

# Constitution for College Boards for Direct-funded Schools in the Diocese of Cairns

(Approval: Board of Governance 24/08/2015)

## 1.0 Name

1.1 The official name of this College Board is the **insert college name** Board.

## 2.0 Definitions

The following definitions will apply in this Constitution.

"Bishop"	The Bishop of Cairns.
"Diocese"	The Diocese of Cairns operating as the Roman Catholic Trust Corporation for the Diocese of Cairns.
"College Board"	The Direct Funded College Board created by this Constitution.
"CES"	Catholic Education Services in the Diocese of Cairns.
"Church"	The Catholic Church.
"Parent body "	The Parents and Friends Association (P&F) or Catholic School Parents Queensland (whichever option is in place at the school).
"Parent"	The parent or guardian of a student enrolled at the college.
"Parish"	The Parish of <b>insert parish name</b> .
"Parish Priest"	The Parish Priest of <b>insert parish name</b> .
"Priest Chaplain" or "Religious Community Leader"	The Priest or Religious designated as the religious leader of the college community of <b>insert college name</b> .
"Principal"	The Principal of <b>insert college name</b> .
"College"	insert college name
"College Community"	The community of Parish Priest or Priest Chaplain, parents, Principal, staff and students of the college and other persons interested in or sharing responsibility for the well-being of the college.

### **3.0 Authority**

- 3.1** College Boards have been established for the service of the Church and Catholic college communities in the Diocese of Cairns.
- 3.2** They operate through the authority of the Bishop exercised through the Board of Governance Education and the delegated authority of CES. Their ongoing functional role is as a support resource for college leadership.
- 3.3** This Constitution is issued by CES with the authority of the Bishop.
- 3.4** This Constitution will not be amended or altered without the approval of CES and the authority of the Bishop.

### **4.0 Purpose**

- 4.1** The purpose of this Constitution is to establish and provide regulations for the operation of the College Board as specified below.

### **5.0 Mission and Objects**

- 5.1** The College Board, in accordance with the authority entrusted to it by the Bishop, is to assist the college fulfil its mission in accordance with the Code of Canon Law, applicable Commonwealth and State laws, treaty obligations (as ratified by the Holy See), diocesan directives and guidelines and policies of CES.
- 5.2** This Constitution is made under the authority of the Roman Catholic Trust Corporation for the Diocese of Cairns which is the jurisdictional authority from whom the College Board derives its powers.

### **6.0 Role**

- 6.1** The College Board provides the opportunity for members of the college, parish and diocesan communities to support the mission of Catholic education in the college. Working with the Principal, Parish Priest or Priest Chaplain and staff, the College Board members provide leadership to the wider college community.
- 6.2** The College Board has a decision making role in certain policy areas and an advisory role in others. The policies of the college are always set and aligned within the wider mission of Catholic education and the Catholic Church. This will apply the principles of subsidiarity (policies to be made at the most appropriate level).

- 6.3 The Principal has responsibility for the day-to-day leadership and management of the college.
- 6.4 The College Board will collaborate within its college community to identify, enunciate, nurture and celebrate the special religious character or charism of the college.
- 6.5 The College Board will support processes developed by the college staff aimed at improving student learning outcomes in accordance with the college's educational vision and mission.
- 6.6 The College Board is neither a jurisdictional authority nor a legal identity. Any recourse to civil law action on the part of the College Board will be addressed by the jurisdictional authority and its legally appointed agents.
- 6.7 **The College Board may not:**
  - 6.7.1 control funds or open bank accounts,
  - 6.7.2 enter into contracts,
  - 6.7.3 acquire, hold, dispose of or deal with property,
  - 6.7.4 sue or be sued or
  - 6.7.5 directly interfere with the operation of the college.

## 7.0 Principles and values of effective governance

- 7.1 In discharging its responsibilities the College Board will function in accordance with the general and binding Principles of Governance as follows:
  - 7.1.1 The Love of Christ
  - 7.1.2 The Role of Parents and the primary educators of their children
  - 7.1.3 Faithfulness to the Mission of the Church
  - 7.1.4 Church Solidarity
  - 7.1.5 Support for the Common Good
  - 7.1.6 Embracing the poor
  - 7.1.7 Educational quality
  - 7.1.8 Participation (Subsidiarity)
  - 7.1.9 Inclusiveness
  - 7.1.10 Unity in Diversity
  - 7.1.11 Stewardship of Resources
  - 7.1.12 Rule of Canon Law
- 7.2 **The College Board has the following responsibilities:**
  - 7.2.1 To support and promote the Catholic identity of the college and contribute to its evolving charism such that the college remains reflective of Catholic mission and values.

- 7.2.2 To work to ensure the college has a dynamic function in the life of the Parish and wider community.
- 7.2.3 To provide advice and counsel to the Parish Priest and Principal, as appropriate, on a wide range of college operational functions including, but not limited to:
- strategic planning and college renewal
  - budgets and financial management,
  - staffing,
  - curriculum and the college's educational program ,
  - inclusive practices,
  - capital works and college development,
  - maintenance,
  - parent and family engagement,
  - communication and marketing,

while always having regard for diocesan and government requirements and areas relating to professional judgment.

- 7.2.4 To work to ensure that the college fulfils its potential as an option for all who seek its values, including the poor and students with disability.
- 7.2.5 To contribute to the selection process for the college Principal.
- 7.2.6 To contribute to the formation and evaluation of college policies and core documents, particularly those which assist in defining the character and purpose of the college.
- 7.2.7 To contribute to the induction and ongoing formation of College Board members so that they understand the scope and extent of their role.
- 7.2.8 To contribute to the advocacy role of Catholic colleges to influence governments for the betterment of the college.

## **8.0 Membership**

### **8.1 General criteria for membership:**

- 8.1.1 All College Board members should have a demonstrated commitment to Catholic values and the ministry and mission of Catholic education.
- 8.1.2 An understanding of local Church policies, particularly as determined by the diocesan Synod process.
- 8.1.3 A genuine desire to be of service to the college community.
- 8.1.4 Having the necessary skills to contribute to the College Board's work.
- 8.1.5 The ability to work collaboratively and constructively with other members of the College Board.
- 8.1.6 Adequate time to give to College Board duties.
- 8.1.7 Willingness to act within the Code of Ethics for College Board members.

### **8.2 Particular criteria for membership:**

- 8.2.1 Eligible College Board members must complete a prescribed formation program.

- 8.2.2 College Board members must hold a Blue Card or Blue Card Exemption issued by the Department of Justice and Attorney-General: Blue Card Services unless they are registered teachers in the Cairns Diocese or parents of children attending the college.
- 8.2.3 Intending members must declare that they have not been found guilty or convicted of a serious offence of an offence relating to dishonesty.
- 8.2.4 Staff of CES, diocesan and parish schools, colleges, and the Diocese of Cairns are eligible for College Board membership except for schools at which they are on staff or where there are significant conflicts of interest.
- 8.2.5 Staff of the college may be invited to Board meetings to provide briefings and join discussions where such expertise is required.

### **8.3 College Board composition**

- 8.3.1 The College Board will normally have no less than seven and no more than 12 members. In smaller college communities the minimum number of Board members will be five.
- 8.3.2 The Priest chaplain or Priest/religious community leader and Principal will be ex officio members of the College Board. Ex officio members have the same rights as other members to attend meetings and participate in discussions, but not to vote.
- 8.3.3 It is expected that a significant number of members will be parents of current, prospective or recent students of the college. Parent members should reflect a diverse range of backgrounds and skills.
- 8.3.4 College Board composition should seek to draw relationships with the local Parish, and wider communities.
- 8.3.5 Consideration will be given to the composition of the college community which may, for example, suggest the appointment of Indigenous/Ethnic community members.
- 8.3.6 College Boards will have regard for their renewal of membership.

### **8.4 College Board nominations**

- 8.4.1 College Board nominations, for both College Board renewal and to fill vacancies, will normally involve a call for nominations from within the college and local Parishes. This may include a direct invitation to certain college/Parish/community members to consider nominating for the College Board.
- 8.4.2 Intending College Board members will complete a nomination form which includes a declaration of eligibility.
- 8.4.3 All nominations will be subject to a prayerful discernment process that will generally involve the College Board and/or a select committee of the College Board. The process should address conflicts or potential conflicts of interest. The process will have regard for confidentiality and be respectful towards all nominees. A Board selection committee might be established for this purpose.
- 8.4.4 Recommendations for appointment will be made by the College Board to the Board of Governance Education. The Board of Governance's decision will be final. There will be no provision for appeal.

## **8.5 Appointment and dismissal**

- 8.5.1 Appointment for other than ex officio positions will be by an official Letter of Appointment issued by the CES Executive Director for and on behalf of the Board of Governance Education.
- 8.5.2 The date of the appointment letter shall be the date of appointment.
- 8.5.3 No new member may take up a College Board position without completing an appropriate formation program administered by the College Board.
- 8.5.4 Ex officio members will remain College Board members for the term of their substantive position.
- 8.5.5 All other College Board members will serve terms of three years with no member to serve more than two terms. (Some dispensation may be granted in exceptional circumstances by the CES Executive Director).
- 8.5.6 Where a College Board member is in serious breach of or fails in his/her obligations under the provisions of this Constitution that member may be dismissed by the Board of Governance Education. This will be administered by a letter of dismissal.
- 8.5.7 Where a College Board fails to function satisfactorily within the provisions of this Constitution, the Board of Governance through the CES Executive Director will be responsible for a program of special assistance designed to restore the College Board to a state of effective functioning. If this process, in their opinion, fails, the Board of Governance Education has the authority to dissolve the College Board. The instrument of dissolution shall be a letter of dismissal to all College Board members.
- 8.5.8 The College Board Secretary will maintain a register of College Board members which will include College Board appointment and reappointment dates, Blue Card details (Blue Card number and expiry date), and College Board attendance record.

## **9.0 College Board officers and conduct of meetings**

### **9.1 College Board officers**

- 9.1.1 College Board officers will be the Chair, Deputy (or alternative) Chair and Secretary. These positions will be determined annually by College Board members through a process of shared discernment. These positions will not be held by ex officio members.

### **9.2 College Board meetings**

- 9.2.1 The College Board will meet regularly but at least once in every term. Special meetings will be held when required by a quorum of members, or requested by an ex officio member or CES.
- 9.2.2 Meetings should be convened with at least seven days' notice to all members and where possible, with the early distribution of agendas.
- 9.2.3 A quorum will be a simple majority of members and will be required for all meetings to proceed.

- 9.2.4 Meetings will incorporate opening and closing prayers and should involve elements of ongoing formation.
- 9.2.5 Except in exceptional circumstances meeting should go no longer than two hours.
- 9.2.6 Decisions of the College Board should reflect the Shared Wisdom and Collaborative Ministry models rather than a process of voting.
- 9.2.7 While ex officio members are expected to be part of all College Board discussions and actions, there may be occasions, where by virtue of their position, they are required to act separately from the College Board. In some cases this may involve asking the College Board to alter its decision without revealing a specific reason for doing so.
- 9.2.8 Ex officio members have the authority of appointed College Board members including the proposing of agenda items, participating in all discussions, proposing actions and motions, and voting (when required under the Shared Wisdom model).
- 9.2.9 Records of meetings should be prepared by the Secretary – generally these should be a simple statement of agreed decisions or actions. This record will be confirmed at the following meeting. All meeting records and correspondence will be kept on file by the College Board Secretary.
- 9.2.10 The College Board is able to invite members of the community with special expertise to attend College Board meetings to inform discussions. This may include college, CES, or Parish/Diocesan staff.
- 9.2.11 The College Board may set up committees or working groups from within its number. The College Board will determine terms of reference for any committees and working groups. The terms of reference must be consistent with the College Board constitution.

## **10.0 Disputes**

- 10.1** Any dispute or uncertainty concerning the meaning or intention of this Constitution will be referred to CES for interpretation and decision. CES will refer to the Board of Governance Education matters which require additional discernment or decisions requiring significant interpretation.

### **Acknowledgements: This draft is based on:**

Catholic Education Commission, Archdiocese of Canberra and Goulburn (May 2014) *Constitution for Catholic Archdiocesan College Boards*.

Catholic Education Services, Diocese of Cairns (November 2007), *Model Constitution and Commentary for Catholic Education College Boards in the Diocese of Cairns – A resource for College Boards Formation and Function*.

National Catholic Education Commission (2002) *Catholic College Governance*.