

# CONSTITUTION

P&F Association  
Downlands College  
Toowoomba Qld

2018

The Downlands P&F Association acknowledges the Parents & Friends Associations in Catholic Schools in Queensland for originally providing the basis of this document

## 1. NAME

The name of the Association shall be Downlands College P&F Association

## 2. INTERPRETATION

In this Constitution unless the context otherwise requires:-

- a. "Parent/carer" means the natural parents, legal custodians or people who are 'in loco parentis' i.e. someone who is legally acting in place of a parent on behalf of a minor
- b. "School" means any institution of pre-School,, preparatory year, primary or secondary education conducted in accordance with Canon 803 of the Code of Canon Law.
- c. "Ordinary Member" is a Parent/Carer of a child enrolled at the School.
- d. "The Executive" means those "Ordinary Members" elected or appointed to fill the positions of President, Vice President, Secretary and Treasurer.
- e. "Ex-officio Members" are Members of the Executive of the Association by virtue of the office they hold. They shall have filll voting rights.
- f. "Sub-Committees" means those "Ordinary Members" elected or appointed to particular committees (e.g. tuckshop, uniform) to fulfil specific roles and/or tasks that are agreed as required.
- g."Delegate" means an "Ordinary member" appointed to "The Executive" to act as a representative on the Diocesan Council.
- h. "Diocesan Council" means the body representing the interests of all Parents and Friends Associations of diocesan schools within a Diocese (including the Archdiocese) in the Roman Catholic province of Brisbane i.e. State of Queensland.
- k. "Friends" are School teachers, staff, and other Members of the Parish/School community interested in pursuing the objectives of the P&F Association by their regular attendance at meetings. The names of "Friends" are to be agreed at an AGM or a regular meeting of the P&F Association.
- l. "MSC" means Missionaries of the Sacred Heart.

### 3. OBJECTIVES

3.1 The Objectives of the Association shall be those that accord with the content of the documents 'The Catholic School' (Sacred Congregation for Catholic Education, Rome 1977), the Code of 'Canon Law (1983)', and 'The Catholic School on the Threshold of the Third Millennium' — Congregation for Catholic Education (For Seminaries and Educational Institutions).

3.2 In particular, the Association will participate in the optimum spiritual, intellectual, social and physical development of pupils in the School by:

- a. providing a medium of support, information and involvement of parents/ carers in their childrens' education and the School community,
- b. developing collaboration between parents/carers and School staff,
- c. promoting the principles of Catholic education,
- d. fostering a distinctive Christian environment in the School,
- e. providing a medium for parents/carers to participate at Diocesan, State and National levels.

3.3 The Association shall:

- a. Work in partnership with the administration of the school in supporting all aspects of its operations.

The Association shall not:

- a. affiliate with any political body or party,
- b. affiliate with any association whose objectives are inconsistent with the objectives stated in clause 3.1.

### 4. ASSOCIATION MEMBERSHIP

4.1 The membership of the Association shall consist of:

- a. the parent/s and or carer/s of each child enrolled at the School who shall be called Ordinary Members;
- b. the Principal, or nominee, who shall be called Ex-Officio Members;
- c. a member of the MSC school community. and Friends of the School.

## 4.2 Register of Members:

- a. In the case of those qualifying for Ordinary Membership as parents and/or carers of children currently on the School roll, the School roll shall be considered as the register of Members.
- b. The Executive shall cause a register to be kept in which shall be entered the names of all persons admitted to membership of the Association as "Friends". The minutes of a meeting may be used as the register. Membership of a "friend" shall be reviewed each year

## 5. EXECUTIVE MEMBERSHIP

### 5.1 Membership of Executive shall consist of:

- a. President, Vice-President, Secretary, Treasurer and Diocesan Delegates,
- b. School Principal, or nominee, as Ex-Officio Member,
- c. Representatives made up of Ordinary Members and an MSC from the Downlands school community, as agreed by the Association from time to time.

### 5.2 Election of the Executive

- a. At the Annual General Meeting of the Association, all the elected Members of the Executive shall retire from office, but shall be eligible for re-election or re-appointment subject to the terms of this Constitution.
- b. The Executive shall be elected from the Association membership by the Ordinary Members.
- c. Term of office of the elected Executive Members shall be one year with the right to serve a maximum of two(2) consecutive full terms in the one position.
- d. Having served the maximum term in one position the member may stand for election for another position on the Executive.
- e. If an Executive member has served their maximum term (as per 5.2 c), and no nomination is forthcoming for that position, the Ordinary Members may re-appoint the incumbent to that position.

### 5.3 Termination of Membership of Executive

- a. Any member of the Executive may resign at any time from membership of the Executive by giving notice in writing to the Secretary. Such resignation shall take effect at the time when such notice is received by the Secretary unless some later date is specified in the notice, when it shall take effect on that later date;
- b. Any member of the Executive may be removed from office at a specially convened meeting of the Association for that purpose if the member:
  - i. Fails to comply with any of the provisions of this Constitution; or ii.  
Conducts him/her self in a manner considered to be injurious and prejudicial to the character or interests of the Association. (See attached Parental Code of Conduct).

- c. The member concerned shall be given a full and fair opportunity of presenting his/her case, and if the Association resolves to terminate his/her membership it shall advise the member in writing within seven(7) days.
- d. At any such specially convened meeting the member shall be given the opportunity to fully present a case. The question of removal shall be determined by the majority vote of the Members present at the meeting.
- e. In the case of resignation or removal of the Treasurer, the books and accounts shall be audited before handover to the newly appointed Treasurer.

#### 5.4 Vacancies on Executive

- a. The Executive shall have power to appoint a member, who may or may not already be a member of the Executive, to fill any casual vacancy caused by the resignation or removal of an office bearer from the Executive, until the next Annual General Meeting.
- b. Such an appointment shall be ratified at the next scheduled General Meeting of the Association.

#### 5.5 Functions of the Executive

Except as otherwise provided by this Constitution, and subject to resolutions of the Members of the Association carried at any Annual or General Meeting, the Executive shall:

- a. Manage the administration of the affairs, including the property and funds of the Association;
- b. interpret and apply the Constitution with regard to any matter concerning the activities of the Association;
- c. formulate bylaws for adoption, repeal or amendment by the General Meeting of the Association, designed to promote the good governance and management of the Association.

#### 5.6 Sub-Committees

- a. The Executive shall have the authority to appoint Sub-Committees to undertake such tasks as it may from time to time determine. All Sub-Committees acting in accordance with the constitutional objectives shall be deemed to be a part of the Parents and Friends Association, and must report back to the Association.
- b. Each Sub-Committee shall choose from its Membership a chairperson, secretary and, if needed, a treasurer.

#### 5.7 Meetings of the Executive

- a. The Executive may meet separately from the General meeting as required during its term of office to exercise its functions. Decisions taken at meetings of the Executive shall be tabled at the next General Meeting for ratification or reporting purposes.
- b. A special meeting of the Executive shall be convened by the President or in his/her absence, the Secretary, upon the request of a simple majority of Members of the Executive.

Such request shall clearly state the reason why such special meeting is being convened and the nature or the business to be transacted thereat.

- c. At every Executive Meeting a simple majority of the Members of the Executive shall constitute a quorum.
- d. The Executive may meet together, subject to the constitution, and regulate its proceeding as it thinks fit, provided that questions arising at any meeting of the Executive shall be decided by consensus or a majority of votes, and in the case of an equality of votes on any question at any meeting of the Executive the motion lapses so that the status quo is maintained.

## 6. MEETINGS

### 6.1 Meetings of the Association shall either:

- a. Annual General Meeting. This shall be held in the month of November in each year
- b. General Meeting. The Association shall meet at least six times per year exclusive of the Annual General Meeting
- c. Special General Meeting. A meeting called and held for a specific purpose.

### 6.2 Agenda of Annual Meeting

The business to be transacted at every Annual General Meeting shall include:

- a. The reading of the Minutes of the previous Annual General Meeting.
- b. Business arising from the Minutes
- c. The receiving of the President's Report.
- d. The receiving of the Principal's Report.
- e. The receiving of the Treasurer's Report that shall include the Audited Financial Reports of the books and accounts of the Association for the preceding financial year including all SubCommittees. (If Annual General Meeting is held prior to end of designated financial year, the audited books shall be received at the first meeting of the new year before handover to the new Treasurer.)
- f. The election of Members of the Executive.
- g. The appointment of Sub-Committees.
- h. The appointment of an auditor.
- i. Review and distribution of Parental Code of Conduct.

### 6.3 Quorum

At the Annual General Meeting nine(9) Members shall constitute a Quorum, and at a General Meeting seven(7) Members shall constitute a Quorum.

## 6.4 Calling of Meetings

- a. The President or, in his/her absence the Secretary, shall convene all Annual and General Meeting of the organization by giving not less than fourteen days notice of such meetings. The Executive shall determine the manner by which such notice is given.
- b. The President or in his/her absence the Secretary shall convene Special Meetings of the Association when:
  - i. Directed to do so by the Executive or,
  - ii. upon being given a request in writing signed by not less than 1/3 of the Members of the Executive, or a number of Ordinary Members who represent not less than five percent(5%) of school families, on the basis of one vote per family, and clearly stating the purpose for which the Meeting has been requested

## 6.5 Conduct of Meetings

Unless otherwise provided by this Constitution, at every Executive Meeting, Annual General Meeting, General Meeting and Special Meeting:

- a. The President shall Chairperson or in his/her absence the Vice President and in the absence of both, a Chairperson shall be elected by resolution of a majority of the Members present at the meeting.
- b. The Chairperson shall conduct all meetings in accordance with agreed and accepted rules for the conduct of meetings. (See parent manual)
- c. Every question, resolution or decision shall be decided by consensus but should a deadlock occur a vote of all Members of the Association present will be taken and a majority decision shall apply.
- d. Should a vote be required every member present shall be entitled to one vote. Where a vote is tied, the motion lapses so that the status quo is maintained.
- e. Voting shall be by show of hands or a division of Members, unless a simple majority of Members present move that a secret ballot be conducted. The Chairperson shall appoint two Members to conduct the secret ballot in such manner as he/she shall determine. The result of the ballot as declared by the Chairperson shall be deemed to be the resolution of the meeting at which the ballot was demanded.
- f. The Secretary shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every meeting of the Executive. the Annual General Meeting. the General Meeting and any Special Meetings, to be entered in a book to be provided for that purpose. Such book is to be open for inspection at all reasonable times by any member of the Association who applies to the Secretary tor that inspection.

## 7. ALTERATION OF CONSTITUTION

- 7.1 This Constitution may be amended at a Special General Meeting of the Association called for that purpose.
- 7.2 Notice of any proposed amendment shall be given in writing to the Secretary, or tabled and approved at a General Meeting. The notice should be signed by seven(7) members who support the proposal. Immediately following receipt of such Notice, the secretary shall notify the terms thereof to the Ordinary Members with the date, time and place of the Special General Meeting called for that purpose. The meeting shall take place within one calendar month of the notice of the meeting called for that purpose.

## 8. FUNDS

- 8.1 The income and any property of the Association shall applied in promotion of its objectives. As part of P&F fund raising an amount will be levied on each student family per term. The amount for the levy will be recommended by the P&F, and submitted to the school executive and the college board for approval.
- 8.2 The financial year of the Association shall be from January to 31<sup>st</sup> December.
- 8.3 The funds of the Association shall be banked as the Annual General Meeting or a General Meeting may from time to time direct.
- 8.4 Proper books and accounts shall be kept and maintained showing correctly the financial affairs of the Association, and the particulars usually shown in books of like nature. Such books are to be open for inspection at all reasonable times by any member who applies to the Secretary for that inspection. The treasurer should present an updated report to each General Meeting.
- 8.5 All moneys shall be banked as soon as practicable after receipt of them.
- 8.6 All accounts other than petty cash transactions shall be paid by electronic funds transfer or cheque signed by any nominated two of a group of four Members of the Executive. Cheques shall be crossed 'Not Negotiable', except those in payment of allowances or petty cash recipients, which may be open.
- 8.7 The Executive shall determine the amount of petty cash that shall be available. The Monthly meeting of the Association shall ratify this amount. The use of Petty Cash will be reported in the Treasurer's Report at each Monthly Meeting of the Association.
- 8.8 Accounts for payment, consistent with Clause 5.5, shall be presented and passed at an Executive Meeting and/or subsequently endorsed by the next General Meeting.



- 8.9 The Association shall not borrow money except:
- a. In accordance with Clause 9 below,
  - b. for the furtherance of its objectives, and
  - c. where a Special Meeting called for that purpose has granted approval.
- 8.10 The Association shall, where possible, manage all funds in accordance with an annual budget.

The P&F levy will be distributed as follows:

Sixty percent(60%) towards a major capital works, to be spent by P&F within two(2) years, and to be decided having taken advice from school administration.

Ten percent(10%) annually to P&F, to be spent in a manner promoting its charter.

Ten percent(10%) annually to FOPA(Friends of Performing Arts), to be spent in a manner promoting its charter.

Ten percent( 10%) annually to Ag Supporters, to be spent in a manner promoting its charter. Ten percent( 10%) annually to Sports Supporters, to be spent in a manner promoting its charter.

- 8.11 At the end of each calendar year, the Treasurers of the Association and its special interests subcommittees, shall prepare statements of receipts and payments, income and expenditure, and balance sheets for the financial year just ended. All such statements shall be examined by the school auditor. An audit report for each sub-committee will be presented to its secretary, prior to the holding of the next AGM. Its own audit report, and copies of reports pertaining to all subcommittees, shall be presented to the secretary of the Association prior to the holding of the next AGM of the Association following the calendar year in respect of which such audit was made.
- 8.12 If the Annual General Meeting is held prior to the end of the financial year a Financial Report will be presented to the meeting. The audited Financial Report shall be presented to the first General Meeting after the end of the financial year.
- 8.13 If the Treasurer of the Association or of a Sub-Committee resigns during the term of office, the Association should arrange for an audit of the records and accounts of the Association or SubCommittee to be carried out before handing these to the new Treasurer.

## 9. NO AGENCY OF THE SCHOOL

- 9.1 The Association will not hold itself out as agent of the School and has no Authority to bind the school.
- 9.2 Any decisions in relation to contractual matters are to be reached by consensus and discussed with the School principal and parish priest, and entered into by the proper authority.

## 10. DISSOLUTION

- 10.1 The Association shall be dissolved:
- a. If the membership is less than three persons, or
  - b. If a resolution to that effect is carried by a vote of three-fourths majority of the Members present at a Special Meeting convened to consider the question.
- 10.2 In such event, the property and other assets of the Association remaining after the payment of all expenses and other liabilities shall, as the majority of Members present at such General Meeting by resolution may decide, be handed over to:
- a. Downlands College, which is owned and conducted by the MSC (Missionaries of the Sacred Heart)
  - b. An Association within the Catholic Church having similar objectives.

## CERTIFICATION

We certify that this is a true and correct copy of the Constitution of P&F Association — Downlands College

Signature:

Name:



Justine Baillie



Megan Reimann

President

Secretary

DATE: 7 November 2018

# NOTES

BYLAWS... . . . laws made by the P&F Association, pertaining to a particular issue. They must relate to functions and powers of the P&F Association. On adoption laws must be attached to the Constitution Document.

## Parental Code of Conduct

Downlands College is an independent Catholic School within the Diocese of Toowoomba, Queensland.

The Code is intended to provide school community Members with guidelines for the effective conduct of meetings and the development of positive relationships within the School Community.

### General Conduct

Community Members agree to:

- a. Support the Principal and staff in the development of a Christ-centred learning community based upon the principles of Catholic doctrine;
- b. Support the School's policies developed in consultation with all stakeholders. The Principal has the responsibility to implement these policies;
- c. Accept responsibility for their child's/childrens' progress, and work with the teaching staff to deal promptly with areas of concerns;
- d. Treat all Members of the School Community with respect and courtesy; and
- e. Acknowledge and affirm success in individual and School achievement.

### Conduct of Meetings

The regular Parents and Friends Association meeting is an opportunity for community Members to contribute to discussion on issues, and to take decisions that will have a positive impact on the School Community.

To ensure that this is carried out effectively, community Members agree to:


- a. Conduct activities in accordance with the Constitution of the P&F Association,
- b. participate in P&F Association meetings and other community activities in a constructive manner, and respect the views of others,
- c. acknowledge that the decisions taken, and actions proposed. at the P&F Association meetings are representative of the majority of the School community,

- d. adhere to the processes available to have issues addressed and decisions reviewed,
- e. support the President and Members of the P&F Executive when they are required to make decisions on behalf of all parents in the School Community, and
- f. use appropriate conduct when participating in meeting discussions, and promote positive personal relationships among Community Members.

### Conduct Unbecoming

If a Community member is in breach of this Code, the President of the P&F Association will meet with the Principal to decide appropriate action. The Principal's decision will be final and binding on community Members.

Signature:



A horizontal line separates the handwritten signatures from the printed names below. On the left is the signature of Justine Baillie, and on the right is the signature of Megan Reimann.

Name:

Justine Baillie

Megan Reimann

President

Secretary

DATE: 7 November 2018