



Catholic
Education
Commission
Tasmania

ARCHDIOCESE OF HOBART

STANDARD TERMS OF REFERENCE FOR THE BOARDS OF ARCHDIOCESAN SCHOOLS

"Catholic Schools are a vital expression of the mission of the Church in the Archdiocese of Hobart. They are the means by which not only students, but also families and the staff experience the richness and beauty of the Christian life."

Archbishop's Charter for Catholic Schools (2016)

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INTRODUCTION

Catholic Schools are a vital expression of the evangelising and educative mission of the Church in the Archdiocese of Hobart.¹ As an ecclesial entity where faith, culture, and life are brought into harmony, the Catholic school should be a place of real and specified pastoral ministry in communion with the local Bishop.² They are the means by which not only students, but also families and the staff experience the richness and beauty of the Christian life.

Through its educational programs the Catholic school strives to show students the way to realise their full human potential.³ Catholic schools do not and cannot carry the entire responsibility for the complete and ongoing education in faith of children and young people. Ideally, this requires strong family, school and parish collaboration. The parish is not principally a structure, a territory or a building, but rather 'the family of God', the community of the faithful.

Pope Francis (2013) reminds us that "the parish is the presence of the Church in a given territory, an environment for hearing God's word, for growth in the Christian life, for dialogue, proclamation, charitable outreach, worship and celebration...It is a community of communities, a sanctuary where the thirsty come to drink in the midst of their journey, and a centre of constant missionary outreach" (*Evangelii Gaudium*, No. 28). Catholic schools collaborate with the parish or parishes from which their students are drawn in their shared mission to promote the Reign of God.

As a consequence, our schools, in collaboration with parents and guardians as the primary educators and with the support of parish, have a vital role in the evangelising and educational mission of the Church and in contributing to the common good of society.

Ultimately the goal as Catholic education is the integral formation of the human person, which includes "preparation for professional life, formation of ethical and social awareness, developing awareness of the transcendental, and religious education".⁴

Catholic education places an emphasis on the school as a community of faith.⁵ Teachers, along with parents and guardians as the primary educators of their children, work to foster appreciation of the different gifts that build up a learning and faith community and strengthen academic excellence.⁶

The Catholic school should pay especially close attention to the quality of interpersonal relations between staff and students, ensuring that the student is seen as a person whose intellectual growth is harmonised with spiritual, religious, emotional, and social growth.⁷

By reason of their evangelising mission, Catholic schools should be available to all people who desire a Catholic school education for their children.⁸

PREAMBLE

The Board has a responsibility to implement the *Archbishop's Charter for Catholic Schools*. This is done by developing policies that improve education in their school and the evangelisation role of the Church. In assisting to support and build a community of faith, the Board will advance the Church's purpose for the religious and faith education of children in Catholic schools.

The Board's purpose is to support the divine mission of the Church in helping all to arrive at the fullness of Christian life (Canon 794#2).

While the Board is not an incorporated body, it exercises delegated authority as outlined in Section 4 of these Terms of Reference.

The Archbishop exercises both canonical and civil oversight of the operations of Catholic schools in the Archdiocese while recognising the rights of the Congregational Schools to the internal management of their schools and their civil governance arrangements.

The ultimate civil authority for the conduct of the Archdiocesan Schools rests with the Roman Catholic Church Trust Corporation of the Archdiocese of Hobart (Church Trust Corporation), acting with delegated authority from the Archbishop.

The Board operates within the broader mission, policies and structure of the Archdiocese of Hobart and the policies, practices and strategic directions of the Catholic Education Commission Tasmania (the Commission).

The Tasmanian Catholic Education Office (the Office) acts, in an operational manner, on behalf of the Commission. The delegations of the Executive Director of Catholic Education in relation to the Office and Archdiocesan Schools are contained in the Executive Director's Contract of Employment and the Power of Attorney outlining such matters.

Members of the Board advise and assist in the conduct of their school in accordance with the provisions of Canon Law (canon 803 #1; 806 #2) and civil law. The Board operates in accord with the Archbishop's direction as well as the doctrines and laws of the Church.

The Archbishop of Hobart authorises the existence of all Catholic education institutes in Tasmania. These Standard Terms of Reference have been prepared under the direction of the Archbishop with authority delegated to the Roman Catholic Church Trust Corporation of the Archdiocese of Hobart, a Body Corporate empowered under the provisions of the *Roman Catholic Church Property Act 1932* (as amended) to

conduct the activities of the Archdiocese. These Standard Terms of Reference have been adopted to facilitate the conduct and governance of the Boards of Archdiocesan Schools.

A school community may request a variation by application to the Executive Director of Catholic Education from these Standard Terms of Reference for an Archdiocesan School Board where special circumstances exist or specialist skills or experience are required.

1. DEFINITIONS

In these Terms of Reference unless the context otherwise admits:

Archbishop means the Archbishop of Hobart.

Archdiocese means the Archdiocese of Hobart.

Board means the Board of an Archdiocesan School.

Archdiocesan School means a school governed by the Archdiocese.

Congregational School means a school governed by a religious institute or a ministerial Public Juridic Person (PJP).

Church Trust Corporation means the Roman Catholic Church Trust Corporation of the Archdiocese of Hobart.

Executive Director means the Executive Director of Catholic Education in Tasmania.

School means a school or college.

The Commission means the Catholic Education Commission Tasmania.

The Office means the Tasmanian Catholic Education Office.

2. PRINCIPLES FOR THE OPERATION OF CATHOLIC SCHOOL BOARDS

The Love of Christ, which is the fundamental recognition that Catholic education is animated by and based upon the love of Christ for all people.

The Role of Parents and Carers, as the primary educators of their children, in whose place and with whose collaboration, Catholic schools fulfil their mission.

Faithfulness to the Mission of the Church, which is the mission of the Christ, to preach the Good News, including fidelity to the teachings of the Church;

Church solidarity, which is the obligation of members and agencies of the Church to support those other individuals and agencies of the Church in need, and to work for the good of the whole Church community;

Support for the common good, which is the general obligation on members of the Church not only to support the Church, its agencies and members, but also to ensure that the work of the Church and its agencies contribute to the benefit of society as a whole.

Embracing the poor, which is the obligation on the Church community to continually assess its actions and policies to ensure that they empower the most disadvantaged and marginalised.

Educational Quality, which is the obligation upon all those involved in Catholic education to strive to provide the highest possible quality of education to those attending Catholic schools.

Participation, which is the principle that powers and functions in any community are exercised, wherever possible, by the persons and bodies closest to and most accountable to those affected.

Inclusiveness, which is the principle that Catholic education should be open to all those who wish to receive a Catholic education, and that all those engaged in Catholic education in whatever capacity will be welcomed and valued in the pursuit of the educational mission of the Church, to the extent that they support that mission.

Unity in Diversity, which is the recognition that the Holy Spirit inspires different communities in different ways, bestowing upon them diverse charisms which provide inspiration for action, all for the same purpose of promoting the Kingdom.

Stewardship of resources, which is the obligation of all agencies of the Church to use financial and other resources responsibly, particularly with a view to ensuring the well-being of future generations.

Rule of Canon Law, whereby every agency of the Church is constituted and operates in accordance with Canon Law.

(Catholic School Governance: National Catholic Education Commission:2002)

3. EMPLOYMENT AND PROPERTY

3.1 The Church Trust Corporation shall be the employer of all employees of the Office and all Archdiocesan Schools. The Executive Director is the delegated authority to act on behalf of the employer in accordance with his/her Power of Attorney.

3.2 The Church Trust Corporation owns the legal title of the land and buildings of the Archdiocesan Schools and the Office.

4. RESPONSIBILITIES OF THE SCHOOL BOARD

The Archdiocesan School Board is a vital structure in supporting the operation of the school at a local level. In accordance with the Board Terms of Reference, the Church Trust Corporation delegates a range of functions to the Board. These include supporting the Principal across a range of governance issues such as strategic planning, local policy development and preparation of the budget and the capital works program of the school.

Within the parameters of canon and civil law, the policies and practices of the Archdiocese of Hobart, the Commission and the Office, the Board has the following responsibilities in support of the leadership of school Principal:

- 4.1 to support the Principal in the leadership of the school;
- 4.2 to promote the Catholic identity and evangelising mission of the school;
- 4.3 to develop the school vision, mission and strategic plan;
- 4.4 to develop school level policies as appropriate;
- 4.5 to support the development of the school budget, the monitoring of the financial sustainability of the school and to assist with planning for capital development;
- 4.6 to ensure that the approved processes of review and monitoring of educational outcomes are implemented; and
- 4.7 to assist in collaboration, consultation and building of partnerships with the local parish/parishes, the parents and the broader community.
- 4.8 The board does not have responsibility for:
 - controlling of funds or the opening of bank accounts;
 - employing or performance managing of staff;
 - entering into contracts;
 - acquiring, holding or disposing of property; and
 - suing or being sued.

5. ROLE OF THE PRINCIPAL

The Principal supports the Board in its work of local governance. The Church Trust Corporation operating under the principle of subsidiarity delegates through the Executive Director of Catholic Education to the Principal a range of responsibilities, as the leader of the school. The Principal has full operational authority to lead and manage the spiritual, educational and administrative dimensions of the school as delegated in the Principal's contract of employment and role description.

6. APPOINTMENT AND MEMBERSHIP

6.1 The membership of the Board will be discerned at a school community level and appointments made by the Executive Director of Catholic Education on the recommendation of the Board. The Executive Director may dismiss any Board member on the recommendation of the majority of the Board.

Board members, except for the ex officio members, are appointed for a three-year term and may be re-appointed for a subsequent three-year term.

6.2 The membership of the Board will have consideration for gender balance, the participation of current parents of students of the school, religious institutes with a current or past involvement in the school, and the necessary skills, knowledge and experience required for the Board to function effectively e.g. educational, financial or legal expertise. Members are not representative of specific groups within the community and should have the best interests and common good of all as its collective motivation.

The size of the school will also be a consideration in determining the number of members of the Board.

The Board will consist of a minimum of five and a maximum of ten including the following:

6.2.1 a Parish Priest or his nominee (ex officio);

6.2.2 the School Principal (ex officio); and

6.2.2 at least three parents of current or recent students in the school.

When circumstances require specialist assistance, the Board has the authority to invite people to attend meetings as non-voting participants or invite people to serve on committees of the Board. Such committees must include at least one Board member.

Current staff members of the school are not eligible to be Board members.

7. OFFICERS OF THE BOARD

7.1 An Annual General Meeting will be held no later than the 31 March each year at which the Board will elect for the forthcoming year a Chairperson, Secretary and a member to act as a financial advisor to the Board. The Secretary will be responsible for maintaining minutes of meetings and other relevant records in relation to Board activities. The financial advisor will be a liaison between the Principal and the Board in relation to school finances. The Chairperson will notify the Executive Director of those appointed to these offices within fourteen days of their election.

7.2 The Chair, Secretary and the Principal will form the Executive of the Board to act on behalf of the Board between meetings as necessary and to manage Board agendas and operations.

8. BOARD MEETINGS

8.1 The Board will meet at least six times a year with at least seven days' notice being given and agendas and papers circulated. A Board calendar for the following year will be established no later than the last meeting of each year.

8.2 Extraordinary meetings may be convened at the request of the Chair, the Archbishop, the Executive Director, the Principal or any three Board members. At least seven days' notice must be given for an extraordinary meeting.

8.3 A quorum is a simple majority of members. Each member has a vote and motions are decided by a simple majority. Members are required to

declare any conflict of interest in relation to matters under discussion or the subject of a vote and not participate in such discussions or votes.

8.4 The Board will seek to operate on the principle of shared wisdom. Shared wisdom recognizes the worth of every individual's contribution and the unique knowledge, experience and wisdom that each person brings to the discernment and decision making by virtue of their life experiences. It means listening to the wisdom of the members of their community and their own Board members in order to know how best to lead and serve the whole community. It:

- recognizes, values and considers the contribution of all;
- is complementary, not competitive;
- draws on an understanding of facts without limiting itself to factual answers; and
- invites God into the process of decision-making and opens up infinite possibilities for creativity.

9. COMMITTEES AND WORKING PARTIES

The Board may establish committees (e.g. Finance or Facilities Committees) or temporary working parties as necessary. Ideally, at least one Board member will be a member of any committee or working parties.

10. WINDING UP

The Board may be wound up for sufficient reason by the Executive Director after consultation with the Parish Priest and the Archbishop.

11. DISPUTES

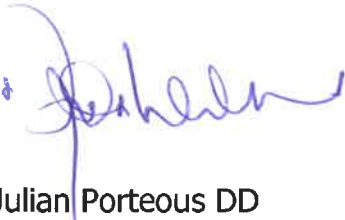
In the event of any dispute between the Board and the Principal, such matters shall be referred to the Executive Director in the first instance and, if necessary, then to the Archbishop who has the ultimate authority.

12. INDEMNITY

The Church Trust Corporation indemnifies every person who is or has been a member of an Archdiocesan School Board against any financial loss arising from the civil liability of that member which results from facts or circumstances relating to that person's serving or having served as a member and which does

not arise out of conduct known to the person to be unlawful or wrongful or which was not undertaken in good faith.

Authorised by:



+ Julian Porteus DD
Archbishop of Hobart
1 January 2019

¹ *The Archbishop's Charter for Catholic Schools*, Tasmanian Catholic Education Office, 1.

² *The Catholic School*, 44; *The Catholic School on the Threshold of the Third Millennium*, 14.

³ *The Catholic School*, 34, 35.

⁴ *The Catholic School*, 31.

⁵ *The Catholic School on the Threshold of the Third Millennium*, *Lay Catholics in Schools*, 22, 41.

⁶ *Lay Catholics in Schools*, 78.

⁷ *The Catholic School on the Threshold of the Third Millennium*, 18.

⁸ *Gravissimum Educationis*, 6; *Code of Canon Law*, Canons 793 #2.