

1 Name of Board

The name of the Board is Shenton College Board.

2 Definitions

In these rules, unless the contrary intention appears-

“Annual public meeting” is the annual meeting in which the Board presents to the school community an annual report based on the Board’s functions (**SER r.117**).

“Board” means the council established in **SEA s.125** and referred to in rule 1.

“Director General” means the chief executive officer of the Department of Education as defined in **SEA s.229**.

“Ordinary meeting” means a meeting held by determination of the Board (**SER r.115(1)**).

“Parent” in relation to a child, means a person who at law has responsibility –
o For the long term care, welfare and development of the child; or

4 Functions of the Board

4.1

4.6

To promote the school in the community (**SEA s.128(b)**).

4.7

To note the school's Funding Agreement (with Schedules).

4.8

To do all things necessary or convenient to be done for or in connection with the carrying out of its functions (**SEA s.133**)

6.2

Staff who are also parents or community members will only serve on the Board in their capacity as a Department of Education employee. Such a person will only be on the Board in the category of staff membership **(SEA s.127(3))**.

6.3

The number of members of the Board will be 13.

6.4

The Board will determine its composition:

a)

7 Roles

8.7

If there are more nominees than places available on the Board:

- a) the principal will conduct an election to appoint parents, staff and students **(SER r.108(2)(a)(c)(d))**; and
- b) in the category 'community members' the choice of nominee will be decided by the Board rather than by election **(SER r.108(2)(b))**.

8.8

Only those people eligible for a position are eligible to vote for representatives for that position **(SER r.109(1)(2)(3)(4)(5))**.

8.9

Parent members are to be elected from and by parents **(SER r.108(2)(a))**.

Parents eligible to vote are:

8.15

The school principal is responsible for the proper conduct of all elections (**SER r.108(2)**).

8.16

A person who wishes to nominate to serve on the Board will notify the school principal in writing using the prescribed nomination form by the due date in order to be considered. The principal will keep a record of nominations received.

8.17

Appointments to the Board will not be made until after a Screening Clearance Number has been issued by the Department of Education's Screening Unit (as is applicable to the membership category).⁵

9 Board meetings and proceedings

9.1

The Board must meet together to undertake Board functions for not less than 6 Ordinary meetings in each year.⁶

9.2

[Left intentionally blank]

9.3

The chairperson will give to the school community not less than 14 days formal notice of an Ordinary meeting.

9.4

Publication on the Shenton College website of the dates of Ordinary meetings of the Board shall be treated as formal notice.

9.5

Annual public meeting

- a) "Annual public meeting" is the meeting held once in every calendar year that is open to the public (**SER r.117(a)**).
- b) An annual report will be presented at the meeting to advise the school community of the performance of the Board in relation to its functions since the previous annual public meeting (**SER r.117(c)**).

9.6

The chairperson will give to all members and parents not less than 14 days formal notice of an annual public meeting (**SER r.117(b)**).

⁵ *Criminal History Screening policy and procedures and School Councils and Boards policy and procedures*

⁶ School Compliance Program, Schools Resourcing and Support, Department of Education requires a minimum of 2 Ordinary meetings

Guideline

It would be useful to specify in the formal notice –

- a) *When and where the annual public meeting is to be held;*
- b) *The agenda, for example -*
 - i. *first, the consideration of the annual report of the school council;*
 - ii. *second, any other business requiring consideration by the school council at the annual public meeting.*

9.7

A special meeting:

- a) Is a meeting called for by families of students at the school for a particular purpose **(SER r.118)**.
- b) will be held by determination of the Board **(SER r.115(1))**; or
- c) will be called for by:
 - i. at least 20 families of students at the school **(SER r.118(1)(b)(i))**;
or
 - ii. at least half the number of families of students at the school, whichever is the lesser number of families, **(SER r.118(1)(b)(ii))**;
and
 - iii. a formal notice to the chairperson, which will state the purpose for which the special meeting concerned is required; and be signed by the families who called for the special meeting.

9.8

The chairperson is not to convene a special meeting if the purposes of the proposed meeting are not relevant to the Board's functions **(SER r.118(3))**.

9.9

A special meeting is to deal only with matters relevant to the purposes set out in the notice received by the chairperson **(SER r.118(4))**.

9.10

The chairperson will give to all members and the school community not less than 14 days formal notice of a special meeting.

9.11

The chairperson will convene the special meeting within 30 days of receiving the request in writing.

9.12

The chairperson may, with the consent of a meeting at which a quorum is present, and must, if so directed by such a meeting, adjourn that meeting from time to time and from place to place.

9.13

No business will be transacted at an adjourned meeting other than business left unfinished or on the agenda at the time when the meeting was adjourned.

9.14

When a meeting is adjourned for a period of 30 days or more, the chairperson will give formal notice of the adjourned meeting as if that meeting were a fresh meeting.

9.15

The Board will agree on the manner that the secretary will communicate notice of ordinary, special and annual public meetings to members and the school community.

9.16

12 Resolutions at Board meetings

12.1

Each Board member is entitled to one vote only (**SER r.119(3)**).

12.2

A co-opted Board

13.2
The Board will

14.3

If the parties are unable to resolve the dispute at the meeting, a meeting may be held in the presence of a mediator.

14.4

The mediator will be-

- a) a person chosen by agreement between the parties; or
- b) in the absence of agreement-
 - i. in the case of a dispute between a member and another member, a person appointed by the chairperson of the Board;
 - ii. in the case of a dispute between a member or relevant non-member and the Board, a person who is a mediator appointed to, or employed with, a not for profit organisation.

14.5

A member of the Board can be a mediator.

14.6

The mediator cannot be a member who is a party to the dispute.

14.7

The mediator, in conducting the mediation, will-

- a) give the parties to the mediation process every opportunity to be heard;
- b) allow due consideration by all parties of any written statement submitted by any party; and
- c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.

14.8

The mediator will not determine the dispute.

14.9

The mediation will be confidential and without prejudice.

14.10

If the mediation process does not result in the dispute being resolved, the parties may seek advice from the Regional Executive Director.

Guideline

Councils are encouraged to adopt a Code of Conduct, review the code regularly and include the code as part of the induction for new members.

15 Cessation or termination of membership of the Board

15.1

The office of a member of the Board becomes a casual vacancy if the member:

- a) becomes ineligible to hold office as a member (**SER r.111(1)(a)**);
- b) resigns by written notice delivered to the Board (**SER r.111(1)(b)**); or
- c) is removed from office by the Director General (**SER r.111(1)(c)**).

15.2

The Board may remove a person as a member of the Board on the grounds that