

WESTERN AUSTRALIAN CATHOLIC SCHOOL BOARD CONSTITUTION



PREAMBLE

“The Catholic School forms part of the saving mission of the Church, especially for education in the faith.”(1)
As part of the Church’s mission Schools form vital aspects of Parish life. Close and mutually beneficial working relationships between Schools and Parish are essential.
The Catholic School Board is accountable to the Catholic Education Commission of Western Australia.
The Principal of a Catholic School is employed by the Bishop of the Diocese and as such is accountable to the Bishop of the Diocese through the Director of Catholic Education.
The Principal of a Catholic School is an Ex-Officio member of the School Board and is answerable to the School Board in the areas designated in the Constitution.

1. CONSTITUTIONAL AUTHORITY

- 1.1 This Constitution is issued by the Catholic Education Commission of Western Australia with the authority of the Bishops of Western Australia.
- 1.2 The Board is bound by the policy and directions of the Catholic Education Commission of Western Australia in carrying out its duties.
- 1.3 The purpose of this Constitution is to constitute and provide regulations for the operation of the Board as a body of persons to carry out activities that are specified below.
- 1.4 The financial management of the School is, upon the adoption of this Constitution, deemed to be conferred on the Board by the Diocese.
- 1.5 If the Board ceases to function in accordance with this Constitution, the Catholic Education Commission of Western Australia may dismiss the Board on the recommendation of the Director.

2. DEFINITIONS

In this Constitution (unless the context requires otherwise):

- (a) *Advisory* means giving advice, information or opinion regarding action to be taken and is not managerial.
- (b) *Bishop* means Bishop of the Archdiocese or Diocese as appointed from time to time.
- (c) *Board* means the Board created by this Constitution in respect of the School.
- (d) *CECWA* means the Catholic Education Commission of Western Australia.
- (e) *CEOWA* means the Catholic Education Office of Western Australia.
- (f) *Diocese* means the Archdiocese or Diocese of the Catholic Church in which the School is situated.
- (g) *Director* means the Director of Catholic Education in Western Australia or the Director’s nominee.
- (h) *Ex-Officio* means being a member of the Board by virtue of one’s office or official position, ie. Parish priest and Principal.
- (i) *Managerial* means having the authority to do what is appropriate regarding designated areas of responsibility.
- (j) *Parish* means the Parish of the Catholic Church in which the School is situated.
- (k) *Parish School* means a primary, secondary or

composite School as designated by the Director of Catholic Education.

- (l) *Principal* means the Principal of the School.
- (m) *Quorum* means one half plus one of all Board members and must include the Principal or the Director’s nominee.
- (n) *School* means the School now known as
.....
(present name)
at.....
(address).
- (o) *School Community* means the community of parents served by the School, and other persons interested in or sharing responsibility for the welfare of the School.

3. NAME

The name of the Board shall be “The
.....(School name
and town or suburb) Catholic School (or College) Board.”

4. OBJECTS

The general object for which the Board is constituted is to help the Catholic School fulfil its educational responsibilities in accordance with this Constitution, in accordance with the policies and practices prescribed or recommended by the CECWA, and in accordance with Diocesan guidelines and prescriptions for the religious education program.

5. POWERS

The Board shall be deemed to have the power necessary to carry out any function authorised in this Constitution.

6. INDEMNITY

The Bishops of Western Australia have issued Deeds of Indemnity for Board members in exercising their responsibilities in accordance with this Constitution.

7. FUNCTIONS

The Board shall carry out the following functions in pursuit of its objects:

- (a) planning for the present and future operation of the School;
- (b) providing membership on selection panels for the employment of staff to the School in accordance with CECWA policy;

- (c) providing membership on the panel which recommends the appointment of a Principal in accordance with CECWA policy;
- (d) disseminating information about the School and about Catholic education to persons and organisations in the School Community;
- (e) liaising in all matters relating to the financial management of the School with persons and organisations in the local Catholic community;
- (f) managing all the finances associated with the School; and
- (g) advising the Principal with respect to School policy.

The functions of the Board may be varied following appropriate consultation and the approval of the Director.

Specifications of the above functions are given in Sections 12-15 of this Constitution.

8. MEMBERSHIP OF THE BOARD

8.1 Criteria for membership of the Board shall be:

- (a) possession of special skills that will be an asset to the Board;
- (b) a deep interest in the welfare of all students and staff;
- (c) a desire to give service to the Catholic School Community;
- (d) a keenness to promote Catholic schooling;
- (e) an ability to work cooperatively and constructively with all other members of the Board; and
- (f) a sufficiency of time to devote to Board duties.

8.2 The Board shall comprise:

- (a) the Principal of the School as an Ex-Officio member;
- (b) a priest as an Ex-Officio member, either for a primary Parish School – the Parish priest or for a secondary School/diocesan School – a priest nominated by the zone of priests or another arrangement approved by the Bishop;
- (c) between four and six persons elected in the manner provided in Section 9 of this Constitution;
- (d) in a Parish School, one person nominated by the Parish Council of the Parish in which the School is situated;
- (e) one person nominated by the Parents and Friends' Association related to the School; and
- (f) not more than two (additional) persons may be co-opted by the Board members in meeting for a period of up to two years, if such appointments are considered desirable or necessary.

8.3 In addition to 8.2 the Director may appoint an additional member to the Board and may dismiss or replace that member.

8.4 Membership of the Board shall be for a period of two years except for Ex-Officio members.

8.5 No member other than Ex-Officio members can serve more than six consecutive years.

8.6 Should a position of elected member of the Board become vacant the Board shall have the power to co-opt a replacement until the next election.

8.7 Any elected or Board appointed member may be

removed from office by formal resolution passed at a properly convened meeting of the Board at which at least four-fifths of those present vote in favour of the removal.

8.8 Any elected, nominated or Board appointed member who shall be absent from two consecutive meetings of the Board without apology, shall be contacted by the chairman and advised that if the member is absent from a third consecutive meeting he/she shall be deemed to have vacated his/her position.

8.9 No person or spouse of a person employed by the School is eligible for nomination, election or appointment to the Board except at the discretion of the Director. The Principal is an Ex-Officio member of the Board.

8.10 The Board, with the approval of the School Principal, may invite the School bursar to attend meetings as appropriate.

8.11 The membership of the Board may be varied with the approval of the Director.

9. THE ANNUAL MEETING OF THE SCHOOL COMMUNITY AND ELECTION OF BOARD MEMBERS

9.1 The Board shall conduct a meeting to be called "the School/ College Board Annual School Community Meeting" each year between the months of November in one year and February of the following year inclusive.

The Board shall, at least 14 days prior to the meeting, by such written published notice as it considers reasonable and appropriate in the circumstances (eg. advertise in the School and Parish newsletters), invite all persons who are:

- (a) parents of present students at the School; or
- (b) parents of past students of the School, or
- (c) adult past students of the School; or
- (d) adult members of the Parish in which the School is situated; or
- (e) staff currently employed at the School; or
- (f) current Board members; or
- (g) such other persons as the Board may deem fit to invite to the meeting.

9.2 The sole purposes of the meeting shall be:

- (a) the election in the manner provided for in this clause of persons as members of the Board for the ensuing two year period;
- (b) the presentation of a report by the Board chairman as provided for in this Section 9.4; and
- (c) the presentation of a budget for the ensuing year.

9.3 At least 14 days prior to the meeting the Board shall:

- (a) prepare a complete list of the names of current members of the Board to give to the meeting;
- (b) indicate which, if any, members are eligible for re-election;
- (c) determine the number of elected members to be included on the Board;
- (d) determine the method of nomination for election to the Board;

- (e) seek from the Parents and Friends' Association (if any) related to the School, the name of the person nominated by that body for membership to the Board; and
- (f) in the case of a Parish School, seek from the Parish Council (if any) the name of the person nominated by that body for membership to the Board.

9.4 The order of business for the meeting shall be:

- (a) a report by the current Board chairman to the School Community on the operation of the Board during the preceding 12 months. The Board shall ensure that the report will be made available to the School Community;
- (b) a statement of the provisional budget for the ensuing year;
- (c) an announcement of the criteria for Board membership, as stated in Section 8.1 of this Constitution;
- (d) voting for the election of members to the Board; and
- (e) announcement of the names of the new members of the Board.

9.5 Any person eligible to attend the meeting and otherwise eligible to be a member of the Board under this Constitution may, with his/her consent (whether present at the meeting or not), be nominated to be elected to the Board.

9.6 The method of voting shall be by each person indicating, in writing, the candidates of their choice.

9.7 All other points of procedure and order at the meeting shall be decided by the chairman.

10. CATHOLIC ETHOS OF THE BOARD

10.1 The School Board, in representing the Catholic School Community, is to actively promote and support the Catholic ethos of the School.

10.2 The Board shall ensure that an induction ceremony and commissioning of Board members is conducted at the commencement of each school year.

10.3 Board members are required to participate in training and information courses as provided by the CEOWA in their first year of membership.

11. MEETINGS AND PROCEEDINGS OF THE BOARD

11.1 Board members shall elect their own chairman, secretary and treasurer.

11.2 Regular meetings of the Board shall be held normally once every month, with provision being made for School vacations. Special meetings may be held as often as are deemed necessary.

11.3 Special meetings of the Board shall be held when called by the chairman or when requested by an Ex-Officio member or by any three members of the Board or by the Director. No less than three days notice is required.

11.4 No meeting may be held without a Quorum.

11.5 In the absence of the chairman, members shall elect an acting chairman to preside over the meeting.

11.6 All members (including the chairman) shall have equal voting rights. In the case of a voting deadlock the motion will be considered to have been lost.

11.7 Minutes of all meetings of the Board shall be taken by the secretary. One copy of the minutes shall be given to the Principal for insertion in the School file; another shall be inserted in the secretary's file which is passed to his/her successor in office. The Director may request a copy of the minutes of any meeting.

All written communications from the Board shall be made with the knowledge and approval of the Board, and shall be effected through the secretary.

12. COMMITTEES OF THE BOARD

12.1 The Board is empowered to appoint such committees as it deems necessary.

12.2 Each Board shall have a Finance Committee unless local circumstances dictate otherwise (eg. small country Schools). The membership of the committee shall be the Principal, the School Board treasurer, the bursar/administrative officer and others as appropriate (eg. assistant/deputy principal).

12.3 Membership of committees is not confined to members of the Board; however, at least one Board member is required to serve on each committee. Members of the School staff may be invited to serve on a committee.

12.4 The duties of any committee shall be clearly defined by the Board and a specific date shall be set for the completion of the tasks assigned to the committee.

12.5 In all cases except that of the appointment of a Principal (for which special CECWA directives apply), a committee of the Board makes its recommendations to the Board.

12.6 As soon as the committee's specific task is completed, or even earlier if the Board so determines, the committee is dissolved.

13. FINANCIAL MANAGEMENT

13.1 The Board is responsible not only to the local School Community, but also to the CECWA for the financial administration of the School, and as such it is required to account for and administer all income, recurrent and capital, from whatever source, and all expenditure for the School.

13.2 The Board does not have the authority to undertake any financial commitment involving expenditure beyond the limits of its known annual income from all sources.

13.3 No funds may be borrowed without the approval of the Director.

13.4 By the end of November each year, the Board shall prepare and submit to the CEOWA a budget of income and expenditure for the ensuing calendar year.

13.5 No commitment of Parish funds shall be made without prior approval of the Parish priest.

- 13.6 The CECWA may give directions from time to time concerning priorities and limits of expenditure, whether recurrent or capital.
- 13.7 The Board has the responsibility for setting and collecting tuition fees in accordance with the policies and guidelines of the CECWA as issued from time to time.
- 13.8 Adequate funds must be made available to the Principal for the day-to-day operations of the School.
- 13.9 Books of account shall be maintained to a professional standard. The Board shall have such books audited by a registered auditor, accredited with CECWA.
- 13.10 A copy of the annual statement of each School's receipts and expenses shall be available for perusal by any member of the School's community.
- 13.11 Financial returns, as required by the CECWA and government agencies, shall be made by the Board by the appointed date.
- 13.12 A bank account shall be maintained by the Board for all income and expenditure to do with the School. This account shall be kept quite separate from any other that is related to Parish or church accounts. In all cases this account shall be in the name of:
RC Archbishop/Bishop
of (diocese)
.....
(name of School)
.....
Catholic School Board.
- 13.13 There shall be at least two signatories for the bank account. Signatories may be the chairman, treasurer, Principal, Parish priest or other such persons as approved by the Board. All payments shall be authorised.
- 13.14 With respect to School staff, the Board shall:
 - (a) monitor the financial implications of the employment of new staff in the context of maintaining a balanced School budget;
 - (b) make provision for the payment of salaries of all staff and stipends of members of religious orders according to the terms of their appointment;
 - (c) ensure that superannuation, long-service and other benefits to which staff may be entitled are provided for.

14. POLICY FORMULATION

- 14.1 Although the Board has no authority in the internal operation of the School, it is a legitimate function of the Board to provide an Advisory service to the Principal and staff with respect to the formulation and review of School policy.

- 14.2 In exercising this Advisory function Board members are required to be mindful of the responsibility which belongs to the Principal and staff to make decisions in accordance with CECWA policy and guidelines, on all such matters as curriculum, pastoral care and methods of teaching and learning.

15. PUBLIC RELATIONS

- 15.1 The Board is required to disseminate information about Board meetings and decisions to the School Community, the Parish Council (where applicable), the Parents and Friends' Association and all other groups and individuals interested in the School.
- 15.2 The Board is required to be an effective liaison agent between the School and the community served by the School.
- 15.3 The Principal will keep the Board informed of current School events and changes in CECWA policies as occur from time to time.

16. PLANNING AND DEVELOPMENT

- 16.1 The Board is entrusted with the duty of planning, on behalf of the School Community, with the School staff (through the Principal) and with the CECWA to meet the present and future needs of students.
- 16.2 The Board shall ensure that it is informed and operates in accordance with the CECWA planning policy and guidelines.

17. GENERAL

- 17.1 This Constitution can only be amended by the CECWA, which shall review it as the need arises.
- 17.2 In the event of any dispute or uncertainty as to the meaning or intent of any clause in this Constitution, the matter shall be referred to the Director for interpretation and decision.
- 17.3 The Board is required to work within the spirit and letter of this Constitution.
- 17.4 If for any reason the Board does not function satisfactorily, the advice and assistance of the CECWA shall be sought without delay through the Director.
- 17.5 If, after receiving assistance, the Board is still unable to operate successfully it may be dismissed by the Bishop on the recommendation of the Director, after consultation with the Ex-Officio members, and new members may then be appointed by the Director in consultation with the Ex-Officio members.

REFERENCES

(1) The Catholic School, Paragraph 9. Sacred Congregation for Catholic Education, St Paul Publications, Homebush, 1983.

REPRINTED JULY 2006