

# **Fort Street High School**

## **Council Constitution**

**As Amended**  
**5 December 2018**

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## **1. Name**

1.10 The name of the School Council will be Fort Street High School Council (herein called "School Council").

## **2. Definitions**

2.10 The "students" shall mean, unless otherwise stated, the "students enrolled at Fort Street High School".

2.20 The "parents" shall mean, unless otherwise stated, the "parents and/or guardians of students enrolled at Fort Street High School".

2.30 The "staff" shall mean, unless otherwise stated, the "teaching and non teaching staff employed at Fort Street High School".

2.40 The "school community" or "school constituencies" shall mean, unless otherwise stated, "the community of students enrolled at Fort Street High School; the community of parents of students enrolled at Fort Street High School; the community of teaching and non teaching staff employed at Fort Street High School; the community of members of The Fortians Union Inc; the community of members of the Fort Street Foundation Inc. and groups from the local or the wider community who have interest in the success of Fort Street High School".

2.50 The "school year" shall mean, unless otherwise stated, the "year from the beginning of the first school term to the end of the last school term".

The "school year" is used in this constitution, unless otherwise stated, to calculate times by which matters are expected to occur, begin or end; the period in December/February excluded by the "school year" shall not be included in calculations of times by which the School Council activities must occur.

2.60 The "Finance Committee" means a committee set up in accordance with the Financial Management Manual for Schools.

## **3. Aim and Objectives of the School Council**

### **3.10 Aim**

3.10 To provide advice to the principal on the planning and direction of Fort Street High School in the context of the school's educational aims, organisation and available resources.

### **3.20 Objectives**

3.20.1 Provide a free exchange of views of all stakeholder groups at Fort Street High School in recognition of the fact that the school is a public community asset.

3.20.2 Provide input to and ratify strategic planning documents such as the School Plan and broad school policies.

3.20.3 Support the school budget process so that it reflects the strategic priorities of the school.

3.20.4 Review the implementation of the school's strategic priorities and policies.

3.20.5 Encourage and promote formal and informal community participation in the broad strategic directions of the school.

#### **4. Roles of Principal and of School Council**

##### **4.10 The School Principal will:**

4.10.1 Remain responsible for providing educational leadership in the school, in the context of relevant legislation and Departmental policies.

4.10.2 Remain accountable to the Director, Education and Leadership (or equivalent position) for the total management of Fort Street High School, and for the implementation of the broad policies and financial priorities approved and ratified by the School Council.

4.10.3 Remain accountable under the Public Finance and Audit Act for the financial management of Fort Street High School finances.

4.10.4 Supply monies from time to time from the school's resources to cover incidental expenses of operating the School Council.

4.10.5 Provide regular reports to the School Council on the operation of the school.

##### **4.20 The School Council will:**

4.20.1 Operate within the context of the relevant legislation and stated policies and priorities of the NSW Government and the Department of Education.

4.20.2 Liaise with their constituencies to obtain input into the school's policies and priorities.

4.20.3 Have the power to make by-laws for the conduct of its business.

4.20.4 Not enter into contracts or agreements; purchase goods, services and equipment; operate a bank account or purchase insurance.

#### **5. Role of School Council**

The School Council will operate within and subject to the details outlined in Section 4.

##### **5.10 Vacancies in school positions**

5.10.1 The President of the School Council shall endorse parent and community representatives selected by the Parents and Citizens Association to participate on relevant merit selection panels.

5.10.2 When the position of Principal of the school becomes vacant, the School Council shall develop a profile for the position of School Principal for consideration by the Director, Education and Leadership (or equivalent position).

##### **5.20 Educational needs of the school**

5.20.1 Advise on the educational priorities and needs of Fort Street High School.

5.20.2 Advise on policies including student welfare, discipline and homework.

5.20.3 Advise as requested on overall curriculum content and structure, and school practices in assessment and reporting.

### **5.30 Finance at the school**

5.30.1 Advise on broad financial priorities based on the views expressed by contributing groups and individuals of the school community, for inclusion in the deliberation and budgets of the Finance Committee.

5.30.2 Receive reports and plans in relation to the school's budget and financial priorities, and advise the School Principal on their implementation.

### **5.40 Physical needs of the school**

5.40.1 Advise on Fort Street High School needs in areas such as buildings, grounds, facilities and transport.

5.40.2 Determine and implement policies for community use of school facilities.

### **5.50 The community and the school**

5.50.1 Establish effective liaison with other school and community committees to enable the coordination of priorities and activities to support Fort Street High School.

5.50.2 Present and promote a positive image of Fort Street High School in the local and wider community to increase parent and community awareness of and willingness to participate in the school.

### **5.60 Annual Report**

5.60.1 The School Council will provide Fort Street High School and its school community with an Annual Report, presenting the School Council activities for the school year.

## **6. Composition of School Council**

6.10 The School Council will consist of up to fifteen members, and an additional member, if a person is appointed to remedy any imbalance of representation from the school community. Where possible, the School Council should seek to have equal representation from all groups (parents, teachers, students and community members).

Membership of the School Council will be as follows:

6.10.1 The Principal as the Executive Member

6.10.2 Three members representing the parents of students enrolled at Fort Street High School

6.10.3 Three members representing the teaching and non teaching staff of Fort Street High School

6.10.4 Three members representing the students enrolled at Fort Street High School, two from the Student Representative Council (SRC), and one elected by the SRC from the wider student body

6.10.5 The President of the Fort Street High School Parents and Citizens Association, or his or her nominee

6.10.6 The President of The Fortians Union Inc, or his or her nominee

6.10.7 The President of the Fort Street Foundation Inc, or his or her nominee

6.10.8 A member representing the local and wider community

6.10.9 One additional member who may be appointed to remedy any imbalance of representation of the Fort Street High School community.

## **6.20 Election of members of School Council**

Members of the School Council will be elected or appointed as follows:

6.20.1 The three members representing parents are to be elected from parents of students enrolled at Fort Street High School by a ballot of all parents of students enrolled at Fort Street High School in accordance with the procedures outlined in sections 6.60 and 6.70.

No member, elected to the School Council by the parents is to be an employee at Fort Street High School, except that member(s) may be involved in voluntary work or occasional paid work at Fort Street High School.

6.20.2 The three members representing staff are to be elected from the teaching and non-teaching staff of Fort Street High School by a ballot of the persons employed full, part time or casually at Fort Street High School. This excludes occasional employees or relief persons employed from time to time.

The three members are to be elected in accordance with the procedures outlined in sections 6.60 and 6.80. At least two school staff representatives must be from the teaching staff.

6.20.3 The three members representing the students of Fort Street High School are to be elected by the Fort Street High School SRC from the students enrolled in Fort Street High School.

6.20.4 The President of the Fort Street High School Parents and Citizens Association, the President of The Fortians Union Inc, and the President of the Fort Street Foundation Inc will notify the Executive Officer of the School Council in writing prior to the first meeting of the School Council in the school year whether they will accept membership of the School Council for that year, or appoint a nominee, and if so, the name of that nominee.

6.20.5 The School Council shall appoint a member representing the local and wider community from government, business, industry, or other relevant group.

6.20.6 The School Council may appoint an additional member to remedy any imbalance of representation of the Fort Street High School community from government, business, industry, or other relevant group.

## **6.30 Tenure of members of School Council**

6.30.1 The terms of office of parent and staff representatives is three years, commencing with the first meeting after the commencement of the school year and ending with the last meeting in the third school year.

6.30.2 Parent and staff representatives may hold office for a maximum of two terms consecutively, but may stand again for election after a period of one year's absence from the School Council.

6.30.3 The term of office of student representatives is one year.

Student representatives may be reappointed for a further term or terms.

6.30.4 The term of office of persons appointed by the President of the Fort Street High School Parents and Citizens Association, the President of the Fortians Union Inc, or the President of the Fort Street Foundation Inc will be one school year.

Such persons may be reappointed for a further term or terms.

6.30.5 The term of office of any member appointed under clause 6.20.5 or 6.20.6 will be three years.

Such persons may be reappointed for a further term or terms.

6.30.6 A member appointed under clause 6.20.5, or 6.20.6 may have their membership revoked at any time by a two thirds majority vote of the other members of the School Council.

6.30.7 If a member of the School Council ceases to be a member of his/her constituency due to changed circumstances, the position held by that person in the School Council is considered vacated.

#### **6.40 Casual vacancies of members**

6.40.1 A vacancy may occur if an elected or appointed member of the School Council is no longer able to serve on the School Council and submits his/her resignation in writing.

The vacancy becomes effective from the date of the meeting after the written resignation is received.

6.40.2 A vacancy may occur if an appointed member of the School Council is removed by the School Council under Section 6.30.6 or by an Extraordinary General Meeting of the School Council as defined below in Section 10.

The vacancy becomes effective from the date the resolution is passed by the School Council or Extraordinary General Meeting.

6.40.3 A casual vacancy for an elected member will be filled by offering the position to the person in the same constituency who obtained the next highest number of votes at the last election in that constituency, or by seeking a new election from the relevant constituent body.

6.40.4 Any member elected as a result of a casual vacancy will complete the term of the retiring member but such time served on the School Council will not count towards exclusion of that member in terms of section 6.30.

6.40.5 A casual vacancy for an appointed member will be filled in the same manner as for the original appointment.

#### **6.50 Co-opted members of School Council**

6.50.1 The School Council may co-opt any person to participate in the School Council to assist the School Council in a specified purpose and for a specified period.

6.50.2 Co-opted members have an advisory role and have no voting rights in the School Council.

6.50.3 The School Council may remove any person co-opted to participate in the School Council.

#### **6.60 General procedures for elections of parents and staff**

6.60.1 Elections to positions on the School Council will take place as required during each school year. Persons eligible to vote in each constituency and persons eligible to represent each constituency on the School Council are defined in sections 6.20.1 and 6.20.2.



6.60.2 Election procedures, as outlined in this section and sections 6.70 and 6.80, will be advertised in such a manner so that all parents and all school staff have the opportunity to nominate and to vote for their preferred representatives.

6.60.3 Nominations must be received by the advertised closing date on the form provided.

The form must contain a proposer and a seconder for the nominee signing the form.

The proposer and seconder must sign the form and be members of the constituency for which the nominee is seeking election.

The nominee must also sign the nomination form signifying a willingness to accept the nomination.

6.60.4 If more than the required number of candidates is nominated for a constituency the election will be conducted by ballot in such a manner that all members of the constituency have the opportunity to vote and elect their representative(s).

6.60.5 The successful candidates will be those who receive the greater number of primary votes.

Where two candidates receive the same number of primary votes and one position in the School Council remains to be filled a new election for that position is to be called.

6.60.6 The results of the elections will be published in the school newsletter.

### **6.70 Procedures for elections from the constituency of parents**

6.70.1 The Fort Street Parents and Citizens Association is responsible, in consultation with the School Principal, for the election of parent representatives to the School Council, and will prepare the forms for nomination and ballot.

6.70.2 Each parent is to be elected for a term of three school years.

### **6.80 Procedures for elections from the constituency of staff**

6.80.1 The School Principal is responsible for the election of teaching and non-teaching staff representatives to the School Council.

6.80.2 Each member of staff is to be elected for a term of three years.

6.80.3 At least two of the members of the School Council elected from the constituency of staff must be from the teaching staff. Nomination for election from the constituency of staff will be accepted from teaching staff only, if one other sitting member from the constituency of staff is from non-teaching staff.

### **6.90 Procedures for elections from the constituency of students**

6.90.1 The SRC will elect two of its members to be representatives on the School Council. In addition the SRC will seek nominations from the wider student body for the third student position on the School Council. Nominees will be required to prepare a speech to present to the SRC. The SRC will choose the third student representative. The process will be a preferential voting system to elect the additional student to the School Council.

## **7. Office Bearers of School Council**

### **7.10 Office Bearers**

7.10.1 The President is to be elected for a period of one school year, from the members of the School Council, at the first meeting of a newly constituted School Council.

The School Principal and staff members of Fort Street High School are not eligible to hold the position of President.

7.10.2 An Executive Officer shall be provided by the School to perform the functions of Secretary, as outlined in Section 7.30.

The School Principal is not eligible to hold the position of Executive Officer.

7.10.3 The Executive Member is the School Principal.

7.10.4 The Treasurer's function is not required as the School Council has no budget or funds to administer.

### **7.20 Role of the President**

7.20.1 To chair the meetings of the School Council.

7.20.2 To be the official spokesperson of the School Council.

7.20.3 To represent the School Council at functions. The President may appoint a nominee for that purpose.

7.20.4 To be responsible for the preparation and dissemination of the Annual Report on the activities of the School Council.

### **7.30 Role of the Executive Officer**

7.30.1 To prepare the agenda of meetings in consultation with members and the school community.

7.30.2 To prepare the agenda for Extraordinary General Meetings and to call such meetings.

7.30.3 To prepare and circulate the minutes of each meeting, within 21 days of the meeting, to all members of the School Council, and to other persons determined by the School Council to receive such minutes.

7.30.4 To be responsible for maintaining the official records of the School Council.

7.30.5 To be responsible for the preparation and signature of all outward correspondence, except for correspondence which the School Council determines from time to time to require the approval of the President prior to its issue.

### **7.40 Role of the Executive Member**

7.40.1 Consistent with section 4.10, the Executive Member in terms of their role as Principal of the School is expected to provide the School Council with advice on matters concerning:

- i. the management of Fort Street High School finances;
- ii. the management of Fort Street High School educational matters;
- iii. the total management of Fort Street High School;
- iv. implementation of decisions of the School Council.

7.40.2 The Executive Member is responsible for transition from one School Council to the next.

7.40.3 The Executive Member is expected to attend all meetings of the School Council.

### **7.50 Role of Members**

7.50.1 Members are responsible for contributing advice and for presenting to the School Council the perspective of their constituency.

7.50.2 Members are responsible for making the persons in their constituency aware of matters being considered by School Council and of deliberations by the School Council.

The method most appropriate to disseminate and collect information to/from constituents remains the responsibility of the members representing that constituency.

## **8. Meetings of School Council**

### **8.10 Frequency of meetings**

8.10.1 The School Council will meet no less than six times per school year.

8.10.2 The first meeting of the School Council will occur within 5 weeks of the commencement of the school year.

8.10.3 The first meeting of the School Council following the commencement of the school year will elect the President for the current school year.

8.10.4 The dates, time and venue of the School Council meetings will be decided by the School Council and advertised in the school newsletter.

### **8.20 Quorum of meetings**

8.20.1 The quorum for School Council meetings will be six members excluding the Executive Member.

8.20.2 If the quorum is not reached, matters on the agenda may be discussed but no decisions will be taken.

### **8.30 Attendance at meetings**

8.30.1 Members of School Council are expected to attend all meetings.

If unable to attend a meeting the member should advise the Executive Officer of his/her inability to attend.

8.30.2 If a member does not attend three consecutive meetings of the School Council, or any five meetings in a calendar year, the member's position may be declared vacant by the School Council and a new member elected to the position.

### **8.40 Agenda of meetings**

8.40.1 The Executive Officer, in consultation with other members, will prepare the agenda.

8.40.2 The Executive Officer will distribute the agenda to all members of School Council, at least two days before the meeting.

8.40.3 Items not on the published agenda may be admitted for consideration at a meeting as items of general business.

8.40.4 Any person in the Fort Street High School school community who wishes the School Council to debate a particular matter may do so by submitting the relevant material to the Executive Officer at least fourteen days before the meeting.

### **8.50 Minutes of meetings**

8.50.1 The minutes will be prepared by the Executive Officer and distributed to all members of the School Council within 21 days of the meeting.

8.50.2 A record of matters considered and decisions of the School Council will be posted on the School website within one week following the School Council meeting at which the relevant minutes are approved.

8.50.3 Minutes of all meetings shall be kept with the official records of the School Council.

### **8.60 Voting at meetings**

8.60.1 The meetings of the School Council will be open to any person in the constituencies that elect members of the School Council.

8.60.2 Each member of the School Council is entitled to one vote. The President does not have a casting vote.

8.60.3 Decisions will be taken by a simple majority of members present at the meeting. When the number of votes for and against is equal, the status quo will prevail.

8.60.4 The Executive Officer, co-opted members or visitors will have no voting rights.

## **9. Annual reporting to school community**

9.10 The Annual Report will contain a summary of the year's activities by the School Council.

The Annual Report will be distributed to all persons (or families) in the school community.

Members of the School Council will present the content of the Annual Report at forums appropriate to their constituency.

There is no Annual General Meeting.

9.20 The appropriate mechanism and forum for matters which may otherwise arise at an Annual General Meeting and are not dealt with explicitly in this constitution is the Extraordinary General Meeting.

## **10. Extraordinary General Meetings of school community**

### **10.10 Procedures**

10.10.1 Request for an Extraordinary General Meeting may be made at any time and will be made to the Executive Officer, in writing, by any of the following:

Resolution of the School Council; or

At least 30 members of the staff at Fort Street High School; or

At least 60 members of the community of parents of students enrolled at Fort Street High School; or

At least 120 members of the community of students enrolled at Fort Street High School.

10.10.2 An Extraordinary General Meeting of the school community will be called for the purposes of presenting and voting on one or more of:

- i. Recommending amendments to the constitution;
- ii. Removing an appointed member;
- iii. Dismissing the present School Council;
- iv. Dissolving the School Council;
- v. Changing a decision by the School Council;
- vi. Introducing matters for consideration by the School Council;
- vii. Obtaining the view of as many people as possible.

10.10.3 Such a meeting will be called by the Executive Officer or other office bearer of the School Council within 21 days from the date the request for the meeting is made.

10.10.4 A notice of the agenda and any motion(s) will be circulated to the school community, at least seven days prior to the date of the meeting.

10.10.5 Should the Extraordinary General Meeting not be called, the group initiating the request of the Extraordinary General Meeting may approach the Director, Education and Leadership (or equivalent position), and request that they call an Extraordinary General Meeting.

## **10.20 Quorum of Extraordinary General Meeting**

10.20.1 The quorum for an Extraordinary General Meeting is twenty persons, except for an Extraordinary General Meeting whose sole purpose is to obtain the view of the school constituencies.

10.20.2 No quorum is required for an Extraordinary General Meeting whose sole purpose is to obtain the view of the school constituencies.

## **10.30 Voting at Extraordinary General Meeting**

10.30.1 Each person from the school constituencies present at an Extraordinary General Meeting is entitled to one vote on each matter presented to the meeting for a vote.

10.30.2 To be carried, a motion before an Extraordinary General Meeting must receive two thirds of the votes of those present and eligible to vote.

## **10.40 Outcomes of an Extraordinary General Meeting**

10.40.1 Recommendations arising from such meetings must relate to the matters advertised for the purpose of the Extraordinary General Meeting, and no other matter may be raised at the meeting.

10.40.2 The decision to act on recommendations arising from an Extraordinary General Meeting held to obtain the view of as many people as possible will remain the responsibility of members of the School Council.

## **11. Records of the School Council**

School Council records, including copies of the constitution, of agenda and minutes of meetings, correspondence, files and committee reports will be retained within Fort Street High School at all times unless authorised by the President or the Executive Member.

## **12. Amendments to the Constitution**

Amendments to the constitution of the School Council can only be voted on at an Extraordinary General Meeting of the school community.

## **13. Dismissal or dissolution of the School Council**

13.10 The School Council can only be dismissed or dissolved by vote at an extraordinary general meeting of the school community or by the Director, Education and Leadership (or equivalent position).

13.20 Once the School Council ceases to exist the Principal will conclude any unfinished business of the School Council.

## **14. Resolution of disputes**

14.10 Where matters occur which cannot be resolved by established School Council procedures or, failing that, by the calling of an Extraordinary General Meeting, the Director, Education and Leadership (or equivalent position), will arbitrate and resolve the dispute.

14.20 The arbitration by the Director, Education and Leadership (or equivalent position), may occur only after the Extraordinary General Meeting has failed to resolve the dispute.

## **15. Relationship to other committees/organisations**

The School Council will establish, from time to time and as appropriate, procedures for liaison with:

Fort Street High School's Parents and Citizens Association

Staff of Fort Street High School

Department of Education (planning body)

Students Representative Council

The Fortians Union Inc

The Fort Street Foundation Inc

and, on request, other interested groups.

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