

MACARTHUR POLISH SATURDAY SCHOOL INCORPORATED

CONSTITUTION

Macarthur Polish Saturday School is an incorporated non-for profit association.

This constitution is a mandatory requirement and acts as a contract between the association and its members.

The Macarthur Polish Saturday School provides language classes to primary school aged students every Saturday morning commencing 9.00am to 12.30pm during the established NSW school calendar. The school is managed by the parents/legal guardians of attending students with an elected committee overseeing all decision-making. The Macarthur Polish Saturday School is a member of the NSW Federation of Community Languages - a unit of the NSW Department of Education and Training. As a member of the Community Languages Schools program, the Macarthur Polish Saturday School will abide by all of the policies, regulations and standards required to retain membership of this organisation.

The purpose of the Macarthur Polish School is to provide a high quality educational experience for students seeking to learn the Polish Language. The School is committed to following a recognised teaching syllabus and employing qualified, skilled teachers to help students to become proficient in the Polish language both written and verbal. The School also aims to enrich the student's learning experience by incorporating the Polish culture and traditions within the classroom. Students will learn the history and geography of the Polish landscape but will also enjoy the experiential activities promoted by the school through concerts, presentations and school activities.

The association encourages the active involvement of its members in managing and assisting the school. Participation in school activities, attendance at general meetings, and assistance with fund raising are all important components that require the ongoing support of its members.

1. MEMBERSHIP

- a. A person is eligible for membership to the Macarthur Polish Saturday School if:

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- i. The Person is a parent or legal guardian of a child aged between three (3) and fourteen (14) years of age and;
 - ii. The parent or legal guardian has accurately completed the Student Enrolment Application Form for their child to attend the Macarthur Polish Saturday School and has been advised that their child has been accepted as a student and;
 - iii. The parent or legal guardian of the student is up to date on all fees associated with the enrolment of their child as outlined in the Liverpool Polish School Policy and School Regulations.
 - iv. The Parent Committee approves a non-parent to become a member due to their expertise, commitment and knowledge that can benefit the organisation.
- b. The completed Student Enrolment Form also acts as a nomination for membership to the organisation for the parent/s or legal guardian/s of the student attending the Macarthur Polish Saturday School;
- c. The School Coordinator in consultation with the relevant class teacher will review all new enrolments and determine whether a child is accepted as a student of the school. The decision to not offer placement will be based on the exclusion criteria. (See Clause 13)
- d. A Register of eligible members will be maintained on a school database by the Public Officer which only members of the Elected Committee are able to access. Any member of the association can inspect the register by placing a formal request in writing to a member of the elected committee. An appointment will be negotiated by the Public Officer. Personal information about other members will not be made available other than for the purposes of:
- i. Sending out newsletters, notices about meetings or other events associated with school activities;
 - ii. Any other purpose necessary to comply with a requirement of Australian statutory obligations.
- e. A person ceases to be a member of the Macarthur Polish Saturday School if:
- i. The enrolled student has successfully completed Year 6 schooling and has been issued with a certificate of completion;
 - ii. The child ceases to attend the school and lessons. Absences of more than four (4) consecutive class sessions without advising the School Coordinator/Teacher about the student's absence will result in the enrolment becoming null and void;
 - iii. The member resigns or dies;

- iv. The student or parent/legal guardian is expelled from the association, or;
 - v. The parent/legal guardian has failed to pay the student enrolment fee as outlined in the Student Enrolment Application Form and the School Policy and Regulations. Failure to pay outstanding fees within four (4) weeks will result in cessation of membership for the parent /legal guardian and lead to the student being asked to not attend classes.
- f. Membership entitlements are not transferable and non-members cannot vote. However proxy voting is permissible if the member provides written notice.
- g. Members are able (upon having given adequate notice) to inspect all records, financial documents, the constitution, and minutes of committee and general meetings. Formal requests should be lodged with a committee member outlining the documents required for inspection.

2. SCHOOL FEES

- a. School fees are currently set at a rate determined by the committee and agreed by members of the association on a fee per class session basis. The parent/legal guardian/s will be required to pay the normal fee per class sessions for only their first two children enrolled in the school. Where there are more than two children attending the school, the third and subsequent children will not be required to pay for school lessons. Once the school has 20 students enrolled into the school, the fees will be determined as thus:
- I. First child – 100.00 per term
 - II. Second child - \$90.00 per term
 - III. Third and additional children - free
- b. Each year, an annual one-off fee per family will be required in the first term to cover public liability and insurance. This currently stands at \$20.00;;
- c. School Fees are required to be paid each school term within the first three weeks of the given school term;
- d. Parents or legal guardians who are experiencing financial hardship and are not able to pay the term fee by the due date, are required to contact the School Coordinator to negotiate an individual financial plan;

- e. Where no financial plan has been negotiated and fees have not been paid in the first three weeks of a given term, the Treasurer will issue a reminder letter to the parent /legal guardian requesting immediate payment. Students whose fees are not paid in full within two weeks of receiving this letter will then be advised (and a letter provided to the parent/legal guardian) that the student is suspended from attending class lessons and will not be able to attend class lessons until payment has been finalised or a payment plan negotiated;
- f. The cost of class sessions and subsequent fee structure will be reviewed annually by the Elected Committee and discussed at the member's Annual General Meeting.

3. MEMBER LIABILITIES

A member's liability towards the debts and liabilities of the association, or in the event of the winding up of the association, is limited to the amount, if any, of any unpaid school fees as outlined in clause 2.

4. RESOLUTION OF DISPUTES

- a. A dispute between a member and another member of the association in respect to their membership, or a dispute between a member or members of the association and the elected committee, are to be referred to a community justice centre or other recognised service for mediation;
- b. If a dispute is not resolved by mediation within three (3) months of the referral to the mediation service, the dispute is to be referred to arbitration as per The Commercial Arbitration Act 1984.

5. DISCIPLINING OF MEMBERS

- a. A formal complaint may be made to the committee by any member of the association or teaching staff for such issues as:
 - i. A member has refused or neglected to comply with any conditions outlined in this constitution, or;
 - ii. Has wilfully acted in a manner that is prejudicial to the interests of the association;
 - iii. Has engaged in criminal or unethical behaviour that puts the association at risk. Such allegations may need to be referred to the police or other statutory body, depending on the seriousness of the complaint.
- b. The committee may refuse to investigate or manage a complaint if it decides that the complaint is trivial or vexatious in nature.

- c. The committee will discuss and document all complaints received in the committee meetings and including the reasons for deciding to either escalate or refuse to manage the complaint.
- d. If the committee decides to deal with the complaint, the committee will:
 - i. Provide a written notice of the complaint and the committee recommendations to be served on the member concerned and;
 - ii. Give the member fourteen (14) days from the time that the notice has been served for the member to appeal and provide a written submission in connection to the complaint, and;
 - iii. Take into consideration any written submissions made by the member in connection with the complaint.
- e. The committee may, by resolution expel members or suspend the member from membership of the association if, after considering the complaint and any submissions made in connection to the complaint, are satisfied that the facts alleged in the complaint are proved valid and the expulsion or suspension is justified.
- f. If the committee expels or suspends a member, the public officer must within seven (7) days after the action has taken place, provide written notice to the member outlining the reasons given by the committee for having taken that action and outline the appeal process as outlined in Clause 5d.
- g. A member may appeal to the association against a resolution within seven (7) days after notice has been served and this notice should be accompanied by a written statement providing the grounds of the appeal. On receipt of the appeal:
 - i. The public officer must notify the committee and convene a general meeting of the association within twenty eight (28) days of having received the notice. At this general meeting, only the appeal will be discussed by the members;
 - ii. The committee and the member will be given opportunity to state their respective cases (either orally and/or in written form);
 - iii. Members at the meeting will vote by secret ballot on the question of whether the resolution should be confirmed or revoked;
 - iv. The outcome of the appeal will be determined by a simple majority of votes cast by members of the association.

6. THE COMMITTEE

- a. The members of the association will elect committee members from within the association. That is, Parent/s or legal guardian/s of students attending the Macarthur Polish Saturday School. Non- members may be elected to positions if that particular person holds a specific expertise that will benefit the organisation.

- b. The committee membership will be reviewed annually at the Annual General Meeting of the Macarthur Polish Saturday School. Each member is to hold office until the conclusion of the Annual General Meeting or by the date determined by members at the Annual General Meeting. Members of the committee are eligible for re-election.

- c. The purpose of the committee is to:
 - i. Control and manage the affairs of the association and;
 - ii. Exercise all functions other than those functions outlined in this constitution that require a general meeting of members of the association, and;
 - iii. Have the power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the association.

- d. The committee is to consist of:
 - i. The office-bearers and three (3) committee members. The total number of committee members is required to consist of a minimum of seven (7) representatives.
 - ii. The office- bearers of the association are as follows:
 - The President
 - The Vice-President
 - The Treasurer
 - The Public Officer
 - The School Coordinator

A committee member may hold up to two (2) offices other than the president or vice-president.

- e. The committee must meet at least six (6) times in a twelve (12) months period at such place and time the committee determines. Additional committee meetings may be convened by any member of the committee. Adequate notice must be given (at least 48 hours) and must specify the general nature of the business to be transacted.

- f. No business other than that specified in the agenda is to be transacted at the meeting except business which the committee members present unanimously agree to treat as urgent business.
- g. Any three (3) members of the committee constitute a quorum for the transaction of the business at a committee meeting. No business is to be transacted by the committee unless a quorum is present.
- h. At committee meetings, the president (or in the absence of the president, the vice-president) will chair the meeting, or if both are absent, one of the remaining committee members may be chosen to preside for that meeting.
- i. Resolutions at committee meetings will be determined by a majority vote of the committee present at the meeting. When there is an equality of votes on any question, the person presiding may exercise a second or casting vote.
- j. The committee may employ contractors for specific projects or tasks and will review these positions annually.
- k. No committee member will receive monetary payments for their voluntary service to the association excepting the School Coordinator. The School Coordinator will receive a nominal weekly payment to cover administrative costs associated with coordinating the teachers and meeting the required educational standards associated with the school curriculum. The weekly rate will be determined by the committee. Any other payments made to office-bearers must be authorised by the full elected committee in conjunction with the teachers. If authorised, this payment will be a nominal amount not exceeding \$100.00 paid once within a financial year to cover the cost of the administrative expenses associated with their office-bearing role. Such payments if authorised, will be disclosed to the members at the General Meeting. As this school is just beginning, the teachers have agreed not to receive payment for services until the school is established.
- l. Committee members and other members will be reimbursed by the treasurer for any expenses directly associated with the normal running of the school or its planned activities. Reimbursement will require a receipt for the purchased items and authorisation from two other committee members.
- m. Committee members must take all care to avoid situations where a conflict of interest may arise. Individual committee members are required to disclose to the

Committee any potential conflict of interest or compromises which may impede with the performance of their duties as a committee member.

- n. Committee members are required not to abuse their position or act dishonestly. Committee members are required to act with integrity and be respectful to all members of the association. Committee members will not breach confidentiality or privacy legislation or use their position to obtain personal favours. They will act in good faith and in the best interests of the association.
- o. The committee will be familiar with the association's constitution and will ensure that all documents in their possession belonging to the association are delivered to the Public Officer within fourteen (14) days after vacating their office. The committee will appoint the Public Officer and all other vacancies within twenty eight (28) days of a vacancy.

7. ELECTION OF THE COMMITTEE

- a. Nominations of candidates for election as office-bearers of the association or ordinary committee members must:
 - i. Be endorsed by a member of the association and seconded by another member;
 - ii. If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated are taken to be elected;
 - iii. If insufficient nominations are received, any vacant positions remaining on the committee are taken to be casual vacancies;
 - iv. If the number of nominations are equal to the number of vacancies to be filled, the nominations are to be taken as elected;
 - v. If the number of nominations exceeds the number of vacancies, a ballot will be held at the Annual General Meeting;

8. ROLE OF THE OFFICE BEARERS

a. The Secretary or the designated office-bearer for this role

- i. It is the duty of the secretary to take minutes of all committee and general meetings. The minutes must be recorded in English;
- ii. The secretary must list the names of members of the committee present at meetings;

- iii. The secretary must ensure that all minutes at meetings are signed by the president or designated Chair and the original copy retained by the President.

b. The Treasurer

- i. It is the duty of the Treasurer to ensure that all money due to the association is collected and received and that all payments are made, and;
- ii. That correct books and accounts are kept showing the financial affairs of the association including full details of all receipts and expenditure, and;
- iii. The Treasurer will provide a Financial Statement to the Committee at the conclusion of every school term and a detailed annual Financial Report, and;
- iv. Will maintain an accurate School Asset Register, and;
- v. Will be a signatory for banking and payment purposes.

c. The Public Officer

- i. The Public Officer will retain and control all organisational records, books and other documents relating to the association including an accurate record of authorised signatories, and;
- ii. Will ensure that all forms are completed as per NSW Legislation in relation to child protection matters. This includes ensuring that all teachers and volunteers who have contact with children have completed Working with Children Checks, and other statutory requirements, and;
- iii. Is responsible for ensuring that the Macarthur Polish Saturday School has a Public Liability and Volunteers Insurance Certificate, and;
- iv. Is responsible for organising annual workers compensation insurance, and;
- v. Will ensure that all policies and procedures for the Macarthur Polish Saturday School are up to date and do not breach any legislation or obligations of the Community Languages Program, and;
- vi. Will complete all documentation required by NSW Fair Trading, and;
- vii. Will be the official member to liaise with the NSW Federation of Community Language Schools. This includes completing documentation required to retain membership such as enrolment of children, updating teacher profiles, applying for grants, and providing financial acquittal reports, and;
- viii. Will ensure that all known legal requirements to retain membership of the Community Language Schools are met, and;
- ix. Will maintain a register of members, a register of authorised signatures, a teacher profile, and a register of committee members, and;

- x. Will in conjunction with the School Coordinator, liaise with the Principal who manages the school facility that is used by the Macarthur Polish Saturday School. Maintaining good relations with the host Australian school is essential. An annual contract to use the school facilities will be negotiated, and;

d. The School Coordinator

- i. The role of the School Coordinator is to coordinate the teachers and ensure that the school is meeting acceptable teaching standards, and;
- ii. Will ensure that Teachers have recognised qualifications and are proficient in teaching students the Polish Language, and;
- iii. The Coordinator will ensure that Teachers follow an accredited syllabus;
- iv. The coordinator will be responsible for developing and signing off the Annual Volunteer Teacher Agreements and;
- v. Also act as the Macarthur Polish Saturday School Principal and this requires the office-bearer to be responsible for liaising with the mainstream school principal who has provided the facilities. An annual Community Use Agreement form will be completed with the Principal of the facility, and;
- vi. Will ensure that teachers provide students and their parent/s or legal guardian/s with an end of year achievement report as well as a mid- year progress report and;
- vii. Be responsible for ensuring that students are correctly enrolled and that the regulations and School Policy are up to date and made available for parent/s or legal guardian/s, and;
- viii. Will make sure that teachers maintain an accurate class roll, and;
- ix. Will make sure that parent/s or the legal guardian/s of students are regularly provided with reports about the school and its syllabus, and;
- x. Will have overall management and responsibility for managing the Volunteer Teachers and ensure that they fulfil their obligations as outlined in the Annual Volunteer Teacher Agreements. The School Coordinator will consult with the teachers but will also monitor and evaluating the teaching standards. Any breaches will be reported to the elected committee for management, and;
- xi. The School Coordinator will ensure that at least one of the teaching staff has a current First Aid Certificate. This staff member will be responsible for maintaining the First Aid kit, and;

- xii. The School Coordinator will have overall responsibility for managing the Macarthur Polish School website, and;
- xiii. The School Coordinator will act as the official representative of the Macarthur Polish Saturday School and will liaise with other Polish organisations such as the Polish Consulate, other Polish language schools and children's services such as Scouts and Folkloric Dancing Groups.

e. The President

- i. The President is required to sign off on all minutes of meetings to confirm that they accurately reflect the decisions made by the committee. If the President was not present at the committee meeting, then the presiding chair will sign the minutes and forward the signed copy to the Public Officer for filing, and;
- ii. The President will preside over the chairing of all meetings and having the casting/second vote where a vote count is equal. It is the President's responsibility to ensure that meetings follow correct procedures, and;
- iii. The President will officiate at all Macarthur Polish Saturday School events and is the official representative of the organisation, and;
- iv. The President will lead and coordinate the fundraising activities of the organisation.

f. The Vice-President

- i. The Vice-President's role includes acting up for the President in their absence, and;
- ii. The Vice-President will assist the President in organising fundraising activities, and;
- iii. The Vice-President is responsible for developing an evaluation report of the Macarthur Polish Saturday School based on feedback received from members of the association and enrolled students.

9. GENERAL MEETINGS

- a. Annual General Meetings must be held within six (6) months after the close of the association's financial year. (Before the 30th June of each year)
- b. The Annual General Meeting will be convened on such a date and time as the committee chooses. Adequate notice will be given to members;
- c. The Annual General Meeting will include:

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- i. Confirmation of minutes from the previous general meeting;
 - ii. To receive committee reports on the association's activities during the preceding year;
 - iii. To elect the committee including office-bearers;
 - iv. To receive and consider the financial statement report submitted to members of the association.
- d. The committee may, whenever it thinks fit, convene a special general meeting of the association. The purpose of the meeting must be clearly stated and fourteen (14) days notice must be provided to members. No other business except that specified in the notice must be dealt with in the meeting.
- e. A quorum of members is required for business to be transacted at a General Meetings. Five members in addition to the elected committee must be present to constitute a quorum. If a quorum is not achieved, the meeting will be dissolved.
- f. The President (or in the president's absence, the Vice-President) will preside at each general meeting of the association. Otherwise, the members present must elect one of the committee members to act as chairperson for that meeting.
- g. Decision –making at a general meeting will be determined by a show of hands or where 5 members request, a written ballot. The chairperson will make the declaration whether an issue has been carried or lost. The secretary will record the outcome in the minutes and this will act as evidence without proof of the final resolution. Each member has one vote only. In the case of equality of votes at a general meeting, the chairperson is entitled to exercise a second and casting vote. A member is not entitled to vote at any meeting of the association unless all money due and payable by the member to the association has been paid.
- h. A member is not entitled to vote at any general meeting of the association if the member is under eighteen (18) years of age.
- i. Proxy votes will be accepted at meetings but the member must request in writing that that their vote be accepted in proxy .

10. PUBLIC LIABILITY

The Macarthur Polish School will maintain Public Liability Insurance. Members will pay a one-off annual payment to contribute to this cost. The cost will be reviewed annually by the committee.

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11. MANAGEMENT OF FUNDS

- a. The income of the association will include money obtained from student fees, grants obtained through funding applications, and the various fundraising activities undertaken by members.
- b. The funds will be used in pursuance of the objectives of the association, namely to provide a high quality educational experience for students attending the Liverpool Polish Saturday School. The elected committee will determine the appropriate and proper management of funds.
- c. All expenses will be scrutinised by the committee. The Treasurer will provide an income and expenditure statement at the conclusion of each school term for review by the committee. The committee will decide on what non-standard items are to be purchased. An annual Financial Summary will be issued to members at the Annual General Meeting.
- d. The inspection of financial records is open to all members of the association. Adequate notice must be given to the Treasurer to organise an appointment and provide inspection of financial documents.
- e. As the association is responsible for managing an education facility, the financial year of the association is based on a school calendar year. Thus for the purposes of this association, the last day of the financial year will be the last day of the school term in a given calendar year.

12. TEACHING STAFF

- a. Teachers employed by the Macarthur Polish Saturday School will be highly proficient in the Polish language and have formal qualifications.
- b. Teachers will follow an accredited syllabus for teaching students which will be approved by the School Coordinator.
- c. Teacher's will complete the NSW Community Language Schools Teacher Profile Form and will provide a copy of their qualifications. They will also complete the Working with Children Declaration Form.
- d. Teachers will provide an end of year report for individual students.

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- e. Teachers will provide students and their parents/legal guardians with a mid-year progress report on the students learning.
- f. Teachers will be given an Annual Volunteer Teacher Agreement form outlining the terms and conditions of employment by the School Coordinator and in conjunction with the committee. Teachers will have an opportunity to contribute to the development of this contract.
- g. Payment of teachers will be the responsibility of the Treasurer.
- h. The pay rate of teachers will be reviewed annually and will include provisions for programme planning and report writing where finances permit.

13. STUDENT ENROLMENTS & ELIGIBILITY

- a. Students will be accepted and offered a placement in the Macarthur Polish Saturday School if they meet the eligibility requirements:
 - i. A child aged between 3-5 years of age is eligible to enrol and be considered for acceptance into the preschool class of the association if they are toilet trained;
 - ii. Children aged 4-14 years who attend a mainstream Australian primary school are also eligible to enrol into the school.
- b. Children who will be excluded from attending the school include:
 - i. Children with severe developmentally disabilities as their particular needs cannot be catered for in this mainstream language school;
 - ii. Children with severe behaviour management issues that cannot be controlled with medication or other strategies. The association may offer such children a trial period to assess suitability;
 - iii. Children with severe aggressive and violent behaviour will be excluded;
 - iv. Children with learning difficulties will need to be monitored and reviewed in order assess the impact of their attendance and learning needs on other students.
 - v. Children who are not toilet trained.
- c. Any child who fails to comply with Student Rules and Regulations may be suspended or asked to leave the school if they continue to breach the association's policies.

14. EVALUATION OF THE ORGANISATION

The committee will endeavour to seek feedback about the organisation and its performance from members of the association. The Vice-President will lead this activity and will survey members of the association, teachers, as well as the enrolled students.

This constitution can only be changed by the association passing a special resolution which is consistent with the Act and the rest of the constitution. Any changes will need to be registered and approved by NSW Fair Trading.

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 President – Name & Signature Date

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 Public Officer - Name & Signature Date

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 School Coordinator – Name & Signature Date

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 Vice-President – Name & Signature Date

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 Treasurer – Name & Signature Date

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