

# **Constitution of Alba Cathay Chinese School**

(Adopted on 3/5/2008)

## ***1. Name and Nature***

The name of the organisation shall be Alba Cathay Chinese School, and hereafter referred to as the School.

The School is recognised and supported by the Education Department of the City of Edinburgh Council (CEC).

The School is a not-for-profit charitable organisation. It is independent of any political body but works in co-operation with local government and other organisations that are willing to support the School.

## ***2. Aims and objectives***

The aim of the School is to advance understanding of Chinese language and culture. The objectives of the School are:

- To provide both children and adults an opportunity to learn Chinese language and culture;
- To promote Chinese culture in the local community by working with relevant arts and cultural bodies;
- To improve mutual understanding and promote racial harmony amongst the Chinese community, the host community and other ethnic groups in and around the City of Edinburgh.

## ***3. Activities***

The objectives of the School are to be achieved by:

- providing lessons on Chinese language and culture at weekends and/or in evenings;
- organisation and sponsorship of cultural events;
- other activities consistent with the aim and objectives of the School.

## ***4. Location of the School***

The School is hosted at one of the community schools under the management of the CEC.

The booking is done through the CEC. Unless it is agreed with the CEC otherwise, the hosting organisation is the Boroughmuir High School, 26 Viewforth, Edinburgh, EH10 4LR.

## ***5. Area of Benefit***

The School is most likely to benefit the people in and around the City of Edinburgh.

## ***6. Membership***

The School is an association of its members. There are two types of members: general members and associate members.

6.1 General members: A family with a fee-paying pupil attending the School is entitled to one general membership. A general member has the following rights and obligations:

- paying tuition fees promptly in full if applicable;
- attending and voting at the general members meetings;
- standing as a candidate for a trustee;
- participating in voluntary work including on-duty assignments for the School;

- following relevant rules and codes of conduct of the School.

The membership may be assumed by either of the parents or a recognised guardian of the pupil.

6.2 Associate members: Those who are associated with the School but not entitled to a general membership such as teaching staff, voluntary serving staff and adult students are automatically associate members. An associate member has the same rights and obligations as a general member, except for the right to vote at the General Members Meetings.

6.3 Membership Termination or Suspension: The general membership is automatically terminated once the child under his or her care no longer attends the School. The associate membership is automatically terminated once the member is no longer in the service of the School.

6.4 Any member who violates the School's rules and regulations or commits a criminal offence at the School may have his/her membership suspended or terminated by the School Management Committee with the approval of the Board of the Trustees.

## ***7. School Organization***

The School consists of the General Members Meeting, Board of Trustees, and the School Management Committee. The School's ultimate authority lies with the General Members Meeting, which should be held at least once a year. Among other agenda items, general members elect three to five trustees from the general membership to form a Board of Trustees. The Board of Trustees is legally responsible for the School under The Charities and Trustee Investment (Scotland) Act 2005.

A Headmaster may be elected by the general members or may be appointed by the Board of Trustees at the discretion of the Board of Trustees. The Headmaster forms a School Management Committee for the day-to-day school operations.

Should the Headmaster post become vacant before the next General Members Meeting, the Board shall appoint a new Headmaster within two months.

The roles and responsibilities of the Board of Trustees and the School Management Committee are detailed further in the next two sections. A trustee may serve as a temporary Headmaster in a caretaker capacity in the absence of a School Management Committee.

## ***8. Board of Trustees***

8.1 Each Trustee of the Board must have a general membership and is elected to a two-year term by the General Members Meeting. Each Trustee may serve a total of two consecutive terms, and may stand for re-election after one year's absence from the Board. The election of any Trustee should be organised by the Board or the recognised authority of the School at the time.

8.2 Any Trustee vacancy should be advertised throughout the School three weeks in advance. A general member may self-nominate or be nominated by another general member with the nominee's consent. Basic information of any candidate should be made available to all parents at least one week before the election. A candidate is elected by a simple majority. Any dispute should be settled by a General Members Meeting.

8.3 The Board shall have a Convenor who usually serves a two-year term. The Convenor may take up the same position again only after at least one year's gap.

8.4 Each of the Trustee's votes carries the same weight in decision making.

8.5 At least one of the elected Trustee seats shall be open for annual election in each school year.

8.6 A Trustee may resign at any time upon advance written notice to the Board, or upon termination of his/her general membership.

8.7 A Trustee may be removed from the Board if he or she is in breach of any local charity-related law and regulation. Such a removal should be recommended by the Board and passed in a General Members Meeting.

8.8 The Trustees are non-compensatory positions.

8.9 A Trustee shall not serve as the Headmaster at the same time except in a caretaker capacity.

8.10 The duties of the Board include but are not limited to:

- deciding whether the Headmaster should be elected or appointed;
- organising the election of or appointing the Headmaster;
- approving other School Management Committee members nominated by the Headmaster;
- approving the school annual budget submitted by the Headmaster;
- approving tuition fees;
- approving compensation rates for teaching staff;
- approving any significant unbudgeted expenditure;
- reviewing annual school report;
- monitoring the quality of the school's teaching;
- considering strategic issues relevant to the School's development.

The Board of Trustees are answerable to the General Members Meeting.

## ***9. School Management Committee***

9.1 Structure: The School Management Committee is the executive body responsible for the day to day operations of the School. It consists of a Headmaster, a Treasurer, a Secretary, and a Principal Teacher. The Headmaster may be elected by the general members or may be appointed by the Board of Trustees to serve a term of one year. The Headmaster may be re-elected or re-appointed for up to a total of three consecutive terms. The Treasurer, the Secretary and the Principal Teacher are appointed by the Headmaster with notification to the Board. These positions may be entitled to a limited amount of compensations subject to the Board approval. If for any reason a single individual performs two or more roles in the School, he or she is only entitled to compensation for one such role.

9.2 The Headmaster's responsibilities include, but are not limited to:

- interfacing with the CEC and the hosting organisation for the school operations
- setting school policies and general guidelines subject to the approval of the Board of Trustees;
- managing a pool of teaching staff;
- proposing and executing the annual school budget;
- approving and signing vouchers and payments;
- submitting annual financial report to the Board of Trustees and the General Members Meeting;
- designating someone as the Acting Headmaster in case of his or her absence.

9.2 The Secretary's responsibilities include, but are not limited to:

- acting as the School's registrar for enrolment and student records;
- maintaining and publishing school assets and inventory reports once a year;
- managing public relations and school publications;

- co-signing any expenditures and vouchers after checking the School's operation budget and fund availability;
- executing other administrative duties assigned by the Headmaster.

9.3 The Treasurer's duties include, but are not limited to:

- maintaining the School's financial books and records;
- purchasing and inventorying text books and other supplies;
- providing cooperation for financial audit;
- assisting the Headmaster in preparing school annual budget;
- preparing financial reports;
- any other relevant duties assigned by the Headmaster.

9.4 The Principal Teacher's main duty is to oversee and coordinate the School's learning and academic activities, including:

- working closely with the Headmaster in the recruitment of teaching staff;
- preparing annual school academic plans and academic reports;
- coordinating the training of teaching staff;
- monitoring teaching quality and other teaching related activities;
- representing teachers' opinions to the School Management Committee.

9.5 Rules of Conduct for the School Management Committee

- The Headmaster is responsible to the Board of Trustees;
- The School Management Committee has collective responsibility in operating the School effectively and efficiently;
- The Committee should conduct regular meetings. Minutes of the meetings should be taken and made public to the School in an appropriate manner.
- Should the Headmaster resign before serving a designated term, and the Secretary and the Treasurer are still in position, the Secretary should assume the duties of the Headmaster temporarily.
- If the whole School Management Committee should resign at the same time, a trustee may serve as a temporary Headmaster in a caretaker capacity.

## ***10. Duties of Parents/Guardians***

The duties of the Parents or Guardians include but are not limited to assisting in:

- the School parent patrol according to a patrol rota;
- maintaining classroom order and student discipline;
- organising of school cultural events;
- fund raising activities for the School;
- other school activities as deemed necessary by the School Management Committee.

The Parents or Guardians may wish to form a Parent-Teacher Association (PTA) to accomplish the duties. The rules and regulations for a PTA are left to the PTA to formulate.

Parents may wish to form activity groups and hire rooms from the hosting organisation directly. The School should not be responsible for the cost of any such renting agreement and activities. Parents may also use rooms made available to the School, to be agreed with the Headmaster on a term-by-term basis and entirely at the discretion of the Headmaster. Should any conflict arise, the priority will be given to the needs of the School curriculum.

## ***11. Budget and Finance***

11.1 The School financial and academic year starts on 1<sup>st</sup> August and ends on 31<sup>st</sup> July of the following year.

11.2 Annual School budget shall be proposed and submitted by the Headmaster to the Board of Trustees within four weeks after the School year starts.

The Board of Trustees shall approve or reject the budget proposal within one month of receiving the budget proposal. The rejected budget shall be returned to the Headmaster with recommendations for modification.

The Headmaster shall resubmit the revised budget proposal within one month after receiving the rejection. Should the revised budget proposal be rejected once more, a special General Members Meeting shall be called to vote on the budget.

Should the budget proposal be rejected by the General Members Meeting, a final modification to the budget proposal shall be made by the Board of Trustees. The modified budget proposal passed by the Board shall become the final budget.

11.3 All money raised by, or on behalf of, the School should be applied to the objectives of the School and for no other purpose.

11.4 The School bank account(s) should be operated on the signatures of two of the following: Headmaster, Treasurer and Secretary.

## ***12. Equal Opportunity Policy***

The School should operate a policy of equal opportunity for the employment and advancement of staffs and for the learning of pupils.

## ***13. Amendments***

Any resolution to alter this constitution will be submitted *fourteen* days in advance to the General Members Meeting. A resolution should be passed by a two thirds majority of general members who are present and entitled to vote.

## ***14. Dissolution***

14.1 If the number of pupils attending the School is under the minimal number required by the CEC, advice should be sought from the CEC. A special meeting, giving no less than *twenty one* days notice to all parents, should be called. Dissolution should be valid if two thirds of parents present vote in favour of the decision.

14.2 The Board of Trustees shall be responsible for disbursement and distribution of the School debts or assets, should there be any, in case of the School's dissolution. After the satisfaction of all debts and liabilities, any remaining funds shall not be paid or distributed to the members but shall be given or transferred to other charitable organisations with similar objectives to the School.

## ***15. Miscellaneous***

15.1 The School is not responsible for any physical or personal property damages incurred to any member or student on the School premises.

15.2 The Board of Trustees shall interpret the Constitution in its application. Final interpretation of the Constitution shall belong to the General Members Meeting.

The above constitution was adopted on 3<sup>rd</sup> May 2008 at the General Members Meeting held at the Boroughmuir High School.