



Special Olympics Australia
State Committee
Release Version 2.0
Date of Document: 18 March 2009

Acknowledgement Clause

I have read the attached Terms of Reference and agree to act as member of the State Committee for «State»

Signature

Date

Name:

Address:

Telephone:

Email:

1. GENERAL

1.1 Introduction

The State Committee for «State» is a key part of Special Olympics' activities in «State» and has an important role in the implementation of Special Olympics Australia's (SOA) operations. Special Olympics has an objective to strive for best practice in all aspects of its operations and is committed to providing a fun and a safe environment for athletes, staff, volunteers and families. The State Committee for <<State>> is elected by the committee members of the accredited regions within <<state>>, and is licensed by SOA to be the representative of SOA in the state of <<state>>.

1.2 Scope

This document sets out the arrangements to ensure that the State Committee (SC) in «State» functions in accordance with the accreditation requirements as prescribed in the Memorandum Articles of Association of Special Olympics Australia (SOA) and supports its compliance with the accreditation requirements of Special Olympics International (SOI). It outlines arrangements for:

- Functions of the State Committee
- Duties of the State Committee
- Membership of the State Committee
- Meetings of the State Committee
- Liaison
- Relationships
- Accountability
- Resolution of disputes
- Appendix

1.3 Functions of the State Committee (SC)

The functions of the SC are outlined as follows:

- To attain and keep state accreditation from Special Olympics Australia in a manner prescribed by the Board of SOA
- To work cooperatively within the state and with the State Manager appointed by SOA. (The state manager is responsible for the implementation of SOA's national strategy in the state and for supporting the State Committee in complying with the policies and procedures of SOA.)
- Support establishment of new regions and affiliated group programs

Sport

- Implement and manage a State Calendar of Events including inter-regional and affiliated group competition opportunities
- Select teams for National Games in compliance with SOA policies
- Support athletes selected from «State» to be on National Teams
- Uphold SO sports rules in «State» and ensure competition is held in compliance with procedures and best practice as specified by SOA from time to time
- To support athletes to achieve their best through training and participation at competition at State, National and International level

Finance

- To maintain financial records and operate in compliance with finance guidelines issued by SOA from time to time
- To raise and spend funds in compliance with SOA guidelines and with relevant government regulations applicable in the state
- To actively support the implementation of the national strategy of SOA

Special Olympics name, brand and reputation

- To develop and uphold the brand and reputation of Special Olympics in the state of «State», and comply with the guidelines and procedures stipulated in the accreditation license agreement or issued by SOA from time to time

1.4. Role of Accredited State Committee

The State Committee of Special Olympics «State» will be an accredited member of Special Olympics Australia with voting rights at General Meetings as prescribed in the Articles of Association. It will be composed of between 6 and 10 members who will have specific skills, specified terms of reference and positions covering the following functions:

- Chair
- Vice Chair
- Secretary
- Treasurer
- Athlete Representative
- Sports Manager

1.5 Duties of Committee Members

The duties of the Committee require members to:

- (a) Act honestly;
- (b) Exercise the degree of care and diligence and confidentiality that a reasonable person would exercise if they were in the member's position;
- (c) Not make use of information acquired through being a Committee Member to
 - (i) Gain an improper advantage for the member or another person; or
 - (ii) Cause detriment to the members of the organisation;
- (d) not make improper use of their position as a Committee Member to gain directly or indirectly an advantage for themselves or for any other person or cause detriment to the members of the organisation;
- (e) Act with the highest level of integrity, to act objectively and demonstrate impartiality in their findings, opinions and recommendations.

2. MEMBERS

2.1 Membership

There shall be a minimum of six (6) members of the SC sourced and/or nominated by any of the following: the existing State Committee, the State Manager, members of Regional Committees, registered volunteers or registered athletes in the state of «State». Members should have experience and skills in one or more of the following:

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- Business and networking skills
- Finance management or reporting
- Athlete representing the athletes of «State»
- Person with good IT skills
- Communication and Public Relations skills
- Experience in planning and conducting sports activities
- Other experience and skills beneficial to the operations of Special Olympics in «State»

Simultaneous to having the above skills the committee must include:

- Person familiar with intellectual disability
- Person with sports qualification or accreditation
- Close family relation of a Special Olympics athlete
- Person who is NOT a relation of a registered Special Olympics athlete

2.2 *Forming a State Committee*

The State Committee shall be formed at the first opportunity following the dissolution of the Incorporated Association in «State»

- A person may not be appointed to the State Committee unless they consent in writing to the appointment and are registered as a volunteer on Special Olympics Management System at least seven days prior to the first meeting
- Seven days before the first meeting, the current Chair will call for nominations for each of the following positions
 - *Chair*
 - *Vice Chair*
 - *Secretary*
 - *Treasurer*
 - *Athlete Representative*
 - *Sports Manager*
- Should there be more than one nominee for positions available an election shall take place either by ballot or show of hands as appropriate to the meeting. The current Chair shall have the deciding vote on which procedure to follow
- Only a person nominated to represent the Committee Members of an accredited region in the state of «State» is entitled to vote
- Members of the committee will be appointed for an initial term of 3 years
- When appointed as a State Committee member, the Member's personal details shall be recorded by the secretary and advised to SOA
- A State Committee member shall notify the State Secretary of any changes to personal details at the earliest opportunity

2.3 *Maintaining The Committee*

Each year after the “formation year”, the State Committee shall at the first meeting of the calendar year consider vacancies that have arisen due to expiry of initial term or due to resignation or member’s unwilling to continue to hold a position on the committee.

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- Prior to this meeting the Chair shall review positions due to be vacated and seven days (7) prior to the meeting, call for nominations for those positions. See Clause 2.1
- Nominations should be sent to the secretary
- Where more than one nominee for a position is received an election shall take place either by ballot or show of hands as appropriate to the meeting. The current Chair shall have the deciding vote on which procedure to follow.
- Only a person nominated to represent the Committee Members of an accredited region in the state of «State» is entitled to vote

2.4 Length of Tenure

SC members will hold the position of committee member for a period of three years after which time they may be re-appointed for a further period of three years. No person should hold a position for longer than nine years, or three terms.

2.5 Resignation

An SC Member who wishes to tender his or her resignation should do so in writing. Resignations should be addressed to the Chair of the State Committee.

2.6 Removal

The removal of an SC Member by the State Committee or by SOA requires 30 days written notice to be given to that SC Member, unless the parties mutually agree to a shorter period.

Reason(s) for the removal of an SC Member by the State Committee or SOA may be supplied at the time of notification and could include if the member:

- is absent from meetings for more than six months without permission of the Chair
- holds an office of profit in the organisation
- performs an offence which would discredit the organisation

2.7 Replacement

If an SC Member resigns, is removed, becomes unable to act, or ceases to be a Member, then a replacement shall be appointed by the SC as soon as possible and shall hold that position until the first meeting of the next calendar year when elections for vacant positions shall be held.

The SC shall inform the CEO of SOA of the replacement as soon as possible.

2.8 Delegating Functions

An SC Member may not delegate their functions to another person without approval of the SC.

3. MEETINGS

3.1 Quorum

The quorum for a meeting shall be a majority of members either physically present or on teleconference. If a quorum is not present within a reasonable time after the time set for the meeting, the meeting will be adjourned or postponed to such place and time as the SC Members present agree.

To the extent that it is practically reasonable, an attempt must be made to inform those SC Members not present at the original meeting of the time and place of the adjourned or postponed meeting.

3.2 Meeting Frequency and Method

The SC shall meet at least six times per calendar year. Additional meetings may take place at the discretion of the SC or at the request of the accredited regions within the state. At least two (2) meetings in any calendar year shall be held with Members physically in attendance. Other meetings may be held either with

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Members in physical attendance or arranged and held in any way that the Members see fit using whatever means are reasonably available to them all. At other times, circulating resolutions or minutes may be utilised and shall be confirmed at the following meeting in the normal way.

3.3 *Convening Meetings & Notice of Meetings*

Meetings of the SC shall normally be convened by the Chair by the giving of five (5) business days' written notice or such shorter time as the other SC Members might agree. If an SC Member does not receive notice (including if notice was accidentally omitted) such meeting will be considered invalid

A written notice can be given to an SC Member by either serving it on him or her personally, by sending it by post to him or her at his or her address as shown in the personal details provided or by email.

The notice should state the place, date and hour of the SC meeting. The notice may also describe the general nature of the business to be transacted.

Any SC member having an issue of particular concern which cannot wait until the next scheduled meeting of the SC may petition the Chair to convene a meeting of the SC and the Chair shall not unreasonably withhold agreement to convene such a meeting. Notice of any meeting so convened shall be given in the manner prescribed herein.

3.4 *Attendance*

Membership of the SC carries with it an obligation to attend SC meetings. If an SC Member cannot, or is unable to attend a scheduled Meeting(s) such Member shall inform the Chair as soon as possible prior to that meeting being held. Absence of any SC Member from a meeting shall be recorded in the minutes together with any leave of absence for such non-attendance granted by the meeting.

3.5 *Attendees at Meetings*

Any Board Member of SOA or staff member of SOA may be invited to attend and speak at an SC meeting.

Any Board Member may seek to attend and speak at an SC meeting by making appropriate arrangements with the Chair of the SC.

3.6 *Adjournment*

The Chair has power to adjourn a meeting for any reason to such place and time as the Chair thinks fit.

A reasonable attempt shall be made to give all SC Members notice of the adjourned or postponed meeting.

3.7 *Voting on Issues*

All members of the committee are eligible to vote and any resolution shall be passed by a simple majority. In the case of an equal vote, the Chair of the meeting shall be entitled to a casting vote.

3.8 *Minutes, Reports & Recommendations*

Minutes of SC meetings and records of its reports and recommendations must be retained. A copy of any of those documents signed by the Chair is taken to be a true record unless the contrary is proved. The minutes and records must be available to the SC, the directors and staff of SOA, and the Auditor of SOA.

3.9 *Annual Budget*

The SC will prepare and operate in compliance with an annual budget and submit same to SOA in a timely manner.

3.10 *Accreditation License Fee*

The State Committee will be accredited by SOA and will execute a Special Olympics Accreditation License and pays its accreditation fees when due or make other arrangements agreed to by SOA.

3.11 Reporting

The Chair will report to the Board of SOA through its accreditation and licence system via the CEO. Staff employed within the state jurisdiction will report through to the CEO. Key Result Areas and Performance Indicators will be developed for such staff in conjunction with the State Chair or other person delegated by the SC.

3.12 Resources

The SC should inform the Board of SOA if it believes that it does not have adequate resources or access to information to enable it to properly perform its functions as an SC.

3.13 Changes to Terms of Reference

The date of this document is as it appears on the first page. If the SC wishes to change any aspect of this document, then the SC must document the proposed change and submit this to the Board of SOA. All amendments become effective when SOA notifies the SMC. An amended Terms of Reference shall be dispatched to each SC Member.

4. LIAISON

From time to time, the SC may be required to liaise with:

- Members of the Board of Directors of SOA
- The SOA Finance Committee
- CEO of SOA and indirectly its functional staff managers and their respective committees.

5. NAME AND LOGO

State name is Special Olympics «State» and the program's logo is the Special Olympics logo plus name of jurisdiction.

6. RELATIONSHIPS

6.1 Relationship with the National Council

The National Council consists of the chair and/or appointed delegate from each of the SCs. The National Council provides advice on operational issues to the CEO for policies to be approved by the board. The National Council is the body that votes on a person to represent the accredited states and the accredited regions on the Board of SOA.

6.2 Relationship with Regional Committees

The Regional Committees (RC) are operational bodies that consist of volunteers at the local level. The RC are accredited by SOA under the terms of its international license and accreditation. The SC and RC are separate bodies in terms of their members, functions and goals, and the relationship between the two committees is one of cooperation and mutual support. The SC is responsible for liaising with their state governments and state organisations and representing SOA at the state level, whereas the RC is responsible for representing Special Olympics at the regional level within its jurisdiction.

7 ACCOUNTABILITY

The members of the SC are elected by committee members of the accredited regions in the state of <<state>>. The role of the SC is to represent the athletes and volunteers of the state of <<state>>. As such, the SC of <<state>> is accountable to the members of the accredited regions in the state of <<state>>.

8 DISPUTE RESOLUTION

All disputes should be managed in compliance with the complaints policy which is published on SOA website, www.specialolympics.com.au.

In the event of a dispute arising between the State and the CEO, the affected parties have the right to refer the matter to the Chair of the Board of SOA.

Appendix 1: Terms of Reference Organisational Structure

