CONSTITUTION FOR

CURRAMBBINE PRIMARY SCHOOL BOARD
1. **Name**  
The Board shall be called the Currambine Primary School, Independent Public School Board (hereinafter referred to as the Board) as constituted in the School Education Act 1999 (the Act).

2. **Definitions**  
In this constitution:

“**Act**” means the *Associations Incorporation Act 1987*

“**Board**” means Currambine Primary School Board.

“**Director General**” means the chief executive officer of the Department of Education and Training as defined in section 229 of the School Education Act.

“**Educational programe**” 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.

“**Parent**” means parent as defined in section 4 of the School Education Act who is named in the school register as a parent of a student.

“**School**” means Currambine Primary 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 as defined in section 4 of the School Education Act.

“**Student**” means student enrolled at the school.

3. **Purpose**  
3.1 The Board is formed with the fundamental purpose of enabling parents, staff and members of the community to engage in activities that are in the best interests of students and will enhance the education provided by the school. This includes activities that will improve an educational programme of the school or the management of the school’s facilities.

3.2 The funds of the Board and the property acquired by the Board shall be applied solely towards the promotion of the purpose of the Board and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to members of the Board.
4. **Powers and Functions of the Board**

4.1 The functions of the Board are as provided in Section 128 of the Act and include:

4.1.1 to take part in:
- A focus on improving learning outcomes for ALL students
- Design and advise on the implementation of a shared vision and a plan reflecting the broad values of the school community by establishing and reviewing annually, the school's objectives, priorities and general policy directions;
- Active involvement in input endorsement and monitoring of the School’s Delivery and Performance Agreement, Budget, Business Plan and Annual Report
- Advise on the formulation of the school’s overall budget and monitor its spending including issues related to charges and contributions, extra cost options, advertising and sponsorship
- Implementing strategies and actions to ensure the growth of the school’s educational outcomes as well as its place in the local community.
- Determining student codes of conduct
- Determining the student dress code for students when they are attending or representing the school
- To promote the school in the community;

4.1.2 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 programmes, 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;

4.1.3 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;
- employment of persons other than persons referred to in section 235(1) of the *School Education Act 1999*;
- management or operation of facilities at the school.
4.2 The Board cannot:
- Intervene in the control or management of the school;
- Intervene in the educational instruction of students;
- Exercise authority over teaching staff or other persons employed at the school; and
- Intervene in the management or operation of a school fund.

5. **Membership of the Board**

5.1 Membership of the Board is to be drawn from the following categories:
- parents;
- members of the general community;
- staff of the school;

5.2 The number of members of the Board shall be at least 10 but not more than 15, but shall otherwise be determined by the Board. Parents and members of the general community must form the majority of the members of the Board.

5.3 The Board is to determine its composition:
5.3.1 having regard to 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,
5.3.2 having regard to the functions of the Board and any changes in those functions; and

5.4 The Board shall consist of elected members from the following representative groups:
- 6 School Community Members
- 4 Currambine Primary School Staff Members
- Marketing and Public Relations Officer will act as the Executive Officer
- The Principal is a member of the Board.
- Community members as determined at the discretion of the Board.

*Note:*
No elected teacher of the school who is also a parent of a student at CPS may be a Parent or School Community representative.

5.5 The Chairperson of the Board is to be elected by and from its members.

5.6 The Board may co-opt.

5.7 The Board may co-opt a member of the local community to be a member of the Board for such period, or in relation to such matters, as determined by the Board where that person's experience, skills or qualifications would enable him or her to make a contribution to the Board's functions.
6. **Appointment and election of members**

6.1 The principal of the school will invite nominations from suitably qualified persons to fill vacancies occurring in the categories referred to in rule 5.1 above and, except in the case of the general community membership category, will conduct elections where the number of nominees is greater than the vacancies available.

6.2 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.

6.3 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.

6.4 A person may not vote in respect of more than one category referred to in rules 6.2 and 6.3.

6.5 In the category of general community membership positions, the Board may appoint suitably qualified members of the general community from the list of nominees.

6.7 The Director General may inquire into any matter affecting an election or appointment of a member of the Board 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.

6.8 A member of the Board (other than the principal) shall hold office for a term not exceeding two years as determined by the Board and may be reappointed more than once. To ensure the consistency of its actions and decisions and the retention of experience of its members, there shall be a half Board election every year.

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

7. **Cessation or termination of membership**

7.1 The office of a member of the Board 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 Board; or
7.1.3 is removed from office by the Director General of Education or his/her delegate.
7.2 The Director General or Executive Directors as delegates of the Director General, may remove a person as a member of the Board on the grounds that the continuation of the person as a member would be detrimental to the interests of the Board.

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

7.3.1 has neglected his or her 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 his or her function as a member; or
7.3.4 has been absent, without leave or reasonable excuse, from two consecutive meetings of which the member has had notice.

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

7.5 A decision of the Board 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.

8. Meetings and Proceedings of the Board

8.1 The whole Board at its scheduled meetings shall manage the affairs of the Board.

8.2 The Board will conduct two meetings per term, in weeks 4 and 8 of each term unless varied by the vote of the majority of the Board.

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

8.4 Meetings of the Board are generally to be open to the public.

8.5 The Board is to hold each calendar year at least one meeting that is open to the public, 14 days' notice of which has been given to parents and in which a report is presented on the performance of the Board's functions.

8.6 The Board may decide to close to members of the public a meeting or part of the meeting on the grounds set out in rule 8.6 unless the meeting is the annual public meeting or a special meeting called under regulation 118 of the School Education Regulations 2000.

8.7 The Board may decide to close to members of the public a meeting or part of the meeting if it deals with any of the following:

8.7.1 a matter affecting a person who is employed at the school;
8.7.2 the personal affairs of any person;
8.7.3 a contract entered into, or which may be entered into, by the Board and which relates to a matter to be discussed at the meeting;
8.7.4 legal advice obtained, or which may be obtained, by the Board and which relates to a matter to be discussed at the meeting;
8.7.5 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 Board; 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 Board;
8.7.6 information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971.

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

8.9 The chairperson is to convene a special meeting of the Board if the meeting is called for in a notice to the chairperson setting out the purposes of the proposed meeting that is provided by at least 20 families of students at the school or at least half the number of families of students at the school, whichever is the lesser number of families.

8.10 The chairperson is not to convene a meeting under rule 8.8 if the purposes of the proposed meeting are not relevant to the Board's functions.

8.11 A meeting convened under rule 8.8 is to deal only with matters relevant to the purposes set out in the notice received by the chairperson.

8.12 Each Board member, including the chairperson, is entitled to one vote only.

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

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

8.15 Subject to these rules, the procedure and order of business to be followed at a meeting shall be determined by members of the Board present at the meeting.

8.16 The Board shall have the power to form other committees, as it deems necessary. Such committees shall be for specific purposes and durations and report directly to the Board.

8.15. Quorum:

A quorum:
   • shall consist of six (6) members, and the Principal.
Where a formal vote is required, a quorum requires representation to meet the legislative requirement that a majority of voting members present be Parent and Community representatives.

9. **Duties of Office Bearers - Chair, Deputy Chair and Executive Officer**

9.1 The Chair / Deputy Chair shall preside at all Board meetings.

9.2 Executive Officer:
The Executive Officer shall keep full and correct minutes of the proceedings of the Board. The Executive Officer shall distribute via the Chair copies of Board minutes and notices of Board meetings to all members no less than one week prior to each meeting. All minutes, associated documents and reports are to be filed at the school after the Board Chairman has signed them.

10. **Meetings of the Board:**

10.1 It is expected that meetings of Standing Committees shall be held prior to each Board meeting and a report given to the next meeting of the Board.

10.2 The following reports shall be presented at the first meeting of the Board:
- a report by the Principal of the activities of the school for the past year
- a report by the Chair of the activities of the Board for the past year
- such other reports, as the Board deems necessary

10.3 No fees or subscriptions are to be charged against members.

10.4 A member of the Board having any direct or indirect pecuniary interest referred to in sections 21 or 22 of the Act shall comply with the obligations imposed on them by those sections.

10.5 All records and documents of the Board may be inspected by any member upon reasonable advice to the Chairperson.

11. **Alteration of the Rules of the Board**

11.1 The Board may only alter, rescind or add to these rules if there is a special resolution passed by three quarters of the members of the Board.

11.2 The Board must comply with the requirements of sections 17, 18 and 19 of the Act.

11.3 These rules bind every member of the Board to the same extent as if every member of the Board had signed and sealed these rules and agreed to be bound by all their provisions.
12. **Winding Up of the Board**

12.1 The Minister may apply to the Supreme Court for the winding up of the Board based on one or more of the following grounds:

12.1.1 the Board is in breach of the School Education Act;

12.1.2 the conduct of the Board is incompetent, inadequate or improper.

12.2 The Board may also be wound up pursuant to sections 30 and 31 of the Act.

13. **Procedures**

13.1 Subject to The Act and this Constitution, the Board shall determine its own procedures.
- Officers shall be elected at the first meeting.
- Community members with expertise in a particular field may be co-opted at the recommendation of the Board as a temporary advisory member. Co-opted members shall be non-voting and serve on the board for a time period identified by the Board before they sit as a member. Their tenure may be extended as deemed appropriate by the board.

13.2 Subject to the following two points, a majority of one from those persons eligible to vote is necessary to pass a motion presented at the Board:
- Some three quarter of the members be in attendance.
- An absolute majority of voting members is required to change this Constitution.

13.3 In the case of a tied vote the Chair shall have a casting vote. Where the Chair is not present, the Deputy Chair shall preside. Should neither be in attendance, the meeting shall elect a Chair for the occasion from those members present. The Chair shall be the official spokesperson for the Board at all times.

13.4 Alterations to this Constitution shall be considered as an item of special business at the First Meeting of the Board, or at a Special Meeting. Notice of such proposals shall be attached to the notice advertising the meeting. At least seven days’ notice of such proposals must be given in writing to the Chair of the Board.