Education Report: Initiating consultation about the possible closure of Mapiu School (1805)

To: Hon Chris Hipkins, Minister of Education

Date: 10 September 2018  Priority: High

Security Level: In Confidence  METIS No: 1146029

Drather: Freda Wilson  DDI:

Key contact and number: Katrina Casey
Paula Rawiri  DDI:

Messaging seen by Communications team: No  Round robin: No

Purpose of report

This report seeks your agreement to begin the consultation process about the possible closure of Mapiu School in the Waikato region. This has been requested by the Mapiu School Board of Trustees (the Board) and has the support of the parent community because of low student numbers.

Summary

1. The roll at Mapiu School has steadily declined from 29 students in July 2009, to three students currently attending. The Board believes the long term viability of the school is poor, due to a lack of community support for the school.

2. The Board wrote to the Ministry on 2 August 2018 asking for the voluntary closure of its school at the end of 2018.

3. This report seeks your agreement to initiate consultation under section 157 of the Education Act 1989 (the Act) about the possible closure of Mapiu School. Closure of the school, should it be approved, would then be under section 154 of the Act.
Recommended actions

The Ministry of Education recommends you:

a. **agree** to initiate consultation about the possible closure of Mapiu School under section 157 of the Education Act 1989;

b. **sign** the attached letter to the Chairperson of the Mapiu School Board of Trustees initiating consultation under section 157 of the Education Act 1989;

c. **note** that should you agree to the consultation being undertaken, we will meet with the Chairperson of the Board of Trustees to provide them with your letter and discuss the next steps in the process;

d. **agree** that this report be provided to the Mapiu School Board of Trustees; and

e. **agree** that this report be proactively released as part of the Ministry's next publication of reports on its website.

Katrina Casey  
Deputy Secretary  
Sector Enablement and Support

10/9/2018

Hon Chris Hipkins  
Minister of Education

5/10/12
Background

1. Mapiu School is a decile 5, contributing primary school 42km south of Te Kuiti in the King Country, an area of population decline. The school is located 25 kilometres from Ongarue School, 25 kilometres from Aria School and 33 kilometres from Piopi Primary School and Piopi College. A map showing the locations of the schools in the area is attached as Annex 1.

2. Education provision at the school has been variable. In 2016, testing showed that all students were below expected achievement in Reading and Writing, and 50% were below in Maths.

3. Mapiu School was under statutory intervention from 2011 to 2014 after the resignation of the Board. In 2011 the roll was 21. By 2012 the roll had fallen to 12 students. The Commissioner appointed a new principal after the resignation of the previous principal and established a new board of trustees. A Limited Statutory Manager (LSM) was then appointed to provide guidance, training and support. Following good progress, the LSM was withdrawn in November 2014.

4. Community support for the school has not been fully restored and roll numbers have continued to decline.

5. The Board wrote to the Ministry on 4 July 2018 asking for a voluntary closure of its school. The letter, received 2 August 2018, is attached as Annex 2.

6. The Ministry’s view is that despite the support provided to the school over the last eight years, there has not been sustained change. The community has lost confidence in the school and this, coupled with a declining population in the area and a number of other issues, means that it is no longer viable. We consider that Mapiu School should therefore close.

Reasons for the Board considering closure

7. The Ministry agrees with the Board that Mapiu School is no longer viable, and it is being considered by the Board for closure for the following reasons:

   • The actual roll at Mapiu School for 2018 is three students, and the Board has informed the Ministry that the predicted roll for 2019 is unlikely to increase.

   • There is no significant pre-school-aged population in the area.

   • As at March 2017, there were 25 Year 1-8 students living within the Mapiu School Transport Entitlement Zone. Only two of these students were enrolled at Mapiu School.

   • The community is aware of the lack of opportunities for social interaction available to students as a result of the low numbers.

   • The school received direct resourcing to arrange school transport for eligible students and this funding, which has not been reviewed since 2011, ceased in March 2018 as there were no eligible students. The loss of this grant will have a negative impact on the school’s finances as it was greater than the school’s operational grant.
The school has been unable to attract a teacher to provide principal release cover in 2018.

The Board has considered the future of the school, but as it is not supported by the local community, it considers there are limited options.

While the Board recognises that closure might be inevitable, it has advised that if the roll does rise during the rest of 2018 it will withdraw its request for closure. We consider that a rise in the roll is unlikely.

The Ministry’s view is consistent with that of the Board - that the students at Mapiu School would benefit educationally from the resources and greater opportunities for social interaction in a larger school.

Access to other schools

11. Mapiu School is approximately 25 kilometres from both Ongarue School and Aria School and 33 kilometres from Piopio Primary School and Piopio College.

12. The rolls and capacities of neighbouring schools are as follows:

<table>
<thead>
<tr>
<th>School</th>
<th>Roll (1 July 2017)</th>
<th>Capacity (No. of students)</th>
<th>Surplus Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ongarue School</td>
<td>20</td>
<td>50</td>
<td>30</td>
</tr>
<tr>
<td>Aria School</td>
<td>48</td>
<td>75</td>
<td>27</td>
</tr>
<tr>
<td>Piopio Primary</td>
<td>151</td>
<td>199</td>
<td>48</td>
</tr>
</tbody>
</table>

13. The July 2018 roll at Mapiu School was three students and there is no significant school-age growth projected in the local catchment.

14. Students are expected to enrol at Aria School or Piopio Primary School.

Transport implications

15. The School Transport team is able to assess and advise eligibility for school transport assistance for current students to whichever will be the closest school at which they can enrol.

16. The transport entitlement zones of the neighbouring schools would be altered to reflect the closure of Mapiu School.

Actions so far

17. The Board has discussed the viability of Mapiu School with the Ministry since 2012 when the school was under statutory management. In 2017, the Board again met with Ministry staff to discuss future options for the school. At that stage there was an indication that the Board wished to consult with the community and seek support for the school to remain open. The Board sent a survey to 80 families in the wider Mapiu area. Nine surveys were returned and, of these, five were supportive of the school
18. The Ministry also met with the Board in February and March 2018 at the Board’s request. We provided information about the closure process, asset distribution and the Education Development Initiative (EDI) policy. The Board again consulted with the community and indicated it would seek closure unless there was support for the school by way of new enrolments. Little feedback was received and two local new entrant students were enrolled at a nearby school.

Financial implications

19. Mapiu School has performed adequately financially. It has generally operated in surplus ($19,484 in 2017). The last deficit was recorded in 2016 ($25,848). The low roll has affected its operational grant. The working capital position remains positive at $259,691 as at 31 December 2017. The school’s equity has begun to decline over the last 4 years moving from 94% to 92%. The loss of the transport grant will have a negative impact on the school’s finances as it was greater than the school’s operational grant.

20. If the consultation about closure proceeds, the Ministry will prepare a further report for you. This will include information about costs and savings if the school is to be closed.

Property implications

21. The property at Mapiu School is Crown-owned. If the school closes, as it is not required for educational purposes, the property would be disposed of in accordance with section 40 of the Public Works Act 1981, related local authority legislation and the protection mechanisms in respect of Māori land claims.

22. There is a school house on-site, which is tenanted by the school cleaner.

Next steps - proposed consultation plan

23. School closures require the Minister to consult as outlined in sections 154 and 157 of the Act.

24. For the Ministry to initiate consultation on your behalf, a letter is attached for your signature.

25. Ministry representatives will continue consultation with the Board and will also consult with schools where the rolls might be affected by the closure of Mapiu School.

26. Mapiu School is in the Maniapoto rohe and consultation with iwi will also be undertaken. There are no Māori students enrolled in the school.
Annexes

Annex 1: Map of local schools
Annex 2: Mapiu School Board of Trustees
Annex 3: Letter to Board Chair confirming consultation about possible closure, and to local MPs
Annex 4: Board-initiated Closure Process
Annex 5: Extracts from the Education Act 1989
Annex One: Mapiu School and surrounding schools
04 July, 2018

Paula Rawiri
Director of Education for Waikato
Ministry of Education
Hamilton Office
PO Box 774
Hamilton 3240

Dear Paula,

We the Board of Trustees Mapiu School have decided we would like to enter into the process of closure of Mapiu School for the following reasons.

1. Following community consultation we have the view we are unlikely to attract anymore students.
2. Current roll status - three students and has remained the same since the beginning of 2018 school year.
3. Loss of bus transport funding - Our Direct Resourcing for our Mapiu owned school bus has ceased.
4. Staffing implications - Difficulties employing suitable staff for position of Principal Release Teacher.
5. Isolated area.

However we would like further opportunity for consultation and should our current roll grow to a viable position by the end of 2018 school year we are able to withdraw our request for closure.

Yours sincerely

David Richardson
BOT Chairperson

Sarah Jlesen
Principal
### Annex 4: Board-initiated Closure Process, Usually takes about 6 months

<table>
<thead>
<tr>
<th>Phase</th>
<th>Action</th>
<th>Who is Involved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Board seeks the permanent closure of the school</td>
<td>The board writes to the Minister/Ministry requesting closure of the school. The letter usually includes information about why the board is making this request and the date of the board meeting that the proposal was supported. If the board has written to the Minister a reply, acknowledging the request and saying that the Ministry will be in contact (or continue to be in contact), will be sent by the Minister. If it has written to the Ministry the Ministry will reply directly. It is noted that often discussions about the future of a school have been taking place for some time before the board decides to request this in writing. Sometimes the board will have already discussed the future of the school with its community before it formally writes to the Ministry/Minister.</td>
<td>Board Ministry/Minister</td>
</tr>
<tr>
<td>Ministry contacts Board</td>
<td>If there has been little or no contact between the Ministry and the board, a meeting or number of meetings will be organised at this stage of the process. If there have been several meetings with the board, and its members are confident with the closure process, the contact may be by phone or email to confirm that the closure process is now formally underway.</td>
<td>Ministry/Board</td>
</tr>
<tr>
<td>First report to the Minister</td>
<td>The Ministry develops a report for the Minister about the current situation at the school. This includes background material such as: • the reasons for the board’s request • if there are any issues or risks that are specific to the situation • the Ministry’s contact with the school in the past, leading up to the closure request • the Ministry’s recommendation for the Minister. The report also includes a letter to the board for the Minister’s signature. If the Minister agrees to support the board’s request this letter formally initiates the consultation process that is needed before any decision about closing the school can be made.</td>
<td>Minister/Ministry</td>
</tr>
</tbody>
</table>
If the Minister agrees to begin the consultation process:
- The Ministry undertakes consultation with the boards of the schools whose roll may be affected should the school close.
- The board that requested closure undertakes consultation about the future of the school with its parent community and if its wishes its wider local community. Once it is completed the board reports to the Ministry on its outcome.

There is no set timeframe for this consultation – it is usually about 4-6 weeks.

The Ministry and board consultation processes may include meetings, letters, questionnaires, emails etc.

<table>
<thead>
<tr>
<th>Second report to the Minister</th>
<th>When the consultation feedback is received from the board, the Ministry develops a report for the Minister providing the information for her consideration. The report also includes the feedback that the Ministry has received from its consultation, and a letter from the Minister to the board.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>If the Minister is satisfied that the school should close he will write to the board informing it of the date of the closure.</td>
</tr>
<tr>
<td></td>
<td>If the Minister considers that the school should remain open he will write to the board to inform it that it will not close.</td>
</tr>
<tr>
<td></td>
<td>If the Minister agrees that the school should close he will also sign a notice for the New Zealand Gazette. The publication of the notice completes the legal part of the closure process.</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Closure gazetted</th>
<th>The closure gazette notice is published.</th>
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<tbody>
<tr>
<td>Implementation of the closure begins</td>
<td>Planning and implementation of the school closure is discussed with the board. This includes distribution of the school's assets, wrap-up of the school's finances and support for students to enrol in another school. The details are recorded in the EDI Memorandum of Agreement.</td>
</tr>
<tr>
<td>Ministry/Minister</td>
<td>Ministry (National Office)</td>
</tr>
</tbody>
</table>
Annex 5: Extracts from the Education Act 1989

154 Closure of schools

(1) Subject to section 157, and to section 438, where, after consulting the board of a State school, the Minister is satisfied that it should be closed, the Minister may, by written notice to the board, ask the board if it has any arguments in favour of the school’s staying open.

(2) The Minister may, after considering all arguments (if any) received from the board within 28 days after it got notice under subsection (1), by notice in the Gazette specifying a day on which the school will close, close the school; and the school shall cease to be established on the day specified.

(2A) If the board of a State school at any time advises or indicates to the Minister in writing that it agrees to or does not oppose the proposed closure of the school, the Minister may (despite anything in subsection (1) or subsection (2) and regardless of whether the Minister has formally begun or completed the necessary consultation under subsection (1)) close the school by notice under subsection (2) at any time on or after receiving the board’s written advice.

(2B) A decision to close a school under subsection (2) is in the Minister’s absolute discretion.

(3) Where a school is closed under this section,—

(a) its board shall thereupon be deemed to have been dissolved; and

(b) all assets, liabilities, and debts that the board had immediately before dissolution shall be deemed to have become assets, liabilities, and debts of the Minister.

(3A) Without limiting the rights or privileges conferred on the Minister by subsection (3)(b), the following provisions apply to property that was, immediately before dissolution, held by the board in trust for the benefit of the school:

(a) the Minister may at any time apply to Public Trust to devise a scheme to modify the trust for the benefit of another school:

(b) if the Minister applies under paragraph (a) to Public Trust, subsections (2) to (7) of section 156C apply with any necessary modifications (as if the property were property to which that section applies).

(4) A school that has been closed may not be reopened, except by being established again under this Act.
157 Consultations

(3) The Minister shall not—

(a) establish a school under section 146(1); or

(aa) declare a school to be a boys’ school, a girls’ school, or a co-educational school under section 146A(1); or

(b) establish or disestablish an intermediate department under section 149; or

(c) determine under section 150(1) that a primary school is to be or cease to be a contributing school; or

(d) limit under section 151 the education given at a composite school; or

(e) change under section 153(1) the class of a school; or

(f) close a school under section 154; or

(fa) redesignate, or remove a designation from, a school under section 154A; or

(g) merge any school or schools with another under section 156A,—

unless subsection (3A) applies, without first consulting the boards of all State schools whose rolls might, in the opinion of the Minister, be affected if the Minister takes that action.

(3A) Subsection (3)(f) and (g) does not apply if the relevant boards have already been consulted on a closure or merger option as part of a review of the provision of schooling in a particular area.
Adrian Rurawhe  
Member of Parliament  
PARLIAMENT BUILDINGS

Dear Adrian,

I recently received a report from the Ministry of Education about the possible closure of Mapiu School.

On 2 August 2018 the Board of Trustees of Mapiu School wrote to the Ministry requesting that the closure process be initiated. I note that the roll of the school has continued to decline and that there are two other schools within 25 kilometres of the school. Families in the area have been enrolling their children at Aria School and Piopio Primary School for a number of years now.

Before a decision is made as to whether or not to close a school, under sections 154 and 157 of the Education Act 1989, I must consult with the Board of the school, and with the Boards of any schools where the rolls might be affected. I have agreed that this consultation be initiated and have written to the Board to begin this process.

Once this consultation has been completed I will receive a further report from the Ministry. At that time I will make a final decision about the future of the school.

In the meantime the Ministry will continue to work with the Board of Mapiu School to support it during this time of transition.

Yours sincerely,

Chris Hipkins  
Minister of Education
Barbara Kuriger  
Member of Parliament  
PARLIAMENT BUILDINGS

Dear Barbara

I recently received a report from the Ministry of Education about the possible closure of Mapiu School.

On 2 August 2018 the Board of Trustees of Mapiu School wrote to the Ministry requesting that the closure process be initiated. I note that the roll of the school has continued to decline and that there are two other schools within 25 kilometres of the school. Families in the area have been enrolling their children at Aria School and Piopio Primary School for a number of years now.

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Once this consultation has been completed I will receive a further report from the Ministry. At that time I will make a final decision about the future of the school.

In the meantime the Ministry will continue to work with the Board of Mapiu School to support it during this time of transition.

Yours sincerely

Chris Hipkins  
Minister of Education
David Richardson  
Chairperson, Board of Trustees  
Mapiu School  
2739 State Highway 4  
R D 3  
Te Kuiti 3983

Dear David

Thank you for your letter dated 4 July 2018 from the Mapiu School Board of Trustees stating that the Board wishes to seek the closure of the school. We received your letter on 2 August 2018.

I note that over the past years the roll at Mapiu School has declined from 29 in 2009 to the present roll of three students. I am also informed that the predicted roll for 2019 is two students and that there are two other primary schools within 25 kilometres of Mapiu School.

Firstly, I wish to thank your Board for being prepared to investigate and discuss various options on the future of Mapiu School.

Before a decision is made as to whether or not to close a school, under sections 154 and 157 of the Education Act 1989 I must consult with the Board of the school and with the Boards of any schools where the rolls might be affected. I have enclosed the relevant sections of the Act and a table outlining the closure process.

As your school has now formally entered this process the Board should be aware that it:
- should not make permanent appointments (teaching or non-teaching)
- should discuss the appointment of fixed term employees with Ministry staff before any such positions are advertised
- should only undertake health and safety property projects
- should be particularly prudent with expenditure of operational/ school funding.

I have asked the Ministry to continue discussions with your Board about the possible closure of Mapiu School.

Yours sincerely

Chris Hipkins  
Minister of Education

Encl

cc Paula Rawiri, Director of Education Waikato.