



*John Purchase Public School
Parents' & Citizens' Association*

"Participate and Communicate"

**John Purchase Public School
Parents and Citizens' Association**

Constitution

Updated August 2019

1. NAME

This body shall be known as the John Purchase Public School Parents and Citizens' Association, a body corporate under the Parents and Citizens Associations Incorporation Act, 1976.

2. OBJECTS and functions

The John Purchase Public School Parents and Citizens' Association is a not-for-profit organisation. The purpose of the John Purchase Public School Parents and Citizens' Association is the advancement of education at the John Purchase Public School. 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 Youth Affairs, on the material requirements of the school and to advise on the subject of maintenance of the school, alterations and additions to the 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 School Education.
 - (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 Reform Act, 1990).

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 on 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) Officers—The officers shall consist of President, two Vice-Presidents, Treasurer and Secretary and shall be elected at the Annual General Meeting.
- (c) President—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 the Vice-Presidents, the Committee shall elect a Chairperson.

- (d) Secretary—The Secretary shall attend meetings and keep a record of all business conducted; shall hand over records, minutes, account books, etc., to the incoming Secretary on relinquishing office.
- (e) Treasurer— 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 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 Committee 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)
- (e) has a continuing and long term incapacity to fulfil 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 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. Qualified auditors, ie members of the Australian Society of Certified Practising Accountants or the Institute of Chartered Accountants in Australia, shall be chosen.

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 ten 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 5.

11. LIABILITY

- (a) A member or officer of the Association is not, by reason only of being such a member or officer, liable to contribute towards the payment of the debts and liabilities of the Association or the costs, charges and expenses of the winding up of the Association.
- (b) The Association must effect and maintain approved public liability insurance, unless the Association is covered by such insurance effected and maintained by the Federation of parents' and Citizens' Associations of New South Wales. In this section "approved public liability insurance" means public liability insurance which an association incorporated under the Associations Incorporation Act 1984 is required by Part 6 of that Act to effect and maintain.

12. SUBSCRIPTIONS

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

13. SUB COMMITTEES

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

14. 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 Youth Affairs, 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 which qualified for exemption under 63 B(i) of the First Schedule of the Sales Tax (Exemptions and Classifications) Act or the Department of School 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 16.
- (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.

15. 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, the Education Reform Act, 1990, or the Parents' and Citizens' Associations Incorporation Act, 1976. 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
- (c) in making an application for membership

16. 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 of Education and Training.

17. APPROVED BUILDING FUND

The John Purchase Public School Parents and Citizens' Association is an "Approved Gift Recipient" approved by the Australian Taxation Office. The name of the approved gift fund is "JOHN PURCHASE PUBLIC SCHOOL PARENTS & CITIZENS ASSOCIATION - APPROVED BUILDING FUND".

The fund must be operated in accordance with the rules set out in the governing document "John Purchase Public School Parents & Citizens Association - Approved Building Fund Policy".

(i) Revocation Clause:

If the John Purchase Public School Parents and citizens Association is wound up or if the endorsement of the organisation as a deductible gift recipient for the operation of the fund, authority or institution is revoked, any surplus assets of the gift fund remaining after the payment of liabilities

attributable to it, shall be transferred to:

- A fund, authority or institution to which income tax-deductible gifts can be made (DGR as defined by ATO);
- Another organisation which is also charitable at law (as defined by ACNC); and
- A kindred organisation which qualified for exemption under 63 B(i) of the First Schedule of the Sales Tax (Exemptions and Classifications) Act or the Department of School 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.



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Rules of the Association

1. Authority

These rules are under the constitution of the John Purchase Public School Parents' and Citizens' Association.

2. Aims of the Association

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' Association of New South Wales and its District and Regional Councils, and
- c. Do such other things as may promote the interests of public education.

3. Annual General Meeting

3.1 The Annual General Meeting of the Association shall be held at the first possible meeting of each year, in conjunction with and preceding the General Meeting for that month.

3.2 The Principal shall be the returning Officer, and shall conduct the election and declare the result.

4. Auditors

4.1 Auditors, who are not members of the Association, shall be appointed at the Annual General Meeting for the ensuing year.

4.2 They shall examine all accounts, vouchers, receipts, audit the books and furnish a report thereon, which shall be submitted to the Annual General Meeting prior to the election of officers.

4.3 Where practicable, qualified auditors should be appointed, and where a fee is charged such expenditure may be regarded as valid.

4.4 A copy of the audited financial statement shall be forwarded within 14 days of the Annual General Meeting to the Principal.

5. Executive Committee

5.1 The John Purchase Public School P&C Association is managed by an elected Executive Committee consisting of the positions detailed in rule 5 of the Constitution.

5.2 The purpose of the Executive Committee is to coordinate the activities of the Association and to encourage participation and support from the parents and community.

5.3 Election of Executive Committee Members

- i) The members of the Association shall, in accordance with rule 5 of the constitution, elect the Executive Committee.
- ii) Retiring members of the Executive Committee shall be eligible for re-election.
- iii) Any candidate for the Executive Committee shall be a financial member and shall be nominated and seconded and if there is a greater number of candidates than are required, the election shall be decided by ballot.
- iv) Scrutineers shall be appointed by the Association prior to the ballot.

5.4 Executive Committee Meetings

- i) Executive Committee meetings are to be held in the week prior to any scheduled General meeting unless this falls within a school holiday period.
- ii) The date and venue of each meeting is to be advised to members of the Executive Committee with at least five (5) days notice.
- iii) The quorum for all Executive Committee meetings shall be five (5) Executive Committee members including at least two members consisting of the President, Vice Presidents, Secretary or Treasurer.
- iv) All meetings of the Executive Committee must be minuted and those minutes stored in a secure location.

6. General Meetings

6.1 A General Meeting of the Association shall be held on the second Monday of each month during school term at 7:00 pm, or as advertised.

6.2 Times and dates of General Meetings shall be advertised at least seven (7) days prior to the meeting.

6.3 The Association may move the date of a meeting from the prescribed second Monday of each month if the prescribed date falls on a public holiday or school development day.

6.4 At all General Meetings the order of business shall be:

- a. Introductory remarks
- b. New members
- c. Attendance and Apologies
- d. Acceptance of minutes of the previous meeting
- e. Business arising from the minutes of the previous meeting
- f. Correspondence
- g. President's report
- h. Treasurer's report
- i. Principal's report
- j. Each Sub-Committee Report
- k. General business (including comment and matters arising from any reports presented to the General Meeting)
- l. Close

6.5 Conduct of Meetings

- i) All discussions at General Meetings and Executive Committee meetings shall be governed by the usual rules of debate, and the Chairman shall have a casting vote.
- ii) No party-political or sectarian discussion shall be allowed at any meetings of the Association.
- iii) The Chairman shall have the right to remove any person or persons from meetings when disruptive, abusive or threatening behaviour has occurred.

6.6 Quorum

- i) At a general meeting the quorum shall be in accord with rule 10 of the constitution
- ii) If a meeting for which due notice has been given does not achieve a quorum, the Secretary shall, or in the absence of a Secretary the remaining members of the Executive Committee shall, and failing that any five members of the Association may call a further meeting to carry on the business of the Association

6.7 Voting Rights

Only Financial members shall have voting rights at General Meetings, whether ordinary, special or an AGM.

7 Membership

Membership shall be in accord with rule 4 of the constitution, and a member shall not be denied continuity of membership because of a sub-division of the school area.

8 Financial Membership

Any adult person eligible for membership may become a member or renew membership by paying the required membership fee of \$1.00 to the Treasurer or nominee of the Treasurer at the beginning of any general meeting. A receipt shall be issued at the General Meeting in which the membership fee is paid or at the following General Meeting in the event of the membership fee being paid outside of a General Meeting. Financial Membership shall become effective either (i) after the closure of the General Meeting at which the member paid the membership fee or (ii) if the membership fee is paid outside of a General Meeting then the Financial Membership shall be effective upon closure of the first General Meeting following payment of the membership fee and (iii) in any event, only after the Secretary has added the members name to the to the list of members.

Membership shall remain current until the beginning of the Annual General Meeting in the following year, except where the Secretary is notified in writing of the member's intention to resign.

The Secretary shall be responsible for maintaining an up-to-date register of Association membership.

9 Absent Officer

The seat of any officer absent from three consecutive meetings without reasonable cause may be declared vacant.

10 Financial Year

The Financial Year of the Association shall close on 31st December each year.

11 Association's Funds

The funds of the Association shall be managed in accord with rule 16 of the constitution, and for the purpose of operating accounts the officers of the Association shall be the President, Treasurer and Secretary. In addition, all accounts shall be submitted to a general meeting and if passed, shall be signed by the Chairman.

12 Treasurer's Roles and Responsibilities

12.1 The role of the Treasurer is to handle all matters relating to Association finance, and to inform the Executive Committee and general members re same.

12.2 The responsibilities of the Treasurer shall be in accord with rule 5, section (e) of the constitution, and in addition the Treasurer;

- a. shall issue a receipt for all monies received;
- b. shall present at each General Meeting a Statement of Account showing receipts and expenditure during the current month, together with an outstanding balance, and shall present a Bank Statement for notation by the President and Secretary;
- c. shall make available all book, receipts, vouchers and monthly statements of accounts to the auditors prior to the Annual General Meeting;
- d. shall maintain an up-to-date register of Association bank accounts and the signatories to those accounts;
- e. shall, on the election of new office bearers at the Associations AGM ensure:
 - i) that the new office bearers are made signatories to the appropriate accounts within 5 working days of the AGM,
 - ii) new office bearers are made aware of the accounts to which they are signatories,
 - iii) new office bearers are instructed on the operation of the two signatory system.

13 President's Role and Responsibilities

13.1 The role of the President is to:

- a. Coordinate the Executive Committee to meet the objectives of the Association.
- b. Show leadership by driving the agenda of the Association.
- c. Communicate regularly with the Principal and the School Executive on issues raised.

13.2 The responsibilities of the President shall be:

- a. To know the Associations Constitution and Rules and to ensure that all Association business is conducted in accordance with that Constitution and Rules, in both word and spirit;
- b. Act as the chairperson at all Executive Committee and General meetings and to conduct these in accordance with formal meeting procedures;
- c. The Preparation of agendas for meetings in conjunction with the Secretary;
- d. Frequent consultation with the Executive Committee, Principal and school Executive;
- e. The spokesperson for parents of the school both within the school and in the wider community;
- f. To represent Association at any designated functions or meetings appropriate to the school;
- g. To maintain history records to ensure efficient handover of Association business to a new President;
- h. Provide support and advice to the various Association sub-committees and event organisers.

14 Secretaries Role and Responsibilities

14.1 The role of the Secretary shall be to ensure the business matters of the Association are clearly and fully documented and are made available to the school community.

14.2 The responsibilities of the Secretary are to:

- a. Attend all meetings and take minutes of the proceedings. The minutes are considered official records and as such they need to concisely reflect the discussion and decisions taken (Motions);
- b. Circulate the minutes within the Executive Committee and school community within fourteen days of the meeting;
- c. Dealing with and responding to correspondence pertaining to Association matters in consultation with the President;
- d. Consult with the President to ensure an agenda is prepared, published and distributed within 7 days prior to the next meeting;
- e. Monitor matters for further discussion and follow up;
- f. Maintain official records of the Association and to hand these records on to his/her successor;
- g. Be familiar with the Associations constitution and rules and to make copies available to any new Executive Committee members;
- h. Provide Executive Committee members with an up to date list of Executive Committee member's names, addresses and phone numbers, Association letterheads, plus a copy of Association policies, procedures and guidelines;
- i. Advise Regional Office and Federation of the names and addresses of Executive Committee members immediately after the Annual General Meeting.

15. Fundraising

15.1 Responsibilities of the Executive Committee

The Executive Committee has the following responsibilities in relation to fundraising;

- a. At the beginning of each year prepare a fundraising schedule for commencement in term 2 of the current year and finish at the end of term 1 of the following school year.
- b. Include budgetary information for all events to be included as part of the following years budget
- c. Liaison with the Principal and school staff to ensure the timing of events does not create a conflict of interest or clash with other planned school activities.
- d. Publicise each event to ensure maximum exposure and participation
- e. Evaluate the outcomes and records of each event are kept so that they can be handed down to the next Executive Committee.
- f. Ensure that the rules of the Association are explained to coordinators in relation the planning, organization and execution of a fundraising event.

15.2 Approval for Fundraising

All fundraising activities undertaken by or on behalf of the Association must be approved at a General Meeting prior to any publicity or expenditure on the activity being undertaken.

All fundraising activities at the school must have the support of the Principal.

In approving any activity the Association must:

- i) Ensure that the event benefits to the school and its community;
- ii) Ensure it does not create an additional mandatory burden on our parent body ie the event must be optional.
- iii) Try to link fundraising with sound educational activities where possible
- iv) Ensure that events that are budgeted to produce a net loss should not be approved unless there is a strong community reason to hold such an event.

15.3 Coordinators

- i) Every fundraising activity must have a coordinator appointed to act on behalf of the Association for the planning, organization and execution of the activity.
- ii) The coordinator may be a member of the Executive Committee or be co-opted members from the general Association membership.
- iii) Where an Executive Committee member is not a coordinator, the Association should, where possible, appoint an Executive Committee member to act as a liaison between the Association and the event coordinator.
- iv) Fundraising coordinators are directly responsible to the Association for all actions associated with the event they are coordinating.

15.4 Financial and Reporting Requirements

- i) Fundraising coordinators are responsible for developing a budget for the fundraising event if a budget has not already been developed. The budget should then be presented to the Association for consideration and approval prior to any expenditure being undertaken.

- ii) Fundraising coordinators must report regularly to the Association at General Meetings if planning for the event falls across the dates of regular Association General Meetings.
- iii) Fundraising coordinators must seek approval for any expenditure that has not been budgeted for and approved at a General Meeting.
- iv) If a coordinator needs to seek approval for activities or expenditure and is unable to wait until a General Meeting to seek such approval, the coordinator must seek approval from the Executive Committee which shall include the President or Treasurer or Treasurer's delegate.
- v) Fundraising coordinators must keep all receipts, invoices and maintain a balance sheet for all expenditure and earnings for the event they are responsible for. These records must be presented to the Treasurer as soon as possible after all financial transactions relating to the event have been finalized.

15.5 Handling of money

- i) It is the responsibility of the event coordinator to ensure the safe handling of all funds raised by the event.
- ii) Funds raised must be:
 - a. Counted, verified and signed off after the event by the coordinator and either the Treasurer; another member of the executive or, another parent helper.
 - b. to the Treasurer for banking within 5 days of the event or;
 - c. Deposited into the Association's General Account by the event coordinator within 5 days of the event.
 - d. If the coordinator is unable to contact the Treasurer or deposit the funds themselves then another officer of the association or member of the Executive Committee must be sought to carry out the banking.

15.6 Stock and Donation of Goods

- i) All items purchased or donated as part of any fundraising event shall become the property of the Association.
- ii) Excess stock shall be: stored for later use at a subsequent fundraising event or; donated to the school for use at a school event, or; resold to raise funds for the Association.

16. Gifts, Remuneration, Material Benefits

Gifts, remuneration or other material benefits to Officers of the Association are not permitted in accordance with rule 5(a) of the constitution.

Gifts may be given to non office bearing members of the Association only after approval has been given at General Meeting or by the Executive Committee for such a gift and, only under the following circumstances:

- i) As a thank you to an Association member that in the opinion of the Association has contributed significantly to the school and the Association and, is leaving the school and will hence no longer be a part of the Association.
- ii) As a thank you to a long serving employee of the Association that in the opinion of the Association has contributed significantly to the school and the Association and, that is leaving the employ of the Association.

- iii) A wedding gift for a long serving employee of the Association if the Association feels that the gift is warranted.
- iv) In any event the gift shall not be of value greater than \$100.

17. Committee Celebrations or Parties

The Association and all sub-committees are permitted to hold one modest annual celebration or party as long as the following is adhered to:

- i) The sub-committee must seek the approval of the Association at a General Meeting for any party or celebration that involves the expenditure of Association funds in order to pay for part or all of the party or celebration.
- ii) Alternatively a sub-committee can budget for an annual party or celebration in its annual budget presented to the Association. The Association will then determine and approve or reduce the cost of such an event based upon the budgeted amount, however the cost shall not exceed \$30 per Association member or Association employee attending, and shall be paid only upon supply of a receipt for the monies or where a cheque is issued by the Association to the vendor.
- iii) The Association encourages the supplementary funding of such events by the members of the sub-committees themselves.

18 Rule Making Power

In addition to rule 15 of the Constitution, the rules of the Association must not

- i) contravene any acts of legislation governing employment and workplace relations, Occupation Health and Safety, and Taxation;
- ii) contravene or compromise any of the duty of care held by John Purchase Public School whatever the activity.

19. Record Keeping

19.1 Record Keeping

All records of the Association shall be kept and filed in a secure location.

The Association shall ensure that the following minimum records are kept

- i) Receipts for all purchases
- ii) Invoices for all services provided
- iii) Minutes and agendas for all meetings
- iv) Register of Members
- v) Register of Bank Accounts
- vi) Financial records including receipts, invoices, profit and loss statements and general ledgers.

19.2 Archiving of Records

Financial records are required to be kept for a period of seven (7) years and to this end efforts must be taken to ensure that all records are kept for this minimum period of time

19.3 Security and Backup of Computer Based Records

- i) The security of any personal or financial data kept on computer by the Association must be assured.
- ii) Any computer or computers used for financial and or personnel record processing and storage must be kept secure as best as possible from attack by electronic means by the use of appropriate security software and hardware.

- iii) Physical access to a computer or computers used for financial and personnel record keeping of the Association should be limited to authorized Association members only. No child, parent or unauthorized committee member should be able to gain access.
- iv) At a minimum all access to personnel or financial data shall be protected by password. All User names and passwords used by the Association shall be given to the Secretary of the Association for safe keeping.
- v) The Treasurer shall have password access to all financial records of the Association.
- vi) A suitable strategy for backup of computer based records shall be adopted. Such a strategy must consider both an onsite and offsite process that can cater for: data loss from hard drive or computer failure (onsite backup procedure) and data loss from theft or fire (offsite backup procedure). This procedure may be a part of a group strategy shared with other Association sub-committees and the Association itself.
- vii) Any backup device used should at a minimum provide password protection of the data contained on it.

20. Confidentiality

- 20.1 The Association must maintain confidentiality of information that relates to other members of the school community.
- 20.2 Association members are not permitted access to the personal details of enrolled children unless there is a specific minuted or procedural reason for doing so.
- 20.3 Information relating to the appointment or employment of staff is to be maintained as confidential and not for dissemination to any other person other than the Executive Committee.
- 20.4 The Association shall comply with the Privacy Law and in particular the National Privacy Principles.

21 Life Members

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 hold office unless they are also ordinary members or rule 5 in these rules applies.

22 Motto

The motto of the Association shall be "Participate and Communicate"