

# Neutral Bay Public School P&C Association Constitution

## **1. Name**

This body shall be known as the Neutral Bay Public School Parents and Citizens' Association.

## **2. Objects and Functions**

The objectives and functions of this association are;

- (i) The objectives:
  - (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 provide a forum for school community consultation in relevant matters
  - (b) to provide financial support to the school through fundraising and other activities
  - (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) when requested, to assist and co-operate with the teaching staff in public functions associated with the school;
  - (e) 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; (f) 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 Treasurer or the Treasurer'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, Vice-President, Treasurer, Assistant Treasurer, Secretary, Canteen Coordinator, Uniform Shop Coordinator, Band Coordinator, Functions and Fundraising Coordinator, and Grounds and Properties Coordinator 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, 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, unless otherwise specified in this constitution. The Assistant Treasurer 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 To Accompany The Constitution for Neutral Bay Public School P&C Association

1. These rules are made under the constitution of Neutral Bay Public School Parents and Citizens' Association (the 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) be transparent in its workings and ensure that its decision making represents the school community
  - (c) co-operate in the activities of the Federation of Parents & Citizens' Associations of New South Wales and District and Regional Councils;
  - (d) when requested by the parent body, do such other things as may promote the interests of public education.
  - (e) operate Uniform Shop, and the School Canteen, in accordance with policy and procedures agreed by the Association from time to time; and
  - (f) form Band, Functions and Grounds & Property Committees to coordinate school community activities in these areas, in accordance with policy and procedures agreed by the Association from time to time.
3. The financial year of the association shall close on 30 September each year.
4. The annual general meeting of the association shall be held in November of each year, in conjunction with and following 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 shall serve more than three consecutive years in the same office, or position. Nominations shall be sought for the positions of;
  - (a) President
  - (b) Vice President
  - (c) Treasurer
  - (d) Assistant Treasurer
  - (e) Secretary
  - (f) Uniform Shop Coordinator
  - (g) Canteen Coordinator
  - (h) Band Coordinator
  - (i) Grounds and Property Coordinator
  - (j) Functions Coordinator
6. A general meeting of the association shall be held on the second Wednesday of the month, at 8pm in the school hall, unless otherwise advertised.
7. Any person eligible for membership may become a member or renew membership by paying the required membership fee as set at the preceding AGM to the Treasurer, the Assistant Treasurer or nominee of the Treasurer after any general meeting. Membership shall remain current until the close of the annual general meeting in the following year. The Treasurer shall be responsible for maintaining an up-to-date register of membership.
8. At a general meeting the quorum shall be in accord with Rule 10 of the constitution.

9. 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 shall, or in the absence of a Secretary remaining members of the Executive shall conduct the meeting, however, any matters requiring financial or other action shall be held over until the following meeting.

10. 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.

11. 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".

12. As well as the provisions of Federation Standing Order 6 "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.

13. A general meeting of the association may declare any officer who has been absent for three successive meetings, as set out in 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.

14. Any motion to expend association monies in excess of \$5000 must be placed on notice for the meeting at which it is to be considered. This rule does not include monies due to be expended on stock and other items in the normal course of operating Canteen and Uniform Shop.

15. 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.

**22Approved at AGM 8<sup>th</sup> November 2006**