

9 Appendix A ICCOREIS Constitution

INTER-CHURCH COMMISSION ON RELIGIOUS EDUCATION IN SCHOOLS (NSW)
INC

CONSTITUTION

Adopted April 1986
Amended March 1992, October 2000 and March 2010

PREAMBLE

The Inter-Church Commission on Religious Education in Schools (ICCOREIS) came into existence in 1972 when the Catholic, Greek Orthodox and Lutheran churches joined with member churches of the NSW Council for Christian Education in Schools (formed in 1947) to create a new consultative body. The Constitution of ICCOREIS recognises that successive Education Acts have vested in the individual religious persuasions the authority for authorising and appointing Special Religious Education (SRE) teachers, and for authorising curriculum.

ICCOREIS was represented on the 1975 Ministerial Committee of Inquiry into Religious Education in Government Schools which reported in November 1980. The NSW Government endorsed the Special Religious Education recommendations (numbers 36 to 70) on 18 February 1986.

In 1983, ICCOREIS was invited to appoint representatives to the Director General's Consultative Committee on Special Religious Education.

This Constitution came into effect on 22 April 1986 following the endorsement of all member churches. Revisions were made in 1992, 2000 and 2010. ICCOREIS became an incorporated association on 17 October 2000.

1. NAME

The registered name of the body shall be the Inter-Church Commission on Religious Education in Schools (NSW) Inc hereafter referred to as “the Commission” or “ICCOREIS”.

2. DEFINITIONS

- Commission* means: The Inter-Church Commission on Religious Education in Schools (NSW) Inc.
- Member Organisation* means: A Christian religious persuasion approved by the Department of Education and Communities under the Education Act 1990 for the provision of Special Religious Education in schools and which meets the Commission's criteria for membership.
- Representative Member* means: The person authorised to attend meetings of the Commission as the representative of one or more member organisations, as provided for in the Constitution.
- GRE* means: General Religious Education (GRE) is education about the world's major religions, what people believe and how that belief affects their lives. It is taught mainly through the school curriculum.
(www.curriculumsupport.education.nsw.gov.au/policies/religion/implementation/definitions/index.htm)

SRE means:

Special Religious Education (SRE) is education in the beliefs and practices of an approved religious persuasion by authorised representatives of that persuasion.

www.curriculumsupport.education.nsw.gov.au/policies/religion/implementation/definitions/index.htm

3. OBJECTIVES

The Commission exists to facilitate consultation and cooperation between Member Organisations aimed at the support, promotion, and ongoing development of quality Religious Education (General and Special) in Government schools in New South Wales whilst respecting the integrity of each Member Organisation and other approved providers.

This will be achieved by:

- a) the provision of a representative context for inter-church discussions and negotiations between Member Organisations;
- b) the representation of the Member Organisations in negotiations with Government, the Department of Education and Communities, the Board of Studies New South Wales, relevant parent organisations and other approved providers primarily through but not limited to the appointment of representatives to the Director General's Consultative Committee on Special Religious Education;
- c) the formulation of policy and procedural recommendations on religious education for submission to, endorsement of and implementation by Member Organisations;
- d) the facilitation of research, conferences, support materials, training, networking and communication.

4. CRITERIA FOR MEMBERSHIP

4.1 Membership shall be according to the following criteria:

- a) Membership shall be open to any Christian religious persuasion;
- b) The Christian religious persuasion shall provide evidence that its beliefs are consonant with the tenets of the Apostles Creed;
- c) The Christian religious persuasion must be approved by the NSW Department of Education and Communities as a provider and be actively involved in providing Special Religious Education in the New South Wales public school system in reasonable proportion to its size when compared with existing member organisations;
- d) The Christian religious persuasion shall accept and abide by the Department of Education and Communities' *Implementation of Religious Education Policy*;
- e) The Christian religious persuasion shall undertake to accept and abide by the Constitution of the Commission;
- f) Membership shall be valid under the terms of 11(a) with regard to annual contributions.

4.2 Application for Membership

- a) Applications for membership are to be in writing and address in detail the criteria listed in Section 4.1 (above).
- b) Upon receipt of an application for membership, the Commission shall allow it to be tabled for general discussion and comment.

- c) Any Member Organisation or applicant Christian religious persuasion has the right of withdrawal and subsequent reapplication for membership.
- d) Approval of an application for membership requires a two thirds majority vote of the Representative Members of the existing Member Organisations.

5. MEMBERSHIP

5.1 Membership of the Commission shall consist of the following:

5.1.1 Representative Members

Representative Members shall be appointed by member organisations in the following manner:

- a) Four representatives of the dioceses of the Anglican Church of Australia from the Province of New South Wales appointed by the diocesan representatives on the New South Wales and Australian Capital Territory Provincial Anglican Commission on Christian Education;
- b) Four representatives of the Catholic Church, appointed by the NSW Catholic Bishops' Conference on the recommendation of the Catholic Conference of Religious Educators in State Schools, at least one of whom being appointed to represent the "country" dioceses;
- c) Three representatives of the Uniting Church in Australia New South Wales Synod, appointed by the Board of Education;
- d) Two representatives of the Baptist Union of New South Wales appointed by the Ministry Support and Development Council;
- e) Two representatives of the Presbyterian Church of Australia in the State of New South Wales appointed by Presbyterian Youth;
- f) One representative of the Greek Orthodox Church appointed by the Archbishop of the Archdiocese of Australia who is elected by the Holy Synod of the Ecumenical Patriarchate of Constantinople;
- g) One representative of the Churches of Christ Conference in New South Wales appointed by the Conference Executive;
- h) One representative of the Fellowship of Congregational Churches appointed by the Annual Assembly;
- i) One representative of the Lutheran Church appointed by the President of the Lutheran Church of Australia, New South Wales District in consultation with the New South Wales District Church Council;
- j) One representative of the Salvation Army appointed by the Chief Secretary Eastern Australia;
- k) One representative of the Australian Christian Churches appointed by the New South Wales State Executive of the Assemblies of God of Australia;
- l) One representative of the Serbian Orthodox Church appointed by the Archbishop of the Serbian Orthodox Church of Australia and New Zealand;
- m) One representative of the Christian Brethren Assemblies appointed by the NSW Coordinating Conference;
- n) One representative of the Christian Reformed Churches of Australia appointed by the NSW Classis of the Christian Reformed Churches of Australia;
- o) Representatives of other Christian religious persuasions approved for membership of the Commission as provided for in this Constitution, to be appointed by the appropriate authority of that persuasion.

5.1.2 Revision of Representative Membership:

Proportional representation of member churches shall be reconsidered each ten years on the basis of Australian Bureau of Statistics information so as to reflect the relative composition of Christian children in the government school population. This clause will come into operation in 2020.

5.1.3 Tenure of Representative Membership:

All Representative Members shall hold office at the pleasure of their appointing bodies.

The Secretary of the Commission shall notify the Member Organisations of their present representation by 30 June in each year, together with the attendance of their representatives at meetings during the previous twelve months, seeking to be informed of any changes which shall take effect from the following year. Such notification of representation shall be communicated to the Commission prior to its Annual General Meeting.

5.1.4 Cessation of Membership:

A Representative Member ceases to be a member of the Commission if the person:

- a) dies, or
- b) resigns membership, or
- c) the person's Member Organisation advises the Secretary that the person no longer represents the Member Organisation.

5.1.5 Members and Alternates

A right, privilege or obligation that a person has by reason of being a Representative Member of the Commission terminates on cessation of the person's membership.

Member organisations may appoint an alternate representative to act on their behalf should the appointed representative be unable to attend meetings of the Commission.

5.1.6 Resignation of Membership

A Representative Member of the Commission is not entitled to resign that membership without first notifying the appropriate authority of the Member Organisation they represent.

A Representative Member of the Commission may resign by first giving the Secretary written notice of at least one month (or such other period as the Executive Committee may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.

If a Representative Member of the Commission ceases to be a member under this clause, and in every other case where a member ceases to be a member, the Secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member and must notify the member church of the vacancy in its representative membership.

5.1.7 Register of Members

The Secretary must establish and maintain a register of members of the Commission specifying the name, address and contact details of each person who is a member of the Commission together with the date on which that person became a member.

Each year the Secretary must publish a directory of members.

5.1.8 Suspension or Termination of a Member

If a member:

- a) becomes an insolvent under administration within the meaning of the Corporations Law, or
- b) becomes a mentally incapacitated person, or
- c) is convicted of a serious criminal offence, or
- d) is a prohibited person within the meaning of the Child Protection (Prohibited Employment) Act 1998, or
- e) is under investigation by the Commission for Children and Young People or the NSW Ombudsman or the Department of Education and Communities, or
- f) publishes any statements that are in conflict with the basis of membership of the Commission, or
- g) engages in practices that are judged to be antithetical to Christian ethical codes,

the Commission may treat the situation as though a complaint had been made against the member in respect of which the provisions of Clause 10 are to take effect.

5.2 Chairperson

5.2.1 Appointment

The Commission shall appoint a Chairperson either from among the representatives of its Member Organisations or from an external source. A Chairperson appointed from an external source shall have a commitment to the objectives of the Commission and shall be a person of good standing in his/her own church. An appointment on the unanimous vote of all Representative Members at an Annual Meeting or Special Meeting convened for that purpose shall be for a term of three years which may be renewed for one further term of three years. Where unanimity cannot be achieved, a Chairperson shall be elected by majority vote from among the Commission's Representative Members to hold office until the next Annual General Meeting.

5.2.2 Removal from office

The Chairperson may be removed from office if a no confidence motion at an ordinary meeting of the Commission is upheld by a two thirds majority provided that no less than three quarters of the Representative Members are present and the Anglican, Catholic and Uniting Churches are represented. In such motions the Chairperson shall abstain from voting.

5.3 Life Membership

The Commission shall have the right to appoint representative members or advisers who have served for ten years or more as Life Members of the Commission. A Life Member may attend and participate fully in meetings but does not have the right to vote.

5.4 Advisers

From time to time the Commission may co-opt persons for designated periods as Advisers. Advisers have the right to participate fully in meetings but do not have the right to vote. They may include people who are directly involved in churches and other organisations that help churches in the planning and delivery of Religious Education in public schools.

5.5 Board

The Commission shall annually appoint a Board. The function of the Board will be to manage and direct the business of the Commission by implementing and executing matters of policy decided by the Commission. The Board will report back to the Commission through the Executive. Membership of the Board must include at least one Anglican and one Catholic representative.

5.5.1 *Composition of the Board*

a) Appointed Representative Members

The Board will comprise the Chairperson plus nine Representative Members elected annually by the Commission.

b) Members of the Executive Committee

Members of the Executive Committee shall be elected by the Board.

5.5.2 *Composition of the Executive Committee*

The Commission shall elect annually from among its Representative Members a Deputy Chairperson, a Secretary and a Treasurer. These with the Chairperson shall form the Executive Committee.

i) *Deputy Chairperson*

Will assume the functions of the Chairperson when he/she is absent from a meeting.

ii) *Secretary*

It is the duty of the Secretary of the Commission to keep minutes of:

- a) all appointments of office-bearers, members of the Commission and members of affiliated bodies;
- b) the names of all members of the Commission present at meetings of the Commission; and
- c) all proceedings at Executive Committee meetings and general meetings of the Commission, such minutes of proceedings at general meetings must be signed by the Chairperson of the next succeeding meeting of the Commission.

iii) *Treasurer*

It is the duty of the Treasurer of the Commission to ensure that:

- a) all money due to the Commission is collected and received and that all payments authorised by the Commission are made;
- b) correct books and accounts are kept showing the financial affairs of the Commission, including full details of all receipts and expenditure connected with the activities of the Commission; and
- c) these books and accounts are furnished to the auditor in time for an annual audited statement of accounts to be presented to the Annual General Meeting of the Commission.

iv) *Public Officer*

The Public Officer of the Commission shall be the Secretary, Treasurer or such other member as determined by the Commission.

5.5.3 *Powers of the Board*

The Board, subject to these rules and any resolution passed by the Commission in a general meeting:

- a) has authority to operate bank accounts held in the name of the Commission;
- b) may exercise all such functions as may be exercised by the Commission, other than those functions that are required by these rules to be exercised by a general meeting of the Representative Members of the Commission; and
- c) has power to perform all such acts and do all such things as appear to be necessary or desirable for the proper management of the affairs of the Commission.

6. MEETINGS

There will be eight meetings held annually:

- four meetings of the Commission comprising all the Representative Members including the Board, and
- four meetings of the Board.

6.1 Meetings of the Commission

- a) Notice of meetings of the Commission must be given by the Secretary to each member of the Commission at least 48 hours (or such other period as may be unanimously agreed on by members of the Commission) before the time appointed for the holding of the meeting.
- b) For a Commission meeting, a quorum shall be ten representative members representing at least four Member Organisations.
- c) No business is to be transacted by the Commission unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the next scheduled meeting of the Commission or Board.
- d) At a meeting of the Commission:
 - i) the Chairperson, or in the Chairperson's absence, the Deputy Chairperson, shall preside, or
 - ii) if the Chairperson and the Deputy Chairperson are absent or unwilling to act, such one of the remaining Representative Members of the Commission as may be chosen by the members present at the meeting is to preside.
- e) The Annual General Meeting must be held in March every year. The business of that meeting shall include the adoption of the Annual Report of the Commission's activities; the annual audited financial statement; the election of nine Board members; the election of the Honorary Auditor; the election of the Public Officer of the Commission; and any other business of which due notice has been given.
- f) At all meetings the Chairperson shall have a deliberative and a casting vote.
- g) Any casual vacancy among office bearers occurring during the year may be filled at any meeting of the Commission except that nominations for Chairperson shall be given at least one month prior to any vote being taken for that position. Such nominations should include a brief resume of the person's public and professional achievements.

6.2 Meetings of the Board

- a) Notice of meetings of the Board must be given by the Secretary to each member of the Board at least 48 hours (or such other period as may be unanimously agreed on by members of the Commission) before the time appointed for the holding of the meeting.
- b) For a Board meeting, a quorum shall be six representative members representing at least four Member Organisations.
- c) No business is to be transacted by the Board unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the next scheduled meeting of the Board or Commission.
- d) At a meeting of the Board:
 - i) the Chairperson, or in the Chairperson's absence, the Deputy Chairperson, shall preside, or
 - ii) if the Chairperson and the Deputy Chairperson are absent or unwilling to act, such one of the remaining Representative Members of the Commission as may be chosen by the members present at the meeting is to preside.
- e) At all meetings the Chairperson shall have a deliberative and a casting vote.
- f) Any casual vacancy among office bearers occurring during the year may be filled at any meeting of the Commission except that nominations for Chairperson shall be given at least one month prior to any vote being taken for that position. Such nominations should include a brief resume of the person's public and professional achievements.

7. DELEGATION BY THE COMMISSION TO SUB-COMMITTEES

- a) The Commission has the power to establish sub-committees made up of its Representative Members and Advisers (but the majority of each sub-committee needs to be Representative Members) to undertake delegated tasks on behalf of the Commission other than
 - i) this power of delegation; or
 - ii) a function which is a duty imposed on the Commission by the Associations Incorporation Act 1984 or any other law.
- b) Sub-committees must report to each general meeting of the Commission.

8. APPOINTMENT OF REPRESENTATIVES TO OTHER ORGANISATIONS

- a) The Commission has the power to appoint representatives to other organisations that are involved in the provision of religious education or policies relating to religious education.
- b) Such appointments must reflect the membership composition of the Commission.

9. RESOLUTION OF DISPUTES

- a) Disputes between members of the Commission, and disputes between members and the Commission are to be resolved on the biblical principle of dispute resolution set out in 1 Corinthians 6.
- b) In the event of a failure to resolve the matter, an external arbitrator acceptable to all parties must be engaged.

10. COMPLAINTS AGAINST MEMBERS

- a) A complaint may be made to the Commission by any person that a member of the Commission
 - i) has persistently refused or neglected to comply with a provision or provisions of this Constitution, or
 - ii) is incapable of fulfilling his or her role as a member, or
 - iii) has persistently and wilfully acted in a manner prejudicial to the interests of the Commission.
- b) On receiving such a complaint, the Commission
 - i) must cause the notice of complaint to be served on the member concerned; and
 - ii) must, in the case of representative members, refer the matter to the appropriate authority in the appointing organisation for determination of whether the person remains a member of the Commission; or
 - iii) must, in the case of a Life Member or Adviser, give that member one month from the time the notice is served within which to make submission to the Commission in connection with the complaint.
- c) On receiving a response from the appointing organisation or the Life Member or Adviser, the Commission
 - i) may by resolution suspend the member for a period determined by the Commission, or
 - ii) may terminate the person's membership of the Commission.
- d) The member has the right of appeal against suspension or termination, such appeal being in writing setting out the grounds of the appeal.
- e) Appeals must be considered at the next general meeting of the Commission or at a special meeting called for that purpose.

11. FINANCE

- a) The Commission shall be competent to require an annual contribution from its member organisations in proportion to the number of representative members on the Commission and the number of children of that member organisation enrolled in public schools. The amount of that annual contribution will be so determined as to cover the operating expenses of the Commission.
- b) Any projects approved by the Commission requiring funding, including the employment of part or full-time personnel to such projects, will be funded by special appeal to member organisations on a basis proportionate to annual contributors and/or to the benefit of the project to participating member organisations.
- c) At least one bank account shall be opened in the name of the Commission, which shall be operated on the signatures of two of the four elected office bearers.
- d) The books of account shall be audited annually by an honorary auditor, who shall be appointed at the Annual Meeting.
- e) The Commission's income and property is to be applied solely towards the promotion of the Commission's objects as set out in this Constitution. No part of the Commission's income or property may be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to the members of the Commission. However, this clause does not prevent:
 - i) the payment in good faith of remuneration to any employee of the Commission or to any member or other person in return for any services actually rendered to the Commission;
 - ii) the payment to a member of the Commission of any out-of-pocket expenses incurred in carrying out the duties of a member of the Commission where the payments do not exceed an amount previously approved by the Commission;
 - iii) the payment to a member of the Commission for any service rendered to the Commission in a professional or technical capacity where the provision of that service has prior approval of the Commission and the amount payable is on reasonable commercial terms.
- f) In the event of the winding up of the Commission the funds in hand shall be distributed to the constituent bodies in proportion to representation on the Commission or transferred to a similar body having objectives in line with the Commission.
- g) The Commission shall not be liable for debts incurred by any affiliate organisation, committee or group.
- h) The liability of a member organisation of the Commission to contribute towards the payment of the debts and liabilities of the Commission or the costs, charges and expenses of the winding up of the Commission is limited by the amount, if any, unpaid by the member organisation in respect of membership of the Commission.
- i) Individual members of the Commission are not liable for the debts and liabilities or the costs, charges and expenses of the winding up of the Commission.
- j) The Commission must effect and maintain insurance under Section 44 of the NSW Associations Incorporation Act 1984. The Commission may effect and maintain such other insurance as it deems necessary.

12. COMMON SEAL

- a) The common seal of the Commission must be kept in the custody of the public officer.
- b) The common seal must not be affixed to any instrument except by the authority of the Commission and the affixing of the common seal must be attested by the signatures of any two members of the Executive Committee.

13. CUSTODY AND INSPECTION OF BOOKS

- a) Except as otherwise provided by this Constitution, the public officer must keep in his or her custody or under his or her control all records, books and other documents relating to the Commission including an asset register.
- b) The records, books and other documents of the Commission must be open to inspection, free of charge, by a member of the Commission at any reasonable hour.

14. AFFILIATED GROUPS

- a) The Commission may facilitate the setting up of independent regional or special purpose organisations that are affiliated with the Commission. It may also recognise existing organisations for affiliation with the Commission. Before any organisation can claim to have an affiliation with the Commission, it must formally seek affiliation and receive written confirmation from the Secretary that the Commission has approved affiliation at a general meeting.
- b) In order to be considered for affiliation with the Commission an organisation must:
 - i) be involved in the provision of Christian Special Religious Education (SRE) in New South Wales schools or in giving assistance to those who do so;
 - ii) accept the tenets of the Apostles' Creed and have membership that predominantly comes from members of the churches represented on the Commission; and
 - iii) be ethically sound in the way it conducts its business.
- c) An affiliated organisation will be independent of the Commission in terms of its operation, finances and liability. The acronym ICCOREIS, should not appear in the name of an affiliated organisation, but the acronym may appear in juxtaposition with the name of the organisation by using one of the following statements:
 - i) Affiliated with the Inter-Church Commission on Religious Education in Schools (ICCOREIS) Inc in NSW; or
 - ii) Affiliated with ICCOREIS Inc in NSW.
- d) Affiliated organisations may be categorised as follows:
 - i) local SRE boards or associations;
 - ii) regional SRE boards or associations;
 - iii) SRE professional associations;
 - iv) organisations assisting the churches in the provision of SRE.
- e) Affiliated organisations will be expected:
 - i) to liaise with the Commission; and
 - ii) to cooperate with the Commission and its affiliated organisations in the provision of SRE at the local, regional or state level.
- f) The Commission will seek to assist affiliated organisations by:
 - i) producing a newsletter at least twice a year;
 - ii) maintaining a SRE Handbook;
 - iii) maintaining a website;
 - iv) providing draft constitutions for new local and regional groups to consider;
 - v) seeking answers from government departments and agencies to questions about policy and practice that are referred to it; and
 - vi) welcoming representatives of affiliated organisations as observers and/or invited participants at meetings of the Commission.
- g) At a meeting of the Commission an affiliated organisation may be disaffiliated if the Commission is of the opinion that the organisation is not adequately fulfilling an appropriate role in SRE, or it is not fostering cooperation between providers of SRE, or its conduct is such that it brings ICCOREIS NSW Inc into disrepute. The affiliated organisation has the right of appeal within one month against disaffiliation, such appeal being in writing setting out the grounds of the appeal.

Appeals must be considered at the next general meeting of the Commission or at a special meeting called for that purpose.

15. AMENDMENTS TO THE CONSTITUTION

- a) Proposals to amend this Constitution may be made at the Annual Meeting or a Special Meeting convened for that purpose, provided that notice of the proposed amendment(s) shall have been submitted in writing to the appropriate authority in all member organisations at least two months prior to such a meeting.
- b) A vote to amend the Constitution shall require a two thirds majority vote provided that no less than three quarters of the Representative Members are present.

End of Chapter