



**NZSTA Submission**

**on**

**Education Legislation Bill 2015**

Due:

**19 February 2016**

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## **Introduction**

1. This feedback is presented by the New Zealand School Trustees Association (NZSTA) on behalf of its member boards.
2. We can be contacted at NZSTA, PO Box 5123, Wellington, phone 471 6422, fax 473 4706, email [lkerr@nzsta.org.nz](mailto:lkerr@nzsta.org.nz).
3. School boards of trustees are the largest single group of crown entities in the country, accountable directly to the government and their local community for the effective delivery of education in their school.
4. NZSTA is a national body representing the interests of approximately 2,200 member school boards of trustees (91 percent of the total number). There are approximately 18,000 people currently serving on 2,420 state and state integrated school boards.
5. As part of its service delivery function to boards, NZSTA provides a comprehensive personnel/industrial service and 0800 trusteeship phone service to all boards of trustees, and is currently developing a proactive workplace advisory service to assist boards in their management/governance role. NZSTA is also an active party with the Ministry of Education in negotiating Collective Agreements with unions.
6. NZSTA as a membership organisation surveys member boards from time to time on issues of current or potential significance to school boards of trustees.
7. This feedback draws on NZSTA's:
  - ongoing dialogue with individual school boards and principals
  - ongoing dialogue with elected board of trustees representatives local, regional and national levels
  - experience in assisting boards of trustees on governance and accountability issues through our 0800 trusteeship helpdesk
  - experience in the provision of personnel/industrial services to boards of trustees
  - Collective Agreement negotiations
  - design and delivery of formal Professional Development and targeted support for boards of trustees
8. We wish to appear before Select Committee.

## Executive Summary

9. NZSTA **supports** the Education Legislation Bill subject to the provisos noted below regarding changes to teachers' employment conditions that may ensue from changes to school opening hours and the proposed changes to the responsibility of the Secretary for Education to provide an effective payroll system.
10. We are concerned that there is an overlapping process occurring with the consultation on other changes to the Act. Attached in Appendix 1 are our submissions as part of that process.

## Analysis and Commentary

11. NZSTA supports the Bill's objectives *to strengthen existing legal regimes, modernise out-of-date legislation and address specific situations and errors and omissions in the law.*

## Part 1: Amendments to the Education Act 1989

### Clause 4 Section 28 amended

12. NZSTA has no objection to the amendment correcting an incorrect reference in Section 28.

### Partnership Schools |Kura Hourua

13. NZSTA supports the following amendments to clarify the application of the Act to Partnership Schools | Kura Hourua and to permit tertiary institutions to sponsor a Partnership School |Kura Hourua:
  - 13.1. Clause 5 Fines recovered under Part 3 of the Education Act
  - 13.2. Clause 11 Powers of entry and inspection
  - 13.3. Clause 12 Grants for boards
  - 13.4. Clause 16 Offence of insulting, abusing, or intimidating staff
  - 13.5. Clause 17 Regulations about school hostels
  - 13.6. Clause 18 Provision by one board of tuition for students enrolled at school administered by another
  - 13.7. Clause 20 Enrolment in partnership schools kura hourua
  - 13.8. Clause 21 Section Official Information Act 1982 not to apply to partnership schools kura hourua
  - 13.9. Clause 24 Interpretation
  - 13.10. Clause 25 Powers of institutions

### School opening hours

14. We note that the proposed amendments relax the requirements on schools to restrict their opening hours to between 8am and 4pm. This change is consistent with the

findings of the TRASP report (the Taskforce on Regulations Affecting School Performance) which NZSTA supports.

15. The goal of any changes to provisions around school opening hours must be providing maximum flexibility for students to learn.

### **Community consultation**

16. Changes to school opening hours may have far-reaching effects for the local community. These changes may be wider than just the parents of students currently enrolled at the school (often considered in the sector to constitute the “school community”).
17. Members of the local community likely to be affected by a board’s decision to alter the school’s opening hours include:
- 17.1. Parents and whānau
  - 17.2. Other schools in the area
  - 17.3. School transport providers
  - 17.4. Local employers and retailers
  - 17.5. Other education providers in the area, particularly early childhood providers.
18. While we absolutely support the intention to provide maximum flexibility for school boards of trustees around school opening hours, we would hope to see these provisions implemented in a manner that protects and promotes the best interests of the whole community. Sector guidance will be necessary to ensure that this is thoroughly understood by those boards that make such decisions.
19. We also consider that a provision can be inserted to provide some flexibility for very short term changes to occur for operational reasons. This may be done by adding to 65B(3):
- (3) (d) In the case of a short variation for operational reasons of two days or less then board is not required to follow (a) but must provide adequate advice to parents and students and staff.

### **Changes to employee terms and conditions under Collective Agreements**

20. We note that the proposed changes to school opening hours may impact on collective agreements undertaken on Boards’ behalf by the Secretary for Education.
21. This is not addressed in the regulatory impact statement and therefore we are concerned that there may be implications particularly in the secondary sector where restrictive practices have arisen due to unreasonable interpretation of a school day and when a school is open for instruction.
22. We seek assurance from Select Committee that the Secretary has a strategy in place for addressing any changes to board employees’ terms and conditions of employment as a result of these changes in a way that:
- 22.1. will not compromise Boards’ ability to manage the school’s resources while

- 22.2. still acting as a good employer towards those employees who may be affected by the changes.

### Clause 6-7 Definition of half-day

23. The wording of these clauses taken together means that the Bill as drafted changes the permitted start and finish times of a half-day, as long as the first half-day starts before midday and the second half-day ends after mid-day. Under these provisions a full school day may vary from 8:01am-12:01pm to 11:59am-3:59pm.
24. This wording means that technically a school starting or finishing their half-days on the hour of noon would be in breach of the law. NZSTA considers that while it is likely to make no practical difference, it would be tidier to amend Clause 7 to read

**Replace section 65B(2) and (3) with:**

(2) Every board must ensure that each school it administers is open for instruction for 1 half-day that finishes **at or** before noon and 1 half-day that starts **at or** after noon on every day during the terms prescribed, ascertained, or determined under subsection (1).

25. NZSTA also supports the proposed amendments to
- 25.1. **Clause 8** Section 65D amended
- 25.2. **Clause 34** Section 348 (teacher registration) amended (Interpretation)

### Religious Instruction

26. The current provisions regarding religious instruction (RI) in schools require that those premises are closed for instruction while RI is being offered. The provisions are ineffective, outdated, and an ongoing source of friction between boards and their local communities.
27. The Human Rights Commission's 2009 publication *Religion in New Zealand Schools: Questions and Answers* provides a useful distinction between religious education, religious observance and religious instruction and recommends that boards adopt an opt-in policy rather than an opt-out policy to avoid discriminating against students or families who do not wish to take part.
28. NZSTA recommends that the Select Committee take this opportunity to insert provisions into the Act to address this issue.

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### Recommendation

*That the provisions in the Education Act regarding religious instruction in schools are updated to*

- a. Clarify the distinction between religious education, religious observance and religious instruction*
- b. Clarify the entitlement of different religious or ethical traditions to provide religious instruction in schools*

- c. Clarify the requirements about schools' partial closure to accommodate religious instruction and how this is communicated to the local community*
  - d. Specify that schools offering RI should do so on an opt-in basis*
- 

## **Enabling a principal to manage more than one school**

29. NZSTA has no objection in principle to these provisions. We are aware of instances where this is already being done successfully for a combined board, such as the Trinity schools in Southland. However dual employment is a new concept model which will require working through carefully. A preferable model is that two boards (or more) may agree that a board may employ one principal for those boards. One board would then remain the employing body.
30. Some boards, particularly in small and remote schools currently experience significant difficulties recruiting a suitable principal. In our view, making it easier for such schools to appoint a joint principal has the potential to help alleviate those recruitment problems. Permitting such schools to share a principal also has potential benefits for other staff within those schools by providing an additional framework for staff who may themselves aspire to become a principal to receive on-the-job mentoring under a shared principal while they gain experience by standing-in on days the principal may not be present on-site.
31. It is essential that decisions about whether or not to appoint a joint principal stays with the board(s) concerned.
32. We also note references in the Ministry's Regulatory Impact Statement (RIS) to the principal recruitment allowance associated with the Investing in Educational Success (IES) policy initiative (para 21-23).
33. NZSTA considers this to be something of a red herring and potentially misleading. While the information contained in these paragraphs is correct, NZSTA is concerned that their inclusion in this document implies a connection to the current proposal (to permit boards of trustees to appoint one person as the principal of more than one school at a time) that does not in fact exist.
34. Neither the principal recruitment allowance referred to in the RIS nor the provisions of the IES initiative to create a cluster leadership position (where a school principal may become "first among equals" among principals of schools that belong to a Community of Learning (CoL)) speaks to the question of one person being appointed as the principal in multiple schools (the purpose of this clause).
35. There has already been considerable concern from some sector groups about what the IES provisions will mean in practice for the mana and authority of the principals whose schools may join a CoL and NZSTA therefore considers it very important that the advice relating to CoL leadership positions in the Ministry's RIS does not lead Select Committee or sector stakeholder groups to conflate those arrangements with the provisions of this clause.

### **Clause 10                    Replace the heading to section 76**

36. NZSTA supports this clause to amend the heading of the section to “Role of Principal”.

### **Clause 14-15            Amend Sections 94 & 116A**

37. NZSTA supports these amendments, which make the Act consistent with the new provisions enabling a principal to manage more than one school.

## **Payroll services**

### **Clause 13   Payroll service**

38. NZSTA is concerned that the proposed amendments may weaken present accountability requirements.

39. Currently the provision requires:

*“(1) The secretary shall ensure that there are established and maintained, within or on behalf of the Ministry, staff and facilities for, and sufficient for, servicing the payrolls of boards (in this section referred to as the payroll service).”*

40. The Bill proposes:

*“The secretary must ensure that a payroll service is established and maintained to provide for the payment of employees of boards who are employed in the education service.”*

41. The proposed changes waters down the obligation of the Secretary and given boards experience with the introduction of Novopay this is a serious concern. We do not consider that this will “*avoid unnecessarily constraining the ability of decision makers to adopt the most efficient and effective arrangements for delivering services*” which the Bill purports

## **Other provisions**

42. NZSTA also supports the following miscellaneous amendments to the Education Act 1989:

### **Clause 31   Requirements for licensed home-based education and care service**

43. These amendments will permit school students to receive out of school care on the same premises where younger siblings may already be being cared for.

### **Clause 33   Use of national student numbers**

44. These changes will enable National Student Numbers to be used for students engaged in online learning on the same basis as students attending face-to-face classes.

### **Clause 32   Repeal of Part 29 (Learning Media Limited)**

45. This change aligns the Act with current circumstances.

## **Part 2: Amendments to other legislation**



## **State Sector Act**

### **Clause 82 Section 2 Interpretation**

46. NZSTA supports this amendment which clarifies that Partnership Schools | Kura Hourua that are sponsored by a tertiary institution are not classified as part of the tertiary institution for the purposes of this Act.

### **Clause 83 Actual conditions of employment**

47. NZSTA supports the insertion of S75b (1)(a).

### **NZSTA supports the insertion of S75 (1)(a). Other legislation**

48. NZSTA also supports the following amendments to other legislation:

#### **Ngarimu VC and 28th (Maori) Battalion Memorial Scholarship Fund Act 1945**

#### **Pacific Islands Polynesian Education Foundation Act 1972**

**Consequential amendments listed in Subpart 5 of the Bill.**

**Appendix 1:**  
**NZSTA Submission to the Ministry of Education on**  
**MOE discussion document**  
***Updating the Education Act 1989***

**Submitted 14 December 2015**



# **NZSTA Submission to the Ministry of Education**

**on**

## **MOE Discussion document *Updating the Education Act 1989***

Due date:

**14 December 2015**

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## Introduction

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8. NZSTA as a membership organisation surveys member boards from time to time on issues of current or potential significance to school boards of trustees.
9. This feedback draws on NZSTA's:
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  - experience in assisting boards of trustees on governance and accountability issues through our 0800 trusteeship helpdesk
  - experience in the provision of personnel/industrial services to boards of trustees
  - Collective Agreement negotiations
  - design and delivery of formal Professional Development and targeted support for boards of trustees
10. We wish to discuss these issues further with the Ministry before the amended Bill is drafted.

## Executive Summary

11. NZSTA agrees that the Education Act should be amended. The consultation document provides a useful starting point, however there are a number of other issues that we believe also need to be considered.

12. The Ministry's discussion document does not include all of the recommendations contained in the Taskforce on Regulations Affecting School Performance (TRASP), nor does it reflect that an Amendment Bill has already been table for its first reading in Parliament – despite assurance in the paper that this would be post consultation. Although the Ministry's stated position appears to be that the two processes are running in parallel to each other, this has not been clearly communicated and does not appear consistent with the fact that there is material in the Education Legislation Bill that is also subject to the present consultation process. This is not an orderly or sensible way of approaching a significant change to legislation.
13. This submission takes a system view and considers the issues raised in the Ministry consultation document within the wider context of the TRASP report, our experience of the sector and feedback from member boards, in preference to the ad-hoc approach evident in the consultation document.
14. NZSTA agrees with the TRASP recommendation that the Act should contain a clear universal vision statement identifying the purpose and goals of state-funded education in New Zealand. The present proposals do not adequately or consistently embody that approach, not least because the frame of reference for the consultation is itself based on institutional structures not student experience.
15. NZSTA agrees that the roles and responsibilities and powers of key players in the schooling sector should be described in the Act. This needs to be even-handed and consistent, and in particular it needs to include the roles of the Ministry of Education and school principals to ensure that these provisions align with any proposed provisions relating to the role of boards of trustees.
16. The review needs to look at S94 (Constitution of boards of State schools) alongside S75 & 76 to ensure it aligns with updated role definitions. The review should explicitly consider the issues created by the Principal being both CEO and a board member with voting rights.
17. Definitions of the terms 'governance' and 'management' should be included in the Interpretation section of the Act, to promote a clear shared understanding.
18. Simplifying the planning and reporting procedures requires all parties to develop a shared clear understanding of the purpose and structure of these activities. Any review should initially consider the whole range of planning and reporting processes including reporting to parents, ERO visits and school audits.
19. Compliance requirements should be minimally invasive or burdensome. Greater responsiveness from officials to supporting individual schools' performance is highly desirable however we are nervous of a 'reward and punishment'

20. The framing of this consultation question focuses exclusively on schools' performance and leaves unaddressed the issue of improving the Ministry's own performance in addressing schools' identified needs for better support or lighter compliance burdens. This gives an unbalanced perspective of the real issues experienced by NZSTA member boards.

**Placing the consultation questions in context**

21. It is important to recognise that significant parts of the discussion document cover things that schools, specifically boards of trustees and principals are currently doing.

**Consultation process**

22. Feedback from NZSTA member boards indicates that they feel the consultation with stakeholders has been done very poorly.



## Our views

TRASP (The Taskforce on Regulations Affecting School Performance) recommended that:

the Act and associated regulations be reviewed with the aim of creating an outcomes-focused, student-centred and usable piece of legislation with a clear purpose the review considers the greater use of second and third tier regulation in order to deliver increased flexibility to keep pace with a changing environment.

23. NZSTA agrees that the Education Act should be amended. The consultation document provides a useful starting point, however there are a number of other issues that we believe also need to be considered.
24. This submission responds to the consultation questions posed by the Ministry of Education, as well as those issues identified in the TRASP report but not covered in the consultation document and others that we consider need to be addressed to ensure a coherent and thorough system-level approach to updating the legislative framework of the Education Act.

### Placing the consultation questions in context

25. It is important to recognise that significant parts of the discussion document cover things that schools, specifically boards of trustees and principals are currently doing. There is some feeling amongst our membership that the consultation document describes the “what” but not the “how” or the “why”.

### Consultation process

26. Feedback from NZSTA member boards indicates that they feel the consultation with stakeholders has been done very poorly.
27. There has not been any allowance to consult with the students, the most important group in this review
28. Consultation is occurring at the worst possible time for teaching staff, school boards and Principals. The consultation period has been extremely short, and at a time of year that severely constrains boards of trustees’ ability to engage effectively with the document or the

consultation process. While we acknowledge that there is an opportunity at Select Committee stages of legislation to have further input, we are concerned that the current process seems more like tokenism than like a genuine effort to engage.

29. We have also had reports from member boards who have attended Ministry-led consultation meetings that Ministry facilitators have been unable to fill in the gaps regarding many queries they had about the consultation document.
30. The introduction to the House of the Education Legislation Amendment Bill before the consultation period on this discussion document has passed has added another layer of confusion and magnified the feeling among member boards that the consultation process is not being undertaken entirely in good faith.

### **Use of regulation**

31. We note that there is no mention in the consultation document about the criteria or protocols envisaged for determining whether a given issue is dealt with in the body of the Act or by regulation. This is a key component of developing effective, good practice legislation.
32. It would be useful in the interests of transparency and informed consent for the  
Ministry of Education, with guidance from the Legislative Design Advisory Committee and the Parliamentary Counsel Office, to publish on the Ministry website a set of guiding principles, protocols or good practice guidelines outlining the rationale for delineating between regulation and primary legislation in the drafting of legislative instruments for the education sector.
33. This information would be particularly useful to sector stakeholders in formulating responses to the present, or future intended consultation questions about the desirable scope and content of legislation and regulation.

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## **Recommendation 1**

*That as part of the consultation on updating the Education Act 1989 the Ministry of Education, with guidance from the Legislative Design Advisory Committee and the Parliamentary Counsel Office,*

- a. publishes on the Ministry website a set of a set of guiding principles, protocols or good practice guidelines outlining the rationale for delineating between regulation and primary legislation*

- b. identifies which areas under consultation are intended to be addressed by legislation and which are intended to be addressed by regulation.*
- 

## **A clear statement about the purpose and goals of statefunded education**

34. NZSTA agrees with the TRASP recommendation that the Act should contain a clear universal vision statement identifying the purpose and goals of state-funded education in New Zealand.

## **A student-centred education system**

35. Schooling is just one part of the wider education system. In our view, the need is for an overall vision and goals that will serve to align all parts of the education system towards a common purpose, not a partial solution for schooling that ignores other parts of a student's formal education experience.
36. We fully endorse the intention to create a student-centred education system that provides a seamless, integrated and personalised service to each student tailored to their needs, abilities and aspirations. The present proposals fall short of that ideal on several counts, particularly in so far as it fails to
- 36.1. address the existing institutional and structural barriers in the system
  - 36.2. provide any indication of how will proposed changes might interface with any other part of the system.
37. Creating a coherent and integrated student experience requires the system design to abandon the arbitrary institutional and structural barriers between different educational levels (e.g. ECE and primary; primary and secondary; secondary, tertiary and vocational.) So far the Ministry proposals pay lip service to that concept, but remain firmly bounded by current institutional arrangements based on the type of institution that dominates it (e.g. school, tertiary, ECE).
38. We recognise the practicalities of pursuing reform in segments, however it is essential if those reforms are to produce a coherent and aligned system that the changes in any one part of the system are undertaken with a view to how they will interface with any other part of the system. Neither the

consultation document nor the TRASP report address that need adequately.

39. While we understand the constraints placed on the taskforce through its terms of reference, we consider that accepting TRASP's exclusive focus on the schooling system rather than on the education system it is part of, would be counterproductive.
40. We therefore use the terms "education system" and "education sector" to refer to the whole range of education providers from ECE to tertiary and workplace educators. When we wish to limit our observations to schooling or compulsory education, we will use those more specific labels.

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## Recommendation 2

*That:*

- a. *the Act contain a purpose statement (vision) outlining the desired outcomes for the education system in New Zealand that is enduring, inclusive, collaborative and student-centred, and embraces a breadth of desired student outcomes*
- a. *the purpose statement and goals formulated for inclusion in the Act should be system-wide and not limited only to the ECE and schooling sectors*
- b. *this statement be developed in consultation with education practitioners, sector stakeholders and the community*
- c. *The Ministry consider the NZSTA Draft vision for New Zealand education in the C21st as a potential starting point for that consultation.*



## A draft vision for education

41. In December 2013 NZSTA President Lorraine Kerr presented a discussion document addressing this need (See Appendix 1). While we do not expect this draft to be adopted in its entirety, NZSTA believes that it could still provide a useful starting point for discussion.

### ***NZSTA Draft vision for education in New Zealand***

*Education is at the core of our nation's effort to achieve economic and social progress. New Zealanders want our education system to prepare every student to function effectively in the world.*

*Our vision as New Zealanders is to create a society where...*

#### ***The role of education in our society***

*Every child in New Zealand is well prepared to function effectively in the world, develops personal agency (tino rangatiratanga) and receives the encouragement and mentoring appropriate for their age, stage, and personal growth. Early childhood, school and tertiary education providers create a seamless and responsive education system based on a model of personal services being provided to students at all levels in an ethically robust professional context.*

*New Zealanders are confident in the quality of experience and education that our children receive from our formal education providers and this confidence is borne out by rigorous selfreview and independent research.*

*New Zealand's education system is recognised as a critical intervention in breaking cycles of disadvantage by delivering equity of opportunity for every student.*

*Learning and gaining mastery over new skills, knowledge and experiences are an intrinsic part of our shared experience as a society, and every citizen regards their formal education as the foundation for a lifetime of further learning through formal or informal channels.*

#### ***Student experience***

*Every child feels valued, understood and extended by their experiences in formal education and carries with them an ambition to continue learning and growing throughout their lifetime. Our education providers are extensions of our local communities and our society as a whole, where our children are safe and happy while they are learning.*

#### ***Education providers***

*Our educators are highly qualified, compassionate ethical and knowledgeable professionals who treat our children with respect and model the highest standards of scholarship, citizenship and self-mastery. They value the skills, knowledge and experiences our children bring to their education, and our communities and workplaces value the skills, knowledge and experiences our children acquire through formal education.*

## **Q.1: What should the goals for education be?**

42. There are a number of documents that put forward goals for education. These have a high level of alignment, but each is targeted towards a slightly different audience and a slightly different context (see Appendix 2). They include
- 42.1. The “Beeby vision” (1939)
  - 42.2. The National Education Goals (NEGs)
  - 42.3. The New Zealand Curriculum (NZC)
  - 42.4. Te Marautanga o Aotearoa (TMOA)
  - 42.5. Flat Bush Education Strategy
- (N.B. This list is indicative, rather than exclusive.)
43. The National Education Goals (NEGs) still outline a robust set of system-level goals for the education system overall, as well as for the schooling and ECE subsystems. We agree with TRASP’s observation that the NEGs do not currently have a high enough profile to effectively fulfil this role (p.18).
44. Responses from NZSTA member boards indicate that the goals for education should include
- Developing potential
  - Increasing skills (not “achievement”. Schools are about socialisation, increasing skills and nurturing and *developing potential* - not *achieving* it as this is a lifelong process, not a one-off event)

## **National Administration Guidelines (NAGs)**

45. NZSTA considers that the National Administration Guidelines are operational in nature and do not belong in the Act itself. They should continue to be enacted as they are currently, through regulation.

## **NZSTA's draft goals for New Zealand education in the C21st.**

46. Our discussion document of November 2013 (See Appendix 1) also contained some thoughts on updating the goals for state-funded education in New Zealand. The goals we proposed were strongly based on the existing statements in the NEG's, the NZC and TMOA. They are:

### **Goal 1: Excellence**

#### **Goal 1: Excellence**

*Every student and every educator consciously pursues excellence through educational programmes which provide opportunities for each student to experience validation and success, to understand what motivates them and to be extended beyond the boundaries of their current experience. To this end, our education system encourages every student to be*

- a. creative, energetic, and enterprising.*
- b. confident, connected, actively involved, and lifelong learners.*

***Evidence consistently shows that New Zealanders are***

- c. Literate and numerate*
- d. Critical and creative thinkers*
- e. Active seekers, users, and creators of knowledge*
- f. Informed decision makers*

*and that achievement of students at each level of formal education in New Zealand meet or exceed international norms in core and non-core curriculum areas.*

### **Goal 2: Equity**



### **Goal 2: Equity**

*New Zealand's education system is equitable and inclusive. Equity of educational opportunity for all New Zealanders contributes to measurable gains in fairness and social cohesion across New Zealand society. Students and groups of students receive support, encouragement and resources that meet their individual and collective needs and enable them to achieve and contribute to society.*

**Evidence consistently shows that** educational achievement in New Zealand is independent of socio-economic factors such as geographical location, gender, ethnicity or parental income.

### **Goal 3: Future-focus**

#### **Goal 3: Future-focus**

*Every child in New Zealand develops sufficient knowledge, understanding and skills to function successfully and ethically in the modern, ever-changing world. Our education system encourages every student to seize the opportunities offered by new knowledge and technologies to secure a sustainable social, cultural, economic, and environmental future for our country.*

**Evidence consistently shows that** New Zealanders are successfully functioning at the leading edge of world events in society, business, science and the arts and are valued around the world as competent global citizens.

### **Goal 4: Social partnership**

#### **Goal 4: Social partnership**

*Every member of New Zealand society accepts a share of the responsibility for ensuring that every child in New Zealand receives a sound foundation for future success. Parents and whānau are actively supported in their role as their children's first teachers.*

**Evidence consistently shows that** New Zealanders from all parts of New Zealand society feel a positive connection with, and a sense of pride and ownership in their local education provider.

### **Goal 5: A broad and balanced curriculum**

### **Goal 5: A broad and balanced curriculum**

*Every child in New Zealand acquires depth of knowledge across a broad and balanced curriculum that covers all learning areas necessary to function effectively in the world. To this end, our education system encourages every student to develop the values, knowledge, and competencies that will enable them to live full and satisfying lives.*

**Evidence consistently shows that** *New Zealanders develop high levels of competence (knowledge, skills and experience) in literacy and numeracy, science, technology, critical thinking, life skills, physical and emotional wellbeing and the arts.*

### **Goal 6: Identity**

#### **Goal 6: Identity**

*Every child in New Zealand develops understanding and respect for*

- a. their own unique place and value in the world*
- b. their common heritage as human beings, as New Zealanders, and as members of their own family, culture and community.*
- c. the diverse ethnic and cultural heritage of New Zealand people, with acknowledgment of the unique place of Māori, and New Zealand's role in the Pacific and as a member of the international community of nations.*

*To this end, our education system encourages every student to*

- d. work to create an Aotearoa New Zealand in which Māori and Pākehā recognise each other as full Treaty partners, and in which all cultures are valued for the contributions they bring*
- e. be positive in their own identity; Motivated and reliable; Resourceful; Enterprising and entrepreneurial, and Resilient*

**Evidence consistently shows that** *New Zealanders display high levels of self-respect and empathy for others and high levels of understanding and respect for human rights as formulated in the UN Declaration of Human Rights (UNDHR) and the UN Convention on the Rights of Children (UNCROC), te Tiriti o Waitangi The Treaty of Waitangi.*

### **Goal 7: Connectedness**

### **Goal7: Connectedness**

*Every child in New Zealand experiences a sense of connection and belonging to local and global communities that contributes to their wellbeing and identity.*

***Evidence consistently shows that New Zealanders***

- a. are able to relate well to others;*
- b. are effective users of communication tools;*
- c. are connected to the land and environment;*
- d. are active participants in a range of life contexts, including membership of communities, and International citizens*
- e. are active contributors to the social, cultural, economic, and environmental well-being of New Zealand and of the world*
- f. continue to access personal development and other learning opportunities throughout their lifetime, and*

***Evidence consistently shows that participation and success is supported by education initiatives tailored to the needs and aspirations of identified students or groups of students in a way that affirms and enhances their identity and connection to their own family, culture and community.***

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### **Recommendation 3**

*That the National Education Goals form the basis of the revised statement of educational goals to be incorporated into the Act.*

### **Recommendation 4**

*That the National Administration Guidelines should continue to be enacted through regulations and not be incorporated into the parent legislation.*

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## Focus on students ahead of institutions

47. As we have already noted, our view is that the consultation document does not yet adequately embody the concept of 'students first', not least because the frame of reference for the consultation is itself based on institutional structures not student experience.
48. NZSTA agrees that the focus of the Act should be on student outcomes ahead of administration. While it may seem pedantic, we see a difference between student achievement and student outcomes in that we regard achievement as a necessary, but not sufficient, subset of outcomes.
49. We understand and support the focus on Student Achievement as a medium-term goal for the education system, however in the long-term, it is overall outcomes, including each person's quality of life, employment, health status, resilience, recreational and personal fulfilment, and contribution to their community and society as a whole, not only their educational achievement levels (however that may be measured) that are the ultimate goal.

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## Recommendation 5

*That the Education Act 'Update' takes a genuinely student-centred approach by framing the scope and terms of reference of any future reviews (including this one) in terms of an individual's pathway through the education system as a whole, including*

- a. *the implications of any proposed changes on the other elements of the student's educational experience including those that occur in other subsystems such as ECE, schooling, tertiary or vocational education*
- b. *the nature of transitions between institutions and/or sub-systems as ECE, schooling, tertiary or vocational education.*

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## Q.2 What process should be used for setting a national priorities statement for early learning and schooling?

50. National education priorities statements should be separated from party political processes and instead they should be formulated as a 5-year plan that includes SMART goals for the education system as a whole and its various components.
  51. These priorities should be decided by public consensus, incorporating the informed participation and consent of:
    - 51.1. New Zealand communities
    - 51.2. Education practitioners, researchers and academics
    - 51.3. Sector stakeholders ('Peak bodies').
  52. A 5-year refresh would permit substantive participation of all groups using virtual collaboration and crowd-sourcing technologies combined with more traditional face-to-face and print-based communications over 1-2 years leading up to the new iteration.
  53. To minimise 'policy churn' and enable effective system change, the development and implementation of national education priorities should be outside the realm of party political processes. This also means that the responsibility to *reflect government priorities* should be re-framed as a responsibility to *reflect the national education priorities*.
- 

## Recommendation 6

*That statements of national education priorities should*

- a. *take the form of a 5-year plan that includes SMART goals for the education system as a whole and its various components*
  - b. *be decided by public consensus, incorporating the informed participation and consent of:*
    - *New Zealand communities*
    - *Education practitioners, researchers and academics*
    - *Sector stakeholders ('Peak bodies').*
  - c. *be independent of party politics*
-

# Governance and leadership

*Governance arrangements are often hybrid practices, combining administrative systems with market mechanisms and non-profit organizations. Novel forms of mixed public–private or entirely private forms of regulation are developing. For example, school reform often now combines older administrative arrangements (school districts, ministries of education) with quasi-market strategies that are meant to give parents greater choice (charter schools, voucher systems).*

*- Newsletter of the Institute of Public Governance & Management<sup>1</sup>*

## Clear roles and responsibilities

### **TRASP commented that:**

... the roles and responsibilities of boards of trustees are unclear in the current Act and this can create uncertainty about what it is they should, and can legally, do... The Act should clearly define the roles and responsibilities of boards... Defining the roles and responsibilities of a board would emphasise the aspects of good governance that can benefit student achievement.

### **and recommended that:**

*7. the Act provide more clarity on the roles and responsibilities of boards and principals*

*9. this increased clarity should create the flexibility for boards to perform other functions that will improve student outcomes in defined circumstances or with approval*

54. NZSTA agrees that a clear and unambiguous definition of the roles and responsibilities and powers of key players in the schooling sector should be described in the Act. The present Act falls short in this respect.

55. The roles and responsibilities that should be defined in the Act are:

- The Ministry of Education
- School boards of trustees
- School proprietors
- School principals
- The Education Council of Aotearoa New Zealand (EDUCANZ)
- The Education Review Office (ERO).

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<sup>1</sup> <http://www.esade.edu/public/modules.php?name=news&idnew=652&idissue=57&newlang=english>

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## **Recommendation 7**

*That the Act should define the roles and responsibilities of:*

- a. The Ministry of Education*
  - b. School boards of trustees*
  - c. School proprietors*
  - d. School principals*
  - e. The Education Council of Aotearoa New Zealand (EDUCANZ)*
  - f. The Education Review Office (ERO).*
-

## Defining ‘governance’ and ‘management’

56. One weakness of the current Act is a lack of definition or clarity around the key concepts of governance, management and administration. NZSTA considers this should be remedied in any new Act.
57. Governance is a relatively new concept. Until quite recently, it was undefined, except through the context of what was being written. Over the last several years, a theoretical framework has begun to emerge.
58. In 1989, when the current Act was drafted, Management and Governance were not perceived as disciplines in their own right, rather they were seen as aspects of ‘Administration’. Although that view still permeates the Education Act the rest of the world has moved on and the fields of Administration, Management and Governance have developed their own distinctive language, literature and practise.
59. That is one of the key respects in which the Act is outdated and no longer fit for purpose. If the key roles and responsibilities in our education system are to be effectively clarified, then it is essential for the Act to embody a shared understanding of those roles through valid definitions of the terminology of Governance, Management and Administration as they relate to the education system and that are fit for purpose in 21st-century society.
60. We suggest that definitions of the terms ‘govern’ and ‘governance’ should be included in the Interpretation section of the Act, to promote a clear shared understanding.
61. We propose the following definitions as a starting point:

### *Governance:*

|  |
|--|
| <b>Governance means<sup>1</sup>:</b> <i>Controlling and guiding an organisation to make decisions towards a shared purpose, by</i> |
|--|

|  |
|--|
| <i>Defining expectations</i> (e.g. through strategic planning and policy-setting), |
|--|

|  |
|--|
| <i>Granting authority</i> (e.g. by legislation or regulation (government), terms of reference (including terms of employment), policy-setting or delegation (boards)),<br><i>Defining rights and responsibilities</i> of stakeholders or members (e.g. by legislation or regulation (government), terms of |
|--|



|  |
|--|
| reference (including terms of employment), policy-setting or delegation (boards)),,  |
| <i>Allocating resources</i> (e.g. by developing policies, strategic plans and budgets)   |
| <i>Coordinating or controlling activity</i> (e.g. by establishing reporting and accountability processes, external audits, ensuring financial systems are sound, managing principal performance)                           |
| <i>Resolving conflicts</i> (e.g. by establishing effective policies and ensuring that they are implemented effectively)  |
| <i>Ensuring proper functioning</i> (e.g. by establishing effective policies and ensuring that they are implemented effectively)  |
| <i>Verifying performance</i> (e.g. establishing reporting and accountability processes, external audits, by monitoring performance against targets, ensuring financial systems are sound, managing principal performance). |

*Management:*

|   |
|---|
| <b>Management means<sup>1</sup>:</b> <i>Organizing and coordinating the activities of an organisation to attain predetermined goals and objectives by</i>   |
| <i>Planning</i> - choosing tasks that must be performed to attain organizational goals, outlining how the tasks must be performed, and indicating when they should be performed.  |
| <i>Organizing</i> - assigning the tasks developed in the planning stages, to various individuals or groups  |
| <i>Influencing</i> - guiding the activities of organization members in the direction that helps the organization move towards the fulfilment of the goals   |
| <i>Controlling</i> - gathering information that measures performance, comparing present performance to pre-established performance norms and determining the next action plan and modifications for meeting the desired performance parameters. |
| <i>Reporting</i> - providing evidence and analysis based on information gathered to inform the governing board and other stakeholders about the activities of the organisation and progress towards goals                                       |

62. These definitions mesh neatly with the Ministry of Social Development's model of *strategic governance* for New Zealand non-profit organisations:

*A strategic governance board is focused on the future while operating in the present. It operates in a transparent and accountable way to:*

- *oversee and protect the organisation's vision, mission, values, and resources*
- *recognise environmental indicators of change, uncertainty, and opportunity*
- *identify and manage opportunities, risks, and legal compliance*
- *support the organisation to adapt and remain relevant*
- *drive the organisation's future direction, including shifts in focus and/or positioning to meet changing needs.*

(source: <http://tinyurl.com/MSD-strategic-governance> )

## **What should the roles and responsibilities of the Ministry of Education be?**

63. The Ministry has started to reposition itself as the steward of the sector instead of the role it has traditionally seen itself in as leading the sector. NZSTA supports this new perspective as being much more consistent with the original intent of the 1989 education reforms than the earlier model.

64. The question then arises: How should this new approach be reflected in the revisited Education Act? Some of the key components that should be considered in drafting any amendments include clearly and consistently:

64.1. identifying the purpose and intended functions of the Ministry of Education within the Act

64.2. identifying where the Ministry has authority to make decisions that are binding on other parties, and (importantly) the limits of that authority

64.3. identifying the Ministry's responsibilities to its customers (students, school boards of trustees, teachers, communities) as well as its clients (e.g. the Minister, other government agencies)

64.4. using language that clearly and consistently distinguishes between *providing advice* and *notifying a requirement*.

64.5. ensuring that these provisions are consistent with the purposes, roles, responsibilities and powers identified for other interested parties

such as students, school boards of trustees, communities and whānau, education practitioners and other government agencies.

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## **Recommendation 8**

*That the Act defines the roles and responsibilities of the Ministry of Education by*

- a. identifying the purpose and intended functions of the Ministry of Education within the Act*
  - b. identifying where the Ministry has authority to make decisions that are binding on other parties, and (importantly) the limits of that authority*
  - c. identifying the Ministry's responsibilities to its customers (students, school boards of trustees, teachers, communities) as well as its clients (e.g. the Minister, other government agencies)*
  - d. using language that clearly and consistently distinguishes between providing advice and notifying a requirement.*
  - e. ensuring that these provisions are consistent with the purposes, roles, responsibilities and powers identified for other interested parties such as students, school boards of trustees, communities and whānau, education practitioners and other government agencies*
- 

## **Q3: What should the roles and responsibilities of a school or kura board be?**

- 65. NZSTA contests any blanket suggestion that boards of trustees are unclear about their roles and responsibilities under the Act. Our interactions with boards of trustees consistently indicate that most boards of trustees understand their role and discharge their responsibilities well.
- 66. That said, we agree with the TRASP finding that the provisions of the current Act can create uncertainty about what it is that boards of trustees

should and can legally do among other agencies, including the Ministry of Education itself.

67. We agree that the lack of definition in the Act between the roles of the board and the principal, has caused problems in some instances, and this is exacerbated by the duality of the principal as a voting member of the board as well as the board's CEO.
68. The lack of clarity between governance, management and administration in the Act is reflected by a similar lack of clarity within the Ministry of Education and in its communications with the sector. The suggestion in the consultation document that boards might become directly responsible for hiring and firing school staff, which is clearly a management role not a governance one, is a case in point.
69. Matching clarity in the Act about the roles of the principal and the Ministry of Education will reduce any confusion between the roles of the board and their principal.

### ***NZSTA advice to School Boards of Trustees on their roles and responsibilities***

70. The Board's overarching role is to govern the school. NZSTA regularly offers advice to school boards of trustees about their governing role. In 2013 we published the following advice in STAnews:

*Being the governing board of our school means we:*

- *are elected to public office*
- *are committed to giving every student an excellent education*
- *lead by example*
- *have the courage of our convictions*
- *are unpaid, but not amateurs*
- *act for the public benefit and in the best interests of our students*

*The governing role involves:*

- *being strategic – creating a vision of our preferred future and a plan for getting there*
- *being a critical friend – supporting and challenging each other and our principal to be the best we can*
- *being accountable – communicating what we know about how well we are doing (or not), how we know it and what we are doing to reach the next level.*

*The governing role needs a clear focus on:*

- *keeping the main thing the main thing*
- *remembering it's a journey not a reaction*

- *taking care of our business so our principal and staff can get on with their business, so our students can get on with their business*

*... whatever anybody may tell you to the contrary, it's the work our students do that is the real work of the school. The rest of us are just there to help them get it done, the best way they possibly can.*

*- STAnews #236 August 2013*

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## **Recommendation 9**

*That*

- a. the Act defines the role of School boards of trustees as being to govern the school community in such a way as to give effect to the national vision and goals for education*
- b. any other specific responsibilities are defined through regulation rather than in the parent legislation.*

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## **What should the roles and responsibilities of a School Principal be?**

71. NZSTA agrees with TRASP that the principal's core roles and responsibilities should include professional leadership of the school, and all aspects of management and operation of the school.
72. We note that the Amendment Bill also seeks to modify the role of the principal.
73. We consider that it is important these responsibilities are framed in such a way as to accurately 'nest' the principal's roles and responsibilities within the context of the legal framework of the Act, and the governing authority of the school's board of trustees. Bearing that in mind, we suggest that the principal's roles might include:
  - 73.1. being the professional leader of the school
  - 73.2. acting for the school's Board of Trustees in all aspects of management and operation of the school

- 73.3. acting in such a way as to give effect to the national vision and goals for education and the policies enacted by the board and developing processes and procedures to embed them in the school's operations
- 

## **Recommendation 10**

*That*

- a. the Act defines the role of school principals as being to act for the school's Board of Trustees as their CEO in all aspects of management and operation of the school including professional leadership of the staff, and to give effect to the national vision and goals for education and the policies enacted by the board.*
  - b. any other specific responsibilities are defined through regulation rather than in the parent legislation*
- 

### ***The principal's role on the board***

74. NZSTA agrees that the lack of definition in the Act between the roles of the board and the principal, has caused problems in some instances, and this is exacerbated by the duality of the principal as a voting member of the board as well as the board's CEO. S94(b) currently provides that:

*... the board of a State school shall comprise...*

*(b) the principal of the school or, in the case of a combined board, the principals of the schools administered by the board...*

75. We are aware that there are many boards and principals who manage to successfully accommodate the principal's dual role as a voting member of the board as well as its CEO and chief professional adviser. In our experience whether or not this arrangement can be made to work effectively depends more on the individuals concerned than on the system settings. There is a strong case to be made that in other instances, the current legal provisions of S94 create a conflict of interest for the principal and undermine the board's ability to develop effective checks and balances.

76. NZSTA therefore considers that the review needs to look at S94 (Constitution of boards of State schools) alongside S75 & 76 to ensure it

aligns with updated role definitions. The review should explicitly consider the issues created by the Principal being both CEO and a board member with voting rights. This muddies the waters for many boards.

77. One alternative model that should be explicitly considered is that the principal is identified as the board's chief professional adviser and CEO, but does not have voting rights. In our view, this combined with the definitions we have proposed would clarify much of the confusion that is currently seen to exist.

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## **Recommendation 11**

*That S75 and 76 describing the roles and responsibilities of boards of trustees and principals, and S94 defining the constitution of school boards of trustees should be reviewed together to ensure that they*

- a. give a coherent and effective description of the respective roles and responsibilities of school boards of trustees, principals, and other named categories of board members*
- b. reflect a current understanding of accepted good practice in governance and management structures*

## **Recommendation 12**

*That the provisions of S94 be amended to identify the principal as a non-voting adviser and CEO to the board.*

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## **What other roles and responsibilities should be clarified in the Act?**

78. NZSTA considers that the Act's provisions regarding the roles and responsibilities of other government education agencies such as ERO and EDUCANZ should be reviewed to ensure that the provisions form a coherent whole, and that the language used is consistent.
79. NZSTA also considers that the rights and responsibilities of students and local school communities, should be addressed in the Act. In particular, it

would be helpful if any potential conflict with the provisions of UNCROC and other international law are addressed in some way.

80. It would also be helpful to clarify the status of students' human rights as they relate to issues such as personal grooming, freedom of expression and the interplay of students' rights with the authority of schools to impose rules and disciplinary consequences for infringing those rules.

## **Planning and reporting**

81. NZSTA strongly agrees with the TRASP findings that current planning and reporting requirements have not kept up with current practice and are no longer fit for purpose, and that a better understanding "the roles of schools, boards, the Ministry and the Education Review Office (ERO) is crucial to establishing clarity about the purpose and content of planning and reporting processes".
82. We strongly endorse TRASP's finding that most schools do place considerable weight on having an effective cycle of self-review and planning. However, these planning processes generally do not relate well to the process required by the Act.
  - 82.1. the timing of the planning and reporting process does not fit with school practices or the availability of data
  - 82.2. the level of compliance around planning and reporting takes away from the core business of improving student outcome
  - 82.3. there is a lack of clarity about the purposes of these documents and whether they are suitable for these purposes.

## **Q4: What changes could be made to simplify planning and reporting?**

83. NZSTA supports TRASP's view that simplifying the planning and reporting procedures requires all parties to develop a shared clear understanding of the purpose and structure of school planning and reporting processes. In order to present a coherent view from the school perspective, this should initially consider the whole range of planning and reporting processes including reporting to parents, ERO visits and school audits.

## ***Clarifying the purpose***



84. The first stage must be for all parties to develop a shared clear understanding of the purpose and structure of school planning and reporting processes, bearing on mind that the Ministry is not the only stakeholder that boards of trustees are accountable to. This would include:
- 84.1. the purpose of school planning and reporting requirements as a whole bearing in mind that the Ministry is not the only stakeholder that boards of trustees are accountable to
  - 84.2. the purpose of Ministry monitoring
  - 84.3. the minimum of information that is required to achieve those purposes
  - 84.4. how Ministry reporting requirements can best be harmonised with other important activities and the operating context schools work in, such as
    - strategic planning cycles
    - school budget development cycles
    - school audits
    - the rhythms of the school year (enrolment dates, exams, term breaks etc)
    - ERO reviews
    - social disruptors such as the rural changeover that occurs in May/June each year
    - reporting to parents

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### **Recommendation 13**

*That a more effective planning and reporting process for schools be designed in consultation with central government agencies, the Office of the Auditor-General and the schooling sector*

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### ***Harmonise reporting cycles***

85. One practical difficulty is that the Ministry operates on a different financial year (1 April-31 March) from the schools it monitors, which have a strong 1 January-31

December focus. A second step might therefore be considering how to adapt Ministry processes to accommodate the fact that its own reporting processes are out of sync with the sector it monitors.

86. Beyond this, NZSTA's views are in line with the findings and recommendations of the TRASP report.

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## **Recommendation 14**

*That*

- a. the obligation for planning and reporting be clearly defined in the Act.*
- a. the details and specifications of this process be contained in third tier regulation to better enable requirements to change as best practice evolves, and provide flexibility in their application*

## **Recommendation 15**

*That in undertaking the design process, the following issues be considered:*

- a. clarifying what information is needed by the Ministry and other government agencies and the purpose of this information collection*
- b. clarifying the purpose and requirements of all planning and reporting documents, which currently includes the charter, strategic plan, annual report and analysis of variance*
- c. ensuring an effective three to five year cycle of strategic planning takes place as a responsibility of the board and school management*
- d. ensuring an effective annual cycle of self-review and planning takes place as a responsibility of the board and school management*
- e. developing mechanisms through which boards and schools can receive advice on their planning processes and documents*
- f. developing mechanisms to identify and disseminate more widely to schools examples of good practice both in terms of planning and the achievement of goals*
- g. having a flexible time period within which schools can provide planning and reporting documents that fits with the school's data collection and review processes*

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## **Q.5: How can we better provide for groups of schools and kura to work together more to plan and report?**

87. This question can best be answered in the course of the consultation recommended in Recommendation 13 above.
88. Feedback from NZSTA member boards suggests that there are a number of issues that can already be identified as contributing to the difficulty of shared planning and reporting for boards of trustees that should specifically be addressed in this consultation, including
- 88.1. Reducing funding silos and simplifying funding streams
  - 88.2. Developing effective strategies for supporting and enabling geographically distant schools and kura (e.g. rural schools) to work together effectively
  - 88.3. Providing administrative support for shared planning and reporting
  - 88.4. Focussing Ministry reporting and activity on local results rather than individual school results
89. Clarifying expectations and processes for joint planning and reporting, e.g. by developing flow charts and making templates or other resources available so boards can use or adapt them will be an important component of the implementation of these changes. Given the potential complexity of this undertaking, an important design principle is to keep it as simple as possible.

## **Responding more effectively to performance**

90. The Taskforce (TRASP) noted that the Act *has been designed as a 'one size fits all' model that, while providing devolved decision making in many areas, does not recognise excellent performance. For example, increasing flexibility for wellperforming schools through second or third tier regulation would allow greater scope for innovation, while retaining the ability to intervene and support where necessary.*
91. NZSTA supports the principle that compliance requirements should be minimally invasive or burdensome, and agrees that greater

responsiveness from officials to supporting individual schools' performance is highly desirable.

92. The framing of this consultation question focuses exclusively on schools' performance and leaves unaddressed the issue of improving the Ministry's own performance in addressing schools' identified needs for better support or lighter compliance burdens. This gives an unbalanced perspective of the real issues experienced by NZSTA member boards.
93. One of the critical factors in responding more effectively to school performance is improving the capacity, capability and consistency of the Ministry's own performance. This has been an issue of long standing for our member boards, and while we acknowledge that there has been some improvement over recent years, for example in the use of statutory intervention, we are sceptical of any reform agenda that does not take an objective view of the need for improvement in all parts of the system.

## **Q6 How should schools and kura report on their performance and children and young people's achievement to parents, family, whānau and communities?**

94. As we have already noted, this question needs to be addressed as part of the overall consultation on boards' planning and reporting processes. The present system tends to position families and whānau as 'also-ran' with the main focus on institutional reporting to the Ministry.
95. There are two levels at which a board needs to report to their local community stakeholders:
  - 95.1. Individual reporting on student progress
  - 95.2. Organisational reporting on progress against strategic targets.
96. In our view, it is helpful to consider these two aspects in parallel, as they require quite different information and reporting protocols. A satisfactory model of reporting to parents and whānau will include both the individual progress and the whole school context for that progress. While parents are primarily interested in 'How is my kid doing', most parents are also eager for 'What are we doing about that?' information, whether it is remedial work, extension activities, or support with social or emotional or cultural dimensions.
97. All of these are covered by the New Zealand curriculum framework through the key competencies, and all are referenced extensively in

school charters and strategic planning documents however they are less often integrated into a comprehensive reporting framework.

98. Ideally, NZSTA considers that reporting to parents (including whānau or other caregivers) and the local community would be the main focus of board reporting, on a par with if not more important than compliance reports to the Ministry.
99. This is not something that can be achieved overnight. It is however something that a focus on genuine system-level change as advocated by Minister Parata at the recent GELP meeting, might usefully address.

## **Q7 What should the indicators and measures be for school performance and student achievement and wellbeing?**

100. In a well-designed system, these indicators derive from the purpose statement and goals agreed for the system.
101. For this reason, NZSTA considers that the initial focus on formulating an agreed purpose statement or vision is the most important element of this consultation.
102. Feedback from NZSTA member boards suggests that indicators might include
  - 102.1. Participation
    - students in all areas (holistic learning) and
    - parents/caregivers e.g. at student led conferences, home-school partnerships/consultations/events
  - 102.2. academic performance
  - 102.3. Progress made on student achievement
  - 102.4. students are safe, happy & achieving
  - 102.5. Staff and students feel safe and happy and that the school is a positive environment (e.g. NZCER Wellness survey or a Climate survey)
  - 102.6. Stakeholders confidence in the school (reflected in school roll numbers from the local community)
  - 102.7. a statement re wellbeing
  - 102.8. cultural and community integration
  - 102.9. overall contentment for staff and students.

**Q8: What freedoms and extra decision-making rights could be given to schools, kura and Communities of Learning that are doing well?**

104. Feedback from NZSTA member boards has not identified any specific rewards that should be associated with schools that are 'doing well'.

**Q12: What additional supports or responses could be used to address problems that arise in schools and kura?**

105. NZSTA supports a strengths-based approach to school performance. This could include:
- 105.1. More actively promoting and enabling schools to collaborate in identifying challenges and sharing good practice
  - 105.2. Enabling a more nimble response from supporting agencies and services when schools identify a problem
  - 105.3. Improvements to the PLD delivery system (being dealt with separately)
106. NZSTA and the Ministry of Education are already working proactively to identify schools at risk of non-performance and to build their capacity and capability in those areas.
107. While we recognise that differentiated levels of compliance and reporting can be a useful cost-saving measure we consider that governing and managing a 'successful' school (by which we mean a school that makes a statistically significant difference to the outcomes of its students compared to national or international norms) NZSTA does not endorse a 'reward and punishment' approach to school performance.
108. We are aware that ERO are beginning to notice some unintended consequences of their differentiated review cycles, not least that they are beginning to be viewed as rewards and punishments, and to be used as status symbols by schools receiving a 5-year review cycle.
109. In principle, we believe that all compliance measures should be set at the minimum required to ensure effective performance, - in other words, the default compliance requirements, along with the default 'freedoms and decision-making rights' should be a non-negotiable baseline for all schools. The content and level of these requirements should be established by the sector in collaboration with the Ministry of Education.

## ***The regulatory burden on small schools***

110. NZSTA endorses the TRASP finding that *...small schools, particularly those with a teaching principal, can face a significant administration burden. ...the provision of essential services (like property management or insurance) can reduce schools' individual administration requirements. Collaboration between groups of schools can also be a way of reducing individual burden, for example a cluster for administration services. ...care should be taken not to excessively add to this burden with future regulations.*
111. We note that this issue is not reflected in the Ministry consultation document. NZSTA considers that this is an important factor in supporting the performance of small schools and that policy settings that have resulted in the reduction or removal of support services that were previously available to small, rural or geographically remote schools have achieved cost savings at the expense of failing to support student outcomes in those environments at a system level.
112. NZSTA considers that this is an essential component of proactively addressing the causes of problems that may arise in small rural or remote schools and kura.
- 

## **Recommendation 16**

*That the design of new education regulation should consider the cost-benefit of the compliance burden placed on schools. (TRASP Recommendation 12).*

## **Recommendation 17**

*That second and third tier regulations be informed where possible by the need to limit the compliance costs faced by small schools (TRASP Recommendation 13).*

## **Recommendation 18**

*That the Ministry continue to investigate and support models of collective working, the use of opt-in schemes and other forms of support to assist small schools. (TRASP Recommendation 14).*

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## Collaboration

- 113. NZSTA strongly endorses the TRASP findings that
    - 113.1. ...the current education system, while providing many benefits, does not incentivise collaboration or adequately signal that each school is part of a wider educational community.
    - 113.2. ...The current funding system may provide a disincentive to collaboration
    - 113.3. ...forced or mandated clustering is not sustainable. Collaboration should be based on a perception of mutual need and benefit.
  - 114. In that respect, while we endorse the Communities of Learning concept NZSTA has noted with some concern that there is an increasing tendency in some areas of the Ministry for COLs to be advanced as a 'silver bullet' for every issue raised with them. This type of one-dimensional policy response is unhelpful regardless of how good the underlying idea may be for its original purpose, and risks eventually undermining the goodwill of other sector stakeholders and the credibility of the initiative.
  - 115. Institutional barriers to collaboration between schools include the number and the complexity of different funding streams and employment agreements.
- 

## Recommendation 19

*That boards be encouraged to consider opportunities for collaboration in order to raise the achievement of their students (TRASP Recommendation 15)*

## Recommendation 20

*That any review of the Act recognises the importance of quality pathways and progression into, through and beyond the schooling system and how these can be enhanced through collaboration (TRASP Recommendation 16)*

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## **Question 9: What ways could boards work more closely together?**

116. Feedback from NZSTA member boards suggests a range of ways boards could work more closely together, including a number of suggestions that have a direct relevance to the Community of Learning model. Suggestions include

### **116.1. Clustering and peer support networks**

- take greater responsibility for children in a wider cohort so none pass through the cracks
- Discuss with each other their Strategic Plan and targets
- Work on a common goal that is appropriate for all the schools in the local area

### **116.2. Tools and Resources**

- Working to a consistent set of measures focused on supporting students through their entire education journey
- coming together at least annually to review independent institutional performances against an agreed baseline.
- Share resource information eg good 'tradies' in the local area, or good Project managers
- In some situations share resources
- Take advantage of any government incentives on offer

### **116.3. Mentoring and professional development**

- Attend training sessions and professional development
- Boards within a community participate in a team bonding session together (annual)

## Administrative processes

### **Question 10: What do you think about schools and kura having the flexibility to introduce cohort or group entry?**

117. NZSTA does not see how this proposal promotes the interests of the student ahead of the convenience to the institution. We therefore have serious reservations about this proposal in the context of changes designed with the aim of creating an outcomes-focused, student-centred and usable piece of legislation<sup>2</sup>.

### **Question 11: What do you think about making attendance compulsory for children once they have started school or kura before they turn six years old?**

118. NZSTA strongly supports this proposal.

### **Question 13: How should area strategies be decided, and how should schools, kura and communities be consulted?**

119. NZSTA considers that these criteria will be more easily and accurately identified once an agreed purpose statement is decided on.

120. We have reservations about making further ad-hoc decisions about this matter in advance of that process.

### **Question 14 What should be taken into account when making decisions about opening, merging or closing schools?**

121. Again, NZSTA considers that these criteria will be more easily and accurately identified once an agreed purpose statement is decided on.

122. We have reservations about making further ad-hoc decisions about this matter in advance of that process.

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<sup>2</sup> TRASP recommendation 1

### **Question 15: What do you think about the proposed changes to improve how enrolment schemes are managed**

123. NZSTA agrees with the Ministry's statement that *the enrolment scheme parts of the Act generally work well*. However we do not agree that the proposed changes would *make it clearer to children and young people, parents, whānau, schools, kura and communities how enrolment schemes are managed*. These proposals are clearly designed to enhance the Ministry's power base in making decisions for the sector and enable them to second-guess the decisions of school boards and principals.
124. We are aware that this is an area that the Ministry finds challenging, however we consider that these proposals do not align well with the tone and content of the TRASP report which clearly identifies guiding and working with as the preferred mechanism rather than doing to.
125. NZSTA therefore does not support the proposed changes to how enrolment schemes are managed.

## Other issues

### School day and school year

126. NZSTA agrees with the TRASP finding that *generally schools are working well within the current constraints of the Act, [however]...some benefit to student achievement would be gained from increased flexibility in the school day. ...this would need to be weighed against community and parental priorities and expectations. ...any regulations in this area are likely to be better handled through second or third tier regulations than through prescriptive primary legislation.*
127. NZSTA agrees with TRASP's proposal that the flexibility available to schools could be increased by specifying a minimum number of half days but removing other requirements which are unnecessarily prescriptive.
128. We note that this topic is already addressed in the Education Legislation Bill and inclusion in this consultation therefore appears somewhat disingenuous.
129. We note that this may impact on collective agreements undertaken on Boards' behalf by the Ministry. We presume that the Ministry has a strategy in mind for addressing any changes to board employee's terms and conditions of employment as a result of these changes in a way that will not compromise Boards' ability to manage the school's resources while still acting as a good employer towards those employees who may be affected by the changes.

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### Recommendation 21

*That a minimum number of half days are specified in the Act, and other requirements relating to half-days are removed.*

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### Students with special education needs

130. Since the introduction of the wrap-around service for students with special needs, NZSTA has noticed an increase in cases relating to the misuse of the suspension process to 'manage' students with special education needs. Boards are extending suspensions to enable agencies

to meet together rather than extending suspensions and imposing conditions achievable by the student.

131. NZSTA believes that there need to be separate provisions for dealing with special needs students and keeping them and others safe that are separate from the stand-down and suspension process.
132. These provisions need to be widely consulted with boards and principals, disability groups and whānau.

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## **Recommendation 22**

*That the Ministry engages urgently with boards and principals, disability groups and whānau to*

- a. establish the underlying reasons for the perceived increase in suspensions and stand-downs of students with special education needs since the introduction of the wrap-around service*
- b. develop processes to constructively address those issues without recourse to stand-down or suspension.*

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## **Religious Instruction**

133. The current provisions regarding religious instruction (RI) in schools are outdated and an ongoing source of friction between boards and their local communities.
134. The Human Rights Commission's 2009 publication *Religion in New Zealand Schools: Questions and Answers* provides a useful distinction between religious education, religious observance and religious instruction and recommends that boards adopt an opt-in policy rather than an opt-out policy to avoid discriminating against students or families who do not wish to take part.

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## **Recommendation 23**

*That the provisions regarding religious instruction in schools are updated to*

- a. Clarify the distinction between religious education, religious observance and religious instruction*

- b. *Clarify the entitlement of different religious or ethical traditions to provide religious instruction in schools*
  - c. *Clarify the requirements about schools partial closure to accommodate religious instruction and how this is communicated to the local community*
  - d. *Specify that schools offering RI should do so on an opt-in basis*
- 

## Transitions

- 3. If we want to put student outcomes at the centre of the system then we need to think about the whole education pathway from ECE to tertiary and workplace, not just one piece at a time in isolation.
- 4. We already know that transitions within education and between sub-systems (e.g. ECE to primary, primary to secondary, secondary to tertiary) are problematic for maintaining student engagement and achievement. Developing a student-focussed system requires explicit attention to providing a seamless educational experience for students.

## Funding processes

- 5. NZSTA endorses TRASP finding that *the current funding system may provide a disincentive to collaboration, although various initiatives have used additional support to promote collaboration.*
- 6. The processes the Ministry uses for funding schools treats each school or student as a separate 'problem' (marginal costing) instead of costing services across the whole system (average costing). This approach creates inequitable resourcing and inequitable outcomes for both students and schools, and makes us compete with each other for students, support services and funding.
- 7. This undermines policies aimed at collaboration and sharing good practice.
- 8. Contestable funding in particular undermines strategic decision-making and sustainability of programmes, as funding is often withdrawn just as they are becoming embedded and they collapse.
- 9. While we acknowledge that funding issues have been ruled out of scope for the present consultation, we consider that this is a limitation that prevents any meaningful consideration of genuine system change that we believe is required to meet the objectives of this consultation or the TRASP report.



## Appendix 1

### **A Vision for Education in New Zealand – NZSTA Discussion Document November 2013**

New Zealand's education system does not currently have a single, unifying vision statement. There are a number of documents which put forward aspirations or aspects of a vision and these have a high level of alignment, but each is targeted towards a slightly different audience and a slightly different context.

This document attempts to draw these threads together to provide a starting point for coconstruction of a single, unifying statement of these aspirations in the form of a national vision statement for New Zealand education.

### **A vision for New Zealand education in the C21st.**

*Education is at the core of our nation's effort to achieve economic and social progress. New Zealanders want our education system to prepare every student to function effectively in the world.*

Our vision as New Zealanders is to create a society where...

### ***The role of education in our society***

Every child in New Zealand is well prepared to function effectively in the world, develops personal agency and receives the encouragement and mentoring appropriate for their age, stage, and personal growth. Early childhood, school and tertiary education providers create a seamless and responsive education system based on a model of personal services being provided to students at all levels in an ethically robust professional context.

New Zealanders are confident in the quality of experience and education that our children receive from our formal education providers and this confidence is borne out by rigorous self-review and independent research.

New Zealand's education system is recognised as a critical intervention in breaking cycles of disadvantage by delivering equity of opportunity for every student.

Learning and gaining mastery over new skills, knowledge and experiences are an intrinsic part of our shared experience as a society, and every citizen regards their formal education as the foundation for a lifetime of further learning through formal or informal channels.

### ***Student experience***



Every child feels valued, understood and extended by their experiences in formal education<sup>3</sup> and carries with them an ambition to continue learning and growing throughout their lifetime. Our education providers are extensions of our local communities and our society as a whole, where our children are safe and happy while they are learning.

### ***Education providers***

Our educators are highly qualified, compassionate ethical and knowledgeable professionals who treat our children with respect and model the highest standards of scholarship, citizenship and self-mastery. They value the skills, knowledge and experiences our children bring to their education, and our communities and workplaces value the skills, knowledge and experiences our children acquire through formal education.

## **New Zealand's education goals in the C21st**

### ***Goal 1: Excellence***

Every student and every educator consciously pursues excellence through educational programmes which provide opportunities for each student to experience validation and success, to understand what motivates them and to be extended beyond the boundaries of their current experience. To this end, our education system encourages every student to be

- creative, energetic, and enterprising.
- confident, connected, actively involved, and lifelong learners.

Evidence consistently shows that New Zealanders are

1. Literate and numerate
2. Critical and creative thinkers
3. Active seekers, users, and creators of knowledge
4. Informed decision makers

And that achievement of students at each level of formal education in New Zealand meet or exceed international norms in core and non-core curriculum areas

### ***Goal 2: Equity***

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<sup>3</sup> Formal education includes Early Childhood Education, schooling and tertiary education. It may be academic or practical in nature.

New Zealand's education system is equitable and inclusive. Equity of educational opportunity for all New Zealanders contributes to measurable gains in fairness and social cohesion across New Zealand society. Students and groups of students receive support, encouragement and resources that meet their individual and collective needs and enable them to achieve and contribute to society.

**Evidence consistently shows that** educational achievement in New Zealand is independent of socio-economic factors such as geographical location, gender, ethnicity or parental income.

### ***Goal 3: Future-focus***

Every child in New Zealand develops sufficient knowledge, understanding and skills to function successfully and ethically in the modern, ever-changing world. Our education system encourages every student to seize the opportunities offered by new knowledge and technologies to secure a sustainable social, cultural, economic, and environmental future for our country.

**Evidence consistently shows that** New Zealanders are successfully functioning at the leading edge of world events in society, business, science and the arts and are valued around the world as competent global citizens.

### ***Goal 4: Social partnership***

Every member of New Zealand society accepts a share of the responsibility for ensuring that every child in New Zealand receives a sound foundation for future success. Parents and whānau are actively supported in their role as their children's first teachers.

**Evidence consistently shows that** New Zealanders from all parts of New Zealand society feel a positive connection with, and a sense of pride and ownership in their local education provider.

### ***Goal 5: A broad and balanced curriculum***

Every child in New Zealand acquires depth of knowledge across a broad and balanced curriculum that covers all learning areas necessary to function effectively in the world. To this end, our education system encourages every student to develop the values, knowledge, and competencies that will enable them to live full and satisfying lives.

**Evidence consistently shows that** New Zealanders develop high levels of competence (knowledge, skills and experience) in literacy and numeracy,

science, technology, critical thinking, life skills, physical and emotional wellbeing and the arts.

### **Goal 6: Identity**

Every child in New Zealand develops understanding and respect for

- their own unique place and value in the world
- their common heritage as human beings, as New Zealanders, and as members of their own family, culture and community.
- the diverse ethnic and cultural heritage of New Zealand people, with acknowledgment of the unique place of Māori, and New Zealand's role in the Pacific and as a member of the international community of nations.

To this end, our education system encourages every student to

- work to create an Aotearoa New Zealand in which Māori and Pākehā recognise each other as full Treaty partners, and in which all cultures are valued for the contributions they bring

be positive in their own identity; Motivated and reliable; Resourceful; Enterprising and entrepreneurial, and Resilient

**Evidence consistently shows that** New Zealanders display high levels of understanding and respect for human rights as formulated in the UN Declaration of Human Rights (UNDHR) and the UN Convention on the Rights of Children (UNCROC), te Tiriti o Waitangi The Treaty of Waitangi, and high levels of self-respect and empathy for others.

### **Goal 7: Connectedness**

Every child in New Zealand experiences a sense of connection and belonging to local and global communities that contributes to their wellbeing and identity.

**Evidence consistently shows that** New Zealanders are able to relate well to others; are effective users of communication tools; are connected to the land and environment; are active participants in a range of life contexts, including membership of communities, and International citizens are active contributors to the social, cultural, economic, and environmental well-being of New Zealand and of the world continue to access personal development and other learning opportunities throughout their lifetime

**Evidence consistently shows that** participation and success is supported by education initiatives tailored to the needs and aspirations of identified students or groups of students in a way that affirms and enhances their identity and connection to their own family, culture and community.

## **Appendix 2: Existing documents containing vision for NZ Education**

### **Clarence Beeby / Peter Fraser**

"The Government's objective, broadly expressed, is that all persons, whatever their ability, rich or poor, whether they live in town or country, have a right as citizens to a free education of the kind for which they are best fitted and to the fullest extent of their powers. So far is this from being a mere pious platitude that the full acceptance of the principle will involve the reorientation of the education system." Peter Fraser and Clarence Beeby, 1939

### **National Education Goals (NEGs)**

*Education is at the core of our nation's effort to achieve economic and social progress. In recognition of the fundamental importance of education, the Government sets the following goals for the education system of New Zealand.*

#### **NEG 1**

The highest standards of achievement, through programmes which enable all students to realise their full potential as individuals, and to develop the values needed to become full members of New Zealand's society.

#### **NEG 2**

Equality of educational opportunity for all New Zealanders, by identifying and removing barriers to achievement.

#### **NEG 3**

Development of the knowledge, understanding and skills needed by New Zealanders to compete successfully in the modern, ever-changing world.

**NEG 4**

A sound foundation in the early years for future learning and achievement through programmes which include support for parents in their vital role as their children's first teachers.

**NEG 5**

A broad education through a balanced curriculum covering essential learning areas. Priority should be given to the development of high levels of competence (knowledge and skills) in literacy and numeracy, science and technology and physical activity.

**NEG 6**

Excellence achieved through the establishment of clear learning objectives, monitoring student performance against those objectives, and programmes to meet individual need.

**NEG 7**

Success in their learning for those with special needs by ensuring that they are identified and receive appropriate support.

**NEG 8**

Access for students to a nationally and internationally recognised qualifications system to encourage a high level of participation in post-school education in New Zealand.

**NEG 9**

Increased participation and success by Māori through the advancement of Māori education initiatives, including education in Te Reo Māori, consistent with the principles of the Treaty of Waitangi.

**NEG 10**

Respect for the diverse ethnic and cultural heritage of New Zealand people, with acknowledgment of the unique place of Māori, and New Zealand's role in the Pacific and as a member of the international community of nations.

[http://www.minedu.govt.nz/theMinistry/EducationInNewZealand/EducationLegislation/TheNationalEducationGoals NEGs.aspx](http://www.minedu.govt.nz/theMinistry/EducationInNewZealand/EducationLegislation/TheNationalEducationGoals%20NEGs.aspx)

## **The New Zealand Curriculum (NZC)**

### ***What we want for our young people***

Our vision is for young people:

- who will be creative, energetic, and enterprising
- who will seize the opportunities offered by new knowledge and technologies to secure a sustainable social, cultural, economic, and environmental future for our country
- who will work to create an Aotearoa New Zealand in which Māori and Pākehā recognise each other as full Treaty partners, and in which all cultures are valued for the contributions they bring
- who, in their school years, will continue to develop the values, knowledge, and competencies that will enable them to live full and satisfying lives
- who will be confident, connected, actively involved, and lifelong learners. Confident
- Positive in their own identity
- Motivated and reliable
- Resourceful
- Enterprising and entrepreneurial
- Resilient Connected
- Able to relate well to others
- Effective users of communication tools
- Connected to the land and environment
- Members of communities

- International citizens
- Actively involved

Participants in a range of life contexts

Contributors to the well-being of New Zealand social, cultural, economic, and environmental

#### Lifelong learners

- Literate and numerate
- Critical and creative thinkers
- Active seekers, users, and creators of knowledge
- Informed decision makers

<http://nzcurriculum.tki.nz/Curriculum/documents/El-New-Zealand-Curriculum/Vision>

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## Te Marautanga o Aotearoa (TMOA)

Ko te tahu o Te Marautanga o Aotearoa i whakaukia i runga i nga wawata kia tu tangata te akonga, kia tupu hei akonga matau, hei akonga pakari, hei

akonga whakawhitiwhiti korero i roto i te ao Maori, e whai oranga ai tona hinengaro, tona tinana, tona wairua, me tona pumau hoki ki tona tuakiri, ki tona turangawaewae.

Kei a ia nga pukenga, nga mohiotanga hoki e whai wahi atu ai ia ki te hapai i te iwi Maori me te ao whanui.

*The centrepiece of this Curriculum is founded on the aspiration to develop successful learners, who will grow as competent and confident learners, effective communicators in the Māori world, healthy of mind, body and soul and secure in their identity, and sense of belonging.*

*They will have the skills and knowledge to participate in and contribute to Māori society and the wider world.*

(TMOA p5 / TMOA Whakapākehātanga p3)

<http://www.tmoa.tki.org.nz/content/download/1020/8994/file/Reo%20Pākehā%20Dec%202012.pdf>

## **Flat Bush Education Strategy**

Our schools will

- Be places where people feel safe and secure
- Recognise and celebrate the individual
- Create a sense of belonging
- Foster cultures of excellence, endeavour and personal responsibility



- Be creative and exciting learning environments
- Recognise today's technological realities and opportunities
- Acknowledge changing learning needs and opportunities
- Develop leadership
- Encourage students to make a positive contribution to community life
- Maintain high standards of self-management and a culture of respect.

## Appendix 3: Models of Governance

Models of Corporate Governance (Table 5.1) presented by Balarin et al in the 2008 School Governance Study:

| Theory                            | Interests  | Board members  | Board Role   | Model             |
|-----------------------------------|--|--|--|-------------------|
| <b>Agency theory</b>              | Owners & managers have different interests             | Owners' representatives  | Compliance /conformance: safeguard owners' interests, oversee management, check compliance       | Compliance model  |
| <b>Stewardship theory</b>         | Owners & managers share interests                      | Experts  | Improve performance: add value to top decisions/strategy, partner/support management             | Partnership model |
| <b>Resource-Dependence Theory</b> | Stakeholders and organisation have different interests | Chosen for influence with key stakeholders                               | Boundary spanning: secure resources, maintain stakeholder relations, bring external perspective. | Co-option model   |
| <b>Stakeholder theory</b>         | Stakeholders have different interests                  | Stakeholder representatives : elected or appointed by stakeholder groups | Balancing stakeholder needs: balance stakeholder needs, make policy/strategy, control management | Stakeholder model |
| <b>Democratic perspective</b>     | Members/the public contain different interests         | Lay representatives  | Political: represent constituents/members , reconcile interests, make policy, control executive. | Democratic model  |

### Balarin table – adapted

Here's the same table amended to show the equivalent roles in New Zealand schools governance:

| Theory                            | Interests   | Board members   | Board Role  | Model             |
|-----------------------------------|---|---|---|-------------------|
| <b>Agency theory</b>              | Society (communities & govt) have different interests from principals & staff.  | Society (communities & govt)'s representatives                          | Compliance /conformance: <ul style="list-style-type: none"> <li>• safeguard society's's interests,</li> <li>• oversee principal &amp; staff,</li> <li>• check compliance</li> </ul> | Compliance model  |
| <b>Stewardship theory</b>         | Communities (society) and principals & staff have shared interests  | Experts   | Improve performance: <ul style="list-style-type: none"> <li>• add value to top decisions / strategy</li> <li>• partner/support principal &amp; staff</li> </ul>                     | Partnership model |
| <b>Resource-Dependence Theory</b> | Communities (society), government, principals, staff, employers, proprietors, other interest groups (stakeholders) have different interests from the school | Chosen for influence with key stakeholders                              | Boundary spanning: <ul style="list-style-type: none"> <li>• secure resources,</li> <li>• maintain stakeholder relations</li> <li>• bring external perspective</li> </ul>            | Co-option model   |
| <b>Stakeholder theory</b>         | Communities (society), government, principals, staff, students, employers, proprietors, other interest groups (stakeholders) all have                       | Stakeholder representatives: elected or appointed by stakeholder groups | management  |                   |

Balancing Stakeholder  
stakeholder model  
needs:

- balance stakeholder needs
- make

|                               |  |                     |   |                  |
|-------------------------------|--|---------------------|---|------------------|
|                               |  |                     | policy/strategy,<br>• control   |                  |
|                               | different interests                            |                     | (principal & senior staff)  |                  |
| <b>Democratic perspective</b> | Members/the public contain different interests | Lay representatives | Political: <ul style="list-style-type: none"> <li>• represent constituents / members</li> <li>• reconcile interests</li> <li>• make policy</li> <li>• control executive (principal).</li> </ul> | Democratic model |

## Appendix 4: Strategic governance

If you're going to our conference in a couple of weeks time you will probably already know that our theme is strategic governance, or to be precise, *Strategic governance driving a culture of excellence*.

So what do we mean by strategic governance and how can it influence school culture or student achievement?

The Ministry of Social Development has developed a model of strategic governance for New Zealand non-profit organisations that meshes neatly with our ideas:

*A strategic governance board is focused on the future while operating in the present. It operates in a transparent and accountable way to:*

- *oversee and protect the organisation's vision, mission, values, and resources*
- *recognise environmental indicators of change, uncertainty, and opportunity*
- *identify and manage opportunities, risks, and legal compliance*
- *support the organisation to adapt and remain relevant*

These are all important, but the bit we want to focus on in this issue of *STAnews* is the first bullet point: *oversee and protect the organisation's vision, mission, values, and resources*

## **Oversee and protect the organisation's vision, mission, and values**

Your vision, mission, and values embody the promises you have made to your community on behalf of the school you govern. If you are governing well, you refer to them all the time.

To oversee and protect your vision, mission, and values means **knowing** your school's vision, mission and values, **talking about** how the things you do

relate to your school's vision, mission, and values when you communicate with your students, staff,

or wider community, and **making every decision** based on how that decision will contribute to:

- **creating** the school your vision describes
- **accomplishing** your mission, and
- **demonstrating** your school values

## Oversee and protect the organisation's resources

Resources doesn't just mean money. It includes everyone and everything that helps your school to do what you do. A school's biggest resources are its people (students, staff and community, relationships and reputation), its property (grounds and buildings and the smaller things that fill them and make them special) and its finances.

### ***...your students***

To oversee and protect your people means **understanding your students**.

What are the **strengths** your students bring to the school, and what **support** do they need to be the people described in your vision, mission, and values? What **evidence** does your principal show you so that you know every student is getting the protection and support that your vision, mission, and values promises them?

### ***...your staff***

To oversee and protect your people also means **understanding your staff**.

What are the **strengths** your staff bring to the school and what **support** do they need to help your students become the people described in your vision, mission, and values? What **evidence** does your principal show you so that you know every staff member is getting the protection and support that your vision, mission, and values promises them?

### ***...your community***

To oversee and protect your people you need to **understand your community**. What **strengths** do members of your local community and your school community have and what **support** do they need to help your students become the people described in your vision, mission, and values? What **evidence** do you collect to show whether or not the members of your local community and your school community feel you are treating them in the way that your vision, mission, and values promises them?

### ***...your relationships and your reputation***

To oversee and protect your people you need to **understand your reputation and relationships**. This is often the area boards (and other organisations) have most trouble recognising accurately, because it's easy to see what we intend, much harder to see how we come across in someone else's eyes. In other words, even if our intentions are good, we still tend to see what we want to see and hear what we want to hear. If you are serious about being able to oversee and protect your relationships and your reputation you need to find reliable evidence, from other people. Even if it doesn't jell with what you thought you were doing. Especially if it doesn't jell with what you thought you were doing.

What evidence do you have about the **quality of your relationships** with the stakeholders in your school – students, staff, community, Ministry, local iwi, tradespeople, and others? What evidence do you have about **how others see you** – as a school and as a board? What strengths do those other stakeholders see when they look at your board? What support do they tell you that you need to improve or maintain the quality of relationships? What support have you been offered?

### ***...your property***

Property is a tricky area for many boards, because some of the decisions we would like to make are out of our hands. To oversee and protect your school's physical property means **knowing** your grounds and buildings are **safe, healthy, and comfortable**, and that they are **designed to contribute to students' learning** (or, if not, that you are working through a plan to make sure they get that way as quickly as possible). It requires an **understanding of what needs to be done** to get grounds and

buildings into the best possible condition and **how** that work contributes to your **vision**, **mission**, and **values**, **who is going to** make sure the work gets done properly and on time, and **where the money is coming from** to make sure those things get done.

### **...and your money**

To oversee and protect your finances you need to **understand where** the school's money comes from and where it is spent, **how much** money the school has available for the rest of the year, **how much** money the school will need to create the school your **vision** describes, and accomplish your **mission** over the next ten years, and **how** each dollar spent contributes to your school's mission, vision, and values. It also means **understanding whether** there are more effective ways of spending that money to achieve the same purpose.

This leads you to making strategic decisions, such as **choosing** which things to do first if there is not enough money, **deciding** how to reduce your costs or increase your

income when you need to. It also means **understanding when to stop spending** money on things that aren't contributing enough to your school's mission, vision and values, and **when to start spending** more on things that will contribute more to your school's mission, vision, and values than what you have been doing until now.

In short, governing strategically is a matter of **making every decision** based on how that decision will contribute to:

- **creating** the school your vision describes
- **accomplishing** your mission, and
- **demonstrating** your school values



We're looking forward to continuing that conversation at conference. In the meantime, why not check out the video preview of our keynote speaker Randy Pennington on the conference website <http://www.nzstaconference.co.nz/>

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