

CONSTITUTION
OF
CENTRALIAN SENIOR COLLEGE COUNCIL

1. NAME

The name of the Council shall be the **Centralian Senior College Council**.

(Hereinafter named 'The Council')

2. DEFINITIONS

In this constitution, unless the contrary intention appears

ACT means the *Education Act* of the Northern Territory of Australia.

BANK means a bank, building society or credit union with the approval of the Chief Executive.

BUSINESS MANAGER means the person employed within the meaning of the *Public Sector Employment and Management Act*, to act as business manager to the **college**.

CHIEF EXECUTIVE means the Chief Executive as defined in the *Public Sector Employment and Management Act*, of the **Department of, Education and Training**.

COUNCIL means the **Centralian Senior College** Council established under S71 of the *Education Act*, being the recognised constitutional body representative of the **college** community.

GENERAL MANAGER SCHOOLS means the Northern Territory **Department of Education and Training** officer responsible for the educational region in which the school is situated.

INVITED MEMBER means a person who has been invited to be a member of the council, and who has accepted the invitation.

MEMBER in relation to the council, means a member of the council.

MINISTER means the Northern Territory Minister of Education.

PARENT means the parent or legal guardian of any student enrolled at the school including the person who has actual custody of a student and the person with whom a student resides.

PRINCIPAL means the person to whom the administration and control of the school is committed.

COLLEGE means the **Centralian Senior College**.

COLLEGE COMMUNITY means the teachers, parents, students and other persons who have a direct involvement or interest in the **college**.

STUDENT REPRESENTATIVE COUNCIL or SRC means the Student Representative Council of the **college** being the recognised constitutional body representative of students enrolled at the **college**.

TEACHING STAFF means the body of professional teachers appointed from time to time to the College

3. FUNCTIONS (*Education Act, 71C*)

The **college** council may exercise the following functions in respect of the **college**.

1. Examine the manner in which the educational policies of the Northern Territory are to be implemented at the **college** and, to this end, to advise the principal accordingly
2. Inquire into and identify the particular educational needs of the community served by **college** and advise the Chief Executive of those needs.
3. Consider and advise the principal and Chief Executive on initiatives in community education and, in particular, on means for improving links between the **college**, parent organisations, other associations and the community in general.
4. Assess, from time to time, the needs of the **college** in relation to buildings and facilities, equipment, and needs of students and teachers and other staff and make recommendations to the Chief Executive with respect to the provision of those needs
5. Within the scope allowed by the functions and powers conferred or imposed upon it, determine the purposes for which moneys allocated by the **Department of Education and Training** to the **college** are expended and to expend those funds accordingly.
6. Determine and regulate the conduct of activities for the benefit of the local community served by the **college** at any time when the **college's** buildings or grounds are not required for their usual purposes
7. Exercise general control of the buildings and grounds of the **college**, including, with the consent of the Chief Executive, supervising the conduct of work being carried out to or in relation to those buildings or grounds, upon such terms and conditions as are approved in writing by the Chief Executive
8. Control the manner in which the prescribed services are being rendered for the **college**
9. Advise the Chief Executive in relation to the job description for the position of principal
10. Advise the principal in relation to the job descriptions for teaching and **college** support staff
11. Employ with the consent to the Chief Executive such persons as the **college** council thinks fit, upon such terms and conditions as approved in writing by the Chief Executive
12. Carry out such activities as are approved by the Chief Executive for the purpose of raising funds to be expended on or in relation to the **college** and to expend such funds accordingly
13. Perform such other functions as the Minister, by instrument in writing, confers upon the **college** council.

4. SPECIAL CIRCUMSTANCES

1. The **college** council acknowledges that the **college** is co-located with Charles Darwin University on the Charles Darwin University Campus with shared facilities, services and resources;

2. In recognition of the co-located relationship with Charles Darwin University, the **college** council will exercise its powers and functions in accordance with relevant obligations arising from contractual arrangements or other agreements between Charles Darwin University and the Northern Territory.

5. **MEMBERSHIP (this must conform to Regulation 4)**

The composition of Council shall be made up as follows

1. Six parents **or more** other than such parents who are teachers at the **college**, elected by the parents of students attending the **college**.
2. One teacher elected by the teachers teaching at the **college**
3. Two students elected by the students enrolled at the student
4. One invited member who may, with the approval of council be invited
5. The principal who shall be a member of the council with voting rights, and who shall inform and advise the **college** council on matters being considered by it.

The number of members of the **college** council who are teachers teaching at, or the principal of, any Government school (but not including the member under regulation 4(4)(d) (the principal) of the *Education (School and school Councils) Regulations* must not be more than one-third of the number of members of the **college** council.

6. **OFFICERS (Regulation 6)**

The officers of the council shall be

1. The **chairperson**, who shall
 - Be appointed by the council from the parent members of the council (other than a member who is a teacher, principal or acting principal at any government school)
 - Preside at each meeting of the council and at general meetings, except when unavailable in which event the deputy chairperson shall preside at each meeting. In the event that neither can attend, the council shall appoint a chairperson for that meeting from the members present.
 - Have a deliberate vote only
2. The **council secretary**, who shall
 - Be responsible for the keeping of the official records of the council
 - Prepare the agenda for each meeting of the council in consultation with the chairperson
 - Record the minutes of each meeting of the council and forward copies to each council member prior to the next meeting
 - Conduct the official correspondence of the council
3. **The treasurer**, who shall

- (a) Be appointed either
 - (i) by the council, from the council members (other than the principal), at the first council meeting held after the annual general meeting, or
 - (ii) by the council, from elsewhere, without voting rights, by 30 April of that year

(Such decisions are to be made at the first council meeting held after the annual general meeting.)

- (b) Hold office as treasurer of the council up to and including the following annual general meeting- if the position becomes vacant, such position shall be filled as the council determines and the person appointed to fill that position shall hold office for the balance of the term of his or her predecessor.
- (c) See that the account books of the council are kept, and present financial statements as required by the council and the Chief Executive and present and present an audited statement covering the preceding year to the annual general meeting and to the Chief Executive.

NOTE: See Regulation 15 regarding use of **college** secretary or registrar (business manager).

7. **TERMS OF OFFICE** (Regulation 5)

1. Members of the council being members by virtue of their office (i.e. principal) shall be members during the currency of their terms of office.
2. Elected members of the council shall hold office for two years provided that where the council is first established one half of the elected members shall retire at the end of their first year of office.
3. Retiring members of the council shall be eligible for re-election.
4. Elected members of council shall be elected by their respective bodies at meetings called for that purpose prior to the annual general meeting in each years
5. Invited members, other than the local government member, will hold office for any period not exceeding two years, as determined by the council and will be eligible for a further term.
6. Municipal or community government member shall hold office for two years and will be eligible for a further term.
7. No member, other than the principal, may hold office for more than three consecutive terms.

8. **CASUAL VACANCIES** (Regulation 7)

1. Casual vacancies in membership of the council shall occur when
 - A member dies
 - A member's term of office expires
 - A member is no longer eligible to hold office
 - A member other than the chairperson presents a written notice of resignation to the chairperson of the council
 - A member fails to attend three consecutive scheduled meetings of council without the prior approval of the council in which case the member will be deemed to have resigned and shall be advised accordingly

2. Casual vacancies which would extend for more than three months shall be filled by the appropriate representative body nominating a replacement and the person so nominated or elected shall hold office for the remainder of the term of office of his or her predecessor.
3. When any person ceases to be a member of the council or to hold any particular office on the council, he or she shall immediately hand over to his or her successor, all books, papers and funds he or she held by virtue of his or her position on the council.

9. PROXIES

Any member of council who is unable to attend a particular meeting of the council may appoint a voting proxy who shall be a member of the council with full voting rights. The nomination of a voting proxy must be given in writing to the chairperson on no more than two occasions in any year.

10. COUNCIL MEETINGS (Regulation 9)

1. The **college** council should, where practicable, meet once per month during the **college** year and in any case not less than eight times (including the annual general meeting) in any calendar year.
2. The dates and times of meetings of council shall be advertised seven days in advance.
3. At any meetings of council only members of the council, the Chief Executive's nominee or those invited to do so by council can address the meeting.
4. Council meetings should be held in the **college** and open to the **college** community.
5. The council may call additional meetings as members deem to be necessary.
6. At any meeting of council half the current membership of the council shall constitute a quorum.

11. GENERAL MEETINGS (Regulation 8 and 9)

- 1.1 The council shall report annually to a meeting of the **college** community called for that purpose no later than March 15 (unless the Minister or person authorised by the Minister consents otherwise) in each year to an annual general meeting of parents, teaching staff, members of the student representative council and other interested persons called for that purpose.
 - 1.2 The report shall consist of a statement from the chairperson about matters dealt with and decisions made by council and an audited financial statement detailing income and expenditure of the council during the preceding year.
2. At the annual general meeting, retiring members of the council will relinquish their positions, and those parents, teachers and students who have been elected by their respective organisations will take their positions on the council.
 3. The teaching staff, parents and friends associations, or student representative council may ask for specific item or business to be placed on the agenda of a general meeting and those items of business shall be dealt with unless the meeting determines otherwise.

4.1 The council may call a special general meeting for the purpose of putting a specific matter before the parent, teacher or student bodies of the **college**.

4.2 at the request of not less than three members being from a combination of the parents, the teaching staff and the student representative council, the council shall call a meeting within seven days of receiving the request.

5. Notice of general meetings shall be advertised in the media and in a newsletter to all parents, teaching staff and the student representative council at least seven days in advance of the date of the meeting.

6. A quorum for a general meeting shall be half the current membership of the council.

12. COMMITTEES

1. The council may appoint such committees as it deems fit to undertake specific areas of responsibility.
2. The membership of the committees shall be filled as determined by council.
3. Each committee will nominate its own chairperson who must be a member of council.
4. Committee meetings should not open to the public.
5. The functions and responsibilities of the committees shall be defined by the council.
6. The chairperson of the committee shall be responsible for presenting regular reports covering the activities of the committee to the council.
7. All decisions of the committees are to be referred to the council for consideration and ratification.
8. Committees shall meet as determined by the council.

13. FINANCE (regulations 11,12,13,14)

The income and property of the council, however derived, shall be applied solely towards the promotion of the objects and purposed of the council as stipulated in the constitution and no portion thereof shall be paid or transferred, directly or indirectly, by dividend, bonus, or otherwise to any member of the council except for reimbursement for out-of-pocket expenses and, with the approval of the Chief Executive, for payment for goods and services.

1. The financial year of the council is the period beginning on 1 January in each year and ending on 31 December of that year.
2. True accounts shall be kept
 - a. Of all sums of money received and expended by the council and the matter in respect of which the receipt or expenditure takes place
 - b. Of the property, credits and liabilities of the council.
3. The treasurer of the council shall ensure that official receipts are issued for all moneys received by the council other than over-the-counter sales by a **college** canteen or book store run by that **college** council or where the Chief Executive otherwise determines.
4. The council shall cause to be opened with such banks as the council selects, banking accounts in the name of the council into which all moneys received shall be paid as soon as possible after receipt thereof.

5. No cheque shall be drawn in the council's bank account unless payment is in conformity with the council's budget.
6. All cheques shall be signed by such members of the council and **college** staff as the council may nominate for that purpose. A minimum of two signatures is required for all cheques.
7. Once at least in each financial year of the council, not later than 27 February (unless the Minister or person authorised by the Minister consents otherwise) in each year for the immediately preceding year, the accounts of the council shall be examined by an auditor appointed by the council and approved by the Chief Executive. The auditor shall certify as to the correctness of the accounts of the council and shall report thereon to the members present at the annual general meeting. In the auditor's report, and in certifying to the accounts, the auditor shall state
 - a. Whether she or he has obtained all of the information required to audit the accounts
 - b. Whether, in her or his opinion, the accounts are properly drawn up so as to exhibit a true and correct view of the financial position of the council according to the information at her or his disposal and the explanations given to her or him as shown by the books of the council
 - c. Whether the rules relating to the administration of the funds of the council have been observed.
8. The auditor
 - a. Has a right of access to the accounts, books, records, vouchers and documents of the council
 - b. May require from the members of the council such information and explanations as may be necessary for the performance of the auditor's duties
 - c. May, in relation to the accounts of the council, examine any member of the council or any servant of the council.
9. The handling of accounts, money and books, shall be accordance with the departmental instructions.
10. A member of the council who is financially interested in any contract or arrangement made or proposed to be made between the council and an outside contractor shall disclose that interest at the first meeting of the council at which the contract or arrangement is first taken into consideration, if that interest then exists or, in any other case, at the first meeting of the council after the acquisition of that interest.
11. No member of the council shall vote as a member of the council in respect of any contract or arrangement in which they are financially interested and if they do so vote their vote shall not be counted.

14. MISCELLANEOUS

1. Nothing contained in this constitution and these rules shall in anyway prejudice or give the council any power whatever to interfere in the rights of the teaching and **college** support staff, parents and friends association or student representative council to determine the conduct of their own affairs.
2. Public statements made on behalf of the council shall only be made by the chairperson or principal and provided that such statements reflect the agreed policy or true intent of the council.

3. This council may only be abolished by the Minister in accordance with Section 71K of the Act.
4. Upon abolition any funds remaining after the discharge of all liabilities shall be disposed of in accordance with Section 71K of the Act.

15. AMENDMENT OF THIS CONSTITUTION

1. This Constitution and these rules may only be amended at a general meeting of the **college** community called for that purpose and upon the majority vote of two-thirds of those present and voting provided that notice of the meeting and the specific reason for calling the meeting have been given in accordance with clauses 11.4 and 11.5.
2. Copies of this constitution and any amendments thereto duly signed and dated by the chairperson shall be made available to the **college** community and shall be available to the public at any council or general meeting.
3. Any amendment to this Constitution shall be notified in writing to the Chief Executive within seven days of the date of the amendment and such notice shall contain the text of the amendment.

Signed

Penelope Mac Donald
Chairperson

Date 9 March 2010