

LUTHERAN CHURCH OF AUSTRALIA QUEENSLAND DISTRICT

**MODEL
CONSTITUTION
FOR PRIMARY
SCHOOLS
MODEL I**

**MODEL CONSTITUTION FOR LUTHERAN
PRIMARY SCHOOL**

MODEL 1: A CONGREGATION OR PARISH SCHOOL

[Note:

Where the school is controlled by a parish, the term 'Parish will replace 'Congregation', and the relevant definition under 'Interpretation' will read:

'the Parish' means:..... Lutheran Parish.

Where the school is controlled by the congregations of a parish in varied relationships with each other, reference to the Constitution for Associations of Congregations could be of assistance.]

CONSTITUTION OFLUTHERAN SCHOOL

Interpretation

In this Constitution and the By-laws made thereunder, unless the context or subject matter otherwise requires:

- (a) 'the Church' means: Lutheran Church of Australia;
- (b) 'the Congregation' means:..... Lutheran Church;
(insert official name of Congregation)
- (c) 'the Council' means the School Council provided for in this Constitution;
- (d) 'the District' means: Lutheran Church of Australia,.....District;
- (e) 'the School' means:..... Lutheran School;
- (f) words importing the singular number shall be deemed to include the plural number.

1. NAME

The name of this body shall be:.....LUTHERAN SCHOOL

(insert name of school)

II. CONFSSIONAL BASIS

1. The School, as an agency for Christian education of the Congregation, upholds the Confession of the Church and declares that

- (a) it accepts without reservation the Holy Scriptures of the Old and New Testaments, as a whole or in all their parts, as the divinely inspired, written and inerrant Word of God, and as the only infallible source and norm for all matters of faith, doctrine and life;
- (b) it acknowledges and accepts as true expositions of the Word of God and as its own Confession all the Symbolic Books of the Evangelical Lutheran Church contained in the Book of Concord of 1580, namely, the three Ecumenical Creeds: the Apostles Creed, the Nicene Creed and the Athanasian Creed; the Unaltered Augsburg Confession: the Apology of the Augsburg Confession; the Smalcald Articles; the Small Catechism of Luther; the Large Catechism of Luther; the Formula of Concord.

2. The School requires that all who teach in or administer the affairs of the School shall carry out their responsibilities and duties in accordance with this Confession.

III. OBJECTS

The School is an integral part of the ministry of the Congregation, and is established to offer Christian education to children in the Congregation and in the community. Its objects are:

- a) to provide children with a comprehensive program of education that is conducive to the development of their talents and skills for responsible Christian living and service;
- b) to encourage children to strive for excellence in learning according to individual ability;
- c) to help children to value themselves as persons created in the image of God, redeemed by Christ, and made members of His body, the Church, and to express their new life in Christ in their relationship with God and others;
- d) to promote the spiritual life and development of children through worship, study of the Scriptures, and pastoral care, whereby they may know God and His saving love in Jesus Christ, respond in faith, and grow to Christian maturity;
- e) to encourage children to give witness to their faith in Christ at school, at home, in the congregation and in the community;
- f) to work together with Pastor(s) and congregation(s) in fulfilling the church's mission of reaching out to unchurched children and their families with the Word of God;
- g) to assist parents in fulfilling their God-given responsibilities to their children;
- h) to serve the State by providing it with responsible citizens equipped to contribute positively to its well-being.

IV. RELATIONSHIPS

1. (1) The School, as an agency of the Congregation, accepts the Constitution and By-laws of the Congregation, and shall act in accordance with their requirements.

(2) The Pastor of the Congregation has pastoral oversight of the School, exercising this ministry to the School and its community with and through the Principal and teachers.

2. The School, as an agency for Christian education within the Church and the District, accepts the Constitution and By-laws of the Church and of the District; and, therefore, shall co-operate with the relevant boards and committees of the Church and of the District.

3. The School, as a school within the State of....., shall satisfy the legislative requirements of the State and of the Commonwealth of Australia in so far as they are not contrary to the Confession and religious principles of the Church.

V. ADMINISTRATION

1. The real and personal property of the School shall be held and administered by theLutheran Church
(insert name of Congregation).

[Note: If the local situation differs from the above this clause must be drafted to cover the exigencies of that situation].

The School Council

2. The management of the School shall be entrusted to a committee known as the Lutheran School Council.
[Note: The title Committee may be preferred to Council].

3. The Council shall be elected annually by the Congregation in accordance with the regulations set down in the By-laws of the Congregation.

4. The Council shall be accountable to the Congregation and under its direction.

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5. The duties of the Council shall be prescribed in the By-laws.
 6. The Council may co-operate or affiliate with other bodies, always provided that the objects of the School are upheld.

Finance

7. The School shall be a non-profit organisation.
8. All financial commitments of the School, whether capital or recurrent, shall be the responsibility of the Congregation.
9. Government funding may be accepted provided that the conditions of acceptance do not conflict with the Confessional Basis of the School and the religious principles of the Church.
10. The School shall be accountable to State and Commonwealth Governments for the use of any financial assistance offered and accepted.
11. A schedule of fees payable shall be determined each year by the Congregation on the recommendation of the Council.
12. All fund-raising activities on behalf of the School shall be conducted only with the approval of the Council.
13. All moneys and properties received and derived in connection with the School shall be applied solely to the purposes of the School.
14. The Council shall be responsible for maintaining accurate and proper accounts and records of the financial transactions of the School.

VI. THE STAFF

1. Full-time members of the teaching staff shall normally be persons who are accredited or provisionally accredited according to the policy and procedures laid down by the Church.
2. The Principal shall be an accredited teacher of the Church and called by the Congregation. In special circumstances the Congregation may call a provisionally accredited teacher as
3. Full-time teachers who are accredited or provisionally accredited shall be called. Full-time teachers who are not accredited or provisionally accredited may in exceptional circumstances be appointed. Any call or appointment shall be determined by the Congregation directly or through the Council.
4. Other staff may be appointed as authorised by the Congregation.
5. Any action to suspend, dismiss, or terminate the services of, a called or appointed teacher shall be taken in accordance with the current policies and procedures of the Church relating to Lutheran primary schools.

VII. THE STUDENTS

1. The students shall be enrolled in the manner laid down in the By-laws.
2. Within the context of Christian ministry a student who manifestly violates Christian conduct and/or seriously disrupts school life and work and refuses to respond positively to admonition and encouragement may be expelled from the school.

VIII. DISSOLUTION

Any decision to close the School shall be made according to the following procedure:

- (1) It shall be made only after the relevant educational authority of the District has been consulted.
- (2) It shall require a two-thirds majority of those present and entitled to vote at a duly convened meeting of the Congregation, the quorum for such a meeting being one-third of those entitled to vote.
- (3) It shall not become operative until the approval of the Church Council of the District has been obtained.

IX. ALTERATIONS TO CONSTITUTION AND BY-LAWS

1. The Congregation shall have the power in the manner laid down in the Constitution of the Congregation relating to alterations to its Constitution to repeal, alter, amend or add to these rules.
2. Articles II and IX.2 of this Constitution shall be considered fundamental and shall not be repealed, or be added to or amended so as to alter their intent and meaning.
3. The Congregation shall have the power in the manner laid down in the Constitution of the Congregation relating to By-laws to make, repeal, alter, or amend By-laws to these rules not inconsistent with these or any amended rules for the regulation of the proceedings and the management of the business affairs of the School and for giving effect to these rules.

BY-LAWS

I. THE CONGREGATION

At its annual meeting, or at any special meeting called for the purpose, the Congregation shall transact the following school business:

- (a) receive the annual reports of the Chairperson of the School Council and the Principal and reports of any sub-committees or auxiliaries as requested and required;
- (b) receive the audited statements or an interim report on the financial affairs of the School from the Treasurer;
- (c) adopt the budget and fee schedule for the following year;
- (d) elect the members of the School Council, including, if necessary, the Treasurer for the following year;
- (e) revise policies of the School as deemed necessary;
- (f) attend to any other business as required.

II. THE SCHOOL COUNCIL

Membership

1. (1) The Council shall comprise
 - (a) voting members of the Congregation;
 - (b) the Pastor ex officio;
 - (c) the Treasurer.
- (2) The Principal shall attend all meetings of the Council as a consultant.
- (3) No employee of the School shall be a member of the Council.

Duties

2. The Council

- (a) shall promote the School and foster interest in it among the members of the Congregation and in the community;
- (b) shall implement policies, programs and projects as directed by the Congregation;
- (c) shall have oversight of the general administration of the School within the guidelines laid down by the Congregation;
- (d) shall be responsible for providing staff adequate for the needs of the School and to that end
 - i. advise the Congregation from time to time of the staffing needs of the School;
 - ii. recommend to the Congregation teachers and other staff deemed suitable to be called or appointed to the School;
 - iii. call or appoint teachers and other staff when directed by the Congregation to do so;
 - iv. prepare the necessary Call and Appointment documents;
- e) shall be concerned with the livelihood and general well-being of the teaching staff;
- f) shall encourage and assist in the academic and theological professional development of the Principal and teachers;
- g) shall have oversight of the activities of any School auxiliary body;
- h) shall annually elect an auditor who shall examine thoroughly the books of the Treasurer and vouch for their correctness and otherwise advise on aspects of the School's finances;
- i) shall submit the annual School budget to the Congregation for approval;
- j) shall furnish reports at regular meetings of the Congregation;
- k) shall receive regular reports from the Principal;
- l) shall place before the Congregation for its decision any matters that involve changes in policy, the adoption of new projects involving expenditure beyond the approved budget, or the borrowing of money;
- m) shall conduct its meetings according to the procedures laid down by the Congregation.

Officers

- 3. The officers of the Council shall be a Chairperson, a Vice-Chairperson, a Secretary and a Treasurer.
 - (a) The Chairperson, the Vice-Chairperson and the Secretary shall be elected by the Council from its own members.
 - (b) The Treasurer shall be elected by the Congregation.

4. Duties of Officers

(1) The Chairperson

- a) shall preside at meetings of the Council;
- b) shall maintain liaison on behalf of the Council with the Congregation, the Principal, and the staff and so assist in carrying out the objects of the School;
- c) shall ensure that the decisions of the Council are carried out and generally co-operated with, advise and encourage all who hold office;
- d) shall ensure that an agenda is prepared for the meetings of the Council.

(2) The Vice-Chairperson

- a) shall serve as Chairperson when the Chairperson is unable to act, or when requested to do so by the Chairperson;
- b) shall assist the Chairperson and carry out other duties specifically assigned;
- c) shall act as Chairperson when the office of Chairperson is vacant.

(3) The Secretary

- (a) shall keep an accurate record of all proceedings of the Council
- (b) shall attend to all correspondence unless delegated to another person;

- (c) shall prepare an agenda for meetings in consultation with the Chairperson and the Principal;
 - (d) shall ensure that committees and personnel are informed of decisions affecting their duties.
- (4) The Treasurer
- (a) shall keep an accurate record of all receipts and payments and of the assets and liabilities of the School;
 - (b) shall pay promptly all wages and salaries, accounts, and other financial obligations of the School authorised by the Council;
 - (c) shall prepare progress reports as required on the finances of the School for the meetings of the Council and the Congregation;
 - (d) shall submit regular financial statements as required and an annual audited financial statement and balance sheet to the Council for examination and presentation to the Congregation;
 - (e) shall prepare such financial returns as may be required from time to time.

Executive Committee

5. The Council shall have an Executive Committee comprising the Chairperson, the Secretary, the Treasurer, and the Pastor ex officio. The Principal shall serve as consultant.

6. The Executive Committee

- a) shall act for the Council, if required, between regular meetings of the Council;
- b) shall carry out other duties as directed by the Council from time to time. The Executive Committee is at all times responsible to the Council.

7. Sub-committees

- (1) The Council may appoint sub-committees from time to time which may include persons who are not members of the Council, to perform specified tasks.
- (2) When appointing sub-committees the Council shall appoint a convenor and provide specific terms of reference.
- (3) A sub-committee shall be responsible at all times to the Council and submit any report and/or recommendations to the Council for its consideration as required. On completion of the tasks assigned the sub-committee shall be deemed to no longer exist.

III. AUXILIARY BODIES

- 1. (1) Auxiliary bodies, that is, bodies specifically constituted to involve the parents and other school related communities, may be formed for the welfare of the School.
- (2) Auxiliary bodies may exist only by the consent of the Council and provided that the constitution is approved by the Council.

IV. THE STAFF

- 1. Teachers shall carry out all duties according to the terms stated in the official Call or Appointment documents of the Church and the Congregation, and as specified by the Principal from time to time.
- 2. The Principal, in addition to general duties as a teacher,
 - (a) shall be responsible for the organisation and administration of the School and its educational program;
 - (b) shall ensure that the School is effectively implementing its Christian objectives;
 - (c) shall ensure that the educational requirements of the Church and of the State are effectively fulfilled in the School;
 - (d) shall arrange and preside over regular meetings of the staff;
 - (e) shall ensure that a program of academic and theological professional development of teachers is implemented;
 - (f) shall attend all meetings of the Council, submit regular reports to the Council, and assist the Council in the fulfilment of its duties;

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- (g) shall be responsible for the enrolment of students within the guidelines laid down by the Congregation;
 - (h) shall present such reports as are required and as deemed necessary to the Congregation, and other parties;
 - (i) shall submit items for the agenda of Council meetings to the Secretary of the Council;
 - (j) shall provide opportunity for the Pastor to minister in the School.

V. THE PASTOR

1. The Pastor, in consultation with the Principal,
 - (a) shall encourage and contribute to the worship and devotional life of the School;
 - (b) shall serve as a resource person for the theological development of staff and for the design and presentation of the Scripture program;
 - (c) shall assist in evaluating the Scripture curriculum of the School;
 - (d) shall ensure that the program of the School is in keeping with the aims and objectives of the School as an agency within the Church;
 - (e) shall ensure that the School as an agency for Christian education is effectively linked to the life and work of the Congregation;
 - (f) shall minister to the whole School community.
2. The Pastor shall serve as spiritual counsellor to the Principal and staff as required.

VI. ENROLMENT OF STUDENTS

1. The following provisions shall apply in reference to the enrolment of students:
 - (1) All applications for enrolment shall be directed to the Principal.
 - (2) The Principal shall be responsible for conducting enrolment interviews.
 - (3) Applications shall be accepted by the Principal according to priorities determined by the Congregation from time to time.
 - (4) When an application for enrolment is made the parents shall give an undertaking to support actively the aims and objectives of the School.