

CONSTITUTION OF THE DURHAM CHRISTIAN HIGH SCHOOL ASSOCIATION

Preamble

Believing that it is our duty and our privilege as Christian believers to provide Christian secondary education for our children, and believing that this can best be accomplished by concerted action, we, the members of the Durham Christian High School Association (henceforth referred to as the Association) do hereby make and adopt the following articles of association, to wit:

Article 1: Name

This organization shall be known as the Durham Christian High School Association.

Article 2: Basis

The supreme standard of the Association for secondary education is the scripture of the Old and New Testaments, which are the infallible word of God, as interpreted by the Reformed Standards (e.g. Belgic Confession, Heidelberg Catechism, Canons of Dort, and the Westminster Confession and Catechism), revealing among other things, ordering principles intensely relevant to education. This basis allows for the following principle guidelines for Christian education: Since God mandates man to bring the whole Word of God to bear in all its power upon education, we believe:

1. human life in its entirety is religion, for God created man to serve Him everywhere, and requires us to educate our children for His service;
2. the Bible as the written Word of God is the Truth by which the Holy Spirit enlightens our understanding of God, ourselves and the world, and the infallible authority by which He directs and governs all our activities, including the education of our children;
3. since the world, in its origin, gracious preservation and ultimate restoration, is the work of the Triune God, and the glorification of His name its purpose, we can understand the world rightly only in its relation to Him;
4. man was created in the image of God to enjoy covenantal fellowship with his Creator and to reflect in his person and works the excellences of his Maker, and was to exercise dominion over the world in strict and loving obedience to God and to interpret all reality in accordance with His design and law;
5. sin is disobedience of God's law and that man, by sinning, forsook his office and task, estranged himself from God and his neighbour, and brought God's curse upon the creation. As a result, man has become corrupt in heart and blind to the true meaning of life and represses and misuses the knowledge of God which confronts him in creation and in Scripture;
6. Jesus Christ, our living Lord, of Whom the Scriptures testify, has reconciled the world to God and redeems our life in its entirety. Through His Spirit He renews our hearts to love God and our neighbor and redirects our understanding to rightly know God, ourselves and the world;
7. the kingship of the Lord Jesus Christ encompasses all spheres of life, and this makes education possible and meaningful. In obedience to Christ, we reject every attempt to withdraw any area of life from the divine commandment to love the Lord with all our heart and mind;

8. the purpose of Christian education is to direct and guide the child to commit their heart to Christ, to attain to understanding, wisdom and righteousness, and to perform his competent and responsible service to the Lord in church, state and society;
9. God has given parents the responsibility to nurture and educate their children. Therefore, parents should establish and maintain schools;
10. the child entrusted by God to parents, needs ordering, correction and instruction. Children of the Christian home are a heritage of the Lord and share in the promises and the demands of the covenant. Hence, they ought to receive Christian education;
11. the Christian school is an institution established and controlled by an association of Christian believers, which functions in education through total and voluntary submission to Christ;
12. the teacher, as servant of God, exercises authority in the performance of his/her office in educating the child in the school;
13. the curriculum of the Christian School is the medium through which the child is oriented to a life in Christ and helped in his/her strife to meet the purpose of its creation.

Article 3: Purpose

The Association's purpose is the establishment and maintenance of a school for secondary education in accordance with the basis of this Association.

Article 4: Membership

1. Membership is available to parents and supporters of the school Association who:
 - a. Claim Jesus Christ as their personal Saviour and are actively attending a Christian church.
 - b. Acknowledge that the school is founded on Reformed beliefs as stated in Articles 2 and 3.
2. Persons desiring to become members shall fill out a Membership Application Form on which they declare their agreement with and commitment to:
 - a. The basis, purpose and bylaws of the Durham Christian High School Association and commit to uphold and promote the same.
 - b. Claim Jesus Christ as Lord and Saviour of their life.
 - c. Abide by the objects and bylaws and resolutions of the Association and the directives of the Board of Directors.
 - d. Pay the annual membership fee (if applicable).
3. The privileges and duties of the members are:
 - a. To participate in the membership meetings by making, discussing, and voting upon motions legally brought before the meeting.
 - b. To send their children to the school(s) operated by the Association.
 - c. To be eligible for any office in the Association.
 - d. To support the Association wholeheartedly with their resources.
 - e. To pay an annual membership fee as determined by the acceptance of a resolution at a membership meeting.
 - f. An individual's membership in the Association is confirmed by a vote of the Board.
 - g. The Board may pass a resolution terminating the membership of an individual who no longer meets the requirements for membership or who fails to pay tuition or membership fees when due.
 - h. Members shall be entitled to vote in person, by proxy in a signed and sealed envelope, appoint another person to serve as proxy holder or other means enabled by technology

employed for virtual meetings where in-person meetings are not available, upon any proposition or question submitted by the Board of Trustees to any regular or special meeting of the Association. Time and place of the annual meeting shall be fixed by the Board of Trustees. Notice of any meeting of the Association, with agenda, including proposals shall be sent to the members individually, at least 3 weeks prior to the meeting.

Article 5: Board of Trustees

1. All members of the Board of Trustees must be members in good standing of the Association.
2. The Board of Trustees will be comprised of no less than five and no more than nine members.
3. Members of the Board of Trustees shall be determined through the following process:
 - a. That by the end of January of each year the Board of Trustees determine the needs of the Board for the following year.
 - b. That the needs of the Board be published and distributed to members and parents with the invitation to submit to the Board the names of members qualified to serve and meet those needs.
 - c. That the Board of Trustees appoint two of its members to review the names of those suggested for consideration by parents and members and solicit further nominations from other members of the Board of Trustees.
 - d. That the two members of the Board of Trustees propose to the Board, in priority listing, the names of those to be approached for membership on the Board of Trustees and that the priority listing be affirmed by resolution of the Board.
 - e. That vacancies on the Board be filled from those affirmed by resolution of the Board.
 - f. That the names and profile of those invited to join the Board of Trustees be published and included with materials for the Annual Membership meeting and that a vote of affirmation be conducted at the membership meeting for each individual nominated for the Board. Nominees are confirmed as members of the Board of Trustees with two thirds "yes" vote of the members present required.
4. Eligibility Requirements - A Person Must:
 - a. Be a member in good standing.
 - b. Be at least eighteen years of age.
 - c. Not have been found incapable of managing property under federal or provincial statutes.
 - d. Not have been found incompetent by any court in Canada or elsewhere.
 - e. Not have the status of bankrupt.
 - f. Not be ineligible to serve on a board of a charity.
5. Members of the Board of Trustees are expected to exercise reasonable due diligence.
6. Members of the Board of Trustees are elected or appointed to serve a three-year term. Extensions of board terms must be approved by the Board on an annual basis.
7. If a vacancy occurs in the membership of the Board of Trustees during the school year, the Board may appoint another member of the Association, to serve the balance of the expired term. A vote of affirmation is to be conducted at the next membership meeting with the appointed person confirmed as a member of the Board of Trustees with two thirds yes vote of the members present.
8. Any Trustee may be removed from office for good reason shown and upon the affirmation vote of at least two-thirds of the members of the Board of Trustees.

9. The Board of Trustees is given all governing and executive powers of the Association. The Board delegates governing authority to the principal/Chief Operating Officer as per job description.
10. Members of the Board shall serve without remuneration but shall be entitled to reimbursement for necessary expenses incurred in attending meetings of the Board of Trustees or committees thereof.

Article 6: Quorum

Those members present at the membership meeting, after it has been duly advertised, as set forth in Article 4, Section 7, constitutes a quorum unless the circumstances are such that the Board of Trustees deems it necessary for a larger percentage of the membership to vote.

Article 7: Real Estate

1. The real estate owned by the Association on which the buildings of the Association are located shall not be mortgaged, nor any part of it sold, given or assigned except that the authority thereto has been previously given by a majority vote of the members of the Association thereon as provided in Article 4, Section 7.
2. Real estate acquired by gift, legacy or other means may be sold, mortgaged or disposed of in such a manner as the Board of Trustees may determine.

Article 8: Annual Review of Financial Records

A review of the financial records of the Association shall be undertaken annually. The reviewers shall be appointed annually by the Association at the membership meeting upon the proposal of the Board of Trustees and must report at the next membership meeting.

Article 9: Financing

The Association is to be financed under the following general plan:

1. By donations from supporting individuals and organizations.
2. By membership fees.
3. Tuition fees.
4. By bequests and legacies.

Article 10: Amendments

This constitution may be amended by two-thirds vote of those present at any general membership meeting of the Association provided that notice as set forth in Articles 4, Section 7 has been sent to each member. Articles 2, 3, and 10 of the constitution are not subject to change.

Article 11: Dissolution

The Association can only be dissolved upon proposal of the Board of Trustees and a two-thirds majority vote of those present at a general membership meeting of the Association which has been called to consider this proposal. In case of dissolution of the Association, the property belonging to it shall be donated after liquidation to a recognizable charitable organization in Canada, as the Association may determine.

RELATING GENERALLY TO THE TRANSACTION OF THE BUSINESS AND AFFAIRS OF THE DURHAM CHRISTIAN HIGH SCHOOL ASSOCIATION BE IT ENACTED AS BY-LAW OF THE DURHAM CHRISTIAN HIGH SCHOOL ASSOCIATION AS FOLLOWS:

BY-LAW NO. 1

The membership fee of the individual shall be set annually by the Board of Trustees.

BY-LAW NO. 2

Article 1:

The Corporate Seal of the Association has been inscribed thereon the words Durham Christian High School Association, Ontario Corporation without share capital. The seal appearing on the margin of this By-Law is hereby adopted as the Corporate Seal of the Association.

Article 2: Meetings of the Board of Trustees

1. Meetings of the Board of Trustees may be held as often as the business of the Association may require and may be called by the Chairperson or the Secretary of the Association and may be held without formal notice if all the Directors are present or if those absent have signified their assent to such meeting and their consent to the business transacted thereat.
2. Special Meetings of the Board of Trustees: Notice of any special meeting of the Trustees shall, except as noted hereto before, be given in writing not less than three days before the meeting and said notice shall state the purpose thereof.

Article 3: Order of Business

The order of business at any regular meeting, as far as practicable, shall be:

1. Prayer and scripture reading.
2. Taking of attendance.
3. Declarations of conflict of interest.
4. Approval of the minutes of the previous meeting.
5. Correspondence.
6. Report of the Principal /Chief Operating Officer.
7. Report of the Treasurer.
8. Report of standing committees.
9. Report of special committees.

10. Consideration of unfinished business.
11. Adjournment and closing prayer.

Article 4: Deeds, etc.

Deeds, transfers, assignments, contracts, and obligations of the Association may be executed by the Chairperson or Secretary of the Association and any one of the Trustees of the Association. Obligations of an operational nature may be executed by a duly authorized agent of the Board of Trustees of the Association.

Article 5: Financial Year

The financial year of the Association shall be from August the first to July the thirty-first, the following year.

Article 6: Notices

Any notice, communication or document, to be given to any member, director, officer or reviewer of the Association shall be sufficiently given if delivered, mailed or sent by any form of transmitted or recorded communication to such person or to his or her last address as recorded in the books of the Association and shall be deposited in the public letter box or delivered to the appropriate agency of communication. Any member, or his/her duly appointed proxy, and any trustee, officer or reviewer may waive at any time any notice required to be given.

Article 7: Meeting of Members

The annual meeting of the members shall be held within six months of the fiscal year end for the school (July 31), for the purpose of receiving reports and statements required by the Corporate Act to be laid before the members in an annual meeting, appointing reviewers, and for the transaction of such other business as may properly be brought before the meeting.

Article 8: Special Meeting of Members

The Board, the Chairperson, or any three trustees or twenty members shall have the power to call a special meeting of the members at any time.

Article 9: Place of Meeting

Meetings of the members shall be held at the head office of the Association, elsewhere in the Province of Ontario or by other means such as virtual if the Board so determines.

Article 10: Reports to the Members

A copy of the financial statement of the previous school year, and a copy of the reviewers' report shall be presented to the members with the agenda of the annual membership meeting.

Article 11: Persons Entitled To Be Present

The only persons entitled to be present at a meeting of members shall be those entitled to vote thereat. Any other person may be admitted on the invitation of the Chairperson of the meeting or with the consent of the majority of members at the meeting.

Article 12: Right to Vote

At any meeting of members every regular member in good standing shall be entitled to one vote.

Article 13: Reviewers

Reviewers are charged with the review of the financial operations of the Association with a duty to report to the Membership at the annual membership meeting.

Article 14: Votes to Govern

At all meetings of members, every question shall, unless otherwise required by the Letters Patent of By-Laws of the Association or by law, be determined by the majority of votes duly cast on the question.

Article 15: Show of Hands

Every question shall be decided by a show of hands or other electronic means if required, unless, after a show of hands, a poll thereon is demanded as provided in Article 16. Upon a show of hands, every member who is present shall have one vote. Whenever a vote by show of hands shall have been taken on a question a Declaration by the Chairperson of the meeting that the vote upon the question has been carried and an entry to that effect in the minutes of the meeting shall be prima facie evidence of the fact without proof of the number or the proportion of the votes recorded in favour of or against any resolution or other proceeding in respect of the said question the result of the vote so taken shall be the decision of the Association in annual or special meeting, as the case may be, on any question.

Article 16: Poll

After a show of hands has been taken on any question, the Chairperson may require, or any member may demand a poll thereon. A poll so required or demanded shall be taken in such manner as the Chairperson may direct. A demand for a poll may be withdrawn at any time prior to the taking of the poll. Upon taking a poll, each member shall be entitled to vote in respect to each membership which he or she is entitled to vote at the meeting and the result of the poll shall be the decision of the Association upon the question.

BY-LAW NO. 3 - BOARD OF TRUSTEES

Article 1: Officers

The officers of the Association shall be a Chairperson, Vice-Chairperson, Secretary, and a Treasurer. The officers shall be elected by the Board of Trustees from among their own membership at the first Board meeting following May 31 of each year.

Article 2: Duties of the Officers of Board

1. It shall be the duty of the Chairperson to preside at all meetings of the Board and of the Association, and to enforce the provisions of the Constitution and By-Laws.
2. The Vice-Chairperson shall assist the Chairperson in the discharge of his/her duties. In the absence of the Chairperson the Vice-Chairperson shall take his/her place.
3. The Secretary shall take care of the official records of the organization, the minutes of all the meetings of the Association and the Board, after they have been approved, and shall conduct all correspondence.

4. The Treasurer is entrusted with overseeing the organization's receipts and disbursements. All moneys received shall be deposited in the name of the Association on a current account in a Bank approved by the Board. The Principal / COO shall manage the budget with the advice of the Financial Administrator and Treasurer. The Treasurer or delegate shall report regarding the finances of the organization at every meeting of the Board and at the annual meeting of the Association.

Article 3: Duties of the Board of Trustees

The Board of Trustees shall perform the following duties:

1. Determine and approve school policies in harmony with the constitution and in accordance with the mission and vision of the Association.
2. Ensure that the curriculum shall be in accordance with the regulations as set forth by the Ministry of Education.
3. Select a principal and teaching staff that is qualified to carry out the educational program and policies of the school.
4. Devise ways and means of obtaining the necessary funds for operating the school and determine how these funds shall be allocated.
5. Promote the cause of Christian day school education in general, and Christian Secondary day school Education in particular, in the community.
6. Appoint out of the general membership, such committees as it may believe necessary for the performance of its duties. Such appointments shall be made annually by the Board of Trustees.
7. To select and appoint a Business Administrator to transact the financial business of the Association.

Article 4: Committees of the Board and Their Duties

Committees are appointed by the Board for the purpose of making recommendations to the Board consistent with the committee's mandate.

1. Finance Committee:
 - a. Mandate: To establish and manage a budget which encourages stewardship and efficiency in the running of the school.
 - b. Membership: (3 - 5 individuals) Ordinarily one member of the Board of Trustees, Financial Administrator, the principal, and two members of the Association.
2. Grievance Committee: (ad hoc)
 - a. Executive members of the Board of Trustees serve as ad hoc members of the Grievance Committee according to the protocols that have been established as per Board policy.
3. Other Committees as required:
 - a. Building and Grounds Committee:
 - i. Mandate: To ensure that the physical resources are well maintained for both cleanliness and safety and recommend and implement building improvement projects.
 - ii. Membership: (6 individuals) Ordinarily a Vice Principal, and five others.

BY-LAW NO. 4 - STAFF

Article 1: The Staff

1. The principal/COO shall be appointed by the Board and staff by the principal after careful consideration of their qualifications. They shall be appointed for such terms and with such conditions as the Board may determine.
2. All administrative officers and staff must:
 - a. Qualify for membership (see Constitution article 4 items 1 and 2).
 - b. Be faithful to the standards of scripture, exemplifying a Christian lifestyle, realizing that they are role models to their students.
3. All teachers as well as the Board shall abide by the terms of the contract entered into by both parties. The Board has authority to dismiss a teacher who proves to be unfit for the work because such teacher's instruction or personal life conflicts with the basis and purpose of the Association.
4. The substance of this article shall be made a part of all contracts entered into with members of the teaching staff.

BY-LAW NO. 5 – BYLAW AMENDMENTS

Article 1:

These By-Laws may be amended by a majority vote at a General Meeting of the Association.

Revised: April 2010

Approved by DCHS Membership: Nov. 25, 2010

Revised May 2012

Approved by DCHS Membership: May 28, 2012

Revised September 2014

Approved by DCHS Membership November 27, 2014

Revised May 2020

Approved by DCHS Membership June 4, 2020