



Constitution of the University of Auckland Education and Social Work Student Association Inc

Ratified: 13 October 2016

Part One – Name, Interpretation and Objectives

1. Name

1.1 The name of the Association shall be the University of Auckland Education and Social Work Student Association Incorporated.

2. Interpretation:

2.1 In these Rules unless inconsistent with the context:

- i) “Association” means the University of Auckland Education and Social Work Student Association Incorporated.
- ii) “ESSA” means the University of Auckland Education and Social Work Student Association Incorporated.
- iii) “Member of the Executive” means a member of the Executive Committee of the University of Auckland Education and Social Work Student Association Incorporated stated in (Part Three).
- iv) “Executive” means the Executive Committee of the University of Auckland Education and Social Work Student Association Incorporated stated in (Part Three)
- v) “Member” means a registered Member of the University of Auckland Education and Social Work Student Association Incorporated.
- vi) “Students” includes any undergraduate, postgraduate and international students at the University of Auckland who are currently enrolled in a course with the University of Auckland Faculty of Education and Social Work.
- vii) “AGM” means Annual General Meeting.
- viii) “SGM” means Special General Meeting.
- ix) “Faculty” means the University of Auckland Faculty of Education and Social Work.

3. Objectives:

- 3.1 There shall be an Association known as the Education and Social Work Student Association.
- 3.2 The objectives of the Association are:
- i) To promote the development of a culture and community for students.
 - ii) To promote and represent the interests and well-being of students, including organisation of social events for students.
 - iii) To represent students, collectively and individually in matters pertinent to the University experience.
- 3.3 The ESSA may not operate to make a profit for distribution to its Members or Executive.

Part Two – Membership

4. Membership:

- 4.1 The following people are eligible for membership of the Association:
- i) Any student of the University of Auckland currently enrolled in a programme taught by the Faculty of Education and Social Work.
 - ii) Any other person who has an interest in being a member of the Association if the Executive, in its absolute discretion, believes the person will promote the interests of the Association.
- 4.2 All applications for membership must be made to the Executive and applicants for membership shall complete any application form provided (and supply such information as may be required) by the Executive.
- 4.3 The Executive shall have complete discretion whether or not to admit an applicant for membership and shall advise the applicant of its decision. This decision shall be final.
- 4.4 The Executive has a right to create different levels of membership within the association.

5. Membership subscription:

- 5.1 The Executive shall decide, annually, if there is to be a membership fee, and if so, the amount payable to become or remain a member of the Association.

6. Members not to bring the Association into disrepute

- 6.1 All members shall promote the interest and the objectives of the Association and shall do nothing to bring the ESSA into disrepute.

7. Termination of Membership:

- 7.1 Membership of Association terminates:
- i) On the death of a member;
 - ii) If any membership fee payable by the member is not paid within six months of it being due;
 - iii) On graduation;
 - iv) On termination of enrolment;

- v) At the conclusion of the calendar year they became a member;
- vi) Members who wish to terminate their membership of Association may do so by notifying the Secretary in writing, whereupon termination takes effect on receipt of notice.

7.2 A Member who has acted in a way that is not in the best interests of Association may be expelled by a two-thirds majority of Executive Members present and voting at a general meeting. The Member whose expulsion is proposed must be given:

- i) Written notice of the proposed expulsion and the reasons for it at least twenty-eight days before the date set for the meeting to consider expulsion;
- ii) An opportunity to be heard at that meeting.

8. Register of Members and Privacy

8.1 The register of current members may include at least the following details of each Member: name, programme, University of Auckland student username, University of Auckland student ID number, e-mail address and date of joining.

8.2 The register will be kept for purposes of the Association and for other purposes as required by law.

9. Common Seal:

9.1 The Executive shall provide a common seal for the Association and may replace it with a new one.

9.2 The Secretary shall have custody of the common seal, which shall only be used by the authority of the Executive. Every document to which the common seal is affixed shall be signed by the President and countersigned by the Secretary. Should one of these individuals be unavailable, the seal may be signed by a Member of the Executive. There must be a total of two signatures from the Executive Committee on the seal.

9.3 Should the Association have a change of name, the common seal must be replaced.

Part Three – The Executive

10. The Executive:

10.1 The Executive shall consist of:

- i) The President;
- ii) The Vice President;
- iii) The Secretary;
- iv) The Treasurer;
- v) Such other Members, not exceeding 15, deemed by the Executive as necessary.

Any other role added to the Executive must:

- a) Be decided at least eight (8) days prior to an AGM or SGM.
- b) Notice must be given to all Members of the position at least seven (7) days prior to the AGM or SGM.

- c) A member obtains the role during voting for positions at an AGM or SGM.
- 10.2 The Executive shall be elected at the Annual General Meeting.
- i) Each Executive role shall be elected individually at the Annual General Meeting
 - ii) Voting may be done by secret ballot, show of hands or voice.

11. Executive meeting and Voting.

- 11.1 The Executive is responsible for conducting the day-to-day business of the Association in accordance with its purpose.
- 11.2 The President or Secretary may convene a meeting of the Executive by not less than 24 (twenty-four) hours prior written notice. The Secretary shall convene meeting of the Executive if requested to do so by no less than 3 members of the Executive.
- 11.3 During the University first and second semesters, the Executive will meet at least once a month to conduct the business of the Association.
- 11.4 The Quorum for a meeting of the Executive shall be not less than 3 members of the Executive.
- 11.5 Resolution of the Executive shall be passed by a majority vote of the Executive members or majority of Executive members present at a monthly meeting. If there is an equality of votes, the President shall have a casting vote.

12. Expected behaviour of Executive Members:

- 12.1 The Executives, as representatives of the Association, aim to build and maintain relationships with people and organisations that associate with Association.
- 12.2 All Members of the Executive are expected to respect one another and be committed to their roles.
- 12.3 All Members of the Executive are to assist in the planning and preparation of events and activities organised by Association where appropriate.
- 12.4 All Members of the Executive are to assist in communicating the knowledge they have gained in their position to the succeeding Executive by way of a written report and other means deemed necessary.
- 12.5 Members of the Executive may seek assistance in the performance of their duties from Members through the establishment of a sub-committee for reasons of efficiency, provided prior approval is granted by a majority vote of the Executive and suitable candidates can be found.
- 12.6 In the event that a sub-committee is established, the Member of the Executive will chair and be responsible for that sub-committee, whose primary agenda will be to assist in the performance of the duties of that Executive Member.
- 12.7 During the recruitment of the sub-committee the Executive may hold interviews for all candidates, when they deem appropriate and necessary.
- 12.8 The Executive is responsible for managing the finance of the Association.

- 12.9 The Executive has the ability to spend money as appropriate to carry out its activities.
- 12.10 The individual roles of the Executive within this Constitution shall in no way limit the duties and responsibilities of each Executive Member.

13. Role of all Executive Members

- 13.1 In addition to each job description below all members of the Executive team shall:
- i. Attend monthly executive meetings.
 - ii. In the circumstance that an Executive member is unable to attend a monthly executive meeting then they must send their apologies to the Secretary and read the minutes.
 - iii. Provide a record of their availability to perform ESSA office duties to the secretary, if deemed necessary by the Secretary. Each Executive Member shall fulfil their rostered office hours, or find a suitable replacement. During this time, they will carry out ESSA business for students who come into the office.
 - iv. Be flexible in their position within the Executive and assist with other Executive Roles in particular when an Executive member in said role is on practicum.

14. Role of the President:

- 14.1 The President shall:
- i. Represent the Association in their official capacity at all functions and meetings or find a suitable replacement from the Executive;
 - ii. Chair the meetings of the Executive;
 - iii. Be responsible for overseeing the Executive as a whole and the activities of ESSA;
 - iv. Organise, preside over, and chair meetings and elections of the Association;
 - v. Assist the Treasurer in the creation of budgets and other financial matters relating to the Association;
 - vi. Be responsible, in conjunction with the Secretary, for determining and distributing the agenda for all Executive meetings, AGM and SGM. This duty may be assigned to other Members of the Executive;
 - vii. Have served a year in the Executive prior to their election unless there is no one running for this position that meets this requirement.

15. Role of the Vice President:

- 15.1 The Vice President shall:
- i. Assist the President in the performance of their role;
 - ii. Perform the role of the President when the President is unable to do so;
 - iii. In conjunction with the President, be responsible for overseeing the Executive as a whole and the activities of ESSA;

- iv. In the case where the Executive deem two Vice Presidents appropriate, one of these Vice Presidents must not be in their final year of their programme.

16. Role of the Secretary:

- 16.1 The Secretary shall:
- i. Facilitate communication between the Executive and Association Members and other parties where appropriate;
 - ii. Keep an up to date record of all Association Members' details;
 - iii. Convene meetings of the Executive and the Members of the Association in accordance with this Constitution;
 - iv. Maintain the minutes of all meetings of the Executive and of the Association and record attendances;
 - v. Make the minutes available to all the Executive at the earliest convenient time and;
 - vi. Make sure that an electronic copy of the Association Constitution is easily accessible at all Executive meetings, AGMs and SGMs;
 - vii. Be responsible, in conjunction with the President, for distributing the agenda for all Executive meetings, AGM and SGM.

17. Role of the Treasurer:

- 17.1 The Treasurer shall:
- i. Undertake training for the role which may be, but is not limited to, the classes offered by Campus Life;
 - ii. Keep the books of account and other such records necessary for the accurate preparation of financial statements;
 - iii. Responsibly manage and account for the funds of the Association;
 - iv. Ensure that all money and monies received by or on behalf of the Association are promptly banked in any account authorised by the Executive;
 - v. At each monthly Executive meeting report to the Executive on the Association's financial position;
 - vi. At the AGM or SGM the Treasurer shall present, for acceptance, the financial accounts of the Association as stipulated in Section 5 of this Constitution;
 - vii. Prepare an annual budget of expected revenues and cost for the Association and to seek approval of the budget by the Executive prior to the commencement of the financial year;
 - viii. Apply for sponsorship and donations on behalf of the Association.

18. Role of the Sports Officer:

- 18.1 The Sports Officer shall:
- i. Form a close relationship with the sports leader in charge of inter-faculty sports;

- ii. Support the inter-faculty sports leader, communicate with them and help promote inter-faculty sports across the Faculty of Education and Social Work cohorts;
- iii. Organise, publicise and run the sporting events of the Association as determined by the Executive;
- iv. Initiate sporting events with the primary purpose of fulfilling the social needs of ESSA members;
- v. Responsibly manage and maintain ESSA's sports equipment.

19. Role of the Social Officer:

19.1 The Social Officer shall:

- i. Organise, publicise and run the social events of the Association in collaboration with the Executive;
- ii. Actively seek feedback regarding the social needs and interests of members of the Association;
- iii. When running events, act with the primary purpose of fulfilling the social needs of ESSA members.

20. Role of the Communications Officer:

20.1 The Communications Officer shall:

- i. Be responsible for ESSA's internal communication;
- ii. Maintain and update the Association's social media accounts and pages;
- iii. Be responsible for promoting ESSA events through avenues which could include but are not limited to, email, text, social media, and posters;
- iv. Form a close relationship with the faculty sport leader(s) to assist them with promotion of the Inter Faculty Tournament;
- v. Assist the President in marketing ESSA, continually improving its branding and public relations where required.

21. Role of the Welfare Officer:

21.1 The Welfare Officer shall:

- i. Provide welfare support for Students in the Faculty through various practical ways;
- ii. Assist application of Student emergency fund (SEF);
- iii. Organise, publicise and run AUSA's food bank parcels on satellite campuses within the Faculty;
- iv. Assist with student advocacy and AUSA advocacy appointments;
- v. Manage and publicise ESSA's clothes bank;
- vi. Support and develop new welfare initiatives.

22. Role of the Equity Officer A:

22.1 The Equity Officer shall:

- i. Assist the development and maintenance of a diverse and inclusive culture in the Faculty;
- ii. Promote and represent the interest and well-being of the Faculty's identified equity groups with a particular emphasis on Pacifika and Māori Students;

- iii. Ensure that ESSA's events and functions promote the inclusion of all groups of Students;
- iv. Develop and maintain good communication and relationships with the Faculty's equity advocates;
- v. Attend equity meetings run by the Faculty;
- vi. Promote inclusion within the Faculty.

23. Role of the Equity Officer B:

- 23.1 The Equity Officer shall:
- i. Assist the development and maintenance of a diverse and inclusive culture in the Faculty;
 - ii. Promote and represent the interest and well-being of the Faculty's identified equity groups with a particular emphasis on Pacifika and Māori Students;
 - iii. Ensure that ESSA's events and functions promote the inclusion of all groups of Students;
 - iv. Develop and maintain good communication and relationships with the Faculty's equity advocates;
 - v. Attend equity meetings run by the Faculty;
 - vi. Promote inclusion within the Faculty;
 - vii. Have an in depth comprehension of mātauranga Māori, tikanga and manaakitanga. An understanding of te reo Māori would be appreciated but is not essential.

Part Four – Elections

24. Elections

- 24.1 The President, or in their absence the Vice President shall chair the AGM or any SGM of the Association.
- 24.2 It is the responsibility of the Secretary to advertise election as widely and reasonably as appropriate.
- 24.3 In the event that the President is running for election, the Vice President or another appropriate Member of the Executive assume the chair of the meeting to conduct the election for President.
- 24.4 Prior to the commencement of elections, the Members of the Association shall appoint two Returning Officers who have responsibility for counting votes and reporting the results to the President.
- 24.5 The incumbent President shall announce the results of the election of the Executive of the Association at the AGM.

25. Nominations for Executive Positions:

- 25.1 Only Members may make nominations for Executive positions.
- 25.2 Only Members may be nominated.

- 25.3 If a nominee is absent at the elections, for valid reasons deemed by the Executive such as Practicum, the nominee may send a representative to stand for them on their behalf. However, this representative must have the written approval from the nominee with the nominee's signature.
- 25.4 Nominees may accept nominations for more than one office.
- 25.5 Nominations may be refused by the returning officers for reasons of eligibility.
- 25.6 Nominees must:
 - i) Accept or decline before voting takes place;
 - ii) Be available to attend the Association's Executive meetings on a regular basis;
 - iii) Be able to serve a minimum of six (6) months;
- 25.7 If a vacancy in the Executive arises then the executive members can appoint another Executive member to fill that vacancy until the next AGM or SGM.

26. Election Procedure:

- 26.1 Only Members shall be eligible to vote.
- 26.2 Voting may be by a show of hands, secret ballot, voice or electronically.
- 26.3 If voting is done by a secret ballot, a ballot paper shall be provided to each Member and the following shall be provided in an appropriate manner:
 - i) A list of all valid nominations in alphabetical order;
 - ii) A category of "no confidence";
 - iii) A category of "no vote".
- 26.4 Every Member shall be entitled to exercise one vote for each position by indicating their vote on the ballot paper provided or by raising their hand.
- 26.5 A Member who is unable to attend the SGM or AGM, for valid reasons deemed by the Executive such as Practicum, may send a representative to vote in the Elections on their behalf. This representative must have a written statement by the Member that is signed by the Member. The written statement must indicate whom the Member is voting for or if the representative has the right to make voting judgements on behalf of the Member.
- 26.6 Should the "no confidence" category receive the greatest amount of votes for a position, no one shall be elected to that position.
- 26.7 Voting for roles shall be done individually, one at a time, in the order they are listed in part 3 of the Constitution.
- 26.8 If a candidate is unsuccessful after the vote but has accepted their nomination for another role as well, they will remain in the running for that other role. Conversely, if a candidate is successful after the vote, they will be given that role and removed from the list of candidates for any other roles they are in the running for.
- 26.9 The results shall be included in the minutes of the AGM and publicised by the incumbent Secretary through email and on the Association's social media pages and groups.

Part Five – AGM and SGM

27. Requirements for AGM and SGMs

- 27.1 The Secretary shall give no less than seven (7) days public notice of the AGM or SGM starting date, time, venue and the agenda for the meeting. The notice of the meeting shall call for nominations for roles on the Executive, to be sent to the Secretary, for anyone who wishes to be appointed to the Executive of the Association. Prior to the election taking place, the Chairman will advise the meeting of the nominees received and will give members an opportunity to nominate candidates from the floor.
- 27.2 All Members present shall be entitled to one vote for each role on the Executive.
- 27.3 All motions from Members to be presented at the AGM or SGM must be received by Secretary of the Executive not less than four (4) days before the AGM or SGM takes place.
- 27.4 The final agenda for the AGM or an SGM must be drawn up by the President, or by those to whom the President has delegated this task.
- 27.5 The Quorum for an AGM or an SGM of the Association shall be the lesser of:
 - i) Ten percent (10%) of the Members of the Association;
 - ii) Or twenty (20) Members.
- 27.6 The minutes of any meeting shall be made available for individual inspection by any Member within fourteen (14) days of a request being received by the Secretary.
- 27.7 Minutes of all AGMs and SGMs shall be taken by the Secretary or by those to whom the President has delegated this task.
- 27.8 Minutes of all AGMs and SGMs shall be held by the Secretary.
- 27.9 The minutes of AGMs shall be approved and authorised at the next AGM and signed by the President. The minutes of SGMs shall be approved or authorised at the next SGM or AGM that is held and is to be signed by the President.

28. AGM

- 28.1 An AGM shall be held once in a calendar year. The AGM must be held no more than fifteen (15) months after the preceding AGM. Meetings shall be held at a time and place fixed by Members of the Executive.
- 28.2 At the AGM the President shall;
 - i. Propose a motion that the minutes of the last AGM be adopted; and
 - ii. Present a report of the operations of the Association during the current Term.
- 28.3 At the AGM the Treasurer shall present for acceptance, the financial accounts of the Association.
- 28.4 Voting in the election for the Association's Executive must take place at the AGM, in the fashion laid out in section 4 of this Constitution.

- 28.5 If quorum is not met, the Chairperson of the Meeting must reconvene the Meeting at another time.
- 28.6 If the reconvened Meeting again falls short of quorum than, notwithstanding any other provision of this constitution, those present at the meet may proceed to elect the Executive and to receive the Chairman and Treasurers reports but cannot conduct any other business.

29. SGM:

- 29.1 A SGM may be called by the Executive of the Association, and the Executive must call an SGM on the written requisition of not less than a 25 (twenty-five) % of the Association's Members.
- 29.2 The agenda for the SGM must specify all motions to be proposed at the SGM and Members must be given not less than seven (7) days' notice of the SGM.
- 29.3 At the SGM an opportunity must be given to the member who has proposed a motion to speak in favour of that motion and members must have an opportunity to debate the motion prior to the vote.
- 29.4 The President shall chair any SGM and the Secretary shall take minutes unless the roles have been delegated to other Members of the Executive.

30. Voting at AGM's or SGM's.

- 30.1 Resolutions of non-election of the Executive motions are to be passed by majority vote of all members present and entitled to vote at an AGM or SGM of the Association.

Part Six – Finances

31. Control of Funds:

- 31.1 The Executive has the power to invest, save, spend or lend funds and to purchase, rent or lend assets on behalf of the Association.
- 31.2 If the Executive, or Members at an AGM of the Association decide that an external audit of the financial statements is desirable, the Association must may appoint an external auditor.
- 31.3 The Association's bank account must be overseen and by the Treasurer and President. The bank account must be set up so that cheque, cash and online can be made.
- 31.4 Executive members and Members of the Association may be reimbursed for all prior approved cost, charges, losses, damages and expenses reasonably sustained or occurred by them in carrying out their role if they have proof of the cost, charge, loss, damage and or expense.
- 31.5 No spending will be authorised without the approval of a majority of the Executive committee.

32. Pecuniary gain:

- 32.1 Members and the Executive may not make a pecuniary gain from the Association.
- 32.2 Pecuniary gain does not include reimbursement for expenses incurred personally or reasonable payment for goods or services rendered.
- 32.3 For the avoidance of doubt, pecuniary gain does not include receiving free or discounted admission to events organised by the Association.

Part Seven – Constitution and Other Provisions

33. Rules of Constitution

- 33.1 The whole or any part of this Constitution may be altered, added to, or rescinded by passing a motion to that effect by a two-thirds majority at a SGM called for that purpose, or at the AGM.
- 33.2 The proposed amendments to, or repeal of, this Constitution must be circulated to Members along with a notice convening the Meeting within the required timeframes. Amendment to, or repeal of, the Constitution may not be made by emergency motion.

34. Affiliated Student Organizations:

- 34.1 An organization may be affiliated with the Association if the Association is satisfied that the objectives of that Organization are in general agreement with those of Association.
- 34.2 Members of any affiliated organization are not automatically members of the Association.
- 34.3 A decision to grant affiliation status to any student organization shall be made at AGM or SGM on the recommendation of the Executive.

35. Dissolution

- 35.1 The Association may be dissolved, under the Incorporated Societies Act 1908, if:
 - i) A majority of the members present at a General Meeting pass a resolution to wind it up; and
 - ii) A Special General Meeting is held no earlier than twenty-eight (28) days after the first meeting to confirm or reject the resolution; and
 - iii) At the second meeting a two-thirds majority of all the members present at the meeting of the Association:
 - a) Confirm the resolution; and
 - b) If the resolution is confirmed, set a date for it to take effect, no more than six (6) months from the time of vote.
- 35.2 On the dissolution of the Association, any surplus assets including property shall be distributed to charitable organizations in New Zealand, previously selected by the Executive, whose objectives include the promotion of education, or given to the University of Auckland. No member shall personally benefit from any distribution.

36. Te Tiriti O Waitangi/ The Treaty of Waitangi

- 36.1 The Association acknowledges and supports the content and spirit of Te Tiriti O Waitangi.