Education Report: Alternative Constitution for the Combined Board of Trustees for Te Kāpehu Whetū (Teina) (869) and Te Kāpehu Whetū (Tuakana) (870)

To: Hon Chris Hipkins, Minister of Education

Date: 4 October 2019

Priority: Medium

Security Level: In Confidence

METIS No: 1201043

Drafters:
- Richard Abel (Tai Tokerau Office)
- Andrea Thomison (National Office)

Key Contact:
- Hira Gage (Director of Education for Tai Tokerau)

Messaging seen by Communications team: No

Purpose of Report

The purpose of this paper is for you to:

Approve an alternative constitution for the Combined Board of Trustees for Te Kāpehu Whetū (Teina) (869) and Te Kāpehu Whetū (Tuakana) (870).

Sign the attached New Zealand Gazette notice and letters to the Establishment Board of Trustees Chairperson and local Members of Parliament notifying them of your decision.

Summary

1. Te Kāpehu Whetū (Teina) and Te Kāpehu Whetū (Tuakana) are both decile 3, co-educational, state Kura located in Whangarei. Te Kāpehu Whetū (Teina) has students from years 1 to 8, and Te Kāpehu Whetū (Tuakana) has students from years 9 to 13.

2. On 27 July 2018, you established both Te Kāpehu Whetū (Teina) and Te Kāpehu Whetū (Tuakana) as state, designated character schools to replace the Partnership Schools Kura Hourua operated by the He Puna Marama Charitable Trust (the Trust). You also established a Combined Board of Trustees (the Board) to administer the state schools and specified that the Board would operate with an alternative constitution under section 98A of the Education Act 1989 (the Act).
Background

1. On 27 July 2018, you established both Te Kāpehu Whetū (Teina) and Te Kāpehu Whetū (Tuakana) as designated character schools, to replace the two Partnership Schools Kura Hourua operated by the He Punamarama Trust (the Trust) and established a Combined Board of Trustees which, following the transition from the establishment phase would operate with an alternative constitution under section 98A of the Act.

2. The Trust was established in 1997 with a mission to “provide outstanding education to students and whānau seeking bilingual education” and a purpose “to create opportunities for whānau to develop, prosper and be empowered” through seven guiding principles: Whakapapa, Whānaungatanga, Manaakitanga, Rangatiratanga, Wairuatanga, Ūkairopōtanga, Kotahitanga.

3. The EBOT is now ready to transition the Kura out of the establishment phase to the substantive board that will succeed the EBOT. The EBOT is requesting approval for the proposed content of its alternative constitution governance model.

4. The EBOT believes that the proposed constitution allows for a successful governance model and continuity of leadership that allows both Kura to provide outstanding educational outcomes within their designated character status.

Te Kāpehu Whetū (Teina) (869)

5. Te Kāpehu Whetū (Teina) (869) is the state, designated character school which replaced Te Kāpehu Whetū - Teina (715), the former Partnership School Kura Hourua.

6. Te Kāpehu Whetū (Teina), is a decile 3, co-educational full primary (Year 1-8), state school. It is a full immersion primary kura that follows the Te Marautanga o Aotearoa curriculum with a strong focus on literacy and numeracy using experiential, discovery and enquiry learning integrated with mātauranga Māori. As of 1 July 2019, the roll of the Kura was 130 students of which 100% identified as Māori.

Te Kāpehu Whetū (Tuakana) (870)

7. Te Kāpehu Whetū (Tuakana) (870) is the state, designated character school which replaced Te Kura Hourua o Whangarei Terenga Paraoa (692), the former Partnership School Kura Hourua.

8. Te Kāpehu Whetū (Tuakana) is a decile 3, co-educational, state secondary (Year 9-13) school. The Year 9-10 junior school, Paetawhiti, focuses on literacy and numeracy using project-based, place-based and relational pedagogy within an integrated curriculum that recognises the different learning style of taitamahane and taitamawahine at this age.

9. The Years 11-15 senior school of Tuakana, Paerangi, focuses academically on achievement in Mathematics, Science, Social Science and English with te reo Māori and mātauranga Māori as key components of its curriculum.

10. As of 1 July 2019, the roll of the Kura was 109 of which 100% identified as Māori.

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1 Te Kura Hourua o Whangarei Terenga Paraoa (years 7-13) and Te Kāpehu Whetū – Teina (years 1-6).
4. The schools are currently governed by an Establishment Board of Trustees (EBOT) comprised of five members recommended by the Trust and appointed by you under section 98(1) of the Act. The EBOT is now ready to transition out of the establishment phase to the alternative constitution board and you are now being asked to approve the proposed content of that alternative constitution.

5. The EBOT is proposing that the membership of the Combined Board of Trustees of Te Kāpehu Whetū (Teina) and Te Kāpehu Whetū (Tuakana) ("the Board") will be made up of the following (up to a maximum of 11 members):
   a. At least one and no more than five trustees to be appointed by He Puna Marama Trust;
   b. The two Pouhere (Principals) from the Teina and Tuakana; and
   c. Up to four members co-opted by the Board on the basis of particular experience, expertise, skill and/or leadership that in the opinion of the Board will assist in advancing the kaupapa of Te Kāpehu Whetū.

6. The EBOT believes that the proposed constitution allows for a successful governance model and continuity of leadership that allows both Kura to provide outstanding educational outcomes within their designated character status. Any risk to the schools of the Trust appointees confusing their ex-sponsor roles with those of the Board can be mitigated by ongoing monitoring of the Board and support from the Ministry during and after the transition period. Any risk associated with the proposal to exclude elected parent, student or staff representatives can be mitigated through section 98A which makes provision for the Chief Review officer or 20% of parents to request an amendment to the alternative constitution.

7. If you agree to the proposed alternative constitution, a New Zealand Gazette notice and letters to the EBOT’s Chairperson, and to the local Members of Parliament, advising of the alternative constitution are attached for your signature.
Recommended Actions

The Ministry of Education recommends you:

a. **approve** the alternative constitution for the Combined Board of Trustees for Te Kāpehu Whetū (Teina) and Te Kāpehu Whetū (Tuakana) under section 98A of the Education Act 1989;

   Agree/Disagree

b. **(if you agree) sign** the attached notice for publication in the *New Zealand Gazette*;

c. **sign** the attached letters to the Establishment Board’s Chairperson, Kaye Taylor, and to the local Members of Parliament Hon Kelvin Davis and Shane Reti, advising them of your decision; and

d. **agree** to proactively release this Education Report as part of the next publication.

   Agree/Disagree

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Katrina Casey  
Deputy Secretary  
Sector Enablement and Support  
4/10/2019

Hon Chris Hipkins  
Minister of Education  
21/10/19
Designated character of schools

11. Both Kura provide education in te reo Māori (Levels 1-2\(^2\)), and share the same designated character:

"The designated character of Te Kāpehu Whetū (Tuakana) and Te Kāpehu Whetū (Teina) reflects tikanga o Ngāpuhi-nui-tonu and our adherence to Te Tiriti O Waitangi and the rights accorded us, with particular reference to Article three which grants us our rights of citizenship which were affirmed by the men of the 28 (Māori) Battalion who paid the ultimate price of citizenship. This serves as a korowai for the Kura. The designated character cements our unique educational approach of providing a tikanga Māori-based programme of learning that includes and supports ākonga to achieve their aspirations within the Kura and beyond."

It builds on three pou\(^3\):

- Kia Māori – an education and an environment that validates Māori knowledge and ways of learning
- Kia Mātau – encouraging innovation, inquiry and the development of specialised knowledge and skills
- Kia Tū Rangatira ai – the development of strong character and personal excellence, living with mana.

"Tu ki te marae...Tu ki te Ao"

12. As such, the character and vision of the Kura means that students obtain an education of a kind that differs significantly from the education they would receive at an ordinary state school.

The legislative requirements

13. You have already agreed that the constitution of the Board of Trustees will be an alternative constitution under section 98A of the Act. Your decision was published in the New Zealand Gazette notice on 27 July 2018.

14. At that time, the composition of the substantive board had not been decided and you are now being asked to approve the proposed alternative constitution of Board membership. Under section 98A, the Minister may not approve an alternative constitution for a board unless the Minister has reasonable cause to believe that an alternative constitution is in the best interests of the school or schools governed by the board.

15. The Minister can approve a wide variety of governance structures to suit the circumstances of any given board. An alternative constitution can allow:

a. formal recognition of a school community character/identity;

b. formal recognition of ongoing partnerships between the school and other parties;

c. a workable or different mix/number of trustees on a board.

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\(^2\) Level 1 immersion is 81% or more of the time education will be in Te Reo Māori. Level 2 immersion is 51% - 80% of the time education will be in Te Reo Māori.

\(^3\) Kia Māori, Kia Mātau and Kia Rangatira ai (Be Māori, Be Educated, Be Rangatira).
16. An alternative constitution approved under section 98A applies instead of a standard constitution under section 94 of the Act.

Consultation

17. The Act does not specifically require consultation by the Board or the Minister for an alternative constitution following an EBOT. The Ministry has however, provided guidance and information to the EBOT about alternative constitutions.

The proposed alternative constitution

18. The EBOT proposes that the alternative constitution for the Combined Board of the two Kura shall be made up of the following members (up to a maximum of 11 members).
   a. At least one and no more than five trustees to be appointed by He Puna Marama Trust;
   b. The two Pouhere (Principals) from the Teina and Tuakana; and
   c. Up to four members co-opted by the Board on the basis of particular experience, expertise, skill and/or leadership that in the opinion of the Board will assist in advancing the kaupapa of Te Kāpehu Whetū.

19. These members would all be full members of the board with equal voting rights and full responsibility and accountability requirements.

20. All appointments and co-options to the Board are to be made on the basis of knowledge of the kaupapa of Te Kāpehu Whetū.

21. The term of office for appointed or co-opted members is no more than three years. Eligible trustees may be reappointed or co-opted for further terms not exceeding three years. A Board resolution co-opting a trustee may specify a shorter term of office.

22. Casual vacancies for appointed or co-opted trustees must be notified promptly by the Board to the appointing bodies and such vacancies will be filled by appointment in the same manner as the vacating trustee was appointed or co-opted for the residue of the term of the vacating trustee.

23. The proposed alternative constitution would have no elected parent, student or staff representatives.

24. Under section 101(8A), if you approve the alternative constitution you must also, in the same New Zealand Gazette notice fix the date of the first board meeting. If you approve the alternative constitution, we recommend you fix 12 November 2019 as the date of the first meeting of the Board, as this is the date of the Board’s next scheduled meeting.

25. A notice for the New Zealand Gazette addressing these matters is attached for your signature.
Transitional arrangements

26. A letter to the current Chair of the EBOT is attached for your signature. It lays out the alternative constitution, when it will take effect and the date set for the first Board meeting. This will allow the EBOT to begin planning for implementation of the new constitution.

27. A new Board will not take office until the date specified in the New Zealand Gazette notice. The first trustees appointed or co-opted under this constitution will take office on this date. The Ministry will work alongside the new Board when it takes office to support the new governance model and monitor its effect.

28. The EBOT will:
   a. notify the date of the first Board meeting to He Puna Marama Charitable Trust, which may appoint up to five trustees prior to that date; and
   b. leave office at the end of the day before the date of the first Board meeting set under section 101(8A).

Risks

29. We consider that the risks of approving this proposal are the following.
   a. The proposed alternative constitution removes the opportunity for student, staff or parent elections and the subsequent ability for their representation on the board. This has several implications including:
      i. the risk that the absence of an election denies the community the opportunity for input into selection of board members; and
      ii. membership may not be representative of the community.
   b. Due to the discretionary nature of the Trust’s selection criteria for board appointments, it may inhibit the introduction of alternate viewpoints or fresh membership to the Board.
   c. There is the risk that the Board may not be as responsive to concerns raised by the community as they would be if elected, as they do not require the positive view of the community for re-appointment to the Board.

   These risks are mitigated by the Act itself as section 98A sets out the criteria for who can request an alternative constitution. If 20% or more of the parents of children enrolled at the Kura request an amendment to an alternative constitution, this can be considered by the Minister of Education.

   d. In the event that a Board member appointed by the Trust is concurrently a Board member of the Trust (as currently with the EBOT), members may find it challenging to delineate between their roles on the Trust Board and the Kura Board.

   This risk can be mitigated by ongoing monitoring of the Board and support from the Ministry during the transition and beyond.
Ministry Comment and View

30. The Ministry supports the proposed alternative constitution and recognises the EBOT's view that that the proposed constitution allows for a successful governance model and continuity of leadership that allows both Kura to provide outstanding educational outcomes under their designated character status.

31. However, under section 98A, you may not approve an alternative constitution for a board unless you have reasonable cause to believe that an alternative constitution is in the best interests of the school or schools governed by the board.

32. The Ministry also recognises that there is a high level of commitment from He Puna Marama Trust to provide outstanding education to students and whānau seeking bilingual education. The Trust is also committed to, and passionate about, the quality of education and teaching to achieve excellent learning outcomes for their tamariki, through the creation of opportunities for whānau to develop, prosper and be empowered.

33. The Ministry is also satisfied that the risks associated with approving the proposed alternative constitution are able to be mitigated by the Act.

Proactive Release

34. It is intended that this Education Report is proactively released as per your expectation that information be released as soon as possible. Any information which may need to be withheld will be done so in line with the provisions of the Official Information Act 1982.

Annexes

Annex 1: Letter from Applicant requesting consideration of alternative constitution

Annex 2: Notice for the New Zealand Gazette

Annex 3: Letters to Board Chair confirming decision

Annex 4: Letters to Members of Parliament
Annex 1: Letter from Applicant requesting consideration of alternative constitution
10 April 2019

Hon Chris Hipkins
Minister of Education
Private Bag 18041
Parliament Buildings
Wellington 6160
c.hipkins@ministers.govt.nz

Tena koe Minister

RE: Alternative Constitution for Te Kāpehu Whetū Teina & Tuakana

Attached is the proposed Te Kāpehu Whetū Teina & Tuakana (869 & 870) Alternative Constitution approved by the current Establishment Board of Trustees (EBOT). We request that you approve the proposed constitution so that it may be put in place for the substantive Board that will succeed the EBOT.

The EBOT believes that the proposed constitution allows for a successful governance model and continuity of leadership that allows Te Kāpehu Whetū Teina & Tuakana to continue to provide outstanding educational outcomes under their newly established designated character status.

Please contact me if you require any further information regarding the proposed alternative constitution.

Naku noa, na

Kaye Taylor
Chairperson
Te Kāpehu Whetū Teina & Tuakana EBOT
Alternative Constitution of the Te Kāpehu Whetū Board of Trustees

Kaupapa

Established in 2009, The Leadership Academy of A Company pays tribute to the 28 (Māori) Battalion A Company and aspires to ‘build Māori leaders’ so that our young men may contribute to and benefit from the wider world. The Academy is not a programme; it is a way of being in the world. The motivation for this project came from successful learning models of the past including, Māori boarding schools, the military and Māori trade training. The lessons we have learnt from these models give us the best indication of the type of framework we need to create a lasting legacy for Māori achievement. The Academy model has its origins in the past while using present day frameworks as a guide: “The best of yesterday, the knowing of today, to build a model for tomorrow”.

Te Kāpehu Whetū has been firmly established under the learnings of the Leadership Academy of A Company and the korowai of the 28 (Māori) Battalion. All ākonga are reminded of this sacrifice and the debt owed to the men of the 28th who fought for the ‘same rights and duties of citizenship’ promised to them in the third article of the Treaty of Waitangi.

The story of Te Kāpehu Whetū began following the signing of a Partnership School contract in 2013 between the Ministry of Education and He Puna Marama Trust as the sponsor for its opening in February 2014.

The original name for Te Kāpehu Whetū - Paerangi was Te Kura Hourua o Whangarei Terenga Paraoa. Professor Sir Mason Durie gifted the Kura the phrase Navigating Māori Futures, the title of one of his books on Māori Development, as a motto for our educational initiative. He Puna Marama Trust Chairman, Telly Warren, came up with the term Te Kāpehu Whetū, the traditional Māori Star Compass and the name was blessed by Sir Hekenukumai Busby as the tohunga of navigation and ocean voyaging.

The Kura was officially opened on Saturday, February 15, 2014 with dawn karakia and the two main buildings were named Tapatoru in reference to the Polynesian triangle, and Maumahara in honour of the 28 (Māori) Battalion. A second total immersion primary Kura was opened the following year in 2015 next to our foundation Mokopuna Early Childhood Centre on Tarewa Rd, Whangarei. Our combined roll of the Kura grew from 47 in 2014 to 330 at its height over the next few years with waiting lists for enrolments at both Kura.

Te Kāpehu Whetū consists of one kaupapa, two kura, four whare: Navigating Māori Futures. Our two kura, Te Kāpehu Whetū - Teina (year 1 – 8) and Te Kāpehu Whetū - Tuakana (year 9 – 13), set as its foundation, Te Reo me Ōna Tikanga of Ngāpuhi-nui-tōtou and its history. We adhere to Te Tiriti O Waitangi and the rights accorded us with particular reference to Article 3, granting us the rights of citizenship affirmed by the men of the 28th (Māori) Battalion, who paid the ultimate price for that citizenship. This serves as the korowai for our Kura, supporting ākonga to achieve within Kura and beyond, sustained by our three pou of Kia Māori, Kia Māteu, Kia Tū Rangatira Aī as their guiding principles adopted from the Leadership Academy of A Company.

Te Kāpehu Whetū Teina

➢ Paenuku (Years 1—6)
➢ Paetata (years 7 – 8)

Is a full immersion primary kura that follows the Te Marautanga o Aotearoa curriculum with a strong focus on literacy and numeracy using experiential, discovery and inquiry learning with mātauranga Māori integrated.

Te Kāpehu Whetū Tuakana

➢ Paetawhitī (Years 9—10)

Paetawhitī focuses on literacy and numeracy using project-based, place-based and relational pedagogy within an integrated curriculum that recognises the different learning style of taitamata and taitamawahine at this age.

➢ Paerangi (Years 11—13)

Paerangi is the senior school that focuses academically on achievement in Mathematics, Science, Social Science and English with Te Reo Māori and Mātauranga Māori as key components of the curriculum. Our ākonga for these whare are based at our campus in the Hihiaua Precinct in Whangarei.
Constitution

1. Te Kāpehu Whetū Tuakana & Teina Schools (870 & 869) Board of Trustees (TKW BOT) shall be made up of the following members (maximum 11 members) who are full members of the board with equal voting rights and full responsibility and accountability requirements:
   
a. Up to five members to be appointed by He Puna Marama Trust to the TKW BOT;

b. the two Pouhere (Principals) from Te Kāpehu Whetū Tuakana & Te Kāpehu Whetū Teina Schools;

c. up to four members co-opted by The TKW BOT on the basis of particular experience, expertise, skill and/or leadership that in the opinion of The TKW BOT will assist in advancing the kaupapa of Te Kāpehu Whetū.

2. All appointments and co-options to The TKW BOT are to be made on the basis of knowledge of the kaupapa of Te Kāpehu Whetū.

3. The term of office for all appointed or co-opted members shall be a maximum of 3 years.
   
a) New appointed trustees shall take office from the first meeting of the TKW BOT following approval by the Minister of Education.

b) New co-opted trustees shall take office from the first meeting of the TKW BOT following the TKW BOT meeting in which they have been co-opted.

Transitional arrangements replacing the Establishment Board of Trustees

4. The Minister of Education, under section 101(7) of the Act, will, by notice in the New Zealand Gazette, fix the date of the first board meeting for trustees appointed to the TKW BOT under this notice.

Term of office of members appointed, selected or co-opted to TKW BOT

5. Each term of office for trustees appointed by He Puna Marama Trust or co-opted by TKW EBOT shall be for a period not exceeding three years. Eligible trustees may be reappointed, reselected or co-opted for further terms not exceeding three years.

A TKW BOT resolution co-opting a trustee may specify a shorter term of office.

6. The Establishment Board of Trustees of Te Kāpehu Whetū (TKW EBOT) shall:
   
a. Notify the date of the first board meeting to He Puna Marama Trust, which may appoint up to five trustees prior to that date; and

b. leave office at the end of the day before the date of the first board meeting set under section 101(7) of the Act.

7. The Alternative Constitution of the Te Kāpehu Whetū Board of Trustees will be subject to the approval of the Minister of Education and must be notified in the New Zealand Gazette.
Annex 2: Notice for the New Zealand Gazette
NOTICE FOR NEW ZEALAND GAZETTE

Constitution of the Combined Board of Te Kāpehu Whetū (Teina) (869) and Te Kāpehu Whetū (Tuakana)(870)

1. Pursuant to section 98A of the Education Act 1989 ("Act"), I hereby specify that the alternative constitution for the Combined Board of Trustees of Te Kāpehu Whetū (Teina) and Te Kāpehu Whetū (Tuakana) ("Board") will be as follows:

2. Up to a maximum of 11 members:
   a. At least one and no more than five trustees to be appointed by He Puna Marama Trust;
   b. The two Pouhere (Principals) from the Teina and Tuakana, and
   c. Up to four members co-opted by the Board on the basis of particular experience, expertise, skill and/or leadership that in the opinion of the Board will assist in advancing the kaupapa of Te Kāpehu Whetū.

3. All appointments and co-options to the Board are to be made on the basis of knowledge of the kaupapa of Te Kāpehu Whetū.

4. The term of office for appointed or co-opted members is no more than three years. Eligible trustees may be reappointed or co-opted for further terms not exceeding three years. A board resolution co-opting a trustee may specify a shorter term of office.

5. Casual vacancies for appointed or co-opted trustees must be notified promptly by the board to the appointing bodies and such vacancies will be filled by appointment in the same manner as the vacating trustee was appointed or co-opted for the residue of the term of the vacating trustee.

Transitional arrangement replacing the Establishment Board of Trustees

6. The Establishment Board of Trustees shall
   a. Notify the date of the first board meeting to He Puna Marama Trust, which may appoint up to five trustees prior to that date; and
   b. Leave office at the end of the day before the date of the first board meeting set under section 101(8A) of the Act.

7. For the purpose of section 101(8A) of the Act, the first meeting of the Board under this alternative constitution will be on Tuesday, 12 November 2019. The first trustees appointed or co-opted under this constitution will take office on this date.

This notice shall come into effect on the date of publication in the New Zealand Gazette.

Dated at Wellington this 22 day of Oct 2019.

Hon Chris Hipkins
Minister of Education
Annex 3: Letters to Board Chair confirming decision
Kaye Taylor  
Chairperson, Establishment Board of Trustees  
Te Kāpehu Whetū (Teina) and Te Kāpehu Whetū (Tuakana)  
185 Lower Dent Street  
WHANGAREI 0110

Dear Kaye,

Thank you for your request seeking my approval for the alternative constitution for the Combined Board of Trustees for Te Kāpehu Whetū (Teina) and Te Kāpehu Whetū (Tuakana) in Whangarei.

I am pleased to tell you that, after considering all the information available to me, I have approved the Board’s alternative constitution under section 98A of the Education Act 1989. The approval notice will be published in the New Zealand Gazette, and the first day of office for the Board’s alternative constitution will be Tuesday, 12 November 2019. This date shall also serve as the date of the first board meeting for trustees appointed or co-opted to the Board under this notice.

The alternative constitution for the Combined Board of Trustees of Te Kāpehu Whetū (Teina) and Te Kāpehu Whetū (Tuakana) (“Board”) will be as follows:

The Board will be made up of the following members (up to a maximum of 11 members):

a. At least one and no more than five trustees to be appointed by He Puna Marama Trust;

b. The two Pouhere (Principals) from the Teina and Tuakana; and

c. Up to four members co-opted by the Board on the basis of particular experience, expertise, skill and/or leadership that in the opinion of the Board will assist in advancing the kaupapa of Te Kāpehu Whetū.

All appointments and co-options to the Board are to be made on the basis of knowledge of the kaupapa of Te Kāpehu Whetū.

The term of office for appointed or co-opted members is no more than three years. Eligible trustees may be reappointed or co-opted for further terms not exceeding three years. A board resolution co-opting a trustee may specify a shorter term of office.

Casual vacancies for appointed or co-opted trustees must be notified promptly by the Board to the appointing bodies and such vacancies will be filled by appointment in the same manner as the vacating trustee was appointed or co-opted for the residue of the term of the vacating trustee.
I would like to congratulate you and the establishment Board members for the work that has been done to encourage and support the community's interest in the governance of the Kura. I thank you for your commitment to the Kura and wish you and the community well for the future.

Yours sincerely

[Signature]

Chris Hipkins
Minister of Education
Dr Shane Reti
Member of Parliament
Parliament Buildings

26 OCT 2019

Dear Dr Reti

I am pleased to communicate that I have approved an alternative constitution for the combined Board of Trustees for Te Kāpehu Whetū (Teina) and Te Kāpehu Whetū (Tuakana), Whangarei. My approval is pursuant to section 98A of the Education Act 1989.

The alternative constitution for the Combined Board of Trustees of Te Kāpehu Whetū (Teina) and Te Kāpehu Whetū (Tuakana) ("Board") will be as follows:

The Board will be made up of the following members (up to a maximum of 11 members):

a. At least one and no more than five trustees to be appointed by He Puna Marama Trust;

b. The two Pouhere (Principals) from the Teina and Tuakana; and

c. Up to four members co-opted by the Board on the basis of particular experience, expertise, skill and/or leadership that in the opinion of the Board will assist in advancing the kaupapa of Te Kāpehu Whetū.

All appointments and co-options to the Board are to be made on the basis of knowledge of the kaupapa of Te Kāpehu Whetū.

The term of office for appointed or co-opted members is no more than three years. Eligible trustees may be reappointed or co-opted for further terms not exceeding three years. A board resolution co-opting a trustee may specify a shorter term of office.

Casual vacancies for appointed or co-opted trustees must be notified promptly by the board to the appointing bodies and such vacancies will be filled by appointment in the same manner as the vacating trustee was appointed or co-opted for the residue of the term of the vacating trustee.

The alternative constitution of the Board will take effect from a date to be notified in the New Zealand Gazette.

Yours sincerely

Chris Hipkins
Minister of Education
Hon Kelvin Davis
MP for Te Tai Tokerau
Parliament Buildings

Dear Kelvin,

I am pleased to communicate that I have approved an alternative constitution for the combined Board of Trustees for Te Kāpehu Whetū (Teina) and Te Kāpehu Whetū (Tuakana), Whangarei. My approval is pursuant to section 98A of the Education Act 1989.

The alternative constitution for the Combined Board of Trustees of Te Kāpehu Whetū (Teina) and Te Kāpehu Whetū (Tuakana) ("Board") will be as follows:

The Board will be made up of the following members (up to a maximum of 11 members):

a. At least one and no more than five trustees to be appointed by He Puna Marama Trust;

b. The two Pouhere (Principals) from the Teina and Tuakana; and

c. Up to four members co-opted by the Board on the basis of particular experience, expertise, skill and/or leadership that in the opinion of the Board will assist in advancing the kaupapa of Te Kāpehu Whetū.

The alternative constitution of the Board will take effect from a date to be notified in the New Zealand Gazette.

Yours sincerely,

Chris Hipkins
Minister of Education