

# TERMS OF REFERENCE FOR MORLEY SENIOR HIGH SCHOOL - SCHOOL BOARD

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## 1 Name of Board

The name of the Board is

MORLEY SENIOR HIGH SCHOOL BOARD

## 2 Definitions

In these rules, unless the contrary intention appears-

- “Absolute Majority” refer to section 12.7 of these terms of reference.
- “Amendments” means as defined in section 16 of these terms of reference.
- “Annual General Meeting” means the first meeting of Term 2 of each School year
- “Annual public meeting” is the annual meeting in which the Board presents to the school community an annual report based on the Board’s functions (**SER r.117**).
- "Board" means the Board referred to in rule 1, established in (**SEA s.125**).
- “Chairperson” means the person who presides over the Morley Senior High School Board Meetings.
- “Code of Conduct” refers to section 6.6 of these terms of reference.
- “Community” means persons not Principal, Staff, Parent, or Student
- “Co-opt Member” as defined by section 6.6 of this document
- “Director General<sup>1</sup>” means the chief executive officer of the Department of Education as defined in **SEA s.229**.
- “Minister” means a body corporate with the name “Minister for Education” (**SEA s.214(1)**).
- ‘Notice’ means publication by Newsletter or Signage or SMS or Website or Email or Letter or Telephone or any other written means.
- “Ordinary meeting” means a meeting held by determination of the Board (**SER r.115(1)**).
- “Parent” in relation to a child, means a person who at law has responsibility –
  - For the long term care, welfare and development of the child; or
  - For the day-to-day care, welfare and development of the child (**SEA s.4**).
  - Who has an enrolled student at Morley Senior High School.
- “Parents and Citizens” refers to Morley Senior High School Parents and Citizens Association.
- “Principal” means the Principal of Morley Senior High School.
- “PCA” means **Parliamentary Commissioner Act 1971**.
- “Returning Officer” will be identified by the Chairperson along with 1 scrutineer.
- “Review” means as defined in paragraph 16 of these terms of reference.
- “School” means Morley Senior High School.
- “SEA” means **School Education Act 1999**.
- “Secretary” means the person who is responsible for the receipt of notices and keeping of records for the purpose of the Morley Senior High School terms of reference “SER” means **School Education Regulations 2000**.
- “Special meeting” means a meeting of the Board called for by written notice to the Chairperson by parents of students at the school for a specific purpose (**SER r.118**)
- “Staff” means teaching staff referred to in section 235(1)(b).
- “Student” means a person who is enrolled at the school (**SEA s.4**).
- “Terms of Reference” means these rules that will apply to the Board and members.

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<sup>1</sup> All but one of the functions of the Director General mentioned henceforth have been delegated from the Director General to the Deputy Director General, Schools, under the current delegation instruments.

- “Transition” refers to section 17 of these terms of reference.

### 3 Purpose of Board

#### 3.1

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 students and will enhance the education provided by the school.

### 4 Functions of the Board

#### 4.1

The Board has the following functions:

To take part in:

- a) establishing and reviewing from time to time, the school’s objectives, priorities and general policy directions **(SEA s.128(a)(i))**;
- b) the planning of financial arrangements necessary to fund those objectives, priorities and directions **(SEA s.128(a)(ii))**;<sup>2</sup>
- c) evaluating the school’s performance in achieving them **(SEA s.128(a)(iii))**;
- d) formulating codes of conduct for students at the school **(SEA s.128(c))**;
- e) **supporting the school in achieving its Community and/or Partnerships with the Community targets on business plans**;
- f) **supporting the recognition of school and staff**; and
- g) **sourcing and attaining funding for infrastructure improvements and programs to improve student experience**.

#### 4.2

With the approval of the Director General to:

- a) take part in the selection of, but not the appointment of, the school Principal or any other member of the teaching staff **(SEA s.129(2))**.

#### 4.3

To approve:

- a) of a charge or contribution determined by the Principal for the provision of certain materials, services and facilities **(SEA s.99(4))**;
- b) of the costs determined by the Principal to be paid for participation in an extra cost optional component of the school’s educational program **(SEA s.100(3))**;
- c) of the items determined by the Principal to be supplied by a student for the student’s personal use in the school’s educational program **(SEA s.108(2))**; and

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<sup>2</sup> The Principal submits the school’s budget to the Board for consideration, endorsement and inclusion in the school development plan. Endorsement from the school board must be obtained for any major revision to the budget, which has an impact on the original programs and priorities (Section 5.1.4 Department of Education’s *Financial Management in Schools Finance and Accounting* policy)

- d) of an agreement or arrangement for advertising or sponsorship in relation to a government school (**SEA s.216(5)**).

4.4

To determine in consultation with students, their parents and staff a dress code for students when they are attending or representing the school (**SEA s.128(d)**).

4.5

To provide advice to the principal of the school on:

- a) a general policy concerning the use in school activities of prayers, songs and material based on religious, spiritual or moral values being used in a school activity as part of religious education (**SEA s.70**); and  
b) allowing time for the special religious education of students in the school, but the total number of hours so allowed in a school year is not to exceed 40 (**SEA s.69(2)**).

4.6

To promote the school in the community (**SEA s.128(b)**).

4.7

To note the school's Funding Agreement (with Schedules).

## 5 Limits of Functions

5.1

The Board cannot:

- a) intervene in the control or management of a school (**SEA s.132(a)**);  
b) intervene in the educational instruction of students (**SEA s.132(b)**);  
c) exercise authority over teaching staff or other persons employed at the school (**SEA s.132(c)**);  
d) performance manage the principal or any other Department of Education employee (**SEA 132(c)**);  
e) intervene in the management or operation of a school fund (**SEA s.132(d)**); and  
f) purchase property (**SEA 131**).

5.2

The Board is not permitted to borrow money or obtain credit.

5.3

The Director General may give directions in writing to a Board with respect to the performance of its functions, either generally or in relation to a particular matter, and the Board is to give effect to any such direction (**SEA s.135(1)(2)**).

## 6 Qualifications for membership of Board

6.1

Membership of the Board will be drawn from the following categories:

- a) The Principal is automatically a member of the Board (**SEA s.127(2)**)  
b) Parents of students at the school (**SEA s.127(1)(a)**);  
c) Members of the general community (**SEA s.127(1)(b)**);  
d) Staff of the school (**SEA s.127(1)(c)**); and

e) **Students 15 years and over (SEA s.127(1)(d)) and (SER r.105(1)(2)).**

6.2

Staff who are also parents or community members will only serve on the Board in their capacity as a Department of Education employee at Morley Senior High School. Such a person will only be on the Board in the category of staff membership **(SEA s.127(3))**.

6.3

**The number of members is determined by the council however it must be at least 5 and not more than 15. (SER r.106(1)(a)(2))**

6.4

The Board will determine its composition:

- a) having regard to the nature of the student population of the school and the social, cultural, lingual, economic or geographic factors that may be relevant to the school (SER r.107(1)(a)(i)); and
- b) having regard to the functions of the Board and any changes in those functions (SER r.107(1)(a)(ii)).

6.5

The composition of the Board will be:

- a) **Three** members of the general community;
- b) Four staff of the school in addition to the Principal;
- c) Four Parents;
- d) One member of another association of the school referred to in SEA s.149 in relation to the school or group of schools that the school belongs (SER r.107(1)(b)(i)(ii)(iii)(iv));
- e) Two student leaders over 15 years of age and nominated by the school's student leadership group (Years 7 to 12).

6.6

Parents and members of the general community will form the majority of the members of the Board **(SEA s.127(4))**; and at least one of this majority will be a parent member **(SER r.107(2))**.

6.7

The Board may co-opt a member of the local community to the Board for a period, as determined by the Board where that person's experience, skills or qualifications would enable him or her to make a contribution to the Board's functions. **(SER r.112)**.

6.8

Students at the school who are not members may attend Council meetings and take part in discussions, but without having a right to vote or being counted in determining a quorum **(SEA s.140(b))**.

6.9

The Board members are bound by the Morley Senior High School Board Code of Conduct.

## **7 Roles of Office Bearers and Members**

7.1

### **Chairperson**

The roles of the Chairperson are to:

- a) work in partnership with the Principal;
- b) ensure the Board stays focused on supporting the school to achieve the best outcomes for students;
- c) provide leadership to the Board;
- d) chair and convene Board meetings **(SER r.115(2))**;
- e) manage the business of the Board;
- f) declare the result of decisions and motions;
- g) uphold Board decisions;
- h) prepare and present an annual report to members and the school community at annual public meetings **(SER r.117(c))**;
- i) comply with any directions of the Board in relation to the venue and time of meeting and giving notice of the meeting **(SER r.115(2))**;
- j) resolve disputes as required;
- k) facilitate mediation meetings as required;
- l) represent the school in the community and formal functions;
- m) ensure a wide variety of people are considered for membership and that members are representative of the school community, for example gender, social, cultural, lingual, economic or geographic factors relevant to the school;
- n) ensure minutes of meetings are taken and reviewed; and
- o) works with the Principal to induct members.

## 7.2

### Deputy Chairperson

The roles of the Deputy Chairperson are to:

- a) work in partnership with the Chairperson;
- b) chair sub-committees endorsed by the Board;
- c) take on responsibilities to deliver Board's priorities at the discretion and request of the Chairperson, review and/or develop Board updates to be published in the school newsletters;
- d) provide support to the Chairperson at the discretion and request of the Chairperson; and
- e) take the role of the Chairperson in the event the Chairperson is not able to perform his or her role.

## 7.3

### Secretary

The roles of the secretary are to:

- a) work in partnership with the Chairperson and Principle to co-ordinate, receive and distribute correspondence of the Board;
- b) ensure that full and correct minutes of the meetings and proceedings of the Board are signed off by the Chairperson after every meeting and stored electronically and physically;
- c) serve formal notice to Board members and the community at the direction of the Chairperson, for:
  - i. ordinary, special and annual public meetings; and
  - ii. motions;
- d) provide administrative support to the Board at the discretion and request of the Chairperson.
- e) ensure tenure of members are staggered;
- f) keep and maintain in an up to date condition a register of the members of the Board and their email, postal and residential addresses;
- g) keep a list of nominees of members of the general community that may be appointed to the Board in the category of general community membership **(SER r.108(2)(b))**;
- h) keep and maintain this Terms of Reference document and have copies available for all members;
- i) ensure every member has access to inspect the records and documents of the Board;

- j) have custody of all books, documents, records and registers of the Board; and have custody of all other records held by the Board, which are held on the school premises

#### 7.4

### *Members*

The roles of members are to:

- a) work collaboratively with the Chairperson and the Board;
- b) complete board induction (i.e. reviewed and understand information provided by Chairperson and the Department of Education);
- c) contribute actively and take on responsibilities required for an effective Board;
- d) support Board decisions made outside of meetings;
- e) raise skills required to be an effective member and/or take on Office roles (i.e. Chairperson, Deputy Chairperson and/or Secretary) for consideration;
- f) review, understand and exercise the Board's Code of Conduct; and
- g) attend at least 50% of board meetings held annually.

#### 7.5

### *Community Members*

The roles of community members are to:

- a) work collaboratively with the Chairperson and the Board;
- b) complete board induction (i.e. reviewed and understand information provided by Chairperson and the Department of Education);
- c) contribute actively and take on responsibilities required for an effective Board;
- d) support Board decisions made outside of meetings;
- e) source additional improvement initiatives and programs including sponsorships for school and students;
- f) review, understand and exercise the Board's Code of Conduct; and
- g) attend at least 50% of board meetings held annually.

#### 7.6

A member may at any reasonable time inspect the books, documents, records and securities of the Board. Members may make a copy of or take an extract, but have no right to remove the books, documents, records or registers of the Board.

## **8 Elections and appointment of members**

#### 8.1

Members of the Board are appointed for a term not exceeding three years **(SER r.110(1)(a))**

#### 8.2

Members may be reappointed for further terms once or more than once **(SER r.110(1)(b))**

#### 8.4

Any member appointed or elected to a casual vacancy on the Board will hold office for the residual period of the predecessor's term of office **(SER r.110(2))**.

#### 8.5

The school Principal is responsible for the proper conduct of all elections **(SER r.108(2))**.

## 8.6

The Principal of the school will invite nominations from all persons in each category to fill vacancies for Board membership **(SER r.108(1))**.

## 8.7

A person who wishes to nominate to serve on the Board will notify the school Principal in writing by the due date. The Principal will keep a record of nominations received.

## 8.8

If there are more nominees than places available on the Board:

- a) the Principal will conduct an election to appoint parents and staff **(SER r.108(2)(a)(c)(d))**; and
- b) in the category 'community members' the choice of nominee will be decided by the Board rather than by election **(SER r.108(2)(b))**. The Board may appoint suitably qualified persons from the list of nominees by vote in a meeting **(SER r.108(2)(b))**.

## 8.9

Only those people eligible for a position are eligible to vote for representatives for that position **(SER r.109(1)(2)(3)(4)(5))**.

## 8.10

Parent members are to be elected from and by parents **(SER r.108(2)(a))**.

- a) whose name and address has been provided to the school **SEA s.16(1)(b)(ii)(i) (SER r.109(1)(a))**; or
- b) if no parent's name and address has been provided for a particular student, the nominated guardian is eligible **(SER r.109(1)(b))**.

## 8.11

Staff members are to be elected from and by the staff of the school **(SER r.108(2)(c))**. Staff members who are eligible to vote are those employed at the school under **SEA s.235(1)**, and whose usual place of work is at the school **(SER r.109(3))**.

## 8.12

Students aged 15 years and over, or students who will reach the age of 15 years during the calendar year, are to be elected from and by other students **(SER r.108(2)(d))**.

Students eligible to vote for student members are each student:

- a) enrolled at the school at the date of the notice of the election **(SER r.109(4)(a))**; and
- b) who is 15 years of age, or who will reach 15 years of age during the calendar year **(SER r.109(4)(b))**.

## 8.13

There will not be an election to appoint community members. The Board may appoint suitably qualified persons from the list of nominees by vote in a meeting **(SER r.108(2)(b))**.

## 8.14

There will not be an election to appoint co-opted members. The Board will appoint a person of the local community having such skills, experience, or qualifications as would enable the person to make a contribution to the Board's functions for a specified time period **(SER r.112)**.

8.15

Student members are to be elected from and by student leaders of the school. Student members may participate in Board debate unless the subject is deemed inappropriate at the sole discretion of the Board Chair. The Student members may not cast a vote on Board decisions.

8.16

A person's vote may not represent more than one category of the Board Membership **(SER r.109(5))**.

8.17

Voting in Board elections will be conducted in writing.

8.15

Lots shall be drawn to determine the successful nominee to serve on the Board in the event of a Tie.

8.16

A person who wishes to nominate to serve on the Council will notify the school principal in writing using the prescribed nomination form by the due date in order to be considered. The principal will keep a record of nominations received.

8.17

Appointments to the Council will not be made until after a Screening Clearance Number has been issued by the Department of Education's Screening Unit (as is applicable to the membership category).<sup>3</sup>

## 9 Board meetings and proceedings

9.1

The Board must meet together to undertake Board functions for not less than 4 ordinary meetings in each year.

9.2

The Chairperson will give to the school community not less than 5 days formal notice of an ordinary meeting.

9.3

The Board will determine the medium for formal notice whether in writing, or email.

9.4

Annual public meeting

a) "Annual public meeting" is the meeting held once in every calendar year that is open to the public **(SER r.117(a))**.

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<sup>3</sup> [Criminal History Screening for Department of Education Sites policy and procedures](#) and [Councils and Boards in Public Schools policy and procedures](#)

b) An annual report will be presented at the meeting to advise the school community of the performance of the Council in relation to its functions since the previous annual public meeting **(SER r.117(c))**.

9.5

The Chairperson will give to all members and parents not less than 10 days formal notice of an annual public meeting **(SER r.117(b))**.

9.6

A special meeting:

- a) Is a meeting called for by families of students at the school for a particular purpose **(SER r.118)**.
- b) will be held by determination of the Board **(SER r.115(1))**; or
- c) will be called for by:
  - i. at least 20 families of students at the school **(SER r.118(1(b)(i))**); or
  - ii. at least half the number of families of students at the school, whichever is the lesser number of families, **(SER r.118(1(b)(i))**); and
  - iii. a formal notice to the Chairperson, which will state the purpose for which the special meeting concerned is required; and be signed by the families who called for the special meeting.

9.7

The Chairperson is not to convene a special meeting if the purposes of the proposed meeting are not relevant to the Board's functions **(SER r.118(3))**.

9.8

A special meeting is to deal only with matters relevant to the purposes set out in the notice received by the Chairperson **(SER r.118(4))**.

9.9

The Chairperson will give to all members and the school community not less than 14 days formal notice of a special meeting.

9.10

The Chairperson will convene the special meeting within 30 days of receiving the request in writing.

9.11

The Chairperson may, with the consent of a meeting at which a quorum is present, and must, if so directed by such a meeting, adjourn that meeting from time to time and from place to place.

9.12

No business will be transacted at an adjourned meeting other than business left unfinished or on the agenda at the time when the meeting was adjourned.

9.13

When a meeting is adjourned for a period of 30 days or more, the Chairperson will give formal notice of the adjourned meeting and reschedule a new meeting.

9.14

The Secretary on behalf of the Board will communicate notice of ordinary, special and annual public meetings to members and the school community.

9.15

Meetings for the Board and the Parents and Citizens' Association are to be held separately.

9.17

Subject to this 'Terms of Reference' document, the Board will determine its own procedures **(SEA s.136)**.

## **10 Quorum at Board meetings**

10.1

At a meeting 50 per cent of the members present and the Principal will constitute a quorum.

10.2

If within 30 minutes after the time specified for the Board meeting for which formal notice has been given:

- a) a quorum is not present, the meeting lapses and will be rescheduled; or
- b) otherwise than as a result of a request, notice or action, the meeting stands adjourned until such time as the Board agrees to reconvene the meeting.

## **11 Motions at Board meetings**

11.1

A motion may be moved by a member with full voting rights.

11.2

The Chairperson will be given 7 days notice of a motion to be proposed at a meeting.

11.3

The Chairperson will give 5 days' formal notice to members that a motion will be proposed at a meeting.

11.4

The Board will agree on the manner in which that the secretary will communicate notice of motions to members and the school community.

## **12 Resolutions at Board meetings**

12.1

Each Board member is entitled to one vote only **(SER r.119(3))**.

12.2

A co-opted Board member is not entitled to a vote **(SEA s.140(a))**.

12.3

Procedures for counting of votes will be by ballot when required and scrutinised by the Returning Officer and the Scrutineer, otherwise voting may be by showing of hands.

12.4

Voting on issues will be recorded in the minute book.

12.5

A decision of the Board will not take effect unless it has been made by an absolute majority (**SER r.119(2)**).

12.7

“Absolute majority” More than half of the total votes of all those eligible to vote; one more than half the votes of the total number of members of the Board, whether they are present or not.

**(SER r.119(1)).**

12.8

A motion put to the vote:

- a) may be moved and voted on at an ordinary, special or annual public meeting; and
- b) will be decided by an absolute majority of votes.

12.9

A motion which is passed, will be declared by the Chairperson as a resolution.

A declaration by the Chairperson is evidence of the same.

## **13 Closing an ordinary Board meeting to the public**

13.1

Meetings of the Board are generally to be open to the public (**SER r.115(3)**).

13.2

The Board will not close to members of the public an annual public meeting or special meeting (**SER r.115(3)**).

13.3

The Board may decide to close an ordinary meeting or part of an ordinary meeting if it deals with any of the following:

- a) a matter affecting a person who is employed at the school (**SER r.116(a)**);
- b) the personal affairs of any person (**SER r.116(b)**);
- c) a contract entered into, or which may be entered into, by the Board and which relates to a matter to be discussed at the meeting (**SER r.116(c)**);
- d) legal advice obtained, or which may be obtained, by the Board and which relates to a matter to be discussed at the meeting (**SER r.116(d)**);
- e) a matter that if disclosed, would reveal:
  - i. information that has a commercial value to a person and that is held by, or is about, a person other than the Board (**SER r.116(e)(i)**); or
  - ii. information about the business, professional, commercial or financial affairs of a person and that is held by, or is about, a person other than the Board (**SER r.116(e)(ii)**); and
- f) information which is the subject of a direction given **PCA s.23(1)(a)** (**SER r.116(f)**).

13.4

A decision to close an ordinary meeting or part of an ordinary meeting will have the reasons for the decision recorded in the minutes of the meeting (**SER r.116(2)**).

## 14 Disputes and Mediation

### 14.1

The grievance procedure set out in this rule applies to disputes under these rules between:

- a) a Board member and another member;
- b) a Board member and the Principal of the school;
- c) a Board member and the Chairperson; or
- d) a Board member and co-opted members.

### 14.2

The parties to the dispute should meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all parties.

### 14.3

If the parties are unable to resolve the dispute at the meeting, a meeting may be held in the presence of a mediator.

### 14.4

The mediator will be-

- a) a person chosen by agreement between the parties; or
- b) in the absence of agreement-
  - i. in a dispute between Board members, a person appointed by the Chairperson;
  - ii. in a dispute between a member or non-member and the Board, a mediator will be appointed by the Chairperson with prior experience and knowledge of a not for profit organisation.

### 14.5

A member of the Board can be a mediator.

### 14.6

The mediator cannot be a member who is a party to the dispute.

### 14.7

The mediator, in conducting the mediation, will-

- a) give the parties to the mediation process every opportunity to be heard;
- b) allow due consideration by all parties of any written statement submitted by any party; and
- c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.

### 14.8

The mediator will not determine the dispute.

### 14.9

The mediation will be confidential and without prejudice.

### 14.10

If the mediation process does not result in the dispute being resolved, the parties may seek advice from the Regional Executive Director.

## 15 Cessation or termination of membership of the Board

### 15.1

The office of a Board member becomes a casual vacancy if the member:

- a) becomes ineligible to hold office as a member **(SER r.111(1)(a))**;
- b) resigns by written notice delivered to the Board **(SER r.111(1)(b))**; or
- c) is removed from office by the Director General **(SER r.111(1)(c))**.

### 15.2

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

- a) has neglected his or her duty as a member **(SER r.111(3)(a))**;
- b) does not comply with the Terms of Reference and/or Code of Conduct;
- c) has misbehaved or is incompetent **(SER r.111(3)(b))**;
- d) is suffering from mental or physical incapacity, other than temporary illness, impairing the performance of his or her function as a member **(SER r.111(3)(c))**; or
- e) has been absent, without leave or reasonable excuse, from three board meetings within a year of which the member has had notice **(SER r.111(3)(d))**.

### 15.3

The Board will not remove a person as a member unless the person has been given a reasonable opportunity to show why he or she should not be removed from office **(SER r.111(4)(a))**.

### 15.4

A decision of the Board to remove a person from office is to be made by resolution of a majority comprising enough of the members for their number to be at least two thirds of the number of offices, whether vacant or not, of members of the Board **(SER r.111(4)(b))**.

## 16 Board Code of Conduct

### Introduction

1. Board members will abide by all relevant legislation, and industrial agreements and this Code of Conduct.

### Board decisions

2. Board members will take into account the following primary considerations in making Board decisions with regard to:
  - a. implementing the vision and values as outlined by the Department of Education of Western Australia
  - b. the vision and values of Morley Senior High School (“the School”)
  - c. the best educational, civic and social interest of all students.
3. Board members will represent all sectors of the School community rather than one viewpoint or the view of an individual.
4. Board members will consider the views and opinions of the whole School community, when policies are being developed or decisions being taken that have an impact on the School.

### Board conduct

5. In fulfilling their duties, Board members will;

- a. Conduct themselves in a civil and respectful manner at Board meetings;
  - b. Promote respectful partnerships;
  - c. Use clear and transparent communication;
  - d. Promote inclusive, democratic and informed decision-making;
  - e. Act in the best interest of the School rather than for personal, third party or financial gain;
  - f. Discharge their duties in good faith and with impartiality, honesty, integrity and due diligence in all decision
  - g. Use powers of office for proper purpose;
  - h. Not engage in conduct likely to discredit the School or Board;
  - i. Use information gained as Board member for proper purpose
  - j. Make proper use of School property and resources
6. Board members will strive towards orderly outcomes focused and informed meetings.
  7. Board members will maintain confidentiality and privacy with regard to sensitive matters that might arise at School Board meetings, especially matters of a personal nature relating to staff, students or parents.
  8. Board members will not discuss individual school staff, students, parents, or other members of the school community at Board meetings in a manner that is deemed to be personal in nature.
  9. A Board member who is approached by a parent with an issue will treat such discussion with discretion, protecting the confidentiality and privacy of the people involved. If the issue relates to an operational matter of the school, the parent will be encouraged to speak with the principal. If the issue relates to a school policy, the parent will be encouraged to make a written submission to the board for consideration.
  10. Board members will speak unanimously in the public arena once a decision has been made.
  11. Conflict between School Board members will be dealt with respectfully and in accordance with the principles of natural justice.
  12. Harassment and discrimination is prohibited.

### **Conflict of interest**

13. Board members will not allow their personal or professional interests to conflict with those of the School.
14. All conflicts of interest will be documented in the Board's Conflicts of Interest Register.
15. Board members will declare any conflict of interest either at the start of the Board meeting concerned or whenever a relevant issue arises.
16. A board member who believes another Board member has an undeclared conflict of interest will declare in writing the grounds for this potential conflict.
17. When a conflict of interest arises, it will be dealt with in the following manner;
  - a. If a person declares themselves to have existing or potential conflict of interest, confidentiality will be respected.
  - b. If a person declares themselves or a person alleges that another person has a conflict of interest, whether existing or potential, and the Board cannot resolve this allegation to the satisfaction of both parties the matter will be referred to the Board's Ethics Sub-

Committee. This Sub-Committee will make a recommendation to the Board as to what action shall be taken.

- c. Where a conflict of interest or potential conflict of interest is identified and/or registered, the conflicted Board member will leave the room as soon as that item comes up for discussion. This Board member will not vote on that issue, nor initiate or take part in any Board discussion on that topic (either in the meeting or with other board members before or after the Board meetings), unless expressly invited to do so by unanimous agreement by all other members present.

## **Apologies**

18. If Board members are unable to attend a meeting, they must submit an apology prior to the meeting.

19. If a Board member does not attend 3 meetings within a year without an apology, the Chairperson will write to that member seeking a satisfactory reason. If the explanation is not forthcoming the membership on Board may be terminated in writing.

## **17 Review and Amend**

### **17.1**

The Board's terms of reference and code of conduct are to be reviewed by the Board each calendar year.

### **17.2**

Amendments to the Morley Senior High School Board 'Terms of Reference', including an amendment to this section(16.2), will be by a 75% majority of the Morley Senior High School Board.