1. Name

The name of the Council is the Caralee Community School Council.

2. Definitions

*Council* means Caralee Community School Council.

*Director-General* means the chief executive officer of the Education Department defined in section 4 of the School Education Act.

*Education Programme* means an organised set of learning activities designed to enable a student to develop knowledge, understanding, skills and attitudes relevant to the student's individual needs as defined in section 4 of the School Education Act.

*Minister* means the Minister responsible for administering the School Education Act.

*Parents* means parent defined in section 4 of the School Education Act and named in the School register as a Parent of a Student.

*School* means Caralee Community School.

*School Education Act* means the School Education Act 1999.

*School Fund* means the General Purposes Fund and a fund referred to in section 110 of the School Education Act.

*Students* means students enrolled at School.

3. Purpose

3.1 The Council is formed with the fundamental purpose of enabling Parents and members of the community to engage in activities that are in the best interests of Students and that will enhance the education provided by the School.

3.2 All property acquired or held by the Council for the use of the School is vested in the Minister.

4. Powers and Duties of the Council

4.1 The Council shall have such powers as are necessary to implement the purpose of the Council and in particular the following powers and duties.

4.1.1 to take part in:
- establishing and reviewing from time to time, the School's objectives, priorities and general policy directions (eg endorse the School Development Plan)
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- the planning of financial arrangements necessary to fund those objectives, priorities and directions (eg review the Business Plan budget);
- evaluating the School's performance in achieving them (eg review MIS reports and MIS summary as per the Business Plan); and
- formulating codes of conduct for Students at the School (eg Behaviour Policy, Internet Usage Policy);

4.1.3 to promote the School in the community;
4.1.4 to approve:

- charges and contributions for the provision of certain materials, services and facilities under section 99(4) of the School Education Act;

- extra cost optional components of educational programs, under section 100(3) of the School Education Act;

- items to be supplied by a student for use in an Educational Programme, under section 108(2) of the School Education Act; and

- any agreements or arrangements for advertising or sponsorship in relation to the School under section 216(5) of the School Education Act.

4.1.5 to provide advice to the principal of the School on:

- a general policy concerning the use in School activities of prayers, songs and material based on religious, spiritual or moral values being used in a School activity as part of religious education; and

- the implementation of special religious education under section 69(2) of the School Education Act;
4.1.6 with the approval of the Director-General (as the Minister's delegate) to:

- take part in the selection of, but not the appointment of, the School principal or any other member of the teaching staff under section 129(2) of the School Education Act;

4.2 The Council cannot:

4.2.1 intervene in the control and management of the School;
4.2.2 intervene in the educational instruction of Students;
4.2.3 exercise authority over teaching staff or other persons employed at the School; or
4.2.4 intervene in the management or operation of the School Fund.

5. Membership of the Council

5.1 The number of members of the Council shall be a least 5 but not more than 15, but has otherwise been determined by the Council to be 7 members as follows:

- The Principal;
- 2 teachers;
- 2 P&C parent representatives; and
- 2 community representatives.

(In the absence of suitable community representatives, parents may nominate for these positions)

5.2 The Council is to determine its composition having regard to:

5.2.1 the nature of the Student population of the School and the social, cultural, lingual, economic or geographic factors that may be relevant to the School,
5.2.2 the functions of the Council and any changes in those functions; and
5.2.3 with a view to including members of the general community, and staff
of the School, and allocating a membership position to a member of an
association referred to in section 149 of the School Education Act.

5.3 The Chairperson and Scribe of the Council are to be elected by and from its
members. The Council may decide to rotate each position at each meeting.

5.3 Membership of the Council:
5.4.1 the principal of the school shall be ex-officio a member of the
Council;
5.4.2 elected staff of the School, not including the principal;
5.4.3 a member of the Parents & Citizens' Association where such an
association exists for the School and the association wishes to
exercise this entitlement;
5.4.4 elected Parents
5.4.5 members of the general community, appointed by the Council; and
5.4.6 subject to the discretion of the Council a representative from any
other association that is related to the school and established under
Section 149 of the School Education Act.

5.5 Members referred to in rule 5.4.3, rule 5.4.4 and rule 5.4.5 (if appointed) must
form the majority of members of the Council, including at least one parent.

6.0 Appointment and Election of Members

6.1 The principal of the School will invite nominations from eligible persons to fill
vacancies, except those in the category of general community positions, and conduct
elections where the number of nominees is greater than the vacancies available.
Nominally, the process will be:

6.1.1 Teacher and Parent representatives will be filled at the start of term one

6.2 Only those people eligible for a position, are eligible to vote for representatives
for that position.

6.3 Eligible to vote in the category of parent membership positions is each Parent
whose name and address has been provided to the School under section
16(1)(b)(ii)(I) of the School Education Act, or if neither Parent's name and address has been so provided, each person who is responsible for the Student.

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6.4 Eligible to vote in the category of staff membership positions is each person to whom section 235(1) of the School Education Act applies and whose usual place of work is at the school.

6.5 A person may not vote in respect of more than one category referred to in rules 5.4.2 and 5.4.4.

6.6 In the category of general community membership positions, the Council may appoint suitable qualified members of the general community. Nominally, the proves will be:

6.6.1 The Council calls for nominations from the General Community.

6.6.2 The Council may decide to appoint a nominee.

6.7 The Director-General may, from time to time, specify standards or requirements in relation to the conduct of elections.

6.8 The Director-General may inquire into any matter affecting an election or appointment of a member of the Council and if any irregularity has occurred may declare the results of an election or appointment invalid, or order an election or appointment or a new election or appointment to be conducted.

6.9 A member of the Council (other than the principal) shall hold office for up to a maximum of three years and may be reappointed more than once.

6.10 The Council may appoint a member of the local community having such experience, skills or qualifications as would enable the person to make a contribution to the Council's functions to be a co-opted member for such period, or in relation to such matters, as determined by the Council.
7.0 Cessation or Termination of Membership

7.1 The office of a member of the Council becomes vacant if the member:

7.1.1 becomes ineligible to hold office as a member:

7.1.2 resigns by written notice delivered to the Council; or

7.1.3 is removed from office by the Director-General of Education.

7.2 The Executive Director, Schools, as delegate of the Director-General, may remove a person as a member of the Council on the grounds that the continuation of the person as a member would be detrimental to the interests of the Council.

7.3 The Council may remove a person as a member of the Council on the grounds that the person:

7.3.1 has neglected their duty as a member;
7.3.2 has misbehaved or is incompetent;
7.3.3 is suffering from mental or physical incapacity, other than temporary illness, impairing the performance of their function as a member; or
7.3.4 has been absent, without leave or reasonable excuse, from three consecutive meetings of which the member has had notice.

7.4 The Council must not remove a person as a member unless the person has been given a reasonable opportunity to show that they should not be removed from office.

7.5 A decision of the Council to remove a person from office is to be made by resolution of a majority comprising enough of the members for their number to be at least two thirds of the number of offices, whether vacant or not.

7.6 Any member appointed or elected to a vacancy in the Council shall hold office for the balance of the term of the member of the Council whose seat on the Council has become vacant.

7.7 The Council may act notwithstanding any original or subsequent vacancies in its numbers.

7.8 No fees or subscriptions are to be charged against members.
8.0 Meetings and Proceedings of the Council

8.1 The Council will determine the number of meetings for each year (a minimum of one per term)

8.2 Meetings of the Council are generally to be open to the public. (To be checked against legislation)

8.3 The Chairperson of the Council is to convene Council meetings in accordance with the directions of the Council in relation to the venue and time of meeting and giving notice of the meeting.

8.4 The Council will report to the public on the performance of the Council’s functions at each P & C meeting.

8.5 A simple majority of the members of the Council shall constitute a quorum and no meeting may be held without a quorum.

8.6 Each Council member, including the chairperson, is entitled to one vote only.

8.7 If absence is known in advance, a member can send a nominee. The nominee has the right to vote on any issue.

8.8 A decision of the Council does not have effect unless it has been made by an absolute majority.

8.9 An absolute majority means a majority comprising enough of the members of the Council for their number to be more than 50% of the number of offices whether vacant or not.

8.10 A Council may decide to close to members of the public a meeting or part of the meeting on the grounds set out in rule 8.10 unless the meeting is the annual public meeting or a special meeting called under regulation 118 of the School Education Regulations 2000.
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8.11 A Council may decide to close to members of the public a meeting or part of the meeting if it deals with any of the following:

8.11.1 a matter affecting a person who is employed at the school;
8.11.2 the personal affairs of any person;
8.11.3 a contract entered into, or which may be entered into, by the Council and which relates to a matter to be discussed at the meeting;
8.11.4 legal advice obtained, or which may be obtained, by the Council and which relates to a matter to be discussed at the meeting;
8.11.5 a matter that if disclosed, would reveal –
   (i) information that has a commercial value to a person and that is held by, or is about, a person other than the Council; or
   (ii) information about the business, professional, commercial or financial affairs of a person and that is held by, or is about, a person other than the Council;
8.11.6 information which is the subject of a direction given under section 23 (1a) of the Parliamentary Commissioner Act 1971.

8.12 A decision to close a meeting or part of the meeting to the Public and the reason for the decision are to be recorded in the minutes of the meeting.

8.13 Special meetings of the Council shall be held when requested by:
8.13.1 any 3 members of the Council;
8.13.2 the Director-General; or
8.13.3 under the conditions specified in rule 8.14.

8.14 The chairperson is to convene a special meeting of the Council if the meeting is called for in a notice to the chairperson setting out the purposes of the proposed meeting and by at least 20 families of Students at the School.

8.15 The chairperson is not to convene a meeting under rule 8.14 if the purposes of the proposed meeting are not relevant to the Council’s functions.

8.16 A meeting convened under rule 8.14 is to deal with matters relevant to the purposes set out in the notice received by the chairperson.

8.17 Subject to these rules, the procedure and order of business to be followed at a meeting shall be determined by members of the Council present at the meeting.
9. Committees of the Council

9.1 The Council is empowered to appoint such Committees, as it deems necessary.

9.2 Membership of Committees is not confined to members of the Council, but at least one Council member is required to serve on each Committee.

9.3 The duties of any Committee shall be clearly defined by the Council and where appropriate a specific date shall be set for the completion of the tasks assigned to the Committee.

9.4 In all cases a Committee makes its recommendations to the Council.

10. Duties to be allocated

10.1 The Council is to allocate to a member or members the following duties:

10.1.1 co-ordinate the correspondence of the Council;

10.1.2 ensure that full and correct minutes of the meetings and proceedings of the Council are kept; and

10.1.3 have custody of all books, documents, records and registers of the Council, which must be accessible to any person within the School Community.

11. Failure to act properly

11.1 In the event that the Council breaches the School Education Act, or the conduct of the Council is incompetent, inadequate or improper, the Minster may require that the situation be remedied.

11.2 If the Minister is of the opinion that a Council has not complied with such a notice, the Minister may dismiss the Council.