

Parent CONS

Ratified by
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1. APPLICATION

3. INTERPRETATION

In this Constitution, unless the context indicates a contrary intention:

- (a) **corresponding meanings** - a word that is derived from a defined word has a corresponding meaning.
- (b) **documents** - a reference to this Constitution or another document includes any document which varies, supplements, replaces, assigns or novates this Constitution or that other document.
- (c) **gender** - words importing one gender include all other genders.
- (d) **headings** - headings and the table of contents are inserted for convenience only and do not affect interpretation of this Constitution.
- (e) **legislation** - a reference to any legislation or provision of legislation includes all amendments, consolidations or replacements and all regulations or instruments issued under it.
- (f) **month** - a reference to a month is a reference to a calendar month.
- (g) **references** - a reference to the background, a party, clause, paragraph, schedule or annexure is a reference to the background, a party, clause, paragraph, schedule or annexure to or of this Constitution.
- (h) **replacement bodies** - a reference to a body (including an institute, association or authority) which ceases to exist or whose powers or functions are transferred to another body is a reference to the body which replaces it or which substantially succeeds to its power or functions.
- (i) **singular** - the singular includes the plural and vice-versa.
- (j) **year** - a reference to a year is a reference to twelve consecutive calendar months.

4. PURPOSES

4.1 Preamble

The Association recognises and values the primary role of Parents in the education of their children and their role in the school and parish community. The aim of the Association is to strengthen the partnership between family, school, parish and the wider community for the benefit of their children's full human development and learning, in the context of the vision statement for Catholic education in the Diocese.

4.2 Purposes

The purposes of the Association are:

- (a) promoting the interest of the School and Catholic education generally by bringing together Parents, students, clergy and teaching staff, both religious and lay, in a spirit of collaboration and close co-operation;
- (b) providing a forum for members to raise and discuss issues related to the spiritual, social and academic development of their children, at School, Diocesan, State and National levels;
- (c) use of funds raised by the Association which must be acquitted in accordance with section 83(c) of the *Education Act 1990 (NSW)*. Funds of the Association must be used:
 - (i) in consultation with school leadership to provide resources and opportunities for enriching the learning environment; and,
 - (ii) in consultation with school leadership for helping the school acquire materials and equipment which otherwise could not be provided.
- (d) reaching out to all associated with the School to build a friendly and welcoming community which seeks to involve all its members;
- (e) providing a parental perspective to assist the Principal, Parish Priest and School staff in furthering the educational endeavours of the school;

- (f) acting as a mechanism for representing Parents when it is appropriate to do so;
- (g) supporting Parents in their involvement in their children's learning at home and School;
- (h) providing opportunities for Parents to gain insights into the life of the School, current developments in education and Catholic education in particular; and
- (i) undertaking any other activities in furtherance of the above.

5. LIMITATION

- (a) The Association has no legal identity separate from the School. It is a consultative body established under the auspices of the Principal, who is responsible for carrying out the policies and directives of the Bishop, the Diocese and the

7. QUORUM

- (a) The quorum for all meetings shall be determined by the student population. Refer to the following scale:

Student Population	Quorum
0-90	4 members including at least 2 Executive members
91-200	5 members including at least 2 Executive members
201+	6 members including at least 2 Executive members

- (b) Ex-officio members do not form part of the quorum.

8. ORDINARY ASSOCIATION MEETINGS

8.1 Ordinary Association Meetings

- (a) The Executive is to organise an ordinary association meeting at least once every school term.
- (b) (i) The Association may hold their ordinary association meetings by using technology (such as video or teleconferencing) that is agreed to by the Principal.
- (ii) Anyone using this technology to attend the ordinary association meeting is taken to be present in person at the meeting.
- (c) Notice of the meeting is to be given to all members and shall indicate the need for members to send agenda items in writing, to the Secretary before the date of the Ordinary Association meeting.
- (d) A quorum for all meetings shall be determined in accordance with clause 7.
- (e) A period of 15 minutes is to be allowed for the quorum to be present before an ordinary association meeting is cancelled.

- (f) All ordinary association meetings shall be conducted in accordance with standard meeting procedures. In the case of a tied vote, the President (or the President's nominee) is not entitled to a casting vote.

The recommended order of business is as follows,

- ▶ Acknowledgement of Country
- ▶ Opening prayer
- ▶ Record of attendance and apologies
- ▶ Declaration of conflicts of interest
- ▶ Confirmation and acceptance of the Minutes of the previous meeting
- ▶ Business arising from the Minutes of the previous meeting
- ▶ Correspondence: incoming & outgoing
- ▶ Business arising out of the Correspondence
- ▶ Reports including from the Principal (or their delegate), the President and a statement of accounts from the Treasurer
- ▶ Business deferred from the previous meeting
- ▶ Motions proposed
- ▶ Other general business
- ▶ Matters for future consideration

- (e) Other than the Ex-officio Executive Members in **clauses 9.1(b)**, members of the Executive must not serve in the same position for a consecutive period exceeding 3 years.
- (f) Any casual vacancy on the Executive shall be filled by an election by the members of the Association at any ordinary association meeting. The person elected to fill a casual vacancy shall retire at the following Annual General Meeting and is eligible for re-election. For the avoidance of doubt, the time the person fills in the casual vacancy will not be taken into account when the period in **clauses 0 or (e)** is calculated.
- (g) At the Annual General Meeting or one of the ordinary Association meetings or at a PEG meeting as appropriate, the members shall elect up to two (2) delegates to represent the Association at the meetings of the Federation of P&F Association.
- (h) The names, email address and telephone number of all Executive Members, including Federation Delegates of the Association shall be forwarded to the Family Engagement Officer at the Catholic Schools Office within fourteen (14) days of holding the election at the AGM and the holding of an election to fill a vacancy or elect a Federation Delegate as outlined in Clauses 9.3(f) and (g) above.

10. CESSATION OF OFFICE

A person ceases to be an Executive member when he or she:

- (a) gives written notice of resignation as an Executive member to the Secretary and Principal and the vacancy shall take effect at the time expressed in the notice (provided the time is not earlier than 14 days after the date of delivery of the written notice to the Secretary);
- (b) dies;

- (c) is absent from any 3 consecutive ordinary association meeting without reasonable cause and his or her position may be declared vacant; and
- (d) is removed from his or her position by a members' resolution at a Special General Meeting, provided that 1-month notice of the motion in writing specifying the grounds for removal has first been given to the members and the affected Executive member.

11. POWER AND RESPONSIBILITIES OF THE EXECUTIVE

11.1 Power of the Executive

The Executive has the power to make decisions at Executive Meetings on behalf of the Association only as set out in **clauses 17.1**.

11.2 Responsibilities of the Executive

The Executive is responsible for:

- (a) managing the Association's affairs;
- (b) organising an appropriate induction process for any new members of the Association and any new Executive members;
- (c) identifying and using opportunities that promote the objectives of the Association;
- (d) ensuring the Association works collaboratively and co-operatively with the Principal and the Parish and the Diocese;
- (e) ensuring the Association's ongoing financial accountability); and
- (f) organising ordinary association meetings.

11.3 Duties of Executive Members

Members of the Executive must:

- (i) adhere to the relevant policies and procedures of the School, Catholic Schools Office and Diocese, including but not limited to risk assessment and health and safety.
- (ii) exercise their powers and discharge their duties with the degree of care and diligence that a reasonable individual would exercise if they were an Executive member of the Association.
- (iii) act in good faith (fairly and honestly) in the best interests of the Association and to further the objectives of the Association;
- (iv) not misuse their position as an Executive member;
- (v) not misuse information they gain in their role as an Executive member;
- (vi) disclose any perceived or actual conflicts of interest;
- (vii) ensure that the financial affairs of the Association are managed responsibly; and
- (viii) not allow the Association to incur debts or enter obligations that it cannot meet, financially or otherwise.,

12. PRESIDENT

12.1 Duties of the President

- (a) The President is responsible for:
 - (i) providing leadership and direction for the Association by working co-operatively and collaboratively with the Principal, Parish Priest and other members of the Executive;
 - (ii) promoting the objectives of the Association in dealings with its members;

14. THE TREASURER

14.1 Duties of the Treasurer

- (a) The Treasurer is responsible for:
 - (i) ensuring that all the financial dealings of the

must not make any payments without the resolution of the members at an ordinary association meeting and recorded in a carried motion in the Minutes to approve such payments.

17.3 Financial Records

- (a) The Executive must ensure that financial records are properly maintained.
- (b) The Association shall, by resolution at the Annual General Meeting, appoint a certified accountant, who is not a member of the Executive or their immediate family member, to audit or Review the Association's financial records, including but not limited to books, accounts, receipts and income and expenditure statements.
- (c) A copy of the auditor or Reviewer's report and the annual financial reports will be presented at the Annual General Meeting.
- (d) The auditor or Reviewer's report will be filed at the School with other Association records as soon as practicable.
- (e) The Association's financial year will run from 1 January to 31 December each year.

- (iii) attempt in good faith to settle the dispute by mediation.
- (d) The mediator must be chosen by agreement of those involved or where those involved do not agree:
 - (i) for disputes between members not on the Executive, a person chosen by the executive, or
 - (ii) for disputes involving members of the Executive, a person chosen by the Bishop or the President of the Newcastle or New South Wales Law Societies.
- (e) A mediator chosen by the Executive under this clause:
 - (i)

18. DISPUTE RESOLUTION AND DISCIPLINARY PROCEDURES

18.1 Dispute Resolution

- (a) The dispute resolution procedure in this clause applies to disputes (disagreements) under this constitution, in relation to Association business and between members of the Association.
- (b) Those involved in the dispute must try to resolve it between themselves within 14 days of knowing about it.
- (c) If those involved in the dispute do not resolve it under clause 18.1(b), they must within 10 days:
 - (i) tell the Executive about the dispute in writing;
 - (ii) agree or request that a mediator be appointed; and

- (d) the member's behaviour is causing, has caused, or is likely to cause harm to the Association or another member of the Association.
- (e) At least 14 days before the Executive meeting at which a resolution under clause 18.2 will be considered, the Secretary must notify the member in writing:
 - (i) that the Executive are considering a resolution to warn or suspend the member;
 - (ii) that this resolution will be considered at an Executive meeting and the date of that meeting;
 - (iii) what the member is said to have done or not done;
 - (iv) the nature of the resolution that has been proposed; and
 - (v) that the member may provide an explanation to the Executive, and details of how to do so.
- (f) Before the Executive pass any resolution under clause 18.2, the member must be given a chance to explain or defend themselves by:
 - (i) sending the Executive a written explanation;

Association without the written authorisation of the Principal or Diocese. This clause does not apply to the ex-officio members.

20.2 Conduct – Holding Out

- (a) Without written approval of the Principal or Diocese, an Executive officer or individual member of the Association may not hold out his or her views to be reflective of the views of the Association.

21. WHEN NOTICE IS TAKEN TO BE GIVEN

21.1 Notice is Given

- (a) A notice:
 - (i) delivered in person, or left at the recipient's address, is taken to be given on the day it is delivered;
 - (ii) sent by post, is taken to be given on the seventh day after it is posted with the correct payment of postage costs;
 - (iii) sent by email, fax or other electronic method, is taken to be given on the business day it is sent.

22. AMENDMENT OF CONSTITUTION

This Constitution may only be amended by a special resolution that has been ratified by the Bishop and presented to the members at an Annual or Special General Meeting of the Federation of P& F Associations.

23. DISSOLUTION

- (a) The Association is automatically dissolved if the School closes down or is amalgamated.
- (b) The Association can be dissolved following a Special General Meeting specifically called for the purpose of providing an opportunity for the school community to discuss the dissolution of the Association, provided that 21-day notice in writing specifying the resolution proposed by at least 2 members to dissolve the Association

has been given for the Special General Meeting. At least three quarters of the members present and entitled to vote must vote in favour of the resolution to dissolve the Association for the motion to be carried.

- (c) Where it is judged that the actions or decisions of the Association are at variance with the vision and mission of Catholic education, the Bishop or the Director of Schools with the Bishop's approval may intervene and dissolve the Association.
- (d) After all expenses and liabilities are paid:
 - (i) where the School is closed, the remaining assets, records and funds of the Association shall be handed over to the Federation of P&F Associations;
 - (ii) where the School is amalgamated, the remaining assets, records and funds of the Association shall be handed over to the principal of the amalgamated school for the purpose of the amalgamated school or establishing a P&F Association for the amalgamated school; and
 - (iii) where the Association is dissolved under clause 23(b) or (c), the remaining assets, records and funds of the Association shall be handed over to the Principal for the purposes of the School.

provided that recipient has charitable purposes, which are similar to, or inclusive of, the purposes of the Association and prohibits the distribution of any property or income to its members to at least the same

Adoption of Constitution

We the undersigned, hereby certify that this Constitution was adopted at an Annual/Special General Meeting of

the _____ Parents and Friends Association
(insert name of the Association)

held on: _____
(insert date of Association's Annual/Special General Meeting)

Chair of Meeting (print name)

Signature

Elected President (print name)

Signature

Ex-officio (Parish Priest (print name)

Signature

Ex-officio (Principal) (print name)

Signature

Date: