CONSTITUTION OF Merri-Bek Primary School **PARENTS' and CARERS ASSOCIATION**

The organisation formed under this constitution shall be known as Merri-bek Primary School Parents' and Carers Association hereinafter referred to as "the Association".

1. **Aims and Objectives**

Working in cooperation with the Principal and School Council, the Association's aims and objectives are to:

- contribute to the wellbeing of the school community
- encourage the participation of all parents in the life of the school and the education of their children
- provide opportunities for parents to get to know each other and to be informed about their child's school
- provide opportunities for parents to extend their understanding of school operations, and general education policy
- contribute to proposals on school policy and other educational issues (as identified or discussed with the Principal or School Council)
- raise funds for the benefit of the school (optional).

2. **Parents' Association Values**

The Association commits to upholding the following values:

- respectful partnerships
- clear and honest two-way communication
- transparent processes
- democratic, informed decision-making.

3. **Membership and Annual Registration**

Membership shall be open to any parent or guardian of a child attending the school or any other interested individual of the immediate school community.

All members must sign and complete the Registration Form at Schedule 1 to the Constitution.

The annual Registration Form shall be submitted to the Association Secretary on or before the Annual General Meeting of the Association or at any General Meeting of the Association.

Upon submitting a signed and completed Registration Form, a person becomes a Registered Member of the Association until the next Annual General Meeting.

Only Registered Members are eligible to vote at any meeting.

The Association Secretary shall maintain a file of Registered Members of the Association and their addresses, and either provide an attendance book for members to sign at each meeting they are in attendance or take attendance of present Registered Members in Association minutes at each meeting.

Only Registered Members are eligible to vote at any Association meeting or for election to any office in the Association.

4. Office Bearers

The Association shall have as a minimum number of office bearers, a President, Secretary and Treasurer. Other office bearers may be elected as required. All office bearer positions shall be declared vacant at the Annual General Meeting and shall be open to any Registered Member of the Association. Office bearers will be elected to office for a period until the next Annual General Meeting.

5. Election of Office Bearers

Elections shall be conducted by an independent person, such as the Principal, a teacher at the school or a senior regional officer of the Department of Education and Training. The person who conducts the election of office bearers must not be a current Association member or nominated for an office in that election. Elections may be conducted by secret ballot.

A Registered Member who nominates for office must be present at the Annual General Meeting at which the election of office bearers occurs, or have indicated their intention to nominate in writing to the President prior to the meeting.

An office bearer of the Association may be removed from office (but not from membership of the Association) by a resolution carried by a majority vote of members present at a General Meeting. Notice of intention to move a resolution that an office bearer be removed from office shall be included in the notice summoning the meeting at which the resolution will be moved. Such notice must be circulated to all Registered Members and the office bearer, at least seven days prior to the meeting at which the resolution will be considered.

The office bearer in question must have an opportunity to respond at the meeting to a written copy of the claim made against him/her, which must be provided

to him/her at least seven days prior to the meeting at which the resolution will be considered.

A casual vacancy caused by the resignation, removal or death of an office bearer shall be filled at the next meeting of the Association by election. Notice of this shall be provided to all Registered Members of the Association at least seven days prior to the meeting at which the election shall be held.

6. **Annual General Meetings**

   The Annual General Meeting of the Association shall be held during the month of March unless the majority of members present at a General Meeting vote, after proper notice of a motion to change the date of a particular Annual General Meeting.

7. **General Meetings**

General Meetings shall be held monthly unless otherwise agreed by a majority vote of Registered Members. All members shall be notified of the date of a General Meeting at least one week before each meeting.

8. **Extraordinary Meetings**

An Extraordinary Meeting of the Association can be called, upon a written request to the President or Secretary, by three Registered Members or by a General Meeting of the Association. Written notice of the time, date, place and object of an Extraordinary Meeting must be provided to all Registered Members no less than four days before an Extraordinary Meeting occurs.

9. **Conflict of Interest**

If a Registered Member or a member of his or her immediate family has an actual or perceived conflict of interest (either a pecuniary or non-pecuniary interest) in a subject or matter under discussion at a meeting, the member must declare the conflict of interest.

If the person presiding at the meeting decides that the declared conflict is material, the member must not be present during the relevant discussion unless invited to do so by the person presiding at the meeting and must not be present when a vote is taken on the matter. A member's temporary absence for this purpose does not affect the meeting quorum. The declaration of interest should be included in the minutes of the meeting.

10. **Quorum**

    The quorum for a meeting of the Association shall be a minimum of 3 Registered Members.

11. **Voting**

A person who has become a Registered Member at the Annual General Meeting is immediately eligible to vote. A person who has become a Registered Member at a General Meeting is not eligible to vote until the next meeting is held.

Only Registered Members present at any meeting shall be entitled to vote.

A Registered Member may be present at a meeting in person or, by prior agreement with the Secretary, by videoconferencing or teleconferencing. It is the responsibility of the Secretary to ensure appropriate videoconferencing or teleconferencing facilities are available and set up at the time of the meeting.

Voting shall be by a show of hands unless a majority of those present request a secret ballot. Voting shall be determined by a simple majority. Where voting is tied, the President may exercise a casting vote. In the event that a secret ballot is called when one or more Registered Members are present via videoconferencing or teleconferencing, it is the responsibility of the President to determine the voting process for these members.

12. Finance

All revenue and expenditure (including reimbursements) in relation to the Association must be approved by a General Meeting of the School Council in accordance with the school's procedures.

The Association will have a sub-program within the school's official account on CASES 21. All revenue and expenses relating to the Association must be recorded within this sub-program in accordance with Department of Education and Training policy as per the Department's website.

A separate sub-program must be maintained for the purpose of:

(a) the administrative functions of the Association; and
(b) the raising of funds by the Association for the benefit of the school.

All funds raised by the Association by fundraising activities must be held in the Association sub-program by the School Council in trust for the general or particular purpose for which the funds were raised.

The Association's finances will be audited along with those of the school as part of the Department's audit process. It is the responsibility of the School and the Association to provide relevant financial documentation and ensure records are up to date.

The Association shall not operate for profit or undertake activities for the private gain of individual members.

13. Fundraising

The Association may undertake fundraising activities, with the prior approval of the School Council, for the purpose of:

(a) the establishment or augmentation of school funds; or

(b) the establishment or augmentation of funds for a particular school purpose.

14. Standards and Procedures

The Association **may** set its own standards and procedures provided that these do not conflict with this Constitution. These standards and procedures may include but are not limited to:

(a) standing orders for the conduct of meetings, including minute taking

(b) dispute resolution processes

(c) code of conduct.

15. Privacy

The Association and all members of the Association must comply with Victorian privacy law and the Schools' Privacy Policy on the Department of Education and Training's website. All 'personal information' collected, used or disclosed by this club, is protected by the *Privacy and Data Protection Act 2014* (Vic) and *Health Records Act 2001* (Vic) (collectively, Victorian privacy law).

16. Club/Association Records

All minute books, correspondence, annual financial statements, expenditure vouchers, registration forms and other documents of the Association will be the property of the Minister and will be made available to officers authorised by the Secretary of the Department of Education and Training. All such records not in current use will be filed in the school building with other school records.

17. Representation on School Council

Where the School Council invites the Association to nominate a member to fill a Community Member Category position on the School Council, the Association shall elect a member, as the Association nominee. The member elected by the Association must not be an employee of the Department of Education and Training.

18. Incorporations

The Association is not permitted to incorporate**.**

19. Voluntary Dissolution

The Association may not be voluntarily dissolved unless:

(a) all reasonable steps have been taken to circulate a notice of the proposed dissolution generally throughout the school community; and
(b) a meeting to discuss the notice of dissolution is held not less than 14 days after the circulation of that notice; and
(c) at least two-thirds of those present at that meeting agree to the dissolution.

If, at the meeting, a decision is made to dissolve the Association, the following actions must be taken:

(a) the control of all property and other assets must be transferred to the School Council; and
(b) a person present at the meeting must report the dissolution in writing to the School Council as soon as practicable.

20. Automatic Dissolution upon Closure or Merger of School

If the school closes or merges with another school, the Association is dissolved. The Association must transfer control of all property and other assets held by the Association to the School Council before the school closes or is merged.

Membership of Parents Victoria

Parents Victoria is a not-for-profit organisation, representing parents and Parents' Clubs in Victorian Government schools. The Club may choose to become a member of Parents Victoria. Delegates elected by the Club to attend conferences of Parents Victoria shall vote as directed by the Club.

SCHEDULE 1: Parents' Club Registration Form

Parents' Association Registration Form 2025

I ……* wish to become a Member of the ……..* School's Parents' Association. By signing this form, I agree to abide by the Association's Constitution at all times, including upholding the values in clause 2 of the Constitution. I will strive to make a positive difference in the school community; act honestly and with integrity; use resources responsibly and appropriately; engage genuinely with the community; comply with relevant legislation and policies; and to treat everyone in a considerate, fair and courteous manner.

I am aware that my registration needs to be renewed at the next Annual General Meeting.

Address*…….

Phone number.....…… (or) Mobile number……..……

Email*……..

Child(ren) Name(s) and Year Level(s)…….

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**Required information*

The Association Secretary is required to maintain a log of registered members of the Association and their addresses in accordance with the Association's Constitution.

The Parents' Association will seek to provide information including meeting agendas and any supporting documentation via email.

Signature…….

Date……..

This form will be filed in the school building, will be the property of the Minister and will be made available to officers authorised by the Secretary of the Department of Education and Training.

All school clubs, (including Parents' Clubs), are governed by the Department of Education and Training, and therefore must protect the information that they collect. This means that all members of Merri-bek Primary School Parents' Club must comply with Victorian privacy law and the Schools' Privacy Policy. All 'personal information' collected, used or disclosed by this Club, is protected by the Privacy and Data Protection Act 2014 (Vic) and Health Records Act 2001 (Vic) (collectively, Victorian privacy law).