



CONSTITUTION

of
Kensington Public
School Council



KENSINGTON PUBLIC SCHOOL - 1899

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1. NAME

- 1.1 The name of the School Council will be Kensington Public School Council. (Hereinafter called "The Council".)

2. DEFINITIONS

- 2.1 "APPOINTED MEMBER" means any person on the Council appointed as a community member.
- 2.2 "BUDGET PLAN" means a general outline of anticipated income and expenditure for the financial year.
- 2.3 "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).

{NB. A currently employed member of a school staff cannot be an "appointed member" on the council.}

- 2.4 "CONSTITUENCY" means the whole body of voters who are eligible to elect their representatives on Council.
- 2.5 "COUNCIL" means the Kensington Public School Council.
- 2.6 "COUNCILLOR" means an elected/appointed member, the Executive Member of the Council or the President of Kensington Public School organisation (or the identified alternative executive member).
- 2.7 "ELECTED MEMBER" means any person on the Council elected by the relevant constituency to represent the school staff or the parents.
- 2.8 "EXECUTIVE MEMBER" means the Principal of Kensington Public School.
- 2.9 "PARENT" means the parent, guardian or any person who has actual custody of a student enrolled at Kensington Public School.
- 2.10 "PARENT COMMUNITY" means all parents of students enrolled at Kensington Public School.
- 2.11 "PARENT MEMBER" means any parent elected to the Council as well as the President of the P&C (or the identified alternative executive member).

{NB. A member of Kensington Public School staff may not be a parent member on the Council. Only one (1) parent member may be currently employed member of a school staff from another school.}

- 2.12 "PARENT ORGANISATIONS" means the Kensington Public School Organisation.
- 2.13 "QUORUM" means the minimum number of persons required to attend a meeting before any business can be transacted.
- 2.14 "SCHOOL COMMUNITY" means the school staff, parents and local community of Kensington Public School.
- 2.15 "SCHOOL STAFF" means all persons employed at Kensington Public School 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.
- 2.16 "STUDENT" means any student enrolled at Kensington Public School.
- 2.17 "SUPPLEMENTARY SERVICES" means support provided to the school by parents and other members of the community to enrich the educational program of the school.

3. AIM

To enable school community participation in the planning and management of Kensington Public School and to foster closer links between the school and its community

4. ROLE AND OBJECTIVES OF THE SCHOOL COUNCIL

4.1 Preamble

- The School 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.
- The School Council is accountable to the Assistant Director-General (Region), through the Director of Schools responsible for Kensington Public School.
- The Principal remains accountable under the Public Finance and Audit Act for the management of school finances including, where appropriate, the negotiation of all contracts on behalf of the School Council.
- The Principal is accountable to the Director of Schools responsible for Kensington Public School for the total management of the school and for the implementation of the broad policies and priorities determined by the Council.

4.2 Objectives

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 School Council will:

- have representation on the interviewing panel for the selection of the incoming Principal, Executive or any other approved position when a vacancy occurs and is to be filled by advertisement and interview;
- develop a profile, in liaison with the Director of Schools responsible for Kensington Public School, for the position of Principal of the school for the consideration of the Assistant Director-General (Region) on the transfer or retirement of an incumbent Principal and the selection of a new Principal;
- determine the aims and educational goals of the school;
- identify local educational needs and priorities;
- determine local student welfare policies and the school's Fair Discipline Code;
- assess the school's financial needs;
- determine the school's broad budget priorities and develop a budget plan;
- advise the Principal on the implementation of the budget plan;
- examine reports on expenditure provided by the Principal at intervals determined by the Council;
- provide guidance for the Principal on supplementary services required by the school;
- determine the broad policies of the School Canteen;
- establish policies for community use of school facilities;
- assess the needs of the school from time to time in areas such as buildings, grounds, facilities, school transport, starting/finishing times and matters which could affect neighbouring schools;
- advise the Assistant Director-General (Region) and the Principal on these and other issues except those relating to the employment, appointment and efficiency of school staff;
- establish effective liaison with other school/community committees to promote activities consistent with school policies;
- present and promote a positive image of the school in the local community, in order to increase parent and community awareness and willingness to become involved in the school; and
- provide an annual report to the school community on the activities of the School Council.

5. MEMBERSHIP AND COMPOSITION

5.1 The Composition of the Council will be as follows

- (i) The Principal as Executive Member;
- (ii) the President of P&C, (or if declined, the nominee from the Executive of P&C);
- (iii) three parent members **elected** from the parent community;
- (iv) three school staff members **elected** from the teaching and non-teaching staff;
- (v) one community member appointed from local government/ business/industry or other relevant group from the local community; and
- (vi) two student representatives (in a consultative role) by invitation.

The total number of Councillors is nine

An additional Council member may be appointed by the Assistant Director-General (Region), on the advice of the Director of Schools responsible for Kensington Public School, to remedy any imbalance of representation.

5.2 Executive Member

5.2.1 The Principal of the school is automatically the Executive Member.

5.3 President of Kensington Public School Organisation

5.3.1 The President of P&C is automatically a member of the School Council.

5.3.2 Where the President of P&C declines to join the Council, the Executive of the P&C may identify another member of that Executive for this position.

5.3.3 The President of P&C (or alternative executive member) is to provide a written report of each Council meeting to the next meeting of the P&C.

5.4 Elected Members

5.4.1 A member of Kensington Public School staff may not be a parent member on the Council. Only (1) parent member may be a currently employed member of a school staff from another school.

5.4.2 At least one (1) school staff member must be a teacher.

- 5.4.3 Elected members must provide a written or report of each Council meeting to their respective constituencies within 30 days of that meeting.
- 5.4.4 Any elected member representing school staff or parents may be removed by the respective group following a Special General Meeting of the relevant constituency called for that purpose. (See Constitution section 16.2)

5.5 Community members

- 5.5.1 The Assistant Director-General (Region) will appoint the community members
- 5.5.2 A currently employed member of a school staff cannot be a community member on the Council.
- 5.5.3 An appointed member may only be removed by the Assistant Director-General (Region). (See Constitution section 16.3)

5.6 Co-opted Members

- 5.6.1 Council may co-opt other members of the 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 General

- 5.7.1 A person who is a member of a School Council at another school cannot be a member of Kensington Public School Council except with the approval of the relevant Director of Schools responsible for Kensington Public School.

6. TENURE OF COUNCIL

- 6.1 The term of office for elected/appointed members of the Council will be one year, commencing the first meeting after the Annual General Meeting.
- 6.2 Elected/appointed Council members may hold office for no more than three terms of office consecutively.

7. ELECTION OF COUNCILLORS

7.1 Elections for members to represent the school staff and parent community will take place in second term of each year.

7.2 Announcement of Council members representing the school staff and the parent community will be made by public notice within 14 days of the election.

7.3 Method

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

- (i) The Principal will arrange for the compilation of a list of eligible voters in each constituency before elections take place.
- (ii) All members of the school staff are eligible and entitled to vote for their representatives on the School council.
- (iii) Members of the Parent Community are eligible and entitled to vote for their representatives on the School council.
- (iv) Election procedures will be advertised in the School Newsletter so that all school staff and the parent community have the opportunity to nominate and to vote for their particular representatives.
- (v) Nominations are to be submitted by the advertised closing date, in writing, on the form provided. Each nominee must be PROPOSED and SECONDED by members of the constituency she/he is represent.

The nominee must sign the nomination form indicating a willingness to accept the nomination.

- (vi) 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.
- (vii) Any election for school staff or parent representatives will take place by secret ballot of the respective constituency at a meeting called for the purpose and/or through postal vote.
- (viii) The results will be published in writing within 14 days of election.

7.3.2 Community Members

- (i) The Assistant Director-General (Region) will appoint the community member.
- (ii) The Principal and the President of the School Council, in consultation with the Director of Schools responsible for Kensington Public School, will recommend a member from local government/business/industry and, where necessary, other relevant groups in the local community for consideration by the Assistant Director-General (Region) as the appointed community member. (See Constitution section 5.5)
- (iii) The appointed member will be confirmed at the first meeting of the newly constituted Council.

7.4 Each eligible voter is entitled to vote once and only has one vote.

8. COUNCIL OFFICE BEARERS

8.1 The Council will have the following office bearers:

President:----- An elected parent member or an appointed community member (other than a member of Kensington School Staff)

Secretary:----- An elected parent member or an appointed community member

Executive member:----- The Principal

8.2 Office bearers will be elected at the first meeting of the newly constituted Council which will be held within (1) month of the Annual General Meeting. (See Constitution section 9.1.2)

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

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

8.5 Roles and Responsibilities

8.5.1 President:

- chairs all meetings;
- in conjunction with the Executive Member, prepares the Annual Report of the Council;
- in conjunction with the Executive Member, sets the agenda; and
- assumes the role of representing the School Council where required;

8.5.2 Secretary:

- is responsible for preparing and circulating the draft minutes of each meeting within fourteen days of that meeting to all Councillors;
- is responsible for the correspondence;
- maintains official records of the Council; and
- prepares in consultation with the President and the Executive Member items for inclusion in the Newsletter to inform the school Community of the Council's decisions.

8.5.3 Executive Member:

- is responsible for the implementation of the broad policies and priorities determined by Council;
- is responsible for ensuring proper elections that allow all members of the respective constituencies the opportunities to vote;
- is responsible for consulting with the Council for the preparation of the budget, and the annual financial report and providing reports to the Council on the progress against that budget;
- in conjunction with the President, prepares the Annual Report of the Council;
- is responsible for the transition from one Council to the next.

9. COUNCIL MEETINGS

9.1 Frequency

9.1.1 The Council will meet at least once per term.

9.1.2 The first meeting of a newly constituted council will be held within one month of the AGM to elect Office Bearers.

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

9.1.4 The dates, venues and times of Council meetings will be advertised in the school newsletter.

9.2 Quorum

9.2.1 A quorum for Council meetings will be five

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 then the President or Executive member must be informed.

9.3.3 Should an elected member fail to attend three meetings without notification the Council will declare a casual vacancy.

9.3.4 Should an elected member resign or transfer out of the school community a casual vacancy is declared.

9.3.5 Should an appointed member fail to attend three consecutive meetings without notification, the member will be asked to provide a formal explanation at the next meeting. A vote will be taken by the Council whether a recommendation for dismissal should be made to a Special General Meeting.

9.3.6 In the absence of the President of the Council, the meeting will elect a member to take the chair.

9.4 Agenda

9.4.1 The meeting Agenda will be circulated 24 hours prior to the meeting.

9.4.2 Any member of the school community who wishes Council to debate a particular matter should advise the Secretary in writing no less than 48 hours prior to the meeting.

9.4.3 Items not on the published Agenda may be replaced on the agenda following a resolution by the council that the matter is urgent alternatively it will be placed on the agenda for the following meeting.

9.5 Minutes

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

9.5.2 Minutes of a meeting will be displayed on the School Noticeboard and published in the Newsletter.

9.5.3 Minutes of all meetings will be kept at the school.

10. COUNCIL MEETING PROCEDURES

10.1 Informal meeting procedures will be the norm, the formal meeting rules set out in section 10.2 below may be invoked at the discretion of the President or by a simple majority.

10.2 The time limits for speakers are:

- Reports: 5 minutes
- Mover of motions: 3 minutes when moving a motion plus 2 minutes right of reply before voting takes place: and
- Seconder and subsequent speakers on motion: 3 minutes, speaking only once unless to amend, to seek clarification or unless the Council moves into committee

- Extensions of time may be agreed to by a procedural motion.

10.3 Voting

10.3.1 Each member of Council will be entitled to one vote.

10.3.2 Decisions will be taken by a simple majority, the status quo will be maintained when voting is equal.

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

10.4 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

11.1 The Annual General Meeting will be held in the Second term.

11.2 Notice of the A.G.M. will be given fourteen days in advance to all members of the school community.

11.3 Items not on the published Agenda may be placed on the agenda following a resolution by the meeting.

11.4 Reports of all Council activities will be presented at the A.G.M. by the relevant office bearers and conveners of committees of the Council.

11.5 A quorum for the A.G.M., will be a majority of the Council, including 2 office bearers, 2 parent members and 2 elected school staff members plus 6 members of the voting constituency.

12. SPECIAL GENERAL (EXTRAORDINARY) MEETINGS

12.1 Procedure

12.1.1 A Special General Meeting of the school community may be called at any time during the school term when requested by the following, in writing to the Secretary:

- a) the majority of Councillors;
- b) 20% of the parent community by petition;
- c) 50% of the staff by petition;
- d) the Principal.

12.1.2 A Special General Meeting will be called for the purposes of:

- i) Recommending amendments to the constitution;
- ii) Recommending the removal of an appointed member or an elected member;
- iii) Dissenting from a Council decision;
- iv) Recommending dismissal of the present Council;
- v) Obtaining the views of as many people as possible;

12.1.3 Such a meeting will be held within fourteen (14) days of the request.

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

12.2 Quorums

12.2.1 If the purpose of the meeting is to obtain the views of as many people as possible no quorum need apply and the meeting may take a recommendation to the Council on the matter under consideration

12.2.2 The quorum for in regard to points (i), (iii) & (iv) section 12.1.2, shall be at least 40.

12.2.3 The quorum for meetings in regard to point (ii) in section 12.1.2, shall be:

- (a) 40 in the case of a parent representative; and
- (b) 75% of the school staff in the case of a staff representative.

12.3 Voting

12.3.1 To be carried, motions require a two-thirds majority of those present and eligible to vote.

12.3.2 Where the purpose of the meeting is to remove an elected member, only members of the constituency represented by the member are eligible to vote.

12.4 Outcomes of Special General Meetings

12.4.1 Recommendations arising from such 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 meetings held to obtain the views of as many people as possible will remain the responsibility of the Council.

12.4.3 Recommendations arising from meetings held to amend the constitution, to remove appointed members, to dissent from a Council decision or to seek the dismissal of the present Council will be forwarded to the Assistant Director-General (Region) by the President and the Executive member, through the Director of Schools responsible for Kensington Public School, 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 the school at all times unless authorised by the President or the Executive Member.

14. BUDGET PLAN

14.1 The Council, in determining broad budget priorities and developing the school budget plan, will take account of all funds available to the school from government, parent and community sources. This budget plan will be developed in the context of the School Manual on Financial Management.

14.1.1 The Council will provide the opportunity for all members of the school community to make their priorities known in the context of the educational aims of the school, the school's organisation and the available resources before developing the budget plan.

14.1.2 The Council will give due consideration to the views expressed by contributing groups or individuals in determining broad budget priorities and developing the school budget plan.

15. AMENDMENTS TO THE CONSTITUTION

- 15.1 Amendments to the constitution will only be considered at a Special General Meeting of the school community called for that purpose (see Constitution section 12.) All proposed amendments will be submitted to the Assistant Director-General (Region), through the Director of Schools responsible for Kensington Public School, for approval.

16. REPLACEMENT OF COUNCIL MEMBERS

16.1 Casual Vacancies

When a casual vacancy for an elected Councillor occurs the position will be filled appointed by the School Council from the constituency from which the vacancy occurred.

Where the former Councillor was an office bearer of the School Council, that position will be filled by the Council.

- 16.3.1 An appointed member may only be removed by the Assistant Director-General (Region) and replaced according to Constitution section 7.3.2.

If the School Council wishes to have an appointed member removed, a special General Meeting will be called for that purpose. Any recommendations from the Special General Meeting to have an appointed member removed will be submitted to the Assistant Director-General (Region), through the Director of Schools responsible for Kensington Public School, for approval.

17. DISMISSAL OF THE SCHOOL COUNCIL

- 17.1 Any proposal to dismiss the School Council may only be considered at a Special General Meeting called in accordance with Constitution section 12. Any recommendation from the Special General Meeting to dismiss the Council will be forwarded to the Assistant Director-General (Region), through the Director of Schools responsible for Kensington Public School, for approval.
- 17.2 If the Council is dismissed, a new Council will be formed in accordance with the established election procedures (see Constitution 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 Director of Schools responsible for Kensington Public School shall resolve the matter in dispute.

19. RELATIONSHIP WITH COMMITTEES/ORGANISATIONS

- 19.1 The Council will establish procedures for liaison with P&C.