RE: GOVERNING/SCHOOL COUNCIL CONSTITUTION

1. Name of Council: Murray Bridge High School Governing Council Inc.

2. Membership:
   (1) Total Number: 35
   (2) Membership breakdown (ie categories and numbers)
   1 Principal ..............................................
   2 Students ..............................................
   3 Staff ..................................................
   3 Community members ..................................
   3 Affiliated Committee members (Parents) .........
   11 Parent representatives ............................

3. Proposed changes to model constitution (if applicable):
   Page  |  Change  |  Reasons

4. List of site’s Affiliated Committees:
   Parents and Friends
   Ngan Yunnan Wunyil Ngan Kungun Yurrekaityarindi

5. List of Governing Council sub committees:
   Finance Advisory Committee
   Canteen Committee
   Environment and Grounds Committee

Signed: ........................................ (Principal)
        ........................................ (Chairperson)

Date: 9/11/01
Governing Council Constitution

GOVERNING COUNCIL
MODEL CONSTITUTION

Issued June 2001

MINISTER FOR EDUCATION AND CHILDREN'S SERVICES
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GOVERNING COUNCIL MODEL CONSTITUTION

1. NAME

The name of the Council is Murray Bridge High School Governing Council Incorporated.

2. INTERPRETATION

In this constitution, unless the contrary intention appears:

‘the Act’ means the Education Act 1972 as amended.

‘administrative instructions’ means administrative instructions issued pursuant to section 96 of the Act.

‘administrative unit’ - means the Department of Education, Training and Employment in which persons are employed in accordance with the Public Sector Management Act 1995.

‘adult’ means a person who has attained 18 years of age.

‘affiliated committee’ means a committee affiliated with the Council and the constitution of which is approved by the Minister in accordance with section 86 of the Act.

‘Chairperson’ means the presiding member of the Council as referred to in section 84 (1)(a)(iii) & (iv) of the Act.

‘Chief Executive’ means the Chief Executive of the Department of Education, Training and Employment in accordance with section 11 of the Act.

‘Council’ means the Murray Bridge High School Governing Council Incorporated.

‘Councillors’ are the members of the Council.

‘Department’ means the Department of Education, Training and Employment established pursuant to the Public Sector Management Act 1995.

‘financial year’ means the year ending 31 October or as varied by administrative instruction.

‘general meeting’ means a public meeting of the school community.
'Government school’ means a school established under section 5 of the Act, for the purpose of providing courses of instruction in pre-school, primary or secondary education.

‘majority’ means more than half the total number.

‘Minister’ means the person to whom the administration of the Act is committed, pursuant to the Administrative Arrangements Act 1994.

‘parent’ in relation to the school means the parent of a child attending the school and the parent of a child enrolled, but not yet attending at the school.

‘parent of child’ includes –

(a) a person who has legal custody or guardianship of the child; and
(b) a person standing in loco parentis to child,

but does not include a parent of the child where another parent or person has legal custody or guardianship of the child to the exclusion of that parent.

‘Principal’ means the head teacher of the school within the meaning of the Act.

‘Regulations’ means regulations made under the Act.

’school community’ means all parents, students and staff of the school and all other persons who have a legitimate interest in or connection with the school.

‘Service Agreement’ means the agreement signed by the Principal, Chairperson of the Council and the Chief Executive to formalise the mutual obligations of the Department and the school in relation to the local management and governance of the school.

‘special resolution’ of the Council means a resolution for the purposes of amending the constitution or to remove an office holder from office, passed by a duly convened meeting of the Council if –

(1) at least 21 days written notice has been specified to all councillors specifying the intention to propose the resolution as a special resolution; and

(2) it is passed by a majority of not less than three quarters of councillors who vote in person or by proxy at that meeting.

‘student’ is a person attending the school, or enrolled but not yet attending the school.
3 OBJECT

The object of the Council is to involve the school community in the governance of the school to strengthen and support public education in the community.

4 POWERS OF THE GOVERNING COUNCIL

4.1 In addition to the powers conferred under the Act, the Council may:

4.1.1 employ persons, except as teachers, as members of the staff of the school on terms and conditions approved by the Chief Executive;

4.1.2 enter into contracts;

4.1.3 construct any building or structure for the benefit of the school or make any improvements to the premises or grounds of the school, with the approval of the Chief Executive;

4.1.4 purchase or take a lease or licence of premises for student residential facilities, and enter into any other agreements or arrangements for the establishment, management, staffing and operation of such facilities;

4.1.5 establish and conduct, or arrange for the conduct of, facilities and services to enhance the education, development, care, safety, health or welfare of children and students;

4.1.6 do all those acts and things incidental to the exercise of these powers.

4.2 The Council’s powers must be exercised in accordance with legislation, administrative instructions and this constitution.
5. FUNCTIONS OF THE COUNCIL

5.1 In the context of the Council’s joint responsibility with the Principal for the governance of the school, the Council must perform the following functions:

5.1.1 involve the school community in the governance of the school by:

(i) providing a focus and a forum for the involvement of parents and the school community;
(ii) ascertaining the educational needs of the local community and the attitude of the local community to educational developments within the school; and
(iii) ensuring that the cultural and social diversity of the community is considered and particular needs are appropriately identified.

5.1.2 set the broad direction and vision of the school.

5.1.3 strategic planning for the school including:

(i) developing, monitoring and reviewing the objectives and targets of the strategic plan; and
(ii) considering, approving and monitoring human resource and asset management plans.

5.1.4 determine policies for the school including policies for the safety, welfare and discipline of students.

5.1.5 determine the application of the total financial resources available to the school including the regular review of the budget.

5.1.6 monitor and review the Services Agreement.

5.1.7 report to the school community and the Minister on:

(i) the strategic plan;
(ii) the finances of the school;
(iii) operational plans and the Council’s operations.

5.2 The Council must be responsible for the proper care and maintenance of any property owned by the Council.

5.3 The Council may perform such functions as necessary to establish and conduct, or arrange for the conduct of:

5.3.1 facilities and services to enhance the education, development, care, safety, health or welfare of children and students;

5.3.2 residential facilities for the accommodation of students.
5.4 The Council may raise money for school related purposes.

5.5 The Council may perform other functions as determined by the Minister.

5.6 The Council may do all those acts and things incidental to the exercise of these functions.

5.7 The Council’s functions must be exercised in accordance with legislation, administrative instructions and this constitution.

6. FUNCTIONS OF THE PRINCIPAL IN COUNCIL

The functions of the Principal in Council are undertaken in the context of the Principal’s joint responsibility with the Council for the governance of the school.

6.1 The Principal is answerable to the Chief Executive for providing educational leadership in the school and for other general responsibilities prescribed in the Act and Regulations.

6.2 The Principal must also:

6.2.1 implement the Services Agreement, the strategic plan and school policies;

6.2.2 provide accurate and timely reports, information and advice relevant to the Council’s functions;

6.2.3 report on learning, care, training and participation outcomes;

6.2.4 supervise and promote the development of staff employed by the Council;

6.2.5 be responsible for the financial, physical and human resource management of the school;

6.2.6 be an ex-officio member of Council with full voting rights;

6.2.7 be running the returning officer for the election, nomination and appointment of councillors;

6.2.8 chair the first meeting of the Council held for the purpose of receiving nominations from nominating bodies, the direct appointment of councillors by the Council and the election of office holders;

6.2.9 contribute to the formulation of the agenda of Council meetings.
7. **MEMBERSHIP**

7.1 The Murray Bridge High School Governing Council must comprise 23 councillors including:

1 Principal  
2 Students  
3 Staff  
3 community members  
3 affiliated Committee members (Parents)  
11 Parent representatives

7.2 The majority of councillors must be elected parents of the school.

7.3 At the time of election, nomination or appointment, persons who are on the staff of a Government school, employees of Minister’s administrative unit, and those appointed under the Act, *Children’s Services Act* 1985 and *Technical and Further Education Act* 1975 must not comprise the majority of elected parent members and must not comprise the majority of councillors.

7.4 In considering any nominations to the Council by a nominating body or direct appointments by the Council, the Council must observe the requirements of 7.3.

7.5 A person is not eligible for election, appointment or nomination to the Council, if the person:

7.5.1 is an undischarged bankrupt or is receiving the benefit of a law for the relief of insolvent debtors; or

7.5.2 has been convicted of any offence prescribed by administrative instruction.
8. TERM OF OFFICE

8.1 Elected parent councillors will be appointed for a term not exceeding two years, except in the case of the first Council only, where one-half (or, if the total number of councillors to be elected is odd, the highest integer that is less than one-half) of the parent councillors elected at the Annual General Meeting of the school will be elected for a term not exceeding one year.

8.2 A councillor nominated by an affiliated committee will be nominated for a term not exceeding two years, subject to the provisions that:

8.2.1 for the first Council only, where two or more affiliated committees each nominate a councillor, one will be appointed for a term not exceeding one year. The person so appointed must be determined by agreement between the affiliated committees, or on failure to agree, by lot.

8.2.2 the nomination may be revoked, in writing by the affiliated committee.

8.3 Any councillor nominated by the Student Representative Council or elected by the body of students will hold office for a term not exceeding one year or until the nomination is revoked, in writing by the nominating body.

8.4 A councillor elected by the staff of the school will hold office for a term not exceeding one year subject to being a member of the staff of the school.

8.5 Each councillor directly appointed by the Council, will serve for a period not exceeding two years.

8.6 Upon expiry of term of office, each councillor will remain incumbent until the position is declared vacant at the Annual General Meeting.

8.7 Councillors are eligible for subsequent re-election, re-nomination or re-appointment.
9. OFFICE HOLDERS AND EXECUTIVE COMMITTEE

9.1 Appointment

9.1.1 The office holders of the Council are the Chairperson, deputy Chairperson, Secretary and Treasurer who must be elected by the Council from amongst its councillors within one month of the Annual General Meeting.

9.1.2 The Chairperson must not be a member of the staff of the school or a person employed in an administrative unit for which the Minister is responsible.

9.1.3 The Treasurer must not be a member of the staff of the school.

9.1.4 The Council may appoint an executive committee comprising the office holders and the Principal, which is to:

(i) meet to carry out business delegated or referred by the Council; and

(ii) report to subsequent Council meetings.

9.2 Removal of office

9.2.1 The position of any office holder absent for three consecutive committee meetings without leave of absence automatically becomes vacant. Acceptance of an apology at the executive committee meeting will be deemed a grant of such leave.

9.2.2 An office holder of the Council may be removed from office, but not from membership of the Council, by special resolution of the Council, provided that:

(i) at least 21 days written notice is given to all councillors and to the office holder concerned, of any proposed resolution, giving reasons for the proposed removal;

(ii) the office holder is given the right to be heard at the Council meeting;

(iii) voting on the special resolution is by secret ballot.
9.3 The Chairperson

9.3.1 The Chairperson must

(i) call and preside at the meetings of the Council and the executive committee;
(ii) in consultation with the Principal and Secretary, prepare the agenda for all Council meetings;
(iii) include on the agenda any item requested by the Principal;
(iv) facilitate full and balanced participation in meetings by all councillors and decide on the manner in which meetings are conducted and matters of order;
(v) report at the Annual General Meeting on the proceedings and operations of the Council for the period since the date of the previous Annual General Meeting.

9.3.2 The Chairperson must act as spokesperson on behalf of the Council unless an alternative spokesperson may only comment on Council matters.

9.3.3 In the Chairperson’s absence or inability to act, the deputy Chairperson must undertake any role or function normally fulfilled by the Chairperson.

9.3.4 If the Chairperson and deputy Chairperson of the Council are absent or unable to preside at a meeting, a councillor elected by the Council must preside.

9.4 The Secretary

9.4.1 The Secretary must ensure that notices of meetings are given in accordance with the provisions of this constitution.

9.4.2 The Secretary is responsible for ensuring the maintenance and safekeeping of:

(i) the constitution and the code of practice of the Council;
(ii) official records of the business of the Council and a register of minutes of meetings;
(iii) copies of notices, a file of correspondence and records of submissions or reports made by or on behalf of the Council;
(iv) register of councillors;
(v) contracts or agreements entered into by the Council; and
(vi) copies of policies of the Council.
9.4.3 The Secretary must ensure that copies of this constitution and the code of practice are available for public inspection at the school during normal school hours, and that any copies requested are provided.

9.4.4 The Secretary must ensure the safekeeping of the common seal and must ensure a record is kept of every use of the common seal.

9.4.5 Prior to each meeting, the Secretary must ensure that a copy of the meeting agenda is forwarded to each councillor.

9.4.6 The Secretary must conduct the official correspondence of the Council.

9.4.7 The Secretary must ensure that the minutes of meetings are recorded and forwarded to each councillor prior to the next meeting.

9.5 The Treasurer

9.5.1 The Treasurer must be the Chairperson of the Finance Advisory Committee of the Council and preside at the meetings of this committee.

9.5.2 The Treasurer must:

(i) ensure that the Council’s financial budgets and statements are prepared;
(ii) submit a report of those finances to each Council meeting;
(iii) present the Council’s audited accounts to the Annual General Meeting.
10 VACANCIES

10.1 Membership of the Council ceases when the councillor;

10.1.1 dies; or

10.1.2 in the case of an elected councillor or a councillor nominated or appointed for a term, completes a term of office and is not re-elected, re-nominated or re-appointed; or

10.1.3 ceases to hold office in accordance with 8.2.2 and 8.3; or

10.1.4 in the case of a member nominated by staff of the school, is no longer a staff member of the school; or

10.1.5 resigns by written notice to the Council; or

10.1.6 is removed from office by the Minister in accordance with section 97 of the Act; or

10.1.7 is declared bankrupt or applies for the benefit of a law for the relief of insolvent debtors; or

10.1.8 has been convicted of any offence prescribed by administrative instruction; or

10.1.9 is absent from three consecutive Council meetings without leave of absence approved by the Council. Acceptance of an apology at a Council meeting will be deemed a grant of such leave.

10.2 The Council may appoint a person to temporarily fill a casual vacancy in its membership until a councillor can be elected, nominate or appointed in accordance with this constitution.
11 MEETINGS

11.1 General Meetings of the school community

11.1.1 Subject to 13.2, all persons within the school community are eligible to attend general meetings of the school community and vote on any matters proposed for resolution.

11.1.2 The Chairperson of the Council must call and preside at general meetings of the school community, the timing to be agreed between the Council Chairperson and the Principal of the school.

11.1.3 At least 14 days written notice of the meeting must be given to the school community by the means generally used to communicate with the school community. The notice must specify the date, time and place of the meeting.

11.1.4 A general meeting must be held:

(i) at least once annually (the Annual General Meeting) to present reports, to elect parents to the Council and/or declare election results;
(ii) for any other reason relating to the affairs, functions or membership of the Council, determined by agreement between the Council Chairperson and the Principal.

11.1.5 The period between each Annual General Meeting must not exceed 16 months.

11.1.6 A general meeting must be held to elect councillors, to discuss the finances of the Council or for any other reason relating to the affairs or functions of the Council:

(i) at the request of the Chief Executive;
(ii) by the resolution of the Council;
(iii) at the request of 20 parents of the school or one half of the parents of the school, whichever is less.

11.1.7 A conference by telephone or other electronic means will be taken to be a general meeting of the school community provided that all procedures in this constitution relating to general meetings are complied with and each participating member is capable of communicating with every other participating member during the conference.
11.2 Council Meetings

11.2.1 The Council must meet at least twice in each school term.

11.2.2 Notice of meeting must be given at the previous Council meeting or by at least 7 days written notice distributed to all councillors or in an emergency by such other notice as the Council may determine.

11.2.3 A conference by telephone or other electronic means between the councillors will be taken to be a meeting of the Council provided that all procedures in this constitution relating to Council meetings are complied with and each participating member is capable of communicating with every other participating member during the conference.

11.3 Extraordinary Council Meetings

11.3.1 The Chairperson of the Council must call an extraordinary meeting of the Council by written request from at least 3 councillors.

11.3.2 Notice of meeting must be given by written notice to all councillors within reasonable time, setting out the time, date, place and object of the meeting.

11.3.3 The business of any extraordinary meeting must be confined to the object for which it is convened.

11.4 Voting

11.4.1 Voting must be by show of hands, or in the case of a meeting held pursuant to 11.1.7 and 11.2.3, by voices or in writing, but a secret ballot must be conducted for:

(i) a contested election; or
(ii) a special resolution to remove an office holder from office.

11.4.2 For the purposes of voting on a special resolution, each councillor is entitled to appoint another councillor as his/her proxy by notice in the form issued as an administrative instruction.
12 PROCEEDINGS OF THE COUNCIL

12.1 Meetings

12.1.1 The quorum for the Council meeting is a majority of the filled positions of the Council.

12.1.2 If at the expiration of 30 minutes after the appointed time for the meeting there is no quorum present, the meeting must stand adjourned to such time and place as those councillors present determine.

12.1.3 Except in the case of a special resolution, a decision of the majority of those councillors present and eligible to vote is the decision of the Council.

12.1.4 The Chairperson must have deliberative vote only. In the event of an equality of votes, the Chairperson does not have a second or casting vote and the motion must be taken to be defeated.

12.1.5 The Council any committee of Council may, at its discretion, allow non-members who have special interests or knowledge relevant to the Council to attend its meetings as observers and, if it agrees, take part in discussion on particular issues. Non-members cannot vote.

12.1.6 Where there are one or more vacancies in the membership of the Council, the Council is not prevented from acting by the requirement that the majority of its members must be elected parents of the school or by any other requirement of membership (except the requirement as to quorum).

12.1.7 The Council may from time to time determine procedures to facilitate and expedite its business.

12.2 Conflict of interest

12.2.1 In accordance with section 94 of the Act, a councillor who has a direct or indirect pecuniary interest in a contract or proposed contract with the Council must:

(i) disclose the nature of the interest to the Council as soon as the councillor becomes aware of the interest; and
(ii) not take part in deliberations or decisions of the Council with respect to that contract.
12.2.2 A disclosure of such an interest must be recorded in the minutes of the Council.

12.2.3 If a councillor discloses an interest in a contract or proposed contract:

(i) the contract is not liable to be avoided by the Council on any ground arising from the fiduciary relationship between the councillor and the Council; and

(ii) the member is not liable to account for the profits derived from the contract.
13 ELECTION OF COUNCILLORS

13.1 Eligibility for nomination for election

Subject to 7.5, all persons who are parents of the school are eligible to nominate for election as a councillor.

13.2 Eligibility to vote

Only parents of the school may vote to elect councillors.

13.3 Conduct of elections for parent councillors

The Principal must conduct elections of parent councillors by one of the following methods, as determined by the Council:

(i) an election at a general meeting of the school community; or
(ii) a postal ballot of the parents of the school.

13.4 Notice of election

13.4.1 The timetable for an election must be determined by the Council, in consultation with the Principal

13.4.2 Notice of the date and time for an election must be specified by the Principal by the means generally used to communicate with the school community.

13.4.3 The notice must:

(i) fix the period during which nominations for election as councillors must be accepted and outline the process to be followed;
(ii) fix the date and time of the general meeting for the election (not being less than 14 days from publication of the notice); or
(iii) in the case of the postal ballot:

(a) fix the date by which ballot papers must be available and advise how they may be obtained; and
(b) fix the date by which ballot papers must be returned and advise how they must be lodged.

13.4.4 In consultation with the Council, the Principal must determine the form for nominations and the period during which nominations will be accepted.

13.4.5 A nomination for election as a councillor must be:

(i) in a form approved by the Principal; and
(ii) received by the Principal at or before the time the nomination is due.
13.5 **Election without ballot**

If the number of persons nominated is the same or less than the number of vacancies to be filled by election, the Principal may declare that the vacancy or vacancies has or have been filled by the persons or person nominated.

13.6 **Contested elections**

13.6.1 If the number of persons nominated is greater than the number of vacancies to be filled, the ballot conditions apply.

13.6.2 The process for conducting the ballot for a contested election must be in accordance with administrative instructions.

13.7 **Scrutineers**

The Principal must permit such scrutineers, who are independent of the election, to be present at the counting of votes, as he or she thinks fit. A candidate in the election cannot be a scrutineer.

13.8 **Declaration of election**

13.8.1 The Principal must declare the candidate or candidates elected to fill the vacancy or vacancies:

(i) at a general meeting of the school community; or
(ii) in the form generally used to communicate with the school community.

13.8.2 The new Council comes into operation at the declaration of the election.

13.9 **Further nomination for unfilled positions**

After the result of an election has been declared and if the required number of elected parent councillor positions have not been filled, parents present at a general meeting may be invited to nominate and be elected by a further ballot to the remaining vacancies.
13.10 Nomination and appointment of councillors

13.10.1 As soon as is practicable after the declaration of the results of an election, the Principal must call and preside at the first Council meeting for the purpose only of:

(i) receiving the nominations from nominating bodies and determining the direct appointment of members of the community; and

(ii) electing office holders

13.10.2 The first meeting of the Council must be adjourned to a date decided by the meeting if the purpose of the meeting cannot be achieved.

13.10.3 If upon the resumption of the meeting the appointment of community members or receiving nominations cannot be resolved, the Council may proceed to the election of office holders.

14. MINUTES

14.1 Proper minutes of Council meetings, the Annual General Meeting and general meetings of the school community must be entered into books kept for that purpose.

14.2 The minutes must be confirmed at the next respective annual, general or Council meeting and signed by the Chairperson of the meeting at which the proceedings took place or by the Chairperson of the subsequent meeting.

14.3 Upon reasonable notice, the books containing the minutes of any meetings must be made available for inspection by any councillor.
15 COMMITTEES

15.1 Committees
The council may appoint committees, comprised of councillors or both councillors and non-councillors, which will meet as directed by the Council and report to the Council at subsequent Council meetings. Any committee must consist of at least three people and at least one of those must be a councillor.

15.2 Terms of reference
The Council must specify terms of reference for its committees.

15.3 Finance Advisory Committee

15.3.1 The Council must establish a Finance Advisory Committee to advise the Council on budgetary and financial matters, including the preparation of the preliminary budget showing:

(i) the anticipated income available for the ensuing twelve months (both from normal transactions and from fundraising activities);
(ii) the proposed expenditure to be made;
(iii) details of any funds held for special purposes

15.3.2 The membership must be determined by the Council and must include:

(i) the Treasurer;
(ii) the Principal or nominee

15.3.3 The Finance Advisory Committee must meet at least once each school term to examine receipts and payments and review the school budget.

16 DELEGATION

16.1 Subject to 16.2, the Council may delegate its functions or powers to its committees, and may delegate its functions or powers to another school council but only with the prior written consent of the Chief Executive.

16.2 The Council cannot delegate any of its functions or powers in relation to the approval of the school’s budget and the annual financial statement.

16.3 Any conferral of delegation must be properly recorded in the minutes.
17 ACCOUNTS TO BE KEPT AND OTHER FINANCIAL MATTERS

17.1 The Council must ensure that proper accounts are kept of its financial affairs, and in controlling any account must ensure proper books and accounts are kept of all funds paid to that account, together with details of any dealing involving those funds.

17.2 All accounts must be operated on the basis of the designated financial year.

17.3 The accounts must be kept in accordance with provisions of the Act, Regulations, administrative instructions and this constitution.

17.4 The funds of the Council must only be expended for school related purposes.

17.5 The Council may transfer funds as it thinks fit to:

   17.5.1 an affiliated committee
   17.5.2 another existing or proposed Government school.

18 AUDIT

18.1 The Council must arrange for any accounts under its control to be audited at least once in every year, as soon as possible after the end of the financial year, or at such other time as determined by administrative instruction.

18.2 The Council may arrange for accounts to be audited at such other intervals as the Council determines, by a person appointed by the Council

18.3 The Council must make available for inspection at any time by the Chief Executive or the Auditor-General, any accounts under its control, including all relevant records and papers connected with an account.

18.4 The audit of any accounts under the control of the Council must be in accordance with the provisions of the Act, Regulations, administrative instructions and this constitution.
19 REPORTING TO THE SCHOOL COMMUNITY AND THE MINISTER

19.1 The Council must report to the school community at least once a year, at the Annual General Meeting called by the Chairperson.

19.2 At that meeting:

19.2.1 the Chairperson must report on:

(i) strategic and operational plans;
(ii) the proceedings and operations of the Council for the period since the date of the previous Annual General Meeting of the school community; and
(iii) the outcomes of those proceedings in relation to the functions of the Council;

19.2.2 the Treasurer must present an up-to-date statement of receipts and expenditure with respect to all accounts controlled by the Council, and a copy of the audited statement of receipts and expenditure of the Council for the year ended as at the designated financial year.

19.3 Where any statement has not been audited by the time the Annual General Meeting is held, the audited statement is to be subsequently made available for inspection, at the school, as determined at the meeting.

19.4 The Council must report to the Minister at least once a year, in accordance with administrative instructions.

20 THE COMMON SEAL

20.1 The Council must have a common seal. The common seal must be affixed only by resolution of the Council and in the presence of two Councillors one of whom must be the Principal or the Chairperson of the Council.

20.2 Every use of the seal must be recorded in the minute book of the Council.

21 RECORDS

21.1 The Council is responsible for the safe and proper storage of its records.

21.2 The Council must make the records available at any time to the Minister or to any person authorised by the Minister and allow those records to be removed by any such person.
22 AMENDMENT OF THE CONSTITUTION

22.1 This constitution may be altered, modified or substituted at the direction of the Minister, in accordance with section 88 of the Act.

22.2 This constitution may also be amended, altered, modified or substituted by the Council by special resolution and approval in writing by the Minister.

22.3 An amendment to the constitution has no effect until submitted to and approved by the Minister.

23 CODE OF PRACTICE

Members of the Council must comply with the code of practice issued as an administrative instruction.

24 DISPUTE RESOLUTION

The Council must participate in a scheme for the resolution of disputes between the Council and the Principal, as prescribed in administrative instruction.

25 PUBLIC ACCESS TO THE CONSTITUTION and CODE OF PRACTICE

The Council must keep available for public inspection a copy of its constitution (as in force from time to time) and the code of practice, at the school, during normal school hours.

26 DISSOLUTION

In accordance with section 85 of the Act, the Council may be dissolved.

27 PROHIBITION AGAINST SECURING PROFITS FOR MEMBERS

The assets and income of the Council must be applied exclusively for school related purposes and no portion must be paid or distributed directly or indirectly to councillors in their role as a councillor, except for expenses incurred on behalf of the Council.
SCHEDULE 1: ADMINISTRATIVE INSTRUCTIONS – MEMBERSHIP

The following instructions are for Councils to determine the membership that must be included in the constitution of the particular Council.

1 Format of membership

The following provides an example of how the membership structure will be expressed in the approved constitution of a Governing Council.

<table>
<thead>
<tr>
<th>The Sunny Creek Governing Council must be comprised of 19 councillors including:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Principal of the school (ex officio);</td>
</tr>
<tr>
<td>10 elected parents of the school;</td>
</tr>
<tr>
<td>2 staff of the school (nominated by the staff of the school);</td>
</tr>
<tr>
<td>2 students of the school (nominated by the students of the school);</td>
</tr>
<tr>
<td>1 person nominated by the (name of school parent club);</td>
</tr>
<tr>
<td>1 person nominated by the (name of Aboriginal forum);</td>
</tr>
<tr>
<td>2 community members appointed by the Council</td>
</tr>
</tbody>
</table>

In the case of a school that has Aboriginal students, Aboriginal parents of the school will be deemed to be elected if nominated by a body affiliated or associated with the school that represents the interest of Aboriginal students and their families, eg an Aboriginal Student Support Parental Awareness committee or an Aboriginal Education Forum group.

2 The number of staff

The Minister has determined that the number of staff who may be appointed to the Council must be in accordance with the following ratios:

<table>
<thead>
<tr>
<th>Total number of students across all campuses of a school or for each school</th>
<th>No. of elected staff members</th>
<th>Principal</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or less</td>
<td>Nil</td>
<td>1</td>
</tr>
<tr>
<td>61 – 300</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>301 – 600</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>601 or more</td>
<td>3</td>
<td>1</td>
</tr>
</tbody>
</table>

Where there is more than one school, the student numbers for each school will determine the number of staff that may be nominated to the Council, by that school staff. Where the Council has been established in relation to two or more schools the Principals of each of those schools is an ex officio member of the Council.
The Minister has also determined that the number of staff nominees to council may be less than the above ratios, provided that the staff of the school has agreed at a general staff meeting to that lesser number prior to the proposed constitution (or subsequent amendment to the constitution) being submitted to the Minister for approval.

In the case where the constitution of a Governing Council includes provisions under which the membership of the Council is such that it may also constitute the management committee of a registered children’s services centre under the Children’s Services Act 1985, there must be at least 1 staff representative from the staff of either the school or children’s service on the Governing Council, irrespective of the number of students.

3. Instructions about membership for particular types of schools

The following instructions are provided, according to the type of school, for inclusion in the constitution of a Governing Council. The Minister may approve a constitution that varies these membership instructions, ie categories of members, number of members in each category, term of office, in accordance with section 89 of the Act.

1 For a school or group of schools where the students are not adult students

The Council shall comprise the following members:

(i) the Principal of the school, or in the case of a Council serving two or more schools, the Principals of each school (ex officio);
(ii) staff members, nominated to the Council by election at a general staff meeting, in the ratio determined by the Minister;
(iii) one member nominated by (each approved affiliated committee of the Council, up to 3);
(iv) community members appointed by the Council (limit of 3);
(v) students, (up to 2), nominated by the student representative Council, or if there is no SRC, by the students;
(vi) elected parents of the school, the number being the minimum necessary to:
   - achieve the minimum number of 5 members in total, and
   - make the majority of members elected parents of the school.

2 For a school with all adult students or a mix of continuing and adult students.

The Council shall comprise the following members:

(i) the Principal of the school (ex officio)
(ii) staff members, nominated to the Council by election at a general staff meeting, in the ratio determined by the Minister;
(iii) one member nominated by (each of the approved affiliated committees of the School Council, up to 3);
(iv) community members appointed by the Council (limit of 3);
(v) continuing (non-adult) students and adult students nominated by the student representative Council, or if there is no SRC, by the students, in accordance with the distribution of continuing/re-entry students expressed as full time equivalents.
(vi) elected parents, the number being the minimum necessary to make elected parents of the school plus nominate students the majority of councillors.

NB: In the case of a school with all adult students, (v) and (vi) would not apply and the single largest groups of councillors would comprise students nominated by the student body.
3 For a multi-campus school with one Principal and one service agreement

The Council shall comprise the following members:

(i) the Principal of the school (ex officio)
(ii) staff members, nominated to the Council by election at a general staff meeting, in each campus, in the ratio determined by the Minister;
(iii) one member nominated by (each of the approved affiliated committees, up to 3);
(iv) community members appointed by the Council (limit of 3);
(v) students (up to 2) nominated by the student representative Council, or if there is no SRC, by the students.
(vi) elected parents, the number being the minimum necessary to:
   - achieve the minimum size of 5 councillors in total, and
   - make the majority of councillors elected parents of the school.

4 For a preschool and school site – members to be also members of the management committee.

The Council shall comprise the following members:

(i) the Principal of the school, or in the case of a Council serving two or more schools, the Principals of each school and the director(s) of the preschool(s).
(ii) staff members, nominated to the Council by election from the combined staff of the school and preschool, in the ratio determined by the Minister;
(iii) one member nominated by (each approved affiliated committee up to 3)
(iv) community members appointed by the Council (limit 3);
(v) students (up to 2), nominated by the Student Representative Council, or if there is no SRC, by the students;
(vi) elected parents, the number being the minimum necessary to:
   - allow at least two parents of children attending the preschool;
   - achieve the minimum size of 5 councillors in total, and
   - make the majority of members elected parents of the school (and members of the preschool)
AFFILIATED COMMITTEE
MODEL CONSTITUTION

Issued June 2001

MINISTER FOR EDUCATION AND CHILDREN'S SERVICES
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AFFILIATED COMMITTEE MODEL CONSTITUTION

1 NAME

The name of the Affiliated Committee is Murray Bridge High School Parents and Friends.

2 INTERPRETATION

In this constitution, unless the contrary intention appears:

‘the act’ means the Education act 1972 as amended.

‘administrative instructions’ means administrative instructions issued pursuant to section 86 of the Act.

‘Affiliated Committee’ means the Murray bridge High School, affiliated with the Murray Bridge High School Governing Council Inc, and the constitution of which is approved by the Minister in accordance with section 86 of the Act.

‘Council’ means the Murray Bridge High School Governing Council Inc.

‘financial year’ means the year ending 31 October or as varied by administrative instruction.

‘Government school’ means a school established under section 5 of the act, for the purpose of providing courses of instruction in pre-school, primary or secondary education.

‘majority’ means more than half of the total number.

‘member’ means any person who is for the time being registered as a member of the Murray Bridge High School Parents and Friends.

‘membership’ means all persons who comprise the Affiliated Committee in accordance with this constitution.

‘Minister’ means the person to whom the administration of the Act is committed pursuant to the Administrative Arrangements Act, 1994.

‘Regulations’ means regulations made under the Act.

‘register of members’ means the register of members of the Affiliated Committee.

‘school community’ means all parents, students and staff of the school and all other persons who have a legitimate interest or connection with the school.
‘special resolution’ of the Affiliated Committee means a resolution, for the purposes of amending the constitution passed by a duly convened meeting of the members of the Affiliated Committee if:

(1) at least 21 days written notice has been given to all members specifying the intention to propose the resolution as a special resolution; and
(2) it is passed, at the meeting, by a majority of not less than three quarters of members as vote in person at that meeting.

Examples of other definitions that the Affiliated Committee may consider for inclusion:

‘Chief Executive’ means the chief Executive of the Department for Education and Child Development in accordance with section 11 of the Act.

‘Department’ means the Department for Education and Child Development established pursuant to the Public Sector Management act 1995.

‘Executive Committee’ means a committee comprised of the office holders and members elected from the membership of the Affiliated Committee.

‘student’ is a person attending the school, or enrolled but not yet attending the school.

‘parent’ in relation to the school means the parent of a child attending the school and the parent of a child enrolled, but not yet attending, at the school.

‘parent of a child’ includes:

(a) a person who has legal custody or guardianship of the child; and
(b) a person standing in loco parentis to the child.

but does not include a parent of the child where another parent or person has legal custody or guardianship of the child to the exclusion of that parent.

‘Principal’ means the head teacher of the school within the meaning of the Act.
3 RELATIONSHIP WITH THE COUNCIL

3.1 The Murray Bridge High School Parents and Friends is affiliated with the Murray Bridge High School Governing Council Inc in accordance with section 86 of the Act.

3.2 The Affiliated Committee may nominate a member to the Council.

3.3 The Affiliated Committee will maintain effective communication about its activities with the Council;

3.4 The Affiliated Committee will maintain effective communication with the Council about its activities.

4. OBJECT

The object of the Murray Bridge High School Parents and Friends is to support the involvement of the school community in the school.

5. FUNCTIONS OF THE AFFILIATED COMMITTEE

5.1 The Murray Bridge High School Parents and Friends will perform the following functions:

<table>
<thead>
<tr>
<th>5.1.1</th>
<th>Support the Principal and the school staff to enhance student learning.</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.1.2</td>
<td>Provide a means of contact between home and school.</td>
</tr>
<tr>
<td>5.1.3</td>
<td>Assist parents to gain skills to participate in the decision making of the school.</td>
</tr>
<tr>
<td>5.1.4</td>
<td>To develop and maintain an interest in the welfare of children at school.</td>
</tr>
</tbody>
</table>

5.2 The Affiliated Committee must be responsible for the proper care and maintenance of any property owned by the Affiliated Committee.

5.3 The Affiliated Committee may raise funds for school related purposes.

5.4 The Affiliated Committee’s functions must be exercised in accordance with legislation, administrative instructions and this constitution.

5.5 The Affiliated Committee may do all those acts and things incidental to the exercise of these functions.
6 MEMBERSHIP

6.1 Eligibility

A person is eligible for membership if that person:

6.1.1 is prepared and able to support the activities of the Affiliated Committee.

6.1.2 is a member of the school community and interested in the welfare of students at the school.

6.2 Membership register

Membership will be determined as those members whose names are recorded in the membership register for the current year.

6.3 Membership rights

Each member has the right to attend and vote at general meetings of the members.

6.4 Cessation

A member ceases to be a member, if the member:

6.4.1 dies;

6.4.2 resigns by written notice to the Secretary;

6.4.3 is removed as member in accordance with section 97 of the Act.

7. OFFICE HOLDERS AND EXECUTIVE COMMITTEE

7.1 Office holders

The office holders are the Chairperson, Secretary and Treasurer who will be elected by the members at the Annual General Meeting.

7.2 The Chairperson

7.2.1 The Chairperson must call and preside at the general meetings of the members and the Executive Committee.

7.2.2 The Chairperson must facilitate full and balanced participation by members present at a meeting and decide upon the manner in which meetings are conducted and matters of order.

7.2.3 The Chairperson must report the proceedings and operations of the Affiliated Committee at the Annual General Meeting, for the period since the previous Annual General Meeting.
7.2.4 If the Chairperson is absent or unable to preside at a meeting, a member appointed by the members present at the meeting must preside.

7.3 The Secretary

7.3.1 The Secretary must give notice of meetings in accordance with the provisions of this constitution.

7.3.2 The Secretary must ensure that the minutes of meetings are recorded and available to members.

7.3.3 The Secretary is responsible for the maintenance and safekeeping of:

(i) official records of the business of the Affiliated Committee and a register of minutes of meetings;
(ii) copies of notices, a file of correspondence and records of other documents and reports made by or on behalf of the Affiliated Committee;
(iii) the register of members;
(iv) the constitution and providing copies as requested.

7.3.4 The Secretary must ensure that a copy of this constitution is available for public inspection at the school during normal school hours.

7.4 The Treasurer

7.4.1 The Treasurer must:

(i) ensure that financial budgets and statements are prepared;
(ii) submit a report on the finances to each meeting of members;
(iii) present audited accounts to the Annual General Meeting.

7.5 The Deputy Chairperson

7.5.1 In the chairpersons absence or inability to act, the Deputy Chairperson must undertake any role or function normally fulfilled by the Chairperson.

7.5.2 If the Chairperson and Deputy Chairperson of the Affiliated Committee are absent or unable to preside at a meeting, a member appointed by the members present must preside.
8. MEETINGS

8.1 General meetings

8.1.1 General meetings of members will be held monthly during school term or as determined by the members.

8.1.2 All members are eligible to attend general meetings and vote on any matters proposed for resolution.

8.1.3 The Chairperson must call and preside at general meetings of the members.

8.1.4 At least (7 days) written notice of the meeting must be given to members. The notice must give the date, time and place of the meeting.

8.2 Annual General Meeting

8.2.1 An Annual General Meeting must be held in each calendar year to:

(i) present reports;
(ii) to elect and/or declare election results for office holders and the Executive Committee;
(iii) and for any other reason relating to the affairs, functions or membership of the Affiliated Committee, as determined by the Executive Committee.

8.3 Voting

8.3.1 Voting must be by show of hands.
9 PROCEEDINGS

9.1 Meetings

9.1.1 The quorum for a general meeting is twenty per cent (20%) of the members, whichever is the greater.

9.1.2 If at the expiration of 30 minutes after the appointed time for the meeting there is no quorum present, the meeting must stand adjourned to such time and place as those members present determine.

9.1.3 Except in the case of a special resolution, a decision of the majority of those members present and eligible to vote is the decision of the Affiliated Committee.

9.1.4 The Chairperson must have a deliberative vote only. In the event of an equality of votes, the Chairperson does not have a second or casting vote and the motion will be taken to be defeated.

9.1.5 The Affiliated Committee may, at its discretion, non-members who have special interests or knowledge to attend its meetings as observers and, if it agrees, take part in discussions on particular issues. Non-members cannot vote.

9.1.6 The Affiliated Committee may from time to time determine procedures to facilitate and expedite its business.

9.2 Conflict of interest

9.2.1 A member who has a direct or indirect pecuniary interest in a contract or proposed contract with the Affiliated Committee:

(i) must, as soon as the member becomes aware of the interest, disclose the nature of the interest to the Affiliated Committee; and

(ii) must not take part in deliberations or decisions of the Affiliated Committee with respect to that contract.

9.2.2 A disclosure of such interest must be recorded in the minutes of the meeting of the Affiliated Committee.

9.2.3 If a member discloses an interest in a contract or proposed contract the member is not liable to account for the profits derived from the contract.
10  ELECTIONS

10.1  Conduct of elections for office holders

A senior staff member must conduct elections of office holders by:

(i) an election at an annual general meeting of the affiliated committee.
(ii) All positions are held for one year. Previous office holders are eligible for re-election.

10.2  Notice of elections

10.2.1 Notice of election will be through the Newsletter.

10.2.2 The date and time must be notified to members one month prior to the Annual General Meeting.

10.3  Election without ballot

If the number of persons nominated is the same or less than the number of vacancies to be filled by election, the Principal may declare that the vacancy or vacancies has or have been filled by the persons or person nominated.

10.4  Contested elections

10.4.1 If the number of persons nominated is greater than the number of vacancies to be filled, the ballot conditions apply.

10.4.2 The process for conducting the ballot for a contested election must be in accordance with the Principal or nominee instructions.

10.5  Scrutineers

The Principal or nominee must permit such scrutineers, who are independent of the election, to be present at the counting of votes, as he or she thinks fit. A candidate in the election cannot be a scrutineer.

10.6  Declaration of election

10.6.1 The Principal must declare the candidate or candidates elected to fill the vacancy or vacancies:

10.6.2 The new office holders take office at the beginning of the next school year.
11 MINUTES

11.1 Proper minutes of the Annual General Meeting, general meetings and the Executive Committee meetings must be entered into books kept for that purpose.

11.2 The minutes must be confirmed at the next respective meeting and signed by the Chairperson of the meeting at which the proceedings took place or by the Chairperson of the subsequent meeting.

11.3 Upon reasonable request, the books containing the minutes of any meetings must be made available for inspection by any member.

12 TERM OF OFFICE

12.1 Elected office holders and members of the executive committee will be appointed for a term not exceeding one year and may stand for subsequent re-election.

13 DELEGATES

13.1 The delegates to the Council of the school, any other advisory and area association committees will be elected at the Annual General Meeting and will report to each meeting of the members.

13.2 Delegates who do not fulfil their obligations or who have no longer members of the Affiliated Committee may have their delegate status revoked by the resolution of the members at a general meeting.

13.3 The revocation must be made in writing to the other body.

13.4 The revocation will be made in writing to the Governing Council.
14 VACANCIES

A casual vacancy among the officers, delegates or Executive Committee, members may be filled by election at a general meeting of the group. Any member so elected will hold office until the next Annual General Meeting.

15 ACCOUNTS TO BE KEPT AND OTHER FINANCIAL MATTERS

15.1 The Affiliated Committee must ensure that proper accounts are kept of its financial affairs, and in controlling any account must ensure proper books and accounts are kept of all funds paid to that account, together with details of any dealings involving those funds.

15.2 All accounts must be operated on the basis of the designated financial year.

15.3 The accounts must be kept in accordance with provisions of the Act, Regulations, administrative instructions and this constitution.

15.4 The funds of the Affiliated Committee must only be expended for school related purposes.

15.5 The Affiliated Committee may transfer funds as it thinks fit to:

(I) the Council;
(II) another existing or proposed Government school.

16 AUDIT

16.1 The Affiliated Committee must arrange for any accounts under its control to be audited at least once in every year, as soon as possible after the end of the financial year, or at such other time as determined by administrative instruction.

16.2 The Affiliated Committee may arrange for accounts to be audited at such other intervals as the Affiliated Committee determines, by a person appointed by the Affiliated Committee.

16.3 The Affiliated Committee must make available for inspection at any time, by the Chief Executive or the Auditor-General, any accounts under its control, including all relevant records and papers connected with an account.

16.4 The audit of any accounts under the control of the Affiliated Committee will be in accordance with the provisions of the Act, Regulations, administrative instructions and this constitution.
17. **REPORTING**

17.1 The Chairperson and Treasurer must report to members at the Annual General Meeting.

17.2 Reports presented at the Annual General Meeting must describe the operations, activities and finances of the Affiliated Committee.

18 **RECORDS**

18.1 The Affiliated Committee is responsible for the safe and proper storage of its records.

18.2 The Affiliated Committee must make the records available at any time to the Minister or to any person authorized by the Minister in that behalf and allow those records to be removed by any such person.

19 **AMENDMENT OF THE CONSTITUTION**

19.1 This constitution may be altered, modified or substituted at the direction of the Minister, in accordance with section 88 of the Act.

19.2 This constitution may also be amended, altered, modified or substituted by the Affiliated Committee by special resolution, and approval in writing by the Minister.

19.3 An amendment to the constitution has no effect until submitted to and approved by the Minister.

20 **PUBLIC ACCESS TO THE CONSTITUTION**

The Affiliated Committee must keep available for public inspection a copy of its constitution (as in force from time to time) at the school, during normal school hours.

21 **DISSOLUTION**

21.1 The Affiliated Committee must resolve by special resolution to cease its operations and to dissolve.

21.2 The Affiliated Committee will cease if the school is closed and must follow any directions issued by the Chief Executive regarding the forwarding of the books, records and property of the Affiliated Committee.

21.3 Upon cessation of the Affiliated Committee any books, records and property must be forwarded to the Council.

22 **PROHIBITION AGAINST SECURING PROFITS FOR MEMBERS**

The assets and income of the Affiliated Committee must be applied exclusively to school related purposes and no portion will be paid or distributed directly or indirectly to members except for expenses incurred on behalf of the Affiliated Committee.
AFFILIATED COMMITTEE CONSTITUTION

MURRAY BRIDGE HIGH SCHOOL

NGAN YUNNAN WUNYL NGAN KUNGNUN
“We talk and we listen”

YURREKAITYARINDI

MINISTER FOR EDUCATION AND CHILDREN’S SERVICES
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YURREKAITYARINDI MODEL CONSTITUTION

1 NAME

The name of the Yurrekaityarindi is Murray Bridge High School Ngan Yunnan Wunyil Ngan Kungun.

2 INTERPRETATION

In this constitution, unless the contrary intention appears:

‘the act’ means the Education act 1972 as amended.

‘administrative instructions’ means administrative instructions issued pursuant to section 86 of the Act.

‘Yurrekaityarindi’ means the Murray bridge High school Ngan Yunnan Wunyil Ngan Kungun, affiliated with the Murray Bridge High School Governing Council Inc., and the constitution of which is approved by the Minister in accordance with section 86 of the Act.

‘Council’ means the Murray Bridge High School Governing Council Inc.

‘financial year’ means the year ending 31 October or as varied by administrative instruction.

‘Government school’ means a school established under section 5 of the act, for the purpose of providing courses of instruction in pre-school, primary or secondary education.

‘majority’ means more than half of the total number.

‘member’ means any person who is for the time being registered as a member of the Murray bridge High School Ngan Yunnan Wunyil Ngan Kungun.

‘membership’ means all persons who comprise the Yurrekaityarindi in accordance with this constitution.

‘Minister’ means the person to whom the administration of the Act is committed pursuant to the Administrative Arrangements Act, 1994.

‘Regulations’ means regulations made under the Act.

‘register of members’ means the register of members of the Yurrekaityarindi.

‘school community’ means all parents, students and staff of the school and all other persons who have a legitimate interest or connection with the school.
‘special resolution’ of the Yurrekaityarindi means a resolution, for the purposes of amending the constitution passed by a duly convened meeting of the members of the Yurrekaityarindi if:

(1) at least 21 days written notice has been given to all members specifying the intention to propose the resolution as a special resolution; and
(2) it is passed, at the meeting, by a majority of not less than three quarters of members as vote in person at that meeting.

‘Aboriginal person’ means a person of Aboriginal descent who identifies as such and is regarded as such by their community.

‘Aboriginal parent’ means a parent of an Aboriginal child or student who is themselves an Aboriginal person.

ASSPA means the Aboriginal Student Support and Parent Awareness: a Commonwealth funded program for school and pre-school based parent committees to support Aboriginal children and students.

‘associate member’ means any person who is for the time being registered as an associate member of the Murray bridge High school Ngan Yunnan Wunyil Ngan Kungun. An associate member cannot vote or hold office.

‘non-Aboriginal parent’ means a parent of an aboriginal child or student who is themselves a non-Aboriginal person.

‘Chief Executive’ means the Chief Executive of the Department of Education, Training and Employment in accordance with section 11 of the Act.

‘Department’ means the Department of Education, Training and Employment established pursuant to the Public Sector Management act 1995.

‘Executive Committee’ means a committee comprised of the office holders and members elected from the membership of the Yurrekaityarindi.

‘student’ is a person attending the school, or enrolled but not yet attending the school.

‘parent’ in relation to the school means the parent of a child attending the school and the parent of a child enrolled, but not yet attending, at the school.

‘parent of a child’ includes:

(a) a person who has legal custody or guardianship of the child; and
(b) a person standing in loco parentis to the child.

but does not include a parent of the child where another parent or person has legal custody or guardianship of the child to the exclusion of that parent.

‘Principal’ means the head teacher of the school within the meaning of the Act.
3 RELATIONSHIP WITH THE COUNCIL

3.1 The Murray bridge High School Ngan Yunnan Wunyil Ngan Kungun is affiliated with the Murray Bridge High School Governing Council Inc in accordance with section 86 of the Act.

3.2 The Yurrekaityarindi may nominate two or more members to the Council.

3.3 The Yurrekaityarindi will give advice to the Council;

3.3.1 to facilitate the participation of aboriginal parents in decision making in the school/preschool.

3.3.2 On setting strategic directions and priorities.

3.3.3 On monitoring, reviewing and reporting on the DETE’s Aboriginal Education Plan.

3.3.4 On monitoring the needs and learning outcomes for Aboriginal students.

3.3.5 On monitoring the implementation of the Service Agreement as it applies to Aboriginal students.

3.4 The Yurrekaityarindi will maintain effective communication with the Council about its activities.

4. OBJECT

The object of the Murray Bridge High School Ngan Yunnan Wunyil Ngan Kungun is to support the involvement of the school community in the school by:

- Assisting the Governing council in ensuring that the needs of the Aboriginal community are identified and taken into account; and

- Encouraging and supporting the participation of Aboriginal people in school decision-making and consultation.
5. **FUNCTIONS OF THE YURREKAITYARINDI**

5.1 the Murray Bridge High School Ngan Yunan Wunyil Ngan Kungun will perform the following functions:

5.1.1 Facilitate the participation of Aboriginal parents in decision-making in the school/preschool so that they can influence the development of the school curriculum to better meet the needs of all students.

5.1.2 Ensure that Aboriginal perspectives are included in the local management of south Australian schools and preschools.

5.1.3 Monitor the implementation of the DETE’s Aboriginal Education Plan and advise the (principal/director) accordingly,

5.1.4 Monitor the learning outcomes for Aboriginal students and advise the (principal/director) accordingly.

5.1.5 Monitor the implementation of the Service Agreement as it applies to Aboriginal students, and advise the (principal/director) accordingly.

5.1.6 Encourage greater involvement of Aboriginal people in program delivery in schools and preschools.

5.2 The Yurrekaityarindi must be responsible for the proper care and maintenance of any property owned by the Yurrekaityarindi.

5.3 The Yurrekaityarindi may raise funds for school related purposes.

5.4 The Yurrekaityarindi’s functions must be exercised in accordance with legislation, administrative instructions and this constitution.

5.5 The Yurrekaityarindi may do all those acts and things incidental to the exercise of these functions.
6 MEMBERSHIP

6.1 Eligibility

A person is eligible for membership if that person:

6.1.1 is a parent or caregiver of an Aboriginal student of the school and is prepared and able to support the activities of the Yurrekaityarindi.

6.2 Categories of Membership

There will be two categories of membership:

- Full members who can be office holders and can vote on the business of the Yurrekaityarindi, and
- Associate members who can attend meetings but not formally vote or hold office.

Only Aboriginal persons can be full members.

Non-Aboriginal parents or caregivers of Aboriginal children and students and other non-Aboriginal people are encouraged to join the Forum as associate members.

6.3 Membership register

Membership of the Yurrekaityarindi will comprise those members whose names are recorded in the membership register for the current year. The membership register will record whether each member is a full member or an associate member.

6.4 Membership rights

Each full member has the right to attend and vote at general meetings of the members.

6.5 Cessation

A member ceases to be a member, if the member:

6.5.1 dies;

6.5.2 resigns by written notice to the Secretary;

6.5.3 is removed as member in accordance with section 97 of the Act.
7. OFFICE HOLDERS AND EXECUTIVE COMMITTEE

7.1 Office holders

The office holders are the Chairperson, Secretary and Treasurer who will be elected by the members at the Annual General Meeting.

7.2 Executive Committee

The members may appoint an Executive Committee comprising the office holders and two (2) other members, which is to:

7.2.1 meet to carry out business delegated or referred by a general meeting of the members; and

7.2.2 report to subsequent general meetings of members.

7.3 The Chairperson

7.3.1 The Chairperson must call and preside at the general meetings of the members and the Executive Committee.

7.3.2 The Chairperson must facilitate full and balanced participation by members present at a meeting and decide upon the manner in which meetings are conducted and matters of order.

7.3.3 The Chairperson must report the proceedings and operations of the Yurrekaityarindi at the Annual General Meeting, for the period since the previous Annual General Meeting.

7.3.4 If the Chairperson is absent or unable to preside at a meeting, a member appointed by the members present at the meeting must preside.

7.4 The Secretary

7.4.1 The Secretary must give notice of meetings in accordance with the provisions of this constitution.

7.4.2 The Secretary must ensure that the minutes of meetings are recorded and available to members.

7.4.3 The Secretary is responsible for the maintenance and safekeeping of:

(i) official records of the business of the Yurrekaityarindi and a register of minutes of meetings;
(ii) copies of notices, a file of correspondence and records of other documents and reports made by or on behalf of the Yurrekaityarindi;
(iv) the register of members;
(i) the constitution and providing copies as requested.
7.4.4 The Secretary must ensure that a copy of this constitution is available for public inspection at the school during normal school hours.

7.5 The Treasurer

7.5.1 The Treasurer must:

(i) ensure that financial budgets and statements are prepared;
(ii) submit a report on the finances to each meeting of members;
(iii) present audited accounts to the Annual General Meeting.

8. MEETINGS

8.1 General meetings

8.1.1 General meetings of members will be held twice a term or as determined by the members.

8.1.2 All members are eligible to attend general meetings and full members vote on any matters proposed for resolution.

8.1.3 The Chairperson must call and preside at general meetings of the members.

8.1.4 Notice of the meeting must be given to members. The notice must give the date, time and place of the meeting.

8.2 Annual General Meeting

8.2.1 An Annual General Meeting must be held in each calendar year to:

(i) present reports;
(ii) to elect and/or declare election results for office holders and the Executive Committee;
(iii) and for any other reason relating to the affairs, functions or membership of the Yurrekautyarindi, as determined by the Executive Committee.

8.3 Executive Committee Meetings

8.3.1 The Executive Committee must meet at least twice in each school term.

8.3.2 Notice of the meeting must be given at the previous meeting or by at least 7 days written notice distributed to all Executive Committee members or in an emergency by such other notice as the Executive Committee may determine.

8.4 Voting

8.4.1 Voting must be by show of hands.
9 PROCEEDINGS

9.1 Meetings

9.1.1 The quorum for a general meeting is five (5) members or thirty per cent (30%) of the members, whichever is the greater.

9.1.2 If at the expiration of 30 minutes after the appointed time for the meeting there is no quorum present, the meeting must stand adjourned to such time and place as those members present determine.

9.1.3 Except in the case of a special resolution, a decision of the majority of those members present and eligible to vote is the decision of the Yurrekaityarindi.

9.1.4 The Chairperson must have a deliberative vote only. In the event of an equality of votes, the Chairperson does not have a second or casting vote and the motion will be taken to be defeated.

9.1.5 The Yurrekaityarindi may, at its discretion, all non-members who have special interests or knowledge to attend its meetings as observers and, if it agrees, take part in discussion on particular issues. Non-members cannot vote.

9.1.6 The Yurrekaityarindi may from time to time determine procedures to facilitate and expedite its business.

9.2 Conflict of interest

9.2.1 A member who has a direct or indirect pecuniary interest in a contract or proposed contract with the Yurrekaityarindi:

(i) must, as soon as the member becomes aware of the interest, disclose the nature of the interest to the Yurrekaityarindi; and

(ii) must not take part in deliberations or decisions of the Yurrekaityarindi with respect to that contract.

9.2.2 A disclosure of such interest must be recorded in the minutes of the meeting of the Yurrekaityarindi.

9.2.3 If a member discloses an interest in a contract or proposed contract the member is not liable to account for the profits derived from the contract.
10 ELECTIONS

Eligibility to nominate

To be eligible to nominate for election as an office holder or nominee of the Yurrekaityarindi, a person must be registered as a full member of the Yurrekaityarindi as specified in 6.2 and 6.3.

Eligibility to vote

To be eligible to vote in general meetings and in elections for office holders or nominees of the Yurrekaityarindi, a person must be registered as a full member of the Yurrekaityarindi as specified in 6.2 and 6.3.

11 MINUTES

11.1 Proper minutes of the Annual General Meeting, general meetings and the Executive Committee meetings must be entered into books kept for that purpose.

11.2 The minutes must be confirmed at the next respective meeting and signed by the Chairperson of the meeting at which the proceedings took place or by the Chairperson of the subsequent meeting.

11.3 Upon reasonable request, the books containing the minutes of any meetings must be made available for inspection by any member.

12 TERM OF OFFICE

12.1 Elected office holders and members of the executive committee will be appointed for a term not exceeding one year and may stand for subsequent re-election.

13 NOMINEES TO COUNCIL

13.1 The nominees to the Council of the Aboriginal Yurrekaityarindi will be elected at the Annual General Meeting and will report to each meeting of the members of the Yurrekaityarindi.

13.2 Delegates who do not fulfil their obligations or who have no longer members of the Yurrekaityarindi may have their delegate status revoked by the members.

13.3 Revocation is by resolution of the members at a general meeting of the Aboriginal Yurrekaityarindi.

13.4 The revocation will be made in writing to the Governing Council.
14 VACANCIES

A casual vacancy among the officers, delegates or Executive Committee, members may be filled by election at a general meeting of the group. Any member so elected will hold office until the next Annual General Meeting.

15 ACCOUNTS TO BE KEPT AND OTHER FINANCIAL MATTERS

15.1 The Yurrekaityarindi must ensure that proper accounts are kept of its financial affairs, and in controlling any account must ensure proper books and accounts are kept of all funds paid to that account, together with details of any dealings involving those funds.

15.2 All accounts must be operated on the basis of the designated financial year.

15.3 The accounts must be kept in accordance with provisions of the Act, Regulations, administrative instructions and this constitution.

15.4 The funds of the Yurrekaityarindi must only be expended for school related purposes.

15.5 The Yurrekaityarindi may transfer funds as it thinks fit to:

   (i) the Council;
   (ii) another existing or proposed Government school.

16 AUDIT

16.1 The Yurrekaityarindi must arrange for any accounts under its control to be audited at least once in every year, as soon as possible after the end of the financial year, or at such other time as determined by administrative instruction.

16.2 The Yurrekaityarindi may arrange for accounts to be audited at such other intervals as the Yurrekaityarindi determines, by a person appointed by the Yurrekaityarindi.

16.3 The Yurrekaityarindi must make available for inspection at any time, by the Chief Executive or the Auditor-General, any accounts under its control, including all relevant records and papers connected with an account.

16.4 The audit of any accounts under the control of the Yurrekaityarindi will be in accordance with the provisions of the Act, Regulations, administrative instructions and this constitution.
17. REPORTING

17.1 The Chairperson and Treasurer must report to members at the Annual General Meeting.

17.2 Reports presented at the Annual General Meeting must describe the operations, activities and finances of the Yurrekaityarindi.

18 RECORDS

18.1 The Yurrekaityarindi is responsible for the safe and proper storage of its records.

18.2 The Yurrekaityarindi must make the records available at any time to the Minister or to any person authorized by the Minister in that behalf and allow those records to be removed by any such person.

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19.1 This constitution may be altered, modified or substituted at the direction of the Minister, in accordance with section 88 of the Act.

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21.1 The Yurrekaityarindi must resolve by special resolution to cease its operations and to dissolve.

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