Terms of Reference
**DOCUMENT CONTROL**

**Document Information**

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<tr>
<th>Document Name</th>
<th>Woodvale Secondary College Terms of Reference</th>
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<tr>
<td>Document Owner</td>
<td>Woodvale Secondary College Board</td>
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**Document History**

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<th>Version</th>
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**Document Approvals**

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<td>Principal</td>
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<tr>
<td>Woodvale Secondary College</td>
<td>Board Chair</td>
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1.0 NAME: The name of the Board is the Woodvale Secondary College Board.

2.0 DEFINITIONS
In these terms of reference:

- “Board” means “Board” as defined in the School Education Act 1999.
- “Director General” means the Chief Executive Officer of the Department of Education as defined in section 229 of the School Education Act.
- “educational program” means an organised set of learning activities designed to enable a student to develop knowledge, understanding, skills and attitudes relevant to the student’s individual needs as defined in section 4 of the School Education Act.
- “Minister” means the Minister responsible for administering the School Education Act.
- “parent” as defined in section 4 of the School Education Act 1999 is the person who is named in the school register as a parent of a student.
- “school” means (Woodvale Secondary College).
- “school fund” means the General Purposes Fund and a fund referred to in section 110 of the School Education Act, as defined in section 4 of the School Education Act; and
- “student” means student enrolled at the school.
- “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
- “Terms of Reference” means these rules that will apply to the Board and members.
- “Ordinary meeting” means a meeting held by determination of the Board

3.0 PURPOSE
The Board is formed with the fundamental purpose of enabling parents and members of the community to engage in activities that are in the best interests of students and will enhance the education provided by the school.

4.0 FUNCTIONS OF THE BOARD
4.1 Powers and Duties
The Board has the following powers and duties:

4.1.1 Take part in the following:
- establishing and engaging in the review of the school’s objectives, priorities and general policy directions;
- the planning of financial arrangements necessary to fund those objectives, priorities and directions;
- evaluating the school’s performance in achieving them; and
- formulating codes of conduct for students at the school.

4.1.2 To make recommendations in consultation with students, their parents and staff on an appropriate dress code for students when they are attending or representing the school;

4.1.3 To promote the school in the community;

4.1.4 To approve:
- charges and contributions for the provision of certain materials, services and facilities under section 99(4) of the School Education Act;
- extra cost optional components of educational programs under section 100(3) of the School Education Act;
- items to be supplied by a student for use in an educational program under section 108(2) of the School Education Act; and
- any agreements or arrangements for advertising or sponsorship in relation to the school under section 216(5) of the School Education Act.

4.1.5 To provide advice to the principal of the school on:
- general policy concerning the values underpinning school activities

4.1.6 To provide advice to the principal of the school on:
general policy concerning the use in school activities of prayers, songs and material based on religious, spiritual or moral values being used in a school activity as part of religious education.

4.1.7 With the approval of the Minister or Director General, as the Minister’s delegate, to: take part in the selection of, but not the appointment of, the school principal or any other member of the teaching staff under section 129(2) of the School Education Act.

4.2 Limits of Functions

The Board cannot:

4.2.1 intervene in the control or management of the school;
4.2.2 intervene in the educational instruction of students;
4.2.3 exercise authority over teaching staff or other persons employed at the school; and
4.2.4 intervene in the management or operation of a school fund.
4.2.5 The Board is not permitted to borrow money, or obtain funds for the school

4.3 The Director General may give directions in writing to a Board with respect to the performance of its functions, either generally or in relation to a particular matter, and the Board is to give effect to any such direction.

5.0 MEMBERSHIP OF THE BOARD

The composition of the Board will reflect the diversity of the school community and members will have the skills and experience required to provide sound governance and excellence in decision making.

5.1 Composition

The Board is to determine its composition:

i) having regard to the nature of the student population of the school and the social, cultural, lingual, economic or geographic factors that may be relevant to the school;

ii) having regard to the functions of the Board and any changes in those functions; and

iii) with a view to including members of the general community, and staff of the school, and allocating a membership position to a member of an association referred to in section 149 of the School Education Act.

5.2 Categories Table

Membership of the WSC Board will consist of the following categories of membership:

<table>
<thead>
<tr>
<th>Category</th>
<th>#</th>
<th>Voting rights</th>
<th>Term of office</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parents of students attending the School</td>
<td>4</td>
<td>Full voting members</td>
<td>Three year tenure with staggered terms, and can be re-appointed more than once but cannot serve two terms consecutively without minimum 12 month gap.</td>
</tr>
<tr>
<td>Staff of the School in addition to the Principal, currently on the School staff roll, and elected by the general teaching staff of the School</td>
<td>3</td>
<td>Full voting members</td>
<td>Two year tenure with staggered terms, and can be re-appointed more than once but cannot serve terms consecutively without minimum 12 month gap.</td>
</tr>
<tr>
<td>Principal of the School</td>
<td>1</td>
<td>Full voting member</td>
<td>Period of appointment as Principal of the School.</td>
</tr>
<tr>
<td>Head Students of the School</td>
<td>2</td>
<td>Full voting members</td>
<td>Current calendar year that students hold position as Head Students.</td>
</tr>
<tr>
<td>Community Member/s</td>
<td>1 or 2</td>
<td>Full voting members</td>
<td>Minimum 12 months with a maximum 2 year tenure. Must not have students attending the College.</td>
</tr>
<tr>
<td>P&amp;C Representative of the School’s, Elected by the P&amp;C</td>
<td>1</td>
<td>Full voting member</td>
<td>One year tenure serving within the calendar year and can be reappointed but cannot serve more than two terms consecutively.</td>
</tr>
<tr>
<td>Periodic Guest member/s for purpose of addressing a specified subject matter</td>
<td>No voting rights</td>
<td>Period of term determined by the Board.</td>
<td></td>
</tr>
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</table>

TOTAL COMPOSITION 13
5.3 **Staff Membership**
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.

5.4 **Number of Members**
The number of members of the Board shall be minimum of twelve but not more than fifteen, but can be otherwise determined by the Board.

5.5 **Election of Chair**
The chair of the Board is to be elected from within categories of; Parents / Staff / Community Member but excludes Principal / Head Students / P&C Representative/ Periodic Guest by, and elected from, its members. Minimum of 12 month tenure max of 2 years

5.6 **Principal Membership**
The principal is automatically a member of the Board.

5.7 **P&C Membership**
The Parents and Citizens' Association may nominate one of its members to be a member of the Board in the parent or community membership category as is relevant to the nominee.

5.8 **Majority**
Parents and members of the general community must form the majority of the members of the Board.

5.9 **Community Membership**
The Board may co-opt a citizen of the community to be a member of the Board for the suggested tenure (voting member), as determined by the Board where that person’s experience, skills or qualifications would enable him or her to make a contribution to the Board’s functions.

5.10 **Periodic Membership**
The Board may co-opt a skilled professional citizen to be a member in relation to such matters and as a guest board member for such period (non-voting member), as determined by the Board where that person’s experience, skills or qualifications would enable him or her to make a contribution to the Board’s functions.

5.11 **Board Categories**
All board members excluding Principal can only serve terms according to the above table and can only serve within one category at a time and must have a twelve month gap between tenures of any category.

6.0 **BOARD MEMBERS ROLES**

6.1 **Role of the Principal** of an unincorporated board
The Principal is automatically a member of the Board. The Principal’s role as school leader is to manage the administration of the school, the staff of the school and the educational instruction of students.

The role of the Principal on the Board is to;
- provide advice and guidance to the Board in relation to legislative requirements and school policy;
- submit to the school’s annual budget to the Board for endorsement;
- invite nominations to fill vacancies in the Board membership;
- conduct elections;
- assist in identifying appropriate general community representatives to be placed on the list of nominees;
- provide the Board with support services; and
- represent the Department of Education
Role of Secretary of an unincorporated board

As a non-voting and non-member of the Board, the secretary manages the administration affairs of the Board.

The role of the Secretary on the Board is to;

- coordinate the correspondence of the Board;
- prepare all documentation in consultation with the Principal and Chair in preparation for the meetings;
- ensure that full and correct minutes of the meetings and the proceedings of the Board are kept in a minute book and are signed by the Chairperson after every meeting;
- serve formal notice to Board members and the community, at the direction of the chairperson, in advance of:
  - ordinary, special and annual public meetings; and
  - motions;
- keep and maintain in an up to date condition a register of the members of the Board and their contact details;
- keep a list of nominees of members of the general community that may be appointed to the Board in the category of Community Membership;
- keep and maintain the Terms of Reference and have copies of the Terms of Reference available to all members;
- ensure every member has access to inspect the records and documents of the Board;
- have custody of all books, documents, records and registers of the Board; and
- have custody of all other records held by the Board.

Role of the Chairperson of an unincorporated board

The chairperson leads the Board and effectively leads meetings. The role of the Chairperson is to;

- chair and convene Board meetings;
- provide leadership to the Board;
- manage the business of the Board;
- declare the result of decisions and motions;
- uphold Board decisions;
- work in partnership with the Principal
- ensure the Board stays focused on supporting the school to achieve the best outcomes for students;
- prepare and present an annual report to members and the school community at annual public meetings;
- comply with any directions of the Board in relation to the venue and time of meeting and giving notice of the meeting;
- resolve disputes as required;
- facilitate mediation meetings as required; and
- represent the school in the community and formal functions;

Chairing meetings;

- ensuring meetings are run effectively and achieve their purpose;
- ensuring all members have the opportunity to be heard;
- ensuring the meeting focuses on whole school outcomes rather than personal affairs;
- ensuring the minutes from the previous meetings are confirmed as accurate and signing and dating those minutes;
- starting and finishing meetings on time;
- notifying the Board of any apologies received;
- tabling all correspondence, in and out; and
- facilitating the resolution of any conflict.

Appointment and Election of Members
7.1 **Nominations**  
The principal of the school will invite nominations from suitably eligible and qualified persons to fill all category vacancies occurring and, except in the case of the general community membership category, will conduct elections where the number of nominees is greater than the vacancies available.

7.2 **Eligibility of Parent**  
Eligible to vote in the category of parent membership positions is each parent whose name and address has been provided to the school under section 16(1)(b)(ii)(I) of the School Education Act, or if neither parent’s name and address has been so provided, each person who is responsible for the student.

7.3 **Eligibility of Staff**  
Eligible to vote in the category of staff membership positions is each person to whom section 235(1) of the School Education Act applies and whose usual place of work is at the school.

7.4 **Eligibility of P&C Representative**  
The Parents and Citizens members are eligible to nominate a member to represent the Association within the School Board and serve a term according to Category Table (5.2).

7.5 **Voting per Category**  
A person may not vote in respect of more than one category referred to in rules (b), (c), (d) (above).

7.6 **Eligibility of Community Membership Positions**  
In the category of community membership position/s, the Board will identify skill sets required to complement the current Board and may appoint suitably qualified members of the wider community. Community members cannot have students attending the school.

7.7 **Periodic Membership Positions**  
There will not be an election to appoint co-opted members. The Board will appoint a person having such skills, experience, or qualifications as would enable the person to make a contribution to the Board’s functions for a specified time period.

7.8 **Director General Intervening with Conduct of Elections**  
7.8.1 The Director General may, from time to time, specify standards or requirements in relation to the conduct of elections.

7.8.2 The Director General may inquire into any matter affecting an election or appointment of a member of the Board and, if any irregularity has occurred, may declare the results of an election or appointment invalid or order an election or appointment or a new election or appointment to be conducted.

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

a) the principal will conduct an election to appoint parents and staff.

8.0 **TERM OF OFFICE**

8.1 Parent members of the Board shall hold office for a term not exceeding three years as determined by the Board with staggered terms, and may be reappointed more than once but not serve consecutive terms.

8.2 Staff members of the Board (other than the Principal) shall hold office for a term not exceeding two years with staggered terms and may be reappointed more than once but not serve consecutive terms.

8.3 Any member appointed or elected to a casual vacancy in the Board shall hold office for the balance of the term of the member of the Board whose seat on the Board has become vacant.

8.4 The Parent and Citizens’ Association representative shall hold office for a term of minimum twelve months but not exceeding two years as determined by the Board.

8.5 Any Community Member appointed or elected on the Board will hold office for minimum twelve months, maximum two year tenure serving within the calendar year, and can be re-appointed more than once but cannot serve two terms consecutively.

8.6 Any Periodic Guest appointed or elected on the Board for the sake of specific project/s will serve a period deemed by the Board appropriate to the project/s.
9.0 CESSATION OR TERMINATION OF MEMBERSHIP

9.1 Member Vacancy
The office of a member of the Board becomes vacant if the member:
9.1.1 becomes ineligible to hold office as a member;
9.1.2 resigns by written notice delivered to the Board; or
9.1.3 is removed from office by the Director General or delegate.
9.1.4 if member is absent from 3 consecutive meetings

9.2 Director General Termination of Member
The Director General, or Executive Directors as delegates of the Director General, may remove a person as a member of the Board on the grounds that the continuation of the person as a member would be detrimental to the interests of the Board.

9.3 Grounds that the Board may remove a member
The Board may remove a person as a member of the Board on the grounds that the person:
9.3.1 has neglected his or her duty as a member;
9.3.2 has misbehaved or is incompetent;
9.3.3 is suffering from mental or physical incapacity, other than temporary illness, impairing the performance of his or her function as a member; or
9.3.4 has been absent, without leave or reasonable excuse, from three consecutive meetings of which the member has had notice.

9.4 The Board must not remove a person as a member unless the person has been given a reasonable opportunity to show that he or she should not be removed from office.
9.5 A decision of the Board to remove a person from office is to be made by resolution of a majority comprising enough of the members for their number to be at least two thirds of the number of offices, whether vacant or not.

10.0 MEETINGS AND PROCEEDINGS OF THE BOARD
10.1 The Board must meet together to undertake Board functions for not less than 4 ordinary meetings in each year. Dates will be determined each December for the following year.
10.2 The chair of the Board is to convene Board meetings in accordance with the directions of the Board in relation to the venue and time of meeting and giving notice of the meeting.
10.3 Meetings of the Board are generally to be open to the public.
10.4 The Board is to hold each calendar year at least one meeting that is open to the public, 14 days’ notice of which has been given to parents and in which a report is presented on the Board’s functions.
10.5 The Board may decide to close to members of the public a meeting or part of the meeting on the grounds set out in rule 8.6 unless the meeting is the annual public meeting or a special meeting called under regulation 118 of the School Education Regulations 2000.
10.6 The Board may decide to close to members of the public a meeting or part of the meeting if it deals with any of the following:
10.6.1 a matter affecting a person who is employed at the school;
10.6.2 the personal affairs of any person;
10.6.3 a contract entered into, or which may be entered into, by the school and which relates to a matter to be discussed at the meeting;
10.6.4 legal advice obtained, or which may be obtained, by the Board and which relates to a matter to be discussed at the meeting;
10.6.5 a matter that, if disclosed, would reveal:
1) information that has a commercial value to a person and that is held by, or is about, a person other than the Board; or
2) information about the business, professional, commercial or financial affairs of a person and that is held by, or is about, a person other than the Board;
10.6.6 information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971.
10.7 A decision to close a meeting or part of the meeting and the reason for the decision are to be recorded in the minutes of the meeting.
10.8 The chair is to convene a special meeting of the Board if the meeting is called for in a notice to the
chairperson setting out the purposes of the proposed meeting, that is provided by at least 20 families of students at the school or at least half the number of families of students at the school, whichever is the lesser number of families.

10.9 In the absence of the Chair, the Principal is to appoint a proxy to oversee the proceedings of the said meeting.

10.10 The chair is not to convene a meeting if the purposes of the proposed meeting are not relevant to the Board’s functions.

10.11 A meeting convened is to deal only with matters relevant to the purposes set out in the notice received by the chair.

10.12 Each Board member, including the chairperson, is entitled to one vote only.

10.13 A decision of the Board does not have effect unless it has been made by an absolute majority.

10.14 An absolute majority means a majority comprising enough of the members of the Board for their number to be more than 50 per cent of the number of offices whether vacant or not.

10.15 Subject to these rules, the procedure and order of business to be followed at a meeting shall be determined by the Board.

11.0 FAILURE TO ACT PROPERLY

11.1 In the event that the Board breaches the School Education Act, or the conduct of the Board incompetent, inadequate or improper, the Minister may give written notice to the Board requiring that the situation be remedied.

11.2 If the Minister is of the opinion that a Board has not complied with such a notice, the Minister may dismiss the Board.

12.0 COMMITTEES OF THE BOARD

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

12.2 Membership of committees is not confined to members of the Board but at least one Board member is required to serve on each Committee.

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

12.4 In all cases a committee makes its recommendations to the Board.

13.0 DUTIES TO BE ALLOCATED

13.1 The Board is to allocate to a member or members the following duties:
   i) coordinate the correspondence of the Board;
   ii) ensure that full and correct minutes of the meetings and proceedings of the Board are kept; and
   iii) have custody of all books, documents, records and registers of the Board.

14.0 QUORUM

14.1 A quorum will be more than 50 per cent of the members of the Board but decisions must still be made with an absolute majority.

15.0 REVIEW

15.1 The Board’s Term of Reference and Code of Conduct are to be reviewed by the Board on an annual basis.