



**A**USTRALIAN  
**S**CIENCE  
**T**EACHERS  
**A**SSOCIATION

# CONSTITUTION

CHANGES AGREED AT COUNCIL TELECONFERENCE ON 8 APRIL 2009



# AUSTRALIAN SCIENCE TEACHERS ASSOCIATION INC CONSTITUTION

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# THE AUSTRALIAN SCIENCE TEACHERS ASSOCIATION INC

# CONSTITUTION

## 1 Name

- a) The Association shall be called the Australian Science Teachers Association.
- b) The letters ASTA are the recognised contraction for the name of this Association.

## 2 Objects

The objects of the Association are:

- a) To provide for professional stimulation of science teachers by developing professional standards, providing opportunities for professional development and facilitating networking nationally and internationally.
- b) To provide information and advice to science teachers regarding industry links, equity in science education, resources, teaching methods and curriculum.
- c) To provide science teachers with resources.
- d) To provide information and advice to those who influence science education, including developers of curricula and resources in science, teacher educators and supervisors, policy makers whose decisions relate to science education and those engaged in research into science education.
- e) To recognise significant contributions to science education and to provide information and advice to the general community regarding the aims of science teachers and social issues of a scientific nature.
- f) To promote the value of science to the community.

## 3 Membership

- a) Voting Members of ASTA

The Australian Science Teachers Association is formed by a federation of the Science Teachers Associations of the Australian States and Territories. Such Associations are to be known as the Member Associations, these being: the South Australian Science Teachers Association, the Science Educators Association of the Australian Capital Territory, the Science Teachers Association of New South Wales, the Science Teachers Association of Northern Territory, the Science Teachers Association of Queensland, the Science Teachers Association of Tasmania, the Science Teachers Association of Western Australia, the Science Teachers Association of Victoria. The Member Associations that form the ASTA federation are voting members of ASTA.

- b) Honorary Life Membership of this Association may be granted by Federal Council to any person who is nominated by two members of Member Associations and whose nomination is supported by two-thirds of Federal Council. Honorary Life members are non-voting members of ASTA.

## 4 Administration

### 4.1 The Federal Council

- a) The business and affairs of the Association shall be administered by the Federal Council.

The Federal Council:

- (i) is responsible for establishing the policy framework through which the Association carries out its legal and Constitutional responsibilities.
- (ii) determines the major programs and strategic directions of the Association.
- (iii) approves grant awards, sponsorship proposals, contracts and Memoranda of Understanding with other organisations.
- (iv) approves project management plans.
- (v) determines and ratifies all policies having to do with the organisation of ASTA.
- (vi) oversees the operations of ASTA for integrity, effectiveness, and efficiency.

- (vii) approves the budget.
  - (viii) elects Executive members as vacancies arise.
  - (ix) establishes the procedures for the appointment of staff, annual reviews of staff performance and management, and reviews of issues raised by staff.
  - (x) authorises members of ASTA Council or Member Associations to represent ASTA on external committees, conferences or events.
  - (xi) establishes, provides the leadership for, and participates in ASTA working parties and projects.
- b) The Federal Council shall consist of the following members:
- (i) The President of ASTA.
  - (ii) The President Elect of ASTA or the Immediate Past President of ASTA.
  - (iii) The Treasurer of ASTA.
  - (iv) Two Councillors (delegates) from each Member Association.
  - (v) The Chief Executive Officer of ASTA, who is an ex officio (non-voting) member of the Federal Council.
- c) The Federal Council shall consist of the following voting members:
- (i) The President, the President Elect/ Immediate Past President, and the Treasurer, who shall each be entitled to one vote.
  - (ii) The two Councillors (delegates) from each Member Association, who shall each be entitled to one vote. These votes may be delivered in person, or when only one Councillor from a Member Association is present, that Councillor may carry the written proxy vote of the absent Councillor from that Member Association.
  - (iii) In the event of a Member Association being unable to send the nominated Councillors to a Federal Council meeting, a proxy or proxies with the power to vote may be appointed in writing by that Member Association. Any proxy appointed will be a member of the same Member Association as the absent Councillor.
  - (iv) Where a casual vacancy occurs, it will be filled at the discretion of Council taking into account the need for representation of all members of the federation.
- d) Appointment of Councillors by Member Associations:
- (i) Councillors appointed to Federal Council by a Member Association shall be members of that Member Association, and shall be elected to that position by the Member Association's governing body. They shall not be employees of the Member Association.
  - (ii) The two Councillors appointed by a Member Association shall generally include the President of that Member Association.
- e) Federal Council Decisions
- (i) The Federal Council shall make decisions by voting of its members as allowed for in 4.1 c). Decisions shall be made on the basis that a motion is supported by at least thirteen (13) votes of Federal Council except as provided for in 15 a).
- f) Federal Council Meetings
- (i) The Federal Council shall conduct at least two face to face meetings per year. One of these meetings shall be convened immediately prior to the Federal Conference and before the Association's Annual Forum. The second face to face meeting shall be held at a time and place determined by Federal Council.
  - (ii) In addition, the Federal Council shall meet at other times as is deemed necessary by the Executive. Such meetings may be face to face or by electronic means.
  - (iii) Federal Council shall meet within a reasonable time following each Annual Forum to consider issues raised in this Forum.
  - (iv) The quorum for a meeting of Federal Council shall be two (2) voting members of the Executive, and twelve (12) other Councillors, including proxies
  - (iv) The President of ASTA or a person nominated by the Executive shall be Chairperson of Federal Council Meetings.
  - (v) ASTA shall meet the costs of travel and accommodation of one Councillor from each Member Association to attend both of the scheduled face to face meetings of Federal Council held each year. Each ASTA Member Association may elect to send a second Councillor to these meetings at its own expense. Where only one Councillor from a Member Association attends, that Councillor may carry the proxy vote of the absent Councillor as provided for in section 4.1 c (ii). The costs of travel and

accommodation for delegates attending any other scheduled Federal Council meetings shall be met as determined by Federal Council.

g) Annual General Meeting

- (i) The Annual General Meeting of ASTA shall be held as part of the Federal Council Meeting prior to the Association's Federal Conference each year.
- (ii) At least 21 days prior to the Annual General Meeting, Federal Councillors will be notified regarding the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.

#### 4.2 The Executive Committee

a) The Executive Committee of Federal Council shall comprise the President, President Elect/Immediate Past President, Treasurer and Chief Executive Officer. At meetings of the Executive Committee;

- (i) The President, President Elect / Immediate Past President and Treasurer shall be entitled to one vote.
- (ii) The Association's Chief Executive Officer is a non-voting member of the Executive Committee of Federal Council.

b) Election of the voting members of the Executive Committee of Federal Council

- (i) Every second year a President Elect is elected for a four year term consisting of one year as President Elect, two years as President and one year as Immediate Past President. Every fourth year a Treasurer is elected for a four year term. The incoming Treasurer may serve a six-month, non-voting, term as Treasurer Elect prior to the end of the outgoing Treasurer's term.
- (ii) Each of the positions on the Executive Committee shall be elected by Federal Council using a preferential system of voting in a secret ballot.
- (iii) Candidates for election to the Executive Committee must submit a written nomination and be nominated and seconded by members of ASTA's Member Associations.
- (iv) To be elected to any of the Executive Committee positions a nominee must receive an absolute majority of Federal Council membership votes.
- (v) No person shall be eligible to stand for consecutive terms in the same position on the Executive Committee.
- (vi) Should a member of the Executive Committee be unable to complete the term for which he/she was elected, the Council will establish an election schedule which returns the Executive Committee structure to the pattern outlined in 4.2 (b) (i)
- (vii) If a casual vacancy exists on the Executive Committee during the period of the election referred to in 4.2 (b) (i), the Executive Committee may appoint a temporary replacement until the election process in 4.2 (b) (vi) is completed.
- (viii) The Federal Council can remove a member of the Executive Committee from office by passing a vote of no confidence in that member according to the guidelines in 4.1 (e) (i).
- (ix) Should a member of the Executive Committee be unable to fulfill a commitment he / she may delegate his / her responsibilities to a member of ASTA's Member Associations provided there is unanimous agreement from the Executive Committee.

c) The Executive Committee of Federal Council is responsible to the Federal Council for the effective and efficient administration of the policies and procedures established by the Council.

d) The Executive Committee

- (i) approves expenditure of funds within the budget approved by the Council and for the efficient operation and administration of the Association's office
- (ii) monitors the ongoing operational activities and budgets of the Association
- (iii) coordinates requests for proposed projects or activities
- (iv) responds to external requests and correspondence in a manner that complies with ASTA's Constitution and Council policies
- (v) monitors grant, sponsorship, contract and Memorandum of Understanding activities
- (vi) negotiates with external organisations and individuals regarding possible grant awards, sponsorship proposals, contracts and draft Memoranda of Understanding
- (vii) represents the Council to other organisations and groups as required
- (viii) recommends to the Council policy positions and program and budgetary activities to implement the Council's program

- (ix) establishes procedures to ensure staff carry out responsibilities and activities as approved by the Council and in compliance with legislative requirements
  - (x) reports in a timely manner all relevant information first to the President and subsequently to all members of the Council, endeavouring to report to members of the Council in such a manner that the members are equally well informed on matters that concern the Council
  - (xi) authorises the fixing of the Common Seal of the Association to legal instruments as provided in section 14.
- e) The Power of the Executive Committee to make decisions on behalf of Federal Council.
- (i) Where project or activity opportunities arise that are consistent with the goals of the Association and it is not practicable to consult the full Federal Council within the available time, the Executive Committee may make decisions on behalf of Federal Council. Such decisions shall be notified to Federal Council in a timely manner and shall be presented to Federal Council for ratification at the next meeting of Federal Council.
- f) Chief Executive Officer
- (i) The Federal Council shall appoint a Chief Executive Officer to manage the affairs of the Association.
  - (ii) The Chief Executive Officer is the Public Officer of the Association.
  - (iii) The Chief Executive Officer need not be a member of a Member Association.
- g) Secretariat
- (i) The Secretariat will consist of the Chief Executive Officer and such administrative, clerical and project related staff as determined by agreed budgets.
  - (ii) The Secretariat will support ASTA in achieving its stated goals and implement the policies and decisions of Council.
  - (iii) The employed staff of the Association receive their direction from the Executive through the President. The Chief Executive Officer is the senior member of the employed staff, and is the line manager of any other employed staff.
  - (iv) The location of the Secretariat is in Canberra, subject to periodical review.

## 5 Federal Conference

- a) A Federal Conference of the Association shall be held once in each calendar year at a time and place to be determined by the Federal Council. The Federal Conference shall not be held in the same State or Territory within a five-year period.
- b) The Federal Conference is held as a professional development activity for members of the science education community and provides activities related to both science and science education.
- c) The recognised name of this Federal Conference is CONASTA.
- d) The organisation and promotion of the Federal Conference shall be a collaboration between the Member Association of the State or Territory in which the Federal Conference is held, and ASTA.
- e) The accounts of the Federal Conference shall remain separate from the accounts of the Member Association and those of ASTA.
- f) Any surplus or deficit from the Federal Conference will be equally shared or borne by ASTA and the Host Member Association.

## 6 ASTA Forum

- a) At every annual Federal Conference there shall be an ASTA Forum, which will be presided over by the President or the President's nominee.
- b) Participation in the ASTA Forum is open to members of ASTA's Member Associations and to other delegates attending the Federal Conference.
- c) The topics for the ASTA Forum shall be determined by Federal Council, and published to delegates of the Federal Conference at least 24 hours before the Forum. Other items of general business may be raised during the meeting from the floor.
- d) Any resolutions or directions from the Annual Forum:
  - (i) Shall be in the form of recommendations or advice to Federal Council, and shall not bind Federal Council to any course of action, and

- (ii) Federal Council is bound to discuss any recommendations arising from the Annual Forum at the next Federal Council Meeting.

## **7 Provision of Information to Member Associations**

- a) Minutes of all Federal Council Meetings including the Annual General Meeting, the proceedings of the ASTA Forum, and full details of any relevant business transacted between meetings of the Federal Council, shall be published to all members of ASTA Federal Council as soon as is conveniently possible.

## **8 Subscriptions**

- a) Federal Council shall determine both an annual capitation fee and a Journal subscription fee, which shall be paid to ASTA by each Member Association. Unless otherwise determined, such fees shall be increased in line with the annual CPI.
- b) Membership fees shall be paid as a capitation fee levied equally on all individual and institutional and organisational members of each Member Association.
- c) Journal subscription fees shall be paid by Member Associations for all individual and institutional members of Member Associations entitled to receive ASTA journals at member rates.
- d) Annual Membership and Journal fees as determined by Federal Council shall be paid by Member Associations in four quarterly payments.

## **9 Affiliation with Other Organisations**

The Federal Council of the Association shall be empowered to affiliate the Association with such other bodies as it may, from time to time, deem fit.

## **10 Endowments and Grants**

ASTA, through the Federal Council and the Executive Committee, is empowered to seek grants, endowments and contracts to foster the objects of the Association from such bodies as Federal and State Governments, other organisations, industry, commerce or private donors.

## **11 Disciplining of a Member of Council**

- a) Where the Council is advised or considers that a Member has allegedly:
  - (i) breached, failed, refused or neglected to comply with a provision of these Rules, the Regulations or any resolution or determination of the Council or any duly authorised committee; or
  - (ii) acted in a manner unbecoming of a Member or prejudicial to the objects and interests of the Association; or
  - (iii) brought the Association into disrepute;

the Council may commence or cause to be commenced disciplinary proceedings against that Member, and that Member will be subject to, and submits unreservedly to the jurisdiction, procedures, penalties and appeal mechanisms of the Association.

## **12 Committees**

- a) Standing Committees
  - (i) The Federal Council may appoint Standing Committees as necessary to assist with the Association's activities.
  - (ii) The chairperson/convenor/director of each Standing Committee shall normally be appointed annually by Federal Council.
  - (iii) The members of each Standing Committee shall be proposed by the chairperson/convenor/director and submitted annually to Federal Council for approval.
  - (iv) Where necessary, a Standing Committee may be supported by salaried staff provided that the appointment of such officers is first approved by Federal Council.
  - (v) Where necessary, and with prior Council approval, Standing Committees may expend and receive sums of money associated with the carrying out of their functions.

- vi) When a charge is to be levied for any service provided to members through the operation of a Standing Committee, such charges shall be determined by Federal Council.
  - vii) Each Standing Committee shall regularly report its activities to the Federal Council, including at the Federal Council meeting held prior to the Federal Conference.
- b) Federal Council may, from time to time, establish sub-committees with specific terms of reference and having power to co-opt people from outside of the Federal Council.
  - c) No Committee shall have the power to bind either the Federal Council or ASTA except under delegation passed by a resolution of Federal Council or in relation to matters referred to in 4.2 (d)

### **13 Finances**

- a) The assets and income of the Association shall be applied solely in furtherance of its objects and no portion shall be distributed directly or indirectly to its members except as bona fide compensation for services rendered or expenses incurred on behalf of the Association.
- b) (i) Authorisation for all cheques, promissory notes, Electronic Funds Transfers (EFTs) and negotiable instruments shall be provided by 2 (two) members of the Executive Committee, except as allowed for in 13c) (i).
- (ii) Authorisation of funds to cover the day-to-day functioning of the secretariat may be provided on an ongoing basis by agreement of all members of the Executive Committee.
- c) (i) Authorised cheques and electronic funds transfers, within budgeted amounts, may be signed or processed by 1 (one) member of the Executive Committee or by 1 (one) employee authorised by all members of the Executive Committee to do so.
- (ii) The password for Electronic Funds Transfers be kept by 2 (two) members of the Executive Committee.
- d) Federal Council shall ensure that comprehensive accounting records of the Association's financial transactions are kept.
- e) The Association's financial accounts shall be audited annually. The audited accounts shall be presented at the Annual General Meeting. The Association holds the calendar year as its financial year.
- f) Federal Council shall appoint auditors annually at the AGM to audit the Association's accounts.
- g) In the event of ASTA being dissolved, the amount which remains after such dissolution and the satisfaction of all debts and liabilities, shall be paid and applied by Federal Council in accordance with its powers to another fund with similar purposes which is not carried on for the profit or gain of its individual members, and which is also exempt from income tax.

### **14 The Common Seal of the Association**

- a) The Common Seal of the Association shall be kept in the custody of the Public Officer.
- b) The Common Seal shall not be affixed to any instrument except by the authority of the Executive Committee and the affixing of the Common Seal shall be attested by the signatures of either 2 (two) members of the Executive Committee or of 1 (one) member of the Executive Committee and the Chief Executive Officer.

### **15 Alteration of the Constitution of the Association**

- a) The Constitution may be repealed or amended or amendments made by the decision of Federal Council at a Federal Council Meeting provided:
  - (i) That members of Federal Council are given twenty-one (21) days notice of resolution to change the constitution.
  - (ii) the resolution is supported by fifteen (15) votes from Federal Council.

### **16 Resolutions**

A resolution which has been forwarded to every member of the Federal Council shall be as valid and effectual as if passed at a Federal Council meeting. Votes shall only be counted if they are returned with the voting preference clearly indicated and the Federal Councillor is clearly identified. Ordinary motions shall be accepted if consistent with rule 4.1 (e) (i). Motions related to constitutional amendments shall be accepted if consistent with rules 15 (a) (i) and 15 (a) (ii).

## 17 By-Laws

The Federal Council may make by-laws as it may deem appropriate for the proper conduct, control and management of ASTA and in particular, may by any such by-law regulate:

- a) The management and good governance of ASTA.
- b) The provision of services to or on behalf of ASTA and to its Member Associations.
- c) The use by or supply to Member Associations of any of the property of ASTA.
- d) The conduct of ASTA employees.
- e) The setting apart of any part or parts of ASTA's premises for particular purposes.
- f) The procedure of meetings of ASTA and its Boards and Committees.
- g) The admission of persons and their rights consequent upon membership of ASTA.
- h) The formation of any committees, including the composition, terms of reference, and other relevant matters.
- i) All such matters as are commonly the subject matter of regulation for the proper conduct of Associations, Societies and bodies similar to ASTA, and not otherwise expressly dealt with in this constitution.

## 18 Transition

- a) All persons being a member or holding, or having held any office or position with ASTA prior to the adoption of this amended constitution shall, subject to this constitution and the continued existence of an office or position, or an equivalent office or position, continue to be a member and to hold or be deemed to have held, such office or position as though elected or appointed according to this constitution.
- b) Unless repealed or revoked, all by-laws in force at the time this amended constitution is adopted, shall so far as possible continue to apply until otherwise withdrawn, amended or confirmed.
- c) Any question, issue or dispute in relation to, or arising in consequence of the adoption of this amended constitution shall be determined by resolution of the Federal Council, whose decision shall be final.

**ASTA Constitution Appendix 1 – Form of Appointment of Proxy.**

I, ..... of .....  
(Name and Science Teachers Association)

being a member of the Australian Science Teachers' Association Federal Council hereby appoint:

.....  
(full name)

of

.....  
(address)

being a member of the above Member Association, as that STA's proxy to vote on behalf of that STA at the Federal Council Meeting of the Association to be held on

the ..... day of ..... and at any adjournment of that meeting.

The proxy is authorised to cast a vote in relation to all motions considered at the .....  
Federal Council Meeting. (insert dates)

.....  
(Signature of President of STA)

Date.....

NOTE: A proxy vote may not be given to a person who is not a member of the same Member Association.