TERMS OF REFERENCE

These terms of reference are to be read in conjunction with the provisions of the School Education Act 1999 (the Act) and the School Education Regulations 2000 (the Regulations) as amended from time to time (including without limitation, Part 3 Division 8 of the Act and Part 6 of the Regulations). To the extent of any conflict or inconsistency between these terms of reference and the Act or the Regulations, the Act or the Regulations shall prevail.

NAME

The name of the Board is the Dalkeith Primary School Board.

DEFINITIONS

In these terms of reference
• “Act” means the School Education Act 1999.
• “Board” means “Council” as defined in the Act.
• “School” means Dalkeith Primary School.
• “Student” means a student enrolled in the School.
• “Department” means the Department of Education.
• “Principal” means the principal of Dalkeith Primary School

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 the students and will enhance the education provided by the school.

FUNCTIONS AND POWERS OF THE BOARD

The Board has the functions and powers set out in the Act.

APPOINTMENT AND ELECTION OF MEMBERS

a) The Board or Principal will invite nominations from suitably qualified persons to fill 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. Nominees will be invited in a manner that encourages membership that reflects the needs of the board and school's community in regard to social and cultural background, gender balance and the skills needs of the board.

b) 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)(l) 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.

c) 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.

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

e) In the category of general community membership positions, the Board may appoint suitably qualified members of the general community from the list of nominees.
f) The Board shall consist of up to ten members as follows:

- 3 parents/guardians of enrolled students.
- Up to 3 general community members
- 3 staff members (one of whom must be the Principal)
- A representative nominated by the Parents and Citizens Association.

g) Prior to attendance at their first meeting, all Board members will sign the Code of Conduct.

h) Elected Board members will serve a term of no more than three years. They may seek re-election for one additional term of three years.

i) Community members will be invited to become members based on a resolution of the Board. Community representatives will serve a term of no longer than one year and can be invited to subsequent terms as Board members, subject to a resolution of the Board.

j) Elections for Board membership will be held within three months of a Board position becoming vacant. The Chair and Principal will give staff and/or parents notification of the call for nomination by placing notices on appropriate notice boards within the school, through the school newsletter, website and/or through other means to encourage nominations from a wide cross-section of the parent/staff community.

k) The office of a member of the Board becomes vacant if the member:

   a. Becomes ineligible to hold office as a member.
   b. Resigns by written notice delivered to the Board
   c. Is removed from office by the Director General of the Department or delegate.

l) The Board may remove a person as a member of the Board on the grounds that the person:

   - Has neglected his or her duty as a member
   - Has breached the Code of Conduct or is incompetent
   - Is incapacitated or otherwise unable to perform his or her duties (other than temporarily)
   - Is no longer considered to be a fit and proper person to represent the school and/or Board
   - Has been absent without leave or reasonable excuse for three consecutive meetings of which the member had notice.

   The Board must not remove a person as a member unless the person has been given reasonable opportunity to show that he or she should not be removed from office.

**MEETINGS AND PROCEEDINGS OF THE BOARD**

a) The Board will determine the minimum number of its meetings by vote of members at the beginning of each term.

b) There will be a minimum of one Board meeting per school term.

c) The Chair of the Board will convene Board meetings in accordance with the directions of the Board by giving 14 days notice of the venue, date and time of meetings unless otherwise agreed by the majority of Board members.

d) The Chair is to be elected from the Board by vote of Board members for a term of no more than one year from the date of election. The Board may elect a deputy Chair who can assume the duties of the Chair if the Chair so requests.

e) Minutes of the preceding meeting will be circulated no later than 7 days before a meeting and tabled at the commencement of each meeting.
f) Notice of business to be discussed and supporting documentation will be provided to members no later than 7 days before a Board meeting.

g) All decisions relating to Board business are to be taken by a vote of Board members.

h) Resolutions will be carried when agreed to by a majority of the board members.

i) Instead of meeting, any Board Member may submit any proposed resolution to the Board for a vote by notice. Notice must be communicated in writing and may include email. The proposing Board Member must notify the Chair accordingly, and the Chair must give each Board Member notice describing the proposed resolution, together with adequate documentation in connection with the proposal to enable the Board Members to make a decision. Each Board Member must communicate his/her vote by notice to the Chair and each other Board Member within 48 hours (Voting Period) after receipt of the Chair’s notice of the proposed resolution. Any Board Member may, by notifying all Board Members within the Voting Period, request that the proposed resolution is to be decided at a meeting duly called for that purpose (and if such a meeting is requested, the Chair must call such a meeting). If a meeting is not requested then at the expiration of the voting period, the Chair must give each Board Member a confirmation notice tabulating the votes on the proposed resolution and stating the results of the vote. Any Board member failing to communicate its vote in a timely manner during the voting period is deemed to have voted against the proposed resolution. Any resolution by notice will be ratified at the following Board meeting.

j) The Principal is to provide the Board with such support services as it may reasonably require.

BUSINESS

a) The business of the Board includes, but is not limited to:

   I. All business required of it under the Act, by the Department or the Principal.
   II. An annual review of the performance of the school.
   III. An annual review of the school Business Plan addressing the following considerations in a manner it sees fit:
      1. delivery of the business plan
      2. any necessary changes to the business plan
   IV. an annual review of the school codes; and
   V. promotion of the school

b) The Board will formally report to its school community at least once each calendar year.

c) All business will be attended to within a reasonable time.

COMMITTEES

a) The Board may appoint a committee composed of parents, community members of appropriate experts to address its business, but at least one Board member is required to serve on each Committee.

b) The duties of a committee appointed by the Board will be clearly defined and stated in writing.

c) In all cases, a committee makes its recommendations to the Board.

d) Where appropriate, a specific date shall be set for completion of tasks assigned to the committee and if appropriate a date set for dissolving the committee.
e) All committees automatically cease within one year of being formed. If the work of the committee is not complete, the Board may vote to extend the term of a committee for maximum period of up to one year. As such, any enduring committees must be re-selected and reviewed at least once per year.

f) Membership should include those with relevant skills and where possible, be balanced to represent the interests of the community and/or board.

**DUTIES TO BE ALLOCATED**

The Board allocates to the following member or members the following duties.

a) The Chair and the Principal will co-ordinate the correspondence of the Board.

b) The Chair will ensure that full and correct minutes of the meetings and proceedings of the board are kept.

c) The Principal will have full custody of all books, documents, records and registers of the Board.

**REVIEW**

The Board’s terms of reference and code of conduct are to be reviewed by the board when appropriate, but not less than once per calendar year.

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Principal

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Chairperson