Updating the Education Act 1989

Summary report of submissions received
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Executive summary

This report summarises the submissions received on the public discussion document “Have your say about Updating the Education Act 1989”. 1854 submissions were received from a wide range of education sector and other groups and individuals, providing relevant and useful information to inform the Update of the Act.

Making sure everyone knows the goals for education

The main theme emerging from the submissions was that the goals of education should go beyond narrow measures of academic achievement and should result in well-rounded individuals. The seven most frequently mentioned goals for education were:

» Student success and achieving individual potential
» Preparation for work and future life
» Connection to others and good citizenship
» Resilience, determination, confidence, creativity and critical thinking
» Being inclusive of all students
» Valuing cultural knowledge and identity, recognition of the Treaty of Waitangi and te reo Māori
» Social skills and the ability to form good relationships.

There was an expectation that the goals would be decided only after further consultation.

The majority of people who responded to the question on a National Priorities Statement made positive suggestions as to how this should be developed. This suggests openness to the establishment of a process in the Act.

Supporting boards to focus on what’s important

In responding to the question on potential roles and responsibilities for boards of trustees (boards), those cited most frequently were:

» governance (as opposed to management)
» ensuring learners reach a high educational standard
» providing a safe environment for staff and students
» consulting with the community over guiding policies and practices
» community voice
» operating in a financially responsible way.

Respondents to the question on planning and reporting agreed that the system needs to be simplified. There was some support for a standardised template. There was strong support for a strategic planning cycle of more than one year, with three years being most frequently suggested.

Submitters who believed that schools did not need to collaborate on planning and reporting saw each school or kura as unique. Others favoured the current system of optional collaboration but wanted more resourcing and advisors to enable them to do it better. Early childhood services focused on how they should be included in the planning and reporting of their Communities of Learning.

Many believed that the way schools report to parents, families, whānau and communities should be for schools and their communities to determine. There was a preference for face-to-face reporting, although more teachers preferred written reporting. Submitters suggested reporting on students should be specific to the individual learner and should focus on progress rather than absolute measures.
In responding to the question around indicators and measures for school and student achievement, submitters believed that indicators should be determined by the local community or school management. The most frequently mentioned indicators were student progress, student well-being, parent, community and learner feedback and success across the New Zealand Curriculum.

With regard to freedoms for schools or kura that are doing well, some submitters were concerned that if extra freedoms were available, it would foster unproductive competition. Instead, schools that were not doing well should be supported to do better. Increased flexibility over resourcing and curriculum and less onerous reporting requirements were the main freedoms other submitters suggested.

Enabling collaboration, flexibility and innovation

Many submitters were happy with the way boards currently work together, especially with the flexibility to choose how and when they collaborate. Some submitters identified the need for more information sharing between boards, especially for students at transition points. There was support for improving board expertise through joint professional development and shared functions such as secretarial, legal and financial services. Shared governance of schools as a way to maximise limited resources and skills was also raised.

There was significant support for some form of cohort entry. Supporters believed that it would simplify administration and enable smoother transitions from early childhood. Submitters did raise concerns around this for special needs learners and flow on effects for early childhood education. Many sector organisations in particular opposed cohort entry because the current system allows transitions to be tailored to each child. Early childhood responses were mixed, but included some anxiety about the flow-on effects for their sector.

Making attendance compulsory once a five year old enrolled at school in order to ensure the best outcomes for student progress was supported. However, submitters did raise the parents’ right to decide when their child is ready to attend school.

Making every school and kura a great one

Submitters suggested non-legislative supports, including:

» Better and earlier support for schools, especially from the Ministry of Education
» More support for principals and better induction processes: for example, mentoring for all principals
» More professional learning and development for all staff
» Addressing wider social inequities
» Intervention processes better tailored to different school types: for example, the procedures being developed with Ngā Kura ā Iwi o Aotearoa.

Making the best use of local education provision

Submissions about area strategies focused on who should be the decision-maker and what the consultation could look like. Suggested decision-makers ranged from: the boards or community involved; clusters of schools; the Minister or the Ministry; or an independent body. The main elements of the consultation process were identified as being:

» Fairness and transparency
» Based on evidence
» Using written and face-to face methods
» Culturally responsive, sensitive and guided by tikanga.

A significant number of submitters agreed that it would be helpful to have guiding principles for establishment, closures and mergers in the Education Act, and that these should be based on student needs, particularly those of students with special education needs. Other factors were the
impact on other schools and early childhood services and the wider community. There was widespread agreement among submitters that the process should be transparent.

More submitters expressed opposition to extending the law on enrolment schemes than expressed support. This was because they thought the law on enrolment schemes was sufficient and wanted to retain control over the way students were enrolled. However, it was not always clear whether submitters were expressing opposition to the specific proposals or opposition to enrolment schemes in general. Those who supported proposed changes thought schools had excessive power, and that changes could improve collaboration between schools, aid with inclusive practices, and make enrolment schemes more manageable.
Introduction and background

About the Update of the Education Act 1989

Every child and young person deserves the best possible education to equip them with the skills, knowledge and resilience they need to be successful in work and in life.

Education legislation sets the foundation for achieving these aspirations. It makes clear what matters in education. It tells children and young people, parents, whānau, teachers, principals, early learning services, schools or kura and government agencies what they are supposed to do. It also supports early learning services and schools or kura to create the best environments for learning and achieving.

By meeting the needs of the schooling and early childhood education environment now and into the future, it can provide a sound platform and responsive levers for the years ahead.

The Education Act 1989 (the Act) modernised the education system when it was passed, but a lot has changed since then. The Update of the Act is one part of the Government’s commitment to a 21st century learning environment focused on children, young people and their educational success.

The Update was sparked by the 2014 findings of the Taskforce on Regulations Affecting School Performance, which recognised the important role that good and purposeful legislation has to play in supporting student achievement.

The Update of the Act includes many of the Taskforce’s recommendations. It proposes more ideas to raise the educational achievement of all children and young people.

The following were outside the scope of consultation on the Update:

» The tertiary education sector
» The content of Te Whāriki (Early Childhood Curriculum), The New Zealand Curriculum and Te Marautanga o Aotearoa
» The self-management of schools and kura
» Government initiatives such as National Standards, Partnership Schools, Investing in Educational Success and the Education Council of Aotearoa New Zealand
» Changes that would increase government spending on education.

About the consultation

Consultation on the Update of the Act took place from 2 November to 14 December 2015. A discussion document available on the Ministry of Education’s website and in hard copy sought the public’s views on 15 specific questions under five proposals for change:

» Making sure everyone knows the goals for education
» Supporting boards to focus on what’s important
» Enabling collaboration, flexibility and innovation
» Making every school and kura a great one
» Making best use of local education provision.

Submitters could also submit online via Citizen Space, a new online engagement platform (with most submissions made this way). Citizen Space provides an easy way for members of the public to submit on some or all of the consultation questions over one or more sessions by email or by post. In addition, the Ministry collected direct feedback from hundreds of principals, boards of trustees members, representatives of national organisations, students, parents, family and whānau members, and members of the public who attended more than 120 meetings, workshops and presentations held throughout the country.
1854 submissions were received from a variety of submitters including:

- Teachers
- Parents, family and whānau
- Board of trustee members
- Other education sector professionals or education sector groups
- Members of iwi groups or Māori organisations
- Members of community groups
- Businesses or business groups
- Other stakeholder groups
- Interested citizens.

The Ministry would like to take this opportunity to thank all those who submitted on the consultation document or who gave their feedback during one of the workshops.

**Method of analysis**

All responses to every question addressed by every submission were summarised, with the themes raised captured via a coding system developed for the Update. This enabled the development of summary statistics and the collection of direct quotes where relevant. In many cases, workshops served to inform participants who later made submissions. Feedback from workshops was also captured and analysed to supplement submission feedback.

**Next steps**

The Ministry of Education will develop specific proposals for the Minister of Education to consider. The Minister will then seek Cabinet agreement to her preferred proposals. If Cabinet agrees, a Bill will be drafted to amend the Education Act 1989. The public will be able to provide feedback on any specific change proposals through the Parliamentary select committee process.
Summary of submissions at a glance

Group and individual submitters
Submitters were asked to identify whether they were submitting as an individual, on behalf of a group of individuals, or on behalf of an organisation. The majority of submissions were from individuals (74%).

Location of submitters
Submitters were asked what region in New Zealand they were from, with most from urban areas.
Submitters’ interests in education

Submitters were asked how they would describe themselves and their interest in education, with the ability to tick multiple categories. The graph below indicates that most submitters identified as teachers (68%) or parents (37%).

A number of organisations submitted on behalf of their membership. Several schools also submitted on behalf of a number of individuals.
Making sure everyone knows the goals for education

The Education Act 1989 does not currently establish education goals. Goals could include early learning and schooling goals for children and young people, and reflect what is important to learners, parents, whānau, teachers, education services, businesses and the public.

The discussion document set out some existing goals within the education system, and suggested that these or other goals could be included in the Update of the Act.
Question 1. What should the goals for education be?

The current Act doesn’t say clearly what the education goals for our children and young people are. The discussion document suggested that the Act should describe what early learning and schooling should achieve for our children and young people, and say what things are most important to learners, parents, whānau, teachers, education services, businesses and the public. The discussion document asked what those goals should be.

This question had the highest level of response of all questions asked in the consultation. Most (89% or 1666) submitters provided some response, suggesting a high level of interest in this topic.

In their responses, submitters variously talked about the purpose of education in a more global sense, goals for the education system, and setting priorities.

Suggestions relating to setting priorities are reported under Question 2. This section captures responses relating to both purpose and goals.

Some submitters saw a place for a purpose statement in the Act with goals set out in secondary or tertiary legislation. Submitters either actively supported the idea of establishing goals for education or made suggestions about what the goals should be. Very few submitters opposed putting some sort of purpose or goals statement in the Act. Those who did cited the need for goals to be responsive to changing needs and the difficulty of changing them if they were included in the Act.

Suggested goals for education can be grouped into seven areas

**Student success and achieving individual potential**

A strong theme emerging from the submissions was that the goals of education should be wider than academic achievement.

“The overall purpose of education should be about helping to develop well-rounded individuals who have a good understanding of their strengths and weaknesses, and are able to build happy and prosperous lives for themselves. Students should be given every opportunity to realise their full potential, whether this is sporting, culturally, creatively or academically.”

Parent and Teacher, Wellington.

Within this theme, there was a particular focus on education adapted to the needs of the individual student. About a quarter (27% or 440) of submitters responding to this question, included this focus.

“We would like to see the focus move away from all children working towards achieving standard curriculum levels and a recognition that a more individual approach is required for many”.

Prader-Willi Syndrome Association (NZ) Incorporated

Workshop feedback highlighted the importance of recognising the aspirations of parents, family and whānau in supporting students to achieve their potential.

**Preparation for work and future life**

Submitters stressed the need for an education system that equips students to be well-prepared to face the future, both personally and in the world of work.

Business groups such as the Employers and Manufacturers Association (Northern) highlighted the need for ‘employability’ skills including self-management, teamwork, and resilience. There was some specific emphasis on preparing children and young people for their future in the globalised, digital world.

Business New Zealand and many others submitted that the goals of education needed to foster appropriate capabilities, behaviours and attitudes necessary for life, including the world of work and lifelong learning.

There was strong support for the concept of lifelong learning as a goal of education.
“Lifelong learners that know how and why they need to learn, always ask questions, are never afraid to make mistakes and never lose the need to play, explore, discover and create.”
Learner, Otago

Some saw the need for better connection across early learning, schooling and tertiary to promote effective transitions.

Inclusivity

Many submitters (37% or 586) noted that the goals of education should reflect a system inclusive of all children and young people, where diverse students are treated equitably and are well supported. Submitters suggested that goals could include statements on the necessity for the full participation of all students in education and to provide equitable provision and treatment for all. Only some of these submissions specified a particular group with special needs mentioned most, followed by Māori and lower socio-economic status and then, less so, Pasifika.

“I That every child, no matter their culture, social status, religion or particular needs, has the opportunity to participate in a quality education that meets their needs and prepares them for a positive future as contributing members of our society.”
Teacher, Auckland.

Cultural knowledge and identity

Many submitters saw the need for an education system that recognises and builds on the child’s or young person’s cultural identity. A smaller number of submitters believed that the purpose and goals should recognise the Treaty of Waitangi or incorporate its principles. There was a particular emphasis on learning in te reo Māori as the most important aspect of the Treaty that people wanted to see reflected in legislation. Some stated that Māori-medium education should be protected and supported.¹

The New Zealand Pasifika Principals’ Association proposed that any statement of purpose in the Act should include elements about culture and identity.

Connection to others and good citizenship

There was a strong sense in submissions of the need for the purpose and goals of education to strengthen and support the links between the student and the wider world. Creating children and young people who were able to play their part as good citizens was an important theme.

There was a similar level of support for connection to others and good citizenship among those involved in education. Around 30% of learners, teachers, other education groups and boards mentioned this. A slightly higher percentage (36%) of business groups also supported this theme.

“Education should be about developing citizenship and enabling students to feel connected to their community and to the wider world.”
Teacher, Waikato.

Resilience, determination, confidence, creativity and critical thinking

Many submitters, for example the Educational Leadership Project, believed that the goals of the education system should be to foster qualities such as resilience, determination, confidence, creativity and critical thinking in students on the basis that these are essential for people to live happy, useful lives.

“Help children thrive in life by exposing them to risk while building their skills in critical thinking, problem solving, resilience, adaptability, self-belief, reflection and teamwork.”
Teacher, Canterbury.

“...goals that focus on fostering dispositions for learning and living such as curiosity, creativity, persistence, problem solving, creating lifelong learners...”
New Zealand Playcentre Federation.

¹ For example, Kia Ata Mai Educational Trust.
Social skills and the ability to form good relationships

Submitters also saw social skills, the ability to work with others and good relationships as important, with these matters being highlighted in a number of submissions from the business community.

“Relationships are crucial to learning and development. Through interactions, young children learn to feel secure, to communicate and to enjoy being with people.”
Educational professional, Wellington.

Some submitters suggested principles or processes to help establish goals

Some submitters expressed explicit support for the idea of the student being at the centre of the legislation. The Office of the Children’s Commissioner recommended the Ministry of Education proactively seek the views of children and young people about the goals of education.

A few submitters mentioned the importance of spirituality, either as a specific religious dimension for education or as a broader concept.

Submitters also had ideas about where the goals could come from:

- Te Whāriki
- The New Zealand Curriculum and Te Marautanga o Aotearoa
- National Education Goals
- United Nations Convention on the Rights of the Child

Submitters who thought a general purpose statement for education should be in the Act, with more specific goals in secondary or tertiary legislation, thought goals could then be kept under review and more easily updated.

“From an agreed ‘statement of purpose’ it is possible to craft a strategic intent which would sit outside of the Act. Drawing on the strategic intent, a set of goals can be designed which would also sit outside of the Act as secondary or tertiary tier regulations. In this way, the goals would be consistent with the agreed direction for education yet nimble enough to respond to the exigencies of a rapidly changing world.”
Secondary Principals’ Association of New Zealand

Some submitters expected goals statements would be developed after further widespread consultation. Some groups with an interest in a particular aspect of education such as Māori-medium, Pasifika or special education requested that specific goals be co-constructed with them.

Question 2. What process should be used for setting a National Priorities Statement for early learning and schooling?

The discussion document asked what process should be used for setting a National Priorities Statement for early learning and schooling, so schools and kura know what is expected of them and can be sure that their planning is focused on the right things. Early learning services are different because they have their own legislation, but they would need to keep a National Priorities Statement in mind when reporting to parents, whānau and agencies.

Less than half (42% or 791) of submitters answered this question. Some submitters may have considered they had addressed this question in their responses to Question 1 about goals.

The majority of people who answered this question provided positive suggestions for how the National Priorities Statement should be developed. This suggests openness to establishing a process for such development in the Act.

A small number of submitters (4% or 36) expressed some level of opposition to a National Priorities Statement. The reason most cited was that the New Zealand Curriculum and Te Whāriki were sufficient. In addition, these documents have been developed following consultation. Other reasons included the uniqueness of regions, schools and children, making it difficult to establish national priorities.
Views about the process

Consultation

Submitters wanted further opportunities for the public (school community of learners, parents, guardians, whānau, iwi and local business) and the education sector (teachers, principals, board members, other school staff and education experts) to be consulted on development of a National Priorities Statement for early learning and schooling.

Overall, there was a strong preference for sector consultation. Over two-thirds (70% or 677) of all submitters who responded to this question said that consultation should be undertaken with the education sector.

“Talk to people in the educational community: teachers, parents, students, board of trustees, advisors, RTLBs, special needs community, educational leaders and academics, teacher trainee providers. Listen to them! Use their expertise in the process of setting priorities. Look at robust, relevant research that has been carried out by any of the above groups and use it.”
Teacher, Canterbury.

“The ideas/responses about early learning and schooling should be gathered from all involved, including parents, community, education leaders, and those who have researched these areas of education. In this way, you will get an honest view of what everyone involved is expecting and wanting.”
Teacher, Auckland.

To develop national priorities, submissions called for consideration of a range of documents and processes:

» Specific consultation with children, parents, and business (for example, restoring a Parent Advocacy Council to represent the views of parents)
» Obtaining cross-party support for the priorities and being free of political influence
» Using public campaigns or referendums to develop statements
» Setting different priorities based on type of school (for example, kura a iwi and integrated schools)
» Ensuring that the needs of Māori in English-medium and Māori-Medium remain visible
» Using research (for example, ‘Growing Up in New Zealand’, achievement data, socioeconomic data) as a component
» Allowing for regular review.

The Tertiary Education Strategy was cited as a possible model.

Guiding principles

A range of submitters, both individuals and organisations, also suggested guiding principles that could be used to develop priorities, such as:

» taking a strengths-based, holistic approach to education
» making children, young people and their learning a first priority
» recognising the unique learning needs of disabled children
» incorporating principles of the Treaty of Waitangi into the priorities.

Te Akatea Māori Principals’ Association suggested that the principles of the Treaty and an explicit recognition of ‘Māori learning as Māori’ guide the development of a National Priorities Statement.

A few submitters, including New Zealand Educational Institute Te Riu Roa (NZEI Te Riu Roa), suggested that Te Whāriki and the New Zealand Curriculum documents should be used as guiding principles in setting a National Priorities Statement.

Possible content for the National Priorities Statement

Some submitters suggested the type of content that should be included in a National Priorities Statement. Suggestions by individuals included: the development of social, emotional, cultural and
physical skills; an increase in literacy and numeracy; and differentiating priorities for schools depending on their decile rating and region.

Business NZ identified transitions or some form of civics or values education as important content for the National Priorities Statement. Other organisations, such as the New Zealand Council of Trade Unions (NZCTU), noted the integral part education plays as the basis for a sustainable and democratic society.

**Concerns about setting National Priorities Statements**

Submitters raised concerns that setting national priorities could potentially narrow teaching and learning. They also questioned:

> “An overemphasis on narrowly defined targets and micro-management at the national level will not foster the ability of the schools and kura to respond to local contexts, support autonomy and solve problems effectively. Targets may not improve the overall performance of the education system.”

NZCTU.
Supporting boards to focus on what’s important

If children and young people are to succeed, it’s important that boards of trustees focus on the things that matter most.

The roles and responsibilities of boards are currently scattered through various sections of the Act, the National Education Guidelines and the National Administration Guidelines, and in some cases are not clearly stated. This can lead to boards being unsure about what they can, and should, do.

The discussion document proposed that it should be clear what boards are expected to do, and provided possible roles and responsibilities for boards.

Improvements can be made to the way school and kura boards plan and report on how they make sure the right things are being taught, how they are informing parents, whānau and communities about what they are doing, and how well children and young people are achieving. Red tape around planning and reporting could be reduced so that boards are able to focus on what is important in promoting student achievement and wellbeing.

The discussion document sought ideas about how planning and reporting for schools could be simplified and how groups of schools and kura could work together to plan and report.

With better and timely information, parents, whānau and communities could have an active role in helping to improve achievement for their children and young people. The Act could allow for a set of indicators to be established so schools and kura know what areas they need to report on. The Update could enable schools, kura and Communities of Learning that are doing well to get more freedom and extra decision-making rights.

The discussion document asked for input on how schools and kura could report on their performance, what the indicators and measures for school performance and student achievement and wellbeing could be, and what freedoms and extra decision-making rights could be given to schools, kura and Communities of Learning that are doing well.
Question 3. What should the roles and responsibilities of a school or a kura board be?

This question sought to clarify what school boards should and could do if their roles and responsibilities were in the Act, as well as expectations about how they may be expected to work with other schools, kura and social services.

67% (1243) of submitters answered this question. Ideas from submitters raised a wide range of potential roles and responsibilities for boards. The most common themes cited were:

- Governance (as opposed to management)
- Ensuring learners reach a high educational standard
- Providing a safe environment for staff and students.

In addition, some sector organisations proposed that other key roles in the system be defined (e.g. the Ministry), while several wondered whether too much responsibility was expected of boards.

“I accept that boards of trustees need to have requirements which clearly define their devoted responsibilities which spring from their defined roles.”

Educational professional, location not specified.

“The roles and responsibilities of a school or kura board need to make it clear where responsibility lies for governance and for management matters.”

Parent, Wellington.

Should the roles and responsibilities of boards be in the Act?

The question in the discussion document did not ask whether the current state of boards’ roles and responsibilities were unclear or whether they should be in the Act. However, some education sector organisations expressed views on these matters. There was a lack of agreement on whether the roles and responsibilities should be defined in the Act.

84 submitters specifically did not support either any change or putting the roles and responsibilities in the Act.

The New Zealand School Trustees Association (NZSTA), the national body representing over 90% of boards, agreed with the Taskforce on Regulations Affecting School Performance’s (the Taskforce) finding that the provisions of the current Act can create uncertainty about what it is that boards should and can legally do among other agencies, including the Ministry itself. It recommended that:

- the Act defined the role of boards as being to govern the school community in such a way as to give effect to the national vision and goals for education, and
- any other specific responsibilities be defined through regulation rather than in the Act.

Suggested roles and responsibilities

A large majority of submitters proposed at least one role or responsibility for boards.

Just over 200 submitters identified governance to be the board’s role, with almost one-quarter of submitters specifying this to be governance as opposed to management.

The New Zealand Principals’ Federation (NZPF) commented that it is helpful to clarify the roles and responsibilities of boards but did not agree that all of these should be enshrined in the Act. NZPF, along with the Secondary Principals’ Association of New Zealand (SPANZ), believes that it is sufficient to state the responsibility of the board as being to govern.

More than one-fifth of submitters indicated that boards should be responsible for ensuring learners reach a high educational standard. In order to achieve this, about the same amount of submitters indicated that boards should provide support to staff.
The discussion document included a number of suggested roles and responsibilities for boards, and these were cited in many submitters’ responses. The most commonly cited were:

- ensuring learners reach a high educational standard (249)
- providing a safe environment for staff and students (245)
- consulting with the community over guiding policies and practices (220)
- community voice (212)
- operating in a financially responsible way (208)
- setting a strategic plan (179)
- setting policies for management (157)
- fostering inclusivity (143)
- working with families and whānau to increase achievement (143)
- appointing and evaluating staff (141).

Submitters also identified a number of other potential roles and responsibilities for boards:

- support the staff of the school
- ensure the school is compliant with the provisions of the Education Act and any other legislation and regulations relevant to schools (for example, health and safety legislation)
- monitor the implementation of policies by school management
- consult with the community and represent the community, consulting with the community over guiding policies and practices
- ensure the school budget reflects the needs of the learners.

“They are there, first and foremost, to ensure that when a student leaves the school, they have had the best education possible. It is their responsibility to consult with the staff and parents, and use resources wisely to this end.” Teacher, Waikato.

A few organisations commented on how any new roles and responsibilities for boards may relate to involvement with other entities. In particular the NZEI Te Riu Roa commented that:

“The Act needs to contemplate how the principle of equitable provision can be squared with any expansion of boards’ roles and responsibilities to other entities (whether they be other schools or early learning services in a Community of Learning or (for example) social or health services) offered by or through schools.” NZEI Te Riu Roa.

Clarifying governance and management

Submitters talked about delineating between the board’s role of governance as opposed to the day-to-day management a school. Clarifying a principal’s responsibilities and authority in relation to the board was also raised. However, it was noted that governance and management are interconnected in Kura Kaupapa Māori where boards and whānau operate collaboratively in decision-making.

Specifically SPANZ, NZPF and the New Zealand Parent Teacher Association commented that this was due to the wording in sections 75 and 76 in the Act. They advocated addressing this situation by deleting section 75 (functions and powers of boards) and retaining section 76 (Principals).

Several comments mentioned that clarifying the principal’s responsibilities and authority in relation to the board would also be helpful.

However, it was noted that governance and management are interconnected in Kura Kaupapa Māori where boards and whānau operate collaboratively in decision-making.

Te Rūnanga Nui o Ngā Kura Kaupapa Māori (Te Rūnanga Nui) suggested that the Act should reflect the role and mana of the whānau in decision-making and participation in governance and management.
NZSTA agreed with the Taskforce 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.

“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” NZSTA.

“The board’s main focus should be in the reporting and planning and not on physical property of the school – this should be contracted out.” Interested citizen, Southland.

Related matters

Submitters also raised matters that didn’t directly answer the question but related to what boards can and should do, and the framework within which they operate.

Too much responsibility for boards

A number of submitters expressed concern about whether boards were being asked to do too much. Te Akatea cautioned against placing too much burden on boards as too many responsibilities might put off community members from joining them.

The National Council of Women of New Zealand stated that board members are volunteers, and so expectations must be realistic.

The New Zealand Down Syndrome Association was concerned that the level of responsibility was too high, and that many boards lack the ability to operate effectively.

Māori-medium

Te Rūnanga Nui commented that “the Act should reflect the additional legal responsibilities that boards and Whānau of Kura Kaupapa Māori have via Te Aho Matua for governing their kura.”

In addition, Kura Kaupapa Māori governance is underpinned by whānau management. Any changes to the role of boards in schools within the Act should acknowledge the management structure operating in Kura Kaupapa Māori where parents are actively taking part in the management of the kura.

Other roles defined in the system

A couple of the education sector organisations commented on the other roles of the system. Specifically NZSTA stated 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”. This would include the Ministry, Education Review Office and the Education Council of Aotearoa New Zealand.

Board capability/training

Several organisations noted the need to ensure that all boards have the personnel and capability to carry out their roles and responsibilities. Some thought it could be helpful to provide access to independent and specialist advice. Others suggested establishing a set of minimum standards in governance which board candidates must demonstrate they had reached before their nominations for board election was accepted. Business New Zealand outlined that:

“There needs to be a stronger focus on getting the people with the right skills, experience, expertise and knowledge necessary to fulfil the board’s responsibilities consistent with their mission, role, purpose, key outcomes, goals and priorities, and measures of performance.” Business NZ.

There were significant concerns from a number of other organisations about the ability of boards to respond to the full diversity of all learners, in particular those with special education needs. Solutions to this include mandatory training on education for disabled students, an avenue for easily accessible resources and mediation so parents can challenge board decisions, and having special education representation on boards.
Board representation

A range of submitters commented that the Act should also state the importance of board members reflecting the student and parent population of the school. In particular, the New Zealand Pasifika Principals’ Association believed this should extend to the need to use inclusive processes to nominate and appoint board members as well. For example, board vacancies could be promoted by approaching key Pasifika parents and local community leaders.

Question 4. What changes could be made to simplify planning and reporting?

The discussion document proposed that the red tape around planning and reporting be reduced so that boards are able to focus on what is important in promoting student achievement. It also proposed that complexity could be reduced and high-performing schools could move to a four year planning cycle.

This question asked what changes should be made to the way schools and kura plan and report to the Ministry of Education. Planning and reporting refers to the planning documents (for example, the charter) and the reporting documents and data (for example, the annual report) required by the Ministry from school boards.

Nearly half (49% or 904) of submitters answered this question. There was strong overall support for the concept of simplifying planning and reporting (25% or 226); however suggestions for how this could happen varied. Respondents commented on three main areas: the form, the process and the content of the planning and reporting system. There were also comments on specific requirements for some types of education, and how requirements should be located and designed in legislation.

Form of planning and reporting

There were a number of submissions which suggested that planning and reporting could be simplified by changing the form. Some submitters (9% or 82) supported a standardised system (for example, using a template); while others (4% or 35) preferred that individual schools determine form.

Submitters for the standardised system frequently mentioned that boards would find planning and reporting easier to manage, there would be less time spent on administration, and every school would be judged from the same information.

Submitters who preferred that the form of planning and reporting be determined by individual schools considered that every school is different and should be treated as such.

“SPANZ believes that the strength of our schooling system lies with the way it embraces and celebrates diversity and would not support moves that could lead to a ‘one-size-fits-all’ or standardised approach to planning and reporting.”
Secondary Principals’ Association New Zealand (SPANZ).

Increased transparency was also raised, namely to ensure that the system was easily understood and easy for families and communities to access.

“Boards should focus on the overall goals and outcomes for the school, monitoring progress towards these goals and outcomes and reporting on progress to parents and the wider community in plain English.” Business NZ.

“Ensure transparency so communities have an accurate account of the performance of their schools and kura”
Te Rūnanga o Ngāi Tahu.

Process of planning and reporting

The majority of the suggestions and comments were concerned with changes to the process of planning and reporting. Many submitters (11% or 101) highlighted that planning and reporting should be genuine rather than just a requirement. It should focus on student and school development rather than ‘ticking boxes’.
A number of respondents made submissions regarding the frequency of reporting. Submitters considered that the planning and reporting cycle should be extended to between every three to five years rather than annually (6% or 55). Reasons for an extended planning and reporting cycle included that much of the information which is being reported is repetitive, and the workload is burdensome. Some submitters suggested that charters or strategic plans should be more infrequently reported than the other annual requirements.

Many of the organisations which submitted expressed views on the timing of planning documents. However, unlike the suggestion in the discussion document, there was little support for this to be a reward for high performance.²

There was strong support for a planning cycle that is longer than one year for all schools, with various timeframes suggested.³ A three year strategic planning cycle was the most frequent suggestion, which would align with the election cycle for boards of trustees. Submitters also commented that schools can go through a large amount of changes over four years, and a planning cycle longer than three years could be difficult.

“A three year planning cycle, and a statement of variance reporting once per year, would be sufficient.”

Association of Proprietors of Integrated Schools.

A four year cycle was not supported by NZEI Te Riu Roa, for the following reasons:

> Schools can see a large amount of changes in four years.
> It would be less responsive to the context of the school or kura, particularly those with a high level of transience.
> It could mean a whole cycle of board of trustees may miss out on the strategic planning process.

There were also suggestions that the time of year that documents are required to be provided to the Ministry, should be better timed to reduce the burden on schools.

“NZPF notes that more simplification could be achieved by reporting information only once...The timing of certain administrative tasks needs to be addressed so that schools are not over-burdened at certain times of the year.”

NZPF.

Some submitters requested more involvement and support from the Ministry of Education in the planning and reporting process (6% or 58). Examples of the types of support included funding for release time to plan and report, and resources such as government advisors to help in the process. Conversely, other submitters preferred a high trust model with a reduced regulatory burden and more autonomy (15% or 140). This was particularly supported by board of trustees members (27 out of 140).

A number of respondents submitted that the planning and reporting process should involve less paperwork.

“Trust the professionalism of practitioners to be prepared and do their utmost for the children in their care. Less paperwork means more time for learning and relationships with children.”

Parent and Teacher, Northland.

Some submitters supported increased involvement of families and communities. This included those who supported publishing planning and reporting information to families and communities, and those who valued whānau and community involvement in the setting of planning goals and targets for schools

A number of respondents preferred the current system of planning and reporting (8% or 73). Reasons cited in support of the current system included that the current system is robust which ensures

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² This was mentioned by SPANZ, New Zealand Educational Institute Te Riu Roa (NZEI Te Riu Roa), and New Zealand Principals’ Federation (NZPF), among others.
³ These include Post Primary Teachers’ Association (PPTA), Association of Proprietors of Integrated Schools, SPANZ, NZEI Te Riu Roa, and NZPF.
accountability of schools, and that the annual cycle is appropriate as it is based on the academic year.

**Content of planning and reporting**

A number of respondents were critical of the emphasis on National Standards in planning and reporting (15% or 134). Many of the organisation submitters also commented on National Standards as a barrier to simplifying planning and reporting, and an inaccurate measure for some groups (for example, children with special education needs).

Te Rūnanga Nui o Ngā Kura Kaupapa Māori o Aotearoa (TRN) and the New Zealand Pasifika Principals’ Association mentioned that school level strategic planning should be aligned with the other proposed changes to the Act (for example, the introduction of goals).

Several submitters mentioned funding uncertainty as a barrier to quality planning.

**Planning and reporting for specific types of schools**

Kura Kaupapa Māori (KKM) have their own established practices of planning and reporting, and any changes to the planning and reporting framework should leave space for these practices.

“KKM have preferred ways and means of reporting ... i.e. report on individual student achievement as well as whānau achievement.”

TRN.

There were concerns expressed about the difficulties for small schools, as they need to fulfil the same planning and reporting requirements as larger schools. This may be creating a disproportionate burden on these schools.

There was little discussion of the planning and reporting requirements on early childhood education (ECE), however, the Early Childhood Council commented that “the governance reporting requirements for all ECE services and schools should be substantially the same”.

**Planning and reporting in legislation**

Submitters raised the importance of retaining flexibility in planning and reporting requirements in legislation. There was a view that legislation should also help schools, kura and early childhood education providers by being clear about the strategy, planning and reporting requirements.

“The Act should provide a robust framework for strategy, planning and reporting requirements.”

Education Council, Wellington.

**Question 5. How can we better provide for groups of school and kura to work together more to plan and report?**

The discussion document proposed that groups of schools and kura could work together when they are planning and reporting.

Planning and reporting requirements are currently based on individual schools and require each school to provide planning and reporting documents and data to the Ministry of Education. In developing its charter or planning documents, the requirements for schools or kura are limited to a requirement to consult with the school’s Māori community regarding plans for Māori students.

Schools can legally collaborate on planning and reporting processes and share information and expertise. Many schools are already doing this in various forms. This question asks how schools could work together better to plan and report to the Ministry of Education.

Just under half (49% or 904) of submitters answered this question. 66% of the total number of board members who made a submission answered this question.

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4 These included NZEI Te Riu Roa, and Blind & Low Vision Education Network NZ.
5 These included PPTA and NZSTA.
6 These included Te Rūnanga Nui o Ngā Kura Kaupapa Māori o Aotearoa and Te Rūnanga o Ngāi Tahu
Few of the submitters on this question made a distinction between planning (for example, charter, strategic plans, and annual plans) and reporting (for example, annual report, and National Standards data).

Submitters commented on three main areas: the desire for collaboration; the type of collaboration; and the support for collaboration. A range of early childhood education (ECE) organisations also commented on how ECE providers could contribute to planning and reporting for Communities of Learning.

**Desire for collaboration**

There were a number of submissions which commented on the need for collaboration in planning and reporting.

Submitters who suggested that schools did not need to collaborate on planning and reporting (11% or 96) said that schools and school communities are unique with vastly different needs. Collaborating on planning and reporting could mean schools losing their individuality or autonomy. Other reasons included that it would cause competition, unnecessary conflict and increased workloads.

> “I don’t believe that shared planning and reporting will improve outcomes for students and often more work like this can be difficult for boards for whom time may be a major issue. It also reduces community input as the avenues for communication are narrowed down and produces a negative effect on the relationship between school and community.”
> Parent, Otago.

Similarly, some submitters supported the current system of optional collaboration on planning and reporting, commenting that: an appropriate level of needs-based collaboration already occurs; schools find a natural community among themselves; and needs based collaboration provides for school autonomy.

> “We prefer to have the continued autonomy the current board system provides our unique communities.”
> Board of trustee member, Auckland.

There is a common view from organisations that collaboration, while positive, should not be compulsory.  

> “Schools must be well linked to communities. Institutions of the community, rather than in the community. Should have flexibility.
> Students to move between schools to enhance curriculum choices and support.
> Flexibility to operate in the way which works for the community.
> Rural communities often have small schools and struggle to form boards. Arrangements to be permissive.”
> Rural Education Activities Programme Aotearoa New Zealand

**Type of collaboration**

The main types of collaboration which were suggested were:

- informal collaboration with shared information and resources
- planning and reporting shared across a number of schools
- collaboration through Communities of Learning.

The largest number of submitters supported informal collaboration involving shared information and resources between schools (14% or 129). Reasons cited in support of informal collaboration included that consistency between schools will enable transitions, and informal collaboration is easier to manage.

Some submitters suggested that schools could share planning and reporting.

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7 These submitters include Kia Ata Mai Educational Trust, NZEI Te Riu Roa, and COMET Auckland.
“If schools believe they would benefit from closer cooperation, they should have the freedom to collaborate together...Schools should be allowed to form other such clusters allowing shared governance...Thus improving school board experience, help boards at several school share consistent vision for education. Also could build a collaborative link with local communities.”
Educational Professional, unknown location.

In particular, some parent organisations, including those of children with special education needs, were supportive of schools and kura working together to share expertise around planning.⁸

“Schools should collaborate and share expertise, particularly in the field of special educational needs. Some schools are very successful for pupils with special educational needs and as a result, become a ‘magnet school’ for parents who hear of its good reputation. These schools should be able to share their approaches, methods and resources.”
Prader-Willi Syndrome Association (NZ) Incorporated.

To support combined planning and reporting, various barriers to collaboration were identified:⁹

- Complicated funding models
- Structural barriers encouraging competition not collaboration
- Data collection practices that do not align between schools.

“The current system is not structurally geared for collaboration. The Education Council sees the revision of the Act as an opportunity to structurally re-gear the system from a competitive approach to one that is based on collaboration, while keeping the best of the community-led approach to schools/kura/ECE.”
Education Council.

Submitters who suggested that schools should collaborate through Communities of Learning (10% or 93) said that they reduce unnecessary competition between schools. Other submitters considered that planning and reporting through Communities of Learning would not allow for school individuality. In particular, reporting data as a Community of Learning could be problematic if it obscured individual schools’ successes or issues.¹⁰

Publicising success stories was mentioned in relation to all the types of collaboration (3% or 28).

Some submitters suggested that schools, teachers and/or communities should determine the best way to collaborate.

“Community consultation on what reporting system should look like. Planning needs to reflect a school’s needs and interests and should be relevant to their community.”
Teacher, Bay of Plenty.

Wider collaboration on planning and reporting outside the education sector was also raised: for example, collaboration with organisations that interact with young people and families, including employers, churches, marae and social service organisations.

Support for collaboration

Submitters wanted more Ministry of Education support for collaboration (31% or 280).

The forms of support included:

- funding for teacher release time
- professional development
- advisors and liaison officers
- board remuneration for extra workload
- technology or resources for collaboration.

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⁸ New Zealand Down Syndrome Association, Prader-Willi Syndrome Association (NZ) Incorporated.
⁹ Education council, Universities NZ, NZSTA, Association of Proprietors of Integrated Schools.
¹⁰ These included NZEI Te Riu Roa, SPANZ, and NZPF.
Some organisation submitters, including New Zealand Post Primary Teachers’ Association Te Wehengarua (PPTA) and New Zealand School Trustees Association (NZSTA), also mentioned the need for support to plan and report collectively. These included:

- Provide templates, example flow charts, and other resources
- Paid time off for collaboration.

**Early childhood perspectives**

Currently planning and reporting requirements for ECE are different from that of schools and kura. However, some ECE sector organisations commented on how combined planning and reporting through Communities of Learning could involve ECE providers.

There was support for planning and reporting through Communities of Learning. Submitters highlighted issues which need to be addressed to smoothly integrate ECE services into Communities of Learning:

- Impact if all ECE services in an area join a Community of Learning, given the number of ECE services
- Differences in ownership of ECE and how privately owned ECE services could balance commercial concerns with the requirements of a Community of Learning
- Parents’ choice of ECE service may have little to do with selection of primary school and therefore there remains a question mark for ECE services as to which Community of Learning is their natural connection
- ECE services receive no funding or recognition for release/non-contact time required to participate in the Community of Learning initiative.

“Many ECE services will not see any tangible value to Communities of Learning. Specific effort will need to be made by both the Ministry and schools involved in Community of Learning initiatives to overcome these issues so that ECE services can be successfully integrated.”

*Early Childhood Council.*

Easing transitions from ECE to school is seen by some submitters as a benefit of schools and ECE planning together. The ability to combine early childhood education provision and schooling was also mentioned.

“Allow our Puna and Kura to be run as a single entity so we are not required to keep separate finances and audits, run separate meetings”

*Te Rūnanga Nui o Ngā Kura Kaupapa Māori o Aotearoa.*

**Question 6. How should schools and kura report on their performance and children and young people’s achievement to parents, family, whānau and communities?**

The question sought responses about reporting to parents, family, whānau about both school and kura performance and learner achievement.

About half (49% or 958) of all submitters answered this question. In most cases it was not clear whether submitters intended their response to apply to learner achievement or school or kura performance or both. In terms of learner achievement, responses were in some cases focused on individual learner achievement and in other cases on cohort achievement. In most cases submitters did not distinguish.

**Who decides the form of reporting**

Submitters suggested that schools and communities should decide how to report. The main reasons cited in support of this included that it would ensure communities get the information they want: every community is different and reporting should fit the local context.

“This needs to be decided by schools and their communities, not mandated. A collaborative approach will ensure communities receive the information they want and feel is valuable.”

*Te Rūnanga Nui o Ngā Kura Kaupapa Māori o Aotearoa.*
Other submitters expressed support for a more consistent approach to reporting nationwide. Reasons given included: a need for consistency within the schooling system; a standardised form would reduce workload; and provide more direction for schools.

**Ways of reporting**

Face-to-face reporting (35%) was preferred, including parent-teacher-student conferences, assemblies, school events, open days and informal conversations.

Reasons frequently cited in support of face-to-face reporting included that it creates stronger community connections and it is more conducive to goal-setting and discussions about student progress or achievement.

Some submitters suggested that informal face-to-face interaction is important for engaging with families from a range of backgrounds.

> “Families and learners want more time to talk with the teachers and reflect orally on what has been happening. A written report only tells you a small standardised snapshot. As a parent and a teacher, time to talk and share in detail the successes and the next steps orally is far more powerful and lifts engagement for all stakeholders.”
> Parent and teacher, Auckland.

Some submitters indicated support for written reports (14% or 250). Many submitters who supported written reports noted that they were most helpful when supplemented by face to face reporting.

Online reporting was also supported (10% or 189), including school websites, email, online portfolios, blogs and social media. The main reasons cited in support of online reporting included that online is more accessible and up to date, and education should move with the digital age.

Some submitters (11%) expressed support for reporting through school newsletters and local newspapers.

Some submitters called for the use of Māori-centred frameworks in reporting.

> “Kia Ata Mai Educational Trust believes that the capability and capacity of schools and kura to report on performance and achievement should be based on high trust and the advancement of educators’ literacy in this area. Embedding Māori centred frameworks such as Rukuhi Rārangahia is a priority and will bring greater clarity to the purpose of articulating success.”
> Kia Ata Mai Educational Trust.

Some submitters supported reporting to communities through ERO reports, while others thought that board of trustee reports and annual plans should be used for reporting purposes.

**Content of reports**

Many submitters also expressed views about what should be included in reports. In most cases it was not clear whether submitters intended their response to apply to reports on individual children or school or kura performance.

18% of submitters indicated support for more individualised reports. In particular, submitters thought that reporting should focus on learner progress rather than achieving national benchmarks, and that learners’ strengths and weaknesses with social, cultural, physical and emotional learning should be reported in addition to academic achievement.

> “Student performance should be measured against their own past performance (as personal bests), rather than measured competitively against their peers and year-cohorts.”

A number of submitters suggested that reporting should also be transparent and easier to understand.
“What is the point of reporting when most parents, whānau and communities do not know what the school is trying to achieve.”
Education Professional, Ex BOT Member, Taranaki.

Several responses suggested reports be linked to the school’s strategic plan goals and outcomes. Similarly, some submitters suggested that reporting, both about school and kura performance and learner achievement, should be appropriate to the local context. For example, the New Zealand Pasifika Principals’ Association called for reporting in different ways including face to face at fono or hui for members of the school community.

**Question 7. What should the indicators and measures be for school performance and student achievement and wellbeing?**

*The Act could allow for a set of indicators to be established to guide reporting, such as how well learners are doing and how the school or kura is managing its finances.*

This question asked submitters to suggest indicators and measures for school performance and student achievement and wellbeing. The rationale for setting specific indicators and measures of school performance is to foster transparency in education and make it easier for communities to understand how their school is performing in comparison with other similar schools. The right indicators should empower parents and whānau to take an active role in holding schools to account.

Over half (54% or 1015) of submitters answered this question.

Submitters commented on the source of indicators (i.e. set for individual schools or nationally), and they also put forward a range of suggestions for the content of the indicators.

**Individual school indicators or national indicators**

Submitters (10% or 101) suggested that indicators of school performance should vary between schools.¹¹ Reasons for this included the diverse nature of schools, the views of the school community, and the variety of challenges faced by different schools.

“We are supportive of the idea of kura being able to define their own vision of educational success and developing organisational and pedagogical practices and assessment measures which underpin that vision.”
Ngā Kura ā Iwi o Aotearoa.

“[Indicators] should be decided by each individual school and only by the school, based on the learning needs of its students, and upon the direction set by its community. This should be in an endeavour to value and invoke a school culture that is unique to each learning community, school, kura or wider community.”
Principal, Auckland.

Some submitters suggested that, in that case, indicators should be decided by the local community or school management.

“This should in part be a decision made by the individual school and its learning community so the indicators and measures take into account the needs, wants and values of its learning community.”
Parent, Manawatu – Wanganui.

A small number of submitters expressed support for nationwide indicators of school performance as it could enable comparisons between schools.

“Standardised so all schools report along the same lines. Selection of formative and summative assessments that are reliable, provide clear evidence, and can be used by individual success of students.”
Teacher, Waikato.

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¹¹ This was mentioned by many organisation submitters including NZEI Te Riu Roa, Te Rūnanga o Ngāi Tahu, and NZPF.
Proposed indicator content

Some organisations mentioned that any indicators used should derive from the goals agreed for the system.\textsuperscript{12}

“The measures and indicators should refer back to the goals. If the goals are broad and include community and civic goals, the measures and indicators should reflect this.”

Industry Training Federation.

The most popular indicator was student progress (37\% or 369). Teachers were particularly interested in student progress as an indicator (39\% or 290).

The main reason cited in support of student progress as an indicator was that students have different socio-economic backgrounds. Submitters noted that children who experience poverty at home tend to start school with different needs and abilities. Progress based indicators would account for these differences.

“Children from different areas often start school with significantly different physical and mental health and skill sets. [It is] unreasonable to expect schools to achieve the same results after one year of educating them. Often schools from low socioeconomic areas need to feed children and listen to their problems before formal learning can occur. Current standards don’t measure progress and expect all children to meet standards by the end of the first year. This is unrealistic and sets children up for failure.”

Teacher, Waikato.

Some submitters noted that progress would be a more appropriate indicator as it would account for children with special needs who are not having their achievements recognised.\textsuperscript{13}

“Student performance should be based on progress student is making as not all students meet the set national standards. Children with special needs are not having their esteem considered.”

Parent, Teacher, Waikato.

Similarly, some submitters were critical of the use of National Standards as an indicator of school performance and/or student achievement and well being. The main reason cited was that students learn at different paces and begin school with different needs.

Another popular indicator was using wellbeing of students as a performance measure (15\% or 151). Several sector organisations also supported student wellbeing as an indicator.\textsuperscript{14}

This indicator involved determining school performance by the wellbeing of students. Submitters defined wellbeing as including happiness, confidence, emotional stability, and positive attitudes. Physical wellbeing and student engagement were also submitted as indicators.

“Social wellbeing is an overall Government Priority and an essential foundation for successful learning. There are a number of resources to help measure wellbeing.”

NZEI Te Riu Roa.

Some submitters indicated support for physical well being (4\% or 40) or student engagement (6\% or 60) as an indicator.

A number of submitters raised concerns about indicators that narrowly focused on academic achievement (21\% or 214). Submitters noted the need for a more holistic approach which celebrates successes in a variety of areas. Along with a wider concept of success, cultural aspects were mentioned as indicators by some organisation submitters.\textsuperscript{15}

\textsuperscript{12}These include NZSTA and the Industry Training Federation.

\textsuperscript{13}These included PPTA, NZEI Te Riu Roa, and New Zealand Playcentre Federation.

\textsuperscript{14}These include Te Akatea, New Zealand Pasifika Principals’ Association, Kia Ata Mai Educational Trust, and Victoria University of Wellington Institute of Early Childhood Studies.
“We believe the indicators for school performance are too narrow. We would like to see in the Act measurement and indicators relating to the purpose and goals ... that relate to wellbeing such as cultural responsiveness, as well as academic performance.”
New Zealand Pasifika Principals’ Association.

Success across the curriculum was submitted as an indicator (9% or 89).

“The New Zealand Curriculum offers excellent indicators and measures for student achievement, using bands of expectations, which better reflect the complexity of child development and maturation rates.”
Education professional, Wellington.

A number of submitters supported learner self reflection or feedback as an indicator (9% or 94). Some submitters supported parent and community feedback as an indicator.

“We will know when a school is successful when their community are involved and are contributing. This can happen in many different ways, for example, friends of the school committees, working bees and gala days. This would indicate a holistic and happy environment where students and their whānau feel valued. Parents and students could ‘measure’ this with surveys perhaps.”
Parent, Bay of Plenty.

Submitters also supported the use of ERO indicators to determine school performance (12% or 119).

“We see that the Education Review Office (ERO) has a role in interpreting individual school data through the lens of the local community’s context. We believe that ERO has the maturity to help highly successful schools enhance the aspirations of their students and offer the best support for schools in a context where there is a high proportion of challenged students.”
Group of Teachers, Auckland.

There was also a particular interest in collecting data on the destinations of students. This could be the number of school leavers in work or training, for example.

“A long term and broader view on ‘outcomes’ should be built into the system – rather than simply charting achievement results at school, we should be exploring how to measure students’ life outcomes beyond school, such as employment data and other valued outcomes.”
New Zealand Post Primary Teachers’ Association Te Wehengarua.

Other suggested indicators included:
- Literacy
- Numeracy
- Attendance
- Behavioural Management.

**Indicators for ECE**

The discussion document did not mention indicators in relation to ECE and, correspondingly, few submitters commented on indicators in relation to ECE providers.

The Early Childhood Council mentioned that there is “significant resistance within the sector to assessing learning in ECE and also vagueness about measuring process.”

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16 These included Business New Zealand, PPTA, Industry Training Federation, and Universities New Zealand.
Question 8. What freedoms and extra decision-making rights could be given to schools, kura and Communities of Learning that are doing well?

The Act could allow schools, kura and Communities of Learning that are doing well more freedom and extra decision-making rights, balanced by careful monitoring.

This question sought to determine whether schools, kura and Communities of Learning that are doing well, should be given extra freedoms and decision-making rights and subsequently what these extra rights and freedoms could be. 791 submitters responded to this question.

298 respondents indicated that there should be no extra freedoms or rights provided to those doing well. This is due to the creation of negative competition leading to inequality and further disparity between schools. Other reasons included:

» The focus shifts to struggling schools
» All schools should be subject to the same rigors and accountability
» Disparities from deciles/demographics
» Bias, unfairness and unjustness created by freedoms and rights.

"The motivation for schools, kura and Communities of Learning to do well by their students is not to gain extra “freedoms”. It would be more productive if the system’s focus was on the support and resourcing required to ensure ALL schools, kura and Communities of Learning did well.”

New Zealand Educational Institute Te Riu Roa.

229 respondents suggested that other freedoms and extra rights could be granted. Those who did suggest extra freedoms or rights suggested that flexibility in the use of funding and extra funding for low decile schools could be included.

Doing well

A number of respondents also expressed concern as to what ‘doing well’ meant. Most of these submissions called for a clearer definition and a measure for when a school was achieving such a standard.

"...some schools may be doing really well in National Standards and other schools could be representing the country in Kapa Haka.”

Learner and Teacher, Waikato.

Resource flexibility

Respondents indicated more freedom could be given to schools, kura and Communities of Learning that are doing well, in the form of funding and general resource flexibility.

More freedom for school building projects which enabled more control over spending to better suit the needs and culture of each school community was a suggested freedom. Other submissions also indicated that there should be more flexibility in:

» Allocated funds - specifically for special needs students
» Teaching staff resources
» Class sizes.

Other rights and freedoms

Those respondents that indicated schools could have ‘other freedoms and extra rights’ focused on:

More freedom with curriculum

Submitters commented that schools should have flexibility to depart from the set curriculum when required, to design and implement learning programmes that reflect the needs of individual schools. These programmes could involve trades, music, sports and languages. Other respondents
suggested that schools should have the freedom to evolve the set curriculum to enhance school character.

“Allow them to implement the curriculum their school and context needs - freedom to respond to the needs of their communities.”
Parent and Education sector group, Wellington.

**Flexibility with reporting cycle**

Respondents mentioned that there should be longer reporting timeframes and reduced reporting compliance to the Ministry and ERO.

“Allow successful schools to continue to do what they do well, without additional workloads created by compliance reporting to the Ministry to explain and justify to them what they are doing. Trust the professionals who are demonstrating excellence.”
Teacher and board of trustees member, Canterbury.

**Flexibility for professional development**

In particular, submitters mentioned that the ability for schools to implement professional development catered to their school’s individual needs.

“Schools should have the right to implement professional development based on the needs of the community, which are reflected in the strategic plan.”
Teacher, Auckland.
Enabling collaboration, flexibility and innovation

The Act should encourage collaboration within and between early learning services, schools, kura and tertiary providers. It should also support and encourage greater flexibility on the part of schools and kura and greater cooperation about the learning pathways of children and young people.
Question 9. What ways could boards work more closely together?

As schools, kura and Communities of Learning work more closely together, some may want to share governance arrangements. The Act currently allows two or more schools to combine into a single board. There may be other ways boards, if they agree, could work together or share ideas.

This question sought to clarify ways in which boards could collaborate, share ideas and work together more closely, and the ways in which such arrangements might need to be supported by changes to legislation.

Nearly half of online submissions (48% or 897) addressed the ways in which boards could work more closely together.

There was a range of responses to how boards could work together more and also the degree to which this should occur. These ranged from sharing of information, to shared governance and the potential for an overarching coordinating body.

“Educational professionals have always embraced collaboration as a useful mechanism for professional learning development, the sharing of expertise, of school resources and of facilities and will continue to do so.”
Parent and/ Whānau of learner, Auckland.

No change

Over a quarter (26% or 233) of total respondents indicated that there should be no change in the way in which boards currently work together. The majority of respondents noted that boards are currently able to collaborate if they choose to and that this flexibility should remain. There was concern that working together more would lead to increased workloads for board members and that collaboration could lead to reduced autonomy for boards.

“I would oppose any mechanism that would lead to the practice of diminishing the power of a community to have control over the direction of their own school.”
Teacher, Auckland.

Sharing information

The highest proportion of respondents (29% or 261) favoured the sharing of information between boards. Respondents indicated that sharing good practices, systems and problems was valuable for boards to breed success. There was also a particular focus on information sharing during the transitions of students from ECE to primary and beyond.

“High performing Kura Kaupapa Māori should be utilised as best practice examples.”
Te Runanga Nui o Nga Kura Kaupapa Māori o Aotearoa.

Sharing expertise and board training

Submitters (23% or 208) indicated that board collaboration through sharing of expertise would be an effective way for boards to work more closely together. Respondents indicated this could occur in a variety of ways such as:

» Board attendance and observation at other schools’ meetings
» Shared professional development between boards
» Shared external executive expertise: secretarial, financial and legal.

“It is important that should schools / kura/ ECEs wish to work more closely the strengths of each are recognised and shared while weaknesses are uncovered and attention paid to them so each school in the network gains another strength.”
Teacher, Canterbury.
There was a particular focus from board members on board training (10% or 92) as an effective way for boards to share expertise and subsequently to work more closely together.

“Consistent and regular NZSTA training available in all areas which allow for interacting with other boards through collaboration and professional development and the informal sharing of skills between boards where appropriate.”
Board of trustees member, Northland.

Communities of Learning were mentioned by some submitters as avenues through which boards could share expertise and combine training opportunities, in particular where ECE providers and school or kura boards could build relationships to facilitate transitions. 17

“Joint PD [professional development] involving ECE and Primary teachers on transitioning processes and management.”
Early Childhood Council.

“While we endorse the Communities of Learning concept NZSTA has noted that there is an increasing tendency in the Ministry for COLs to be advanced as a ‘silver bullet’ for every issue raised. This type of one-dimensional policy response is unhelpful and risks eventually undermining the credibility of the initiative.”
New Zealand School Trustees Association.

Shared resources and/or planning and reporting

Shared planning and reporting between boards has been discussed in more detail under Question 5 (How can we better provide for groups of schools and kura to work together to plan and report?). However, shared planning and reporting was mentioned by a small number of submitters (6% or 49) under this question as well.

Sharing resources has also been suggested as a way for boards to work together. 18 Some submitters identified Communities of Learning as a way this could take place.

Shared governance

There was some support for shared governance as a way for boards to work together more. Submitters supported shared governance between boards as an effective way for smaller schools to maximise limited resources and the availability of skilled people, with the majority highlighting this as an option at a school’s discretion. 19

“Ngati Makino suggest that an efficient way to address governance issues for low decile and small communities is to cluster school governance, so that communities will be able to draw on a wider pool of suitably qualified people.”
Ngati Makino Heritage Trust.

“We would be supportive of the Act giving boards the ability to choose more collaborative approaches, including the creation of new legal entities to support clusters or communities, provided there were sufficient safeguards to protect equity and transparency.”
New Zealand Educational Institute Te Riu Roa.

Some respondents suggested shared governance as a form of intervention for struggling schools.

“A further proposal could be to allow high-performing schools to merge with, or takeover, schools that have consistently under-performed or are at risk of closure. This could enable satellite schools to be established, based on successful schooling models.”
Education professional, location not specified.

“A stronger board overseeing several schools is preferable to weaker boards governing individual schools.”
Association of Proprietors of Integrated Schools.

17 Te Rito Maioha Early Childhood New Zealand, Early Childhood Council
18 NZSTA
19 NIUPAC
Some organisation respondents supported the current provision that allows schools to merge and create a combined board where beneficial, but most considered this should be voluntary.20

“It is also possible for more than one school to collaborate in their governance arrangements. There is no appetite for this provision to change. In our view it is rare that schools would seek this arrangement, given the diversity of context surrounding school communities.”
New Zealand Principals’ Federation.

The Early Childhood Federation questioned whether the proposals in the discussion document about the sharing of governance arrangements would include the ECE sector.

“If the ECE sector was to be involved, we would want to see extensive consultation as to how this would work before being incorporated into the Act.”
Early Childhood Federation.

New coordinating body
There was little support for the creation of a new coordinating body to oversee and encourage board collaboration.

Other responses
There were a smaller number of other responses to ways in which boards could work together more closely. The majority of these focused on:

» Reducing competition from the school system as a way for boards to work together more
» Financial incentives for board members as a way to encourage board involvement and further collaboration
» Suggestions for additional development of Communities of Learning / clusters of schools
» Assistance in the form of a neutral body able to assist boards to collaborate or identify skilled board members for co-option.

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

The Act currently provides for children to enrol in school on any school day from their fifth birthday. Some schools prefer to enrol groups of new entrants on set dates such as the beginning of term. The Act could explicitly allow this, provided the school or kura has consulted with its community first.

Over half of submitters (60% or 1117) answered this question.

The majority of respondents (74%) indicated support for some level of cohort entry, with various caveats. 15% of respondents opposed the proposal, including key school sector organisations such as New Zealand Educational Institute Te Riu Roa (NZEI Te Riu Roa), New Zealand Principals’ Federation and New Zealand School Trustees Association.

Support for the proposal was highest among parents (76%) and teachers (80%). There were lower levels of support among other education professionals (62%) and members of boards of trustees (68%). Responses from early childhood education (ECE) organisations were mixed, with the New Zealand Playcentre Federation opposing the proposal, but NZ Kindergartens Inc. and a slight majority of the Early Childhood Council’s members supporting it.

Benefits of cohort entry
Submitters who supported the proposal referred to the current system as being disruptive for students and teachers. They reasoned that cohort entry would simplify school planning and reporting to parents, improve transitions from early childhood education, and aid classroom learning.

20 These include Kāpō Māori Aotearoa New Zealand Inc, New Zealand Down Syndrome Association, and NZPF.
"[A]s a New Entrant teacher every time a new child starts it takes at least a week for them to settle in and this means that the normal class programme is often disrupted. [Cohort entry would allow] every child to learn the routines together and then the focus can quickly move to teaching."
Teacher, Wellington.

"Teachers and schools would be able to structure their classes and plan more effectively if they had a better idea of how many students would be entering school and when they would be coming."
Teacher, Auckland.

"I think that a cohort entry system would facilitate the transition to school by empowering children with an immediate sense of belonging to a group. At the moment, children enter as individuals which can be a lonely and daunting prospect for some."
Teacher, Waikato.

Benefits of continuous entry

Submitters opposing the proposal emphasised the benefits of continuous entry in enabling new entrant teachers to tailor the transition process to the individual child. They suggested that continuous entry fosters stronger relationships by allowing for more one-to-one time. Some expressed concern that cohort entry would be overwhelming for teachers and students.

"As a teacher it is easier to manage one child’s entrance to a class rather than teaching 15 new children who have no knowledge of school or class routines."
Teacher, Waikato.

"[Cohort entry] would decrease the opportunity for tuakana-teina relationships which can be an effective strategy for transition to school, and settling of new entrants. An effective new entrant teacher makes good use of the class dynamics in helping new entrants to assimilate, such as the older children should show the younger children ‘how we do things here.’"
New Zealand Playcentre Federation.

Other reasons for opposing

Some submitters, including NZEI Te Riu Roa and NZSTA, commented on the lack of evidence that cohort entry would improve student outcomes.

"Cohort entry may help service and school planning and assessment, but this does not mean it would improve outcomes for kids... If we are committed to developing a system with the child at the centre of learning, NZEI Te Riu Roa does not recommend the Act endorsing this policy direction without further evidence to support this approach."
NZEI Te Riu Roa.

The NZ Principals’ Federation opposed the proposal on the grounds that the current legislation already adequately provides for schools to enrol new entrants in cohorts, in consultation with their community.

A few submitters commented that it would be difficult to change the New Zealand tradition of children starting school on their fifth birthday.

"Children typically get very excited when they turn that magic age of 5 years old, as it traditionally meant that they could go to school or kura. It’s almost become a rite of passage for all 5 year olds."
ECE provider, Auckland.

Impact on families

Concerns about the impact that cohort entry would have on families’ work commitments and childcare costs were also raised.
“We need to look at childcare provisions for 5 year olds so families are not financially pressured.”
Teacher, Auckland.

**Impact on ECE provision**

Many submitters highlighted that cohort entry would result in roll fluctuations for ECEs, which could create planning complications and have funding implications.

“The impact on ECE services also needs to be considered. For example, if 10 children from one ECE service were suddenly to begin at primary school in a cohort, this could have negative financial flow on effects for the ECE service. The service would be unable to have 10 new entrants all beginning at the same time, and therefore will be subjected to reduced funding for a period of time.”
Te Rito Maioha Early Childhood New Zealand.

“If as a result of cohort entry to school and kura, a pattern of cohort entry to early childhood education services emerged this could have significant ramifications for families’ access to early childhood education.”
New Zealand Kindergartens Inc.

**Policy design**

The majority of submitters who commented on the frequency of cohort entry points supported intakes at the beginning of every term, though some expressed a preference for smaller, more frequent cohorts and others for biannual or annual cohorts. Those who favoured more frequent cohorts emphasised the importance of ensuring children are able to start school when they are ready.

“Children need to be able to commence school when they are ready NOT wait for months for entry time to arrive as this would have a detrimental effect on their learning, as would beginning at too young an age.”
Teacher, Bay of Plenty.

Submitters expressed a variety of views about the decision-making process for introducing cohort entry. Most submitters preferred that schools have the right to decide whether or not to implement cohort entry, though there was some support for a consistent nation-wide policy.

Submitters who supported a national policy of cohort entry reasoned that allowing schools to operate different entry arrangements would affect where parents chose to send their children.

“Do not make it voluntary. This will create confusion and further negative competition amongst schools. Many parents will seek out a ‘birthday start’ school over a ‘cohort entry school’ so as to avoid additional childcare / ECE costs.”
Education professional, Wellington.

On the other hand, those who supported flexibility pointed out that the suitability of cohort entry depended on the circumstances of individual schools.

“For larger urban schools, the daily arrival of children may be problematic and cohort entry may offer more stability, however for smaller schools the regular flow of new entrants is important for their on-going sustainability.”
Board of trustees member, Taranaki.

Forty-six submitters expressed concern that cohort entry would allow children to start school under the age of 5, saying that this was undesirable.

“Children should not be entering the Primary school system before 5. All developmentally appropriate learning for this age group is catered for in ECE.”
ECE provider, Bay of Plenty.
Twenty-two submitters expressed the view that the school starting age should be raised to six or seven, referring to international evidence about the benefits of starting school later.

**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?**

*Although the Act currently allows children to enrol in school from their fifth birthday, attendance is not compulsory until the age of six. The discussion document asked whether attendance should be compulsory for all children once they have started school or only compulsory once children are six years old.*

Over half (61% or 1134) of submitters who made an online submission answered this question.

Approximately two thirds of those submitters indicated support for compulsory attendance where the child had started school before the age of six, including key stakeholder groups such as New Zealand School Trustees Association (NZSTA), New Zealand Educational Institute Te Riu Roa and New Zealand Principals’ Federation. Support was highest among teachers (69%) and members of boards of trustees (82%). There were lower levels of support among learners (54%), and parents (56%), whānau and family of learners (48%). 28% of respondents opposed making attendance compulsory before the age of six.

**Reasons for Supporting**

Those who supported compulsory attendance commented that frequent absences were disruptive for student learning and other students in the classroom and that it would encourage a pattern of attendance and work ethic which would aid student learning.

> “Regular attendance is essential to provide continuity of their learning and the teacher’s class programme, as well as establishing routines for the child to become a life-long learner.”  
> Teacher, location not specified.

> “For those children who have issues with non attendance later in their schooling, we often find that the pattern of not attending regularly went back to the beginning of their schooling when it could not be addressed under the Education Act.”  
> Teacher, Tasman.

Many respondents also commented that compulsory attendance was necessary for teachers to fairly assess their students against the National Standards.

**Reasons for Opposing**

The most common reasons cited in opposition to compulsory attendance were that parents are in the best position to decide whether their child should attend school, and that forcing a child to attend school before they are ready would be detrimental.

> “We do not support this. Our children have all needed extra days off due to tiredness, especially when they were 5 and 6 years old. As their parents we take responsibility for their well being, and need to be trusted to make such decisions.”  
> Parent, Marlborough.

> “Overseas, research shows that starting school later... can be better for children, allowing more time for developmental growth. I do not think it should be compulsory for children under 6, and more emphasis given to the option of starting later.”  
> Teacher, Auckland.

**Caveats**

Many submitters commented that compulsory attendance should be flexible to cater for individual and special needs. This view was prominent in submissions from early intervention services and
organisations representing people with disabilities.\textsuperscript{21}

“This needs to be flexible so that schools and parents can work out the most suitable attendance regime that suits the transition process for individuals. Children with special needs may need a very variable attendance regime for as long as the school and parents agree.”

Teacher, Otago.

One suggestion was that there should be provision for five year olds to return to ECE if that would be more beneficial than staying in school.

Some submitters, including NZEI Te Riu Roa, highlighted that compulsion alone was unlikely to address the root problems contributing to truancy rates for five year olds.

\textsuperscript{21} Including the McKenzie Centre Trust, Disabled Persons Assembly NZ, and New Zealand Down Syndrome Association.
Making every school and kura a great one

A small number of schools or kura require more support than others to be effective. The Act could include additional options to help schools and kura, such as an improvement notice or an audit of one part of a school or kura, or a change of people on the board.
Question 12. What additional supports or responses could be used to address problems that arise in schools and kura?

This question sought submitters’ views on whether the Act has sufficient appropriate responses to put schools or kura that are having difficulties back on track.

Just over half of (54% or 995) respondents submitted on this question. There were many non-legislative supports suggested. Only a few submitters, mainly sector groups, considered whether there should be any changes to existing legislation and most of these opposed making any changes. Submitters wanted a regime that was supportive rather than punitive.

“One catches more bees with honey than with vinegar.”
New Zealand Parent Teacher Association.

The main areas of non-legislative support suggested were:

Better and earlier support for schools

Making greater use of early peer support was seen as important. This included principals supporting other principals; proprietors of integrated schools for other proprietors; Māori organisations for Māori-medium schools; and special schools and units for mainstream special education schools. Boards should be provided with access to expertise if it was lacking (but not through appointing a Commissioner). Some submitters also stressed the need for closer inter-agency co-operation.

“One Act should enable the Ministry of Education to get in early and give support and help to a school while the issue is ‘at the top of the cliff’ rather than at the bottom.”
McKenzie Centre Trust, Waikato.

“More executive power for the Ministry of Education to act fast to work in and with schools that need help.... More inter-agency and inter-ministry communication and channels for all support people to be able to act faster.”
Teacher, Taranaki

More support for principals and better induction processes

This was a focus for all the principals’ organisations that responded. They believed that existing support such as the Principals Leadership Advisory service should be expanded and that principals should be supported to help one another.

“Te Akatea has funded its own research on why some boards are struggling. It found the relationship between principals and boards and communities was the cause. Preparation and induction should be given to incoming principals, so they have the knowledge, skills and strategies to respond to their communities and cultures.”
Te Akatea Māori Principals’ Association.

More Professional Learning and Development for teachers and other staff

This suggestion was prominent in submissions from teachers and submitters with a focus on Māori, Pasifika and special needs students.

“Schools can only be as good as the teachers. If teachers and principals are respected for their professional expertise and if they have regular opportunities to access professional development of high quality then society would benefit.”
Teacher, Auckland.

Address inequities in wider society

The New Zealand Principals’ Federation believed that this would assist challenged schools and the idea was supported by other sector groups and individuals.
Non-statutory interventions better tailored to the circumstances of particular types of schools

For example, Ngā Kura ā Iwi o Aotearoa cited the work the Ministry of Education is doing with them on interventions.

Develop a Code of Ethics and processes similar to the Health and Disability Commissioner or another review process

Parents of Vision Impaired New Zealand (Inc) suggested a Code of Ethics and processes similar to those of the Health and Disability Commissioner.

Earlier support and interventions in early childhood education

The Early Childhood Council raised this idea, including the possibility of a statutory manager. Other Early Childhood Education submitters favoured more support but did not appear to see this as including a statutory intervention.

The New Zealand Post Primary Teachers’ Association Te Wehengarua supported changing the Act to remove the requirement that boards must pay for an intervention.
Making best use of local education provision

An area strategy helps ensure all children and young people in an area are being well served by education and money is being spent in the right places.

The Act could include a set of guiding principles for opening, merging and closing schools that could include responding to the needs of learners, making the best use of schooling and managing the education system responsibly.

The sections of the Act covering enrolment schemes generally work well. However, the way enrolment schemes are managed could be improved, such as by:

  » allowing the Ministry of Education to develop and implement an enrolment scheme when a school or kura refuses or is slow to do so
  » clarifying the limited circumstances in which the Ministry will override an enrolment scheme and direct a school or kura to enrol a child or young person.
Question 13. How should area strategies be decided, and how should schools, kura and communities be consulted?

The Act could include a clearer process for establishing area strategies and better ways of consulting to reduce the consultation burden on the public.

Fewer than half (40% or 728) of respondents answered this question. Few submitters addressed the issue of whether the process for area strategies should be in the Act. National education sector bodies such as New Zealand Principals’ Federation, New Zealand Post Primary Teachers’ Association Te Wehengarua (PPTA) and New Zealand Educational Institute Te Riu Roa (NZEi Te Riu Roa) favoured reviewing the existing Guidelines:

“Different consultation processes may be needed in different circumstances and as long as the unions representing the people most affected by an area review are informed and involved prior to the start of and during the review, this flexibility should continue.”
New Zealand Educational Institute Te Riu Roa.

Two early childhood organisations recommended exploring area strategies for early childhood services to avoid oversupply.

How should area strategies be decided?

Improved learning outcomes for students was identified as a criterion that should be the basis for decision-making. A small number of both organisations and individual submitters also acknowledged the necessity of area strategies from a fiscal perspective, while stressing that successful student outcomes should be paramount.

Submissions revealed a wide range of views on who should make the final decisions on area strategies. It is often not easy to tell from the submissions why people or groups opted for a particular decision-maker. The following suggestions are listed with the most frequent first.

Schools or boards

Many submitters saw the boards involved making the decisions on area strategies as the affected organisations concerned.

Community

Some submitters believed that the decisions should be made by the wider community since schools are a vital part of the community and know what will work for them.

“Area Strategies should come from the community and be decided by the schools, kura and communities as the issues, needs, learning problems and aspirations are known by the people in these communities.”
New Zealand Down Syndrome Association, Manawatu-Wanganui.

“Area strategies should in general be decided by the community that it affects. If there is an issue, going to the community and asking for their suggestions and input into solutions is likely to be more readily accepted than a prepared decision being consulted on.”
Parent, Manawatu-Wanganui.

Ministry of Education or Minister of Education

Some submitters preferred the status quo which is that the decision should be made by the Minister, in light of the impact on Vote Education.

“By the Minister of Education using the data schools provide. Giving schools the opportunity to give feedback and be consulted before the strategy is finalised.”
Teacher, Bay of Plenty.
“Strategies should be decided by the Ministry in consultation with affected communities. Consultation can include meetings, newsletters, emails. But these consultations, like so many relating to Education including this one, shouldn’t be rushed.”
Board of trustees member, Otago.

Communities of Learning and clusters

There was cautious support from education organisations and education professionals for Communities of Learning or other clusters of schools making decisions about area strategies, especially in the future. This was sometimes qualified by the request for the decision to belong to a Community of Learning to remain voluntary.

“I would recommend that rather than the government deciding autonomously what a group or area of schools need, that this need should be decided by the area/communities of learning and the government informed. Our schools, teachers and whānau are the best source of information and they need to be used and listened to.”
Teacher, Wellington.

Independent body

The idea of setting up regional boards to make area decisions was suggested. This independent body would be enabled to make the decisions in order to provide a neutral and balanced environment.

“It must be recognised that schools are not just a place of education but are also the heart of a community and that this in itself is valuable and should be part of any consideration regarding mergers or closures. In order for this to be a fair process, an independent panel should be used.”
Learner, Canterbury.

How should schools, kura and communities be consulted?

The chief factors about consultation that emerged from the submissions were that it should:

Be transparent

Respondents were clear that all those involved needed to know from the start of any area strategy what the process was going to be and on what basis decisions were to be made.

“We would welcome more transparency around consultation processes when new schools are proposed or for mergers and closures and would support having a set of principles and guidelines to drive these processes.”
Community group, Auckland.

Be fair

This involved ensuring that there was plenty of time for consultation and making sure that all those affected had all the information necessary to allow them to contribute.

“We believe that intentions should be clear and transparent. There should be extensive consultation, with set timeframes. The process should be fair, equitable and consistent, with room for robust public debate.”
Board of trustees member, Wellington.

Be evidence-based

Many submitters highlighted the need for area strategies to be based on evidence and research including: reliable information about demographic change; why parents are choosing particular schools; transport; health and safety; best practice examples; and overseas research were some of the suggestions.

“Consultation is important and to do this evidence must be provided.”
Interested citizen, Otago.
Use both written and face-to-face methods

These included open forums, hui, home visits, surveys, newsletters and other written communications. One submitter suggested that information and consultation around the state of education in an area should be on-going.

“Face to face meetings are usually the best way of allowing for consultation and discussion. There should be opportunity for written or online consultation as well to support the needs of community members.”
Parent, Manawatu-Wanganui.

Be culturally responsible, sensitive and guided by tikanga

Iwi and other submitters with a focus on Māori education stressed the importance of this.

“In the event of Māori or Pacific Island communities, a consultation could be made in a mutually agreed environment such as a marae, where people feel comfortable to voice their opinion.”
Teacher, Bay of Plenty.

Who should be included in consultation?

Everyone agreed that boards, principals, teachers and the community should be included in consultation on area strategies.

The early childhood organisations that responded to this question believed that early childhood services should be included in consultations because of the importance of good transitions for children.

The Association of Proprietors of Integrated Schools believed that integrated schools should be included in consultations from the initial stages. NZEI Te Riu Roa argued that integrated schools should be part of area strategies and that the law should be amended to allow integrated schools to be closed and merged if this was an outcome of the strategy.

Organisations representing iwi and Māori-medium education believed that they should be included in consultation.

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

This question raised the possibility of a set of guiding principles for the opening, merging and closing of schools that could be placed in the Act.

More than half of those who submitted on the Act Update (54% or 1007 submitters), addressed the principles for changing schooling arrangements.

Almost half of those who responded to the question identified the impact on communities to be the most important factor. A large number of respondents (45% or 420) also indicated that community input is significant. About one third of respondents (32% or 306) identified the needs of students to be a key factor. Around one fifth of respondents (21% or 703) indicated the importance of access to alternatives.

Guiding principles

On the current legislative regime, it was suggested:

“At present this appears to happen far too often on an ad hoc and reactive basis. New Zealand’s plethora of small schools is to some extent a function of geography, but there are clear examples of small schools having been allowed to proliferate or continue to exist quite out of kilter with the educational needs of the community.”
New Zealand Post Primary Teachers’ Association Te Wehengarua.
A significant number of submitters agreed that it would be helpful to have a guiding set of principles in the Act.

"SPANZ would support the inclusion of a set of guiding principles for opening, merging and closing schools in the Act, and would contribute to their development. It is apparent that New Zealand has too many small schools. This is a situation that urgently needs courageous leadership."

Secondary Principals’ Association of New Zealand Professional Inc (SPANZ).

However, some cautioned against the principles being too specific.

"I would caution against high specificity of the principles which could lead to inflexibility for decision makers."

Teacher, Auckland.

The principles submitters found important included:

**Impact on communities**

Many submitters (49% or 462) held that these decisions must take into account the impact on other schools, early childhood centres and the broader community.

**The needs of students**

Many sector groups emphasised the need to consider the alternatives for disabled and special education learners. More than one-fifth of submitters on this question emphasised the importance of access to alternatives.

**The number of pupils**

13% of submitters (or 116), including SPANZ and many other submitters, emphasised that New Zealand has too many small schools.

**Other principles**

Other matters that it was suggested be included in such a summary included financial reasons (11% or 103 submitters), building safety (3% or 28 submitters) and school performance (39% or 24 submitters).

**Decision-making**

There were a range of views about who should have decision-making powers with respect to opening, closing and merging schools. However, there was widespread agreement between submitters that the process must be transparent.

8% or 71 submitters indicated that changing schooling arrangements should be a decision made by the community, as opposed to the government. Some submitters suggested that the Ministry of Education play a facilitator role. A substantial number of submitters thought that there must be community input into the decision (45% or 420).

"The Ministry of Education must also be involved however because at time it is simply too difficult for communities to negotiate the process on their own."

Principal, location not specified

Other submitters indicated that although decision-making power should remain with the government, community input should be the driving force behind the decision, and decisions should only happen with community agreement.

Several submitters indicated that the local ministry office should have more input than the national office.

**Guiding principles that should not be considered**

A number of submitters identified factors that should not be taken into account. These included financial reasons (6% or 59 submitters) and student and school performance
A number of submitters also indicated that, while financial matters could be taken into account, schooling arrangements should not solely be based on financial reasons, and that other factors must be taken into account as well.

“There definitely has to be an economic point of view, as keeping schools open for a small number of students when there are other options is a waste of resources.”
Parent, Canterbury.

Application to particular sectors
Some submitters had views about how these proposals might apply in their particular education subsector. For example some wondered whether these principles would apply to kura as well. Others had suggestions about Integrated Schools.

“We suggest that the merger of integrated schools under the same proprietor could be expedited by a mutual agreement between the Minister and Proprietor.”
Association of Proprietors of Integrated Schools.

Question 15. What do you think about the proposed changes to improve how enrolment schemes are managed?

The enrolment scheme parts of the Act generally work well, but the way enrolment schemes are managed could be fine-tuned. The proposed changes include:

» Allowing the Ministry of Education to develop and put in place an enrolment scheme when a school or kura refuses, or is slow, to do so

» Clarifying the circumstances when the Ministry of Education will override an enrolment scheme and direct a school to enrol a child or young person, and explaining that this discretion is very limited.

These changes would make it clearer to children, parents, whānau, schools, kura and communities how enrolment schemes are managed.

More than one third of submissions on the Update responded to this question. More submitters expressed opposition (28%) than support (15%). However, it wasn’t always clear whether the submitters were expressing opposition to the specific proposals, rather than opposition to enrolment schemes in general. As well as those who clearly supported the proposals, 16% of submitters appeared to show support for the proposed changes, but held reservations. Other submitters (6%) appeared to oppose the proposed changes, but would give their support if certain conditions were met.

Education sector organisations were mixed in their response to the proposals. For example, The New Zealand Schools Trustees’ Association (NZSTA) and New Zealand Principals’ Federation opposed the proposals on the basis that they involved the Ministry of Education second-guessing the decisions of schools and school communities:

“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.”
NZSTA.

The New Zealand Post-Primary Teachers’ Association Te Wehengarua (PPTA) and New Zealand Educational Institute were supportive of more active management of enrolment schemes:

“PPTA welcomes the proposal for more active management of school enrolment schemes. This needs to sit alongside a commitment to make schools in all communities desirable for parents, in order for zoning not to become an apparent rationing of quality.”
PPTA.
Reasons for opposing

“I do not believe the Ministry of Education needs any more powers to impose enrolment schemes. Schools operate under a system of self-management which allows greater innovation and responsiveness for enhancing children’s learning and in collaboration with their local communities schools are capable of making the best decisions about enrolling children.”
Teacher, Wellington.

Submitters indicated several reasons as to why they are opposed to the proposed changes. These included:

» the current provisions in the Act are sufficient
» Ministry of Education will have excessive control
» the importance of parental choice
» procedural fairness.

A significant amount of submitters asked for further clarification on the circumstances in which the Ministry of Education may override a school’s enrolment scheme.

“The Ministry should clarify when it can override an enrolment scheme and direct a school to enrol a child. These issues should be clarified before any changes are made to the Act, so that all those who may be affected by the proposed change understand whether the Ministry needs this power, and, if it is granted, when the Ministry might exercise it.”
Other educational professional, location not specified.

Reasons for supporting

“I think it is essential that the Ministry of Education takes control of enrolment schemes to ensure a fair go for all New Zealanders.”
Parent, Wellington.

Reasons for supporting the proposed changes included:

» schools have excessive power
» improve collaboration and reduce competition between schools
» aid the inclusion process
» make enrolment schemes more manageable.

“At the moment some schemes are very exclusive and impractical geographically.”
Teacher, Waikato.

Several submitters expressed concerns about the control schools have over their enrolment schemes. There was a view that more transparency was needed to ensure that schools could not manipulate student selection. With the proposed changes, submitters hoped this would be rectified.

“There seems to be some merit in enforcing enrolment schemes to maintain or rebuild the capacity of the school and to better reflect its community.”
Community group, Waikato.
**Related matters**

Submitters stated that enrolment schemes should consider cultural/social/special needs. For example, the New Zealand Pasifika Principals’ Association submitted that there should be an exception under the Act to enable students to go outside a zone to attend a school that offers socio-cultural educational opportunities (for example a school with bi-lingual unit).

Some submitters suggested that zones need to be revised in order to reduce competition, with Communities of Learning encouraged. Others indicated that enrolment schemes should include provisions for parents who worked in a zone.
Appendix A. List of submitting organisations

**Education sector organisations**

ACE Sector Strategic Alliance
Association of Integrated Schools
Association of Proprietors of Integrated Schools
Auckland Kindergarten Association
Blind & Low Vision Education Network NZ
Careers New Zealand
Christchurch Alternative Education
Christian School Network Learning Community Cluster
Christian Schools Trust
COMET Auckland
Early Childhood Council
Early Childhood New Zealand
Early Education Federation
ECE Education Act Cluster Meeting
Education Council
Education For All
Education Plus Auckland
Educational Leadership Project
Equity Through Education Research Group at the Institute of Education.
Evolve Education
Federation of the Rudolf Steiner Waldorf Schools in New Zealand Inc.
Hospital Play Specialists Association Aotearoa/NZ
Independent Schools Education Association
Independent Schools New Zealand
Industry Training Federation
Kāpō Māori Aotearoa New Zealand Inc
Kelston and van Asch Deaf Education Centres
Kia Ata Mai Educational Trust
Kindercare Learning Centres
MARC Early Learning Centre Management Committee
Marlborough Girls College Board of Trustees
McKenzie Centre Trust
Music Education New Zealand Aotearoa
New Zealand Educational Institute Manawatu Branch
New Zealand Educational Institute Te Riuroa
New Zealand Educational Institute Waikato Branch
New Zealand Educational Institute Whangarei branch
New Zealand Kindergartens Inc
New Zealand Parent Teacher Association
New Zealand Pasifika Principals’ Association
New Zealand Playcentre Federation
New Zealand Post Primary Teachers’ Association Te Wehengarua
New Zealand Principals’ Federation
New Zealand School Trustees Association
Ngā Kura o Iwi o Aotearoa
OMEP (World Organisation for Early Childhood Education) Otago
OMEP (World Organisation for Early Childhood Education) Waikato Bay of Plenty
Quality Public Education Coalition
Rural Education Activities Programme Aotearoa NZ
Rural Education Reference Group
Secondary Principals’ Association of New Zealand Professional Inc
ServicelQ
Tai Wānanga
Te Akatea Māori Principals’ Association
Te Kura Kaupapa Māori o Otepoti
Te Rito Maioha Early Childhood New Zealand
Te Rūnanga Nui o Ngā Kura Kaupapa Māori o Aotearoa
Universities New Zealand
University of Canterbury
Victoria University of Wellington Institute of Early Childhood Studies
Waitakere Area Principals’ Association
Wesley Intermediate Board of Trustees

Other stakeholder organisations

Albinism Trust
Anamata CAFE
Auckland Regional Public Health Service
Blind Citizens New Zealand
Business Central
Business New Zealand
CCS Disability Action
Child Poverty Action Group
Community Action Youth and Drugs
Community Law
Disabled Persons Assembly New Zealand
Dunedin City Council
Employers and Manufacturers Association (Northern)
Every Child Counts New Zealand
Fetal Alcohol Spectrum Disorder – Care Action Network Incorporated
Healthy Auckland Together
Hear for Families – Auditory Processing Disorder New Zealand
Human Rights Commission
Human Rights in Education Trust
Humanist Society of New Zealand
Hutt Valley DHB
IHC
J R McKenzie Trust
McGuiness Institute
National Council of Women of New Zealand
Net NZ
NetSafe
New Zealand Association of Rationalists and Humanists
New Zealand Chambers of Commerce
New Zealand Christian Proprietors Trust
New Zealand Council of Trade Unions
New Zealand Down Syndrome Association
New Zealand Family Planning
Ngati Makino Heritage Trust
NZ Political Science Association All Universities Working Group on Civics, Citizenship and Political Literacy
NIUPAC PublicationsOffice of the Children’s Commissioner
Parents of Vision Impaired New Zealand Inc
Prader-Willi Syndrome Association (NZ) Incorporated
Save The Children New Zealand
Taranaki Māori Adult Community Education Trust Network
Te Putahitanga
Te Rūnanga o Ngāi Tahu
UNICEF
Youthlaw Aotearoa and Action for Children and Youth Aotearoa.
Lifting aspiration and raising educational achievement for every New Zealander