



MERCY
Regional College

BOARD OF MANAGEMENT CONSTITUTION

**McAuley Campus, Camperdown
O'Keefe Campus, Noorat**

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1. PREAMBLE

With the approval of, and under the direction of the Bishop of Ballarat, Mercy Regional College has been established to provide Catholic education, according to the precepts, teachings and practices of the Catholic Church. This College is governed by the body of Parish Priests (the Governors of the College) under the supervision of the Bishop and is acknowledged as Catholic by his authority.

According to the provisions of Canon Law and their particular applications in the Diocese of Ballarat, this College shall follow the guidelines for Religious Education, as approved by the Bishop, and is subject to such other directions and guidelines which may be given from time to time by the said ecclesiastical authority in accord with the Code of Canon Law. (See particularly Canons 803-806 in "The Code of Canon Law" - 1983)

This College is managed by the Mercy Regional College Board of Management, in accordance with the Constitution. According to the provision of Canon Law, the Board is responsible to the Governors of the College, who in turn are subject to the vigilance of the Bishop. (Canon 1279.1)

2. HISTORICAL BACKGROUND

Mercy Regional College is a co-educational secondary school, serving the parishes of Camperdown, Mortlake, Terang and Timboon. It is a two-campus school with the main campus McAuley, situated in Camperdown. The second campus O'Keeffe is situated at Noorat, which is some 25 kilometres away. The McAuley campus caters for students from Years 7-12 and the O'Keeffe campus caters for students from Years 7-9. After completing Year 9, the O'Keeffe campus students travel to the McAuley campus for the final years of their education.

Mercy Regional College evolved in 1973, when the closure of the secondary component of St Patrick's Elementary School was imminent. Due to the development of secondary curriculum that required more extensive library resources, science and other facilities, it became increasingly difficult for individual parishes to finance their secondary sections. The parish of Camperdown took the initiative in developing a new concept of Catholic Education - a Secondary College serving local parishes, managed by a Board of Management and administered by a Lay Principal. Later the parish of Simpson became interested in this new concept.

The secondary components of St Colman's School, Mortlake and St Thomas' School, Terang, also faced financial difficulties, and in 1975 the College became a three-campus institution located at Camperdown, Mortlake and Noorat. In 1983, the Mortlake and Noorat campuses were consolidated at Noorat.

In 1992 at the invitation of the Director of Catholic Education the Timboon Parish was invited to be associated with the Mercy Regional College. A year later in 1993 the parish of Simpson, a founding parish of the College ceased to be a parish with Timboon taking responsibilities for Simpson. At this time Cobden became part of the parish of Camperdown. Hence Mercy Regional College now serves the parishes of Camperdown, Mortlake, Terang and Timboon.

The Sisters of Mercy have had a long involvement in Catholic education at both

Camperdown (1907) and Noorat (1923). Mercy Regional College has been fortunate in being able to maintain the involvement of the Sisters of Mercy since its beginning in 1973 until 2002.

In 2004, the two campuses of Mercy Regional College were re-named. The Camperdown campus was named the McAuley campus after the foundress Catherine McAuley in recognition of the contribution of the Sisters of Mercy to education in this region. The Noorat campus was named the O’Keeffe campus after Monsignor O’Keeffe (former Parish Priest of St. Thomas’ Terang).

DEFINITIONS

THE BISHOP is the Catholic Bishop for the time being of the Diocese of Ballarat or the person duly appointed to administer the Diocese.

THE COLLEGE is Mercy Regional College, currently situated at Henderson Street, Camperdown and McKinnon's Bridge Road, Noorat.

THE MEMBER PARISHES are those Catholic parishes, within the Diocese of Ballarat, which have established the Regional College and have agreed to underwrite the financial situation.

THE PARISH PRIESTS are the Parish Priests for the time being of Member Parishes or the person(s) duly appointed to administer a Member Parish.

THE GOVERNORS OF THE COLLEGE are the Parish Priests of the Member Parishes acting as the *juridical* person (Canon 113-123).

THE BOARD is the body which is responsible for the management of the College according to the Constitution of the College.

THE CONSTITUTION is the Constitution of the College Board, as approved by the Bishop.

THE REGION is the geographic area incorporating the Member Parishes.

THE CATHOLIC EDUCATION COMMISSION OF VICTORIA (C.E.C.V.) and THE CATHOLIC EDUCATION OFFICE (C.E.O.) for the Diocese of Ballarat provide guidelines and policies regarding Catholic Education.

4. THE AGREED FORMULA

The Agreed Formula for Mercy Regional College is:

- The ownership of the College as such, in both Canon and Civil Law rests with the Parishes of Camperdown, Mortlake, Terang and Timboon;
- The Roman Catholic Trust of the Ballarat Diocese holds titles to the land on which the two campuses of the College stand in trust on behalf of the Parishes of Camperdown and Terang;
- In other words, the Parishes of Camperdown and Terang are the beneficial owners of the land on which the two campuses of the College are situated.
- For this reason, the property and all facilities that are no longer required for a Regional College, are to be handed back to the Parishes of Camperdown and Terang

5. MEMBERSHIP OF THE BOARD

5.1 MEMBERSHIP OF THE BOARD SHALL COMPRISE:

- (a) Up to six co-opted members nominated by the Governors of the College with particular expertise in one of the following areas:
 - Education
 - Finance
 - Building
 - Law
 - Public Relations/Marketing/Media
 - Policy
- (b) The Principal of the College (who shall be the Executive Officer of the Board).
- (c) Up to four parents of currently enrolled students preferably one from each of the member parishes as nominated by the Board, or other persons deemed suitable and nominated by the Board. Such nominations are to be approved by the Governors of the College.
- (d) A representative of the Diocesan Education Office (nominated by the Diocesan Director of Catholic Education).

5.2 EX-OFFICIO MEMBERS:

- (a) Principal
- (b) Representative of Catholic Education Office

5.3 TERM OF OFFICE:

- (a) Parish members and staff representative to hold office for a term of two years, with preferably no more than half the members to change at the end of the two-year term. Their term commences after the Annual General Meeting in March. Retiring members are eligible for re-appointment for a further term providing that no member serves more than four consecutive years.
- (b) College auxiliary members to be appointed on an annual basis.
- (c) Occasional vacancies will be filled for the balance of the Term of Office, by

- co-option from the category in which that vacancy occurred.
- (d) With the exception of Ex-officio members, any member who is absent for two consecutive meetings of the Board shall cease to be a member unless the Board considers his/her absence to be justified.

6. RESPONSIBILITIES OF THE BOARD

6.1 ROLE

The Board's role in the College is consultative to the Principal and the Governors of the College. The role includes tasks of policy-development, monitoring and evaluation.

The Board will be mindful of the Reserved Powers enjoyed by the Governors of the College which are as follows:

1. To act within the provisions of ordinary administration as defined in Canon Law and determined by the Bishop.
2. To oversee and be responsible for the financial arrangements of the college including, but not limited to:
 - a) approving budget
 - b) entering into borrowing
 - c) signing contracts
3. To appoint the principal after ratification from the Bishop. The process of selection is to be according to Diocesan policy. The president of the Association of Governors will sign the contract with the principal.
4. To approve any major changes in the nature of the college.
5. To carry out such duties necessary to promote and sustain the purpose of the college.

The Board will be mindful of the role of the Principal and Staff and their professional and legal responsibilities in regard to implementation of policy.

6.2 FUNCTIONS OF THE BOARD

- (a) To maintain the Catholic nature of the College by assisting in the formulation and evaluation of the College's Vision and Mission Statements (Appendix I), policies and goals in conjunction with the Governors of the College, Principal, staff, parents and students.
- (b) To ensure that College and Diocesan education policies are implemented.
- (c) To participate in the periodic College Review process.
- (d) To ensure on behalf of the College community that the curriculum and educational standards are adequate and underpin the College's specific Catholic ethos.
- (e) To oversee the College's finances as indicated in Section 11 (Financial Management) of the Constitution.
- (f) To support the College in practical ways, such as ensuring the adequacy and

- (g) maintenance of College facilities and equipment.
- (g) To plan for the future of the College by developing an enrolment policy in accordance with the Diocesan Guidelines.
- (h) To develop College/community relationships and encourage home/College interaction, through the development and regular review of a Pastoral Care policy.
- (i) To develop strategies for the local promotion of Catholic education within Hampden Catholic Schools Network, both Primary and Secondary.
- (j) To collaborate with College Parents Teachers and Friends Association (PTFA) which is to report to the Board.
- (k) To induct new Board members, and to make them aware of the College's Vision and Mission Statements, Board's functions, policies and procedures.
- (l) To encourage Adult Education in the Faith.

6.3 MEETINGS

- (a) The Board will schedule at least eight meetings a year (usually twice a term)
- (b) The first meeting after the first day of March each year shall be the Annual General Meeting.

The agenda for the College Board Annual General Meeting will generally be -

- I. Welcome by Chairperson.
- II. Minutes from last Annual General Meeting.
- III. Business arising from Minutes.
- IV. Chairperson's Report.
- V. Tabling of Annual Financial Statement & Review (Business Mgr)
- VI. Ratification of Budget for present school year (Business Mgr).
- VII. Appointment of Chairperson.
- VIII. Election of Minute Secretary.
- IX. Welcome of new Parish Representatives and Ex-officio members.
- X. General Business.

6.4 DECISIONS OF THE BOARD

- (a) Decisions of the Board shall be determined by a simple majority of members present, except in the case of changes in the Constitution (refer to section 13). In the event of a tied vote, the Chairperson shall have a casting vote in addition to his/her deliberate vote.
- (b) Consensus is the preferred mode of decision-making.

7. OFFICE BEARERS

- (a) The Chairperson of the Board shall be appointed by the Governors of the College on an annual basis. The Principal and members of staff are ineligible for the role of Chairperson or Acting Chairperson.
If the Chairperson is a parent representative, his or her tenure as parent representative runs concurrently with the Chairperson role. That person is then still able to be appointed as Chairperson once their tenure as parent representative has elapsed.
- (b) In the absence of the Chairperson, members will elect an acting Chairperson to preside over the meeting.
- (c) The Board, at the Annual General Meeting, will appoint the Minute Secretary who

will attend meetings, record minutes, and prepare necessary documentation prior to Board Meetings. The Minute Secretary will be appointed from among Board members or may be a non-Board member invited to undertake this task, with no participatory or voting rights.

- (d) The Principal will be the Executive Officer of the Board.

7. THE EXECUTIVE

The executive of the College Board will include:

- (a) All Governors of the College
- (b) The Principal (Executive Officer)
- (c) The Chairperson, if not a Canonical Administrator.

The executive shall act on the advice of the Board. It shall have the authority to make decisions on behalf of the Board between regular meetings. Such decisions shall be ratified at the subsequent Board meeting.

The Executive shall meet as frequently as required.

8. EXECUTIVE OFFICER

The Principal as Executive Officer will:

- (a) assist in the preparation of the agenda for Board meetings,
- (b) distribute copy of minutes of previous meeting, Committee reports and the
- (c) agenda for the forth coming meeting, one week in advance where possible,
- (d) handle all matters of correspondence for the Board of Management

9. THE PRINCIPAL

- (a) The Principal will be responsible for the implementation of the Board's policies within the College and will generally provide professional leadership for the Board. As educational leader of a Catholic College, the Principal is responsible for the administration of the College, selection of staff, curriculum, educational standards and Pastoral Care, according to Diocesan policy, practice, and guidelines, keeping true to the Catholic Ethos of the College.
- (b) The Principal who is responsible to the Board for the overall financial administration of the College will be assisted by a Building, Planning and Finance Committee.
- (c) When a Principal is to be appointed, he/she shall be selected by a Panel (with representation of at least one Canonical Administrator) appointed by the Board, and the Board notified and sent to the Bishop for ratification. (The appointment of a principal will follow the procedures set down by the Ballarat Catholic Education Office).
- (d) In the appointment of a Principal, a contract shall be negotiated in line with the C.E.C.V Policy - (Lay Principals under contract in the Catholic Secondary Colleges).

10. FINANCIAL MANAGEMENT

- (a) The Board shall appoint a Building, Planning and Finance Committee to assist the Principal who is responsible to the Board for the financial administration of the College. This committee should include a Canonical Administrator or their

representative, the Principal, the Business Manager and a maximum of three other appointed members (including members of the Board, or others who may be co-opted).

The Chairperson is to be selected within the group.

- (b) At the November meeting the Business Manager will present a DRAFT budget for the forth-coming year will be presented to the College Board for approval. Prior to its presentation, the Board shall direct the Building, Planning & Finance Committee on priorities to be considered when compiling the Budget, including the fee structure for the following year.
- (c) No deficit shall be allowed for in the Budget unless the Governors of the College have agreed to such. Member Parishes are responsible for any deficits in line with the estimates agreed to by them in the Agreed Formula. In the event of disagreement on the matter of the limit of expenses or excess expenditure to be met by the Parishes, the matter shall be referred to the Bishop through the Director of Catholic Education Office.
- (d) At the Annual General Meeting the Business Manager shall present to the Board the Budget for ratification and the audited Annual Financial Statement from the previous year, including the financial data from auxiliary organisations. The Annual Financial Statement and Budget are to be forwarded by the Board to the Bishop through the Director of Catholic Education Office.
- (e) The Board, at its first meeting after the Annual General Meeting, shall appoint an Auditor who will provide a written report to the Board on the financial management of the College.

12. COMMITTEES

- (a) Within the area of its competence, the Board has power to set up Standing and Ad-Hoc Committees as the need arises. Such Committees shall be chaired by a member of the Board and may include in their membership, non-Board members. Such Committees are not decision-making bodies but will make recommendations to the Board for final decisions.
- (b) All committees are appointed and dissolved at the discretion of the Board.
- (c) A Committee is answerable to and will communicate only with the Board to whom it makes its recommendations.
- (d) Members of such Committees will be mindful of the obligation to respect the confidential nature of matters under discussion and are required to exercise appropriate confidentiality in such matters.
- (e) A quorum is represented by one more than half of the membership of that Committee.

12.1 BUILDING, PLANNING AND FINANCE STANDING COMMITTEE

12.1.1 MEMBERSHIP

Membership of the Building, Planning and Finance Committee shall comprise:

- (i) At least one Canonical Administrator
- (ii) Principal
- (iii) Business Manager (Secretary)
- (iv) A maximum of three others may be appointed (including members of the Board, or others who may be co-opted).

All members have voting rights. If any member from categories (i) to (iii) cannot attend a meeting, a replacement may attend. Such replacement members shall have proxy voting rights.

Chairperson is to be selected within the group.

12.1.2 ROLE

The role of the Building, Planning and Finance Committee is to develop a viable financial plan for the College, and to ensure the provision of monies necessary to meet the educational programs approved by the College Board.

It has an important role in the development of financial policy.

12.1.3 RESPONSIBILITIES

- I. The Building, Planning and Finance Committee is responsible for maintaining the College's approved financial plan.
- II. The committee will receive regular reports from the College administration on the financial progress of the College, and in instances where it detects deterioration in finances, will make suitable recommendations for corrective action to the College Board.
- III. It will be specifically concerned with:
 - (a) financial policy
 - (b) forward financial planning
 - (c) annual financial results and budgets
 - (d) review of budgets each term
 - (e) keeping the College Board informed on the financial arrangements of the College.
 - (f) having a sound knowledge of available government grants
 - (g) understanding the financial structure of the College
 - (h) the College local contribution, particularly in relation to tuition fees and fund raising
 - (i) financial reporting to the College community
 - (j) ensuring external financial audit of the College finances.

12.1.4 MEETINGS

The Committee should meet as required prior to each Board of Management meeting, and in sufficient time for minutes and recommendations to be typed ready for dispatch with the College Board Agenda two weeks prior to the meeting of that group when possible.

12.2 EDUCATION/CURRICULUM STANDING COMMITTEE

12.2.1 MEMBERSHIP

Membership of the Education/Curriculum Committee shall comprise:

- (i) Director of Learning and Teaching (Chairperson)
- (ii) Principal
- (iii) Deputy Principal
- (iv) Librarian
- (v) Key Learning Areas Co-ordinators
- (vi) Other members of staff who wish to attend or who are deemed necessary to attend.

Members included in (i) to (v) have voting rights (one vote per KLA). If any member from these categories cannot attend a meeting, a replacement may attend. Such replacement members shall have proxy-voting rights.

12.2.2 ROLE

To ensure that the provision and implementation of the curriculum are

consistent with the aims, ethos and philosophy of the College, with particular reference to the College Mission Statement.

12.2.3 RESPONSIBILITIES

- (i) To ensure the College provides a comprehensive and balanced curriculum for all students in Years 7-12, which promotes access and success.
- (ii) To recommend to the Principal what courses are provided, which are core, and which are elective, and the time allocation for each subject at each year level.
- (iii) To promote the development of skills, knowledge and values consistent with contemporary education developments and C.E.O. guidelines.
- (iv) To establish guidelines for curriculum development and evaluation and to make appropriate recommendations to the Board for adoption. The report from this Committee is to be presented to the Board by the Principal when necessary.
- (v) To promote and evaluate the provision of Learning Enhancement.
- (vi) To ensure that assessment and reporting procedures reflect the stated aims of each curriculum program and are in accordance with the College curriculum policies and meet the accountability requirements of Diocese of Ballarat and various government authorities.
- (vii) To evaluate the use and provision of facilities and resources.
- (viii) To promote and participate in professional development for teachers.
- (ix) To provide a forum for discussion on issues relating to subject development, resources and inservices.
- (x) To assist the Director of Learning and Teaching to carry out his/her function.

12.2.4 MEETINGS

The Committee should meet fortnightly and in sufficient time for minutes and recommendations to be typed ready for dispatch with the College Board Agenda two weeks prior to the meeting of that group when possible.

13. CHANGE OF CONSTITUTION

- (a) This Constitution may be changed only if two-thirds of the Board members eligible to vote are present and two thirds of those present agree to the proposed change/s to the Constitution. Such changes require the approval of the Governors of the College.
- (b) Notice of any proposed change in the Constitution must be given to Board members in writing fourteen (14) clear days in advance of a special Board meeting called especially for the purpose of determining the matter.
- (c) If the change in Constitution is approved according to (a) above, it will be referred to the Bishop for ratification.

14. AUXILIARY ORGANISATIONS

- (a) Auxiliary organisations may be set up in the College with the approval of the Board in accordance with Diocesan policies.
- (b) No Auxiliary Organisation shall engage in fund-raising activities without the approval of the Board.
- (c) Auxiliary Organisations shall provide the College Board with an account of Income and Expenditure relevant to their activities for the past College year. This statement shall be included in the Annual Financial Statements of the Board.

15. STANDING ORDERS

- (a) No meeting may be called unless all members have been notified.
- (b) A quorum for a validly constituted meeting of the Board shall be one more than half the total membership of the Board.
- (c) The Minute Secretary will keep minutes of meetings.
- (d) Committee reports should be submitted in writing to the Executive Officer for distribution to members, with the Agenda when possible.
- (e) Recommendations included in Committee reports should be framed in the form of motions to be presented at the next Board Meeting.
- (f) The Chairperson should allow a question time of up to fifteen minutes on Committee matters not included in the Agenda.
- (g) The Annual Report as prepared and signed by the Chairperson of the Board shall be available to all parents at least 21 days before the Annual General Meeting.
- (h) Parents wishing to have a matter considered at the Annual General Meeting are required to submit such a matter to the Executive Officer not less than 14 days before the Annual General Meeting.
- (i) Generally, the duration of Board Meetings will be two hours. Any extension of time will be made the subject of a motion. Any unfinished business will be listed for consideration at the next Board Meeting.
- (j) Approximately half of the allotted time of the Board meeting be devoted to Business Matters.
- (k) Retired Board members who have contributed to the operation and decision-making process of the College be recognised for their services.
- (l) The Board will adopt a Code of Ethics for Board Members and make copies available to prospective Board Members.

16. CODE OF ETHICS

- (a) Board members must be prepared to give the necessary time, thought and study to the Vision and Mission Statements and consequent work of the Board so that they may render effective service.
- (b) Board Members must accept that the welfare of students as expressed in the Vision and Mission Statements is of primary importance in all decisions.
- (c) Board members must base their personal decision upon all information in each situation, voting with conviction unswayed by personal bias.
- (d) Board members must be able to abide by and uphold the final decision of the Board regardless of how they voted individually.
- (e) Board members must endeavour to work with their fellow board members in a spirit of harmony and co-operation in spite of any differences based on opinion,

- personality or interests.
- (f) Board members must accept that, individually, they have no legal authority outside the meetings of the Board and must, therefore, not speak or act on behalf of the Board without due authorisation.
 - (g) The members of the Board will be mindful of the obligation to respect the confidential nature of some matters under discussion and are required to exercise appropriate confidentiality in such matters.
 - (h) Board members must not use their position on the Board to benefit either themselves or any other individual or agency. They must act with the total interest of the College and must always declare a beneficial interest, when appropriate.
 - (i) Board members must accept that while the primary function of the Board is to establish the policies that will give direction to the educational programs, the implementation of these policies is the function of the Principal and staff.
 - (j) Board members, when approached with a problem which is of an administrative nature, must refer the matter to the Principal and must never attempt to perform functions that are out of their jurisdiction.
 - (k) The College Board does not deal with incidents of harassment or grievances concerning staff/students/parents/Principal. Any such incidents are dealt with at the appropriate level according to College Policies. However, in the event of unresolved incidents, these may be referred to the Chairperson of the Board, who would in turn refer the matter to the Governors of the College.