

CONSTITUTION

LEVEL 3 CLASSROOM TEACHER ASSOCIATION

1.0 NAME

Level 3 Classroom Teacher Association (Western Australia)

2.0 AIMS

The Association will exist to:

- 2.1 Enhance the professional status and expertise of Level 3 Classroom teacher and the quality of education in Western Australia.
- 2.2 Promote the professional interests and welfare of its members.
- 2.3 Organise professional development for members.
- 2.4 Be recognised as an important consultative group by the Minister for Education, the Education Department of W.A. and other key agencies and be represented on relevant policy-making bodies which impact on education.
- 2.5 Disseminate information relevant to the aims of the association.
- 2.6 Promote and maintain standards of professional ethics and conduct of its members.
- 2.7 Enable members to cooperate as a body with other organisations in the pursuit of the aims of the Level 3 Classroom Teacher Association.

3.0 POWERS

- 3.1 The Association will have the power to do all such things as are necessary, incidental or conducive to the attainments of the aims of the Association.
- 3.2 Without limiting the powers of 3: 1, the Association powers include the power to:
 - a) acquire, hold, deal with, and dispose of any real or personal property
 - b) borrow money upon such terms and conditions as the Association thinks fit
 - c) give such security for the discharge of liabilities incurred by the Association as the Association thinks fit
 - d) appoint agents to transact any business of the Association on its behalf, and
 - e) enter into any contract it considers necessary or desirable.

4:0 MEMBERSHIP

- 4.1 Full membership of the Association is open to all individuals who currently hold Level 3 Classroom Teacher status.
- 4.2 The Association may confer Life membership on suitable persons in recognition of their services who may be invited by the Association and whose nomination and vote for membership is passed by not less than three-quarters of members, and voted upon at the Annual General Meeting.
- 4.3 Membership will be obtained by completion of an application for membership and payment of the appropriate Annual Subscription.
- 4.4 Membership will cease upon:
 - a) The resignation of a member.
 - b) The failure of a member to pay the Annual Subscription
 - c) Expulsion under clause 4.5 below.
- 4.5 Power of expulsion or other disciplinary measures will be vested in the Management Committee. Reasons for expulsion will include verified reports of unprofessional/unethical conduct resulting in cessation of employment, the conviction of a felony resulting in cessation of employment, cessation of status of Level

3 Classroom Teacher. A right of appeal to an Annual or Special General Meeting of the Association shall be granted to any members so disciplined. The appeal process must be initiated in writing to the Management Committee and will involve an agreed upon (by both parties) independent arbitrator. Both parties will abide by the decision of the arbitrator. Any costs involved in arbitration will be met by the individual lodging the appeal.

4.6 A register containing the names of all members with their current address shall be kept by the Secretary or another person appointed for the purpose by the Committee.

5:0 MANAGEMENT

5.1 Control - The affairs of the Association shall be managed by a Management Committee.

5.2 The Management Committee shall consist of the following officers to be appointed in accordance with clause 5:6 of this Constitution:

- a) President
- b) Vice-President
- c) Secretary
- d) Treasurer
- e) The President, Vice-President, Secretary and Treasurer will constitute the Executive Committee.
- f) Management Committee will be comprised of up to 10 elected members including the Executive Committee. The 8 Management Committee members will be elected at the Annual General Meeting. Association Members may nominate for positions on the Management Committee up to and including the day of the Annual General Meeting.
- g) The ex-officio member of the Management Committee will be the immediate Past President of the Association.

5.3 Quorum and casting vote.

- a) A quorum for any management meeting shall be 50% of the committee plus one.
- b) The President will have a deliberative as well as a casting vote in the negative,

5.4 Operations of the Management Committee.

- a) The Management Committee shall meet at such times and places as it considers appropriate, but no less than once per school term.
- b) Any vacancy in an office may be filled by the Management Committee on a temporary basis but such appointment will terminate at the next Annual General Meeting, or at any Special General Meeting. Office in this instance will be any of the Executive Positions and any of the Management Committee portfolios.
- c) Between meetings of the Management Committee the business of the Association will be carried on by the Executive.
- d) Minutes of the Management Committee Meetings shall be drawn by the Secretary or by such person appointed by the Management Committee,
- e) and shall be circulated to all Officers prior to the commencement of the next meeting.
- f) The Management Committee shall have the power to form such sub-committees for particular purposes as it shall see fit and for this purpose shall have the power to co-opt Members or other outside parties to serve on such sub-committees. Such sub-committees shall have no power to commit the Association in any way and will be limited to advisory roles and reporting to the Management Committee on relevant issues, or where appropriate, to the Members in an Annual or Special General Meeting.

5.5 Executive Committee.

- a) Executive shall consist of the President, Vice-President, Secretary and Treasurer.
- b) A quorum for an Executive Committee Meeting shall be three (3) members of the Committee.
- c) The procedure to be followed at any Executive Committee Meeting will be determined by a majority of those Officers present and available for perusal through the operations policy document.
- d) The Executive Committee shall meet when and as considered necessary under the direction of the President.
- e) Minutes of the Executive Committee Meeting shall be ratified by the Management Committee. Decisions so taken and subsequently endorsed, form part of the Management Committee decisions.

5.6 Election of Management Committee.

- a) The officers will be elected by the members of the Annual General Meeting and assume their appointments immediately after the elections.
- b) All Officers shall be elected annually.
- c) Nomination for election as an Officer will be by way of written notice before the Annual General Meeting, signed by an Ordinary Member as a proposer, which notice must indicate the position for which the candidate is nominated and seconded by another Ordinary Member.
- d) Notice of the Annual election of all Officers will be sent to Association Members at least 4 weeks before an Annual General Meeting.
- e) Voting will be by way of simple majority unless a preferential vote is necessary.
- f) All persons elected Officers of the Association shall have their names and school postal address entered in the Register of Officers kept by the Treasurer.
- g) An officer shall cease to be an Officer of the Association upon the happening of any of the following events:
 - 1) The death of the Officer
 - 2) The Officer resigns, in writing, from office
 - 3) The Officer ceases to be a Member of the Association for any reason whatsoever
 - 4) The Officer loses Membership benefits under clause 4A
 - 5) The Officer becomes permanently unable to act owing to mental or physical ill-health
 - 6) The Association, by resolution of an Annual or Special General Meeting, removes the Officer as an Officer of the Association. (Refer to expulsion clause and appeal process 4:5)
- h) Any vacancy in an Office may be filled by the Management Committee on a temporary basis but such appointment will terminate at the Annual General Meeting or at any Special General Meeting called to fill the Vacancy.

6.0 ANNUAL GENERAL MEETING

- 6.1 The Annual General Meeting shall be held before the end of each year. The date of the Meeting shall be decided by the Executive, and the Secretary shall be required to give members at least one calendar month clear notice, in writing, of intention to hold such Meeting.
- 6.2 The purpose of the Annual General Meeting shall be:
 - a) To elect the Management Committee of the Association
 - b) To receive reports from the President and Treasurer
 - c) To receive reports from Council members with regard to their portfolios where such report is deemed necessary.
 - d) To receive the audited financial statements of the previous year
 - e) To conduct special business of the Association such as election of Life Members, election of a patron should that be deemed necessary and changes to the Constitution
 - f) To appoint an auditor for the next twelve months
 - g) To consider any general business of the Association.
- 6.3 The procedure and order of business at the Annual General Meeting shall be as follows:
 - a) Welcome
 - b) Apologies for absence
 - c) Confirmation of minutes of the previous Annual General Meeting.
 - d) President's Report
 - e) Treasurer's Report plus audited financial statement for the previous twelve months and the Annual Report (from Annual General Meeting to Annual General Meeting)
 - f) Reports from Management Committee Members on each portfolio or as agreed by the Management Committee is relevant
 - g) Special Business (matters about which notice has been given)
 - h) Election of Executive
 - i) Election of Management Committee
 - j) Appointment of Auditor
 - k) General Business.

7.0 SPECIAL GENERAL MEETING

- 7.1 A Special General Meeting may be called by the Management Committee with four week's notice to members

- 7.2 The Management Committee shall be required to call a Special General Meeting if petitioned in writing to do so by no less than 10% members of the Association who shall state the object for which they wish the meeting to be called.
- 7.3 The Management Committee shall be required to call a Special General Meeting within eight weeks of the receipt of such petition.
- 7.4 The business to be transacted at any such Special General Meeting shall be stated in the notice advising of the date, time and place of the meeting; no other business shall be transacted at such a meeting.

8.0 QUORUMS

- 8.1 Quorums for the various general meetings shall be:
- a) Annual General Meeting: 10% of members
 - b) Special General Meeting: 10% of members

9.0 ALTERATIONS TO CONSTITUTION

- 9.1 Any voting member may move a motion of amendment to the Constitution.
- 9.2 Any such notice shall be given in writing to the Council. If such notices of motion are accompanied by a petition, a Special General Meeting shall be called under the provisions of 7:2 above. If such notices of motion are not accompanied by such a petition, each such notice shall be listed as an item of business at the next Annual General Meeting.
- 9.3 Notice of motion to alter the Constitution must be given by Executive Committee to all members of the Association no less than four weeks before the date of such meeting.
- 9.4 Motions to amend the Constitution will be voted upon and must receive a 75% majority of the voting members present.

10.0 COMMON SEAL

- 10.1 The common seal of the Association engraved with the name of the Association shall be kept in the care of the President. The seal shall not be used affixed to any deed or other document except pursuant to a resolution of the Management Committee and in the presence of the President and two members of the Management Committee both of whom shall subscribe their names as witnesses. Official records must be maintained by the Executive of the use of the common seal.

11.0 FINANCE

- 11.1 All moneys received by the Association shall be deposited in a registered bank or credit society account held in the name of the Association.
- 11.2 Any banking account in the name of the Association must require the signature of any two of the President, Vice-President, Secretary and Treasurer on any cheques, transfer of funds or other dealings with funds of the account.
- 11.3 The Management Committee may authorise the Treasurer to operate a petty cash fund to meet the day-to-day expenses of the Association. Unless specifically authorised by the Management Committee, the petty cash fund will not be used to pay any amount which exceeds the specific amount fixed by the Management Committee for this purpose from time to time.
- 11.4 The Treasurer must ensure that the Association maintains books of account in accordance with Generally Accepted Australian Accounting Practice, showing the financial transactions of the Association.
- 11.5 The Treasurer shall have custody of all financial records, books, documents and securities of the Association
- 11.6 Any Member may at any reasonable time, having given reasonable notice, inspect without charge, the books, documents, records and securities of the Association.

- 11.7 All Members may, at any reasonable time, having given reasonable notice, inspect without charge the Members register and the Register of Officers.
- 11.8 All moneys shall be deposited as soon as practicable after receipt thereof
- 11.9 All expenditure shall be approved or ratified at a Management Committee Meeting.
- 11.10 As soon as practicable after the end of each financial year the Treasurer shall cause to be prepared a statement containing the particulars of:
- a) the income and expenditure for the financial year just ended; and
 - b) the assets and liabilities of all mortgages, charges and securities affecting the property of the association at the close of that year.
- 11.11 The financial year of the Association shall be from November 1 in any year to October 31 in the following year.
- 11.12 The income and property of the Association shall be applied solely towards the promotion of the aims of the Association. No portion of the income or property shall be paid, transferred or distributed directly or indirectly to the members of the Association other than for services rendered to the Association in good faith.

12.0 SUBSCRIPTIONS

- 12.1 The Management Committee shall have the power to determine the rates of subscription for all types of membership.
- 12.2 Subscription shall cover the period between 31st March to 30th March annually.

13.0 BY-LAWS

- 13.1 The Management Committee has the power to make, vary or withdraw By Laws to facilitate the operation of the Association. Any By-Laws made shall be circulated to ' all Members and shall become binding 30 days after circulation unless there is a valid demand for a Special General Meeting to rescind such By-Law within that period, in which event the By-Law will become binding only upon approval at the Special General Meeting.
- 13.2 In the event that a By-Law is inconsistent with the expressed provisions of the Constitution, the Constitution shall prevail.

14.0 DISSOLUTION

- 14.1 The Association may be dissolved or wound up by a resolution of any General Meeting or at a Special General Meeting called for such purpose. If upon the dissolution or winding up of the Association there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to, transferred to or distributed amongst the members of the Association. It shall be given to some other Association, Institution or body having objects similar wholly or in part to the objects of the Association, provided that the Association, Institution or body shall prohibit the distribution of its income and property among its members, or object shall be determined by the members of the Association at or before the time of dissolution or winding up. In default of any such resolution a Judge of the District Court shall determine such payment, transfer or distribution.