

# **GUIDELINES FOR SCHOOL ASSOCIATIONS AND COMMITTEES**

These guidelines have been written to assist school committees to comply with the requirements of the **Education Act of 2012**.

## **1. Role of a school association and its committee**

- (1) A school must have a school association.
- (2) However one or more school associations may amalgamate into a combined school association if a majority of the members of each of the school associations agrees.
- (3) The role of the school association is to—
  - (a) promote the interests of the school; and
  - (b) facilitate the further development of the school; and
  - (c) foster community interest in educational matters; and
  - (d) increase cooperation between parents of students attending the school, other members of the community, staff of the school, and students of the school; and
  - (e) participate in the governance of the school;
  - (f) participate in an appraisal of the principal as required by the Secretary; and
  - (g) give, or assist in giving, financial or other resources or services for the benefit of the school and;
  - (h) help to maintain the school grounds, buildings and equipment; and
  - (i) perform any other tasks, consistent with this Act, that the Minister decides.

## **1. Authority of a school association**

- (1) A school association must comply with—
  - (a) this Act; and
  - (b) any written directions of the Secretary.
- (2) A school association does not have, and must not attempt to exercise, any authority over teaching staff, or the general operation and management, of the school.

## **2. Members of school associations**

- (1) The following people are members of the school association of a school—
  - (a) the principal of the school:
  - (b) a registered teacher of the school elected by the registered teachers of the School to be their representative.
- (2) The following people may become members of the school association—
  - (a) a parent of a student attending the school:
  - (b) any other adult who is interested in the school's welfare.

## **3. School association committee**

- (1) Each school association must have a committee.
- (2) The committee's role is to ensure the school association performs its role under the Act.
- (3) The committee may form subcommittees to deal with matters that support the committee's role.

## **4. Members of school association committee**

- (1) The school association committee consists of the following members—
  - (a) the principal of the school:
  - (b) the teacher representative mentioned above.
  - (c) a chairperson, who is to run meetings of the school association and committee:
  - (d) a treasurer, who is to keep and maintain the school association's financial records:
  - (e) a secretary, who is to keep and maintain the school association's other records (including minutes of meetings of the school association and committee):
  - (f) at least 2 other school association members, as decided by the school association.
- (2) The members of the school association must elect the members mentioned in The Act at each annual general meeting of the school association.
- (3) When doing so, the members must ensure that a majority of the elected members are parents of students at the school.
- (4) The elected members of the committee hold their positions until the next annual

- general meeting of the school association, but are eligible for reappointment.
- (5) The members of the committee hold their positions in an honorary capacity.

## **5. Ending membership of committee member**

- (1) The school association committee may vote to remove a member from the committee if, in its opinion, the member—
- (a) is unable to perform his or her duty as a committee member because of—
    - (i) a physical or mental incapacity; or
    - (ii) imprisonment; or
    - (iii) absence from the Cook Islands for longer than 6 months; or
  - (b) has neglected his or her duty as a committee member; or
  - (c) has not acted with integrity as a committee member, (for example by
    - (i) failing to disclose, and to take all reasonable steps to avoid, a real or apparent conflict of interest in relation to his or her membership of the committee; or
    - (ii) using information under the control of the committee, other than for performing the school association's role; or
    - (iii) failing to attend 3 consecutive meetings of the committee without giving an apology to the committee; or
  - (d) is convicted of an offence of such a nature that is not appropriate for the member to continue to be a member.
- (2) The position of a member of the committee becomes vacant if the member—
- (a) is removed from the position under subsection (1); or
  - (b) resigns, by giving a written notice of resignation to the school association;  
or
  - (c) dies.
- (3) If a position on the committee, other than the principal or teacher's representative, becomes vacant, the committee may appoint a member of the school association, who is a parent of a student at the school, to fill the vacancy.
- (4) If the position on the committee for the teachers' representative becomes vacant, the registered teachers must elect another registered teacher at the school to fill the vacancy

## **6. Meetings of school association committees**

- (1) The chairperson of a school association committee must ensure that the

committee meets at least once every 2 months, except in December and January.

- (2) In addition, the chairperson must convene an extra meeting if at least 3 committee members ask the chairperson in writing to do so.
- (3) If the chairperson is unavailable for a meeting, the committee members may appoint another committee member to run the meeting.
- (4) The quorum for a meeting is a majority of the committee members.
- (5) Each question before a meeting must be decided by the votes of a majority of the committee members present at the meeting.
- (6) If a vote is tied, the chairperson, or other person running the meeting has a casting vote
- (7) Except as provided in this section, or in the Regulations, the committee may conduct its meetings in any way that it considers appropriate.

## **7. School association annual general meeting**

- (1) A school association must hold its annual general meeting on or before 31 March in each year.
- (2) The chairperson of the school association committee must ensure that members of the school association are given notice of the meeting at least 7 days before the meeting is to be held.

## **8. School association bank account**

- (1) A school association must have one bank account, and may have other bank accounts if the Secretary has given approval.
- (2) Money received by a school association must be deposited in the association's bank account as soon as practicable after the money is received.
- (3) The trustees of the school association's bank accounts are:
  - (a) the principal; and
  - (b) the treasurer of the school association committee; and
  - (c) a member of the school association appointed by the members of the association at the annual general meeting.
- (4) The school association committee may appoint a member of the school association, who is a parent of a student at the school, to fill a vacancy in the position mentioned in subsection (3)(c) until the association's next annual general meeting.
- (5) The school association bank account must be operated on the signature of at least 2 of the trustees.

(6) The principal must ensure that money received by the school association is used only for the lawful performance of the school association's role as identified above.

## **9. Financial records of school association**

The principal of a school must retain each financial record of the school association for 7 years after the latest of the following dates—

- (a) the date the financial record was created; or
- (b) the date the financial record was received by the school association.

## **10. Financial statements of school association**

(1) The treasurer of a school association committee must prepare a financial statement in accordance with subsection (3) for the school association for each calendar year.

(2) For subsection (2) the financial statement must:—

- (a) for the period that the statement relates to, state—
  - (i) the opening balance of the school association's bank account at the start of the period; and
  - (ii) the amounts paid into, and out of, the bank account during the period; and
  - (iii) who the amounts were received from or paid to; and
  - (iv) the closing balance of the bank account at the end of the period; and
- (b) state that the financial statement gives a true and fair view of the school association's bank account for the period that the statement relates to; and
- (c) be signed by the 3 trustees of the school association's bank account.

(3) The treasurer must prepare the financial statement as soon as practicable after the end of the calendar year, but no later than 31 January.

(4) As soon as the financial statement is prepared, the treasurer must give a copy of the statement to the Secretary.

(5) The treasurer must, as soon as practicable after the end of each calendar year, but not later than 1 February, arrange for an auditor to—

- (a) audit the financial records of the school association; and
- (b) prepare a report on the results of the audit.

(6) The treasurer must give a copy of the auditor's report to the Secretary as soon as

practicable after the Treasurer receives the report.

(7) The treasurer must also give a copy of the auditor's report to the school association members present at the next annual general meeting of the school association.

(8) In this section—

In subsection (5) **auditor** means a person who holds qualifications of a kind that are approved by the Secretary for auditing the school association's bank account.

## **11. Further responsibilities to be noted**

(1) A school must have a school discipline committee comprising the principal and two other members of the school association.

The functions of the school discipline committee are to-

- (a) Develop a discipline policy for the school; and
- (b) Deal with breaches of the school rules and other matters relating to the regulation of  
behaviour of students of the school.

(2) The school chairperson is to work in consultation with the principal in any cases of student stand down or suspension