



Australian Association for Research in Education

Incorporated in South Australia

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Constitution and By-Laws

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Preamble

The Australian Association for Research in Education (AARE) is the premier organisation of educational researchers in Australia. Established in 1970 the Association has provided support for successive generations of educational researchers from Australian universities, local, State and Federal governments, schools, colleges and training organisations as well as private research agencies. Its objectives centre on advancing scholarly inquiry in education, enhancing quality in educational research, and seeking to promote the effective and positive impact of educational research on policy and practice in education and associated areas of society.

Through its conferences, workshops, publications and committees, the Association provides forums for the discussion and dissemination of educational research and seeks to facilitate a research culture through communication among researchers. It further provides a forum for independent debate about the quality, purposes and methodologies of educational research and opportunities for communication and cooperation among researchers with shared interests. The Association's contacts with national educational research organisations in other countries and the participation of overseas researchers in the Association's Annual Conference make possible an extension of these opportunities internationally.

A major focus of the Association's activity centres on building the capacity of educational researchers by providing opportunities for them to enhance their research skills, and through fostering and supporting early-career researchers and postgraduate research students.

The Association provides submissions to national inquiries and takes a proactive role in generating and considering policies with respect to the recognition, funding and quality control of educational research. The Association also seeks to enhance public understanding of quality educational research, the benefits for the nation of having soundly-based educational research, and the need for its continued funding.

Constitution

1. NAME

The name of the Association is the Australian Association for Research in Education (AARE) Incorporated herein referred to as "the Association".

2. DEFINITIONS

"Executive Committee" means the committee of management of the Association.

"general meeting" means a general meeting of members of the Association convened in accordance with these rules.

"member" means a member of the Association.

"the Act" means the Associations Incorporation Act 1985 (South Australia).

"month" means a calendar month.

3. OBJECTS OR PURPOSES OF THE ASSOCIATION

The objects of the Association are to promote, support and improve research and scholarship in education and, through its dissemination and application, to enhance understanding of educational processes and the development of policy and practice at all levels.

4. MEMBERSHIP

Membership of the Association is open to all persons supporting the purposes of the Association as set out in Section 3.

4.1 Classes

There shall be four classes of member of the Association:

- a. Ordinary member
- b. Honorary member
- c. Concessional member

d. Overseas member

- a. Ordinary members have full rights and privileges of membership including the right to attend all meetings of the Association, to participate in its affairs, to vote, and to hold office.
- b. From time to time the Executive Committee may invite a member who has made an outstanding contribution to research in education to become an honorary member. Honorary members shall have full rights and privileges of membership.
- c. A member who is financially disadvantaged, is a full-time student, or is not in full-time employment may apply to become a concessional member. Concessional members have full rights and privileges of membership.
- d. A member mainly domiciled in a country other than Australia who qualifies for ordinary or concessional membership is an overseas member and has full rights and privileges of membership.

Note: By law, AARE is required to collect and pay GST on goods and services consumed in Australia. Members working or studying in Australia are subject to GST and do not qualify for overseas membership.

4.2 Membership Fees

- a. Annual membership fees for all classes of membership shall be set by the Association's Annual General Meeting in accordance with the Association's financial needs and in accordance with principles set out in a By-Law.
- b. Membership fees shall cover membership for a fixed period of twelve months from 1 July to 30 June. The Executive Committee may from time to time establish a schedule of pro rata fees for members joining part-way through the period. Membership will terminate automatically if annual

subscriptions lapse beyond the time fixed by the Executive Committee.

- c. Members who provide evidence that they are financially disadvantaged, are full-time students, or are not in full-time employment shall receive a concessional rate of membership as determined by the Executive Committee.

4.3 Resignations

A member may resign from membership of the Association by giving written notice to the Secretary of the Association. Any member so resigning shall be liable for any outstanding fees or other payments which may be recovered as a debt due to the Association.

4.4 Termination of membership

If a full investigation by a special committee of the Association determines that continued membership of any person is contrary to the interests, purposes, or ethical standards of the Association, membership may be terminated by a two-thirds vote of the Executive Committee, provided that before final action is taken to terminate membership, a member shall be given reasonable opportunity to present a defence.

4.5 Register of Members

- a. A register of members must be kept and will generally include:
 - (i) the name, address, telephone number(s) and electronic contact information (if available) for each member;
 - (ii) the class of membership and the date on which the person became a member of the Association.
- b. The register of members will be used only for the purposes of the Association.

5. THE GENERAL MEETING: POWERS AND DUTIES

- a. The General Meeting shall consist of the members in attendance at the Annual or Special General Meetings. The General Meeting shall be the legislative and policy-making body for the Association.

- b. The General Meeting shall have power:
 - (i) to approve and alter the Constitution;
 - (ii) to make and amend by-laws;
 - (iii) to approve appointment of the Executive Committee after balloting by the Association's members and to appoint such other committees that the General Meeting may deem desirable;
 - (iv) to direct and review the general affairs of the Association;
 - (v) to endorse legislative actions taken by the Executive Committee between General Meetings.
- c. Twenty-five members of the Association shall constitute a quorum for General Meetings.
- d. Unless otherwise specified in the Constitution or By-laws, decisions of a General Meeting shall be by a majority of those members present and voting.

6. THE EXECUTIVE COMMITTEE

6.1 Powers and Duties

The Executive Committee, subject to the Act, these rules and to any resolution passed by the Association in General Meeting:

- a. controls and manages the affairs of the Association;
- b. may exercise all functions that may be exercised by the Association other than those functions that are required by these rules to be exercised by the Association in General Meeting;
- c. has the power to perform all acts and do all things that appear to the Executive to be necessary or desirable for the proper management of the affairs of the Association;
- d. may, by resolution, authorize a subcommittee to make business decisions necessary for the day-to-day administration of the Association between meetings of the Executive;
 - (i) the subcommittee, to be known as the Executive Management Team, shall consist of the President, the Secretary, the Treasurer, either the Immediate Past President or the

President Elect, and the Office and Events Manager;

(ii) the Executive Management Team shall have authority to authorise financial transactions and sign documents and contracts on behalf of the Association;

- e. may establish Standing Committees as required from time to time to facilitate the conduct of its work;
- f. shall assist the President in carrying on the affairs of the Association;
- g. has the management and control of the funds and other property of the Association;
- h. shall ensure that the policies and decisions made at the Association's General Meeting are put into effect;
- i. shall have authority to interpret the meaning of these rules and any other matter relating to the affairs of the Association on which these rules are silent;
- j. may appoint such committees as it deems desirable to carry out particular tasks designed to make a substantive contribution to educational research;
- k. shall appoint a public officer as required by the Act.

6.2 Composition of the Executive Committee

- a. The Executive Committee shall consist of the elected office-bearers of the Association namely the President, President Elect or the Immediate Past President, the Secretary, the Treasurer, the Editor of the Australian Educational Researcher, the Communications Co-ordinator, the Research Development Coordinator and the Special Interest Groups Co-ordinator; additionally there shall be four elected ordinary members of the Executive Committee of whom one is a postgraduate research student and one is an early career researcher.
- b. To be eligible for election to the Executive Committee, a person must be a member of the Association.
- c. To be eligible for election as a postgraduate student member, a person must be enrolled as a

postgraduate research student or final-year honours student at an Australian university and not in fulltime employment.

- d. To be eligible for election as an early career researcher member, a person must have been awarded a doctoral degree within the past 5 years and have an appointment at no higher than Level B (or equivalent) if employed by a university or research agency.

6.3 Term of Office

- a. The term of office of the President shall be two years. At the end of this term of office, the President becomes Immediate Past President and continues as a member of the Executive for the subsequent year.
- b. The President Elect serves a term of one year before assuming the office of President. A ballot for the office of President Elect shall be conducted towards the end of the first year of the President's term.
- c. The term of office for the Secretary, Treasurer, Editor of the Australian Educational Researcher, Communications Co-ordinator, Research Development Co-ordinator and Special Interest Groups Co-ordinator shall be three years. On completion of a three-year term, the office-bearer shall be eligible for re-election to that position, normally for no more than one further three-year term.
- d. Ordinary members of the Executive committee shall be elected for a term of two years, with three of the six members completing their term in each year. On completion of a two-year term, the ordinary member shall be eligible for re-election to that position, normally for no more than one further two-year term.
- e. A person is not eligible to hold simultaneously more than one office-bearer position on the Executive Committee, except in an acting capacity.
- f. The term of office shall begin at the close of the Annual General Meeting and shall continue until a successor takes office. If an elected officer is not available to take office within one month of the time the term is supposed to begin, the Executive

Committee may declare the office vacant or appoint a temporary substitute.

- g. Members of the Executive Committee must maintain their membership of the Association during their term of office.

6.4 Nominations and Elections

- a. The office-bearers of the Association and the other members of the Executive Committee shall be chosen by a ballot of all members of the Association.
- b. The ballot for the election of office-bearers and other members of the Executive Committee shall be conducted prior to the Annual General Meeting by electronic means and/or postal distribution, with the result determined by a simple majority of votes.
- c. Nominations of candidates for election as office-bearers of the Association or as ordinary Executive members must be made in writing and be signed by two members of the Association and accompanied by the written consent of the nominee. Nominations must be received by the Secretary by a specified date at least 30 days before the Annual General Meeting.
- d. If there is only one nomination for a particular office, or if (in the case of ordinary members) the number of nominations received is equal to the number of positions to be filled, the persons nominated are taken to be elected.
- e. If insufficient nominations are received to fill any of the vacancies on the Executive Committee, any candidates nominated for a particular position are taken to be elected and the Executive Committee may appoint or co-opt appropriate persons if required to fill vacant positions.

6.5 Vacancies

- a. If a vacancy occurs in the office of the President during the first year of the President's two-year term, the Immediate Past President shall assume the office of President for the remainder of the year. If the vacancy occurs in the second year of the President's term, the President Elect shall succeed. The incoming President Elect will serve out the

remainder of the vacated term as well as the subsequent term.

- b. If a vacancy occurs in the office of Secretary, Treasurer; Editor of the Australian Educational Researcher; Communications Co-ordinator; Research Development Co-ordinator or Special Interest Groups Co-ordinator; the Executive Committee may appoint a temporary officer to act until the position is filled by the usual ballot procedure.
- c. If an office-bearer or ordinary member is unable or fails to perform assigned duties over a period of time, the Executive Committee is authorised to declare the position vacant. The Executive Committee also has the authority to take other reasonable steps to maintain the continuity of the Association's operations.

6.6 Proceedings of Executive Committee

- a. The Executive Committee shall hold a regular meeting each year at the time of the Annual General Meeting and Conference of the Association. The Executive Committee shall determine the date, venue and format of further meetings during the year. These meetings may be conducted by telecommunication.
- b. The President shall act as Chairperson of the Executive Committee. In the absence of the President, the President Elect or the Immediate Past President shall preside.
- c. Seven members of the Executive shall constitute a quorum and unless otherwise specified in the By-laws, decisions shall be by a majority of those participating and voting.
- d. A member of the Executive Committee having a direct or indirect pecuniary interest in a contract or proposed contract with the Association, or other potential conflict of interest, must disclose the nature and extent of that interest to the Committee as required by the Act and shall not vote with respect to that matter.
- e. Questions arising at any meeting shall be decided by a majority of votes, and in the event of equality of votes for and against a motion, the Chairperson may exercise a casting vote.

- f. The Executive Committee may co-opt the chairpersons of any standing committees for a defined period. The Executive Committee may also co-opt up to two other members with expertise in relation to particular issues or activities for a defined period.
- g. The Executive Committee may appoint from among its ordinary members persons to undertake the role of Co-ordinator of Awards and such other ongoing roles as may be required.
- h. The Executive Committee may appoint an ordinary member to act as assistant to an officer for a defined period.
- i. The President shall make a report to the Annual General Meeting concerning the issues considered and the decisions and activities of the Executive Committee during the preceding year. This report shall be made available to all members of the Association within a reasonable period of time.

7. GENERAL MEETINGS

7.1 Calling of Meetings

- a. The Executive Committee shall have authority to set the time and place of general meetings of the Association.
- b. The Executive Committee shall call an Annual General Meeting during the Association's Annual Conference in accordance with the Act and these rules.

7.2 Notice of General Meetings

- a. Announcement of the time and place of any General Meeting of the Association shall be made as far ahead as is reasonably possible. In any case notice shall be sent at least 21 days in advance.
- b. The notice shall set out where and when the meeting will be held and particulars of the nature and order of business to be transacted at the meeting including motions proposed by the Executive Committee or motions proposed by individual members.
- c. A notice shall be given by the Association to any member by serving the member with the notice personally or by sending it by post to the address

appearing in the register of members or by electronic mail to the member's electronic address.

7.3 Proceedings/Order of Business at the Annual General Meeting

The order of business at a General Meeting shall normally be:

- (i) confirmation of the minutes of the previous Annual General Meeting and of any Special General meeting held since that meeting;
- (ii) consideration of the accounts and report of the Treasurer and the auditor's report;
- (iii) consideration of reports of the President and other office-bearers;
- (iv) the appointment of an auditor;
- (v) the election of office-bearers and committee members;
- (vi) any other business requiring consideration by the Association in general meeting.

7.4 Special General Meetings

- a. The Executive Committee may call a special general meeting of the Association at any time.
- b. Upon receiving a petition in writing of 20 members or five per cent of the membership, whichever is the greater, the Executive Committee shall convene a special general meeting to be held within three months of the date of receipt of the petition for the purpose specified in the petition.

8. MINUTES

- a. Proper minutes of all proceedings of general meetings of the Association and of meetings of the Executive Committee shall be entered after the relevant meeting in minute records and documentation kept for the purpose.
- b. The minutes pursuant to this rule must be confirmed by the members of the Association or the members of the Executive Committee (as relevant) at a subsequent meeting.
- c. The minutes kept pursuant to this rule shall be signed by the chairperson of the next succeeding meeting at which the minutes are confirmed.

- d. Where minutes are entered and signed they shall, until the contrary is proved, be evidence that the meeting was convened and duly held, that all proceedings held at the meeting shall be deemed to have been duly held, and that all appointments made at a meeting shall be deemed to be valid.

9. FINANCIAL REPORTING

9.1 Financial Year

The financial year of the Association is from 1 July to 30 June.

9.2 Accounts to be Kept

The Association shall keep and retain such accounting records as are necessary to correctly record and explain the financial transactions and financial position of the Association in accordance with the Act.

9.3 Accounts and Reports to be laid before Members

- a. The accounts together with the auditor's report on the accounts shall be laid before members at the Annual General Meeting.
- b. A budget approved by the Executive Committee stating anticipated receipts and expenditure for the ensuing financial year shall be presented by the Treasurer to the Annual General Meeting.

9.4 Appointment of Auditor

- a. At each Annual General Meeting, the members shall appoint an appropriately qualified person who is not a member of the Association to be auditor of the Association's accounts.
- b. The auditor shall hold office until the next Annual General Meeting and is eligible for re-appointment.
- c. If an appointment is not made at an Annual General Meeting, the Executive shall appoint an auditor for the current financial year.

9.5 Disposition of Funds

- a. All Association funds which are received shall be paid into the Association's general bank account unless received with a contrary stipulation.
- b. The income and capital of the Association shall be paid or distributed to the promotion of its

objectives and no portion shall be paid or distributed directly or indirectly to members or their associates except as bona fide remuneration of a member for services rendered or expenses incurred on behalf of the Association.

- c. In keeping with its objectives, the Association may receive grants for special purposes and may deposit and expend these funds according to terms laid down by the grantor and accepted by the Executive Committee.

10. WEBSITE

- a. The Association shall maintain a website which shall include matters indicated in a by-law.
- b. The website shall be maintained by a suitably qualified person under supervision of (a member of) the Executive Committee.

11. AMENDMENTS AND REVISIONS TO CONSTITUTION

11.1 Amendments to the Constitution

Amendments to the Constitution may be initiated in any of the following three ways:

- a. The Executive Committee may formulate proposals for amendment of the Constitution and submit them, in writing, with any arguments it chooses to the ordinary membership.
- b. The President may appoint a committee to consider revising the Constitution in general, or amending some particular point or points. The President must then submit the written report of the committee to the membership of the Association together with recommendations of the Executive Committee for or against any proposals arising from the report.
- c. Any 10 members of the Association may submit to the Executive Committee a proposed amendment or amendments to the Constitution in writing and signed by the sponsors. The Executive Committee shall then submit, in writing, the proposed amendment(s) with any arguments advanced by its sponsors, and with the Executive Committee recommendation for or against the proposed changes, to the members of the Association for action. A proposed amendment to the

Constitution formulated in this manner must be submitted to the Executive Committee at least two months preceding the date of the Annual General Meeting.

11.2 Amendments to By-Laws

- a. Amendments to the By-laws pursuant to the Constitution may be initiated similarly to amendments to the Constitution (Section 11.1 a, b, c) or
- b. Amendments to the By-laws may be proposed by a notice of motion by an ordinary member with a seconder for consideration at a general meeting.

11.3 Adoption of Amendments to Constitution and By-Laws

Amendments or revisions to the Constitution and By-laws shall be acted on by the members of the Association as follows:

- a. The Secretary shall forward the proposed changes to the Constitution or changes to the By-laws to be determined by the general meeting, with explanations and arguments, to the members at least 30 days before the Annual General Meeting or any special general meeting called for the purpose of amendment to the Constitution. The proposed amendments shall be submitted in the form distributed for acceptance or rejection.
- b. Members unable to attend the general meeting may record postal or electronic votes for or against the proposed amendments.
- c. A proposed amendment to a motion to amend the Constitution may be accepted at the discretion of the Annual General Meeting only if the Chairperson rules it to be a clarification of the original motion (i.e. containing no new substantive issues) and if the proposer accepts the proposed amendment. Where a postal or electronic vote has been exercised, such a vote shall remain valid if the original motion is amended by this procedure.
- d. An affirmative vote of at least two thirds of the combined total of those present and entitled to vote and those who submit postal or electronic votes shall be required for acceptance of

amendments to the Constitution and a simple majority for changes to the By-laws.

- e. The results of the vote shall be reported at the Annual General Meeting and in writing to the Membership through the website and/or the AARE News.

11.4 Effective Date of Amendments

The effective date for each amendment should be specified. If no effective date is indicated, following approval by the ordinary members as described, an amendment becomes effective on the date selected by official action of the Executive Committee.

12. WINDING UP OF THE ASSOCIATION

12.1 Decision to Dissolve the Association

- a. A proposal to dissolve the Association may be initiated in any of the ways prescribed for amendments to the Constitution (Section 11.1).
- b. Such a proposal shall be submitted by mail and/or electronic ballot to all members of the Association. At least 30 days must elapse between the date on which the proposal is transmitted to the members and the date on which the ballot closes.

12.2 Dissolution of the Association

- a. Should a proposal to dissolve the Association be sustained, the Executive Committee shall prepare a written report giving:
 - (i) an audited financial statement;
 - (ii) proposals for meeting the commitments of the Association, and the disposal of any assets;
- b. This report shall be submitted to all members of the Association and a mail or electronic ballot conducted on the acceptability of the proposals. To become effective the proposals must be agreed to by a simple majority of those members whose ballots are returned within 30 days of mailing.
- c. The Executive Committee shall remain in existence until the affairs of the Association are terminated.

By-Laws

I. MEMBERSHIP FEES

- a. The membership of any member who has not paid to renew their membership by the due date for renewal shall terminate automatically.
- b. Honorary members are exempt from paying annual fees.
- c. The concessional rate for eligible members shall be as determined by the Executive Committee from time to time, but not less than 50 percent of the fee for ordinary members.
- d. Membership renewal and conference registration requires prior discharge of all outstanding debts to the Association.

2. NOTICE OF MOTION FOR ANNUAL MEETING

Pursuant to Section 7.2 b of the Constitution, notice of motions by members for consideration at a General Meeting other than those for amendment of the Constitution must be lodged at least 30 days before the date of the General Meeting.

3. FINANCIAL RESERVES

The Executive Committee shall normally maintain cash reserves equal to one year's trading.

4. STANDING COMMITTEES

4.1 Doctoral Research In Education Award Committee

The Doctoral Research in Education Award Committee established by the Association shall adjudicate the annual award for doctoral research theses nominated by institutions.

The Chairperson of the committee, appointed by the Executive Committee, shall form a committee representative in geographical location, gender, and

genre of research expertise, with such members serving for several years and new members invited by the Chairperson joining as former members withdraw. Members of the Committee must be members of the Association.

The Chairperson shall serve a term of three years. The retiring Chairperson shall provide a nomination to the Executive for an incoming Chairperson who has agreed to accept the office if confirmed by the Executive Committee. In the event of a delay in nominating an incoming chairperson, the retiring chairperson may serve an additional year.

The Chairperson shall report on the procedures and progress of the Committee during the year to the Executive Committee and to the membership at the Award presentation at the Annual Conference.

4.2 Conferences Standing Committee

The Conferences Standing Committee established by the Association shall oversee the organisation of annual conferences.

The composition of the Committee shall be as determined by the Executive from time to time. The Chairperson of the Committee shall be appointed by the Executive Committee and co-opted to the Executive. The Chairperson shall serve a term of three years. Members of the Committee must be members of the Association.

The Chairperson shall report on the procedures and progress of the Committee during the year to the Executive Committee and to the membership at the Annual General Meeting.

5. VOTING

Items of business requiring the vote of the members may be conducted by mail or electronic means when the Executive Committee or a General Meeting

deems such action desirable. Mail or electronic vote procedures shall safeguard as fully as possible the rights and interests of all members. It shall also be in order for any member to introduce these items for discussion and reconsideration at the next succeeding Annual General Meeting of the Association.

6. WEBSITE

The Association website shall include:

- (i) information about the Association and its services to members;
- (ii) details of the Association's publications including AARE NEWS, Code of Ethics, Australian Educational Researcher, and occasional publications (such as Review of Australian Research in Education, Conference Papers Collections) and other publications as determined from time to time by the Executive Committee;
- (iii) information about the Association's awards;
- (iv) notices and information about forthcoming conferences and other events;
- (v) the AARE Conference Papers Collection.