CONSTITUTION for
CAPE BYRON RUDOLF STEINER SCHOOL PARENTS & FRIENDS ASSOCIATION

ASSOCIATIONS INCORPORATIONS ACT 1984 (NSW)
CAPE BYRON RUDOLF STEINER SCHOOL PARENTS AND FRIENDS ASSOCIATION INCORPORATED
CONSTITUTION AND RULES
As accepted at the P&F AGM, 23rd March 2009

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1. NAME
The name of the Association shall be the Cape Byron Rudolf Steiner School Parents and Friends' Association (Incorporated).

2. DEFINITIONS
(a) The Parents and Friends' Association is the Cape Byron Rudolf Steiner School Parents and Friends' Association (Incorporated).
(b) The Executive consists of the (3) Office Bearers of the Association elected as per Cl. 8.
(c) Cape Byron Rudolf Steiner School may also be referred to as CBRSS on occasions.
(d) The Governing Bodies of the School are the Principal and the CBRSS School Council

3. OBJECTIVES
The objectives of the Cape Byron Rudolf Steiner School Parents and Friends' Association is to be a vibrant, active group dedicated to nurturing and supporting the heart and soul of our Cape Byron Rudolf Steiner School community by embracing the philosophy of Rudolf Steiner.

4. AIMS
The Parents and Friends’ Association is an integral part of the Cape Byron Rudolf Steiner School structure in its role of fostering the social life of the community and raising funds for the School

(i) The Association is committed to:-
(a) Nurturing and supporting the heart and soul of our School community by embracing the philosophy of Rudolf Steiner in the conduct of all meetings, correspondence and social functions.
(b) Supporting parents on their journey through Cape Byron Rudolf Steiner School by facilitating at least 5 meetings per year where parents and friends are invited to share ideas, information and to become actively involved in the social element of the School.
(c) Facilitating correct processes. When grievances arise the School Grievance Policy will be adhered to at all times. As noted in the CBRSS Grievance Policy a support person (either another parent or professional facilitator) may be offered to assist the parties through the grievance process, while ensuring the strictest confidence.
(d) Ensuring communication and consultation between all School bodies is clear by inviting representatives of Council, the Principal, teaching staff and Administration to attend each P&F meeting.
(e) Supporting CBRSS philosophies by hosting workshops and information for parents.
(f) Ensuring the parent voice is heard by reviewing and providing feedback on School policies as they become relevant.
(g) Overseeing and supporting the Spring Fair and other social and fundraising events carried out by classes.
(h) Supporting teachers with catering for School events and funding ancillary resources.
(i) Supporting students through funding of resources that enhance their educational experience or personal development.
The Parents and Friends’ Association Executive should:-

(a) Be responsible for the planning, management and organisation of the Association's affairs;
(b) Hold regular (preferably monthly) general meetings to which should be invited all parents and friends, the Principal and staff, and other interested persons;
(c) Conduct meetings in a fitting and proper manner with respect for accepted meeting procedures;
(d) Use known and successful organisational tools, such as sub-committees, task forces and discussion groups, to encourage wider participation, develop increased responsibility and to achieve more effective results;

5. MEMBERSHIP OF THE ASSOCIATION

(a) The Principal, Representatives of the CBRSS School Council, and all members of the teaching staff of the school shall be ex-officio members of the Association.
(b) A parent/guardian of a child attending the school, or any person who supports the objectives of the Association, shall be admitted as a member.
(c) The Cape Byron Rudolf Steiner School Parents and Friends Association shall keep and maintain in an up to date condition a register of the members of the association and their postal and residential addresses and, upon request of a member of the association, shall make the register available for the inspection of the member and the member may make a copy of or take an extract from the register but shall have no right to remove the register for that purpose. In the case of those members who are parents and/or carers of children currently on the School roll, the School roll shall be considered as the register of Members.

6. MEETINGS OF THE ASSOCIATION

(a) An Annual General Meeting of the Association shall be held as close as practicable to the beginning or the end of the school year:-
   (i) to receive and consider the Annual Reports of the Office Bearers;
   (ii) to elect the Executive for the ensuing year;
   (iii) to elect the auditors; and
   (iv) to deal with any other matter or matters brought before the meeting.
(b) Additional Association General Meetings shall be held regularly (preferably monthly) during the school year.
(c) Where possible, matters to be brought before an Association Meeting should be submitted in writing to the Chairperson or Secretary at least five days prior to the Meeting to facilitate circulation and/or inclusion on the Agenda.
(d) (i) Special Meetings of the Association may be convened by the Chairperson, Secretary or Treasurer at any time, and shall be convened by them within 14 days of receiving a requisition in writing signed by at least five members of the Association. These signatories shall be required to attend the meeting so called or submit a written apology. In order for the meeting to be valid, at least three of the signatories must attend the meeting. The requisition must itemise all matters to be discussed at the meeting.
   (ii) Special Meetings will be convened within fourteen days at the request of any of the school Governing Bodies (i.e., the Principal or the CBRSS School Council).
   (iii) At Special Meetings, items for discussion will be limited to the matters relating to the calling of such a Meeting.
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(e) Notification of Association General or Special Meetings, including details of matters to be raised, will be given to all members at least seven days prior to the meeting.

(f) At any Association General or Special Meeting, a total of five (5) members of the Association, including at least one (1) Office Bearer, shall constitute a quorum.

(g) At each meeting of the Association, the Executive shall make a report of its activities since the previous meeting of the Association.

(h) The Secretary shall cause proper minutes of all proceedings of all General Meetings and Committee Meetings to be taken and then to be entered within 30 days after the holding of each General Meeting or Committee Meeting, as the case requires, in a minute book or file kept for that purpose.

(i) The Chairperson shall ensure that the minutes taken of a General Meeting or Executive Meeting are checked and signed as correct by the Chairperson of the General Meeting or Executive Meeting to which those minutes relate or of the next succeeding General Meeting or Executive Meeting as the case requires;

(j) When minutes have been entered and signed as correct under this rule, they shall, until the contrary is proved, be evidence that:

   (i) the General Meeting or Executive Meeting to which they relate (called 'the meeting') was duly convened and held;

   (ii) all proceedings recorded as having taken place at the meeting did in fact take place thereat; and

   (iii) all appointments or elections purporting to have been made at the meeting have been validly made.

7. VOTING

(a) Any member or ex-officio member of the Association shall be eligible to vote on any matter at any meeting of the Association.

(b) The Chairman of a meeting may use a casting vote, which must not be used to alter the status quo.

(c) Any question arising at a General or Special meeting of the Association, shall be decided by a show of hands unless a secret ballot is demanded. Decisions shall be made by a simple majority vote except for those matters which must be decided by special resolution where a three quarter majority is required.

8. MANAGEMENT

The Association shall be governed by an Executive comprising a Chairperson, Secretary, and Treasurer. The Principal and the Representatives of the CBRSS School Council will be ex-officio members of the Executive.

9. ELECTIONS

(a) The Executive Members of the Association shall be elected by the Annual General Meeting. For the purpose of this election only, either the Principal or a Representative of the CBRSS School Council, or their nominated representative, will occupy the Chair.

(b) Any member of the Association, who is present at the Annual General Meeting, or has consented in writing to be elected, shall be eligible for election to the Executive.

(c) No ex-officio member, or their representative, may be elected to an executive position.
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10. VACATION OF OFFICE
   (a) The term of office of Executive members will be one year, at the conclusion of which period they shall
       vacate their positions, but shall be eligible for re-election.
   (b) A person shall not hold the office of Chairperson for more than three consecutive years.
   (c) Executive Members who wish to resign during their elected term may do so providing they give one
       month’s written notice to the Executive.
   (d) A Member of the Executive shall be deemed to have resigned there from if without submitting an
       acceptable apology, she or he is absent from three consecutive meetings (whether of the Association
       or the Executive or a combination of both);

11. CASUAL VACANCIES
   Any vacancies in the Executive, whether by reason of the operation of Clause 10 or otherwise, may be filled
   by the appointment thereto by the Executive of any member of the Association, until the next Annual General
   Meeting.

12. MEETINGS OF THE EXECUTIVE
   (a) Executive Meetings will be open to all members of the Association, unless called as closed by a
       majority of the Executive.
   (b) The Executive shall meet regularly during the school year, and otherwise as determined by the
       Executive and two (2) Office Bearers shall constitute a quorum at any closed meeting of the
       Executive.
   (c) Members co-opted by the Executive, as per Clause 11, will have full voting rights at Committee
       Meetings. Observers attending Executive Meetings will not be entitled to a vote, although their
       participation in the Meeting will be encouraged.

13. POWERS OF THE EXECUTIVE
   The Executive shall have power generally to give effect to the aims of the Association and to the Rules of the
   Constitution, and the Executive may, subject to any decisions of the Association:-
   (a) establish such sub-committees as it may determine to give effect to the aims of the
       Association;
   (b) provide for the election or appointment of members to any such sub-committee and for the conduct
       and operation thereof;
   (c) elect and define the duties and powers of its officers;
   (d) raise funds by other voluntary means for the further educational benefits of the Cape Byron Rudolf
       Steiner School children in accordance with the aims of the Association.

14. POWER OF VETO
   The School Principal and/or the CBRSS School Council shall have the power to veto any decision made at
   any meeting dealing with matters of internal operation of the School.
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15.  FINANCE

The Cape Byron Rudolf Steiner School Parents and Friends’ Association shall -

(a)  Keep such accounting records as correctly record and explain the financial transactions and financial position of the association;

(b)  Keep its accounting records in such manner as will enable true and fair accounts of the association to be prepared from time to time; and

(c)  Keep its accounting records in such a manner as will enable true and fair accounts of the association to be conveniently and properly audited.

(d)  As soon as practicable, the Executive shall cause a bank account to be opened in the name of the Association, at such Financial Institution as may be determined. Cheques drawn upon the account shall be signed by such officers as the Executive may determine.

16.  ASSETS

All assets of whatever nature not previously donated to the school (excepting the Association’s bank accounts) may be vested in a trustee of the Association. The CBRSS School Council shall be the sole trustee of the Association.

17.  AFFILIATION

The Executive may:

(a)  Make application for affiliation with such organisations as Council in its absolute discretion from time to time thinks fit;

(b)  Elect a representative or representatives to attend meetings of such organisations and associations aforesaid; and

(c)  Invite representatives from such organisations and associations aforesaid to attend any meeting of the Association.

18.  AMENDMENT

Subject to Clause 3 hereof, this Constitution may be amended or altered at any General Meeting of the Association, provided that:

(a)  notice of any proposed amendment or proposed alteration shall have been given in writing to all members at least one month prior to such meeting, and,

(b)  the amendment or alteration is approved by at least 75% of the members present.

19.  COMMON SEAL

If the Association becomes incorporated, the Common Seal of the Association shall be in the custody of the Secretary and shall be affixed to any document only pursuant to a resolution of the Executive. The affixation of the seal shall be witnessed by the Secretary and either the Chairperson or the Treasurer.
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20. **NON-PROFIT MAKING**

The income and property of the Association howsoever derived shall be applied solely towards the promotion of its objects as set out in this Constitution and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever to its members, provided that nothing herein shall prevent the payment in good faith of remuneration to any officer or servant of the Association or reimbursement for costs incurred in the service of the Association.

21. **AUDITOR**

(a) The financial year of the Association shall be from the 1st January to 31st December in each year.

(b) The members at each Annual General Meeting of the Association shall appoint an Auditor for the next twelve months. The Auditor shall audit the accounts of the Association as at the close of the financial year. The Auditor shall not be a member of the Executive or ex-officio member of the Executive.

22. **CHAIRPERSON**

The Chairperson shall:-

(a) act as Chairperson at all General and Executive Meetings of the Association.

(b) provide leadership for the Association

(c) act as the Association's representative

(d) ensure adequate and efficient communication exists between the Association and other groups and individuals within the school community

23. **SECRETARY**

The Secretary shall:-

(a) co-ordinate the correspondence of the Association;

(b) keep full and correct minutes of the proceedings of the Executive and Association;

(c) have custody of all books, documents, records and registers of the Association, including those referred to in paragraph (c), other than those required by clause 23 to be kept and maintained by, or to be in the custody of, the Treasurer, and

(d) perform such other duties as are imposed by this Constitution.

24. **TREASURER**

The Treasurer shall:-

(a) be responsible for the receipt of all moneys paid to or received by the Treasurer on behalf of the Association and shall issue receipts for those moneys in the name of the Association;

(b) pay all moneys referred to in paragraph (a) into such account or accounts of the Association as the Executive may from time to time direct;

(c) make payments from the funds of the Association with the authority of a general meeting or of the Executive and in so doing ensure that all cheques are signed in accordance with clause 15;
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(d) whenever directed to do so by the Chairperson, submit to the Executive a report, balance sheet or financial statement in accordance with that direction;

(f) have custody of all securities, books and documents of a financial nature and the accounting records of the Association, including those referred to in paragraph (c) and (d);

(g) shall submit to its members at the annual general meeting of the association accounts of the association showing the financial position of the association at the end of the immediately preceding financial year; and

(h) perform such other duties as are imposed by this Constitution.

25. RULES TO BE AVAILABLE TO MEMBERS

An incorporated association shall keep and maintain in an up to date condition the rules of the association and, upon the request of a member of the association shall make available those rules for the inspection of the member and the member may make a copy of or take an extract from the rules but shall have no right to remove the rules for that purpose.

26. PUBLIC OFFICER

The Association shall ensure that a person is appointed as Public Officer.

(a) The Executive may at any time remove the first Public Officer and appoint a new Public Officer provided that the person appointed is 18 years of age or older and a resident of New South Wales.

(b) The Public Officer shall be deemed to have vacated their position in the following circumstances:
   (i) death;
   (ii) resignation;
   (iii) removal by Council or at a General meeting;
   (iv) bankruptcy or financial insolvency;
   (v) mental illness; or
   (vi) residency outside New South Wales.

(c) When a vacancy occurs in the position of Public Officer, the Executive shall within 14 days notify the Department of Fair Trading by the prescribed form and appoint a new Public Officer.

(d) The Public Officer is required to notify the Department of Fair Trading by the prescribed form in the following circumstances:
   (i) appointment (within 14 days);
   (ii) a change of residential address (within 14 days);
   (iii) a change in the Association’s objects or rules (within one month after the Annual General meeting); or
   (iv) the Association’s financial affairs (within one month after the Annual General meeting).

(e) The Public Officer may be an executive bearer, member or any other person regarded as suitable for the position by the Association.

(f) The Public Officer shall keep a register of members of the Association which must:
   (i) contain the name and residential address of each Council member and the date on which they became a member of Council;
   (ii) be updated within one month of any change taking place; and
   (iii) be made available for inspection by any person, at all reasonable hours and free of charge.
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27. VOLUNTARY WINDING UP

(1) An incorporated association may be wound up voluntarily if the association is solvent and resolves by special resolution that it be wound up voluntarily.

(2) The incorporated association shall cause a copy of a special resolution passed under subsection (1) to be lodged with the Department of Fair Trading within 14 days after the passing of the resolution.

(3) Dissolution pursuant to the voluntary winding up of an incorporated association shall take effect -

(a) 7 days after the distribution of the surplus property is completed; or

(b) if there is no surplus property, 14 days after a copy of the resolution is lodged with the Commissioner.

28. DISTRIBUTION OF SURPLUS PROPERTY ON WINDING UP OF THE ASSOCIATION

If, in the event of the winding up of the Association, any property of the Association remains after satisfaction of the debts and liabilities of the Association and the costs, charges and expenses of that winding up, that property shall be distributed for the educational benefit of the students at Cape Byron Rudolf Steiner School and any other Steiner School at the discretion of the CBRSS School Council.

29. MEMBERS LIABILITY

The members of the Association shall have no liability to contribute towards the payment of the debts and liabilities of the Association or the costs, charges and expenses of the winding up of the Association except to the amount of any unpaid membership fees.

Adopted by a General Meeting of the Association
held on ____________________

_____________________________ Chairperson

_____________________________ Secretary

_____________________________ Treasurer

please affix the Common Seal here