



PARENT FORUM MODEL CONSTITUTION

FOR

Merrimac State High School

PRINCIPAL: Rachel Cutajar - **Signed:** 

PARENT FORUM CHAIR: Nicole Moore - **Signed:** _____

DATE: 29 April 2025

GAZETTE DATE: 29 April 2025

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Preamble

The *Education (General Provisions) Act 2006 (Qld)* (the "Act") provides for the establishment and operation of parent forums for state schools with the object of improving student learning outcomes.

The Act states that parent forums must have a constitution. The Chief Executive has prepared this model constitution, including elements required under the Act, as well as additional matters.

A parent forum may prepare and adopt an amendment of its constitution, however, in doing so, it must have regard to the model constitution.

The constitution is broadly worded to allow each school autonomy to conduct their business in ways that they consider appropriate. A parent forum makes decisions about how it will carry out its functions at council meetings at which a quorum for the council is present. Amendments to the constitution are not necessary to enable these functions.

MSHS Parent Forum is the 'Parent Forum' for which this constitution is derived and is hereby referred to as "Parent Forum".

Functions and Powers

1 Name of parent forum

MSHS Parent Forum is the 'Parent Forum' for which this constitution is derived.

2 Functions of Parent Forum

2.1 The parent forum has the following functions for guiding the broad strategic direction of the school:

- a) A shared awareness of the school's strategic direction;
- b) consultation of plans and policies of the school of a strategic nature and other documents affecting strategic matters, including the annual implementation plan and strategic plan, uniform policy, fee structure and codes of conduct;
- c) monitoring the implementation of the plans, policies and other documents mentioned above; and
- d) advising the school's principal about school community matters.

2.2 The parent forum must perform its functions in a way that achieves the best learning outcomes for the school's students in partnership with the Principal.

2.3 The parent forum may only perform its functions in relation to the school for which it is established.

2.4 The parent forum may not:

- a) interfere with the management by the school's principal of the day-to-day operations of the school and its curriculum; or
- b) make operational decisions about the use of teaching or learning resources at the school; or
- c) make decisions about the individual teaching style used, or to be used, at the school; or
- d) make a decision that is contrary to law or a written policy of the department; or
- e) have control of funds; or
- f) enter into contracts; or
- g) acquire, hold, dispose of or deal with property; or
- h) sue or be sued.

- 2.5 For the avoidance of doubt, the parent forum is not part of the department, is not a body corporate and does not have a separate legal identity.

Membership and Officers

3 Members of the Parent Forum

- 3.1 The parent forum should have at least 1 parent, 1 external community member, 1 teaching staff member, 1 non-teaching staff member and 1 student as designated official for forum meetings:
- a) the principal as an official member;
 - b) [at least 1 and not more than 2 elected student members.]

4 Official Members

- 4.1 The parent forum's official members are:
- a) the principal; and
 - b) the Parent Forum's Chair.
- 4.2 The Parent Forum Chair and Principal may appoint another Parent / Staff member to attend meetings of the parent forum when the Chair / Principal cannot attend the meetings.
- 4.3 If the Chair revokes their appointment, they must give the principal written notice of the date of the revocation at least two days before the day of the next meeting following revocation.

5 Elected Parent Members

- 5.1 To be eligible for the Forum, the parent member must:
- a) not have been convicted of an indictable offence, unless the Minister gives approval under the Act;
 - b) be the parent of a child attending the school.
- 5.2 Each elected parent chair holds office for a term, not longer than three (3) years, determined by the parent forum.

6 Elected Staff Members

- 6.1 To be eligible for the Forum, a staff member must:
- a) not have been convicted of an indictable offence, unless the Minister gives approval under the Act;
 - b) [attend forum meetings]
 - c) be a current member of staff of the school.

7 Elected Student Members

- 7.1 To be eligible for Forum as an elected student member, a person must:
- a) A student member in an Executive role such as a school captain, pillar holder, student council chair, prefect etc.
 - b) be a student attending year 10, 11 or 12 of the school.

7.2 The term of office for an elected student member:

- a) starts on a day determined by the parent forum; and
- b) ends at the conclusion of the calendar year in which the student becomes the representative. |

8 Dispute Resolution

8.1 The parent forum must endeavour to work together, with their community and with their school, in an open and collaborative manner with the Principal.

8.2 If a dispute arises, the Forum Chair should lead a process acting as a facilitator to resolve the dispute through mediation.

8.3 If the Forum Chair is involved in the dispute, the principal should lead the dispute resolution process.

8.4 If both the principal and the Forum Chair are involved in the dispute, a written request for mediation should be submitted to the principal's supervisor.

9 Vacancies

9.1 The office of an elected or appointed member becomes vacant if the member:

- a) dies; or
- b) resigns the member's office by signed notice of resignation:
 - i) for the parent Forum Chair – given to the school principal's supervisor; or
 - ii) for another parent forum member – given to the parent Forum's Chair; or
- c) is absent from 3 consecutive meetings of the parent forum, of which the member has been given notice, without the parent forum's leave and without reasonable excuse; or
- d) stops being eligible, under the Act or this constitution, for appointment to the office.

9.2 If a vacancy occurs in the office of an elected or appointed member during the currency of the member's term of office, another person must be elected or appointed to fill the vacancy for the remainder of the vacating member's term.

10 Forum Chair

10.1 To be eligible for election as the Forum Chair, a person must:

- a) be a member of the school community as parent / carer of a current student;
- b) |not be a student member; and|
- c) not be the principal.

10.2 The Forum Chair holds office for the term decided by the parent forum (3 years) , unless the person's term of office as a member of the parent forum ends sooner than the Forum Chair's term.

10.3 |The school will provide an official minute taker for meetings, support the dissemination of material, gather agenda items, and distribute & publish minutes. |

11 Disclosure of Interest

11.1 This section applies to a member of the parent forum, if:

- a) the member has a direct or indirect financial interest in an issue being considered, or about to be considered, by the parent forum; and
- b) the interest could conflict with the proper performance or ethics of the school.

11.2 As soon as practicable after the relevant facts come to the interested member's knowledge, the interested member must disclose the nature of the interest to a meeting of the parent forum.

11.3 Unless the parent forum otherwise directs, the interested member must not:

- a) be present when the parent forum considers the issue; or
- b) take part in a decision of the parent forum about the issue.

11.4 The interested member must not be present when the parent forum is considering whether to give a direction on the issue.

12 Comply with the Code of Conduct

12.1 Members must comply with the Parent Code of Conduct is on the schools website.

13 Conduct of Business

13.1 Subject to this constitution and the Act, the parent forum may conduct its business, including its meetings, in the way it considers appropriate.

14 Time and Place of Meetings

14.1 A parent forum must meet at least once a term.

14.2 Parent forum meetings are at the times and places the parent forum decides.

14.3 However, a parent Forum Chair:

- a) may call a meeting at any time; and
- b) must call a meeting if asked, in writing, to do so by the Minister, the chief executive, principal or at least the number of its members.

14.4 The chair must, where possible, give written notice of the time and place of a meeting of the parent forum to each of the members at least 7 days before the day of the meeting.

14.5 The parent forum may decide that any meeting or part of a meeting may be closed to observers.

15 Presiding at Meetings

15.1 The parent Forum Chair must preside at all council meetings at which the Forum Chair is present.

15.2 If the Forum Chair is absent from a parent forum meeting, another parent forum member chosen by the parent forum members present must preside.

16 Conduct of Meetings

16.1 A question or agenda item must be provided prior to the meeting in the advised agenda at least 7 days prior to the meeting at a parent forum meeting,

16.2 A parent forum may hold meetings, or allow its members to take part in its meetings, by telephone, web-conference or another form of communication that allows reasonably contemporaneous and continuous communication between the members taking part in the meeting.

16.3 Unless the parent forum members present at a meeting decide otherwise, the order of business at a parent forum meeting is:

- a) Apologies
- b) Confirmation of minutes of previous meeting
- c) Business arising from minutes of previous meeting
- d) Correspondence
- e) Business arising from the correspondence
- f) Reports
- g) Form Questions and Responses
- h) General business
- i) Next meeting
- j) Other business.

The Principal and Chair reserve the right to answer questions or provide responses to individuals privately should items in question be irrelevant to the meeting, not on the agenda or be personal in nature. The privacy of students is paramount and will be enacted accordingly. |

17 Minutes and Records

17.1 The parent forum must record particulars of all proceedings at meetings of the parent forum including:

- a) the names of the members present at each meeting.

17.2 The minutes of each parent forum meeting must be submitted for confirmation at the next parent forum meeting.

17.3 A copy of the minutes of each meeting must be distributed to all members of the parent forum as soon as possible after the meeting, unless the meeting is considered informal.

17.4 The parent forum is a public authority for the purposes of the *Public Records Act 2002 (Qld)* and must deal with the parent forum's records (including all documents created or acquired in the course of the parent forum carrying out its functions) in accordance with that act and the Department of Education's policy document "General Retention and Disposal Schedule for Administrative Records".

18 Attendance by Proxy

18.1 The principal may attend up to 2 meetings in each year by proxy.

18.2 Parent Chair can be appointed as a proxy for up to 1 meeting each year.

Miscellaneous Matters

19 Amendments to the Constitution

19.1 A parent forum may prepare and adopt an amendment to this constitution.

19.2 In preparing a proposed amendment, the student council / parent forum must have regard to the model constitution.

19.3 The amendment is required to be adopted by at least the majority of the parent forum.

19.4 In deciding to approve a proposed amendment to a constitution, the delegate must have regard to whether it:

- a) provides for a membership that:
 - i) allows adequate representation by parents, staff, students and other members of the school community; and
 - ii) takes into account the demographics of the school community;
- b) provides for the parent forum to perform its functions in an effective and fair way;
- c) is adequate, clear and appropriate; and
- d) is consistent with the Act and otherwise lawful.

20 Application of Laws

20.1 The members of the parent forum must comply with all applicable laws.

20.2 A parent forum is a public authority under the *Public Records Act 2002*.

20.3 For the application of the *Public Sector Ethics Act 1994 (Qld)*:

- a) a parent forum is a public sector entity; and
- b) a member of the parent forum is a public official of the entity;
- c) the Chief Executive is the chief executive officer of the entity; and
- d) a reference to the entity's annual report is a reference to the Department of Education's annual report.

21 Dissolution of the Parent Forum

21.1 A parent forum is dissolved:

- a) if the school for which it was established is closed;
- b) if the Minister gives the parent forum a notice stating that the parent forum is dissolved;
- c) if the Chief Executive publishes a notice in the gazette stating that the parent forum is dissolved; or
- d) in other circumstances prescribed under the *Education (General Provisions) Regulation 2017 (Qld)*.
- e) If the members and school community choose to dissolve or return to a formalised P&C model.

21.2 As soon as practicable after the dissolution of the parent forum, the school's principal must ensure the parent forum's records, including all documents held by the parent forum that it has created or acquired in the course of performing its functions, are given to the Chief Executive.

22 Subcommittees

22.1 A parent forum must not establish a committee or subcommittee or other media outlets.

23 Protocols for Agenda

23.1 Members or visiting members must submit agendas or questions to be considered for a meeting at least 7 days prior to the meeting and when a public call for items is made.

23.2 Agenda items / questions can be addressed to Forum Chair or the Principal via (principal@merrimacshs.eq.edu.au).

23.3 Chair / Principal reserve the right to answer questions or resolve concerns privately where deemed appropriate. Items of this nature will not be reflected in the minutes publicly but will be noted as ‘members name’ and “resolved” in minutes.

23.4 If a member wishes to make their query public the Principal and Chair will consult with the Act.

SCHEDULE 1: Relevant Documents

DOCUMENTS TO WHICH THE PARENT FORUM MUST HAVE BEEN BRIEFED FOR THE PURPOSES OF CARRYING OUT ITS FUNCTIONS UNDER CLAUSE 2.3

- Strategic School Plan (4 Years)
- Annual Implementation Plans
- Workplace reform proposals, as a matter of notification, not vote
- School Code of Conduct (Student & Parent)
- Fees, etc.
- Other documents relevant to the school's strategic direction
- Student Body concerns
- The Principal reserves the right to not publicly, if this would be a breach of the Act. |

SCHEDULE 2: Establishing a Parent Forum

Initial Constitution

1. The principal of a school must prepare a draft constitution for a proposed parent forum.
2. In preparing the draft constitution, the principal:
 - must consult with:
 - the parents of children attending the school; and
 - the school's staff and students; and
 - may consult with other appropriate entities.
3. In preparing the draft constitution, the principal must have regard to this model constitution.
4. A draft constitution must:
 - provide for a membership that—
 - allows adequate representation of parents, staff, students and other members of the school community; and
 - takes into account the demographics of the school community;
 - provide for the parent forum to perform its functions in an effective and fair way;
 - be adequate, clear and appropriate; and
 - be consistent with the Act and otherwise lawful.
5. The principal must call the following meetings for approving the draft constitution:
 - If there is no Parents and Citizens' Association formed for the school — a meeting of the parents of children attending the school (the parent meeting) to approve the draft parent forum constitution by secret ballot; and
 - a meeting of the school's staff (the staff meeting) to approve the parent forum constitution.
6. The draft constitution has no effect unless it is approved by the Chief Executive or delegate authorised in writing by the Chief Executive.

Initial Membership

7. On its establishment, the parent forum consists only of its official members, Principal and Forum Chair.
8. However, a parent forum consisting only of its official members may only perform the functions necessary for the election of the parent forum's elected members.
9. As soon as practicable after a parent forum is established, its official members must, under the parent forum's constitution, organise the election of the parent forum's Forum Chair.
10. The term of office for elected or appointed members must not exceed two years. However, the following number of the forum's first elected members may hold office for a term of not longer than 3 years.
11. The written notice of the results of the first election parent forum must show clearly the office is to be held for a term other than 2 years and this detail must be recorded.
12. After the notification, the parent forum, as constituted by its official members and elected members, may appoint other members.

SCHEDULE 3: Parent Forum Positions Voting Process

Staff and Parent Election Process

Notes

- This process applies to all elections for elected staff and elected parent members of the parent forum, including the first elections to establish the school's inaugural parent forum.
- Eligibility to be nominated and to vote in an election for elected members of the parent forum is not restricted to existing members of the parent forum.
- The following people are eligible to be nominated and to vote at an election for elected members:
 - For elected parent member elections, a parent of a child at the school.
 - For elected staff member elections, all the persons who are employed by the Department of Education and assigned to the school or otherwise employed full-time or part-time at the school for which the forum is established.
 - Parents or staff members are not eligible for election if they have been convicted of an indictable offence, unless they have approval from the Minister.

Staff and parent election process

- When nominating for a Chair, the notice must state:
 - the date of the election;
 - who is eligible to be nominated;
 - how nominations may be made;
 - the final date for the receipt of nominations;
 - who is eligible to vote;
 - how voting is to be carried out (distribution and return of ballot papers)
 - the venue at which the election is to be conducted; and
 - the start and end times for the meeting at which the election is to be conducted, and any times at which the meeting is to be adjourned.
- The final date for receipt of nominations in writing to the returning officer must not be less than 14 days after the date of giving of the public notice and not less than [7 or 14] days prior to the date of the election.
- After the final date for receipt of nominations, the returning officer must, without unreasonable delay, prepare voting papers by setting out the names of the candidates in an order determined by lot.
- At the meeting at which the election is to be conducted, the returning officer must give a voting paper to every person entitled to vote at the election. The returning officer must record the name of each person to whom a voting paper is given at the meeting at which the election is conducted.
- Each voter must deposit their completed voting paper into a sealed ballot box before leaving the meeting.
- The returning officer must take such steps as considered necessary to ensure that only persons entitled to vote at an election have voted and that the secrecy of the ballot is preserved.
- If there are fewer nominations than required elected members, then the nominees are elected

Election Process

- Members must self-nominate for a position in person at the relevant meeting.
- If there is only one nomination for a position, the nominee will be elected to the relevant office.
- If there is more than one nomination for a position, the nominee who receives the majority of the votes will be elected to the relevant office.
- If members are physically present at the location of the meeting, then voting may be held by a show of hands or process as agreed upon by the Forum.
- If the election is held at a parent forum meeting where some members are attending by telephone, web-conference or other form of communication that allows reasonable contemporaneous and continuous communication between members taking part in the meeting, members who are physically present at the location of the meeting must ensure that the votes of all participating members are counted on any questions or matters resolved by a vote during the meeting.

Student Election Process

- Only those students in years 10, 11 or 12 are eligible to vote in the election and will be nominated by the student leader body.]

SCHEDULE 4: Nomination Form for Election or Appointment**Nomination for [Insert name of school] Parent Forum Elected Member for [insert year/s*]**Collection Notice:

[Insert school name] Parent forum is collecting your personal information on this form for the purpose of administering elections for members of the parent forum. We will use the information you provide to assess whether you are eligible to become a member of the parent forum. **Provide brief details of how information will be used e.g. If nomination successful, name and eligibility details may be published in the school newsletter or on the school website to inform parents about who is nominated for parent forum membership.**

Name:

Address:

..... **Postcode**

Phone: **Mobile:**

Email:

Elected position	Eligibility	Nomination (please tick)
Staff	All persons on staff at the school, with the exception of the principal	☐
Parent	All parents of current children at the school	☐
Student	All persons who are students of the school in Years 10, 11 or 12 and member of the Student Leadership body	☐

I agree to be bound by the constitution of the parent forum. I agree to work within the boundaries of the *Education (General Provisions) Act 2006*. I agree to be bound by the Code of Conduct for parent forums. I hereby state that I have not been convicted of an indictable offence.

Signature: **Date:**

Please return this nomination form by **[insert closing date and time for nominations]**. This can be done by:

- delivering to the school front desk during school hours
- e-mail to **[insert e-mail address of returning officer]**
- mail to Returning Officer, c/- **[school name and address]**.

A person is ineligible to be an elected parent member, elected staff member or appointed member of a parent forum if the person has been convicted of an indictable offence, unless the Minister gives approval, in accordance with the *Education (General Provision) Act 2006* for that person to be elected or appointed to the council.

If you have any queries regarding the parent forum election process, please contact the principal.

Returning Officer Use

Date received:/...../.....

* see clauses 6.3, 7.4, 8.3 and 9 of the Model Constitution.

SCHEDULE 6: Code of Conduct

This Code of Conduct sets the expected standards of conduct for all parent forum members. It has been adopted to aid all members of our school community to work as a cohesive group in partnership with the school.

The code is intended to promote and maintain the highest standard of ethical behaviour by parent forum members. Members of parent forums should adhere to the Code of Conduct at all times. This code applies to each member of a Queensland state parent forum established under the *Education (General Provisions) Act 2006*.

Integrity and Ompartiality

Parent Forum members will:

- act in the best interest of the total school community at all times
- conduct and present themselves in a professional manner
- act with courtesy and demonstrate respect for all persons, whether fellow parent forum members, school staff, parents/carers, students, community members
- remain objective and avoid personal bias at all times
- build open and honest communication
- represent all members of the school community
- act ethically and with integrity at all times
- declare any conflicts of interest and not misuse their office to advance individual views or for personal gain
- make fair, transparent and consistent decisions
- provide objective and independent advice
- engage with the school community in a manner that is consultative, respectful and fair
- listen and be tolerant of the views and opinions of others, even if those views and opinions differ from their own
- draw upon personal and professional insight (background and experience) when reviewing information.

Promoting the Public Good

Parent Forum members accept their commitment to:

- be responsive to the requirements of the school community
- engage the school and wider community in developing and effecting school priorities, policies and decisions
- seek to achieve excellence in educational outcomes for all students at the school
- listen and respond to issues and concerns regarding strategy and policy.

Commitment to the System of Government

Parent Forum members will:

- offer constructive, impartial and professional feedback when consulted regarding official school priorities, policies and decisions
- work within the boundaries of the *Education (General Provisions) Act 2006*, the *Education (General Provisions) Regulation 2017*, and Department of Education policies and procedures relevant to parent forum operations.

Accountability and Transparency

Parent forum members will:

- treat official information with care and use it only for the purpose for which it was collected or authorised
- respect confidentiality and information privacy (about the school, community members, staff or students) at all times and not disclose confidential information
- store official information securely
- not use confidential or privileged information to further personal interests
- complete relevant induction training at the first official meeting for the year.