



# CONSTITUTION OF THE TASMANIAN CATHOLIC SCHOOLS PARENTS COUNCIL

## 1. NAME

The name of the organisation will be 'Tasmanian Catholic Schools Parents Council (TCSPC)' herein called the Council.

## 2. AUSPICES

- A. The Council acts under the auspices of the Archbishop of Hobart. In accordance with his desire for Catholic Schools in Tasmania to give witness to its most important role as an agency of the Catholic Church in Tasmania.
- B. The Archbishop of Hobart endorses the establishment of the Council:
  - (i) To promote the mission of Catholic Schools; and
  - (ii) To foster a true spirit of community.
- C. The Archbishop of Hobart will be the Patron of the Council.
- D. As prescribed under Canon Law 321-329 the Council is seen as a "Private Association of the Christian Faithful".
- E. "Since parents have given children their life, they are bound by the most serious obligation to educate their offspring and therefore must be recognized as the primary and principal educators." *Declaration on Christian Education: Gravissimum Educationis, 28 October 1965.*
- F. Canon Law # 796 §1. "Among the means to foster education, the Christian faithful are to hold schools in esteem; schools are the principal assistance to parents in fulfilling the function of education."
- G. Canon Law # 796 §2. "Parents must cooperate closely with the teachers of the schools to which they entrust their children to be educated; moreover, teachers in fulfilling their duty are to collaborate very closely with parents, who are to be heard willingly and for whom associations or meetings are to be established and highly esteemed."
- H. Canon Law # Can. 797 "Parents must possess a true freedom in choosing schools; therefore, the Christian faithful must be concerned that civil society recognizes this freedom for parents and even supports it with subsidies; distributive justice is to be observed."

## 3. LIMITATIONS

- a) The Council shall have no control over nor shall it interfere in the conduct of any School/College.
- b) The Council shall not affiliate with any political party.

- c) The assets and income of the Council shall be applied solely in furtherance of its objectives and no portion shall be distributed directly or indirectly to the members of the Council except as bona fide compensation for services or expenses incurred on behalf of the Council.

#### **4. MEMBERSHIP**

The membership of the Council will consist of the following categories:

##### **A. President**

- i. The President of the Council is directly appointed by the Archbishop of Hobart.
- ii. The President shall be appointed for a period of three (3) years and may be reappointed for a subsequent term (Maximum of six (6) years served consecutively) but may not be reappointed again until one (1) year after the completion of their last term.
- iii. The President may resign their position, upon written notification to the Executive Officer.
- iv. The President (with the Executive Officer) will hold regular meetings with the Archbishop of Hobart and Director of Catholic Education on issues relating to the Tasmanian Catholic School's Parents Council.

##### **B. School/College Community Nominees**

- i. School/College Community Nominees shall have an association with Catholic education, e.g. their child(ren)'s education in a Tasmanian Catholic School/College; active participations in a School/College Parents and Friends Association or community; membership of a school/college Board.
- ii. School/College Community Nominees of the Council are nominated by the School/College Parents and Friends Association Executive and the School/College Board Executive working in collaboration with the School Principal, to select a single nominee.
- iii. School/College Community nominations will be forwarded to the Executive Officer thirty-five (35) days prior to an Annual General Meeting for presentation to the Archbishop of Hobart for appointment.
- iv. The School/College Community Nominees shall be appointed for a period of two (2) years and may be reappointed for two (2) subsequent terms (Maximum of six (6) years served consecutively) but may not be reappointed again until one (1) year after the completion of their last term.
- v. The School/College Community Nominees will provide regular reports/updates to their Catholic School/College community (i.e. Catholic School/College Parents and Friends Association, Boards and Principal).
- vi. The School/College Community Nominees will be the two-way link between the Council and Tasmanian Catholic schools/colleges, to ensure the Council remains responsive to the needs of parents and carers in Tasmanian Catholic schools.
- vii. The School/College Community Nominee may resign their position, upon

written notification to the Executive Officer.

- viii. School/College Community Nominees have voting rights at all Council meetings.

### **C. Archbishop's Nominee**

- i. The Archbishop of Hobart (at his discretion) may appoint a Priest, Religious Representative or other person as his representative on the Council.
- ii. The Archbishop's Nominee may resign their position, upon written notification to the Archbishop of Hobart and the Executive Officer.
- iii. The Archbishop's Nominee will have voting rights at all Council meetings.

### **D. General Members**

- i. General Members of the Council are parents, grandparents, carers, guardians, significant others who enrol and or support their child(ren) in a Tasmanian Catholic Schools/Colleges.
- ii. General Member's membership is automatic upon accepting enrolment conditions when enrolling their child(ren) in Tasmanian Catholic Schools/Colleges.
- iii. General Members shall have speaking rights at Council meeting but shall not have voting rights.

### **E. Associate Members**

- I. Associate Members are drawn from the wider Tasmanian Catholic Community (i.e. Knights of the Southern Cross, Catholic Women's League plus other Catholic Community members) who wish to contribute to and support the Council and its objectives.
- II. Associate membership is through an affiliation fee administered through the office of the Council.
- III. Associate Members shall have speaking rights at Council meeting but shall not have voting rights.

### **F. Life Membership**

- I. An Annual General Meeting of the Council may by a two thirds majority of those voting elect a person who has made an exemplary contribution to the Council as a life member of the Council.
- II. A life member shall be relieved of all further payment of levies of the Council and shall be recorded as a member with full membership rights.
- III. A life member has all of the rights and benefits of a School/College Nominee.
- IV. Life members of the Tasmanian Catholic Parents and Friends Federation will automatically be conferred Life Membership of the Tasmanian Catholic Schools Parents Council.

## **5. THE COUNCIL**

### **A. The Council**

- I. The Council will consist of the Patron, President, Deputy President, Treasurer, School/College Community Nominees, Archbishop's Nominee, General Members, Associate Members and Life Members.

### **B. Executive**

- I. The Executive shall consist of the President, Deputy President, Treasurer and Archbishops Nominee, plus five (5) members elected from among voting members of the Council.
- II. The Executive members will be elected at the Annual General Meeting.
- III. The Executive shall manage the day to day affairs of the Council
- IV. All elected positions will assume office immediately after the close of the Annual General Meeting.
- V. Any member of the Executive who has been absent without leave from two (2) consecutive meetings of the Executive may have their position declared vacant by the Executive.
- VI. Any casual vacancy (with the acceptance of the position of President) occurring in the membership of the Executive shall be filled through a call of nominations from among the remaining members of the Council with the election process conducted by postal or email ballot.
- VII. School/College Community Nominees, General and Associate Members may seek permission from the President to attend Executive meetings as observers.

### **C. Position Duties**

- I. President
  - a) The President shall be appointed for a period of three (3) years and may be reappointed for a subsequent term (Maximum of six (6) years served consecutively) but may not be reappointed again until one (1) year after the completion of such a second term, except in exceptional cases as determined by an Annual General Meeting.
  - b) The President will be directly appointed by the Archbishop of Hobart.
  - c) The President's term of office will commence upon appointment by the Archbishop of Hobart and end at the conclusion of the Annual General Meeting of Council at the end of their appointment.
  - d) The President may resign their position, upon written notification to the Executive Officer.
  - e) In the event of a casual vacancy for the position of President, the Deputy President will assume the role as Acting President, until a direct appointment is made by the Archbishop of Hobart. The President will chair all meetings.

- f) The President shall have a casting vote at all Council meetings.
- g) The President will usually be the public face of the Council.

II. Deputy President

- a) The Deputy President will be elected at the Annual General Meeting from the School/College Community Nominees.
- b) The Deputy President will in the absence of the President Chair meetings of the Council or perform other such duties normally performed by the President.
- c) In the event of a casual vacancy for the position of Deputy President, a call of nominations .
- d) The Deputy President has voting rights at all Council meetings.
- e) The Deputy President can undertake any other duties as determined by the Executive from time to time.

III. Treasurer

- a) The Treasurer will be elected at the Annual General Meeting from the School/College Nominees.
- b) The Treasurer will be responsible for oversight of the Council's financial operations.
- c) In the event of a casual vacancy for the position of Treasurer, a call of nominations from the remaining School/College Community Nominees.
- d) The Treasurer has voting rights at all Council meetings.
- e) The Treasurer can undertake any other duties as determined by the Executive from time to time

IV. Five (5) nominees of the Council

- a) The five (5) Nominees of Council will be elected at the Annual General Meeting from the School/College Community Nominees.
- b) In the event of a casual vacancy for the position of five (5) Nominees of Council, a call of nominations from the remaining School/College Nominees.
- c) The five (5) Nominees of Council have voting rights at all Council meetings.
- d) The five (5) nominees of the Council can undertake any other duties as determined by the Executive from time to time

V. Executive Officer

- a) The Council shall appoint an Executive Officer to achieve the objectives specified in this constitution by maintaining the relationship and providing leadership and working strategically with relevant bodies.

- b) The Executive Officer will report to the President.
- c) The Executive Officer will attend and report on all meetings of the Council and the Executive.
- d) The Executive Officer has no voting rights at meetings.
- e) The Executive Officer in conjunction with the President will usually be the public face of the Council
- f) The Executive Officer shall undertake any other duties as may time to time be mutually agreed with the President and/or Executive.

#### VI. Administrative Officer

- a) The Council shall appoint an Administrative Officer to manage the administration of the Council and to support the Executive Officer, President and Executive.
- b) The Administration Officer will report to the President.
- c) The Administration Officer will attend meetings of the Council and the Executive as required and act as Secretary for the Council and Executive as required.
- d) The Administrative Officer will be responsible for the payment and receipt of all monies and maintain all financial records.
- e) The Administration Officer has no voting rights at meetings.
- f) The Administration Officer shall undertake any other duties as may time to time be mutually agreed with the Executive.

### **D. Meetings**

#### I. Council

- a) The Council may hold either face to face, video or teleconference meetings at least twice a year, once being the Annual General Meeting.
- b) Meetings may be convened by the President, or on receipt of a requisition in writing from at least four (4) voting members of the Council, the Executive Officer shall convene a meeting within twenty-one (21) days. Notice in respect of such meeting shall be at least fourteen (14) days.

#### II. Annual General Meeting

- a) The Council will hold its Annual General Meeting between August & October each year.
- b) The Council may hold either face to face, video or a teleconference for the Annual General Meeting.
- c) The business of the Annual General Meeting shall include:
  - i. The Annual Report of the Council;

- ii. The adoption of the Annual Financial Statements, together with an Auditor's Report;
- iii. The adoption of the Budget;
- iv. The appointment of the auditors;
- v. The election of Deputy President, Treasurer and five (5) nominees from the Council;
- vi. Notice of any motion to be discussed at a meeting of the Council shall be given to the Executive Officer at least thirty-five (35) days before such meeting and copies of motions on notice and the agenda shall be forwarded to affiliated organisations and members of the Executive at least thirty (30) days before the meeting; and
- vii. Motions from the floor of the Annual General Meeting may be considered by the meeting, subject to the approval of a simple majority of those voting members present.

### III. Executive

- a) The Executive may hold either face to face, video or teleconference meetings at least three per calendar year, but the Executive may decide to hold additional meetings as required.
- b) All decisions reached at the Annual General Meeting will be binding upon the Executive.

## E. Voting

### I. Council

- a) The President, Executive, School/College Community Nominees, Archbishop's Nominee and Life Members present are entitled to vote.
- b) All voting members are entitled to one (1) vote.
- c) There will be no voting by proxy.
- d) All voting will be by a simple majority of those voting members present.
- e) In the event of a tied vote, the President shall have a casting vote.

### II. Executive

- a) Only Members present are entitled to one (1) vote.
- b) There will be no voting by proxy.
- c) All voting will be by a simple majority of those voting members present.
- d) In the event of a tied vote, the President shall have the casting vote.

### III. Annual General Meeting

- a) The President, Executive, School/College Community Nominees, Archbishop's Nominee and Life Members present are entitled to vote.
- b) There will be no voting by proxy.
- c) All voting members are entitled to one (1) vote.
- d) All voting will be by a simple majority of those voting members present.
- e) In the event of a tied vote, the President shall have the casting vote.

## **F. Quorum**

### **I. Council**

- a) No business shall be transacted at any meeting unless a quorum is present and such quorum shall be:
  - i. President or the delegated chair plus one (1) Executive Member and four (4) Council members.

### **II. Executive**

- a) No business shall be transacted at any meeting unless a quorum is present and such quorum shall be:
  - i. The President or the delegated Chair plus two (2) Executive Members.

### **III. Annual General Meeting**

- a) No business shall be transacted at any meeting unless a quorum is present and such quorum shall be:
  - i. President or the delegated chair plus one (1) Executive Member and four (4) Council members.

## **6. FINANCIAL MANAGEMENT**

- A. The Council operates its accounts on a financial year basis (i.e. 1 July to 30 June).
- B. The Council shall determine any membership levies and affiliation fees at the Annual General Meeting of the Council for all categories of membership.
- C. The method of payment of any affiliation fees or levies for schools/colleges will be determined by Council in collaboration with the Tasmanian Catholic Education Office.
- D. The property of the Council shall be vested in the members of the Executive for the time being.
- E. All funds shall be banked and payments shall be made by cheque, or electronic funds transfer which shall be signed by any two of the following - President, Deputy President, Treasurer or Executive Officer.
- F. The auditors shall examine all books, accounts, or other documents and report thereon to the Annual General Meeting.



## **7. STANDING ORDERS**

- a) The Executive will formulate Standing Orders for the regulation of meetings of Council and Annual General Meetings (i.e. rules of debate, voting and election process).
- b) In the absence of any regulation or in any matter of dispute concerning meeting procedure, the ruling of the President (or in his absence, the meeting Chair) shall be final and binding unless a motion of dissent from the ruling is carried by a majority of the meeting.

## **8. NOTICES**

Any notice shall be deemed to have been duly given if sent electronically by fax, e-mail or similar services, provided the destination is one that has or would be one of the normal destinations for electronic communications.

If any party should not receive a notice due to accidental error or omission this shall not cause this clause to be deemed as not having been complied with in full.

## **9. ALTERATIONS TO THE CONSTITUTION**

- a) Notice of any proposed amendments to this Constitution shall be given in writing to the Executive Officer by a voting member of the Council and shall be seconded in writing by one (1) other voting member.
- b) Within one (1) month the Executive Officer will give notice in writing of such proposal to all members.
- c) After the expiration of two (2) calendar months from the date of the Executive Officers notice, any general meeting of the Council may determine the matter.

## **10. WINDING UP**

In the event of the winding up of this Council, and the finalisation of all accounts the remaining assets of the Council shall not be distributed among any individual members of the Council, but shall be disbursed upon the recommendation of the Archbishop of Hobart.

## **11. DATE OF CONSTITUTION**

This Constitution is in effect from the 25th day of November in the year 2012 and remains so unless altered as per Item (9) of said Constitution.