

S 9.6 ST STEPHEN'S SCHOOL

CONSTITUTION

**Adopted by the Uniting Church Synod of Western Australia
October 2, 1981
Amended 14 September 2013
Other amendments have been incorporated over the years.**

ST STEPHEN'S SCHOOL

NAME

1. The name of the instrumentality shall be "ST STEPHEN'S SCHOOL", a body corporate, incorporated under the provisions of the Uniting Church in Australia Act 1976 (W.A.).

OBJECTS

2. The objects of the School are to advance the Kingdom of God, strengthen the Church of the one Lord Jesus Christ, promulgate the knowledge of God that is received in the Biblical witness and renewed by the power of the Holy Spirit and that is in accord with The Basis of Union, and in furtherance of these objects:
 - a) To contribute to the educational facilities of Australia by establishing and maintaining, in such places that may be thought suitable and as part of the ministry of the said Church, pre-school, primary, secondary and other educational institutions of the highest standards;
 - b) To provide an education of high academic standards;
 - c) To provide a caring Christian community within which the development towards a student's full potential (intellectual, emotional, physical, spiritual, cultural, social) can take place;
 - d) To develop numeracy and communication skills and to nurture attitudes and skills necessary for continued learning and personal growth throughout life;
 - e) To encourage an awareness of, an interest in and a valuing of the environment, ranging from local through global to universal, and to develop in students the skill and knowledge necessary to enable them to adopt responsible roles;
 - f) To provide opportunities for developing respect for others and their right to differing points of view, the ability to work co-operatively towards a common goal, and a sense of responsibility expressed in caring service to others;
 - g) To equip students with an appreciation of their own worth and the value of others: to develop in students the capacity and confidence to make decisions about all aspects of life, including their vocations, and to help them to deal creatively with economic and social realities;
 - h) To provide religious services, worship and teaching in conformity with the Basis of Union.

DEFINITIONS

3. In this Constitution the following expressions shall have the following meanings:
 - a) "Basis of Union" means The Basis of Union for the formation of The Uniting Church in Australia as amended from time to time.
 - b) "Chairperson" and "Secretary" shall mean the officers of the Council appointed as provided for in Clause 4 (i)(b) and Clause 11.
 - c) "Church" means the Uniting Church in Australia. "Moderator" means the Moderator for the time being of the Synod.
 - d) "Confirmed Member" means a member of the Church who is recognised as having affirmed the faith, accepted the responsibilities of membership by actively participating in the fellowship of the Church and supporting its work, and whose name is recorded on the roll of confirmed members of the Church. (Constitution of the Church para 6; Regulation 1.3)
 - e) "Council" means the Council referred to in Clause 4 hereof.

POWERS AND RESPONSIBILITIES OF COUNCIL

5. The Council has power to perform all such acts and do all such things as appear to the Council to be necessary or convenient for the proper management of the affairs of the School, and in particular may
 - (a) acquire, hold, deal with, and dispose of any real or personal property;
 - (b) open and operate bank accounts;
 - (c) invest its money
 - (i) in any security in which trust monies may lawfully be invested; or
 - (ii) in any other manner authorised bylaw or the regulations of the Church;
 - (d) borrow money upon such terms and conditions as the School thinks fit;
 - (e) give such security for the discharge of liabilities incurred by the School as the School thinks fit;
 - (f) appoint agents to transact any business of the School on its behalf;
 - (g) enter into any other contract it considers necessary or desirable; and
 - (h) may act as trustee and accept and hold real and personal property upon trust, but does not have power to do any act or thing as a trustee that, if done otherwise than as a trustee, would contravene the laws relating to trustees.
6. In governing the School the Council shall not knowingly do any act or thing which is contrary to the law of the said Church and known to the Council at the time of its doing such act or thing, provided that with respect to any dealings with any of the real or personal property of the School no person or corporation being a vendor, purchaser, borrower, lender, lessor, lessee or otherwise dealing with the Council shall be concerned to see to the observance of the provisions of this paragraph or be affected by notice of non-observance thereof.

PROCEEDINGS OF COUNCIL

7. The Council shall meet at such time and place as may be determined from time to time by its own resolution, but so that there shall be at least one meeting of the Council during each school term. The Chairperson may at any time they think it necessary, and shall whenever requested in writing so to do, by no less than three Council members (which writing shall specify the purpose for which the meeting is to be convened) convene or authorise the Secretary to convene a Special Meeting of the Council. At least three days' written notice of every Council meeting shall be given to all members of the Council, but if the Chairperson considers an urgency exists then upon their authority a Special Council meeting may be convened on shorter notice. The non-receipt by any Council member of a notice of meeting shall not invalidate any such meeting.
8. Council meetings may take place:
 - a) where members of Council are physically present together; or
 - b) using any technology consented to by a majority of the members of Council, in such circumstances as permitted by the Chair from time to time. A member of Council who participates in a Council meeting as set out in this paragraph:
 - i. is deemed to be present at the Council meeting; and
 - ii. continues to be present at the Council meeting for the purposes of establishing a quorum, until the member of Council notifies the other Council members that they are no longer taking part in the Council meeting.
9. A quorum for a Council meeting shall be not less than five members and the Chairperson shall be included in such number.
10. Each Council member shall have one vote and in the case of an equality of votes the Chairperson shall have a casting vote. Except where otherwise expressly provided, questions arising at any Council meeting shall be decided by a majority of votes.

SECRETARY

17. The Council shall by resolution appoint and may remunerate out of the funds of the School a Secretary, who may be a member of the Council, upon such terms and conditions as the Council thinks fit and may determine any such appointment. The duties of the Secretary shall be defined from time to time by resolution of the Council. The Secretary shall be under the control of the Council. The Secretary, or other person appointed by the Council, shall act as the Public Officer.

MODERATOR AS VISITOR

18. The Moderator shall be the official visitor to the college, may as such attend and participate in any meeting of the Council, and shall in relation to the college fulfil the duties and responsibilities of both the Moderator and the official Visitor as defined in the Regulations of the Uniting Church in Australia.

PRINCIPAL AND STAFF

19. The Council shall appoint the Principal as the Chief Executive Officer who shall be a Confirmed Member of the Church or a person who is actively involved in the life and worship of some other Christian denomination and who subscribes to, and lives consistently with, The Basis of Union. The Principal's appointment shall be terminable at any time by the Council in the event of the serious illness or incapacity of the Principal or for good cause. No termination by the Council shall be effective unless notice of intention to move in that connection is given in the notice convening the meeting at which it is intended to pass such motion and unless such motion is passed by two-thirds of the votes cast on that motion at that meeting.
20. The Principal as the Chief Executive Officer of the School has delegated authority from the Council for all day to day operations, including the selection of staff and full direction of the teaching and organisation of the School. In staffing the School preference shall be given to members of the Christian Church, all other things being equal.
21. The Principal shall attend and submit a report on the activities of the School to each ordinary meeting of the Council but shall not have the right to vote. The Council may excuse the Principal from attending a meeting of the Council or direct the Principal not to attend.
22. Without limiting the rights of the Council, it shall be the duty of the Principal to have prepared and submit to the Council in such form as it desires a financial statement of the School and once a year to submit to the Council a duly audited Balance Sheet and Accounts of the School in a form to be approved by the Council.

CHAPLAIN

23. The School may have a Chaplain who shall be called by the Council of the School after consultation with the Principal and the Synod. Every such Chaplain shall be a Minister of the said Church and may be settled full time or part time, in accordance with the Uniting Church regulations.

AUDITOR

24. An Auditor or Auditors shall be appointed and remunerated by the Council annually and shall audit the accounts of the School and shall present to the Council a report upon such audit and on the accounts and records examined by them.

CERTIFICATE OF EVIDENCE OF ALTERATIONS, ETC.

- 31. A certificate purporting to be signed by the Secretary for the time being to the Synod shall be conclusive evidence that any such resolution of the Synod has been passed in a manner certified in such Certificate.

Amendment to Clause 4 approved by School Council 24th June 2008.

Amendments to Clauses 4 and 14: Approved by School Council 29th June 2010 and approved at Annual Synod September 2010.

Amendments to Clauses 2, 3, 4, 5, 11, 12, 13, 18, 21 and 22; addition of Preamble; deletion of Clauses 15 and 16 and consequent renumbering of Clauses 17 to 25: Approved by School Council 15th May 2012
