CONSTITUTION OF GOOD SHEPHERD LUTHERAN SCHOOL
ANGASTON INCORPORATED

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

a) ‘the Church’ means: the Lutheran Church of Australia Incorporated;
b) ‘the District’ means: the Lutheran Church of Australia, South Australia and Northern Territory District Incorporated;
c) ‘the LSA’ means the Lutheran Schools Association of South Australia, Northern Territory and Western Australia Incorporated;
d) ‘the Parish’ means: Angaston Lutheran Parish Incorporated

e) ‘the Association’ means: the voting members of the Parish;
f) ‘the Members’ means: the Members entitled to vote at meetings of the School;
g) ‘the School’ means: Good Shepherd Lutheran School Angaston Incorporated;
h) ‘the Principal’ means: the person appointed or acting as principal of the School;
i) ‘the Pastor’ means: the Pastor nominated / elected to perform a supportive ministry function in the School;
j) ‘the Bursar’ means: the person appointed or acting as bursar / business manager of the School;
k) ‘the Teaching Staff’ means: the staff appointed to teach in the School;
l) ‘Other Staff’ means: other staff appointed for non-teaching duties in the School;
m) ‘the Council’ means: the School Council provided for in this Constitution;
n) ‘the Chairperson’ means: the person elected or acting as chairperson of the School Council and School;
o) ‘the Vice-Chairperson’ means: the person elected or acting as vice-chairperson of the School Council and School;
p) ‘the Secretary’ means: the person elected or acting as secretary / minute secretary of the School Council and School;
q) ‘consultant’ means: any non voting member;
r) ‘an Auxiliary’ means: a body specifically constituted to involve parents and other School-related individuals or communities for the welfare of the School;
s) ‘a Sub-committee’ means: an interim committee formed by and directly responsible to the Council;
t) ‘the Act’ means: Associations Incorporation Act 1985 (SA) or another Act passed in substitution thereof;
u) ‘a delegate’ means: a person appointed by the Parish to be a Member of the School;
v) ‘the Financial Year’ means: the year commencing January 1;
w) ‘An Approved Auditor’ means: a person approved by the Act to audit and report on the financial records and transactions of the school.
I. NAME
The name of the School is GOOD SHEPHERD LUTHERAN SCHOOL ANGASTON INCORPORATED.

II. CONFESSIONAL BASIS
1. The School holds to the Confessions of the Church and declare that it:
   a) accepts without reservation the Holy Scriptures of the Old and New Testaments, as a whole and 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) acknowledges and accept as true expositions of the Word of God and as its own Confession all the Symbolical 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; and the Formula of Concord.

2. The Church 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

1. The Members
   The objects of the Members are to ensure that:
   a) the School operates in conformity with the stated objects of the Church and District;
   b) the School operates in harmony with the mission statement of the Parish;
   c) the School as an integral part of the ministry of the Parish continues to offer Christian education to children in the Church and in the community;
   d) the School serves as an arm of mission outreach for the Parish.

2. The School
   The objects of the School are to:
   a) provide students with a comprehensive program of education that is conducive to the development of their talents and skills for responsible Christian living and service;
   b) encourage students to strive for excellence in learning according to individual ability;
   c) help students 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) include as a core part of the program, a Christian Studies curriculum which has been developed deliberately and consciously from the perspective of confessional Lutheranism;
   e) provide an alternative to a secularistic, humanistic philosophy and practice of education;
   f) promote the spiritual life and development of the school community through regular worship, study of the Scriptures and pastoral care;
   g) assist parents in the fulfilment of their God-given responsibilities to their children;
   h) assist the State in providing it with responsible citizens equipped to contribute positively to the community.

IV. RELATIONSHIPS

1. The Association and the School accept the Constitution and By-laws of the Church and District, and shall act in accordance with their requirements. Any proposed amendments, alterations, additions or repeals to the Constitution and By-laws of the School shall be submitted through the LSA to the Church Council of the District for approval.
2. The School seeks to cooperate with the relevant committees of the Parish.
3. The Association and the School shall cooperate with the relevant officials, boards and committees of the Church, the District and the LSA, and report as required.
4. The School, as a school within the State of South Australia shall satisfy the legislative requirements of the State and of the Commonwealth of Australia in so far as they are not contrary to the Confessions and religious principles of the Church.
V. MEMBERSHIP

1. The Members of the School shall be the elected delegates of the Parish and all parents or legal guardians of students currently enrolled in the School.
2. Membership of the School does not confer on a Member, except as may be provided by the rules of the Members, any right, title or interest in any real or personal property of the School.
3. Except as may be provided by the rules of the Members, a Member is not liable to contribute towards the payment of the debts and liabilities of the School, or the costs, charges and expenses of a winding up of the School.
4. There shall be no membership fee.

VI. MEETINGS

1. The School shall hold its Annual General Meeting in the first five (5) months of the year to transact the following business:
   a) receive the audited statements;
   b) attend to any other business as required.

2. In the last quarter of the year the School shall hold an Annual Election Meeting at which it shall:
   a) receive the annual reports of the Chairperson of the Council and the Principal and reports of any committees or auxiliaries as requested and required;
   b) receive an interim report on the financial affairs of the School;
   c) adopt the budget and schedule of fees for the following year;
   d) review relevant policies of the School as necessary;
   e) appoint a Public Officer;
   f) elect members of the Council;
   g) attend to any other business as required.

3. Special meetings of the School may be called by the Chairperson, and shall be called at the request of:
   a) the Council, or
   b) at least 10 Members who shall submit their request, in writing, to the Chairman of the Council.

4. Except for meetings relating to the dissolution of the School (see Article XI) notice of a meeting shall be given to:
   a) members of the congregations of the parish at each worship service on each of two *(2) Sundays immediately preceding the meeting; and
   b) other members via the School Newsletter at least one week prior to the meeting.
5. The chief business to come before the meeting shall be announced at the same time that the notice of meeting is given.

6. Except for the special requirements relating to the dissolution of a school viz Article XI, the following provision shall apply:
   a quorum of 15 members shall be required for the transaction of all School business.

7. In the event that a quorum not be present within thirty (30) minutes of the scheduled starting time of a meeting, the meeting shall be adjourned and may be reconvened within fourteen (14) days after notifying members in the manner outlined in Article VI, 4 of the intent to reconvene the meeting.
   If there is no quorum present within thirty (30) minutes of the scheduled starting time of the reconvened meeting the Members present shall constitute a quorum for the purposes of the meeting.

8. Unless otherwise stipulated a simple majority shall decide the question, and in the event of an equality of votes, the Chairperson shall in addition to a deliberative vote, have a casting vote, or may refer the question for further discussion.

9. Unless otherwise stipulated, the Chairperson shall ordinarily decide the manner of voting, whether by show of hands or by ballot, but the meeting may itself decide by resolution the manner of voting to be adopted.

10. There shall be no voting by proxy.

11. The conduct of the meetings shall, where applicable, be in accordance with the rules for transacting business adopted by the Church.

VII. POWERS

1. The School shall have all the powers of a natural person, which shall be exercisable by the School Council as conferred by the Act, including without limitation, power to:
   a) acquire, hold, deal with and dispose of any real or personal property,
   b) administer any property or trust;
   c) open and operate bank accounts;
   d) invest its moneys in:
      (i) any security in which trust moneys may, by Act of Parliaments, be invested ; or
      (ii) in any other manner approved by the Members;
   e) borrow money upon such terms and conditions as the school shall think fit;
   f) give such security for this discharge of liabilities incurred by the School as the School shall think fit.
VIII ADMINISTRATION

1. The School Council
   a) The government of the School shall be entrusted to a committee known as the Good Shepherd Lutheran School, Angaston, School Council.
   b) The Council shall be elected in accordance with the guidelines prescribed in the By-Laws.
   c) The Council
      i) shall not include School employees or their spouses;
      ii) should not include parents, children or siblings of employees.
   d) The Council shall fill casual vacancies until the next Annual Election Meeting.
   e) The Council shall meet regularly, and at least eight *(8) times per year.
   f) The quorum for Council meetings shall be a simple majority of the members of the Council.
   g) Voting at Council meetings shall be conducted in accordance with the guidelines specified in Article VI. 8, 9, 10 and 11.
   h) Any member of the Council, absent from 3 consecutive meetings without reasonable excuses, forfeits the right to remain on the Council.
   i) The Council shall be accountable to the Members and under their direction.
   j) The duties of the Council shall be as determined by the Members from time to time.
   k) The Council may co-operate or affiliate with other bodies, always provided that the Objects of the School are upheld.
   l) The Council shall appoint Seal holders as prescribed in the By-laws.
   m) The Council may approve the formation and operation of School Auxiliaries in the manner prescribed in the By-Laws.
   n) The Council may appoint sub-committees to assist it in the performance of its duties in the manner prescribed in the By-laws.
   o) The Council shall appoint the Seal Holders.

2. The Principal
   The day to day management of the School shall be entrusted to the Principal, who shall be appointed by the Council.

3. Finance
   a) All financial commitments of the School, whether capital or recurrent, shall be the ultimate responsibility of the Members.
   b) 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.
   c) The School shall be a non-profit organisation.
   d) The School shall be accountable to State and Commonwealth Governments for the use of any financial assistance offered and accepted.
   e) All moneys and properties received and derived in connection with the School shall be applied solely to the purposes of the School.
   f) A schedule of fees payable for enrolment at the School shall be determined each year by the Members on the recommendation of the Council.
g) The Council shall ensure that accurate and proper accounts and records of the financial transactions of the School are maintained.
h) The Council shall appoint an approved auditor.

IX. THE STAFF

1. The Principal / Deputy Principal must:
   a) be an active member of the Church;
   b) uphold the teachings of the Church and model the Christian lifestyle;
   c) be committed to the principles of Lutheran education; and
   d) be a registered and skilled teacher; and
   e) have completed or undertake to complete within an agreed period of time the necessary theological studies as prescribed by the Church in its Staffing Policy.

2. Other teaching staff shall:
   a) be active members of the Church but if appropriate staff is not available be active Christians in other denominations;
   b) be willing to uphold the teachings of the Church and model the Christian lifestyle;
   c) have a commitment to the principles of Lutheran education; and
   d) be registered and skilled teachers; and
   e) complete the necessary theological studies as prescribed by the Church in its Staffing Policy.

3. Other staff shall:
   a) be active members of the Church but if appropriate staff is not available be active Christians of other denominations;
   b) model the Christian lifestyle;
   c) support the ethos of the School.

4. The Pastor shall provide pastoral assistance to the School community, exercising this ministry with and through the Principal and the teachers.

5. Any action to suspend, dismiss or terminate the services of staff shall be taken in accordance with the current policies and procedures of the Church and State.

X. THE STUDENTS

1. The students shall be enrolled in the manner determined by the School.

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.

XI. DISSOLUTION

1. Any decision for dissolution shall be made according to the following procedure:
   a) Notice of a proposal to dissolve shall be given to the Members;
   b) The decision shall be made only after the relevant education authority of the District has been consulted;
c) At least twenty one (21) days written notice of a meeting, specifying the intention to dissolve as a special resolution, has been given to all Members;
d) The resolution must be passed, at a duly constituted meeting, by a majority of not less than three quarters of the Members; and
e) The decision shall not become operative until the sanction of the LSA and the Church Council of the District has been obtained.

2. The use or disposal of the real and personal estate of the School may be determined by the Members, provided that the surplus assets are distributed in accordance with the requirements of the Act. Where such a determination is not made by the Members the surplus assets shall be transferred to the LSA absolutely.

XII. ALTERATIONS TO CONSTITUTION AND BY-LAWS

1. The Members shall have power to amend, alter, add to or repeal these rules, except as here in after provided.
   a) Proposals to amend, alter, add to or repeal any of these rules may be made by the Members or the Council.
   b) Such proposals shall first be discussed by the Council at a duly called meeting and be submitted to a meeting of the Members.
   c) The quorum for such a meeting shall be 15 voting members.
   d) A two-thirds majority vote of those present and entitled to vote at the meeting in favour of the proposals is required for the adoption of alterations to the Constitution.
   e) A simple majority vote in favour of the proposals is required for the adoption of alterations to the By-laws.

2. The revised Constitution and / or By-laws shall be forwarded to the appropriate District authority for approval.

3. Article II, IV.1 and Article XII.3 shall be considered fundamental and shall not be amended, altered, added to or repealed so as to alter their intent and meaning.
BY–LAWS OF GOOD SHEPHERD LUTHERAN SCHOOL, ANGASTON, INCORPORATED

I. VOTING MEMBERS

1. The voting members shall be:
   a) the parents and legal guardians of children enrolled in the School, and
   b) the elected delegates of the Congregations of the Parish.

2. The allocation of delegate numbers shall be as follows:
   a) North Rhine St Peters Lutheran Church, Keyneton - two (2) delegates;
   b) St Petri Lutheran Church, Eden Valley - two (2) delegates;
   c) St Johns Lutheran Church, Springton - two (2) delegates;
   d) Salem Lutheran Church, Penrice - one (1) delegate;
   e) Zion Evangelical Lutheran Church Inc, Angaston - six (6) delegates.

II. THE SCHOOL COUNCIL

1. Membership
   a) The Council shall comprise nine (9) voting members of the School of whom:
      i) at least four *(4) shall be parents of the School at the time of their election;
      and
      ii) a minimum of six *(6) shall be active communicant members of the Lutheran Church;
   b) The Principal, as a non-voting member;
   c) Pastors of the Parish, as non-voting members;
   d) The Business Manager, as a consultant

2. The term of office shall be for two years with half or as near to half as possible retiring annually.

3. Retiring members of Council shall be eligible for re-election.

4. From its own membership the Council shall elect annually a Chairperson, a Vice Chairperson, a Finance Chairperson and Secretary all of whom preferably shall be active members of the Church.

5. Duties
   The Council shall:
   a) promote the School and foster interest in it among members of the Parish and in the community;
   b) develop and implement policies, programs and projects in accordance with the Objects of this Constitution;
   c) have oversight of the general administration of the School;
   d) be responsible for providing staff adequate for the needs of the School and to that end:
      i) advise the Members from time to time of the staffing needs of the School;
ii) recommend to the Members, the Principal for appointment to the School in accordance with Church policies;

e) be concerned with the livelihood and general well-being of the staff;
f) encourage and assist in the academic and theological professional development of the Principal and teachers;
g) have oversight of the activities of School auxiliary bodies;
h) submit a recommended schedule of fees and the annual School budget to the Members for adoption;
i) submit reports to regular meetings of the Members;
j) receive regular reports from the Principal;
k) place before the Members for their decision any matters that involve changes in relevant policy, the adoption of new projects involving expenditure or the borrowing of money which exceed ten per-cent *(10%) of the total approved budget;
l) ensure that the program of the School is in keeping with the purpose and philosophy of the School as an agency within the Church;
m) appoint a Minute secretary, as required.

6. Duties of Officers
a) The Chairperson shall:
   i) preside at meetings of the Council and Members;
   ii) maintain liaison on behalf of the Council with the District education authority, Members, the Principal, and the staff, and so assist in carrying out the Objects of the School;
   iii) ensure that the decisions of the Council and Members are carried out and generally complied with, advise and encourage all who hold office;
   iv) together with the Principal ensure that an agenda is prepared for meetings of the School and Council.

b) The Vice Chairperson shall:
   i) serve as Chairperson when the Chairperson is unable to act, or when requested to do so by the Chairperson;
   ii) assist the Chairperson and carry out other duties specifically assigned;
   iii) act as Chairperson when the office of Chairperson is vacant.

c) The Minute Secretary shall keep an accurate record of all proceedings of Council and School meetings.

7. The Executive Committee
a) The Council may have an Executive Committee comprising the Chairperson, Vice Chairperson, Finance Chairperson and Secretary. The Principal shall serve as a consultant.

b) The Executive Committee shall
   i) act for the Council, if required, between regular meetings of the Council;
   ii) carry out other duties as directed by the Council from time to time.

c) The Executive Committee is at all times responsible to the Council.
8. Sub Committees
   a) 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.
   b) When appointing sub committees the Council shall appoint a convenor, from its own membership, and provide specific terms of reference.
   c) A sub committee shall at all times be responsible to the Council and submit any reports and/or recommendations to the Council for its consideration, as required.

III. THE PRINCIPAL
1. The Principal, in addition to general duties as a teacher, shall:
   a) be responsible for the organisation and administration of the School and its educational program;
   b) ensure that the School is effectively implementing its Objects;
   c) ensure that the educational requirements of the Church and of the State are effectively fulfilled in the School;
   d) work cooperatively with the LSA;
   e) ensure that regular meetings of staff are held;
   f) ensure that a program of academic and theological professional development of teachers is implemented;
   g) attend all meetings of Members and the Council, submit regular reports to the Members and the Council, and assist the Members and Council in the fulfilment of their duties;
   h) be responsible for the enrolment of students in accordance with the policy of the Church and within guidelines laid down by the Council;
   i) submit items for the agenda of School and Council meetings;
   j) work cooperatively with the Pastors in the ministry of the School;
   k) appoint and terminate staff members under the guidelines of the LSA.

IV. PASTOR
1. The Pastors in consultation with the Principal shall:
   a) encourage and contribute to the worship and devotional life of the School;
   b) serve as a resource person for the theological development of staff;
   c) assist the Principal and staff in ensuring that the School as an agency for Christian education is effectively linked to the life and work of the Parish/Congregation;
   d) assist the Principal with ministry to the school community.
2. The Pastor shall serve as spiritual counsellor to the Principal and staff as required.

V. BURSAR
1. The Bursar, being subject to the authority of the Principal in the administration of the School, shall:
a) keep an accurate record of all receipts and payments and of the assets and liabilities of the School;
b) pay promptly all wages and salaries, accounts, and other financial obligations of the School authorised by the Council;
c) prepare progress reports as required on the finances of the School for the meetings of the Council and the School;
d) submit regular financial statements as required and an annual audited financial statement and balance sheet to the Council for examination and presentation to meetings of the School;
e) prepare such other financial returns as may be required from time to time;
f) supervise the activities of builders and contractors performing building and maintenance programs in the school;
g) supervise the activities of ground staff;
h) attend all meetings of, and submit regular reports to, the Members and the Council, and assist the Members and the Council in the fulfilment of their duties;
i) perform other duties as specified from time to time by the Council through the Principal.

VI. ENROLMENT OF STUDENTS

1. The following provisions shall apply in reference to the enrolment of students:
   a) All applications for enrolment shall be directed to the Principal;
   b) The Principal shall ensure that enrolment interviews are conducted;
   c) Applications shall be accepted by the Principal in accordance with the policy and within the guidelines laid down by the Council;
   d) When an application for enrolment is made the parents shall give an undertaking to actively support the Objects of the School.

VII. PUBLIC OFFICER AND SEAL HOLDERS

1. The Public Officer shall hold office during the pleasure of the Members.

2. Council shall appoint from within its membership three (3) persons as Sealholders who shall hold office during the pleasure of the Council and have power to act only when authorised by the Council.

3. All documents requiring the affixing of the Seal shall be signed by the Chairperson or Vice Chairperson of the Council and two (2) Sealholders.

4. The Seal of the School shall be kept in a secure place at the School.

VIII. AUXILIARIES

1. Auxiliary bodies shall:
   a) exist only by the consent of the Council and provided that their constitutions are approved by the Council;
   b) submit regular reports of their activities to Council.