

THE SCHOOLS COMMISSION ORDINANCE 1997

No. 12 of 1997

AN ORDINANCE

To establish an Anglican Schools Commission.

PREAMBLE

WHEREAS it is desirable to establish an Anglican Schools Commission within the Diocese of Grafton.

THEREFORE the Bishop, Clergy and Laity of the Diocese of Grafton in Synod assembled, decree and enact as follows:

SHORT TITLE

1. This Ordinance may be cited as the Schools Commission Ordinance 1997.

INTERPRETATION

2. In this Ordinance, unless the context or subject matter otherwise requires or indicates:

Commission means the Anglican Schools Commission - Diocese of Grafton as constituted by this Ordinance;

Fund means the Schools Commission Fund set up in accordance with the provisions of this Ordinance;

Member School means a School which has become a Member School of the Commission in accordance with the provisions of this Ordinance;

School means an Anglican School in the Diocese of Grafton and includes:

- (a) a School, the Council or Board of which has been incorporated under the Anglican Church of Australia (Bodies Corporate) Act 1938.
- (b) a School, the Council or Board of which has been incorporated under the Corporations Law.

COMMISSION CONSTITUTED

3. There shall be a body which shall be called the Anglican Schools Commission - Diocese of Grafton with such objects membership and functions as are set out in this Ordinance.

AUTHORITY OF THE COMMISSION

4. (i) The Commission shall have the authority to conduct its affairs in accordance with any general or specific direction of the Synod or the Bishop-in-Council given from time to time.
(ii) The Commission shall not have the power to affect such authority and independence of the governing body of any Anglican School as is granted to such governing body in accordance with the constitution of such School.

OBJECTS OF THE COMMISSION

5. The object of the Commission shall be the promotion of education in Anglican Schools, and more particularly:
 - (a) to support the planning and establishment of new Schools to serve the whole of the community as part of the mission of the Church especially in developing areas.
 - (b) to support the establishment and development of methods of governance for new schools;
 - (c) to promote and support existing Member Schools;
 - (d) to facilitate consultation and encourage communication and co-operation among Schools and between Schools and the Commission;
 - (e) to communicate within the Diocese all activities of the Schools Commission;

- (f) to support in Anglican Schools the use of programs designed to help parents and staff recognise the importance of a complete education of students in a Christian School and to understand and perform their respective responsibilities in such education;
- (g) to encourage schools in their Christian faith and worship;
- (h) to liaise with bodies in the Diocese involved in training for both the ordained and lay ministries, especially in the areas of chaplaincy and religious education;
- (i) to develop or assist in the development of religious education programs for use in schools;
- (j) to develop and recommend from time to time general educational policies for schools;
- (k) to recommend to the Bishop-in-Council policies and initiatives in the promotion of education within a Christian context;
- (l) to consult and co-operate with schools and with educational bodies similar to the Commission in other Anglican Dioceses and in other Churches, with other relevant educational bodies and agencies; and with other relevant tertiary institutions on matters affecting the education provided in Anglican Schools;
- (m) to provide liaison between the Diocese and Federal, State and Local Governments and other relevant educational bodies and agencies on matters relating to education and on matters relating to the provision of governmental funds for non-government schools;
- (n) to advise, consult with and co-operate with the Parishes concerning provision of school sites, construction of school facilities and funding;
- (o) to promote the raising of money for Member Schools;
- (p) to consult with and advise Member Schools on industrial, legal and insurance matters;
- (q) to undertake such other functions as may be committed to the Commission from time to time by the Bishop-in-Council.

MEMBER SCHOOLS

- 6. (i) Any School as defined in this Ordinance may become a Member School of the Commission by resolution of the governing body of such School.
- (ii) The governing body of any Member School may by resolution withdraw that School from being a Member School of the Commission, but without prejudice to any responsibility, financial or otherwise, which such Member School may have in respect of the Commission.
- (iii) With the consent of the Bishop-in-Council the Commission may admit a school which is not a School as defined in this Ordinance as a Member School of the Commission, provided that the educational and religious policies and practices of such school are not inconsistent with the objects of the Commission.

SCHOOLS COMMISSION FUND

- 7. (i) There shall be a Fund of the Diocese of Grafton to be called the Schools Commission Fund which shall consist of:
 - (a) monies which shall be received for the purposes of the Commission;
 - (b) other such monies as the Synod or the Bishop-in-Council may direct shall be credited to the Fund.
- (ii) The monies held to the credit of the Fund shall be applied so far as the same shall extend for the purposes of the Commission.
- (iii) The Treasurer of the Synod shall present to each annual session of Synod a statement of receipts and disbursements of the Fund.

FUNDING FROM MEMBER SCHOOLS

- 8. The governing body of each Member School shall pay such monies, and at such times, into the Fund as shall be agreed from time to time by such governing body and the Commission.

MEMBERS OF THE COMMISSION

9. (i) The members of the Commission shall be:
- (a) (1) the Bishop, who shall be the President of the Commission;
(2) a person appointed from time to time by the Bishop;
 - (b) the General Manager/Registrar;
 - (c) the person (if any) holding for the time being the office of Schools Officer or Consultant as hereinafter provided, who shall have a seat on the Commission but without a vote;
 - (d) for each Member School, one person who shall be a communicant Member of this Church appointed by the Bishop-in-Council as hereinafter provided;
 - (e) up to three persons co-opted by the aforementioned members of the Commission.
- (ii) The members of the Commission appointed by the Bishop-in-Council shall be appointed for a term of three years except as hereinafter provided, and shall hold office until their successors are appointed.
- (iii) At the first meeting of the Commission after the Bishop-in-Council has appointed the first such members of the Commission, the Member Schools shall as nearly as practicable be divided into three equal groups by lot, and the term of office of the members for the first such group shall be one year, the term of office of the members of the second such group shall be two years, and the term of office of the members for the third such group shall be three years.
- (iv) Each school which becomes a Member School of the Commission after the initial division of Member Schools into three groups as aforementioned shall be allocated by the Commission to one such group, so that as nearly as practicable the number of Schools in each group is equal, and the initial term of office of the member of the Commission appointed by the Bishop-in-Council for such School shall coincide with the term of office of the existing members for the Schools in such group.
- (v) The Bishop-in-Council shall appoint such of the aforesaid members of the Commission as are required at the meeting of the council held next after each ordinary session of the Synod, on the nomination of the governing body of each Member School, which shall nominate at least two persons to the council for such purpose.
- (vi) In appointing members of the Commission, the Bishop-in-Council shall give due regard to the relevant experience and qualifications of each person nominated to it, in relation to the objects of the Commission.
- (vii) The co-opted members of the Commission shall hold office for such term, being not more than three years, as may be specified when the said members are appointed, and if no term is so specified for a term of three years.
- (viii) Any vacancy in the office of a member of the Commission appointed by the Bishop-in-Council shall be filled by the Council in the same manner as the original appointment was made.
- (ix) A vacancy shall occur in the office of a person appointed or co-opted to membership of the Commission when:
- (a) the person resigns in writing to the Bishop and such resignation is accepted by him;
 - (b) the person having been appointed by the Bishop-in-Council ceases to be a communicant Member of this Church;
 - (c) the person shall have been absent without leave from three successive meetings of the Commission;

- (d) the Bishop-in-Council shall have received and adopted the advice of the governing body of the Member School which nominated the person for appointment that the governing body no longer wishes the person to be the member of the Commission for that School;
- (e) the Bishop-in-Council shall have declared the person's office as a member of the Commission vacant for any reason which it shall deem fit.

FUNCTIONING OF THE COMMISSION

- 10. (i) On the advice of the Commission the Bishop shall appoint the Chairman of the Commission for a term of one year from among those members of the Commission appointed by the Bishop or the Bishop-in-Council, and no person shall be appointed as Chairman for more than three consecutive terms.
- (ii) In the absence of the said Chairman and of the President meetings of the Commission shall be chaired by a member of the Commission appointed by the Chairman, and failing such appointment, or if the member so appointed is absent, the members of the Commission shall appoint one of their number to chair the meeting.
- (iii) The chairman of any meeting of the Commission shall have both a deliberative vote and a casting vote.
- (iv) The Commission may appoint such other officers from among the members of the Commission as it shall consider expedient or convenient for the functioning of the Commission and define their duties from time to time.
- (v) The Commission shall meet at least four times in each year as the Commission shall itself determine, and the Chairman shall call a special meeting at the request of the Bishop or any three members of the Commission.
- (vi) A quorum for the transaction of business shall be one-half of the members of the Commission.
- (vii) The Commission may establish such committees as it shall consider expedient or convenient for the functioning of the Commission, provided that at least one member of any committee shall be a member of the Commission, and the chairman of such committee shall be appointed by the Commission.

SCHOOLS OFFICER OR CONSULTANT

- 11. (i) The Bishop-in-Council may appoint an officer to the staff of the Bishop's Registry to perform such duties relating to Anglican Schools and the Commission as the Council shall determine with the advice of the Commission.
- (ii) The appointment shall be made by the Bishop-in-Council after consideration of the recommendations of the Commission on such terms and conditions as it shall determine with the advice of the Commission.

COMMISSION TO REPORT

- 12. (i) The proceedings of the Commission shall be sufficiently reported to the next succeeding meeting of the Bishop-in-Council, and shall be fully reported in writing to the next succeeding meeting of each of the governing bodies of the Member Schools.
- (ii) The Commission shall report to the annual session of Synod.

ASSENT

I hereby certify that the Ordinance as printed is in accordance with the Ordinance as passed.


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Chairman of Committees

I certify that this Ordinance was passed by Synod on the seventeenth day of August, 1997.


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Registrar

I assent to this Ordinance.


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Bishop.