

COMMUNITY COLLEGES
in the
ARCHDIOCESE OF DUBLIN

Education Secretariate,
Archbishop's House,
Dublin 9.

Model Agreement

COMMUNITY COLLEGES

INSTRUMENT OF MANAGEMENT

For

Community College

1. (a) In this Instrument the following expressions shall where the context so admits have the meanings respectively assigned to them in this clause, that is to say:
 - "The Minister" means the Minister for Education for the time being.
 - "The Committee" means the County Dublin Vocational Education Committee.
 - "The Board" means the Board of Management hereby constituted.
 - "The Principal" means the Principal teacher of the College for the time being.
 - "The Chief Executive Officer" means the Chief Executive Officer for the time being of the Vocational Education Committee.
2. The Board shall be responsible for the government and direction of the College subject to the provisions of the First and Second Schedules hereof.
3. (a) The Board of the College when constituted shall consist of ten members nominated or elected as follows:—
 - (i) Three members shall be nominated by the appropriate Religious Authority these three nominees being hereafter referred to as "the Archbishop's Nominees".
 - (ii) Three members shall be nominated by the Vocational Education Committee hereinafter referred to as "the Committee's Nominees".
 - (iii) Two parents of children who are enrolled in the College shall be elected to membership of the Board by the parents of the aforementioned pupils.
One of the Parents' nominees shall be a mother. The parents so elected are hereinafter referred to as "the Parents' Nominees".

(iv) Two members of the teaching staff shall be elected by all the permanent wholetime teachers serving in the school at the time and acting as one body for the purpose of such election. The teachers so elected are hereinafter referred to as "the Teachers' Nominees".

(v) Minority religious representation on Boards of Management will be considered by the Vocational Education Committee where requests for representation are received.

A person nominated to represent a minority religious group(s) will fill an additional place.

3. (a) (vi) The Principal of the College or in his/her absence the Vice-Principal shall be entitled to attend and speak at meetings of the Board but shall not have a vote nor be entitled to vote.

The Principal shall be the permanent Secretary of the Board and in his/her absence the Vice-Principal shall act as Secretary.

(vii) The members nominated and elected as prescribed shall remain members until the 31st day of August in the third year after the date when their Board was first constituted to the intent that the term of membership of any Board of Management shall not exceed three years.

(viii) A vacancy occurring in the membership of the Board shall be filled by a member nominated or elected by the body who had nominated or elected the person who had ceased to be a member.

(ix) The term of office of a Board shall be deemed to expire on the 31st day of August in the third year after the Board was constituted.

(x) The nomination and election of members of an incoming Board shall be made and done at least one month before the date of expiry of the term of office of the then existing Board and the Board so constituted shall assume office forthwith on that expiry date.

(xi) Members of the existing Board or of former Boards shall be eligible for nomination or election provided that they have retained their qualification for such nomination or election.

(xii) A unanimous decision of the full Board of Management to increase the membership of the Board by one, subject to a maximum of twelve, will be considered by the Vocational Education Committee.

The voting members of the Board shall at their first meeting in each year elect one of their number as Chairman of their meetings for that year. An election for Chairman shall thereafter take place annually.

If the Chairman shall be absent from any meeting, the voting members present shall, before any other business is transacted, choose one of their number to preside at that meeting.

- (c) Where the Board is established before a Principal is appointed the Board shall appoint one of its members to act as Secretary for the time being.
- (d) "Year" means each period of twelve months commencing on the first day of September in each year.

Members of First Board and First meeting.

4. (a) The first meeting of the Board shall be summoned by the Vocational Education Committee within one month after it has been constituted.

Members of the Board not financially interested in the College.

5. Except in special circumstances with the approval in writing of the Minister no member of the Board shall take or hold any interest in any property held or used for the purposes of the College or receive any remuneration for his services as a member of the Board, or be interested in the supply of work or goods to or for the purposes of the College.

Determination of Membership of the Board.

6. (a) Any member of the Board who is absent from all meetings of the Board during the period of one year, except for reasons approved by the Board, or who is incapacitated from acting, or who communicates in writing to the Secretary of the Board a wish to resign shall thereupon cease to be a member of the Board.
- (b) Any member of the Board may be removed from office by his nominator or by the electorate in the case of the Parents' nominees and the Teachers' nominees provided ten school days notice is given to the respective electorate of a meeting to discuss the matter.

Rescinding Resolutions.

7. Any resolution of the Board may be rescinded or varied at a subsequent meeting if not less than three days notice of the intention to rescind or vary the same, and of the terms of the proposed rescinding or varying resolution has been given in writing to all the members of the Board.

Provided that if the resolution proposed to be rescinded or varied was passed during the previous six months, the notice shall be signed by three members of the Board.

Quorum.

8. (a) Five voting members shall be required to form a quorum for a meeting of the Board.
- (b) If at the time appointed for a meeting a sufficient number of members to form a quorum is not present, or if at any meeting the business is not completed, the meeting shall stand adjourned sine die and a special meeting shall be summoned as soon as may be convenient.
- (c) Any meeting may be adjourned by resolution.

Meeting of Board.

9. (a) The Board shall in addition to holding a meeting at least once in every school term hold such other meetings as may be necessary for the efficient discharge of its functions.
- (b) A meeting of the Board may be convened at the request of any five of its voting members.

Convening of Meeting.

10. (a) Seven clear days at least before a meeting of the Board, a notice to attend the meeting, specifying the business proposed to be transacted thereat, and signed by the Secretary, shall be left at, or sent by post to the usual place of residence of each member of the Board.

Provided that in the case of a meeting of the Board requested by any five of its voting members, in accordance with paragraph 9(b) above, the aforesaid request shall be signed by the five members convening the meeting.

- (b) The names of the members present at a meeting of the Board shall be recorded in the minutes of that meeting.

Minutes of Meeting.

11. The Minutes of the proceedings of the Board shall be kept by the Secretary. The Minutes shall be open to inspection by the Minister and the Board shall forthwith forward a copy of the Minutes of any meeting to the Vocational Education Committee.

12. The expression "Parents" in this document should be taken to include "Legal Guardians".

ARTICLES OF MANAGEMENT

For

Community College

1. The College shall be managed by a Sub-Committee established under Section 21 sub-section 1 of the Vocational Education Act 1930, with the object of providing a comprehensive system of post-primary education open to all the children of the community, combining instruction in academic and practical subjects, and ongoing education for persons living in the area in which the College is located and generally for the purpose of contributing towards the spiritual, moral, mental and physical well-being and development of the said Community. The College shall be conducted in accordance with the following articles.

Finance.

2. (i) The Board shall submit to the Chief Executive Officer before the 30th day of April in each year an estimate in such form as the Chief Executive Officer may require of the income and expenditure required for the College during the following financial year. Due provision shall be incorporated in the Committee's Annual Financial Scheme and submitted to the Department of Education.
- (ii) On receipt of Department's annual financial allocation, the Vocational Education Committee shall allocate a budget to the College.

The Board shall be free to enter into commitments to the extent of the budget without further reference to the Committee subject only to compliance with the Accounts Audit Procedure and Contract Regulations.

The Board shall not exceed the amount approved by the Vocational Education Committee under any head of the estimates for any year without the previous consent of the Committee.

The Board shall open and maintain a Bank Account and shall make petty cash disbursements in the name of the College. Cheques drawn on the College's account shall be signed by the Principal and by a member of a Panel the members of which shall be nominated for that purpose by the Board. The Board may nominate a substitute for the Principal to sign cheques drawn on such account if at any time the Principal is unable to do so.

- 7
- (iii) On behalf of the Board the Committee shall pay the salaries of the full time and part-time teaching staff and non teaching staff of the College in accordance with the regulations of the Department of Education in force from time to time.
 2. (iv) The Committee shall provide from time to time, up to an amount to be agreed with the Board, moneys for the School Fund to be placed to the credit of the said Bank account.
 - (v) The Board shall make a return to the Committee supported by the necessary vouchers of all disbursements made out of the College Fund and shall comply with any directions which may from time to time be given by the Committee relating to accounts or financial records and statements.

Premises and Equipment.

3. (i) The Committee shall be responsible for the erection of the College buildings and for the development of the College premises and shall be responsible for expenditure on the initial equipping of the College (furniture, books and apparatus in the College and other College materials).
- (ii) The Board shall be responsible for the maintenance and upkeep of the College premises out of annual financial allocation provided for that purpose by the Committee.
- (iii) The Board shall in consultation with the Principal be responsible for carrying out minor repairs and for the choice and replacement of books, stationery, furniture apparatus and other materials for the College and such articles may within the limits of the estimates approved for any year by the Committee and subject to such regulations as the Committee shall from time to time prescribe be ordered by the Board who may delegate their functions in this respect to the Principal subject to such conditions as they may think fit to impose.
- (iv) Receipts for equipment and other articles ordered for the purpose of the College shall be signed only by the Principal or such other person or persons nominated for that purpose by the board.
- (v) The Committee will make payment for expenditure incurred upon receipt of certified accounts from the Board or the Principal.

4. The Board shall have an inventory of stock in the College taken annually and shall consider the same and shall submit a report thereon to the Committee.
5. (a) The Board shall concern itself with the condition and state of repair of the College premises.
 - (b) With respect of major repairs to and alterations of the College premises, the work shall be subject to the prior approval of the Committee and carried out under the direction of the Committee's Architect.
 - (c) The Board shall determine the uses for Community purposes of the College buildings or grounds at times which will not affect school work. Regulations and conditions governing the use of the premises for Community purposes shall be prepared by the Board for approval of the Committee and shall be subject to alteration from time to time with the approval of the Committee.

Selection and Appointment of Staff.

- 6.1 (a) The decision of the Board in relation to the assignment of teachers to the College shall be subject to the prior approval of the Committee.
 - (b) The qualifications for appointments to the teaching staff shall be such as are stipulated from time to time by the Minister.
- 6.2 The appointment of teaching staff shall conform to the following procedure:—
 - (i) Vacancies for teaching posts to be notified to the Chief Executive Officer.
 - (ii) Applications for a vacant post shall be sought by the Committee by way of advertisement in the public press.
 - (iii) The applications received for the vacant post(s) shall be considered by the Chief Executive Officer who shall forward them to the Selection Board of five persons constituted from time to time and comprising two representatives of the appropriate Religious Authority, two representatives of the Vocational Education Committee, an inspector of the Department nominated by the Minister, The Chief Executive Officer or his nominee to assist the Board in an advisory capacity. In the case of initial appointments the Principal may also assist the Board in an advisory capacity. The aforesaid members shall constitute the full composition of the Selection

Board. The minimum composition of the Selection Board shall be three members; one representative of the Religious Authority, one representative of the V.E.C. and an Inspector of the Department of Education. The Chairman shall be agreed by the persons aforesaid from among their own number and shall have a casting vote in the event of a tie. All remaining members of the Vocational Education Committee shall be eligible to act as substitutes if the two named members of the Selection Board are unable to attend.

- (iv) The Selection Board shall draw up a short list from the applications received and shall interview the candidates on that short list.
- (v) The Selection Board shall thereafter place the candidates on the short list in order of merit and shall submit that list to the Board of Management who in turn shall forward the list to the Committee.
- (vi) The Committee shall have regard to the order of merit settled by the Selection Board and shall make appointments in accordance therewith save where in any particular instance the Committee shall consider there is good and sufficient reason for not making an appointment or for departing from the said order of merit in which event the Committee shall submit the matter to the Minister for determination.

Before assuming the duties of the Post the teacher shall sign conditions of service in accordance with the provisions of Memo V.7.

Non-teaching Staff.

8. The non-teaching staff of the College, including persons employed for the care and maintenance of the school premises, shall be appointed to and dismissed from the service of the Board by the Committee subject to any directions which may be given by the Minister with regard to the number and conditions of service of such staff.

Organisation and Curriculum.

9. Subject to the provisions of the Minister as to the general educational character of the College and its place in the educational system the Board shall have the general direction of the conduct and curriculum of the College. The Board shall arrange for the setting up of a Staff Council consisting of all whole-time teachers of the College under the Chairmanship of the Principal.

Staff Council.

10. (i) The Staff Council will consider the curricular arrangements of the school and may make recommendations to the Board regarding the extension of the subject range, the arranging of the time-table and the provision of school equipment.
- (ii) The Staff Council may, on request, advise the Board of any educational or other problem which the Board may put before it. The Council may, on its own initiative, make submissions to the Board on any educational or other matter connected with the school.
- (iii) At the first meeting of the Staff Council the members shall determine the time and day of its meetings provided that such meetings shall not occur less than six times in each year.

11. Subject to the provisions of these articles and to the direction of the Board, the Principal shall control the internal organisation, management and discipline of the College, shall exercise supervision over the teaching and non-teaching staff. He shall have power, for any cause which he or she judges adequate to dismiss subject to the approval of the Board or to suspend pupils from attendance for not more than ten school days or until the following meeting of the Board whichever is the shorter but on the dismissal or suspension of any pupil the parent shall be informed that he or she has the right to appeal to the Board.

N.B.



12. (i) In exercising its general control over the curriculum and conduct of the College the Board shall ensure that there is religious worship and religious instruction for the pupils in the College except for such pupils whose parents make a request in writing to the Principal that those pupils should be withdrawn from religious worship or religious instruction or both religious worship and religious instruction.
- (ii) The religious worship attended by any pupil at the College and the religious instruction given to any pupil shall be in accordance with the rites, practice and teaching of the religious denomination to which the pupil belongs. Religious instruction as aforesaid of the order of 2 hours shall be given to all the pupils in the College (except those who are withdrawn from religious instruction in accordance with the provisions of sub-clause (i) of this clause) in each week during which the College is in session.

- (iii) If any question arises whether the religious worship conducted or the religious instruction given at the College is or is not in accordance with the rites, practice and teaching of a religious denomination that question shall be determined by the competent religious authority.
 - (iv) The Principal shall be immediately responsible for making arrangements for all the religious worship conducted and for the religious instruction given at the College and for the attendance of pupils thereat.
 - (v) The Committee and the Board shall ensure that there are at all times sufficient teachers in the school to give religious instruction. Depending on circumstances and requirements, teachers of religion may be appointed in a permanent whole-time, temporary whole-time or part-time capacity.
- 12.
- (vi) For purposes of the appointment of a teacher of religion on a permanent whole-time basis, the same procedures shall apply as apply to the permanent whole-time appointment of a teacher of any other subject. The post shall be advertised in the public press, the applications shall be considered by a duly constituted Selection Board, the Selection Board shall make a recommendation to the Committee which shall submit the proposed appointment for the formal approval of the Minister.
 - (vii) For the purposes of satisfying the Selection Committee the Board of Management and the Committee that the selected candidate for appointment would be acceptable to the appropriate religious authority, confirmation of the candidate's suitability shall be provided by the catechetical inspectorate. The selected candidate shall not be permitted to take up the duties of the post, until the Minister's formal approval of the appointment has been communicated in writing to the Committee.
 - (viii) In the event that at any time a permanent whole-time teacher of religion, lay or religious, should cease to be regarded as suitable for that purpose by the catechetical inspectorate, then the Committee shall take steps to transfer the teacher to other teaching duties for which he/she is qualified. It will then be the immediate responsibility of the Committee to make alternative arrangements for religious instruction in consultation with the catechetical inspectorate.

- (ix) Recognition as temporary whole-time or part-time teachers of religion may be accorded to priests and to any other persons, lay or religious who are suitably qualified for the purpose. The Committee shall be authorised to make such appointments with the formal approval of the Minister, on the nomination of the appropriate religious authority and to terminate them if and when necessary, in accordance with the wishes of that authority.
- (x) The Committee will appoint a Chaplain nominated by the competent Religious Authority who shall be employed outside the normal quota of the school. He shall be a full-time member of the staff and shall be paid a salary equivalent to that of a teacher in the school.
Suitable arrangements will be made for members of other Religions in consultation with the appropriate authorities.
- (xi) Inspection of the teaching of religion shall be the responsibility of the catechetical inspectorate. Such inspection shall be carried out in consultation with the Board and shall be conducted in accordance with agreed procedures.

Returns.

13. The Board shall forward to the Committee such returns and reports as the Minister may require.

INDEMNITY

- 14. (i) The Committee shall insure against Fire Damage to the Buildings of the College and against occupiers' liability.
- (ii) The Committee shall indemnify the Board and the teaching and non-teaching staff in respect of actions claims or demands taken or made against them arising out of the proper discharge of their duties whether in respect of pupils or otherwise.
- (iii) The Committee shall insure in respect of visitors, parents and other members of the public who have permission from the Board or the Committee to be on the College premises in respect of such risks as may be incurred by them while acting in a normal manner on such premises.

- (iv) The Committee shall provide insurance to indemnify the Board or the teaching and non-teaching staff against claims by visitors, parents or other members of the public who without permission shall be on the College premises where such claims shall be made in circumstances which do not disclose a default or wrongful act on the part of the Board or the members of the staff against whom such claims are made.

The expression "parents" in this document should be taken to include "legal guardians".

Anna McLaughlin

This Agreement Made the _____ day of _____
One Thousand Nine Hundred and Eighty One.

BETWEEN THE COUNTY DUBLIN VOCATIONAL EDUCATION COMMITTEE having its Head Office at Main Road, Tallaght in the County of Dublin (hereinafter referred to as "the Committee" which expression shall where the context so admits or requires include its Successors and Assigns) of the One Part AND His Grace Most Reverend DERMOT RYAN, ARCHBISHOP OF DUBLIN of Archbishops House, Drumcondra in the City of Dublin (hereinafter referred to as "the Archbishop" which expression shall where the context so admits or requires include his Successors) of the Other Part WHEREAS The Committee is desirous to confirm that it wishes the Archbishop to participate through his duly and regularly appointed representatives in the organisation and management of the Community College at.....

And Whereas it is desired that this participation should continue indefinitely and without interruption And Whereas for the purposes aforesaid there are now in existence in agreed and approved forms Articles of Management and an Instrument of Management Now it is Hereby Agreed between the Committee and the Archbishop participate in the organisation and management of the said Community College in manner aforesaid the Committee HEREBY confirms that it is its wish and intention that this participation will continue indefinitely and without interruption In Witness Whereof the official Seal of the Committee has been affixed hereto The Hand and Seal of Archbishop the day and year first herein WRITTEN:

PRESENT when the Official Seal of the COUNTY DUBLIN VOCATIONAL EDUCATION COMMITTEE was affixed hereto:—

SIGNED SEALED AND DELIVERED by the said Most Reverend DERMOT RYAN in the presence of:—

church ethos.

Anne Mc Donagh,

For further information contact:
**Education Secretariate,
Archbishop's House,
Dublin 9.
Telephone: 837 9253.**