

CONSITUTION OF ST. ALEXANDER NEVSKY RUSSIAN SCHOOL INC.

ABN 60 935 514 336

1. NAME & ADDRESS

1.1 Name of School: St. Alexander Nevsky Russian School Inc. Homebush (**the School**)

1.2 Postal Address:

St Alexander Nevsky Russian School Inc.,
P.O. Box 130,
Homebush N.S.W. 2140

2. OBJECTIVES & TASKS

2.1 The major objectives and tasks of the School are:

- (a) To teach the Russian language.
- (b) To teach the fundamentals of the Russian Orthodox Religion.
- (c) The development of interest in the students in Russian culture, Russian literature and Russian Art.
- (d) To prepare students for examinations in Russian as set by the Department of Education in the State NSW

2.2 The major subjects taught by the School are: Russian Reading, Writing and Speaking, Russian History, Russian Geography, Russian Literature, Translation to/from English, Scripture and Performing Arts.

3. BASIC POLICIES

- 3.1 The School is an independent teaching organisation.
- 3.2 The School must always remain loyal to the Australian Commonwealth Government, the NSW Government and the Russian Orthodox Church.
- 3.3 Students of the School can be of any denomination and participation in scripture classes is non-obligatory for non-Orthodox students.
- 3.4 The School does not have any commercial aims.
- 3.5 The amalgamation of the School with any other organisation can only be authorised by a general meeting of the parents on the recommendation of the Parents' Committee **(the PC)**.
- 3.6 The School adopts the Model Rules for Incorporated Associations (under the Associations Incorporations Act 1984) **(Model Rules)** and in the case of any inconsistency between this constitution and the Model Rules, this constitution will prevail.

4. MEMBERSHIP QUALIFICATIONS

- 4.1 Membership of the School is based on the family unit. A family consisting of parent/s or guardian/s of students enrolled in the School qualifies as, and shall constitute, one membership unit **(the Member)**.
- 4.2 The Member's membership automatically ceases in the following circumstances:
 - (a) If the Member's child or children are expelled from the School;
 - (b) If the Member's child or children are absent from school for more than twenty-six consecutive weeks; or
 - (c) If the Member accrues a debt to the School of one year's tuition fees, or more.
- 4.3 Honorary membership is gained on nomination by the PC and an honorary member has the same entitlements and responsibilities as other Members. A nomination can cease at any time as per a decision reached by the PC.

5. REGISTER OF MEMBERS

5.1 A register of Members is to be kept by the Secretary of the PC.

6. FEES, SUBSCRIPTIONS, ETC.

6.1 Members shall pay all tuition and associated fees as prescribed by the PC for each of their children enrolled in the School at any given time.

7. MEMBERS' LIABILITIES

7.1 The liability of Members towards the payment of the debt and liabilities of the School or the costs, charges and expenses of the winding- up of the School shall be the outstanding debt to the School at that time.

8. DISCIPLINE OF MEMBERS

8.1 If, in the opinion of three current Members, another Member or a Member's child/children:

- are acting to the detriment of the School; or
- are more than six months in arrears in payment of tuition fees;

the PC has the power to summon the Member to the meeting of the PC at which these matters will be discussed and if deemed necessary, appropriate disciplinary action will be taken, which may include, but is not limited to, expulsion from the School., will be decided upon. At such meeting the Member will be given a right of reply to the matters raised.

8.2 To all other extents this constitution adopts the Model Rules regarding the discipline of Members.

9. COMMITTEE

9.1 The School's management is carried out by the PC in accordance with this Constitution

and in conjunction with decisions made by Members at General Meetings.

- 9.2 The PC is elected for the year following an Annual General Meeting (**AGM**) for the term of one year.
- 9.3 The PC shall consist of a minimum of 7 Members and a maximum of 11 members.
- 9.4 PC office-bearers are as follows:
President, Vice-President, Secretary and Treasurer.
- 9.5 Duties of office bearers are as follows:
 - (a) The President is the official representative of the School and is responsible for the management of the School in conjunction with the PC and shall act as Chairperson at any meetings or conferences where the School is represented.
 - (b) The Vice-President shall carry out the functions of the President in his or her absence.
 - (c) The Secretary must keep minutes of meetings, custody of School records, a register of students and teachers and attend to all official correspondence.
 - (d) The Treasurer shall carry out the duties as specified in Clause 16.1.
- 9.6 The PC has the right to nominate another Member to replace a Member who has left the PC.
- 9.7 The PC has the right to establish additional duties if necessary during the year as, well as enlist the services of parents in the interest of the School.
- 9.8 PC meetings to discuss School business are to be held at intervals of no more than 6 weeks.
- 9.9 Extraordinary PC meetings may be called to consider urgent business.
- 9.10 The right to convene extraordinary PC meetings is vested in the President in the following circumstances:
 - (a) at the request of at least 30% of PC Members;
 - (b) at the request of the Vice-President and Secretary or Treasurer; or
 - (c) on the President's consultation with the Secretary.
- 9.11 PC meetings can be attended by the Secretary of the Teachers' Committee in a consultative capacity.
- 9.12 Voting rights at PC meetings are exercised only by the PC Members. Although members are welcome to attend PC meetings they have no voting rights.

- 9.13 Decisions are taken by a simple majority at PC meetings attended by a minimum of 51% of current PC members.
- 9.14 In the event of a tied vote the President of the PC or in his or her absence the acting President of the meeting shall have the casting vote.
- 9.15 The PC is responsible for providing the necessary financial resources of the School to secure the necessary premises and equipment for teaching.
- 9.16 The School's financial resources are made up of tuition fees paid by Members, any income derived from charity balls, lotteries, fetes or other fundraising sources. The School's financial resources are strictly to be used to fund the School's operations.
- 9.17 All duties by PC Members are carried out in an honorary capacity.
- 9.18 PC work shall be carried out in four Sections as follows:

(i) TEACHING SECTION (TS)

The Teaching Section is headed by the Principal who is responsible for:

- (a) acting as Chairperson at Teaching Committee **(TC)** meetings;
- (b) selecting teaching staff in consultation with the Secretary of the TC and in accordance with the School and Teachers' Codes of Conduct
- (c) supplying teachers and students with books and other requisites for the curriculum;
- (c) coordinating the work of the TC with that of the PC; and
- (d) maintaining school discipline.

The Principal is appointed by the PC in consultation with the Teachers Committee (TC) and may select other PC Members to assist him or her as necessary.

(ii) CULTURAL SECTION

This Section consists of members of the PC and is headed by a manager. The responsibilities include:

- (a) organising concerts and staging of other performances by the School's students
- (b) organising picnics, sporting events and other activities.
- (c) co-operating or collaborating with other organisations of a cultural nature.

- (d) coordinating the School's artistic activities.
- (e) printing a periodic bulletin, no less than 3 times a year for distribution to Members to acquaint Members and families with the School's work and achievements.

(iii) ADMINISTRATIVE SECTION

This section consists of PC Members and is headed by a Manager. The duties and responsibilities include:

- (a) control and care of the School premises.
- (b) maintenance, upkeep and safekeeping of the School's equipment.
- (c) organisation of Members acting as duty-officers during School hours.
- (d) operation of the canteen.
- (e) organisation and management of charity balls, social evenings and other related activities.

The Manager may appoint sub-committees comprised of PC Members and Members for temporary purposes such as to organise social evenings, balls and the canteen, as appropriate.

(iv) FINANCIAL SECTION

The Financial Section shall be headed by the Treasurer and perform the duties set out in Clause 16.1 of this Constitution.

10. THE AUDIT COMMITTEE

- 10.1 The Audit Committee (**AC**) is elected for one year and appointed at the Annual General Meeting.
- 10.2 The AC shall consist of 3 people, comprising an elected Chairperson and 2 members from the School Membership. AC members must be independent of the PC Committee.
- 10.3 The appointments are to be made at the first meeting of the Audit Committee after election.

10.4 The Audit Committee shall audit all expenditure, property and operations of the School and the preparation of the Audit Report which is to be presented to the Annual General Meeting.

11. TEACHERS' COMMITTEE

11.1 All teachers are members of the TC.

11.2 The TC is headed by the Principal who is appointed by the PC in consultation with the TC.

11.3 The Principal is assisted by a Secretary who is elected from the TC.

11.4 The Principal receives honorary membership to the School and TC upon appointment, for the duration of the appointment.

11.5 The duties and responsibilities of the TC include the following:

- (a) selection and maintenance of the teaching programme.
- (b) annual revision of the teaching programme in retrospect of the experience of the past year and revised accordingly.¹
- (c) examination and transfer of students.

11.6 Complaints pursuant to Clauses 11.2 to 11.4 must be made in writing to the Manager of the Teaching Section.

12. ANNUAL GENERAL MEETING and EXTRAORDINARY GENERAL MEETINGS

12.1 The Annual General Meeting (**AGM**) shall be held not later than 30 June each year. The date, time and place shall be fixed by the PC.

12.2 An Extraordinary General Meeting (**EGM**) may be called at any time by the PC, the AC or no less than 30% of the Members. The purpose of calling an EGM is to discuss important or urgent matters that require resolution at times other than at the AGM. The request for an EGM must state matters to be discussed at the EGM and signed by those party requesting the EGM. In addition, the written request must be addressed to the Secretary of the PC.

13. GENERAL MEETINGS - PROCEDURES

- 13.1 At the AGM, a Chairperson and Secretary are to be elected to conduct General Meetings (**GM**) throughout the year. The Chairperson is to receive reports from the PC, the TS Manager, the Treasurer and the AC.
- 13.2 Three independent Scrutineers, who have been elected at the GM, but are not candidates for election to the PC or the AC, shall read the votes.
- 13.3 Quorum - the General Meeting shall have a quorum of no less than half of the Members.
- 13.4 In the absence of the quorum at the appointed time of GM, the meeting shall be deferred for half an hour and then proceed with the numbers then present.
- 13.6 Each Member has the right to stand for election and has the right to elect the PC and the AC.
- 13.7 Members in arrears or in debt for longer than three (3) months cannot vote or be elected to the PC whilst the debt remains.
- 13.8 Only one representative of each family, irrespective of the number of children attending the School, can be elected to the PC or the Audit Committee.
- 13.9 Only one representative of each family irrespective of the number of children attending the School shall have a vote at the General Meetings.
- 13.10 Candidates nominated for election to the PC and AC, not present at the GM must submit in writing their acceptance as nominee as soon as practicable after the AGM, or, if they know they cannot attend prior to the AGM, the day before.
- 13.11 The President of the PC is elected by a simple majority vote of those present at the AGM.
- 13.12 The President is elected first by School Members followed by the election of at least 6 members of the PC.
- 13.14 Unsuccessful candidates for the position of President may nominate themselves as candidates for PC Membership.
- 13.15 The President shall allocate responsibilities at the first meeting of the PC.
- 13.16 The PC and the AC elected at the AGM immediately takes over all responsibilities of the School.

14. ANNUAL GENERAL MEETINGS – NOTICES

14.1 Notices of AGM must be issued to Members no less than two weeks before the proposed AGM. The Notice must state the date, time and place of the proposed AGM.

15. FUNDS SOURCES

15.1 The financial resources of the School are made up of the following fund sources: tuition fees paid by Members, donations, the income from charity balls, lotteries and other fundraising activities.

15.2 All funds sourced as set out in 15.1 are to be used for the sole purpose of financing the School's running and operations.

16. FUNDS-MANAGEMENT

16.1 The Financial Section (**FS**) is headed by the Treasurer and is responsible for the following:

- (a) keeping an Accounts Ledger.
- (b) supervising the PC's financial dealings.
- (c) collecting tuition fees; and
- (d) presenting the annual balance sheet, which may be prepared externally, at the AGM.

16.2 The financial accounting is audited and certified by the AC, after which it is presented to the AGM.

16.3 Funds received are to be deposited into the School's nominated bank account.

16.4 The three office bearers authorised to operate the bank account are the President, Vice-President and Treasurer of the School.

16.5 All cheques/transfers are to be authorized by any two (2) of the three office-bearers.

16.6 An acting treasurer from the PC may be appointed to assist the Treasurer.

16.7 All acquisition of real property must be authorised at a GM and take into

consideration the recommendations of the PC.

- 16.8 The PC shall not lend School funds to Members or other persons, nor enter into any financial agreements that are not authorised by this Constitution.
- 16.9 The PC may, in its discretion, invest excess funds accumulated with an approved financial institution, but not invest School funds in high-risk schemes.
- 16.10 All payments made by the School in amounts over Five hundred dollars (\$500.00) must be made by cheque/EFT.

17. ALTERATION OF OBJECTS AND RULES

- 17.1 The moves to modify and/or change the constitution must be proposed by the PC or a group of parents not less than 30% of the total School Membership.
- 17.2 This Constitution can only be changed by no less than 60% majority of Members and PC present at an EGM.
- 17.3 Proposed amendments must be advised to Members no less than two (2) weeks before the EGM.

18. COMMON SEAL

- 18.1 The Common Seal shall be kept by the President or Secretary. The Common Seal shall only be used on all official correspondence of the School.

19. CUSTODY OF BOOKS

- 19.1 Copies of all correspondence and the Minute Book is to be kept by the Secretary.
- 19.2 All financial documents are to be kept by the Treasurer.
- 19.3 All securities shall be kept in a safe deposit box in a bank or solicitors office and managed the same way as the School funds.

20. INSPECTION OF BOOKS ETC.

- 20.1 The Internal Audit Committee shall conduct an audit of the financial books and

property of the school at least twice a year and prepare a written report which is to be read at the Annual General Meeting.

- 20.2 If requested in writing by a 10% of Members, the PC shall present to the requesting Members the documents they wish to examine. Such examination is to take place at the school's premises and the documents are not to be removed from them.

21 WINDING UP OF THE SCHOOL

21.1 The School may cease operations in accordance with a resolution made at a EGM.

21.2 If a decision is made by Members at an EGM to close the School, all-funds, assets and property of the School shall be transferred to one or more Russian charitable organisations in accordance with the resolution made at the EGM.