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FACT SHEET 1: WHAT IS A P&C ASSOCIATION?

A P&C Association is a school-based organisation consisting of parents, teachers and interested citizens.

The *Education Act 1990* states that P&C Associations are established to:

- Promote the interest of the school by bringing parents, citizens, students and teaching staff into close co-operation;
- Assist in providing facilities and equipment for the school and promoting the recreation and welfare of the students at the school;
- Encourage parent and community participation in curriculum and other educational issues in schools;
- Report, when requested by the Minister, on the material requirements of the school and advise on the subject of maintenance of the school, alterations and additions to school facilities and the selection of new sites;
- Assist and co-operate with teaching staff at public functions associated with the school
- Be responsible for the election of parent representatives to any school council constituted at the school in consultation with the principal of the school; and
- Assist in any other matters in which the Minister may seek the co-operation of the association.

These objects and functions are included in the prescribed and standard constitutions for both incorporated and unincorporated associations.

P&C Associations may adopt a set of by-laws which could include the following objectives:

- To participate as much as possible in the activities of the school and communicate with all members of the school community;
- To co-operate with the activities of the Federation of Parents and Citizens' Associations of New South Wales and its district and regional councils, and
- To do other things that may promote the interests of public education.

The Department of Education and Training issued a statement '*The Partnership Between School and Established Parent Bodies* which outlines the proper place of parent organisations in school and places special emphasis on the P&C Association's role in providing "a forum in which parents can develop their partnership with the school and articulate their aspirations for their children's education."



FACT SHEET 2: P&C MEMBERSHIP

All parents and carers of students at the school are eligible to be members of the school's P&C Association.

All citizens living within the boundaries of the school are eligible to be members of the school's P&C Association.

The Principal is an ex officio member of the P&C Association. That is, he/she is a member of the P&C Association by right of his/her position as Principal of the school and does not have to pay a membership fee. The Principal has the right to move motions and vote like any other member, except when acting as Returning Officer at the Annual General Meeting (see below).

Members of the school staff are eligible to be members of the P&C but are required to pay the membership fee.

Parents, carers and citizens must pay the membership fee to become a member of the P&C.

Payment of the membership fee must be made by the close of one meeting so that the member is eligible to exercise membership rights (eg, vote) at the next meeting.

It is in the members' interest to obtain a receipt at the time of payment.

Due to the fact that the membership register is not updated until after each general meeting, new members are not eligible to vote at the meeting at which their membership has been paid.

If a new member pays his/her fee to the Treasurer in between meetings, he/she is still not deemed financial until the close of the next general meeting.

All financial members have the right to stand for office, move motions and vote.

1. Can the Principal vote at the AGM?

No. The Principal, as a general rule, acts as Returning Officer for the election of officers and is therefore not entitled to nominate or vote at the election.

2. How much is the membership fee?

The annual membership fee for the following year is decided, by majority vote, at the AGM and is recorded in the by-laws. The fee cannot be less than fifty cents.



FACT SHEET 3: OFFICE BEARERS

Office bearers are elected at a P&C Association's annual general meeting. Only financial P&C members are eligible to stand for these positions.

A President, two Vice-Presidents, a Secretary and a Treasurer will be elected, as per the standard and prescribed constitutions.

No more than one officer position can be held by the same person.

Members of the same family can hold office-bearer positions at the same time.

Office-bearers can be elected regardless of their place or type of employment.

Employees of the P&C Association are not permitted to hold an office-bearer or executive position within the association.

If an office-bearer position becomes vacant between annual general meetings, the position is to be filled through an election at any general meeting.

In the absence of a canteen committee, office-bearers, as a group are responsible for the management of the canteen.

Signatories to all P&C financial accounts, including sub-committees, are the officers of the P&C Association (President, Vice-Presidents, Secretary and Treasurer).



FACT SHEET 4: P&C EXECUTIVE COMMITTEE

The P&C Executive Committee (Executive) consists of the association's office-bearers (President, Vice Presidents, Secretary and Treasurer) and may include up to six financial members elected at the annual general meeting. (The constitution calls for only one Secretary – the meeting may delegate others to assist the Secretary.)

The Executive is convened by the President or one other officer.

The Executive is responsible for ensuring that the decisions of the P&C meeting are acted upon. The Executive must be mindful not to make decisions that should be debated at a general meeting. Ordinary members have the right to question Executive decisions or, in fact, overturn them (by majority vote) at a general meeting. It is prudent for the Executive to only deal with matters that are urgent or of a sensitive nature.

The Executive can call special, or extraordinary, meetings of the association.

Minutes are kept of Executive meetings and confirmed at the next general meeting.

If a general P&C meeting decides that the Executive has acted irresponsibly or inappropriately, the meeting can formally censure the Executive or any member of the Executive.



FACT SHEET 5: SUB-COMMITTEES – ROLES AND RESPONSIBILITIES?

Sub-committees are formed by a P&C Association to undertake specific planning and/or management tasks on behalf of the association. Sub-committees are categorised as:

- Ad Hoc Committees - which are formed to carry out specific tasks and cease to exist after these tasks have been completed (eg, Centenary Committee).
- Standing Committees - those which have an ongoing role and are elected annually at, or confirmed by, the P&C Annual General Meeting (eg, Canteen Committee).

Sub-committees have delegated authority and are fully accountable to the P&C Association. Each sub-committee must operate within the terms of reference or rules set for it by the P&C. Sometimes a sub-committee may write its own rules but these must be properly endorsed by the P&C before the sub-committee begins its work.

A proper sub-committee must:

- be elected by the P&C Association
- conform to the rules of operation endorsed by the P&C Association
- report regularly to the P&C Association
- Hand over any profits which may have resulted from the sub-committee's activities, after all operational costs have been met, though some sub-committees may require a working budget (eg, Canteen Committee).

A sub-committee does not have a constitution separate from the P&C, nor a separate set of office-bearers. The head of the sub-committee is known as the convenor or chairperson.

A sub-committee may operate a separate bank account; however, each sub-committee's books are the responsibility of the P&C Association's Treasurer although the sub-committee may elect a book-keeper to work with the Treasurer. The sub-committee's books must be submitted for audit when the association itself undergoes its annual audit.

Further, a sub-committee has no discretion to commit funds, beyond meeting operational costs, for the purchase of school resources.

Insurance cover for sub-committees

All P&C Association insurance, purchased from Federation, extends to sub-committees provided the four points listed in paragraph three above are strictly followed. This is essential to limit a P&C Association's overall exposure to risk. It is necessary to pay a special fee to extend cover for sub-committees which have a higher than usual exposure to risk. Currently these sub-committees are Out of School Hours Care sub-committees (OOSH), and After School Classes (music/band/drama etc sub-committees).

The Principal's role on sub-committees

The Principal is automatically a member of the P&C Association and its sub-committees. The Principal does not have the right of veto or the right to gag association or sub-committee discussions. However, the Principal is expected to highlight disparities between association/sub-committee discussions and Department of Education and Training (DET) policies. The Principal must be given notice of every association and sub-committee meeting but his/her inability to attend is not adequate grounds to postpone or cancel any association/sub-committee meeting. The Principal may delegate another member of staff to attend.

It is a requirement of the DET that all P&C Association monies be expended with the endorsement of a majority vote at a general or special meeting of the P&C Association itself. It is reasonable for a fundraising sub-committee, when handing over its profits to the P&C, to suggest how part or all of these profits may be spent. The P&C, of course, is not obliged to adopt these suggestions but continued disregard from the P&C could discourage active fundraisers.



FACT SHEET 6: ROLE OF THE PRINCIPAL WITHIN THE P&C ASSOCIATION

The Principal is an *ex officio* member of the P&C Association. That is, the Principal is automatically a member of the P&C Association because he/she is the school's principal.

The Principal is not required to pay a membership fee to the P&C Association.

The rights of the Principal in the P&C Association are the same as for any other member – the Principal is entitled to vote and to move motions at a meeting, except when acting as Returning Officer at the Annual General Meeting.

As an *ex-officio* member the Principal cannot stand for election to an officer-bearer position. Consequently, the Principal is often asked to act as an association's Returning Officer at the Annual General Meeting.

The Principal has no power of veto over a P&C Association, ie the Principal cannot allow or disallow any discussion or decision made by the association.

The Principal's role in a P&C meeting is to report to the meeting, respond to questions and give advice where necessary.

The Principal cannot be a signatory to a P&C bank account.

The Principal is also an *ex officio* member of the P&C Executive and all P&C sub-committees.

The role of the principal is addressed in the Department of Education and Training's February 1998 Memorandum to Principals, *the Partnership Between Schools and Established Parent Bodies*.



FACT SHEET 7: ANNUAL GENERAL MEETING

Each P&C Association is required, by its constitution, to hold an **Annual General Meeting (AGM)**.

The AGM is held in accordance with the association's by-laws (eg, time).

The AGM is advertised to the school community at least 14 days prior to being held. The notice should include the list of representative positions to be elected at the meeting.

All office-bearer positions are open for election at each AGM.

The association's by-laws will indicate if there is a limited tenure on any officer or representative position.

The minutes of the previous AGM are to be distributed prior to the AGM and endorsed at the AGM.

Prior to the AGM, the Treasurer must present to the auditor the records of the P&C for auditing. These records consist of minute book, cash book, deposit book, cheque book, receipt book, invoices and bank statements of the P&C Association and all its sub-committees. The audited financial statement will be presented to the AGM as the Treasurer's Report.

Incorporated P&C Associations must send a copy of their audited financial statements to the Federation within one month of their AGM.

The AGM consists of the President's Annual Report, the Treasurer's Annual Report and any other annual reports required as well as the election of office bearers and representatives.

Reports must be strictly relevant to the AGM as opposed to the general meeting which immediately follows the AGM. Any matters that come up in the minutes cannot be endorsed or followed up until the next meeting. In the case of the AGM, such matters would have to wait for a year.

The officer positions determined at the AGM, according to both the Standard and Prescribed Constitution, are:

- President
- Two Vice-Presidents
- Secretary
- Treasurer

No more than one officer position can be held by the same person.

Two people from the same family can hold office-bearer positions at the same time.



Office-bearers can be elected regardless of their place or type of employment.

Any other representative positions held by P&C members are elected at the AGM. These positions may include:

- Canteen sub-committee
- Uniform sub-committee
- Fundraising officer/sub-committee
- OOSH sub-committee
- Regional/sub-regional delegate
- NSW P&C Federation Annual Conference delegates

The auditor for the following year is determined at the AGM.

Only financial P&C members are eligible to stand for a position.

The AGM is chaired by the outgoing President until the ballot is held. The ballot is conducted by the Returning Officer. This position is determined by the meeting and is someone who plays no part in the election (ie, does not stand for a position). The Principal often takes this role.

On completion of the AGM the new office bearers take over and conduct a general meeting.

The minutes of the AGM are presented for acceptance at the next AGM, not the next general meeting.



FACT SHEET 9: VOTING RIGHTS

There is often confusion and misinterpretation of the rules governing voting rights. Any attempt to ignore or tamper with the set rules will, inevitably, lead to dissent and division among the “old” and “new” members. Below are a few commonly asked questions.

Who is eligible to vote at a P&C Association meeting?

All members of an association are entitled to vote. Membership eligibility is prescribed in the association’s constitution.

Membership involves the payment of an annual membership fee, which will be stipulated in the by-laws but must not be less than 50 cents.

All associations should maintain a current list of members. Life Members (unless they have paid the membership fee) and observers do not vote.

Can new members vote?

The voting rights of new members are sometimes vexatious because ongoing members feel that it is unfair for “first-timers” to come to a meeting, pay the association’s annual membership fee, and enjoy full and immediate voting rights on all matters, including highly controversial issues. P&C Associations often assert that such an arrangement allows a meeting to be easily and unfairly stacked by single-issue one-night stand members.

The prescribed and standard constitutions both insist that the register of members “shall be updated *after* each general meeting by the Secretary or the Secretary’s nominee.” New members are then eligible to vote at the *next* meeting. This constitutional clause was calculated to stop first-timers from enjoying the benefits of full voting rights immediately.

What about new parents? Shouldn’t they be encouraged to participate?

The membership register should be updated at the *end* of the Annual General Meeting which is the last meeting in the association’s calendar. Usually the first general meeting of the year will follow the AGM on the same night. The general meeting is a *separate* meeting from the AGM and new parents may participate and vote at the general meeting providing they paid their membership before the close of the AGM.

Can the Chairperson vote?

A Chairperson possesses normal voting rights. Typically, however, a Chairperson often abstains from voting in order to preserve the impartiality of his/her position. The current prescribed and standard constitutions make no provision for the chair to exercise a casting vote in the event of an equality of voting. Consequently, in the event of an equality of voting the motion should be lost.

Are proxy votes or absentee votes acceptable?



No. Under common law special provision must be made in an association's constitution to provide for proxies. No provision exists in the prescribed or standard constitutions for proxy votes. Absentee votes are proxy votes by another name and are similarly unacceptable.

What does ex officio member mean?

"Ex officio" is simply a Latin term which means "by virtue of his or her office" and refers to the fact that a school principal is *automatically* a member of an association because he/she is the school's principal. He or she is not required to pay the normal annual membership fee or to meet other constitutional membership requirements.

Can a principal as an ex officio member vote?

Ex officio members have full voting rights. An ex officio member is not eligible to stand for election. Consequently, an ex officio member is often asked to act as an Association's Returning Officer.

Can students vote?

No. The *Education Act 1990* defines a P&C Association as "an association consisting of parents of children attending any government school together with other residents of the district served by the school who are interested in the welfare of the school."

Can the membership of the P&C Association be incorporated in the school "fees"?

Federation advises against this practice. So called "school fees" or 'voluntary contributions' are not compulsory in government schools and those who choose not to pay the fee or contribution or are unable to do so may still wish to become members of the P&C Association. It may mean that an organisation has problems, at times, getting a quorum at meetings given the prescribed and standard constitutions' requirement which states that, "Where the association has a current membership of 50 or more, the quorum at all meetings of that association shall be 11 members".



FACT SHEET 9: ROLE OF THE PRESIDENT

Election

The President is elected at the P&C Association's AGM (see Fact Sheet: Annual General Meeting)

Duties

The President is responsible for:

- The successful functioning of the P&C Association
- The attainment of the P&C Association's objectives
- Ensuring that the P&C Association takes part in decision-making processes in the school
- Fostering fair participation of all members and ensuring that all new members are made to feel welcome
- Supporting volunteers
- Consistent adherence to the constitution
- Acting as the P&C Association's spokesperson when public statements or actions are needed
- Setting up lines of communication with the Principal
- Being a signatory on the Association's bank accounts
- Chairing meetings (see Fact Sheet: Chairing Meetings) but, in the absence of the President, one of the Vice-Presidents will chair the meeting.

Voting

The President is entitled to the same voting rights as any member. However, a President, when in the chair, often abstains from voting in order to preserve the impartiality of the position.

The person chairing a meeting does not have a casting vote in the event of a tied vote. In the event of a tied vote, the motion should be lost.

Sub-committees

The President is automatically a member of all P&C sub-committees.

The President should be informed of all sub-committee meetings and decisions.

An experienced President gives opportunities to the vice-presidents to develop their skills in chairing meetings. Federation recommends that a vice-president be delegated to chair part of a meeting. The training process could also include delegating the responsibility of sub-committee leadership to vice-presidents.

The President also has important responsibilities outside of meetings and is looked to as a leader of the parent community.



The President does not make unilateral decisions and should be mindful that all public statements accurately represent the views of the association.



FACT SHEET 10: CHAIRING MEETINGS

All meetings need someone to make them run smoothly. Chairing the meeting is generally the role of the President; however, in the absence of the President, one of the Vice-Presidents will chair the meeting.

The chairperson (Chair) has a responsibility to remain neutral, allowing all sides of an argument to be heard, and as many people as possible to speak. Order is vital in a democratic forum where the rights of every individual member should be respected and protected.

If all members had a similar view on all issues there would be no need for the imposition of control mechanisms. Given, however, that P&C Associations are composed of very different individuals with very different values, beliefs, viewpoints and ideas, the need for discussions which are ordered and fair is essential. The Chair must preserve order, including ruling on contentious matters of procedure and assisting the progress of discussion by preventing irrelevant or repetitious discussion or offensive remarks.

Prepare for the meetings

For full and informed discussion, items must be advertised to the school community before being dealt with at a P&C meeting. The President and Secretary agree on the purpose of the meeting and work together to prepare an agenda. Additional agenda items can be dealt with at the end of the meeting in general business, if the meeting agrees, otherwise they may be held over to the next meeting.

The chairperson can be very influential and should be mindful of any indication he/she may give either verbally or visually, that may influence the direction of the debate.

If Chair is not able to remain neutral he/she should step down for that section of the meeting and allow someone else to chair the meeting for the entire course of the discussion on the specific topic.

Hints for chairing meetings

- Stick to the agenda and set a time to finish the meeting.
- Ensure one speaker at a time has the floor.
- Limit the number of speakers on a particular topic.
- Limit the time for speakers for and against.
- Ensure all speakers are heard and their point of view is respected.
- Know the rules. The Chair must apply the rules of the constitution firmly to retain the confidence of the meeting.



- Try to keep the discussion flowing. The Chair may need to remind members what the last issue being discussed was about.
- Make sure that all comments or suggestions are taken seriously.
- Progressive summaries are very useful to keep the meeting on track.
- Prevent confusion by explaining the effect of motions.
- Keep order. Parents can be very passionate about the school and their child's education. This can lead to differences of opinion and clashes of personalities. Sometimes this can be constructive – other times it is not. The Chair needs to recognise when the discussion is becoming unconstructive and bring the meeting and back to the agenda.
- Do not ridicule. People are often unaware that they are dominating the meeting and stopping others from participating. It is the Chair's role to ensure that everyone has the opportunity to put forward their views and that each person is shown courtesy and respect.
- New members may feel nervous and intimidated. Try to bring them into the discussion, asking them for their views.
- To achieve the aim in the allotted time, the Chair should take initiatives such as terminating the debate and putting the motion.
- Create working parties to investigate a larger issue and report back to a future meeting.
- Beware of the development of cliques. The layout of the meeting room may contribute to this. Try alternative seating arrangements, such as a circle, horseshoe and round table formations to produce a more inclusive feeling.
- Contentious issues. If the meeting is going to discuss contentious issues the Chair must plan how to deal with interjectors. One good way is to state at the beginning of the meeting that everyone will get a chance to speak *once*.
- Abusive language and personal attacks on other members are not to be tolerated – the Chair should remind offenders that they are at a public meeting; are not protected by parliamentary privilege and may be subject to defamation action if they persist. If the person still persists, either ask him/her to leave the room or adjourn the meeting for ten minutes.
- When people are distracting the meeting (talking, shuffling papers, tapping pens etc) this usually means they are not interested in what's happening, do not feel included, or feel the issues are irrelevant to them. Make sure the issues being discussed are really necessary and delegate any that do not have to be group decisions to other appropriate committees.
- As a last resort, take a break.



FACT SHEET 11: VOLUNTARY SCHOOL CONTRIBUTIONS AND SUBJECT FEES

NSW Government policy enables all schools to request contributions from parents to enhance their educational and sporting programs.

Towards the end of each school year Principals review their budgetary requirements for the following year. The level of voluntary contributions and subject contributions is be made by the Principal in consultation with the school community through structures such as the Finance Committee, P&C Association and School Council.

Ken Dixon, Department of Education and Training, 28 March 2008 writes:

“School contribution levels will be capped in 2008. Those schools which, in 2007, set their voluntary contributions at or below the earlier assessed state-wide averages of \$80 for secondary schools and \$37 for primary schools are permitted to increase contribution levels to \$82 and \$38 respectively. All other schools are permitted to increase their voluntary contributions by a maximum of 2.7% on 2007 levels.”

P&C Federation is committed to a free public education system which is open to all irrespective of socio-economic status. It is therefore fundamental that parents are advised by the Principal that school contributions and subject fees are entirely voluntary and payment is a matter for decision by parents.

The collection of parental contributions is governed by the Department’s Code of Practice which was issued to schools in 1995 which states that Principals must ensure that no student or family suffers any discrimination or embarrassment over failure to make a contribution.

Fees that may exist in schools are:

- Voluntary contributions – a contribution paid to the school by parents.
- Subject fees – a fee covering the costs of a particular subject, usually an elective subject in secondary schools.
- Educational Support – a fee covering resources such as books and other equipment.

Schools may request from parents a payment to cover the purchase of materials used in particular elective subjects that go beyond the minimum requirements of the curriculum. These payments are also voluntary. However, parents who are unable to pay these fees because of financial hardship may be eligible for assistance from the Student Assistance Scheme or other appropriate sources and are able to speak to the Principal about this.

Voluntary School Contributions should not be confused with membership fees or voluntary contributions made to a P&C Association. The School Voluntary Contribution payment goes to the school, not to the P&C Association.

