**CONSTITUTION OF**

**COMO WEST PUBLIC SCHOOL - SCHOOL COUNCIL**

1. NAME

1.1 The name of the School Council will be Como West Public School - SCHOOL

COUNCIL (hereinafter called the 'Council".)

2. DEFINITIONS

2.1 "BUDGET PLAN" means a general outline of anticipated income and expenditure for the school financial year.

2.2 "COMMUNITY MEMBER" means any person appointed to the Council from local government/business/industry or a particular section of the local community (which was previously unrepresented through elected parent members).

2.3 "CONSTITUENCY" means the body of voters who are eligible to elect their representatives on Council.

2.4 "COUNCIL" means the Como West Public School Council.

2.5 "CWPS" means Como West Public School.

2.6 "COUNCILLOR" means an Elected Member, Community Member, the Executive Member of the Council or the P&C President.

2.7 "P&C" means CWPS Parents & Citizens Association.

2.8 "P&C PRESIDENT' means the president of the P&C from time to time, or the alternative P&C executive member identified in accordance with section 5.3.2.

2.9 "ELECTED MEMBER" means any person on the Council elected by the relevant Constituency to represent the School Staff or the Parent Community.

2.10 "EXECUTIVE MEMBER" means the Principal of CWPS (including an acting principal).

2.11 "PARENT" means the parent, guardian or any person who has actual custody of a student enrolled at CWPS.

2.12 "PARENT COMMUNITY' means all Parents of students enrolled at CWPS.

2.13 "PARENT MEMBER" means any Parent elected to the Council as well as the P&C President.

2.14 "QUORUM" means the minimum number of persons required to attend a meeting before any business can be transacted.

2.15 "SCHOOL" means a Government or Non-Government teaching institution Years K-12.

2.16 "SCHOOL COMMUNITY" means the School Staff, Parents and local community of CWPS.

2.17 "SCHOOL STAFF" means all persons employed at CWPS by the Department of School Education (teaching and non-teaching staff). This includes persons employed at the school under externally funded programs and all casual teaching staff.

2.18 "STUDENT" means any student enrolled at CWPS.

2.19 "SUPPLEMENTARY SERVICES" means support provided to CWPS by parents and other members of the community to enrich the educational program of CWPS.

3. AIMS AND OBJECTIVES

3.1 **Aim:**

To enable formal School Community participation in planning and governance of CWPS and to foster a partnership between CWPS and its community for the benefit of its students.

3.2 **Objectives:**

The objectives of the Council are to:

1. Support the prioritisation of school needs;
2. Review and be consulted on the School's financial requirements and Budget Plan at the end of each financial year;
3. Determine broad school policies and assist in the development of new policies which provide a balanced education for every child in a supportive, stimulating and secure environment;
4. Promote a positive image of CWPS within the community and encourage community participation; and
5. Maintain communication with the School Community.

4. ROLE OF THE SCHOOL COUNCIL

4.1 The Council will operate within the context of the relevant legislation and the stated policies and priorities of the Government and the Department of School Education.

4.2 The Council is accountable to the School Education Director.

4.3 The Council is accountable to the School Community.

4.4 The Principal remains accountable under the Public Finance and Audit Act (or equivalent) for the management of school finances including, where appropriate, the negotiation of all contracts on behalf of the Council.

4.5 The Principal is accountable to the School Education Director for the total management of CWPS and for the implementation of the broad policies and priorities determined by the Council.

4.6 Within the context of relevant legislation and the stated policies, priorities and expenditure and staff allocations of the Government and the Department of School Education, the Council will:

1. have representation on the interviewing panel for the selection of the incoming Principal when a vacancy occurs and is to be filled by advertisement and interview;
2. develop a profile, in liaison with the School Education Director, for the position of Principal of the school for the consideration on the transfer or retirement of an incumbent Principal and the selection of a new Principal;
3. support the aims and educational goals of CWPS;
4. determine student welfare policies;
5. review reports on expenditure provided by the Principal at Council meetings;
6. provide support for the Principal on services required by CWPS;
7. assess the needs of CWPS from time-to-time in areas such as buildings, grounds and facilities;
8. advise the Principal on these and other issues except those relating to the employment, appointment and efficiency of CWPS staff;
9. establish effective liaison with other school/community committees to promote activities consistent with CWPS’ policies;
10. present and promote a positive image of CWPS in the local community, in order to increase parent and community awareness and willingness to become involved in CWPS; and
11. provide an annual report to CWPS community on the activities of the Council.

5. MEMBERSHIP AND COMPOSITION

5.1.1 The composition of the Council will be as follows:

1. The Principal as Executive Member;
2. The P&C President;
3. At least four Parent Members elected from CWPS Parent Community;
4. At least one CWPS staff member elected from the School Staff; and

1. One or two Community Members may also be appointed from local government/business/industry or other relevant groups from the local community.

5.1.2 The total number of Councillors will be at least seven (7) but no more than fifteen (15).

5.1.3 The number of Councillors that are CWPS staff members must be no more than half the number of Parent Members (for example, if there are 5 Parent Members there must be no more than 2 CWPS staff members elected).

5.2 Executive Member

5.2.1 The Principal of CWPS is automatically the Executive Member.

5.3 President of P&C

5.3.1 The President of the P&C is automatically a member of the Council, subject to section 5.3.2.

5.3.2 Where the President of the P&C declines to join the Council, the P&C is to elect another executive member of the P&C for this position.

5.3.3 The P&C President is to provide or procure a written or verbal report of each Council meeting to the P&C at the next P&C meeting.

5.4 Elected Members

5.4.1 A member of the School Staff cannot be a Parent Member on the Council.

5.4.2 Elected Members must provide a written report of each Council meeting to their Constituency within fourteen days of that meeting.

5.4.4 Any Elected Member representing the School Staff or Parent Community may be removed by the respective group following a special general meeting called for that purpose (see section 16.2) or in accordance with 9.3.4.

5.5 Community Members

5.5.1 A member of the School Staff cannot be a Community Member on the Council.

5.6 Co-opted Members

5.6.1 The Council may co-opt other members of the School Community to assist the Council for a specific purpose and for a specific period.

5.6.2 Such positions are advisory and do not have voting rights on the Council.

5.7 Sub Committees

5.7.1 The Council may establish a sub-committee for any purpose designed to assist Council in achieving its aims and objectives.

5.7.2 The members of any such sub-committee shall be appointed by Council and may include co-opted members.

5.7.3 The chairperson/spokesperson for any such sub-committee shall be a Councillor who will report to the Council on the activities and recommendations of the sub-committee.

5.7.4 Any sub-committee appointed by the Council shall comply with all directions and requirements of the Council.

5.8 General

5.8.1 A person who is a member of a school council at another School cannot be a member of the Council except with the approval of the Council.

6. TENURE OF COUNCIL

6.1 The term of office for Elected Members and Community Members of the Council will be two (2) years, commencing the first meeting after the Annual General Meeting.

6.2 Elected Members and Community Members may hold office for no more than two (2) terms of office consecutively, i.e. Elected Members and Community Members may hold office for no more than four (4) years consecutively.

6.3 If the process in 7.3 fails to elect enough new members to satisfy the minimum number(s) of members set out in section 5.1, tenure may be extended where otherwise the position would be vacant.

7. ELECTION OF COUNCILLORS

7.1 Elections for members to represent the School Staff and Parent Community will take place simultaneously prior to the commencement of the first meeting.

7.2 Announcement of the Council members representing the School Staff and the Parent Community will be made through the CWPS newsletter or a letter to the Parent Community.

**7.3 Method**

7.3.1 Election for representatives of School Staff and the Parent Community.

1. All members of the School Staff are eligible and entitled to vote for their representatives on the Council.
2. All members of the Parent Community as per current CWPS school records are eligible and entitled to vote for their parent representatives on the Council.
3. Election procedures will be advertised through the CWPS newsletter or letter to the Parent Community so that all School Staff and the Parent Community are aware of the voting procedure.
4. When voting prior to the first meeting, each nominee must be PROPOSED and SECONDED by members of the Constituency she/he is to represent.
5. If more than the required number of candidates is nominated, the Principal will ensure that an election is conducted so that all members of the respective Constituency have the opportunity to vote for their representatives.
6. The results will be published in the CWPS newsletter and on the CWPS school website.

7.3.2 Appointment of Community Members

1. The Principal and President of the Council, in consultation of the School Education Director, will appoint the Community Members.
2. The Principal and the President of the Council will recommend members from local government/business/industry and, where necessary, other relevant groups in the local community for consideration.
3. Community Members will be confirmed by vote of the Council.

8. COUNCIL OFFICE BEARERS

8.1 The Council will have the following office bearers:

President: May be a Parent Member, a Community Member or the P&C President (but cannot be a member of the School Staff)

Secretary: May be any member of the Council other than a member of the School Staff

Executive Member: The Principal

8.2 Office bearers will be elected at the first meeting of the newly constituted Council.

8.3 Office bearers may not be a member of the School Staff.

8.4 The Principal as Executive Member will assume the responsibilities normally associated with the position of Treasurer.

8.5 Office bearers have the power to co-opt assistance from time to time as approved by the Council. Co-opted persons have no voting rights.

**8.6 Roles and Responsibilities**

8.6.1 President:

1. chairs the meetings;
2. prepares the agenda in consultation with the Executive Member;
3. represents the Council or may delegate a Councillor at official functions in consultation with the Executive Member;
4. is responsible for the preparation of the Annual Report on the activities of the Council to the Annual General Meeting of the Council.

8.6.2 Secretary:

1. is responsible for preparing and circulating the minutes of each meeting within 14 days of that meeting to all Councillors;
2. is responsible for making available copies of the confirmed minutes upon request;
3. is responsible for the receipt, preparation and dispatch of correspondence;
4. maintains official records of the Council;
5. prepares, in consultation with the President and Executive Member, items for CWPS newsletters.

8.6.3 Executive Member:

1. is responsible for the implementation of the broad policies and priorities developed in consultation with the Council;
2. is responsible for negotiating all contracts on behalf of the Council;

1. is advisor to the Council on educational matters;
2. is responsible, in consultation with the President, for the preparation of general financial reports of the Council as required by the Council;
3. is responsible for the preparation of the annual financial report to be presented at the end of each financial year;
4. is responsible for the transition from one Council to the next; and
5. is responsible for ensuring proper elections that allow all members of the respective Constituencies the opportunities to vote.

9. COUNCIL MEETINGS

**9.1 Frequency**

9.1.1 The Council will meet to form, review and ratify policies and determine student recipients for the School Council Arts Award.

9.12 The first meeting of a newly constituted Council will be held to elect office bearers (See Constitution section 8.2.).

9.1.3 The date, venue and time of the Council meetings will be decided by the Council.

9.1.4 The dates, venues and times of the Council meetings will be advertised in the CWPS newsletter at least ten (10) days in advance.

**9.2 Quorum**

9.2.1 A Quorum for the Council meetings will be:

1. if there are less than 10 Councillors – five (5) Councillors; or
2. if there are more than 10 Councillors – six (6) Councillors, which must comprise:

(i) at least 4 Parent Members (or 3 Parent Members and the P&C President); and

(ii) either the Principal or at least 1 Elected Member that is a CWPS staff member.

9.2.2 If the Quorum is not reached, matters on the agenda may be discussed but no decisions will be taken.

**9.3 Attendance**

9.3.1 Councillors are to attend all meetings.

9.3.2 If a Councillor is unable to attend a meeting an apology must be communicated to the President or Executive Member prior to the meeting.

9.3.3 If an Elected Member resigns or transfers out of the School Community, that member's position shall be declared vacant and may filled by a nominee elected by the relevant Constituency held for that position prior to the next meeting.

9.3.4 If an Elected Member or a Community Member fails to attend three (3) successive meetings without good reason, the Council may declare the positon to be vacant and the position may be filled by a nominee elected or appointed as the case may be in accordance with the established election and appointment procedures.

9.3.5 In the absence of the President of the Council at a meeting, the Executive Member shall assume the chair.

**9.4 Agenda**

9.4.1 The meeting agenda will be documented in the CWPS newsletter prior to the meeting.

9.4.2 Any member of the School Community who wishes the Council to include an item on the agenda for debate on a particular matter must give notice in writing to the secretary at least seven (7) days prior to the next meeting.

9.4.3 Items not on the published agenda may be discussed and decisions taken only with the consent of the Council.

**9.5 Minutes**

9.5.1 Minutes will be prepared by the Secretary and circulated via the CWPS newsletter to all Councillors within fourteen (14) days of the meeting.

9.5.2 The Minutes shall record the Council's decisions only and the supporting reasons.

9.5.3 Confirmed minutes of a meeting will be made available upon request.

9.5.4 Minutes of all meetings will be kept at CWPS by the Executive Member who will make them available upon request.

10. COUNCIL MEETING PROCEDURES

10.1 Meetings are restricted to sixty (60) minutes and may only be extended by a majority decision of the Quorum.

10.2 **Voting**

10.2.1 Each member of the Council will be entitled to one vote.

10.2.2 Decisions will be taken by simple majority and the status quo is to be maintained where voting is equal.

10.2.3 Co-opted members or visitors will not have voting rights.

10.3 The Council may invite members of the School Community to attend a Council meeting

for a specific purpose. Such visitors have no voting rights and cannot introduce items of business at the meeting.

11. ANNUAL GENERAL MEETING (AGM)

11.1 Notice of the AGM will be given fourteen (14) days in advance to all members of the School Community. This can be by way of the CWPS newsletter.

11.2 Items not on the published agenda may be discussed and decisions taken only with the consent of the Council.

11.3 Reports of all Council activities will be presented at the AGM by the relevant office bearers and conveners of any committees of the Council.

12. SPECIAL GENERAL (EXTRAORDINARY) MEETINGS

**12.1 Procedure**

12.1.1 A special general meeting of CWPS School Community may be called at any time during the school term when requested by any of the following:

1. A majority of Councillors;
2. Representatives of 25% of families with students in CWPS;
3. A majority of CWPS School Staff;
4. The Executive Member; or
5. A majority of the Council office bearers,

in writing to the President or Executive Member.

12.1.2 A special general meeting is required to be called for the purposes of:

1. recommending amendments to the constitution;
2. recommending the removal of a Community Member;
3. dissenting from a Council decision;
4. recommending dismissal of the present Council;
5. obtaining the views of as many people as possible on a specified matter; or
6. recommending the removal of an Elected Member.

12.1.3 Such a meeting will be held within one month of the request in accordance with clause 12.1.1.

12.1.4 A Notice of Motion will be circulated to CWPS Community at least seven (7) days prior to the meeting date.

**12.2 Quorums**

12.2.1 If the purpose of the special general meeting is to obtain the views of as many people as possible no Quorum shall be necessary.

12.2.2 For the purposes of 12.1.1(b), the Quorum for a special general meeting shall be a number equal to 25% of families within the Parent Community and may consist of members of the School Staff as well as one representative of each family in the Parent Community.

**12.3 Voting**

12.3.1 To be carried, motions at a special general meeting of the Council require a two-thirds majority of those present and eligible to vote.

**12.4 Outcomes of special general meetings**

12.4.1 Recommendations arising from special general meetings must relate to the matters advertised for the purpose of the meeting and no other matters may be raised at that meeting.

12.4.2 A decision to act on any recommendation arising from a special general meeting held to obtain the views of as many people as possible will remain the responsibility of the Council and requires a Quorum in accordance with clause 9.2.

12.4.3 Recommendations arising from special general meetings held to amend the Constitution, to dissent from a Council decision or to seek the dismissal of the present Council will be forwarded to the School Education Director by the President and the Executive Member for approval.

13. COUNCIL RECORDS

13.1 Council records including copies of the Constitution and all agenda, minutes, correspondence, files, financial reports and committee reports will be retained within CWPS at all times unless authorised by the President or the Executive Member.

14. BUDGET PLAN

14.1 The Council will table the views expressed by contributing groups or individuals to be considered by the Executive Member when developing the CWPS Budget Plan.

15. AMENDMENTS TO THE CONSTITUTION

15.1 Amendments to the Constitution will only be considered at a Special General Meeting of CWPS School Community called for that purpose (see Constitution section 12).

16. REPLACEMENT OF COUNCIL MEMBERS

16.1 When a casual vacancy for an Elected Member occurs the position will be filled by elections within the relevant Constituency.

16.2 Where a former Elected Member was an office bearer of the Council, the Council will elect a replacement.

16.3 Any Elected Member who represents CWPS School Staff or the Parent Community may only be removed during the term of office by the respective group after a special general meeting called for that purpose or in accordance with section 9.3.4. A replacement member elected according to the established election procedures (see sections 7.3.1 and 12.)

16.3 A Community Member may only be removed by a special general meeting called for that purpose (see section 12) or in accordance with section 9.3.4. A replacement Community Member may be appointed in accordance with section 7.3.2.

17. DISMISSAL OF THE SCHOOL COUNCIL

17.1 Any proposal to dismiss the Council may only be considered at a special general meeting called in accordance with section 12. Any recommendation from the special general meeting to dismiss the Council will be forwarded to the School Education Director for approval.

17.2 If the Council is dismissed, a new Council will be formed in accordance with the established election procedures (see section 7.3.1).

17.3 Members of a dismissed Council are eligible for election to a new Council.

18. RESOLUTION OF DISPUTES

18.1 Where matters occur which cannot be resolved by established Council procedures or by the calling of a special general meeting, the School Education Director may resolve the matter in dispute.

19. RELATIONSHIP WITH COMMITTEES/ORGANISATIONS

19.1 The Council may establish procedures for liaison with CWPS P&C and with any other organisations deemed appropriate by the Council.