



KALAMUNDA COMMUNITY  
LEARNING CENTRE INC.

BY LAWS 2018

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## **1. The Philosophy of the Kalamunda Community Learning Centre Inc.**

*At the first public meeting held to form the Centre on October 12th 1977 priorities were established and remain central to the operation of the Centre today.*

The Philosophies are is shown in detail at the start of the Constitution

## **2. Babies & Children:**

Babies & children are not allowed in class rooms.

Children of 8 weeks to under 6 years of age must be immunized to attend the Crèche unless there is a medical reason detailed by a medical practitioner.

Children 6 years and over are not permitted to attend the Crèche.

A notice to this effect is to be detailed on the Web Site and the Enrolment Programme handed out on enrolment day...

## **3. Class Rolls:**

- The Duty Receptionist must check that Casual Members have paid for each class session attended.
- Class Secretaries are to ensure the Class Rolls are returned to the Reception Desk during the morning or afternoon tea/coffee break.
- Class Rolls are to be kept in the Registrar's records for 2 successive years.

## **4 Coordinating Committee:**

- The Centre Executive is responsible for any changes to the accounting procedures. Any changes required or requested by the Coordinating Committee must be referred to the Executive
- The Coordinating Committee has the authority to approve expenditure on behalf of the Centre up to \$5000.

## **5 Crèche.**

Members of the Centre can enrol children other than their own in the Crèche, provided: -

- 1) They are regular authorised caregivers of those children.
- 2) Enrolment is at the discretion of the Crèche Supervisor.
- 3) Children attending the Crèche must be older than 8 weeks of age.

### **Duties of Coordinators**

- a. Oversee the conduct of the business of the Centre in accordance with the constitution
- b. Liaise with the City of Kalamunda in matters relating to the operation of the Centre.
- c. Book facilities with City of Kalamunda
- d. Produce the yearly planner for each year.

### **Duties of Registrar**

Refer to the Registrar Manual

### **Duties of Programmer**

Refer to the Programmer Manual

## **6 Desk Duties:**

Refer to Desk Duty Manual.

## **7 Dogs:**

Dogs are not permitted in any of the Centre's buildings other than guide or companion dogs.

## **8. Enrolment Records:**

- Refer to Desk Duty Manual.
- To be held in the Registrar's records for 2 successive years.

## **9    Equipment:**

It is not the policy to loan out the Centre's equipment unless approved by a Coordinator and signed in and out in the Day Book

## **10.   Fees: Membership**

Membership fees shall be determined at a General Meeting each year and shall apply to the following calendar year; the annual membership fee applicable for a particular year will be published on the relevant enrolment programme and on the Centre Web Site

## **11.   Fees: Courses**

Non-members shall not be eligible to attend courses.

Course fees shall be determined at a General Meeting for the next calendar year; the fee applicable for each course shall be detailed on the relevant enrolment programme and on the Web Site

Additional fees may be imposed for necessary equipment or materials in some classes, (i.e. pottery & jewellery).

Photocopying fees are a class and individual responsibility; the fee or fees applicable for photocopying shall be determined at a General Meeting and shall apply until changed at a subsequent General meeting. All fees applicable for a particular year shall be published on the relevant programme and on the Centre Web Site

## **12.   Fees: - Casual Course Attendance**

Any Member who has enrolled is entitled to attend additional course or courses on a casual by session basis on payment of the casual fee per session.

Members who have not enrolled and paid for a course shall pay a higher fee and not be obliged to participate in a Workgroup.

The fees applicable for casual attendance shall be determined at a General Meeting and shall apply to the following calendar year. All fees applicable for a particular year shall be published on the relevant enrolment programme and on the Centre Web Site.

Members must pay for casual fees at the Reception Desk before attending their Classes.

## **13.   Fees: - Cancellation**

An administration fee of up to 100% of the Course Fees paid may apply in respect of refunds for cancellation of class attendance. The level and application of any such fee shall be applied at the discretion of the Coordinators/Treasurer

No refunds will be given after the 2 nd week of the commencement of the course, unless the Executive Committee believes there are special circumstances

**14. Locking-Up Procedure.**

- Refer to the Locking up procedures

**15. Meetings:**

- Initials and Surnames should be used when recording minutes of all meetings.
- Any important issue to be raised in Committee that involves a Committee Member, then that person should be advised in advance of the next meeting, if possible.
- The Treasurer will table a comprehensive Profit & Loss Report at Coordinators Committee Meetings every month in term time.

**16. Members:**

A person eighteen years and over is eligible for membership. Exceptions may be made by the Coordinating Committee in special circumstances.

A Member of Centre is defined in the Constitution.

**17. Mobile Telephones.**

Members are requested to ensure that their mobile telephones are switched off or put on mute during all class sessions.

**18. Photocopying.**

- All photocopying of class material must be paid for.
- Charges: Are displayed by the photocopier and are to be paid to the Desk Person

**19. Public Collections:**

It is the policy of the Centre not to organize collections or collect monies on behalf of other organizations.

**20. Records:**

The systematic collection of records is as follows; make 3 copies of documents from the AGM and any annual publication; one to be put in the Year File, one sent to the Battye Library and one in the Programme File.

## **21. Risk Management:**

The Executive is to ensure the Centre complies with the Occupation Health and Safety procedures at the Centre

## **22. Smoking.**

Kalamunda Community Learning Centre is designated as a “Smoke-Free” zone.

## **23. Visitors:**

Visitors are welcome to attend any class for one session only, provided the Tutor agrees to accept additional attendees. All visitors must sign the Centre’s visitor’s book. Membership or Casual Fees are not applicable for that session.

## **24. Vouchers:**

Vouchers will be awarded to members corresponding to work completed at the Centre as agreed by the Executive and Coordinating Committee.

The value of a Voucher is equal to the length of the course taught or where Vouchers have been agreed to be given for other work completed at the Centre. There is no exchange for cash and no refund of unused parts when a 6week, or similar course is taken. Any balance of voucher cannot be used to pay membership fees.

- When classes have multiple Tutors, then each Tutor is entitled to a voucher.
- All Vouchers are awarded at the end of each Semester.

## **25. RESOLVING DISPUTES**

Disputes Arising under the Rules

(a) This rule applies to:

(i) Disputes between Members; and  
(ii) Disputes between the Association and one or more Members that arise under the rules or relate to the rules of the Association.

(b) In this rule “Member” includes any former Member whose membership ceased not more than six months before the dispute occurred.

(c) The parties to a dispute must attempt to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party.

- (d) If the parties are unable to resolve the dispute, any party to the dispute may initiate a procedure under this rule by giving written notice to the Secretary of the parties to, and details of, the dispute.
- (e) The Secretary must convene a Committee Meeting within 28 days after the Secretary receives notice of the dispute for the Committee to determine the dispute.
- (f) At the Committee Meeting to determine the dispute, all parties to the dispute must be given a full and fair opportunity to state their respective cases orally, in writing or both.
- (g) The Secretary must inform the parties to the dispute of the Committee's decision and the reasons for the decision within 7 days after the Committee Meeting.
- (h) If any party to the dispute is dissatisfied with the decision of the Committee they may elect to initiate further dispute resolution procedures as set out in the Rules.

## **26. Mediation.**

- (a) This rule applies:
  - (i) where a person is dissatisfied with a decision made by the Committee;
  - or
  - (ii) where a dispute arises between a Member or more than one Member and the Association and any party to the dispute elects not to have the matter determined by the Committee.
- (b) Where the dispute relates to a proposal for the suspension or expulsion of a Member this rule does not apply until the procedure under rule 7.3 of the Act in respect of the proposed suspension or expulsion has been completed.
- (c) If the parties to a dispute are unable to resolve the dispute between themselves within the time required, or a party to the dispute is dissatisfied with a decision made by the Committee a party to a dispute may:
  - (i) Provide written notice to the Secretary of the parties to, and the details of, the dispute;
  - (ii) Agree to, or request the appointment of, a mediator.
- (d) The party, or parties requesting the mediation must pay the costs of the mediation.
- (e) The mediator must be:
  - (i) a person chosen by agreement between the parties; or
  - (ii) in the absence of agreement:
    - A. if the dispute is between a Member and another Member – a person appointed by the Committee; or
    - B. if the dispute is between a Member or more than one Member and the Association, the Committee or a Committee Member then an independent



person who is a mediator appointed to, or employed with, a not for profit organisation.

(f) A Member can be a mediator, but the mediator cannot be a Member who is a party to the dispute.

(g) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.

(h) The parties are to exchange written statements of the issues that are in dispute between them and supply copies to the mediator at least 5 days before the mediation session.

(i) The mediator, in conducting the mediation, must: (i) give the parties to the mediation process every opportunity to be heard; (ii) allow all parties to consider any written statement submitted by any party; and (iii) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.

(j) The mediator must not determine the dispute and the mediation must be confidential. Information provided by the parties in the course of the mediation cannot be used in any other legal proceedings that may take place in relation to the dispute.

### Inability to Resolve Disputes.

If a dispute cannot be resolved under the procedures set out in the Rules, any party to the dispute may apply to the State Administrative Tribunal to determine the dispute in accordance with the Act, (Association Act 2015), or otherwise at law.

**OR**

### Determination of dispute by committee

1. At the committee meeting at which a dispute is to be considered and determined, the committee must —
  - a. give each party to the dispute, or the party's representative, a reasonable opportunity to make written or oral (or both written and oral) submissions to the committee about the dispute; and
  - b. give due consideration to any submissions so made; and
  - c. determine the dispute.
2. The committee must give each party to the dispute written notice of the committee's determination, and the reasons for the determination, within 7 days after the committee meeting at which the determination is made.

3. A party to the dispute may, within 14 days after receiving notice of the committee's determination under sub rule (1)(c), give written notice to the secretary requesting the appointment of a mediator under rule 23.
4. If notice is given under subrule (3), each party to the dispute is a party to the mediation.