CONSTITUTION FOR AVE MARIA COLLEGE
A SECONDARY DIOCESAN COLLEGE
IN
THE ARCHDIOCESE OF MELBOURNE

1. PREAMBLE

With the approval and under the direction of the Archbishop of Melbourne, Ave Maria College has been established at Aberfeldie to provide Catholic education for girls, according to the precepts, teachings and practices of the Catholic Church. This College is administered by the Association of Delegated Canonical Administrators under the supervision of the Archbishop and is acknowledged as Catholic by his authority.

According to the provisions of Canon Law and their particular applications in the Archdiocese of Melbourne, this College shall follow the directives/guidelines for Religious Education as approved by the Archbishop. The College is subject to other directives 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 governed by the Ave Maria College Board, under delegation from the Association of Delegated Canonical Administrators, in accordance with the Constitution which is approved by the Archbishop. According to the provision of Canon Law the College Board acts as a Board of Governance, and is responsible to the Association of Delegated Canonical Administrators who in turn is subject to the vigilance of the Archbishop. (Canon 1279)

2. DEFINITIONS

Annual General Meeting is the first scheduled Board meeting in the calendar year.

The Archbishop is the Catholic Archbishop for the time being of the Archdiocese of Melbourne or the person duly appointed to administer the Archdiocese.

The College is Ave Maria College, currently situated at 14 – 22 Vida Street, Aberfeldie, Vic, 3040.

The Association of Delegated Canonical Administrators are the members for the time being of the Association of Delegated Canonical Administrators as appointed by the Archbishop.

The Board is the body which is responsible for the governance of the College according to the Constitution of the College.

The Business Manager is the person appointed to assist the Principal with the day to day financial management of the College.

The Constitution is the Constitution of the College, as approved by the Archbishop.

The CECV is the Catholic Education Commission of Victoria Ltd.
The Executive is the Board members so appointed in accordance with this Constitution.

Financial Year means each period of twelve (12) months as determined by the CECV as the financial year for colleges.

Meeting means a meeting of the Board in accordance with this Constitution.

Member means a member of the Board holding office in accordance with this Constitution.

Parents and/or Carer means the father/mother and/or guardian in relation to a student enrolled in the college.

The Principal means the person appointed by the Association of Delegated Canonical Administrators to hold this position.

Special Resolution means a resolution passed by not less than seventy five (75) per centum of the members.

3. LAND AND BUILDINGS

3.1 The ownership of land and buildings thereon shall be vested in the 'Roman Catholic Trusts Corporation for the Diocese of Melbourne', which shall hold such in trust for the Archdiocese of Melbourne.

4. MEMBERSHIP OF THE BOARD

4.1 A College Board shall consist of not less than nine (9) and not more than eleven (11) members comprising the following:

(a) A Delegated Canonical Administrator or such of their number as they wish to delegate.

(b) The Principal, who shall be the Executive Officer of the Board.

(c) An Honorary Accountant, other than the Business Manager of the College, with suitable qualifications.

(d) Not less than four [4] persons who are parents of the students at the College nominated by the Principal and appointed by the Association of Delegated Canonical Administrators.

(e) Two [2] members with specific expertise e.g. educational, financial, building, human resource management, nominated by the Board and appointed by the Association of Delegated Canonical Administrators.

4.2 A member of the Board, with the approval of the President of the Delegated Canonical Administrators, may appoint a proxy to replace him/her on the Board for a single meeting.

4.3 The Board will meet at least on six occasions during the school year.
4.4 A quorum for a validly constituted meeting of the Board will be one more than half the total current membership of the Board.

4.5 An Extraordinary Board Meeting shall be called by the Chairperson, or by the Executive Officer if he/she be so required by a notice in writing delivered to him/her and signed by not less than five members of the Board. The meeting shall be called within twenty-one days from date of delivery of the notice to the Chairperson or Executive Officer as the case may be.

4.6 No business other than that set out in the notice convening the extraordinary meeting shall be transacted at the meeting.

4.7 The Board has executive power to act under the authority of the Association of Delegated Canonical Administrators, and within the terms of diocesan regulations regarding the establishment and conduct of colleges.

5. OFFICE BEARERS

5.1 The Board will elect from its own members a Chairperson who will hold office for one calendar year and who will be eligible for re-election. Salaried officers or a member pursuant to Clause 4.1 (c) or (e) of the College shall not be eligible for the office of Chairperson.

5.2 The Board will elect from its own members a Deputy Chairperson who will carry out the duties of Chairperson in his/her absence.

5.3 The Board will appoint an Honorary Accountant.

5.4 The Principal of the College will act as the Executive Officer of the Board and will be responsible for the implementation of the policies of the Board and their decisions in the management of the College.

6. THE EXECUTIVE OF THE BOARD

6.1 The Board, at its Annual General Meeting, shall appoint an Executive which will include:

(a) The Chairperson

(b) The Executive Officer (Principal)

(c) One lay person, elected from Board members in category (d) of Sub-Clause 4.1.

(d) The President of the Association of Delegated Canonical Administrators.

6.2 The Executive shall carry out the directions of the Board. It shall have delegated authority to make decisions on behalf of the Board between regular meetings according to conditions laid down from time to time by the Board and ratified by the Association of
Delegated Canonical Administrators. Such decisions shall be ratified by the members at a subsequent Board meeting.

6.3 The Executive shall meet as frequently as required.

7. APPOINTMENT OF THE BOARD MEMBERS

7.1 The Executive shall submit to the Association of Delegated Canonical Administrators the names of the persons nominated under 4.1 (c) (d) and (e). Such appointments must be ratified by the Association of Delegated Canonical Administrators before they take effect. It is intended that membership of the Board reflect a wide diversity of community interests and expertise. Such appointments will be made in writing.

7.2 Members of the Board so appointed shall hold office for a period of two (2) years and shall be entitled to be re-nominated or re-appointed subject to them remaining eligible to be members of the Board up to a limit of three (3) consecutive two (2) year terms.

7.3 The Archbishop may terminate the appointment of any member of the Board other than a Delegated Canonical Administrator by notice in writing effective immediately on receipt by the member concerned.

7.4 Following ratification of the Constitution by the Archbishop, the initial appointments to the fully Constituted Board at item 4.1 (d) and (e) be made on a staggered basis. That is half the Board membership to be appointed for one year, the other half to be appointed for two years.

8. RESPONSIBILITIES OF THE BOARD

The Responsibilities of the Board are:

8.1 To support actively Catholic education as described in ‘The Code of Canon Law’ and in the directions and guidelines determined by the Archbishop, by:

(a) maintaining the Catholic nature of the College;

(b) ensuring that the ‘To Know, Worship and Love’ Religious Education texts or any other approved texts (Archdiocese of Melbourne publications) are used as the essential resource for Religious Education in the Archdiocese of Melbourne and other additional or revised directives/guidelines are followed;

(c) promoting the development of a Christian community within the College;

(d) sponsoring a comprehensive curriculum which underpins the specific Catholic ethos of the College;

(e) becoming involved as appropriate in other Catholic adult education initiatives within the region.
8.2 To establish, ratify and review regularly the objectives and policies of the College.

8.3 To select and determine policies in consultation with appropriate parties which will assist the Association of Delegated Canonical Administrators, the Principal and the staff in working towards these objectives as stated in 8.1.

8.4 To ensure on behalf of the College community that the curriculum and educational standards are adequate to meet the needs of the students.

8.5 To evaluate the effects of the Board’s decisions in achieving these objectives.

8.6 To plan, implement and evaluate the financial and building programs necessary for the recurrent and long-term effectiveness of the College in accord with its responsibility to consult appropriately with various diocesan and civil authorities.

8.7 To manage the college’s finances as described in Section 13.

9. PASTORAL CARE

9.1 The Board will review and ratify a Pastoral Care policy and related policies and procedures for the College according to the directions and requirements of the Archbishop in association with the Association of Delegated Canonical Administrators and the policies and guidelines of the Catholic Education Office Melbourne and relevant legal requirements.

9.2 The Chaplain(s) of the College will be appointed by the Archbishop.

9.3 By arrangement with the Principal, the Board shall respect the right of each Parish Priest or his representative to meet regularly during the school year with students of his parish enrolled at the College and to interview individual students.

10. ENROLMENTS

10.1 The Board shall develop an enrolment policy in accordance with Archdiocesan guidelines to be ratified by the Association of Delegated Canonical Administrators and then implemented by the Board. This should be publicly known in the region.

11. THE PRINCIPAL

11.1 The Principal shall be appointed by the Association of Delegated Canonical Administrators in accordance with Archdiocesan regulations as contained in the policy statement of the Catholic Education Commission of Victoria Ltd. "Lay Principals under Contract in Catholic Secondary Schools." The name of the selected candidate shall be submitted to the Archbishop for ratification.
11.2 The Principal, as Executive Officer of the Board, will be responsible for the implementation of the Board’s policies within the College. 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 Archdiocesan policy, practice and guidelines.

11.3 The Principal is responsible to the Board for ensuring that the Archdiocesan directives/guidelines for Religious Education are followed and that the Catholic ethos of the College is promoted, fostered and maintained.

12. THE STAFF

12.1 Selection of staff shall be made by the Principal. The Board should set guidelines for the selection of staff and ensure the appropriate autonomy of the Principal in this matter is respected, and shall ratify those selections. The rights of the Archbishop derived from Canon Law shall be observed by the Principal and the Board in such decisions.

12.2 Members of staff shall be employed by the Association of Delegated Canonical Administrators under the Conditions of Service applicable to Catholic secondary schools in Victoria (currently the Victorian Catholic Education Multi Employer Agreement 2009 and, where applicable, the policies of the Archdiocese and of the CECV).

12.3 When a member of a Religious Congregation is to be appointed to the staff, the arrangements shall be confirmed by the Congregational Leader and the Association of Delegated Canonical Administrators following consultation with the Principal.

12.4 The stipend for members of Religious Congregations on the staff shall be that agreed to by the Archbishop and the Major Superiors of Religious Congregations.

13. FINANCIAL MANAGEMENT

13.1 The Board shall appoint a Finance Committee to assist the Principal who is responsible to the Board for the financial management of the College. This Committee should include the elected Chairperson, the Principal, and at least one Delegated Canonical Administrator or a nominee of the Association of Delegated Canonical Administrators and the Business Manager. The Board can approve to co-opt other appropriate Board members to the Finance Committee.

13.2 At an appropriate time each year, the Business Manager shall present to the Finance Committee and the Board an audited account of income and expenditure for the previous year, including the financial data from auxiliary organisations in the financial statements of the Board, together with a proposed Budget for the forthcoming year. Prior to its presentation, the Board shall direct the Business Manager on priorities to be considered when compiling the Budget.

13.3 Approval must be given by the Association of Delegated Canonical Administrators for an annual recurrent or capital budget deficit in any given year. The Archdiocese is responsible for any deficits in line with the estimates agreed to by them at the beginning of the year,
and authorised variations, according to the current policies of the Catholic Education Office Melbourne. In the advent of a disagreement on the matter of limit of expenses or excess expenditure to be met by the Archdiocese, the matter shall be referred to the Archbishop through the Director of Catholic Education Melbourne.

13.4 The financial statements and budget are to be forwarded by the Board to the Association of Delegated Canonical Administrators for approval. The Association of Delegated Canonical Administrators is responsible for forwarding the approved Budget to the Archbishop through the Director of Catholic Education. Matters involving income and expenditure, not allowed for in the budget, are to be referred to the Association of Delegated Canonical Administrators for approval.

13.5 When presenting the annual budget, the Finance Committee will recommend the fee structure of the College for the following calendar year. The scale of fees will be determined by the Board as will any adjustments to College fees made during the course of the school year.

13.6 The Board, at its first meeting for the year, shall appoint an Auditor who will report annually to the Board on the financial management of the College.

14. DEPARTURE OF A STUDENT

14.1 No student shall be expelled from the College except in accordance with the regulations of the Archdiocese, as administered by the Catholic Education Office, and in accordance with the Board’s Pastoral Care Policy.

15. AUXILIARY ORGANISATIONS

15.1 Auxiliary organisations may be established in the College with the approval of the Board.

15.2 No auxiliary organisations, with the exception of canteen, shall engage in fund raising activities without the approval of the Board. Such organisations will act within the Archdiocesan policies and those of the Board.

15.3 All accounts of auxiliary organisations will be included in the audited financial statements of the College.

16 COLLEGE BOARD HANDBOOK

Based upon this Constitution, the Board shall produce and follow a Handbook to guide the operations and protocols of the Board.

17 CHANGE OF CONSTITUTION

17.1 This Constitution may be changed only if:

(a) the Association of Delegated Canonical Administrators themselves after consultation with the Board decide upon alterations or accept any alterations proposed by two-thirds majority of the members of the Board; and
(b) the Archbishop ratifies such alterations.
Notwithstanding the above, the Archbishop may direct change(s) in the Constitution.

17.2 Notice of any proposed change in the Constitution must be given to Board members in writing 14 clear days in advance of a special Board meeting called specifically for the purpose of discussing the matter.

18. THE DISSOLUTION OF THE COLLEGE

If upon the winding up or dissolution of the College (other than for purposes of reconstruction, amalgamation, or re-organisation of the College), there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall be paid or distributed to the Archdiocese of Melbourne. If possible, this should be used for purposes similar to those of the original foundation, namely, Catholic education. Any disputes arising from such dispersal shall be referred to the Archbishop for arbitration.

Approved by the Archbishop of Melbourne

Signed: +大理府上座
Date: 26.8.11