

CONSTITUTION

Of the

Parents and citizens association

Of the

AINSLIE PRIMARY SCHOOL

Adopted

24 AUGUST 1993

Amended to 24 AUGUST 1993

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PART A : PRELIMINARY

A 1. NAME

- (1) The name of the organisation in the Ainslie Primary School Parents and Citizens Association Incorporated.
- (2) The organisation may also be referred to as the Ainslie P & C Association

A 2. INTERPRETATION AND DEFINITIONS

- (1) Except as provided in this clause, this constitution is to be interpreted by reference to the A.C.T. Interpretation Act and, where necessary, to the A.C.T. Associations Incorporation Act.
- (2) In this constitution, unless the contrary intention appears;
 - a. "Act" means the Association Incorporation Act of the A.C.T;
 - b. "AGM" means annual general meeting of the Ainslie P & C Association;
 - c. "Association" means the organisation established under this constitution;
 - d. "Council" means the ACT Council of Parents and Citizens Associations Incorporated;
 - e. "Model Rules" means the Model Rules under the Act;
 - f. "Objectives" means the objectives of the Ainslie P & C Association established by this constitution;
 - g. "Parents", in relation to membership of the Ainslie P & C Association, includes de facto parents and guardians of students at the school;
 - h. "Principal" means the principal or acting-principal of the school;
 - i. "Registrar" means the person holding this office under the ACT Associations Incorporation Act;
 - j. "School" means Ainslie Primary School;
 - k. "School Board" means the school board of this school; and
 - l. "Special Resolution" means a resolution passed at a Special General Meeting.
- (3) Part and clause titles but not the table of contents are included in the text of this constitution and may be used in its interpretation.
- (4) The table of contents and the index are not part of the text of this constitution.

A 3. PUBLIC OFFICER

- (1) At each AGM the Ainslie P & C Association is to appoint a public officer.
- (2) The public officer must be a resident of the ACT and must be eighteen years of age or more.

(3) A retiring public officer and former public officers are not excluded from eligibility for appointment.

(4) In addition to carrying out any duties conferred on the public officer by this constitution, the public officer is also to perform any statutory duties required by or under the Act.

A 4. COMMON SEAL

(1) The Ainslie P & C Association is to hold and securely store a common seal.

(2) The seal may only be applied to a document by resolution of a general meeting.

(3) A document to which the seal is applied must be signed by either the president or secretary and by the public officer.

PART B : PRINCIPLES, FUNCTIONS AND OBJECTIVES

B 1. PRINCIPLES

(1) The values and principles relating to ACT public schooling which the Ainslie P & C Association seeks to promote are:

- a. The public schooling system must recognise an obligation to ensure universal access to schools and to learning for all young people so that they can participate actively as citizens;
- b. The system must be comprehensive;
- c. The system must be democratic in all its aspects, providing for active participation in policy formulation and decisions by parents, teachers and students at the system and local school level; and
- d. The system must be effective in meeting the needs of the society and all of its young people.

B 2. FUNCTION

(1) The function of the Ainslie P & C Association is to promote parent participation and to enable parents to contribute to the school and to ACT public schooling.

B 3. OBJECTIVES

(1) The objectives to be pursued in the undertaking of this function are:

- a. To promote the interests of the school and of A.C.T. public schooling,
- b. to encourage the close collaboration of teaching staff, parents, students and citizens,
- c. to provide a forum where members can contribute to the development of the goals and policies of the school,
- d. to concurrently provide a forum where members can contribute to formulation of policies and programs for ACT public schooling,
- e. to provide parents with a means of raising and discussing matters of general concern and interest,
- f. to provide a means by which parent members of the school board keep in touch with parent views, receive input on matters to be decided and report back on decisions taken,
- g. to affiliate with the Council and to actively participate in its work,
- h. to affiliate or corporate with such other organisations as would assist in the pursuit of these objectives,
- i. to make representations to appropriate authorities relating to the well-being and safety of students,
- j. to provide a canteen or similar facility for use by students, staff and visitors,
- k. to provide, or ensure the provision of, outside school hours care,
- l. to assist with the provision of equipment for educational, recreational and sporting use, and
- m. to identify such other objectives as would assist in the carrying out of the Ainslie P & C Association's function.

PART C : POWERS AND CHARACTER OF OPERATIONS

C 1. POWERS

- (1) The Ainslie P & C Association may do all things permitted at law and by this constitution which are necessary or helpful in the pursuit of the Ainslie P & C Association's function and objectives.
- (2) Subject in particular to the provision of this constitution relating to financial management, the capacities of the Ainslie P & C Association under this constitution include powers:
 - a. to consider and determine courses of action to be taken in pursuit of the objectives;
 - b. to make statements or to implement other action as required for this purpose;
 - c. to initiate projects or cooperate with other organisations concerned with promoting community interests involving the school or its students;

- d. to raise funds in the form of subscriptions, sponsorships, fundraising activities, interest on investments or other forms of income;
- e. to manage the investment expenditure of the Ainslie P & C Association's funds
- f. to make gifts, subscriptions or donations for purposes consistent with the objectives;
- g. to provide a canteen service, outside school hours care service or such other services as are consistent with the objectives;
- h. to enter into contractual arrangements in connection with such services and facilities or otherwise;
- i. to affiliate with the Council and to participate in its work;
- j. to choose representatives and delegates for purposes consistent with the objectives;
- k. to establish such subcommittees, task forces and working groups as are convenient from time to time; and
- l. to conduct the election of the School Board members representing parents.

C 2. CHARACTER OF OPERATIONS

- (1) The operations of the Ainslie P & C Association must at all times be undertaken in a manner which is conducive to the inclusion of all parents in the work and decision-making of the Ainslie P & C Association.
- (2) To this end office bearers of the Ainslie P & C Association must place high importance on keeping parents informed of the work of the Ainslie P & C Association and of the issues it is addressing.
- (3) Wherever possible, active use is to be made of the school's newsletter for this purpose, in addition to utilisation of direct circulars, general meetings and other means of communication with members.
- (4) The operation of the Ainslie P & C Association are also to be based on the policies of the Ainslie P & C Association arrived at in accordance with this constitution.

PART D: MEMBERSHIP

D 1. BASIS OF MEMBERSHIP

- (1) Subject to this clause, the membership of the Ainslie P & C Association consists of:
 - a. all parents of students at the school, and

- b. other citizens who elect to be members of the Ainslie P & C Association.
- (2) Any parent of a student at the school who declares, in writing to the Ainslie P & C Association, their objection to membership of the Ainslie P & C Association is not a member. All such objections are to be treated in strict confidence by all office bearers.
- (3) Citizens who are not parents of students at the school and elect, in writing or by attendance at a general meeting, to be members of the Ainslie P & C Association, become such members on acceptance by the parent body, and continue to be members during the currency of such acceptance.
- (4) Where the administrative committee or a general meeting is of the view that a member of the Ainslie P & C Association has persistently acted in a manner which is prejudicial to the Ainslie P & C Association, action may be taken in accordance with clause 9 of the model rules with respect to the courses available, the procedures and processes to be followed, the rights of appeal which may be utilised and the like.
- (5) The rights, privileges and obligations of membership are not transferable.

D 2. REGISTER OF MEMBERS

- (1) The Ainslie P & C Association must keep a register of the names of members.
- (2) The register is to be kept at the school and is to be available for inspection by any member at such times as the Ainslie P&C Committee specifies after consultation with school staff.
- (3) In the interests of confidentiality, the addresses of members for the purposes of the register are deemed to be care of the school.

D 3. MEMBERSHIP FEES AND MEMBERS' LIABILITIES

- (1) Any fee set must be voluntary and decisions as to whether or not to invite payment of such a fee must be considered as part of the wider financial arrangements for which provisions made in this constitution.

- (2) Except in the cases dealt with in the following subclause members have no liability to contribute to the payment of debts of the Ainslie P & C Association.
- (3) Where a debt has been incurred through the illegal action of the member, that member is liable for that debt.

PART E : POLICY

E 1. DETERMINATION AND RECORDING

- (1) The policies of the Ainslie P & C Association are to be determined by wide consultation with the whole membership.
- (2) In determining its policies the Ainslie P & C Association is to have regard to the policies of the Council.
- (3) Policies arrived at are to be recorded in a policy manual, in an annexe to this constitution or in some other durable form to facilitate communication between successive generations of members.

E 2. UTILISATION

- (1) In taking action to implement the objective of the Ainslie P & C Association the administrative committee is to be guided by the policies endorsed as provided for in the preceding clause.
- (2) The administrative committee is to report to a special general meeting, or to an ordinary general meeting if held promptly, in any case where it believes that departure from these policies is required in relation to any matter being pursued.

PART F : DIRECTION-SETTING AND MANAGEMENT

F 1. DIRECTION-SETTING

- (1) The overall direction of the Ainslie P & C Association is vested in the membership at large.

- (2) The consequential right to participate in the management of the Ainslie P & C Association and to set policies is therefore likewise vested in the membership at large.

F 2. MANAGEMENT

- (1) This direction is to be exercised through general meetings where possible and through the consideration and adoption of annexes to this constitution as provided for in Part L of this constitution.
- (2) This direction may also be exercised through the election of representatives of the membership to undertake the administration of the Ainslie P & C Association, and through the provision of guidelines for such representatives.

PART G : ADMINISTRATIVE ARRANGEMENTS

G 1. STRUCTURE

- (1) The day to day administration of the Ainslie P & C Association is vested in:
 - a. an administrative committee elected in accordance with this constitution, and
 - b. the officebearers provided for in this constitution.
- (2) The administrative committee consists of the officebearers and up to six other members of the Ainslie P & C Association, together with representatives of the subcommittees, task forces and working groups established by the Ainslie P & C Association.
- (3) The officebearers consist of:
 - a. A president
 - b. A vice president
 - c. A secretary, and
 - d. a treasurer.

G 2. ROLES

- (1) The role of the administrative committee is to act as agent of the membership at large and to be accountable to the membership at large.
- (2) A statement of the specific roles of each officebearer, as decided from time to time by general meetings, is to be annexed to this constitution.

G 3. TENURE

- (1) There is no limitation applied to the length of tenure officebearers may hold the same office on the committee.

G 4. QUORUM AND PROCEDURE

- (1) At any meeting of the administrative committee a quorum is one half of the administrative committee's members.
- (2) The administrative committee is to meet at least once a month during school terms.'
- (3) Having regard to the informality of such meetings, the procedure to be followed is to be determined from time to time by the administrative committee.

PART H : ELECTIONS

H 1. OFFICEBEARERS

- (1) The officebearers are to be elected at the annual general meeting.
- (2) Notification of the election is to be circulated to all members in conjunction with the notice of the annual general meeting.
- (3) Nominations are to be invited at the annual general meeting and are to be on the basis of self-nomination.

H 2. ADMINISTRATIVE COMMITTEE

- (1) The election of the remainder of the administrative committee is to be held at the annual general meeting following the election of the officebearers.
- (2) The processes for notification and nomination are the same as for the officebearers.

H 3. VOTING

- (1) In any election, voting may only be in person.

- (2) Voting is to be preferential ballot and, where more than one person is to be elected, is to also be by quota preferential voting.

H 4. CASUAL VACANCIES

- (1) A casual vacancy arises when an officebearer or a member of the administrative committee:
- a. dies
 - b. resigns in writing, or
 - c. fails to attend three consecutive meetings without tendering an apology.
- (2) A casual vacancy also arises in any case where the office of an officebearer or a member of the administrative committee is vacated by virtue of action taken pursuant to clause 7 of the model rules.
- (3) Any casual vacancy occurring in the officebearers or the administrative committee is to be notified within fourteen days in writing to all members.
- (4) The notification is to invite interested members to nominate themselves for the vacancy.
- (5) If the number of nominations exceeds the places available the administrative committee is to determine the successful candidate of candidates by voting in a ballot.

PART I : GENERAL MEETINGS

I 1. ROLE

- (1) General meetings are the basic management structure of the Ainslie P & C Association. Their purpose is to facilitate interaction between the administrative committee and the rest of the membership.

I 2. ANNUAL GENERAL MEETINGS

- (1) An annual general meeting is to be held in the first term of each school year.
- (2) Notice is to be given in writing to all members of the school community at least two weeks (14 days) prior to the date of the meeting
- (3) Notice may be given in the school's newsletter or by direct circular to the home.
- (4) The following documents must be presented at the AGM:
 - a. the audited statement of the previous years accounts,
 - b. a copy of the auditor's report to the Ainslie P & C Association for the previous year,
 - c. a report signed by two members of the administrative committee stating:
 - i. the name of each member of the committee during the previous year,
 - ii. the changes if any on the membership of the committee in the previous year,
 - iii. the principal activities of the Ainslie P & c Association during the previous year
 - iv. any significant change which occurred in those activities in the previous year, and
 - v. a statement of net profit and loss.
- (5) In any year when the Ainslie P & C Association has more than a thousand members, 100 copies of the audited statement and of the auditor's report must be available at the AGM. Where membership of this Ainslie P & C Association is less than 1000 members only twenty (20) copies of the audited statement and the auditor's report need be made available at the AGM.

I 3. ORDINARY GENERAL MEETINGS

- (1) The administrative committee is to arrange for an ordinary general meeting to be held at least once a term.
- (2) Notifications of ordinary general meetings are to be given in the same way as notifications of AGMs. However, only seven (7) days notice of the meeting is required.

- (3) A schedule of anticipated ordinary general meetings is to be prepared and circulated to all members of the Ainslie P & C Association as early as possible in the first term.
- (4) The schedule is to be updated and re-circulated as often as is judged helpful in soliciting maximum members participation.
- (5) The administrative committee may prepare a proposed standing schedule of topics of regular interest on which meetings will normally be held annually or biennially, and may arrange for it to be annexed to this constitution.

I 4. SPECIAL GENERAL MEETINGS

- (1) Where an issue of major or urgent nature cannot conveniently be discussed at an ordinary general meeting, a special general meeting is to be convened to deal with it.
- (2) A special general meeting may be called by:
 - a. the president,
 - b. any three members of the administrative committee, or
 - c. any 10 members of the Ainslie P & C Association.
- (3) Subject to the following subclause, notifications of special general meetings must be given in the same way as for AGMs.
- (4) Only seven (7) days notice of a special general meeting is required except in the case of a proposed change to the constitution, which is have fourteen (14) days notice.
- (5) Only business of which notice has been given in the notification of the meeting may be dealt with at a special general meeting.

I 5. CONDUCT AND PROCEDURE

- (1) The quorum for all general meetings, including special general meetings, is seven (7) members of the Ainslie P & C Association, except when dealing with proposed amendments/changes to the constitution where the quorum will be fifteen (15).
- (2) At any general meeting the chair has a substantive vote but does not have a casting vote.
- (3) Voting by proxy on issues before a general meeting is not permitted.

- (4) A general meeting may be adjourned by simple majority of those present and voting.
- (5) Notification of the date, time and place of the resumed meeting is to be given in writing to all members of the Ainslie P & C Association within seven (7) days of the adjournment and at least seven (7) days prior to the date on which the adjourned meeting will be resumed.
- (6) Procedure at a general meeting in other respects is to be as specified in an annex to this constitution or, in the absence of such an annex, as provided for in the model rules.

PART J : FINANCE

J 1. FINANCIAL YEAR

The financial year of the Ainslie P & C Association is the calendar year.

J2. BUDGET AND FINANCIAL PLANNING

- (1) The treasurer is to prepare a draft budget prior to the end of each school year for consideration and endorsement by a general meeting following the AGM.
- (2) The purpose of the draft budget is to provide an opportunity for the general membership to consider issues of priorities and planning.
- (3) In addition, the administrative committee, as part of the budgeting process and financial planning, may recommend to members that a voluntary fee of a specified amount be paid to the Ainslie P & C Association by members to assist in its work.

J 3. INCOME AND EXPENDITURE RESTRICTIONS

- (1) The Ainslie P & C Association must not pursue any form of fundraising or income generation which is, or might be, in conflict with the principles, function or objectives of the Ainslie P & C Association.
- (2) The Ainslie P & C Association must not make any form of investment or deposit, with a financial institution or otherwise, which is, or might be, in conflict with the principles, function or objectives of the Ainslie P & C Association.

- (3) The Ainslie P & C Association must not accept bequests or gifts in any form if conditions are attached which are or might be in conflict with the principles, functions or objectives of the Ainslie P & C Association.
- (4) The Ainslie P & C Association must not make gifts, grants, subscriptions or donations for purposes which are, or might be, in conflict with the principles, function or objectives of the Ainslie P & C Association.
- (5) Any expenditure is to be reported to the following general meeting.
- (6) Cheques made out on behalf of the administrative committee must be signed by the treasurer and at least one other office bearer.

J 4. ANNUAL ACCOUNTS

- (1) The administrative committee must ensure that an annual statement is prepared setting out:
 - a. an income and expenditure statement for the year past,
 - b. a statement of the assets and liabilities of the Ainslie P & C Association at the end of the previous financial year,
 - c. any mortgages or securities affecting any property of the Ainslie P & C Association, and
 - d. any trust established or operated by the Ainslie P & C Association.
- (2) The annual statement may in addition contain such further information as the treasurer or the administrative committee consider desirable or as a general meeting directs.

J 5. AUDIT

- (1) The accounts and financial records of the Ainslie P & C Association must be audited at least annually.
- (2) In any year when the Ainslie P & C Association has a membership of 1000 or more the accounts must be audited by a registered member of either:
 - a. The Institute of Chartered Accountants,
 - b. The National Institute of Accounts, or
 - c. The Australian Society of Certified Practising Accountants.

(3) In any year when the Ainslie P & C Association has a membership of less than 1000 the accounts may be audited by a person who:

- a. Is not on the administrative committee, and
- b. Has not helped prepare the accounts.

J 6. MEMBERSHIP FEE

(1) Having regard to the nature of the Ainslie P & C Association and the automotive membership of parents of students in the school no membership fee is to be levied.

PART K : ALTERATION OF CONSTITUTION

K 1. NOTICE OF PROPOSED CHANGE

(1) Notice of a proposed change to this constitution may be given by any of the members and groups of members able to call a special general meeting.

(2) Notifications of proposed changes must be given in writing and must set out both the specific change sought and the reasons for the proposed change.

(3) At least 21 days notice in writing, but not more than 42 days notice, is to be given to all members of any proposed change to the constitution.

(4) Such notices to all members are to be given, by the Secretary, within 21 days of the receipt of the notification of the proposed change(s).

(5) If a member or group of members opposing the proposed change so requests, a statement of the reasons for their opposition must likewise be circulated.

- (6) Subject to this clause, proposed changes can be considered at any general meeting whether annual, ordinary or special.

K 2. DISCUSSION AND VOTING

- (1) Any member of the Ainslie P & C Association may speak to the proposed constitutional change at the meeting at which it is considered.
- (2) When no further members wish to speak on a proposed change, the change will be voted on.
- (3) A change is passed if carried by three quarters of the members present and voting.

PART L: ANNEXES TO THE CONSTITUTION

L 1. ROLE AND CONTENT

- (1) Annexes may be added to this constitution setting out policy positions of the Ainslie P & C Association, or dealing with particular aspects of process or procedure, or otherwise relating to the implementation of matters provided for in this constitution.
- (2) Their role is to provide an orderly way for the Ainslie P & C Association to proceed with its business from year to year, and to keep track of decisions made, stances taken or procedures established or utilised, which may be helpful in future years.
- (3) Annexes must not be inconsistent with this constitution.

L 2. ADOPTION, AMENDMENT AND REVOCATION

- (1) Annexes may be adopted or changed by simple majority at any general meeting but notice, and proposed texts, must be circulated to all members at least seven days prior to the meeting.

PART M : CONCLUDING PROVISIONS

M 1. LODGEMENT OF ANNUAL RETURNS

- (1) The administrative committee must lodge with the Registrar within six months of the start of each calendar year detailed statements relating to:
 - a. the name of the Ainslie P & C Association,
 - b. the registration number if any,
 - c. the title of the document,
 - d. the name, address and telephone number of the person on behalf of whom the statement is lodged,
 - e. the audited statement of the Ainslie P & C Association's accounts,
 - f. a copy of the auditor's report, and
 - g. a statement signed by two members of the administrative committee certifying that preparation, auditing and presentation to the AGM complied with the requirements of the Act.

M 2. CUSTODY AND INSPECTION OF RECORDS

- (1) The administrative committee is to provide for the safe custody of all books and other records of the Ainslie P & C Association.
- (2) Any member may inspect any such record unless such inspection would create a conflict of interest or a breach of privacy, in which case the member will be provided with a written explanation of the reason access was not provided.
- (3) A request from the Ainslie P & C Association's auditor or public officer, or from the Registrar, must be met.

M 3. WINDING UP

- (1) The Ainslie P & C Association may be wound up voluntarily by the Ainslie P & C Association resolving by special resolution that this happen.
- (2) Any property remaining after meeting the debts and liabilities of the Ainslie P & C Association, and paying the costs of winding up, is to be disposed of in accordance with the requirements of the Act at that time.

ANNEXE A
TO CONSTITUTION
OF THE AINSLIE PRIMARY SCHOOL
PARENTS AND CITIZENS ASSOCIATION

The Canteen and After School Care Committees shall adhere to the following policies:

A.1. ADMINISTRATION

A.1.1 Each Sub-Committee shall;

- a. Consist of a Convenor/Secretary and at least three (3) other persons elected at the Annual General-Meeting of the Ainslie Primary School Parent and Citizens Association in accordance with the constitution of the Ainslie Primary School Parent and Citizens Association.
- b. Within one month of its election, elect a Committee Treasurer from among its members who shall be a person other than the Convenor/Secretary in accordance with Section H of the Constitution of the Ainslie P & C Association.
- c. A person may not become or continue as a member of the After School Care Sub-Committee if he./she is a regular paid helper. This provision does not debar a member of the Sub-Committee from providing occasional relief on a paid basis.

A.1.2 Meetings shall be held regularly during school term, with at least one meeting per term.

A.2. CONVENOR/SECRETARY

A.2.1 The Convenor/Secretary shall:

- a. Be responsible for convening and presiding over all meetings of the Sub-Committee. In the absence of the Convenor/Secretary meetings will be presided over by the Sub-Committee Treasurer.
- b. Keep a proper record of all business conducted at all Sub-Committee meetings.
- c. Be reimbursed for expenses properly associated with day-to-day duties in running the activities of the Sub-committee.

- d. Conduct all correspondence.
- e. Report regularly to the Ainslie P & C Association on the functioning of the Sub-Committee.

A.3. TREASURER

A.3.1 The After School Care Sub-Committee Treasurer shall arrange for the following:

- a. Receive all monies and keep accurate records thereof and ensure that all fees are paid promptly.
- b. Ensure receipts are issued for all monies received.
- c. Obtain receipts for all monies paid from After School Care funds, and keep receipts and vouchers for the current and previous year's operations.
- d. Effect reimbursement for expenses properly associated with day today duties in running the After School Care Programme.

A.4. FINANCIAL REPORTING

A4.1 Each Sub-Committee Treasurer shall:

- a. Regularly pay all accounts.
- b. Present a statement of accounts at each Sub-Committee meeting.
- c. Prepare all books for submission to the Auditor and arrange such audit with him/her.

A.5. STAFF

A5.1 Each Sub-Committee shall be empowered to employ staff as required.

A.6. FINANCIAL POLICY

A6.1 Each Committee is to operate so as to be financially viable from its own activities.

A6.2 Accounts are to be kept and audited separately.

A6.3 No borrowings may be undertaken except with the agreement of the Ainslie P & C Association.

A6.4 Capital expenditure above \$1000 may only be undertaken with the authority of the Ainslie P & C Association.

A6.5 Each Committee is to arrange appropriate insurance, including workers compensation and public liability.

A6.6 The Ainslie P & C Association will endeavour to arrange appropriate insurance, covering the operations of these Sub-Committee's

A6.7 Each Committee will pay all necessary taxes incurred as part of their operations.