

Parramatta East Public School P&C Association Constitution

1. Name

This body shall be known as the Parramatta East Public School Parents and Citizens' Association.

2. Objects and Functions

The objects and functions of this association shall be those set out in Section 116 of the Education Act 1990 which include

- (i) The objects:
 - (a) to promote the interests of the school by bringing parents, citizens, students and teaching staff into close co-operation; and
 - (b) to assist in providing facilities and equipment for the school and in promoting the recreation and welfare of the students at the school.
- (ii) The functions:
 - (a) 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;
 - (b) to assist and co-operate with the teaching staff in public functions associated with the school;
 - (c) 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 Education and Training;
 - (d) 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 Act, 1990). The assets and income of the association shall be applied solely to further these objects and functions. No part of the assets and income shall be distributed directly or indirectly to the members of the association except as bona fide compensation for services rendered or expenses incurred on behalf of the association.

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 the 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. On relinquishing office the Secretary shall hand over records, minutes, account books, etc. to the incoming Secretary.
- (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 calendar year at a date specified in the rules. 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.

8. General Meetings

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

9. Special Meetings

A special meeting shall be called by the Secretary at any time upon written request signed by at least 10 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 five.

11. Subscriptions

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

12. Subcommittees

The association may establish subcommittees, however styled, to carry out specific functions on its behalf. Any subcommittees that are established shall report regularly at meetings of the association and follow any directions received from the association. The association may dissolve a subcommittee at any time. Any funds raised or handled by a subcommittee shall be, for all purposes, funds of the association.

13. Dissolution

- (a) The association may be dissolved in terms of a resolution carried at a General Meeting or a 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, or 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 or the Department of Education 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 15.
- (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.

14. Rule-Making Power

The association shall make such rules as are required to carry out its functions. The rules shall not contravene the terms of this constitution or the Education Act, 1990. 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.

15. 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 for Education and Training.

Rules

1. These rules are made under the constitution of Parramatta East 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 and Citizens' Associations of New South Wales, and District Councils; and
 - (c) do such other things as may promote the interests of public education.
3. The financial year of the association shall close on 30 November each year.

Note: This is to allow alignment with the Annual General Meeting (AGM) cycle and also as per Clause 7 of the Constitution, to allow audited accounts to go to the AGM.

4. The annual general meeting of the association will 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.
5. No person will serve more than three consecutive years in the same position.
6. A general meeting of the association will be held on the third Monday of each month during term time at 7 pm.
7. Any person eligible for membership according to the legislative terms relevant to the P&C association and the Education Act, may become a member or renew membership by paying the required membership fee of \$0.50 to the Treasurer, or nominee of the Treasurer, after any general meeting. Membership will remain current until the close of the annual general meeting in the following year. The Secretary or the Secretary's Nominee shall be responsible for maintaining an up-to-date register of membership.

Note: The provisions of this rule to do with membership. For insurance purposes the categories of "member" and "volunteer" are distinct. A list of members is a legal necessity. For insurance purposes each association is strongly advised to maintain a list of occasions on which there are volunteers working on its behalf. It is preferable that there be a list of names of volunteers, who need not be members, associated with each occasion.

8. For the purpose of Clause 4 of the constitution, the register of members shall be updated immediately following the close of each general and annual meeting. That is, payment of the membership fee must be made by the close of one meeting so that the member is eligible to exercise membership rights (e.g. vote) at the next meeting.

Note: It is in the member's interest to obtain a receipt at the time of payment.

Due to the fact that the membership register is not updated until after each general meeting, new members are not eligible to vote at the meeting at which their membership has been paid.

If a new member pays their fee to the Treasurer in between meetings, they are still not deemed financial until the close of the next general meeting. In other words, new members can only vote at their 2nd meeting. This would mean if a person pays at meeting 1, they can vote at meeting 2; if a person pays in between meeting 1 and 2, they can vote at meeting 3.

All financial members have the right to stand for office, move motions and vote.

9. At a general meeting the quorum will be in accord with Clause 10 of the constitution. Where that rule does not specify a number the number will be five.
10. If a meeting for which due notice has been given does not achieve a quorum within 15 minutes of the advertised starting time the Secretary will, or in the absence of a Secretary remaining members of the Executive will call a further meeting and failing that any five members of the Association may call a further meeting with a lapse of not more than 28 days of term time to carry on the business of the association.
11. In the absence of the Secretary the remaining members of the Executive or any five members of the association may call any meeting that is required, giving due notice of the business proposed for the meeting.
12. All meetings of the association will be conducted in accordance with the appropriate By-Laws of P&C Federation "Standing Orders for the Conduct of All Meetings".
13. The order of business shall follow that for P&C Federation Council, Standing Order IC, Unfinished business on notice at the previous meeting shall be dealt with as "IC(c) Matters arising from the Minutes".

Note: Some associations have considered it necessary to have some protection against a meeting being "stacked". It is probably sufficient protection if a quorum of the membership has the power to require that any particular item of new business introduced without prior notice at a meeting be placed on notice for a further meeting.

14. As well as the provisions of P&C Federation Standing Order "Notices of Motion", a group of members of the association equal to the quorum for the meeting may require that particular items of new business without notice be placed on notice for the next meeting.

15. The association may elect representatives to a subcommittee or other role who will be responsible to the association in the same way that Federation representatives are responsible to P&C Federation under Section 114 of P&C Federation Policy. The association may decide at the time of election what form of reporting is required.
16. A general meeting of the association may declare any Officer who has been absent for three successive meetings, as set out in P&C Federation By-Law 4 (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.
17. The signatories of all P&C accounts who are executives of the current year can continue to be signatories. Current P&C accounts are set up as such that any two of the signatories can sign for cheques.

Note: Associations must ensure that important and irregular financial decisions are brought to the attention of members and all expenditure, beyond normal running costs, receives majority support from members at a general or special meeting.

18. Any motion to expend association monies must be placed on notice for the meeting at which it is to be considered. The provisions of such a sample rule should not hamper subcommittees from expending those monies necessary for normal and reasonable running costs. In fact, a subcommittee's powers to expend monies should be defined by the association when the subcommittee is set up, eg. an auxiliary may need to buy materials for fundraising activities. Under the guidelines for incorporation, all funds belong to the association and expenditure must be authorised by the association. A subcommittee must not expend funds for any purpose outside those allowed by the association. There is nothing, however, to prevent an association setting up a subcommittee to raise funds for some particular goal, or a subcommittee recommending a particular use for the funds it has been raised.
19. The association may confer the honour of Life Membership on a member who has 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 also ordinary members in terms of Rule 4 in these rules.