPECIAL MEETING**

A special meeting shall be called by the Secretary at any time upon written request signed by at least ten members or on the authority of the Executive Committee. The special meeting shall be held within one month of the date the Secretary receives the request or is given the authority. Members shall be given at least seven days notice of the meeting which notice shall also state the business of the meeting.

## **10. QUORUM**

Where the Association has a current membership of 50 or more, the quorum at all meetings of that Association shall be 11 members. Where the Association has a current membership of less than 50, the quorum shall be set according to the rules of the Association but shall not be less than 5.

## **11. LIABILITY**

a. A member or officer of the Association is not, by reason only of being such a member or officer, liable to contribute towards payment of the debts and liabilities of the Association or the costs, charges and expenses of the winding up of the Association.

b. The Association must effect and maintain approved public liability insurance, unless the Association is covered by such insurance effected and maintained by the Federation of Parents and Citizens' Association of New South Wales. In this section "approved public liability" means public liability insurance which an association incorporated under the Associations Incorporation

Act 1984 is required by Part 6 of that Act to effect and maintain.

## **12. SUBSCRIPTIONS**

The annual subscription shall be set by the rules but shall not be less than 50 cents.

## **13. SUB-COMMITTEES**

The Association may establish sub-committees, however styled, to carry out specific functions on its behalf. Any sub-committees that are established shall report regularly at meetings of the Association and follow any directions received from the Association. The Association may

dissolve a sub committee at any time. Any funds raised or handled by a sub-committee shall be for all purposes, funds of the Association.

#### **14. DISSOLUTION**

a. The Association may be dissolved in terms of a resolution carried out at a General Meeting or Special Meeting of members, providing at least seven days notice has been given to members and subject to the concurrence of the Minister for Education and Training, otherwise at the Minister's discretion.

b. The Association shall be dissolved if the number of members falls below the quorum or the school to which the Association is attached is closed.

c. Where the Association is dissolved, minute books, audited accounts and other records together with the residue of funds shall be given to a kindred organisation which qualified for exemption under Item 110 of the First Schedule of the Sales tax (Exemptions and Classifications) Act or the Department of School Educations as determined by a resolution of members. The transmission shall occur within two months of the dissolution and only after the books of account have been audited as provided under Clause 16.

d. Where the Association is dissolved, assets and funds on hand after payment of all expenses and liabilities shall not be paid to or distributed among the members.

#### **15. RULE MAKING POWER**

The Association shall make such rules as are required to carry out its function. The rules shall not contravene the terms of this constitution, the Education Reform Act, 1990, or the Parents and Citizens' Associations Incorporation Act, 1976. The rules may be adopted, altered or withdrawn according to a simple majority vote at any meeting of the Association for which a month's notice has been given. Such notice shall include details of the proposed changes. The rules shall provide for the procedure to be followed:

- a. at meetings of the Association;
- b. to convene a substitute meeting when a quorum is not attained at a meeting; and
- c. in making an application for membership.

#### **16. ACCOUNTS**

The funds of the Association shall be banked in the name of the Association with any institution holding trustee status within the meaning of the Trustee Act, 1925, provided interest is allowed on the balance. The account shall be operated by two or more officers of the Association delegated in that behalf by the Association. No commitment shall be entered into for the expenditure of Association funds, except by resolution of a meeting of the Association. The Association must make such financial reports about its affairs (including reports of its auditors) as are required by its rules or by the Minister.

We the undersigned, hereby certify that this Constitution was adopted at a General Meeting of the

Association held on \_\_\_\_\_.

President \_\_\_\_\_

Secretary \_\_\_\_\_

Date \_\_\_\_\_

## **Mount Colah Public School Parents and Citizens' Association Constitutional By-Laws**

1. These rules are made under the constitution of Mount Colah Public School Parents and Citizens' Association.
2. The Association is formed for the benefit of the pupils of the school and to that end it will:
  - a. Participate as much as possible in the activities of the school and communicate with all members of the school community.
  - b. Co-operate in the activities of the Federation of Parents & Citizens' Associations of New South Wales and its District and Regional Councils; and
  - c. Do other such things as may promote the interests of public education.
3. The Financial year of the Association shall close on 31 December each year.
4. The Annual General Meeting of the Association shall be held in March of each year, in conjunction with and preceding the Ordinary General Meeting for that month. The agenda of the Annual General Meeting shall include setting the membership fee of the Association for the ensuing year. No person shall serve more than three consecutive years in the same office.
5. A General Meeting of the Association shall be held on the third Tuesday of each month during school term time at 7.30 pm. If the third Tuesday is in the first week of a term then the meeting will be re-scheduled to the fourth Tuesday of the month. No meeting will be held in December, however an extraordinary meeting may be held if required (17/11/2009).
6. Any person eligible for membership may become a member or renew membership by paying the required membership fee of \$0.50c. Membership shall remain current until the close of the Annual General Meeting in the following year. The Secretary shall be responsible for maintaining an up-to-date register of membership.
7. At a general meeting the quorum shall be in accord with rule 10 of the constitution. Where membership is less than 50 the quorum shall be 7.
8. If a meeting for which due notice has been given does not achieve a quorum (within fifteen minutes of the advertised starting time), the Secretary or a member of the Executive, or in their absence five members of the Association, may call a further meeting not more than 14 days

thereafter to carry on the business of the Association.

9. All meetings of the Association shall be conducted in accordance with the appropriate By-Laws of Federation "Standing Orders for the Conduct of All Meetings".

10. A General Meeting of the Association may declare any officer who has been absent for three successive meetings, as set out in the Federation By-law (r) (iii), to have vacated their position and to have created a casual vacancy to be dealt with by means of rule 6 of the Constitution.

11 a). 'Any motion to expand Association monies where the planned expenditure less any forecast income is in excess of \$1000 must be advertised via a school newsletter or via social media at least 7 days prior to the meeting at which it is being considered.'

11 b). If any increase causes the total expense to exceed \$1000 then bylaw 11a) applies.

12. The Association may confer the honour of life membership on a member who has over a period of 7 years or more made an outstanding contribution to the work of the Association. Life members may attend and speak at meetings, but are not entitled to vote or to hold office unless they are eligible for ordinary membership under rule 4 of the constitution.

13 a). Election of convener and bookkeeper of all sub-committees shall take place at the General Meeting held in October each year (20/10/2009).

13 b). Election of the officers of the Association will be carried out at the Annual General Meeting (20/10/2009).

14. Where there is unanimous agreement by the P & C Executive, a total amount of up to \$300 may be expended for the day to day operations of the Association, without prior permission of a general meeting. In accordance with Item 16 of the Constitution the expenditure is to be brought to the next general meeting for endorsement by resolution. If the expenditure is not endorsed, the Executive will personally meet the expense.

15. All music program equipment and instruments are to be removed from the Association's insurance policy and in future are covered under the school's existing insurance policy for complete replacement and repair. (15/8/2006)

16. The Association will present an amount of \$450 and a congratulatory letter to any student who attains National Level in a sporting competition, to assist toward the cost of participation.

17. These Constitutional By-laws shall not be added to or amended except at a General Meeting of members for which 14 days prior written notice has been given.

18. The Association may alter the date of a General Meeting by providing 7 days notice.

We the undersigned, hereby certify that these Constitutional By-Laws were adopted at a General Meeting of the Association held on \_\_\_\_\_.

President \_\_\_\_\_

Secretary \_\_\_\_\_

Date \_\_\_\_\_