



## Our Constitution

Revised at Annual Meeting 2017

### 1. **NAME**

- 1.1 The name of the association shall be The Special Education Principals' Association of New Zealand herein called SEPAnz.
- 1.2 SEPAnz has an accord with the Australian Special Education Principals' Association (ASEPA).

### 2. **DEFINITIONS**

- 2.1 The term Executive' means the national body as per clause 11.
- 2.2 Financial Year' for auditing purposes is July - June. Financial year for membership purposes is the calendar year. (This allows for flexibility with ASEPA and annual conference variances.)
- 2.3 A meeting of the Executive may be held face to face or electronically.

### 3. **MISSION STATEMENT**

To develop and support the professional role of New Zealand special education principals as they advance and lead special education in New Zealand, so that the status and unique learning environment of Special Schools is upheld.

### 4. **AIMS AND OBJECTIVES**

- 4.1 To advocate for best educational practices and services for students with disabilities.
- 4.2 To provide collegial and pastoral support for special education principals.
- 4.3 Develop links with international organisations promoting research and excellence in special education.
- 4.4 Liaise with other organisations whose views and activities affect the development and value of special education services and facilities.
- 4.5 To provide a forum for the exchange and discussion of ideas with a particular focus on pedagogy, leadership, research, and special education policy development.
- 4.6 Develop strategies for collaborating, implementing, and reviewing with the Ministry of Education, Learning Support in the context of special schools.
- 4.7 Do all such things as are incidental or conducive to the attainment of the aims of the SEPAnz.

### 5. **FULL MEMBERSHIP**

- 5.1 Full membership shall be open to any special school principal in New Zealand. This includes regional health schools, sensory schools, and other specialist schools including residential special schools.
- 5.2 A member who fails to pay the levied subscription by the due date has no rights or privileges of membership.
- 5.3 Members' Liabilities. The liability of a member 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 is limited to the amount, if any, unpaid by the member in respect of membership of the association.

- 5.4 Disciplining of Members: The organisation is responsible for the disciplining of its own members.
- 5.4.1 Where the Executive is of the opinion that a member of the SEPAnz
- a) has persistently refused or neglected to comply with a provision of these rules; or
  - b) has persistently and wilfully acted in a manner prejudicial to the interests of the association;
- The Executive may by resolution following an investigative procedure that includes the alleged offender being given the opportunity to explain their actions:
- (i) suspend the member from such rights and privileges of membership of the association as the committee may determine for a specified period; or
  - (ii) expel the member from the association.
- 5.4.2 A resolution of the Executive under 5.4.1 is of no effect unless the Executive, at a meeting held no earlier than 14 days and no later than 28 days after service on the member.
- 5.4.3 Where the Executive passes a resolution under 5.4.1, the secretary shall, as soon as possible, cause a notice in writing to be served on the member.
- a) setting out the resolution of the Executive and the grounds on which it is based;
  - b) stating that the member may address the Executive at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice;
  - c) stating the date, place, time of that meeting;
  - d) informing the member that the member may do either or both of the following:
    - (i) attend and speak at the meeting
    - (ii) submit to the committee at or prior to the date of that meeting, written representations relating to the resolution

## 6. **ASSOCIATE MEMBERS**

Associate Membership of SEPAnz is available to individuals who are representatives of special education facilities other than special education principals as per Section 5. Associate Members shall pay an associate membership subscription. Associate Members shall be entitled to all the rights of membership except that Associate Members may not vote or be nominated for office.

## 7. **NEW MEMBERS**

New members will be introduced at the Annual Meeting.

## 8. **LIFE MEMBERS**

- 8.1 Life membership may be bestowed on a principal member of SEPAnz who has made a significant and selfless contribution for the greater good of the special education sector over and above the expectations of an effective principal.
- 8.2 Nominees are to be principals in their final year or following year of employment.
- 8.3 Nominations for life membership can be made to the Executive who will consider the applicant against 8.1 and 8.2 and vote in confidence.
- 8.4 If the person nominated is a current Executive member they will be excluded from discussions and voting.
- 8.5 Life membership will be bestowed at the annual meeting and will be recognised by a formal certificate. Life members shall have the right to attend all annual meetings and have the privileges of ordinary members other than the right to hold office or vote. Life members can attend SEPAnz Conferences with conference fees waived. Life members are not required to pay any other subscriptions.

## 9. **LEAVE OF ABSENCE**

- 9.1 A member who is temporarily employed elsewhere in the Education sector shall, as long as she/he is so employed, enjoy all the privileges of membership.
- 9.2 A member of the Executive must inform the president of secondment outside the position of principal. It is at the president's discretion to ask the Executive member to take leave of

absence or to continue service for the remainder of that year.

- 9.3 If leave of absence is granted, the Executive shall have the power to facilitate regional elections.

## 10. **ACTING PRINCIPALS**

Will be entitled to attend the annual meeting of the association with full membership rights should it fall during the period of their appointment.

## 11. **EXECUTIVE**

- 11.1 The administration of the affairs of the association shall be vested in an Executive consisting of the principal office holders. The Executive will have (six) members consisting of two representatives from North, Central, and South. To retain continuity, the immediate past president remains as one of their regions representatives.

- 11.2 The president is elected by the membership. The office bearers of, secretary and treasurer will be elected by the Executive. Representatives will be elected for a two-year term. All officers must be full members.

## 12. **EXECUTIVE MEETINGS**

- 12.1 The Executive shall meet at such times and places as it shall decide. The president shall take the chair at meetings of the Executive and general meetings and in the president's absence; the immediate past president will take the chair.
- 12.2 At Executive meetings of SEPAnz, voting shall be decided by a simple majority of eligible delegates. In the case of a deadlock, the chairperson (or substitute) shall have a casting vote. No proxy votes will be allowed.
- 12.3 On other occasions and according to needs, teleconferences may be arranged among members of Executive.
- 12.4 All meetings will be conducted under the auspices of the Standing Order Protocol.

## 13. **ORGANISATIONAL STRUCTURE**

- 13.1 The Executive shall comprise of six (6) members.
- 13.2 The Executive will generally meet formally at least once a term.
- 13.3 The Executive shall have the power to facilitate regional elections for any vacancy should this occur.
- 13.4 The Executive is empowered to establish sub-committees or task forces for any purpose pursuant to the aims and objectives of SEPAnz. The president and secretary shall be ex-officio members of all sub-committees.
- 13.5 The president shall be responsible for conducting and coordinating the activities of the association according to the constitution and the aims and objectives of the association.
- 13.6 The president will coordinate the affairs of the Executive.
- 13.7 No member shall have the authority to represent SEPAnz without the prior approval of the Executive.
- 13.8 If a member is authorised to represent SEPAnz outside of the Executive they are required to furnish a written report to the president.
- 13.9 The secretary shall liaise with the president re the ongoing operations of the association and support the president in the facilitation of communication among the membership.
- 13.10 The duties of the secretary shall be to keep a record of business conducted; keep a proper record of all inward and outward correspondence, issue meeting notices, conduct correspondence; keep files of records, minutes, reports, circulate quarterly newsletter and manage all documentation which would be passed to his/her successor.
- 13.11 The treasurer of SEPAnz shall assist the Executive with financial advice and guidance, be responsible for the receiving, receipting and record keeping of finances, the payment of accounts and keeping necessary records. (Refer to Section 19.)
- 13.12 The treasurer of SEPAnz shall present an audited financial statement to the AM conducted at

the national conference and at Executive meetings. The Executive shall appoint the auditor for the coming year. The auditor may not be a full member of SEPAnz.

- 13.13 For the purpose of these rules, a vacancy in the office of a member of the Executive occurs if the member: (a) dies; (b) ceases to be a member of the association; (c) resigns the office; (d) suffers from mental or physical incapacity which prevents them from fulfilling their role; (e) is disqualified from office under subsection 5.4; or (f) takes leave of absence (refer subsection 9.1 & 9.2)

14. **SPECIAL MEETINGS**

The president or secretary shall, at any time, or within 14 days of a written request for a Meeting signed by at least 10 full financial members with voting rights, call a Special General Meeting to be held within 30 days. The petition and notices of the meeting shall set out the business it desires to transact. The meeting will be held under the auspices of the Standing Order Protocol. The quorum shall be one-half of the full financial membership and a majority decision shall be binding on the association.

15. **CLOSED MEETINGS**

The president or chairperson may declare any meeting and/or session of a meeting as a "public excluded session."

16. **ANNUAL MEETING**

The Annual Meeting of the SEPAnz shall be held at a date determined by the Executive by December 15th of that year.

- 16.1 The treasurer of SEPAnz from the previous financial year will present the audited financial accounts and financial reporting to the Annual Meeting.

The business to be transacted at such meeting will be:

Apologies

New Members

Minutes of previous meeting

Correspondence

Business arising from the minutes

President's Report

Financial Report

Election of NZEI Rep (biennially)

Notice of Motion (remit)

General Business

Election of President (biennially)

17. **VOTING**

- 17.1 Only full financial members present have voting rights. Voting by proxy can occur in writing to a member of the Executive at least 5 days prior to the Annual Meeting.

- 17.2 Each full member of the association shall be entitled to one vote to be exercised by voice, a show of hands, ballot, and proxy, postal or electronic vote.

- 17.3 Scrutineers will be appointed by the full financial members present when required.

- 17.4 Executive regional representation (two from each region: North, Central & South) will be decided prior to the Annual Meeting by the members of each region holding full financial membership, notwithstanding that the immediate past president will remain as one of their regions representatives.

- 17.5 The highest polling candidates in any ballot shall be elected.

- 17.6 The election of the president shall be decided by vote at the Annual Meeting. Candidates for the position will come from the pool of regional representatives. Candidates for the position will provide a brief bio to the secretary, at least 21 days prior to the Annual Meeting. The secretary will disseminate the candidate information to the membership at least 14 days prior to the

Annual Meeting.

- 17.7 The appointments of the secretary and the treasurer will be decided by the Executive following the appointment of the president.
- 17.8 Any other appointments deemed necessary will be decided by the Executive.
- 17.9 The elected Executive shall hold office for a period of two years.
- 17.10 The election of the NZEI representative shall be decided by vote at the Annual Meeting. Candidates for the position will come from the wider membership. Candidates for the position will provide a brief bio to the secretary, at least 21 days prior to the Annual Meeting. The secretary will disseminate the candidate information to the membership at least 14 day prior to the Annual Meeting.

## 18. **QUORUM**

- 18.1 For any Annual Meeting at least half of full membership must be present and shall constitute a quorum.
- 18.2 For an Executive meeting the quorum shall consist of five (5) members.
- 18.3 If within 30 minutes after the time appointed for a meeting a quorum is not present, the meeting may proceed but no business may be transacted nor motions passed beyond the agenda of "apologies" Such meetings shall be deemed unofficial.

## 19. **FINANCE**

- 19.1 The financial year for auditing purposes of the association shall close on 30 June.
- 19.2 The subscription fee for the calendar year for each category of membership shall be determined at the Annual Meeting.
- 19.3 Subscriptions will be levied in the February / March of each year with a due date of the 31st May of that year.
- 19.4 The Executive has the power to authorise the treasurer to open and operate an account through a suitable national financial institution.
- 19.5 All financial transactions shall be the joint responsibility of the president and treasurer or delegated Executive members as authorised by the Executive.
- 19.6 The Executive has the authority to arrange the raising of funds.
- 19.7 The Executive will provide a seeding fund to the organisers of the SEPAnz Annual Conference. The use of this fund and any generation of profits are in accord with the approved financial guidelines written for conference.
- 19.8 Proceeds gifted to SEPAnz in 2016, by the Click Trust, will be invested and will be used for the benefit of all members, through having professional speakers at SEPAnz Conferences.

## 20. **BANKING**

An account shall be kept with ASB into which the funds of the association shall be paid and from which expenses shall be drawn on the delegated authority of the Executive. The account shall be named the Special Education Principals' Association of New Zealand Account.

## 21. **EXPENSES**

Reasonable expenses, supported by receipts shall be paid to office holders and members authorised by the Executive, when carrying out approved business on behalf of the SEPAnz.

## 22. **VISITORS**

Any member of the SEPAnz having previously obtained the permission of the president or his/her deputy may introduce visitors to meetings of the association and any visitor may take part in the proceedings by the invitation of the president but will not be allowed to vote.

## 23. **AUSTRALIAN SPECIAL EDUCATION CONFERENCES**

- 23.1 The president of SEPAnz or the president's nominee will be funded by the association to attend the annual Australian Special Education Principals' Association (ASEPA) conference.

23.2 The president of ASEPA will receive free registration to any SEPAnz annual conference on the understanding that this is a reciprocal arrangement.

#### **24. CONSTITUTION ALTERATIONS AND AMENDMENTS**

24.1 The rules may be amended, added to, or deleted at an annual meeting of the SEPAnz duly convened, provided that a notice of motion in writing for the proposed alteration, shall have been given to the SEPAnz secretary, and the members notified thereof, not less than twenty-eight (28) days before the meeting at which the notice of motion is to be considered.

24.2 The secretary shall notify all members affiliated of the proposed amendments at least twenty-one (21) days prior to the date of the meeting.

24.3 No part of this constitution and no rule of SEPAnz, which relate to charitable status, may be altered (whether by addition or deletion) without first obtaining the approval of the Inland Revenue Department.

#### **25. Charitable Status**

SEPAnz is intended to be a charitable organisation for the purposes of the Income Tax Act 1994. Accordingly, the objectives of SEPAnz as noted above are exclusively charitable, being the advancement of special education.

25.1 SEPAnz must use any and all income, benefits, or advantages received by it for charitable purposes within New Zealand.

25.2 No member of SEPAnz, or anyone associated with a member, is allowed to take part in, or influence any decision made by the organisation in respect of payments to, or on behalf of, the member or associated person of any income, benefit or advantage

25.3 Any payments made must be for goods or services that advance the charitable purposes of SEPAnz and must be reasonable and relative to payments that would be made between unrelated parties.

#### **26. DISSOLUTION OF SEPAnz**

26.1 The association may be dissolved by a resolution carried out by two-thirds of full financial members at a special meeting of SEPAnz provided thirty (30) days' notice has been given.

26.2 Upon winding up, the Associations property shall first be used for payment of the Associations debts and liabilities. After all debts and liabilities are paid, any surplus property shall not be paid or distributed among the members of the Association, but shall be given or transferred to some other charitable organisation or body having similar objective to the Association within New Zealand.

#### **26. COMMON SEAL**

26.1 The common seal of the association shall be kept in the custody of the secretary.

26.2 The common seal of the association shall not be affixed to any document except by the authority of the president to the secretary.