

# THE CONSTITUTION OF SHEFFIELD

## SCHOOL ASSOCIATION INC.

ADOPTED APRIL 16, 2014

### 1. NAME

The name of the Association is Sheffield School Association Inc.

### 2. DEFINITIONS AND INTERPRETATION

#### 2.1 Definitions

In this Constitution, unless the contrary intention appears:-

- ◆ “**Association**” means the Association of Members established by this Constitution;
- ◆ “**Associations Act**” means the Associations Incorporation Act 1964;
- ◆ “**Association Year**” means a 12 month period starting at the 1<sup>st</sup> January and ending on the 31<sup>st</sup> December of that year.
- ◆ “**Community Member**” means any person who is not eligible for Membership in another category and has been accepted by the School Association for Membership of the Association as a Community Member within the last two years and has not resigned as a Community Member;
- ◆ “**Constitution**” means this Constitution;
- ◆ “**Council**” means the management committee of the Association. A reference to Committee in the Education Act and Instructions issued by the DoE Secretary under the Education Act is a reference to Council in this Constitution.
- ◆ “**The DoE**” means the government agency with current responsibility for the management and administration of public education in Tasmania;
- ◆ “**DoE Secretary**” means the secretary of the DoE or his or her successor in office;
- ◆ “**Education Act**” means the *Education Act 1994* and any amendments thereto;
- ◆ “**Members**” means those persons referred to in clause 2.2(b) and “**Member**” has a corresponding meaning;

- ◆ **“Minister”** means the Minister for the time being administering the DoE or his or her successor;
- ◆ **“Parent Member”** means each person listed in the admission register of the School as a parent or legal guardian of a School student under 18 years of age unless the person has notified the secretary of his or her decision not to be a Member of the Association;
- ◆ **“Principal”** means the appointed Principal of the School;
- ◆ **“Public Officer”** has the same meaning as defined in the *Associations Act*;
- ◆ **“School”** means Sheffield School;
- ◆ **“Staff Member”** means each person who is a Member of the permanent teaching and non-teaching staff employed on a full-time or part-time basis at the School or who is a member of the temporary teaching/non-teaching staff employed on a full-time basis at the School unless the person has notified the secretary of his or her decision not to be a Member of the Association;
- ◆ **“Student Member”** means each student at the School in one of the years 7 or above unless the student has notified the secretary of his or her decision not to be a Member of the Association;

## 2.2 Interpretation

- (a) Where in relation to this constitution a person is;
  - (i) a Staff Member and a Parent Member, the person is eligible only as a Staff Member for the purposes of election to the Council unless the Staff Member is employed on a temporary, part-time basis.
  - (ii) employed on a temporary part time basis the person is eligible only as a Community Member (unless they are eligible as a Parent Member).
  - (iii) employed by the DoE at another school and is a Parent Member but is not a Staff Member, the person is eligible as a Parent Member for the purposes of election to the Council.
- (b) The Members of the Association are as follows:
  - (i) the Parent Members;
  - (ii) the Staff Members;
  - (iii) the Community Members;
  - (iv) the Student Members;
  - (v) the Principal
- (c) In this Constitution:
  - (i) the singular includes the plural and conversely;

- (ii) headings are for convenience, and have no effect.

### **3. FUNCTIONS, POWERS AND RESPONSIBILITIES OF THE ASSOCIATION**

#### **3.1 Functions of the Association**

- 3.1.1 The Association must work within the goals, priorities and policies of the state education system and in conformity with the *Education Act* and any instructions issued by the DoE Secretary for the benefit of the School.
- 3.1.2 The functions, objectives and purposes of the Association are:
  - (a) to participate in the formulation and development of –
    - (i) a set of beliefs, values and priorities for the School; and
    - (ii) the School policies and code of conduct;
  - (b) to provide advice and recommendations to the Principal in relation to the general operations and management of the School;
  - (c) to participate on the selection panel in respect of any advertised permanent vacancy for the position of Principal;
  - (d) to foster cooperation among teachers, students, Members, parents and the community;
  - (e) to provide advice and recommendations to the DoE Secretary on any matter relating to policy;
  - (f) to approve the School budget;
  - (g) to undertake any other function the Minister may determine in accordance with Section 27 of the *Education Act*.

#### **3.2 Powers of Association**

- 3.2.1 The Association must exercise its powers for the purposes of carrying out its functions.
- 3.2.2 The Association has the following powers:
  - (a) to carry out trading activities not relating to education for the benefit of the School;
  - (b) to provide, or assist in the provision of, financial or other resources or services for the benefit of the School.
- 3.2.3 The Association may do anything necessary or convenient to perform its functions.

- 3.2.4 The Association must exercise its powers in accordance with any instructions issued by the DoE Secretary in accordance with Section 28(3) of the *Education Act*.

### **3.3 Responsibilities of the Association**

- 3.3.1 All actions of the Association must be carried out to the benefit of the School.
- 3.3.2 The Association is established under the *Education Act* and must act within the current instructions and policies issued by the Minister or Secretary of the DoE or their delegate
- 3.3.3 The Association must provide suitable public forums open to any Member.

## **4. ASSOCIATION COUNCIL**

### **4.1 Management of affairs**

The Council

- (a) must manage the business and affairs of the Association for the benefit of the School;
- (b) must exercise all the powers and functions of the Association, except those powers and functions which are required by this Constitution to be exercised by the Members at a general meeting of the Association.

### **4.2 Composition of Council**

- 4.2.1 The Council must have not less than fourteen (14) nor more than twenty one (24) members.
- 4.2.2 The Principal must be a member of the Council and is not required to be elected.
- 4.2.3 Not less than five (5) not more than eight (8) members of the Council must be Staff Members, including one (1) from the Railton campus.
- 4.2.4 Not less than five (5) nor more than eight (8) members of the Council must be Parent Members, including one (1) from the Railton campus.
- 4.2.5 Not more than three (3) members of the Council may be Community Members.

- 4.2.6 Not less than two (2) nor more than four (4) members of the Council must be Student Members.
- 4.2.7 The number of staff representatives plus one (for the principal) must not be greater than the sum of the number of parent and community representatives.

### **4.3 Election of Council**

- 4.3.1 Elections of the Parent and Community members of the Council must be held each year in the month of March or the first week of April. Elections must be held in accordance with the rules set out in Schedule 1. Elections for Staff and Student members of Council must be held each year in the months of February or March.
- 4.3.2 Election of members of the Council is as follows:
  - (a) Staff Members of the Council must be elected by a ballot of Staff Members.
  - (b) Parent Members of the Council must be elected by a ballot of Parent Members.
  - (c) Community Members of the Council must be elected by a ballot of Parent Members and Community Members.
  - (d) Student Members of the Council must be elected by a ballot of Student Members.
- 4.3.3 The Principal must appoint the Returning Officer.
- 4.3.4 The Returning Officer must call for nominations for the election of Parent and Community Council members at least one month before the date of the elections.
- 4.3.5 Nominations for each category of Membership, other than Community Membership, may be proposed and seconded by Members in that category of Membership. Nominations of Community Members may be proposed or seconded by any Member.
- 4.3.6 The Returning Officer must call for nominations for Parent and Community members in the School newsletter, on the School notice board and at least once in a local newspaper.
- 4.3.7 The Returning Officer must determine the eligibility of nominees in accordance with this Constitution.
- 4.3.8 The Returning Officer must conduct an election if the number of nominations exceeds the number of vacancies.

- 4.3.9 If, two weeks before the election, there are fewer nominations than existing vacancies for Parent or Community Members on the Council, the Returning Officer must declare that the candidates nominated are elected and the Council may appoint, by invitation, suitable persons in the relevant category to take up the vacant memberships of the Council.
- 4.3.10 The Returning Officer must conduct elections for Staff and Student representatives. The election procedures for Staff and Student elections may be determined by the Returning Officer.
- 4.3.11 The term of office for all members of the Council is two years.
- 4.3.12 Retiring members of the Council are all eligible for re-election.
- 4.3.13 For Parent and Community members of the Council the term of office commences at the Annual General Meeting following their election and concludes two years later at the Annual General Meeting. For Staff and Student members of the Council the term of office commences at the beginning of the Association in the year of their election.
- 4.3.14 If there is a casual vacancy on the Council the Returning Officer must offer the position to the next candidate in that membership category from the last election. If the vacancy remains unfilled the Council may appoint, by invitation, a suitable person in the relevant category to take up the vacant membership. The new member is subject to retirement at the same time as if they were the member whose position they have filled.

#### **4.4 Office bearers**

- 4.4.1 The officers of the Association will be:
- (a) a Chairperson (who must be a Parent Member or a Community Member);
  - (b) a Deputy Chairperson;
  - (c) a Secretary;
  - (d) a Public Officer; and
  - (e) a Treasurer.
- 4.4.2 Unless the Council decides otherwise, the Principal will be the Public Officer.
- 4.4.3 All officers of the Association must be elected by the Council members from amongst Council members at the first meeting of

the Council in the new Association Year. The Principal will conduct the ballot for the election of office bearers.

#### **4.5 Vacation of Office**

The office of a Council member becomes vacant if the member

- (a) dies;
- (b) resigns his or her office in writing addressed to the Council;
- (c) without leave of absence, fails to attend three consecutive Council meetings and is unable to supply a satisfactory explanation upon the request of the Council;
- (d) is removed from office by the Association at a general meeting
- (e) ceases to meet the definition under which they were elected in Clause 2.1.

#### **4.6 Council meetings**

- 4.6.1 The Council must meet not less than four (4) times in the Association Year at such place and such times as the Council determines.
- 4.6.2 The secretary must notify the Council members in writing of Council meetings at least seven (7) days in advance.
- 4.6.3 An absolute majority of the members of the Council is a quorum for Council meetings (provided an absolute majority of the combined parent and community representatives and an absolute majority of the staff representatives are present and the principal or his or her proxy is present).
- 4.6.4 The Council must not deal with any business at a Council meeting unless a quorum is present. If no quorum is present within half an hour of the scheduled start time, the meeting is deemed adjourned. The secretary must give written notice of the new time and place of the adjourned meeting to all Council members.
- 4.6.5 The chairperson or any seven (7) Council members may request in writing a special meeting of the Council.
- 4.6.6 The secretary will give written notice of such special meetings within seven (7) days of receiving a request. The secretary will give written notice of special meetings in accordance with rule 4.6.2.
- 4.6.7 The chairperson will preside at all meetings of the Council at which he or she is present. If the chairperson is absent from a meeting of

Council, the deputy chairperson will preside at the meeting. If both the chairperson and deputy chairperson are absent from a meeting, the members of the Council who are present will appoint a member of the Council to preside.

- 4.6.8 Any question arising at a meeting of the Council will be decided by the Council by agreement. If the Council fails to agree on any question, that question will be decided on a majority of the votes of the members of the Council present and voting on the question. Each member present at a meeting of the Council is entitled to one vote unless the member is disqualified from voting by rule 4.6.11. Where there are an equal number of votes of the Council members present the motion is deemed lost. The chairperson does not have a casting vote. Any member of the Council, including the chairperson, may abstain from voting on any question.
- 4.6.9 The Principal must provide to the Council:
- (a) regular school financial reports at a minimum of quarterly intervals
  - (b) the school budget for approval
  - (c) the annual School report
  - (d) other information that will allow the Association to carry out its functions and powers effectively
- 4.6.10 Members of the Council who represent sub-committees of the Council must regularly report to the Council on the activities of those sub-committees.
- 4.6.11 Any member of the Council must disclose any conflict of interest at the first meeting of the Council after which the member becomes aware of that conflict of interest. Such a member must not vote at any Council meeting in relation to the subject of that conflict of interest and must leave the meeting while any such matter is being discussed.
- 4.6.12 Members who are not Council members may attend Council meetings as observers unless excluded by the chairperson. Observers may address a Council meeting only on the invitation of the chairperson

#### **4.7 Sub-Committees of Council**

- 4.7.1 The Council may appoint one or more sub-committees and delegate its powers and functions to them. The School Association will state the terms of reference and the powers and functions which are to be delegated to the sub-committee in writing.



- 4.7.2 A sub-committee may consist of Members and any other persons as deemed appropriate by the Council. At least one Council Member will be a member of each sub-committee.
- 4.7.3 An appointed Council member will assume the role of reporting to that sub-committee on the activities of the Council.
- 4.7.4 An absolute majority of members of a sub-committee is a quorum for a sub-committee meeting. A sub-committee must not conduct its business unless a quorum is present.
- 4.7.5 The members of each sub-committee will appoint a secretary and a chairman (if the Council has not appointed a Convenor)..
- 4.7.6 Each sub-committee must submit a report to the Council as frequently as required by the Council.

#### **4.8 Executive of the Council**

The Principal, the Chairperson, the Deputy Chairperson, the Secretary, the Treasurer and the Public Officer (if not the Principal) constitute an executive committee which may make decisions in matters of urgency connected with the management of the affairs of the Association during the intervals between Council meetings and shall report on such decisions to the next meeting of the Council.

### **5. MEETINGS**

#### **5.1 Annual General Meetings**

- 5.1.1 The Association must hold an annual general meeting before the end of May each year.
- 5.1.2 The annual general meeting is in addition to any other general meeting (called a “special general meeting”) that may be held in the same year.
- 5.1.3 The ordinary business of the annual general meeting is:
  - (a) to confirm the minutes recording the preceding annual general meeting and the minutes of any special general meeting held since that meeting;
  - (b) to receive and if approved, to ratify the Association’s annual report,
  - (c) to receive and ratify the annual School report;
  - (d) to receive and ratify the financial statements of the Association for the preceding Association year

- (e) to receive the Auditor's report
- (f) to receive other relevant reports;
- (g) to appoint an auditor and determine the auditor's remuneration;
- (h) to announce the results of the Council election.

5.1.4 The annual general meeting may deal with special business if notice of that business is given to Members in accordance with this Constitution.

## **5.2 Special general meetings**

- 5.2.1 The Council may convene a special general meeting of the Association.
- 5.2.2 On the written request of no less than 10% of the Members of the Association, the Council must convene a special general meeting of the Association.
- 5.2.3 The Members' request for a special general meeting must state the purpose of meeting. The Members requesting the meeting must sign the request and deliver it to the secretary.
- 5.2.4 If the Council does not hold a special general meeting within twenty one (21) days from the date the Members' request is delivered to the secretary, the Members requesting the meeting or any one of them, may convene the meeting within three (3) months from the date the request is delivered to the secretary.
- 5.2.5 A special general meeting must be convened in the same way as is required for an annual general meeting. The Council must refund all reasonable expenses incurred by a Member in convening the meeting.

## **5.3 Notices of general meetings of the Association**

At least fourteen (14) days before the date fixed for holding a general meeting of the Association, the secretary must advertise the meeting in the School newsletter, on the School notice board and at least once in a local newspaper. The advertisement must specify the place, day and time for the holding of the meeting and the nature of the business of the meeting.

## **5.4 Quorum of general meetings**

- 5.4.1 The Association must not deal with any business at a general meeting unless a quorum of Members is present.
- 5.4.2 ~~Twenty (20)~~Fifteen (15) members present is a quorum for a general meeting.
- 5.4.3 If no quorum is present within half an hour of the scheduled start time, the secretary may adjourn the meeting to a time and place to be determined by the secretary or if the meeting has been convened upon the request of Members, the meeting must be dissolved.

## **5.5 Procedure at general meetings**

- 5.5.1 The chairperson Association must preside at all general meetings of the Association at which he or she is present. If the chairperson is absent from a general meeting of the Association, the deputy chairperson must preside at the meeting. If both the chairperson and the deputy chairperson are absent from a meeting, the Members present must appoint a Member to preside.
- 5.5.2 Any motions arising at a general meeting of the Association must be decided on a majority of the Members present and voting on the question. Each Member present at the general meeting is entitled to one vote.
- 5.5.3 No proxy voting is permitted.
- 5.5.4 The person presiding at a general meeting may determine any matter of procedure not referred to in this Constitution.

## **6. ADMINISTRATION**

### **6.1 Income**

- 6.1.1 The income and the property of the Association must be used and applied solely to the promotion of its objectives and functions and the exercise of its powers as set out in these Rules and the *Education Act*.
- 6.1.2 The Council must not pay, give or apply (directly or indirectly) the income, profits or property of the Association to any Member.
- 6.1.3 Nothing in rule 6.1.2 prevents the Council paying in good faith to a Member (including a Council member):
  - (a) reasonable remuneration in return for services actually rendered to the Association by the Member or for goods supplied to the Association by the Member in their ordinary course of business;

- (b) a reasonable rent for any property let to the Association by the Member;
- (c) reasonable out-of-pocket expenses of the Member incurred with the authority of the Council and for the proper purposes of the Association

## **6.2 Records, Accounts and Register of Members**

- 6.2.1 The treasurer of the Association must ensure that true and proper records and accounts of receipts and expenditure connected with the operations and business of the Association are kept.
- 6.2.2 The secretary must ensure that minutes are recorded of all Council meetings and general meetings of the Association are kept. The secretary must also keep a register of Members and office bearers of the Association.
- 6.2.3 All records, accounts and minutes and the register of Members must kept at the School office or at some other place the Council decides.
- 6.2.4 Copies of all instructions concerning School Associations issued by the Secretary of the DoE or his or her delegate must be kept with the records of the Association.

## **6.3 Banking and Finance**

- 6.3.1 The bank accounts of the Association must be kept with a bank selected by the Council. All cheques must be signed by the treasurer and must be countersigned by the Public Officer or another person appointed by the Council.
- 6.3.2 Except with the authority of the Council, no payment of an amount exceeding twenty dollars (\$20) can be made from the funds of the Association other than by cheque drawn on the Association's bank account. Where the School or the Council has provided the treasurer with moneys to meet minor expenditure, the treasurer must comply with all conditions imposed by the School or the Council (as applicable).
- 6.3.3 No cheques may be drawn on the Association bank accounts or used except for the payment of expenditure that has been authorised by the Council.

## **6.4 Commercial activities**

The Association must:

- (a) keep separate records and accounts of its commercial or trading activities;
- (b) comply with all applicable Federal and State laws;
- (c) pay all applicable Federal and State taxes and charges; and take out and maintain adequate insurance in accordance with the guidelines issued by the Minister under the *Education Act*, in the amount and against the risks which a business engaged in similar activities to those being carried out by the Association would prudently insure against.

## **6.5 Audit**

- 6.5.1 The Association's accounts must be audited annually by a person appointed as auditor by the Members at the annual general meeting of the Association. The auditor must be a person who is registered within the meaning of the Corporations Law or who is approved in writing by the Commissioner of Corporate Affairs.
- 6.5.2 The auditor must report as to the truth and fairness of the Association's accounts to the Members at the annual general meeting.

## **7. DISPUTES**

If there is a significant, unresolved dispute amongst any Members which disrupts the effective functioning of the Association, the chairperson must notify the DoE Secretary. The DoE Secretary will nominate an independent negotiator to resolve the dispute. The decision reached concerning the matter is binding on all parties to the dispute.

## **8. CONSTITUTION**

### **8.1 Alterations**

- 8.1.1 Subject to rule 8.1.3, the Constitution may be altered by a special resolution. A special resolution is a resolution passed by 75% of Members present and voting at a general meeting of the Association. Any alteration to this Constitution is of no effect until the Minister has approved the alteration in accordance with Section 13(4) of the *Education Act*.
- 8.1.2 Any proposal to alter this Constitution must first be presented by the Member or Members proposing the alteration in writing to the Council for consideration.
- 8.1.3 A notice placed in the School newsletter and on a School notice board, must set out all the alterations proposed and the reasons for

the alterations. The procedures set out in this Constitution in relation to the convening and conduct of a general meeting to alter this Constitution must be adhered to.

## **8.2 Winding up the Association**

- 8.2.1 The Minister may exercise his/her powers under Section 26(5) of the *Education Act*, and abolish the Association as a school association.
- 8.2.2 If the Association is wound-up or its incorporation cancelled, the assets remaining after satisfying all liabilities must not be paid or distributed amongst the Members but must be transferred to:
  - (a) the School; or
  - (b) if the School no longer exists, to the Minister to be applied for the benefit of public education in Tasmania.

## **9. THE COMMON SEAL**

The common seal of the Association must be kept by the secretary. The Council must authorise the affixing of the common seal to any document, and it must be affixed in the presence of two members of the Council.

## **10. VALIDATION OF ACTS OF THE COUNCIL**

If it is afterwards discovered that there was some defect in the appointment or election of a person as a member of the Council, or that a person so appointed or elected was ineligible, all acts done at any meeting of the Council or of a sub-committee or by any person acting as a member of the Council are as valid as if that person had been duly appointed or elected and was eligible to be a member of the Council.

## **11. NOTICE TO MEMBERS**

Any notice to a Member required by this Constitution is sufficient if posted or delivered to the last address of that Member notified in writing to the secretary. Notice to a Member is deemed to have been received on the second day after it was posted.

## **12. INDEMNITY**

Every Member of the Association, auditor, employee or agent of the Association, must be indemnified out of the property of the Association against any liability incurred by that person in that capacity in defending any proceedings:

- (a) in which judgment is given in favour of that person; or
- (b) in which the person is acquitted; or

- (c) in connection with any application in relation to any such proceedings, in which relief is granted to that person.

### **13. LIABILITY OF MEMBERS AND OFFICERS**

In accordance with Section 27 of the *Associations Act*, and except as otherwise provided in the *Associations Act*, a Member or officer of the Association shall not, by reason only of his or her being such a Member or officer, be liable to contribute towards the payment of the debts and liabilities of the Association or the costs, charges and expenses of the winding-up of the Association.

# **SCHEDULE 1**

## **1. VOTING SYSTEM**

- 1.1 The system of voting is the “first past the post” system.
- 1.2 Under this system each Member has as many votes as there are candidates to be elected in the category in which that Member is entitled to vote. For example, if there are 5 candidates standing for the election of 2 Parent Member representatives on the Council, each Parent Member may vote for 2 candidates.
- 1.3 A Member may choose to vote for a lesser number of candidates than there are candidates to be elected in the category in which that Member is entitled to vote. In the above example, this means that a Parent Member could choose to vote for only 1 of the 5 candidates, notwithstanding 2 candidates are to be elected.
- 1.4 A Member must not vote for more candidates than there are candidates to be elected in the category in which the Member is entitled to vote. In the above example, this means that a Parent Member must not vote for more than 2 candidates since only 2 candidates are to be elected. If a Parent Member does vote for more than 2 candidates, then that Parent Member’s vote is invalid.

## **2. BALLOT PAPER**

- 2.1 The ballot paper must contain the names of all candidates in the relevant category of candidates for Council membership, but must not contain the name of the Principal (who is automatically a member of the Council by virtue of his or her status as Principal).
- 2.2 All names must be printed in uniform type-face and the order in which they appear should be determined by lot, rather than in alphabetical order.
- 2.3 The ballot paper must not show asterisks or other marks beside the names of retiring Council members.
- 2.4 The form of the ballot paper shall be as per Annexure 1 of this Schedule. The types of membership not required for the Election shall be struck out or lined through
- 2.5 There must be a separate form of ballot paper for each category of candidates for Council membership.

## **3. ELECTION PROCEEDINGS**

- 3.1 Staff Members may cast their votes at a meeting of Staff Members. The Returning Officer must convene and preside at the meeting.
- 3.2 Student Members may cast their votes at a meeting of Student Members where the Returning Officer must convene and preside.



- 3.3 Parent and Community Members may cast their votes by the methods determined by the returning office in accordance with clause 3.4 of this schedule.
- 3.4 The Returning Officer must determine the methods by which the ballot for the election of Parent Member and Community Member representatives must be held. The method of voting may be one or more of the following:
  - (a) at a polling booth managed by the Returning Officer at the School. The polling booth must be open during School hours for at least 2 days on which the School is open;
  - (b) by post, using two envelopes. The external envelope must contain the name and address and signature of the Parent or Community Member who is voting and the internal envelope must contain the ballot paper but no other identification;
  - (c) at a meeting of Parent and Community Members of which notice has been given in accordance with clause 5.3 of this Constitution

#### **4. VERIFICATION OF BALLOT PAPERS**

- 4.1 The Returning Officer must verify that persons seeking to vote are eligible to vote in a particular category.
- 4.2 Upon being satisfied of a person's eligibility to vote in a particular category, the Returning Officer must initial and issue to that person a ballot paper for that particular category.
- 4.3 The Returning Officer must keep a record of the number of ballot papers issued for each category.
- 4.4 The Returning Officer must tally the number of ballot papers issued for each category against the number of votes cast and must verify the authenticity and validity of the ballot papers lodged with the Principal for counting.
- 4.5 The returning officer shall determine if the voters' intention is clearly shown although a cross or mark may not be strictly inside the box next to the name of a candidate.
- 4.6 The returning officer must retain the ballot papers, for the purpose evidence should a dispute occur, for a period of seven (7) years after the original result or subsequent re-count of the vote has been issued.

#### **5. COUNTING METHOD**

- 5.1 The Returning Officer must write all the candidates' names in each category on a sheet of paper and put a mark alongside the name of the relevant candidate for each valid vote cast for that candidate.

- 5.2 For example, where there are 3 candidates in the Parent Member category, 2 to be elected:

Smith	11111 11111	=	10	elected
Brown	11111 11	=	7	elected
White	111	=	<u>3</u>	not elected
			20	

= 10 votes x 2 votes each

- 5.3 The total votes in any category must not be more than the number of voters multiplied by the number of candidates to be elected in that category.
- 5.4 The Returning Officer must declare the candidate or candidates with the most votes in each category to be elected.
- 5.5 Where a position remains to be filled, and 2 or more candidates are eligible to fill that position by reason of receiving the same number of votes, the successful candidate will be decided by drawing lots.
- 5.6 The returning officer must forward to the Council a Certificate of Election stating Date of Notification of Election, Date of Closure of Nominations, Date of the Election, Method of the Election, The Candidates and their respective votes, The Result, and Certification of the Returning Officer. The form shall be as per Annexure 2 of this Schedule.
- 5.7 Should a dispute in the voting arise, the vote being contested, the returning officer must be notified in writing by the complainant within 7 days of the declaration of the result being issued.
- 5.8 The returning officer must re-count the ballot papers in the presence of witnesses and/or scrutineers and, if required, re-issue a further ballot result.
- 5.9 The returning officer must not accept more than two (2) consecutive disputes. That is: Dispute/s of the original count, and a subsequent dispute of the re-count. The result of the second re-count will conclude the dispute period and the result of the second- recount will be final.

Sheffield School Association Inc.

Voting Paper

Election of Parent / Staff / Student / Community Members\*  
Of the Council of the Association 2.....#

\* strike out categories not required and # insert year

**Instructions:**

Make a cross or mark inside the box to a maximum of ..... boxes beside the names of ..... candidates you wish to be elected to the ..... positions available for Parent / Staff / Student / Community Members\* on the Council

Your vote will be invalid if you mark more than ..... boxes.

You may mark less than the ..... boxes.

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**Candidate 1**

**Candidate 2**

**Candidate 3**

**Candidate 4**

**Candidate 5**

**Candidate 6**

**Candidate 7**

Sheffield School Association

Certificate of Election

Election of Parent / Staff / Student / Community Members\*  
Of the Council of the Association 2.....#

\* strike out categories not required and # insert year

**Dates:**

**Notification of Election:**

**Closure for Nominations:**

Election:

Re-count:

Final Re-count:

This election complied with the provisions of 4.3 Election of The Council contained within the Constitution of the Sheffield School Association Inc.

The Method of the Voting complied with 3.4 of Schedule 1, by using method/s (a), (b) and/or (c).

This election was required to fill ..... vacancies for ..... Members to the Council.

**The Result**

Empty rectangular box for the result table header.

Candidate 1	<input type="text"/>
Candidate 2	<input type="text"/>
Candidate 3	<input type="text"/>
Candidate 4	<input type="text"/>
Candidate 5	<input type="text"/>
Candidate 6	<input type="text"/>
Candidate 7	<input type="text"/>

I, ..... as the Returning Officer certify that the Election was conducted as per the Constitution, duly advise of the candidates elected or not elected, and have retained all of the ballot papers.

.....Date .....Date .....  
Returning Officer Scrutineer/Witness