

LEGAL NOTICE NO. 112

REPUBLIC OF TRINIDAD AND TOBAGO

THE EDUCATION ACT, CHAP. 39:01

REGULATIONS

MADE BY THE MINISTER UNDER SECTION 86 OF THE EDUCATION ACT

THE EDUCATION (LOCAL SCHOOL BOARD)  
REGULATIONS, 2000

PART I

PRELIMINARY

1. These Regulations may be cited as the Education (Local School Board) Regulations, 2000. Citation
2. In these Regulations, unless the context otherwise requires— Interpretation
  - “Act” means the Education Act; Chap. 39:01
  - “Government School” means a school within the meaning of section 11(4) of the Act;
  - “Board” means a Local School Board established for a government school under section 23 of the Act;
  - “member” means member of the Board as specified in an Order;
  - “Order” means the Order made under section 23 of the Act;
  - “Principal” means the person who perform the functions of the Principal as prescribed in section 27 of the Act in relation to the school for which the Board is established.

PART II

COMPOSITION AND PROCEDURES OF BOARD

3. (1) A Board constituted by Order made under section 23 of the Act shall comprise— Composition of Board and qualification of member
  - (a) the Principal who is an *ex officio* member; and

- (b) no more than nine other members drawn from among the following groups, namely:
- (i) a member of the school staff other than the Principal;
  - (ii) a member of the union most representative of teachers nominated by the union;
  - (iii) two members of the majority Parent-Teacher Organisation of the school, nominated by the members of the Organisation, at least one of whom must be a female;
  - (iv) a representative of the Past Pupil's Association, if any, of the school nominated by that association;
  - (v) a member of the student body;
  - (vi) three persons nominated by the Minister as he deems necessary after consultation with the relevant interest groups and stakeholders within the Community in which the school is located.

(2) The Board shall appoint from its membership, persons, other than the Principal, staff or student representative to be the Chairman and the Vice-Chairman.

Term of Board

4. The term of a Board shall be no more than two years.

Appointment and termination of appointment

5. (1) Where a member is, by reason of illness or otherwise unable to perform his function as a member of the Board, the Minister may by Order, appoint another person to act as a temporary member during the period of absence not exceeding six months.

(2) Where the period of absence exceeds six months a vacancy in accordance with regulation 6 shall arise.

(3) The Minister may revoke the appointment of a member, other than the Principal, where—

- (a) he is absent without leave from the Chairman for three consecutive meetings of the Board;
- (b) he is adjudicated to be bankrupt;
- (c) he is convicted of a criminal offence; or
- (d) he is mentally or physically challenged rendering him unable to perform his functions as a member.

(4) The Minister on the advice of a majority of the members of the Board may revoke the appointment of a member.

(5) A member may resign at any time after providing one month's notice by instrument in writing submitted to the Minister.

6. Where a vacancy arises in the membership of the Board the Minister after consultation with the relevant interest groups and stakeholders, may appoint a person to be a member to fill that vacancy for the unexpired portion of the term of the Board.

Appointment  
of member  
where  
vacancy in  
Board

7. Subject to these Regulations, a Board may regulate its own procedure for the conduct of its business.

Procedure of  
the Board

8. The Chairman shall, within twenty-one days after the start of each year of office, hold an annual general meeting to—

Annual  
general  
meetings

- (a) review the Board's performance in the preceding year; and
- (b) discuss its plans, goals and targets for the current financial year.

9. (1) A Board shall have its first meeting within fourteen days of the appointment of its members.

Ordinary  
meetings

(2) A Board shall meet on fixed dates and in any event not less than once a month.

(3) The Chairman, or in his absence, the Vice-Chairman shall preside over meetings of the Board.

10. (1) The Chairman shall cause to be issued notices to all members for an extraordinary meeting of the Board, within seven days of receiving a request, in writing, signed by no fewer than six members of the Board to do so.

Extraordinary  
meetings

(2) A request for an extraordinary meeting shall include specific indication of the purpose of the meeting.

11. (1) The Chairman on giving twenty-four hours written notice to all members, may call an emergency meeting.

Emergency  
meeting

(2) The notice referred to in subregulation (1), shall indicate the nature of the emergency to be discussed.

12. (1) At any meeting of the Board, a quorum is constituted of five members who are present.

Quorum

(2) Unless for good cause, the Principal shall attend all meetings of the Board.

(3) If a quorum is not constituted within thirty minutes of the appointed time for a meeting, the Chairman shall adjourn the meeting to a fixed date.

(4) If three consecutive meetings, which were agreed upon by the Board are not held the Minister may revoke the Board.

Voting 13. (1) The decision of the Board is by a majority of voted of the members present and voting by secret ballot.

(2) the Chairman, or other person duly presiding, has an original vote and, if the vote is equal, a casting vote.

Declaration of interest 14. (1) A member of a Board who is in any way, whether directly or indirectly, interested in a contract under consideration by the Board, shall at the first practicable opportunity declare his interest and remove himself from any decision making process with respect to such contract.

(2) A declaration referred to in subsection (1) shall be recorded in the minutes.

(3) Where a member does not declare his interest, the Minister shall revoke his appointment.

Variation of decision 15. A decision of the Board may be rescinded or varied by the Board at a meeting subsequent to that at which the original decision was ratified and recorded in the minutes.

Minutes and correspondence 16. (1) The Board shall appoint, from outside its membership, a recording secretary who shall be paid a stipend to be approved by the Permanent Secretary of the Ministry.

(2) The recording secretary shall keep minutes of each meeting in proper form and shall lodge them in the Principal's office together with all the correspondence of the Board.

(3) All decisions, resolutions and rules made by the board with respect to the operations of the school shall be recorded in the minutes.

Board to notify Permanent Secretary 17. The Board shall send copies of the minutes, reports, budget requests and project proposals to the Permanent Secretary of the Ministry.

### PART III

#### DUTIES AND POWERS OF THE BOARD

Role of the Board 18. (1) The Board shall have the duties and powers, including but not limited to those listed hereunder, to manage the school—

(a) in the development of a strategic plan for the school plant;

(b) in the conduct of an operational and environmental audit of the activities of the school;

- (c) in the development and implementation of school improvement plans;
- (d) by receiving information, complaints and expressions of concern and hope from the public concerning the school and its members, and to make recommendations as they see fit and relay them to the competent authority;
- (e) by encouraging, promoting, sustaining and fostering mutual understanding, good fellowship and co-operation among the Minister, staff, parent, pupils and other persons associated with the school;
- (f) by requesting the assistance of local government bodies and other agencies and departments to assist in the maintenance of the school;
- (g) by liaising with all relevant agencies in order to ensure that the school is adequately served with water and electricity and sanitation services;
- (h) by liaising with members of the community particularly those in the vicinity of the school;
- (i) by mobilizing community support for the school;
- (j) by strengthening community relations with specific bodies and individuals in the community;
- (k) by making recommendations for the better performance of the school in the assessment of school plant;
- (l) in preparing short, medium and long term plans for capital improvement and the upgrading of plant and equipment;
- (m) in the development and implementation of a maintenance programme for the plant and equipment of the school;
- (n) in the development and implementation of plans to improve the security of the school;
- (o) by promoting fund raising activities on behalf of the school and controlling the expenditure of funds so raised;
- (p) by making recommendations for the better performance of the school to the Minister through the Permanent Secretary;
- (q) by liaising with a past pupil association of the school; and
- (r) in taking such action which may redound to the benefit of the school.

(2) The Board may make Rules for and in relation to the matters specified in subregulation (1).

Made by the Minister this 28th day of July, 2000.

K. PERSAD-BISSESSAR  
*Minister of Education*

Approved in the House of Representatives this 9th day of March, 2001.

J. SAMPSON-JACENT  
*Clerk of the House*

Approved in the Senate this 12th day of June, 2001.

N. COX  
*Clerk of the Senate*