

CONSTITUTION FOR ST. ANDREW'S CATHOLIC PRIMARY SCHOOL CLARKSON (PARENTS & FRIENDS' ASSOCIATION)

Adopted at Annual General Meeting: [15 November 2017]
Last Amended: [10 February 2014]
Major review due: [15 November 2022]

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The Association is a group of parents and guardians, with the canonical obligation, and supporters with the common purpose, for the building of community within the school along with key partnerships, for the benefit of our children's ongoing education and development.

1. NAME OF ASSOCIATION

The name of the Association shall be Parents and Friends' (P&F) Association of St. Andrew's Catholic Primary School, hereinafter "the Association".

2. DEFINITIONS

- i) The Association is the body of parents and guardians of the children in St. Andrew's Catholic Primary School and includes ex officio membership to Parish Priests and School Principals (or their respective appointed representatives).
- ii) The Executive consists of the primary office bearers of the Association, that being: President, Vice-President, Secretary, and Treasurer elected as per Rule 8.
- iii) The Governance of St Andrew's Catholic Primary School is the domain of the Principal and School Board.
- iv) The Federation is the Parents and Friends' Federation of Western Australia Inc.
- v) GENERAL ASSOCIATION MEETINGS - regular meetings held for the day to day running of the association; open to all members of the Association
- vi) SPECIAL GENERAL MEETING – called to discuss issues requiring prompt/early action as per Rule 13(iii)
- vii) ANNUAL GENERAL MEETING (AGM) – Yearly meeting which is inclusive but not limited to the receipt and consideration of the annual reports of the office bearers, and election of the Executive Committee

3. OBJECTS OF THE ASSOCIATION

The objects of the Association act to fulfill the aim of the Association. These are:

- i) Work within the spirit and letter of the Constitution;
- ii) Strive to build tangible and lasting relationships between parents so that the students may experience a sense of Christian community;
- iii) Recognise and respect the authority of the Principal as leader of the St. Andrew's Catholic Primary School community and work closely with the school authorities to achieve common goals and the school vision;
- iv) Encourage invitations for representation on the school board and the Parish Council, as governing bodies for the School and Parish, respectively;
- v) Plan, organise and promote social, sporting, cultural and educational activities for interaction of parents; students; staff and Parish;
- vi) Encourage parental participation in school programmes, to enjoy the exciting experience of their children's formal school years;
- vii) Act as a forum for ideas and discussion on any relevant issue that will benefit the education of the children; and as a conduit to the Federation to seek advice or express opinion;
- viii) Liaise with the Federation, Parish and other parties to organise guest speakers for the Association members on current and suggested educational programmes, faith development and other matters of interest.

- ix) Work to provide in-kind or financial resources, for the children, and/or professional assistance to the teachers, in consultation with the Principal and School Board;

4. AFFILIATION

The Association is affiliated with the Federation.

5. MEMBERSHIP OF THE ASSOCIATION

- i) Any parent/guardian of a child attending the St. Andrew's Catholic Primary School, or any person who supports the objects of the Association.
- ii) The St. Andrew's CLARKSON Parish Priest(s) and the St. Andrew's Catholic Primary School Principal, or their respective appointed representatives, shall be deemed ex-officio members of the Association.

6. REGISTER OF MEMBERS

- i) In the case of those qualifying for membership as parents and/or carers of children currently on the School roll, the School roll shall be considered as the register of members. The Executive shall cause a register to be kept in which shall be entered the names of all persons admitted to membership of the Association as "Friends" if approved by the Principal. The minutes of a meeting may be used as the register. Membership of a 'friend' shall be reviewed each year.
- ii) The Secretary, shall keep and maintain, in an up-to-date condition, a register of the members of the Executive committee comprising:
- Name;
 - Position;
 - Email address; and
 - Contact number.
- iii) The Register shall be available for inspection to any member of the Association;
- iv) The Secretary shall keep the Federation informed of any updates to the members of the Executive Committee.

7. EXECUTIVE COMMITTEE

The Association shall be governed by an Executive Committee that shall include the four (4) office bearers:

- i) President;
- ii) Vice-President;
- iii) Secretary; and
- iv) Treasurer;
- v) Up to six other members of the Association that *may* include:
- School Board Representative
 - Parish Council Representative
 - Federation Representative
- vi) Ex officio representation, in person or otherwise, ***may*** also be warranted for the roles of:
- Federation Executive Officer, or representative;
 - Parish Priest, or representative; and
 - School Principal, or representative

8. ELECTION OF OFFICE BEARERS AND VOTING RIGHTS OF MEMBERS OF THE ASSOCIATION

- i) The Executive Committee members shall be elected at the Annual General Meeting (AGM). For the purpose of this election only, the Principal, or their nominated representative, will occupy the Chair.
- ii) Any member of the Association, who is present at the AGM, or has consented in writing to be elected, shall be eligible for election to the Executive Committee
- iii) No ex-officio member, or their representative, may be elected to an Executive position.

- iv) An Executive Committee member's term will commence from the time of election at the AGM until the next Annual General Meeting, or according to Rule 9, at which point they are eligible for reelection.

Note: It is the prerogative of the Association to decide whether to vote for the individual office bearers and Executive Committee members at the AGM, or whether the elected individuals, as generic committee members, elect office bearers from amongst themselves at their first meeting. There should be a call for nominations to the Executive Committee. If inadequate nominations are made, nominations can be accepted from the membership in attendance at the AGM. That is described in the following process.

- v) Except for nominees under sub-rule (vii), a person is not eligible for election to membership of the Executive Committee unless a member has nominated them for election by delivering, to the Secretary, not less than two (2) days before the day the AGM is held, notice in writing of that nomination, signed by:
- The nominator; and
 - The nominee, to signify a willingness to stand for election.
- vi) a person who is eligible for election or re-election under this rule may —
- Propose or second their own nomination; and
 - Vote for themselves to be elected.
- vii) If the number of persons nominated in accordance with sub-rule (v), for election to membership of the executive committee, does not exceed the number of vacancies to be filled in that membership:
- That fact will be duly reported by the principal at the AGM; and
 - The chair must declare at the AGM that those persons are duly elected as members of the executive committee.
- viii) If vacancies remain on the executive committee after the declaration under sub-rule (vii) additional nominations of executive committee members may be accepted from the floor of the AGM. If such nominations from the floor do not exceed the number of vacancies, the chair must declare those persons to be duly elected as members of executive committee. When the number of nominations from the floor exceeds the remaining number of vacancies on the executive committee, elections for those positions must be conducted. Any tied votes are to be decided by the drawing of lots.
- ix) If a vacancy remains on the executive committee after the application of sub-rule (viii), the executive committee may appoint a member as a casual vacancy, within the meaning of rule 9.
- x) Subject to these rules, any member of the association present in person at a general meeting of the association shall be entitled to a deliberative vote.
- xi) Ex-officio members of the association and staff of the school are not entitled to a deliberative vote.

9. VACATION OF OFFICE AND CASUAL VACANCIES

- i) The term of office of Executive members will be two years, (except members under sub-rule [ii]) at the conclusion of which period they shall vacate their positions, but shall be eligible for re-election.
- ii) A person shall not be a member of the Executive for more than two consecutive terms irrespective of Office held, and would normally be encouraged to vacate the Executive after this. (Subject to Provisions of Rule 8 [ix]).
- iii) Executive Committee members who wish to resign during their elected term may do so providing they give one month's written notice to the committee.
- iv) A member of the Executive shall be deemed to have resigned if:
- Without submitting an acceptable apology, he or she is absent from two consecutive meetings of Committee;

- In accordance with a decision of an absolute majority of the Committee he or she is required to resign from the Committee and fails to do so within fourteen days of the date upon which notification of the decision of the Committee is forwarded to him/her stating the reasons for this action.
- v) Vacancies in the Committee may be filled casually by any member of the Association, as appointed by the Committee, and serve with full voting rights until the next AGM.

10. CHAIR

- i) Subject to Rule 8(i), the President shall chair all general and special meetings of the Association and all meetings of the elected Executive Committee. The President is empowered to regulate the proceedings and procedure including, with the consent of the meeting, adjournment of business.
- ii) In the absence of the President at a general / special / committee meeting, the Vice-President shall have the power to conduct and chair meetings of the membership and in the absence of the Vice-President, the members present and entitled to vote shall have the power to select one of their number as Chair.

11. SECRETARY

The Secretary shall: -

- i) Co-ordinate the correspondence of the Association;
- ii) Keep full and correct minutes of the proceedings of the Executive Committee and Association;
- iii) Have custody of all books, documents, records and registers of the Association, including those referred to in Rule 6, other than those required by Rule 12 to be kept and maintained by, or to be in the custody of, the Treasurer, unless the members resolve otherwise at a general meeting, and
- iv) Perform such other duties as are imposed by this Constitution.

12. TREASURER

- i) Be responsible for the receipt of all monies paid to or received by the Association;
- ii) Oversee the payment of all monies referred to in paragraph (i) into such account or accounts of the Association as the Executive Committee may from time to time direct;
- iii) Oversee payments made from the funds of the Association with the authority of a general meeting;
- iv) At each meeting, submit a report, balance sheet or financial statement and any other report as directed by the President;
- v) Perform such other duties as are imposed by this Constitution.

13. MEETINGS OF THE ASSOCIATION

- a) An Annual General Meeting of the Association shall be held as close as practicable to the end of the school year:
 - Receive and consider the annual reports of the office bearers, including but not limited to:
 - President's Report; and
 - Treasurer's Financial Report and/or Auditor's Report
 - Elect the members of the Executive Committee for the ensuing year; (subject to Rule 9 (i) and
 - Deal with any other matter or matters brought before the meeting.
 - Where possible, matters to be brought before an Association meeting should be submitted in writing to the President or Secretary at least seven calendar days prior to the meeting, to facilitate circulation and/or inclusion on the agenda.
- b) General Association meetings shall be held regularly (preferably monthly) during the school year, and otherwise as determined by the Executive Committee.

- Where possible, matters to be brought before an Association meeting should be submitted in writing to the President or Secretary at least five (5) days prior to the meeting, to facilitate circulation and/or inclusion on the agenda.
- c) Special General Meetings of the Association:
 - i) May be convened by the President or Secretary or by the members of the Association at any time, and shall be convened by them within fourteen (14) days or within a 28 day period if the request is not within a school term, of receiving a requisition in writing signed by at least five (5) general members of the Association.

These signatories shall be required to attend the meeting so called or submit a written apology. In order for the meeting to be valid, at least three (3) of the signatories must attend the meeting.

The requisition must itemise all matters to be discussed at the meeting.
 - ii) Will be convened within fourteen (14) days at the request of any of the School Principal or the School Board.

Items for discussion will be limited to the matters relating to the calling of such a meeting.
 - iii) May be convened by the Executive Committee of the Association at any time in writing, and shall be convened by them within fourteen (14) days or within a 28 day period if the request is not within a school term. In order for the meeting to be valid, at least three (3) of the executives must attend the meeting.
- d) Notification of General or Special meetings, including details of matters to be raised, will be given to all members at least five (5) calendar days prior to the meeting.
- e) **QUORUM AT MEETINGS**

At any Association General or Special Meeting, a total of four (4) members of the Association, including at least two (2) Office Bearers, shall constitute a quorum, subject to Rule 13 (iii).
- f) **CONFLICT OF INTEREST**

If a member of the Association has potential to receive an extraordinary benefit not shared by other members, they must promptly declare that fact and withdraw from the discussion. The Secretary must record in the minutes of each committee meeting.

14. POWERS OF THE ASSOCIATION AND ITS MEMBERS

- i) The Association, being unincorporated, should confirm security of insurance coverage for its activities through the Principal and School Board.
- ii) The members of the Association may do all things necessary or convenient for carrying out its objects, but subject to its ability to give such security for the discharge of liabilities incurred by the Association, as the Association sees fit. These include but are not limited to:
 - Being responsible for the planning, management and organisation of the Association's affairs;
 - Holding regular (preferably monthly) general meetings that are open to all parents and friends, the Principal and staff, parish clergy or the religious associated with the school, and other interested persons;
 - Formulating Standing Orders of the Association to be applicable to such meetings as the Principal may determine as necessary;
 - Establishing such sub-committees as they may determine to give effect to the aims of the Association;
 - Providing for the election or appointment of members to any such subcommittee and for the terms of reference for conduct and operation thereof;
 - Providing for the election or appointment of officers, including definition of duties, responsibilities and authority;
 - Appointing delegates to other groups (e.g. School Board, Parish Council);
- iii) Members of the Association may by ordinary or special resolution exercise any power authorised by the Constitution subject to the provisions of the Law as varied.

- iv) A resolution of the Executive shall have full force and effect subject to a later resolution of the members at the AGM or in general meeting which would have the effect of amending or rescinding the resolution of the Executive. The Executive shall not act in a manner inconsistent with any resolution of the Association.
- v) In the event of any dispute or uncertainty as to the meaning or intent of any clause in this Constitution, the matter shall be referred to the Federation Executive Officer for interpretation.
- vi) If, for any reason, the Executive Committee does not function satisfactorily, assistance from the Federation Council may be sought.

15. FINANCE

Funds are to be used solely for the Aim of the Association. All funds raised by or on behalf of the Association must be banked promptly and fully intact into a designated account in the name of the Association.

16. DONATION BY MEMBERS OF ASSOCIATION

- i) An annual donation, (also known as P&F Levy) amount is recommended by the retiring Executive Committee to the Annual General Meeting each year
- ii) Estimates for the subscription to the Federation should be factored for inclusion to estimates for the annual levy.

17. NON-PROFIT MAKING

The income and property of the Association howsoever derived shall be applied solely towards the promotion of its aim as set out in this Constitution and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever to its members, provided that nothing herein shall prevent the payment in good faith of remuneration to any officer or servant of the Association or reimbursement for costs incurred in the service of the Association.

18. AUDITOR

- i) The financial year of the Association shall be from the 1st January to 31st December in each year.
- ii) The Auditor shall not be an Executive member or ex-officio member of the Association.
- iii) The Treasurer shall be party to neither the selection process nor the nomination of the Auditor.
- iv) The Treasurer shall ensure that the Annual financial records of the Association are submitted to the Auditor. The accounts and the Auditor's Report thereof, shall be returned to some other person, an office bearer of the Association, perhaps the President/Chair.

19. MINUTES OF MEETINGS OF THE ASSOCIATION

- i) The Secretary shall cause proper minutes of all proceedings of all General Meetings and Executive Committee Meetings to be taken and then to be entered within 30 days after the holding of each General Meeting or Executive Committee meeting, as the case requires, in a minute book or file kept for that purpose.
- ii) The Chair shall ensure that the minutes taken of a General Meeting or Executive Committee meeting are checked and signed as correct by the Chair of the General Meeting or Executive Committee meeting to which those minutes relate or of the next succeeding General Meeting or Executive Committee meeting as the case requires;
- iii) When minutes have been entered and signed as correct under this rule, they shall, until the contrary is proved, be evidence that:-
 - The General Meeting or Executive Committee meeting to which they relate (called 'the meeting') was duly convened and held;
 - All proceedings recorded as having taken place at the meeting did in fact take place there at; and
 - All appointments or elections purporting to have been made at the meeting have been validly made.

20. AMENDMENT

This Constitution may be amended at any General Meeting of the Association, provided that:

- i) Notice of any proposed amendment, including: the meeting time, date and venue; the resolution; and the intention to propose the resolution, shall have been given in writing to all members at least one month prior to such meeting, and,
- ii) The amendment must be approved by at least 75% of the members present and eligible to vote.
- iii) All amendments must be in accordance with the aims of the Constitution
- iv) A formal review of the Constitution shall be conducted under the direction of the Executive Committee at least once every five (5) years. A report and recommendations arising from the review shall be submitted to the next AGM for consideration

21. CLAUSES OF ASSOCIATION BINDING

These clauses bind every member and the Association to the same extent as if every member of the Association had signed and sealed these rules and agreed to be bound by all their provisions.

22. INSPECTION OF BOOKS AND RECORDS OF ASSOCIATION

A member may at any reasonable time inspect without charge the books, documents, records and securities of the Association, but may not remove them from the custody of the person to whom they are entrusted.

23. DISSOLUTION - WINDING UP OF THE ASSOCIATION

The Association is automatically dissolved if the school closes down or is amalgamated. Should the Association become dysfunctional, the Principal has the right and duty to remove the right to operate at the school.

If, in the event of the winding up of the Association, any property of the Association remains after satisfaction of the debts and liabilities of the Association and the costs, charges and expenses of that winding up, that property shall be distributed according to resolution by the members:

- i) Where a school is closed, the remaining assets, records and funds may be handed over to the Catholic Education Commission of WA
- ii) Where a school is amalgamated, the remaining assets, records and funds may be handed over to the Principal of the amalgamated school for the purposes of the amalgamated school
- iii) alternatively the remaining assets, records and funds may be handed over to another incorporated association having objects similar to those of the Association; or
- iv) to the Parents and Friends' Federation; or
- v) for other charitable purposes;

SACPS P & F CONSTITUTION

November 1, 2017

Adopted by a General Meeting of the Association held on _____

_____ President

_____ Secretary

_____ Principal

Footnote:

The Code of Canon Law states:

Can. 793 §1 Parents, and those who take their place, have both the obligation and the right to educate their children. Catholic parents have also the duty and the right to choose those means and institutes which, in their local circumstances, can best promote the catholic education of their children.

Can. 798 Parents are to send their children to those schools which will provide for their catholic education. If they cannot do this, they are bound to ensure the proper Catholic education of their children outside the school.