

RULES OF THE ASSOCIATION OF

BALLARAT STEINER SCHOOL & KINDERGARTEN INC

In accordance with the Associations Incorporation Act 1981

FINAL

21 April 2010

1. Name and Purpose

- a. The name of the incorporated association is **BALLARAT STEINER SCHOOL & KINDERGARTEN INC.** (in these Rules called "the Association").
- b. The purpose of the Association is to conduct and maintain educational facilities and programmes for pre-school and school age children and to nurture and educate children on the basis of the educational philosophies of Rudolf Steiner.
- c. The Association will serve educational and cultural aims and will not as an Association pursue any particular religious or political goals.
- d. The Association will strive to provide the highest possible standards in accordance with the principles of Rudolf Steiner.

2. Definitions

- a. In these Rules, unless the contrary intention appears—

Association means the Ballarat Steiner School & Kindergarten Inc.;

Business Manager means a person employed by the Committee of Management to manage the administrative and financial operations of the School as directed by the Committee of Management;

College of Teachers means the body of persons as defined in Rule 36;

Committee means the Committee of Management of the Association;

Education Facilitator means a person employed by the Committee of Management to facilitate between the Committee, the College of Teachers, Parents and the community in relation to educational matters. The Education Facilitator may or may not be a member of the College of Teachers;

Financial Year means the year ending on 31 December;

General Meeting means a general meeting of Members convened in accordance with Rule 12;

Member means a Member of the Association;

Committee Member means a Member of the Committee of Management;

Ordinary Member of the Committee means a Member of the Committee who is not an officer of the Association under rule 24;

Parent unless the context otherwise indicates means a parent of one or more children enrolled in the school and includes in this meaning a legal guardian of such child or children;

Regulations means regulations under the Act;

Relevant Documents has the same meaning as in the Act;

School means School and Kindergarten;

Staff Member means a teaching or non-teaching full-time or part-time ongoing employee of the School;

the Act means the **Associations Incorporation Act 1981**.

- b. In these Rules, a reference to the **Secretary** of an Association is a reference—
 - (1) if a person holds office under these Rules as Secretary of the Association—to that person; and
 - (2) in any other case, to the public officer of the Association.

3. Alteration of the rules

These Rules and the statement of purposes of the Association must not be altered except in accordance with the Act.

4. Membership

Membership of the Association shall be available to:

- a. all full-time and part-time employees of the School;
- b. all parents and guardians of pupils at the School;
- c. such other persons as the Committee of Management admits to Membership.

5. Admission of Members

- a. Persons referred to in Rules 4.a. and 4.b. are admitted to Membership of the Association by completing a "Membership Application Form" and submitting it to the Secretary and on payment of the entrance fee and annual subscription payable under these Rules.
- b. Where a person referred to in Rule 4.c. desires to be admitted to Membership of the Association he or she must sign and deliver to the Association an application for admission framed in such terms as the Committee may require, including agreement to be bound by these Rules and have a commitment to support the purpose of the Association as defined in these Rules.
- c. At the next meeting of the Committee after the receipt of any application for Membership from a person referred to in Rule 4.c., such application shall be considered by the Committee who shall determine admission or rejection of the applicant subject to the provisions of Rule 5.a.
- d. The Committee has full discretion as to the admission to Membership of the Association of any person referred to in Rule 4.c. In no case shall the Committee be required to give any reason for the rejection of any applicant.
- e. Where an applicant has been accepted for Membership, the Secretary shall forthwith send to the applicant written notice of acceptance. Upon payment of the entrance fee and annual subscription payable under these Rules, the applicant will then be admitted to Membership of the Association.
- f. The Association in General Meeting may bestow Life Membership on a person who by their long-standing support and effort has made a significant contribution to the School.

6. Entrance Fee and Annual Subscription

- a. The entrance fee is \$1.00
- b. The annual subscription fee is \$2 and is payable on or before the Annual General Meeting

7. Register of Members

- a. The Secretary must keep and maintain a register of Members containing—
 - (1) the name and address of each Member; and
 - (2) the date on which each Member's name was entered in the register.
- b. The register is available for inspection free of charge by any Member upon request.

8. Ceasing Membership

- a. A right, privilege, or obligation of a person by reason of membership of the Association—
 - (1) is not capable of being transferred or transmitted to another person; and
 - (2) terminates upon the cessation of membership whether by death or resignation or otherwise.
- b. A Member of the Association who has paid all moneys due and payable by a Member to the Association may resign from the Association by giving one month's notice in writing to the Secretary of his or her intention to resign.
- c. After the expiry of the period referred to in subrule b.—
 - (1) the Member ceases to be a Member; and
 - (2) the Secretary must record in the register of Members the date on which the Member ceased to be a Member.
- d. If a permanent Staff Member resigns or is dismissed from his or her position at the School, or if every child of a Parent ceases to be a pupil at the School, then the name of each such Staff Member or Parent as the case may be shall thereupon be removed from the Register of the members and he or she shall be deemed to be no longer a member of the Association, but he or she shall be free to re-apply for membership of the Association subject to the provisions of Rule 5.

9. Discipline, suspension and expulsion of Members

- a. Subject to these Rules, if the Committee is of the opinion that a Member has refused or neglected to comply with these Rules, or has been guilty of conduct unbecoming a Member or prejudicial to the interests of the Association, the Committee may by resolution—
 - (1) suspend that Member from Membership of the Association for a specified period; or
 - (2) expel that Member from the Association; or
- b. A resolution of the Committee under subrule a. does not take effect unless—
 - (1) at a meeting held in accordance with subrule c., the Committee confirms the resolution; and
 - (2) if the Member exercises a right of appeal to the Association under this rule, the Association confirms the resolution in accordance with this rule.
- c. A meeting of the Committee to confirm or revoke a resolution passed under subrule (a) must be held not earlier than 14 days, and not later than 28 days, after notice has been given to the Member in accordance with subrule d.

- d. For the purposes of giving notice in accordance with subrule c., the Secretary must, as soon as practicable, cause to be given to the Member a written notice—
 - (1) setting out the resolution of the Committee and the grounds on which it is based; and
 - (2) stating that the Member, or his or her representative, may address the Committee at a meeting to be held not earlier than 14 days and not later than 28 days after the notice has been given to that Member; and
 - (3) stating the date, place and time of that meeting; and
 - (4) informing the Member that he or she may do one or both of the following—
 - 1. attend that meeting;
 - 2. give to the Committee before the date of that meeting a written statement seeking the revocation of the resolution; and
 - 3. informing the Member that, if at that meeting, the Committee confirms the resolution, he or she may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that he or she wishes to appeal to the Association in general meeting against the resolution.
- e. At a meeting of the Committee to confirm or revoke a resolution passed under subrule a., the Committee must—
 - (1) give the Member, or his or her representative, an opportunity to be heard; and
 - (2) give due consideration to any written statement submitted by the Member; and
 - (3) determine by resolution whether to confirm or to revoke the resolution.
- f. If at the meeting of the Committee, the Committee confirms the resolution, the Member may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that he or she wishes to appeal to the Association in general meeting against the resolution.
- g. If the Secretary receives a notice under subrule f., he or she must notify the Committee and the Committee must convene a general meeting of the Association to be held within 21 days after the date on which the Secretary received the notice.
- h. At a general meeting of the Association convened under subrule e.—
 - (1) no business other than the question of the appeal may be conducted; and
 - (2) the Committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution; and
 - (3) the Member, or his or her representative, must be given an opportunity to be heard; and
- i. A resolution is confirmed if, at the general meeting, not less than two-thirds of the members vote in person, or by proxy, in favour of the resolution. In any other case, the resolution is revoked.

10. Disputes and mediation

- a. The grievance procedure set out in this rule applies to disputes under these Rules between—
 - (1) a Member and another Member; or
 - (2) a Member and the Association.
- b. The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.
- c. If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
- d. The mediator must be—
 - (1) a person chosen by agreement between the parties; or
 - (2) in the absence of agreement—
 - 1. in the case of a dispute between a Member and another Member, a person appointed by the Committee of the Association; or
 - 2. in the case of a dispute between a Member and the Association, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).
- e. Member of the Association can be a mediator.
- f. The mediator cannot be a Member who is a party to the dispute.
- g. The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- h. The mediator, in conducting the mediation, must—
 - (1) give the parties to the mediation process every opportunity to be heard; and
 - (2) allow due consideration by all parties of any written statement submitted by any party; and
 - (3) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- i. The mediator must not determine the dispute.
- j. If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

11. Annual general meetings

- a. The Committee may determine the date, time and place of the annual general meeting of the Association.
- b. The notice convening the annual general meeting must specify that the meeting is an annual general meeting.
- c. The ordinary business of the annual general meeting shall be—
 - (1) to confirm the minutes of the previous annual general meeting and of any general meeting held since that meeting; and
 - (2) to receive from the Committee reports upon the transactions of the Association during the last preceding financial year; and

- (3) to elect Members of the Committee pursuant to Rule 23; and
 - (4) to receive and consider the statement submitted by the Association in accordance with section 30(3) of the Act.
- d. The annual general meeting may conduct any special business of which notice has been given in accordance with these Rules.
 - e. The Annual General Meeting shall be in addition to any other general meeting that may be held in the same year.
 - f. The Chairperson of the Committee shall table an Annual Report at the Annual General Meeting of the Association, commenting on the activities and achievements of the Committee over the preceding twelve months, together with an outline of key goals and activities for the year ahead.
 - g. The Chairperson of the College of Teachers shall table an Annual Report to the Annual General Meeting regarding the activities and achievements of the School's educational programs over the preceding twelve months, together, together with an outline of the key goals and activities for the year ahead.

12. Special general meetings

- a. In addition to the annual general meeting, any other general meetings may be held in the same year.
- b. All general meetings other than the annual general meeting are special general meetings.
- c. The Committee may, whenever it thinks fit, convene a special general meeting of the Association.
- d. If, but for this subrule, more than 15 months would elapse between annual general meetings, the Committee must convene a special general meeting before the expiration of that period.
- e. The Committee must, on the request in writing of Members representing not less than 5 per cent of the total number of Members, convene a special general meeting of the Association.
- f. The request for a special general meeting must—
 - (1) state the objects of the meeting; and
 - (2) be signed by the Members requesting the meeting; and
 - (3) be sent to the address of the Secretary.
- g. If the Committee does not cause a special general meeting to be held within one month after the date on which the request is sent to the address of the Secretary, the Members making the request, or any of them, may convene a special general meeting to be held not later than 3 months after that date.
- h. If a special general meeting is convened by Members in accordance with this rule, it must be convened in the same manner so far as possible as a meeting convened by the Committee and all reasonable expenses incurred in convening the special general meeting must be refunded by the Association to the persons incurring the expenses.

13. Special business

All business that is conducted at a special general meeting and all business that is conducted at the annual general meeting, except for business conducted under the rules as ordinary business of the annual general meeting, is deemed to be special business.

14. Notice of general meetings

- a. The Secretary of the Association, at least 14 days, or if a special resolution has been proposed at least 21 days, before the date fixed for holding a general meeting of the Association, must cause to be sent to each Member of the Association, a notice stating the place, date and time of the meeting and the nature of the business to be conducted at the meeting.
- b. Notice may be sent—
 - (1) by prepaid post to the address appearing in the register of Members; or
 - (2) if the Member requests, by facsimile transmission or electronic transmission.
- c. No business other than that set out in the notice convening the meeting may be conducted at the meeting.
- d. A Member intending to bring any business before a meeting may notify in writing, or by electronic transmission, the Secretary of that business, who must include that business in the notice calling the next general meeting.

15. Quorum at general meetings

- a. No item of business may be conducted at a general meeting unless a quorum of Members entitled under these Rules to vote is present at the time when the meeting is considering that item.
- b. Five Members personally present, one of whom must be a teacher from the College of Teachers (being Members entitled under these Rules to vote at a general meeting) constitute a quorum for the conduct of the business of a general meeting.
- c. If, within half an hour after the appointed time for the commencement of a general meeting, a quorum is not present—
 - (1) in the case of a meeting convened upon the request of Members—the meeting must be dissolved; and
 - (2) in any other case—the meeting shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chairperson at the time of the adjournment or by written notice to Members given before the day to which the meeting is adjourned) at the same place.
- d. If at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the Members personally present (being not less than 3), one of whom must be a teacher from the College of Teachers, shall be a quorum.

16. Presiding at general meetings

- a. The Chairperson, or in the Chairperson's absence, the Vice-Chairperson, shall preside as Chairperson at each general meeting of the Association.
- b. If the Chairperson and the Vice-Chairperson are absent from a general meeting, or are unable to preside, the Members present must select one of their number to preside as Chairperson.

17. Adjournment of meetings

- a. The person presiding may, with the consent of a majority of Members present at the meeting, adjourn the meeting from time to time and place to place.
- b. No business may be conducted at an adjourned meeting other than the unfinished business from the meeting that was adjourned.
- c. If a meeting is adjourned for 14 days or more, notice of the adjourned meeting must be given in accordance with rule 14.
- d. Except as provided in subrule c., it is not necessary to give notice of an adjournment or of the business to be conducted at an adjourned meeting.

18. Voting at general meetings

- a. Upon any question arising at a general meeting of the Association, a Member has one vote only.
- b. All votes must be given personally or by proxy.
- c. In the case of an equality of voting on a question, the Chairperson of the meeting is entitled to exercise a second or casting vote.
- d. A Member is not entitled to vote at a general meeting unless all moneys due and payable by the Member to the Association have been paid, other than the amount of the annual subscription payable in respect of the current financial year.

19. Poll at general meetings

- a. If at a meeting a poll on any question is demanded by not less than 3 Members, it must be taken at that meeting in such manner as the Chairperson may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.
- b. A poll that is demanded on the election of a Chairperson or on a question of an adjournment must be taken immediately and a poll that is demanded on any other question must be taken at such time before the close of the meeting as the Chairperson may direct.

20. Manner of determining whether resolution carried

- a. If a question arising at a general meeting of the Association is determined on a show of hands—
 - (1) a declaration by the Chairperson that a resolution has been—
 - (2) carried; or
 - (3) carried unanimously; or
 - (4) carried by a particular majority; or
 - (5) lost; and
- b. an entry to that effect in the minute book of the Association—
is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

21. Proxies

- a. Each Member is entitled to appoint another Member as a proxy by notice given to the Secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.
- b. The notice appointing the proxy must be—
 - (1) for a meeting of the Association convened under rule 9.g., in the form set out in Appendix 2; or
 - (2) in any other case, in the form set out in Appendix 3.

22. Committee of Management

- a. The Committee—
 - (1) has the responsibility to plan, direct and achieve the Association's purposes as set out in these Rules; and
 - (2) shall control and manage the business and affairs of the Association; and
 - (3) may, subject to these Rules, the Act and the Regulations, exercise all such powers and functions as may be exercised by the Association other than those powers and functions that are required by these Rules to be exercised by general meetings of the Members of the Association; and
 - (4) subject to these Rules, the Act and the Regulations, has power to perform all such acts and things as appear to the Committee to be essential for the proper management of the business and affairs of the Association.
- b. Subject to section 23 of the Act, the Committee shall consist of at least seven (7) but no more than nine (9) Committee Members, comprising both nominated and elected Committee Members.
 - (1) Nominated Committee Members:
 1. The Business Manager of the School;
 2. The Education Facilitator, provided the Education Facilitator is not a member of the College of Teachers, and
 3. Two ongoing teaching staff members nominated by the College of Teachers pursuant to subparagraph 36.b.(9).
 - (2) Additional Nominated Committee Members
Up to three persons nominated by the Committee on the basis of required expertise and not necessarily being a parent or staff member.
 - (3) Elected Committee Members:
Two parents or members, not being employees of the school, shall be elected at an appropriately constituted Annual General Meeting. An office bearer of the Parents and Friends Association (or equivalent title) shall be encouraged to stand for election as one of these elected Members.
- c. All Committee Members must be Members of the Association and shall have demonstrated an active interest or involvement in the School or in Rudolf Steiner education generally, preferably over a period of at least two years prior to assuming a position on the Committee.
- d. Committee Members shall receive no remuneration for their services.

- e. A Committee Member shall always avoid any real or perceived conflict of interest by declaring any interest held by him or her, or by his or her family or associates in any contract or financial matter under discussion by the Committee, and if necessary remove him or herself from the Committee room during such discussions.

23. Election of Committee Members

- a. A retiring Committee Member shall be eligible for re-election.
 - (1) Nominated Committee Members will serve for a maximum of two (2) years after which time they must retire. Retiring Committee Members, if eligible, may re-nominate.
 - (2) Additional Nominated Committee Members will serve for a maximum of one (1) year after which time they must retire. Retiring Committee Members, if eligible, may re-nominated by the Committee.
 - (3) Elected Committee Members will serve for a maximum of two (2) years after which time they must retire. Retiring Committee Members, if eligible, may re-nominate.
- b. The Committee may determine to arrange the nomination and election of Committee Member such that renewal of Committee Members is staggered over more than one Annual General Meeting cycle, allowing greater continuity of Membership.
- c. Elected parent members of the Committee (not being an employee) shall be elected in the following manner:
 - (1) Any two Members of the Association shall be at liberty to nominate any parent (not being an employee) member to serve as an elected Committee Member.
 - (2) Such nomination shall be in writing, signed by the nominee by way of acceptance and by his or her proposer and seconder and shall be lodged with the Secretary at least seven (7) days before the Annual General Meeting at which the election is to take place. Candidates' names and optionally a statement by candidates addressing the skills and experience that they would bring to the Committee shall be made known to the Members of the Association by the Secretary via newsletter or other media at least five (5) days preceding the Annual General Meeting.
 - (3) If necessary the Secretary will arrange a ballot allowing each Member present at the Annual General Meeting to cast primary votes for any number of candidates not exceeding the number of vacancies.
 - (4) The elected candidates shall be those receiving the most votes. In the event of two or more candidates receiving an equal number of votes then there shall be a re-vote in respect of those candidates only until one has a majority.
- d. Casual vacancies for elected Committee Members may be filled by invitation from the Committee. This position becomes vacant at the next Annual General Meeting and will be filled in the manner described in Rule 23.
- e. Casual vacancies for nominated Committee Members shall be filled by nomination from the College of Teachers for teaching staff or from the Committee for other nominated positions. These positions become vacant at the next Annual General Meeting and will be filled in the usual manner.
- f. Special meetings of the Committee may be convened by the Chairperson or by any four (4) members of the Committee.

24. Meetings of the Committee

- a. The Committee shall nominate at the first meeting after each AGM from amongst its members a Chairperson, and a Vice-Chairperson, for a period of one year. Officers may renominate or be re-elected.
- b. The Business Manager shall act as Secretary to the Committee and as Secretary of the Association with responsibility to prepare and submit Association reports and financial statements for approval of the Committee.
- c. The Association may by resolution passed at a General Meeting increase or decrease the number of office bearers or members of the Committee.
- d. A Committee Member shall always avoid any real or perceived conflict of interest by declaring any interest held by him or her, or by his or her family or associates in any contract or financial matter under discussion by the Committee, and if necessary remove him or herself from the Committee room during such discussions.
- e. The Committee shall keep minutes, including the appointment of officers, names of Committee Members present and all proceedings at its meetings, and such minutes shall be available to Members of the Association to peruse at their request.
- f. The Committee shall meet a minimum of four (4) times per year.

25. Notice of Committee meetings

- a. Written notice of each Committee meeting must be given to each Committee Member of the Committee at least 2 business days before the date of the meeting.
- b. Written notice must be given to Committee Members of the Committee of any special meeting specifying the general nature of the business to be conducted and no other business may be conducted at such a meeting.

26. Quorum for Committee meetings

- a. More than half of the current membership of the Committee constitutes a quorum for the conduct of the business of a meeting of the Committee.
- b. No business may be conducted unless a quorum is present.
- c. If within half an hour of the time appointed for the meeting a quorum is not present—
 - (1) in the case of a special meeting—the meeting lapses;
 - (2) in any other case—the meeting shall stand adjourned to the same place and the same time and day in the following week.
- d. The Committee may act notwithstanding any vacancy on the Committee.

27. Presiding at Committee meetings

At meetings of the Committee—

- a. the Chairperson or, in the Chairpersons' absence, the Deputy Chairperson presides; or
- b. if the Chairperson and the Deputy Chairperson are absent, or are unable to preside, the Committee Members present must choose one of their number to preside.

28. Voting at Committee meetings

- a. Questions arising at a meeting of the Committee, or at a meeting of any Subcommittee appointed by the Committee, shall be determined on a show of hands or, if a Committee Member requests, by a poll taken in such manner as the person presiding at that meeting may determine.
- b. Each Committee Member present at a meeting of the Committee, or at a meeting of any Subcommittee appointed by the Committee (including the person presiding at the meeting), is entitled to one vote and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

29. Removal of Committee Member

- a. The Association in general meeting may, by resolution, remove any Committee Member before the expiration of the Committee Member's term of office and appoint another Committee Member in his or her place to hold office until the expiration of the term of the first-mentioned Committee Member.
- b. A Committee Member who is the subject of a proposed resolution referred to in subrule a. may make representations in writing to the Secretary or Chairperson of the Association (not exceeding a reasonable length) and may request that the representations be provided to the Members of the Association.
- c. The Secretary or the Chairperson may give a copy of the representations to each Member of the Association or, if they are not so given, the Committee Member may require that they be read out at the meeting.

30. Vacancies

The office a Committee Member becomes vacant if the Committee Member-

- a. Is deceased.
- b. Becomes of unsound mind, or becomes a person liable to be dealt with under the law relating to mental health.
- c. Resigns his or her office in writing to the Secretary of the Association.
- d. Becomes insolvent or bankrupt or makes any arrangement or composition with his or her creditors or is a debtor to the School.
- e. Ceases to be a member of the Association.
- f. Has served on the Committee for the maximum period pursuant to Rule 23 a, in which case the member may apply for re-nomination or re-election.
- g. Is absent for three consecutive Committee meetings without the prior approval of a majority of the Committee.

31. Minutes of meetings

The Secretary of the Association must keep minutes of the resolutions and proceedings of each general meeting, and each Committee meeting, together with a record of the names of persons present at Committee meetings.

32. Powers and Duties of Committee of Management

The Committee shall have the power and duty to:

- a. Oversee the affairs of the Association to achieve the purposes stated in the Rules, (particularly with reference to the current Vision and Mission of the school), through planning, leadership and support for the long-term development and welfare of the School and the Association.
- b. As considered necessary, frame by-laws, policies or regulations for the general conduct and management of the School, its Members and employees.
- c. Control and manage all real estate and other assets belonging to the Association and School, or used for the purpose of the School (subject to all trusts, engagements and liabilities affecting the same) and provide for the maintenance and protection of such assets.
- d. Exercise the powers of the Association to borrow money and to mortgage or charge its property, or part thereof, and to issue debentures or securities whether outright or as security for any liability of the Association.
- e. Insure all real and personal property of the Association and comply with any legislation requiring insurances to be taken out.
- f. In consultation with school management, oversee the creation and filling of any position or vacancy which may occur from time to time for non-teaching staff positions in the School. In particular the Education Facilitator and Business Manager of the School, or equivalent roles, are appointed by, shall be responsible to and shall report to the Board.
- g. In consultation with the Administrative Team and the College of Teachers, oversee the creation and filling of any position or vacancy which may occur from time to time for teaching staff positions in the School.
- h. From time to time, as may be necessary, the Committee shall advise on and resolve staffing matters in which the Association, as employer, must be represented.
- i. Establish annuity, superannuation, retirement and other similar funds for the teaching staff and non-teaching staff of the School and their dependents as a required by law or additionally that the Committee may see fit to put in place.
- j. Make public to members the agenda for each Committee meeting, provide minutes or a summary of minutes to members on request and accept members who wish to be observers at or make representations to Committee meetings, unless the Committee deems that confidentiality of agenda items is paramount.
- k. In addition to the particular powers herein conferred upon them, exercise all such powers of the Association which are not required by the Act to be exercised by General Meetings of the Association and to do so having regard to the regulations and provisions of the Act.
- l. Approve and monitor annual school budgets as provided by the school management for the Association, in consultation with the Administrative Team and College of Teachers.

33. Subcommittees

- a. The Committee may from time to time appoint Subcommittees and delegate thereto such business as the Committee Members deem fit, provided that the Committee Members may confer such powers to such Subcommittees only collaterally and not to the exclusion of or in substitution for all or any of the powers of the Committee Members, and the Committee may from time to time revoke, alter or vary all or any of such powers delegated to such Subcommittees.
- b. The quorum of any such Subcommittees shall be no less than two, and it shall be preferred but not essential for a Committee Member to be a member of such Subcommittees.

34. Accounts and Funds

- a. The Committee shall ensure that general records, accounting books and true records of all monetary receipts and expenditure connected with the operations and business of the Association and of the assets and liabilities of the Association are faithfully kept in such form and manner as the Committee may direct and in accordance with relevant Australian accounting standards.
 - (1) Books of account shall be kept at the registered office of the Association or such other place as the Members see fit.
 - (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by the Secretary or in his or her absence by such other person as the Committee may nominate for that purpose and shall be countersigned by a Committee Member or by any other staff member or members determined by resolution of the Committee.
- b. At the Annual General Meeting in every year the Committee shall lay before the members of the Association an audited income and expenditure account and a balance sheet containing a summary of the assets and liabilities of the Association made up as at the end of the preceding financial year.
- c. The Committee may canvas for contributions to the funds of the Association in the form of donations, annual subscriptions, entrance fees, bequests, donations, registered building fund contributions or other arrangements, having regard at all times to the relevant legal and financial regulations governing the procurement and management of such contributions.
- d. True accounts and records of the sums of money received and expended by the Association and the matter in respect of which such receipt of expenditure takes place and of the property, credits and liabilities of the Association; shall be kept.
- e. The accounts and financial records of the Association shall be available for inspection by authorised officials, agents of the Commonwealth Department of Education, Employment and Workplace Relations, and - subject to any reasonable restrictions as to the time and manner of inspecting the same that may be imposed in accordance with regulations of the Association for the time being in force - by the Members of the Association.
- f. All money and properties received or derived by the Association will be applied solely for the purpose of the Association and no portion thereof shall be paid or transferred directly or indirectly by any means whatsoever to Members of the Association, provided that nothing contained in this provision shall prevent payment in good faith to any person, including a Member or employee of the Association-

- (1) for services rendered to the Association;
- (2) for goods supplied in the ordinary and usual conduct of the Association;
- (3) of interest at rates in accordance with Rule 38; or
- (4) of reasonable rent for premises let by any such person for the purposes of the Association.

35. Seal

- a. The common seal of the Association must be kept in the custody of the Secretary.
- b. The common seal must not be affixed to any instrument except by the authority of the Committee and the affixing of the common seal must be attested by the signatures either of two Committee Members or, of one Committee Member and of the public officer of the Association.

36. The College of Teachers

- a. There shall be a body of persons known as the College of Teachers comprising the central educational committee of the School.
 - (1) Members of the College of Teachers shall be full-time or part-time Class Teachers with responsibility for a class and together have responsibility for the management of educational programmes.
 - (2) Members of the College of Teachers are employees of and are accountable to the Committee.
 - (3) The College of Teachers shall nominate persons to fill the roles of College Chairperson and Minutes Secretary and other offices as are required. Such positions may be rotated every two years or on another basis to be determined by the College of Teachers.
 - (4) The College of Teachers shall have the power to co-opt to the College of Teachers any Member or Members of the Association to assist in the conduct of the business of the College of Teachers as it may deem necessary or helpful to its purpose.
- b. The College of Teachers shall be responsible for guiding the spiritual and educational direction and development of the School to achieve approved programmes for pre-school and school-age children in accordance with the Vision and Mission of the school within the spirit of Anthroposophy and the principles and methods of Rudolf Steiner, with particular responsibility to:
 - (1) Delegate specific educational management responsibilities to individual teachers on staff (College of Teachers members or non-College of Teachers members).
 - (2) Develop, review and implement curriculum and pedagogical policies and practices in the School.
 - (3) Develop, review and implement pastoral care policies and practices to safeguard and support pupils at the School.
 - (4) Work closely with the Education Facilitator and other non-teaching staff of the School in support of the purposes of the School.
 - (5) Consult with Education Facilitator to fix days for assembling and breaking up of the school each Term. The Committee of Management holds responsibility to endorse the number of teaching days for each year.

- (6) Ensure the maintenance of a correct register of all pupils and other records as required by the State of Victoria.
 - (7) Participate with the Committee of Management and Administration Team in the development of annual budgets for teaching programmes and teaching aids and equipment as may be needed for the implementation of the curriculum by various classes.
 - (8) Advise on the design and furnishings of the grounds and buildings of the School.
 - (9) Provide two nominees to the Committee of Management, one of whom shall be the Education Facilitator if the Education Facilitator is a member of the College of Teachers, and through them regularly report the progress and requirements of educational programs at the School.
 - (10) Keep minutes of its meetings and ensure high levels of communication with pupils, parents, non-teaching staff and the Committee.
- c. Membership of the College of Teachers shall cease to exist in the following circumstances:
- (1) On the death of the member.
 - (2) On the resignation of the member, made in writing to the Chairperson of the College of Teachers.
 - (3) Upon receipt of notice to retire from employment at the School.
 - (4) Where the member is a debtor to the school and is not adhering to the fee retrieval policy of the school.
 - (5) Where the member is absent for three consecutive College of Teachers meetings without the prior approval of two-thirds of the members of the College of Teachers.
 - (6) On the passing of a resolution by not less than three-quarters (3/4) of the members of the College of Teachers that he/she ceases to be a member provided that the member in question shall be given the opportunity to be present at the meeting of the College of Teachers at which the resolution is to be proposed, and is accorded the opportunity to speak in his or her defence. Where this has an implication for the employment status of the College member the Committee of Management must be notified to ensure correct employment practice is followed.
- d. The College of Teachers shall meet at least once in every two months.
- e. The quorum for a meeting of the College of Teachers shall be two-thirds of its membership.
- f. The decision making processes of the College of Teachers will be conducted wherever possible by consensus. However, where consensus on an issue or decision can not be reached after two meetings, and following full discussion of members present, the procedures set out in Rule 28 herein shall apply.

37. Notice to Members

Except for the requirement in Rule 14, any notice that is required to be given to a Member, by or on behalf of the Association, under these Rules may be given by—

- a. delivering the notice to the Member personally; or
- b. sending it by prepaid post addressed to the Member at that Member's address shown in the register of Members; or

- c. facsimile transmission, if the Member has requested that the notice be given to him or her in this manner; or
- d. electronic transmission, if the Member has requested that the notice be given to him or her in this manner.

38. Rate of interest

The Committee of Management may negotiate loans from parents, school community members or other private sources other than commercial banks or other lending institutions. The interest rate applicable in these circumstances will be negotiated between the parties in line with, or by agreement less than, the current market interest rates pertaining to equivalent transactions at the time that the loan agreement is made.

39. School Library

- a. The Association shall establish and operate a Library at the School for:
 - (1) Students enrolled at the School and staff employed at the School.
 - (2) Parents of students enrolled at the School.
 - (3) Members of the general public that have requested and been granted access.
 - (4) Other libraries through inter-library loans so long as such access does not interfere with the operations of the School Library.
- b. The Committee of Management may appoint a Subcommittee with the responsibility to manage the operations of the School Library. This Subcommittee will be responsible for:
 - (1) The development, operations, policies and procedures of the School Library.
 - (2) The acquisition of books and equipment to be used solely in the School Library.
 - (3) Setting up of requisite systems and maintenance of the Collection.
 - (4) Access to the School Library.

40. Winding up

In the event of the winding up or the cancellation of the incorporation of the Association, the assets of the Association must be disposed of in accordance with the provisions of the Act.

If upon the winding up or dissolution of the Association there remains after satisfaction of all its debts and liabilities any property or assets whatsoever, the same shall not be paid to or distributed amongst the Members of the Association but shall be given or transferred to any one or more other institutions in the State of Victoria having purposes substantially similar to that of the Association and if effect cannot be given to the aforesaid provision, then to some charitable purpose.

41. Custody and inspection of books and records

- a. Except as otherwise provided in these Rules, the Secretary must keep in his or her custody or under his or her control all books, documents and securities of the Association.
 - b. All accounts, books, securities and any other relevant documents of the Association must be available for inspection free of charge by any Member upon request.
 - c. A Member may make a copy of any accounts, books, securities and any other relevant documents of the Association.
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APPENDIX 1
**APPLICATION FOR MEMBERSHIP OF BALLARAT STEINER SCHOOL &
KINDERGARTEN INC**

I, _____ of _____ desire to become a
(name and occupation) *(address)*

Member of
(name of Association)

In the event of my admission as a Member, I agree to be bound by the rules of the Association for the time being in force.

Signature of Applicant

Date

I, _____, a Member of the Association,
(name)

nominate the applicant, who is personally known to me, for Membership of the Association.

Signature of Proposer

Date

I, _____, a Member of the Association, second
(name)

the nomination of the applicant, who is personally known to me, for Membership of the Association.

Signature of Seconder

Date

APPENDIX 2
FORM OF APPOINTMENT OF PROXY FOR MEETING OF ASSOCIATION CONVENED
UNDER RULE 9.G.

I,

(name)

of

(address)

being a Member of

(name of Incorporated Association)

appoint

(name of proxy holder)

of

(address of proxy holder)

being a Member of that Incorporated Association, as my proxy to vote on my behalf at the
meeting to be held on—

(date of meeting)

and at any adjournment of that meeting.

I authorise my proxy to vote on my behalf at their discretion in respect of the following
resolution: *[insert details of resolution passed under rule 9(a)]*

Signed

Date

**APPENDIX 3
FORM OF APPOINTMENT OF PROXY**

I,

(name)

of

(address)

being a Member of

(name of Incorporated Association)

appoint

(name of proxy holder)

of

(address of proxy holder)

being a Member of that Incorporated Association, as my proxy to vote on my behalf at the
*annual/*special general meeting of the Association to be held on—

(date of meeting)

and at any adjournment of that meeting.

My proxy is authorised to vote *in favour of/*against the following resolution: *[insert details of resolution]*

Signed

Date

*Delete if not applicable
