# 

**Conference Papers 2013-2014**

****

|  |
| --- |
| F:\Infoserv\Photo library\Komiti Pasifika\Service award presentation to Manu.jpg |
| F:\Infoserv\Photo library\Campaigns\violence and bullying\Pink shirt day\Pink shirt Fairfield.jpg |
| F:\Infoserv\Photo library\Campaigns\Novopay black day\Otumoetai College2.jpg |
| F:\Infoserv\Photo library\Industrial\protests and marches\Fairness at Work - Wellington rally 2013\FairnessAtWork (5).JPG  ppta_logo_red |

Contents

1. Behaviour, behaviour, behaviour: It’s a class act 2
2. Waikato Regional paper – Zoning, enrolment schemes and

choice – educational apartheid? 13

1. A needs-based model of resourcing for schools – time for a

national discussion? 41

1. PPTA industrial strategy 2015 57
2. Demolition or restoration: The election and our fight for the

Teachers Council 65

Behaviour, Behaviour, Behaviour

It’s a class act!

# Introduction

## Background

Managing student behaviour is central to the job of being a secondary teacher. It is no mean feat sustaining a learning environment that engages and involves anything up to 30 adolescents on an hourly basis – particularly given that until the age of 16, students do not have a choice about being there. Moreover, society itself is conflicted about what it wants secondary teachers to do. On the one hand, they are expected to act as agents of social control, teaching students to behave according to certain established cultural norms and instilling “discipline” while on the other hand, education is valued as an exercise in challenging established wisdom and encouraging independent thinking. In western countries, including New Zealand, there has been a systematic move away from the former to the latter but not always accompanied by the levels of support teachers require to change the fundamentals of classroom practice.

## Behaviour management and PPTA

It’s no surprise that behaviour management has been a regular topic of discussion at PPTA Annual Conference and in other forums. In 1985 after years of intense debate, PPTA Annual Conference signalled that it was embracing a view of education as a transformational experience, not simply a transactional one, and recommended that caning be abolished. This change was cemented in legislation in 1990. The 1985 conference also called for a range of supports that would assist teachers with classroom management in the new environment: smaller classes, more guidance counsellors, a revamped curriculum that gave students more choice and better home/school relationships.

## Supporting teachers in the classroom

Typically with education reform, the move away from punishment to a more sophisticated model of behaviour management has not been accompanied by the necessary time, staffing and professional development. Teachers have expressed frustration at being expected to deal with an increasing range of complex and sometimes dangerous student behaviours without the system-wide support that is required. In 2008 the Hutt Valley region commissioned the report *The Incidence of Severe Behaviour in Hutt Valley and Wellington Schools*[[1]](#footnote-1). This report focused on the mechanisms for supporting schools which deal with large numbers of students who exhibit disruptive and antisocial behaviour.

The Ministry of Education responded by calling a national behaviour summit, the Taumata Whānonga[[2]](#footnote-2) at which national and international experts on behaviour provided advice on the nature of the problem and described what a successful response might look like. It was an acknowledgement that there was a real problem in schools that needed addressing and an admission that a coherent national solution was needed. After the summit the ministry, unions and academics continued to work together to develop some agreed solutions to the problem. During this process Positive Behaviour for Learning (PB4L) was proposed as the most evidence-based way to work though problem behaviour.

# Positive Behaviour for Learning – PB4L

## Introduction of PB4L – navigating the rapids of behaviour management

PB4L is a group of programmes which provide a tiered approach to behaviour management, with the focus of the School-Wide (SW) programme on data gathering and evaluation, alongside the establishment and teaching of values. It started in America and spread to a number of countries including Australia, Holland, England and eventually New Zealand. PPTA welcomed the introduction of a supported investment in the programme though there was some concern about its American focus. More critical for PPTA were the issues around schools that did not operate the programme with fidelity. In other words, they used it as a weapon to condemn and isolate teachers rather than as a consultative professional development tool that, properly implemented, would support both teachers and students. In 2010, Annual Conference recommended that schools consult with the PPTA branch about the decision to become part of PB4L and continue to consult with the branch about the operation of the programme. Its implementation was dependent on an 80% buy-in from all staff, which was telegraphed as essential to bring the programme into a school. The steering group helped negotiate time between the original presentation and the vote so that the PPTA branch could also be consulted. It also gave staff sufficient time to consider fully the ramifications of a whole school change initiative.

## Expansion and Review of PB4L

Positive Behaviour for Learning helps parents, whānau, teachers and schools address problem behaviour, improve children and young people’s wellbeing and increase educational achievement.[[3]](#footnote-3) PB4L consists of ten programmes, some whole school change initiatives, some targeted group programmes and other targeted individual programmes and services. These are listed on the TKI website with the exception of some programmes, such as Check and Connect, which are in pilot phase.

When secondary schools talk about PB4L they often mean School-Wide (SW) which is the whole school values based initiative. There is a [video](http://pb4l.tki.org.nz/School-Wide-schools) which gives information about this specific programme. There are currently 515 schools participating, of which 166 are secondary schools (32.2%). As at the time of writing, there are 323 secondary schools (state and integrated), which means 51.4% of secondary schools are implementing School-Wide. No figures are available for composite schools.

## Restorative Practices

Funding has also been provided to encourage schools to explore Restorative Practices, a programme designed to make sure relationships continue to function well in the melting pot that secondary schools can be. It is a relationship-based programme which has found alternative ways to keep students in the classroom and in the school.

Currently 21 trial schools are developing a best practice model for Restorative Practices. The programme involves a whole school approach to behaviour management consisting of three practices: restorative essentials, circles (where students are worked with in groups), and conferencing dealing with more serious disciplinary breaches. The completion of the pilot will lead to a best practice model which is to be made available to 200 schools by 2017. Delays in expansion of the pilot have occurred as a result of issues in designing a model that will both suit the sector and get round the ministry’s cap on appointing people which is part of a wider public service personnel freeze. These delays are frustrating as there is a pressing need for this approach to be available to more schools.

PPTA has been fully involved in the development of the resources as well as in designing the delivery model for schools. This initiative must remain sector-led with schools enabled to access ongoing support in the form of training, coaching and advice.

## Youth Mental Health Project

As well as calling for more consistent practice nationally in addressing problem behaviour, the Taumata Whānonga also noted how critically under-resourced schools were in terms of expertise for dealing with teenage mental health issues. The response has been the [Prime Minister’s Youth Mental Health Project](http://www.beehive.govt.nz/feature/prime-minister%E2%80%99s-youth-mental-health-project)[[4]](#footnote-4) which seeks to align health and educational services in order to better support the one in five teenagers who suffer from some form of mental health problem.

# Shifting sands

## Stand-downs and suspensions

A 2013 Ministry of Education report (based on 2012 data)[[5]](#footnote-5) indicates that stand-downs and suspensions continue to trend downwards. This suggests that schools are genuinely looking for alternative ways to deal with problem student behaviour.

* + 1. **Reasons for stand-downs**

Two thirds of stand-downs are for violence, continual disobedience or verbal assaults on staff (e.g. swearing). The other third includes drug and alcohol use, sexual harassment, sexual misconduct, possession of weapons and other harmful or dangerous behaviours. As stand-downs make up the largest removal from school measure, this tells us a lot about how schools are managing problem behaviour and which students are affected most.

* + 1. **Stand-downs and ethnicity**

Stand-down figures remain particularly high for Māori. In 2012 there were 16,712 stand-downs of 13,040 students. 69% of these were in secondary schools. The rate for Māori stand-downs is 1.5 times that of Pākehā. Pasifika and Māori had the biggest reductions in stand-downs of all ethnic groups between 2011 and 2012, but there is still a long way to go to achieve ‘parity’ of stand-downs with Pākehā students.

* + 1. **Stand-downs and socio-economic differences**

There is also a class difference in that students from decile 1 and 2 schools are 4.7 times more likely to be stood down than students from decile 9 and 10 schools. Reducing stand-down rates is also critical from an equity point of view. Decile 1 and 2 schools do appear to be doing a better job than higher decile schools at retaining Māori students, but the number of stand-downs remains too high.

The early evaluation indications from PB4L would support this.

* + 1. **Suspensions**

The main reason for suspensions in 2012 was continual disobedience, at 24.9%, followed closely by drugs, at 23.7%. Suspensions have decreased 39.7% over the last 13 years so schools appear to be finding other ways to work with students.

* + 1. **Exclusions**

The main reason given for exclusion is continual disobedience, at 33.6%; physical assault is second, at 17.4% and drug use is third. The report notes:

* Māori were being expelled at 2.1 times the rate of Pasifika students and 3.7 times that of Pākehā.
* 2.6 times more boys than girls were excluded.
* Students from the lowest quintile schools are 5.1 times more likely to be excluded than students in the highest quintiles.
  + 1. **Use of Section 27**

Anecdotally, use of Section 27[[6]](#footnote-6), which enables principals to exempt a student from attending for up to five days, has become increasingly popular, but as statistics are not gathered on its use it is hard to determine exactly how much it is being used or whether it is being used correctly. This section is designed so that a student can gather the appropriate support for a restorative meeting or other such intervention and enables the school to avoid formally asking the student to stay at home. There is currently some nervousness from the ministry about s27 use, as under this section a student cannot be compelled to stay at home (it is seen as a supportive mechanism). However, the section has at least given schools another tool to use when dealing with particular behaviours. It is crucial, if we are to keep students in school, that schools have tools like s27 that they can use to maintain relationships with students as well as the mana of all involved, while allowing schools to get the necessary support in place so that students can work through the real issues they might have with authority or with substances.

## The changing face of practice

The statistics for stand-downs and suspensions suggest a system in transition, but they currently reflect both old and new practices in schools.

The Health and Wellbeing of New Zealand Secondary School Students in 2012[[7]](#footnote-7), which is part of the Youth 2000 survey series, suggests that in many schools behaviour and wellbeing is improving. More students than was the case in 2000 report that their teachers are fair, that they like school, and that they feel the adults at school care about them. This aligns with the growth in importance of relationship-based teaching and with the numbers of students staying on at school until the end of year 13.

## It’s not just schools…

Statistics show that despite deteriorating out-of-school factors schools are managing to reduce suspensions and stand-downs. However, there remain many factors which are often outside of teachers’ and students’ control and which work against efforts to address poor behaviour. New Zealand ranks poorly in the OECD bullying measures[[8]](#footnote-8), which led to the creation of the Bullying Prevention Guidelines[[9]](#footnote-9) this year. This poor ranking for bullying is reflected in the Youth 2012 survey findings. It also highlights other concerning issues which impact on student behaviour, including high numbers of students with significant depressive symptoms, high numbers of parents worrying about having enough money for food and lack of access to a family doctor[[10]](#footnote-10), and the levels of participation in paid part-time employment.

# The context for teachers

## Teacher Efficacy

Patty Towl (in work commissioned by PPTA in 2007)[[11]](#footnote-11) made clear that the biggest issue for teachers dealing with behaviour issues in the classroom was the undermining of teacher efficacy by blame-focused approaches. She also highlighted an unhelpful “deficit model of thinking” operating which implies that any failure of a student to succeed is a result of poor teaching, and that all barriers to student achievement (including behaviour issues) can be addressed solely by the medium of ‘fixing broken teachers’.

The adults who surround students and the consistency of their expectations can make a massive difference to individuals’ behaviour. As Dr John Visser points out:

“*much challenging behaviour is context related, altering according to time, place and the adults involved. Policies help to reduce different reactions and approaches by different teachers and other staff, thereby helping consistency and fairness. Where such policies are ‘owned’ and ‘lived’, safe, well organised schools with staff clearly in control tend to result. Policies must allow staff to listen and talk to pupils and to provide ‘emotional first aid”*[[12]](#footnote-12)

The school’s behavioural framework and the policies and practices underpinning it will have the biggest impact on teacher efficacy and, if well managed, will allow the teacher to remain clearly in control.

# PPTA Behaviour Guidelines

The 2013 Annual Conference expressed some concern about the way PB4L and related initiatives were operating in schools, so asked that a taskforce be set up to produce the following:

* a report to Annual Conference 2014, and
* a set of behavioural management guidelines to shape good practice in schools.

## Behaviour Management Taskforce

The Behaviour Management Taskforce considered a range of material covering best practice approaches, including literature reviews. It met face-to-face once and developed guidelines to assist branches in ensuring that behaviour initiatives operate effectively in their schools.

## Behaviour Guidelines

The guidelines developed by the Taskforce are attached as Appendix A, and Recommendation 2 asks that Annual Conference formally adopt these.

Branches that find that the behaviour management systems operating in their schools are not supporting teachers to be more effective in the classroom need to evaluate their school programme against the best practice approach described in these guidelines and seek a meeting with their employer to discuss how processes can be improved. It is clear that many of the issues around the adoption of any behaviour management programme within secondary schools reflect ineffective change management in schools rather than particular problems with the programmes themselves. PPTA has also developed a number of useful toolkits which should be used in conjunction with these guidelines. In particular, the Change Management toolkit[[13]](#footnote-13), the PLD toolkit[[14]](#footnote-14) and the School Anti-violence Toolkit[[15]](#footnote-15) can all support branches’ work in this area.

## Using the Guidelines

Recommendation 3 encourages regional officers to include training around the Guidelines and the PPTA toolkits for Change Management, PLD and Anti-Violence in their regional training days. National Office staff will help with this as required. Field officers will also be a valuable asset to assist with this process.

Recommendations 4 and 5 encourage branches to display and distribute the Guidelines in their schools, and to use them where there are issues.

The Guidelines will be far more effective if they are supported and encouraged by our regions and branches. They are, in effect, an organising tool that enables staff to prevent poor management practices from taking hold.

# Conclusion

This paper explains the background to PB4L and other interconnected behavioural initiatives and describes some of the challenges in turning the theory into effective practice. The attached behaviour guidelines give teachers the ability to act together to have an influence on behaviour management in their schools. By working with branch officers and regional networks, PPTA members can make a difference to the way frameworks for behaviour management operate in schools.

# Recommendations:

1. THAT the report be received.
2. THAT PPTA adopt the Behaviour Guidelines.
3. THAT regions be encouraged to include training around the Behaviour Guidelines and the relevant PPTA toolkits in their branch officer training programmes from 2015.
4. THAT branch chairs be asked to display and distribute the Behaviour Guidelines in their schools.
5. THAT branches that have concerns about their school behaviour management system are encouraged and supported to raise the matter with their employers.

# Appendix – Behaviour Guidelines



**Behaviour Guidelines**

**May 2014**

1. **Systems and approaches to behaviour management are effective when:**

* A whole school approach is taken. This means teachers are involved in creating the system and key stakeholders are properly consulted in the development.
* Key stakeholders include: PPTA branch, staff - teaching and support, students, whanau, boards, community groups and other agencies.
* In the initial phase of implementation processes are clear and transparent, lines of communication remain open (across all key stakeholders) and PLD is provided which must include mentoring, time and resourcing.
* In the development phase the systems continue to be resourced, are reflexive (monitored though self-review), reflective practices are used, and evidence is gathered and acted upon.
* In the sustainability phase significant changes in key stakeholders are tracked, big changes can occur. School values must be checked. All systems and approaches must be checked to make sure they remain effective. New members of the school community are inducted starting with teachers and working though support staff and other key stakeholders.

1. **To support teachers in managing student behaviour they must have:**

* An easy to use framework for managing student behaviour developed from a robust, co-constructed behaviour management plan;
* Clear lines of communication to access support (including SENCO, SCT, RTLB, PLD);
* A collaborative working environment where expectations are fair, equitable and negotiated to maintain the mana and dignity of the teacher;
* Supports might include access to mentoring, working with the SCT, senior leaders, HoFs, guidance and deans, whanau, community, agencies, etc;
* The visible support of the Senior Leadership Team (SLT) to implement the student management framework;
* Opportunities to know students in context;
* An understanding of the students’ world;
* On-going opportunities to build relationships;
* An open and supportive school culture;
* A collaborative and collegial work environment which empowers teachers to implement the behavioural framework.

All of the above should help maintain the mana and dignity of the teacher and teaching.

1. **What are the effects of these ways of working?**

**Teachers**

* Positive learning environment for all, mana and dignity flourishes
* Consistent application of the framework across the school
* Extra workload of effective implication is accounted for
* Awareness of behaviours is well developed and well informed
* Staff awareness of behaviours towards students and each other is high
* Staff morale and community morale is tracking up
* Happy, safe working environment
* Recognition of positive results and opportunities
* Opportunity to view students differently
* Give students the chance to change
* Teaching will be more effective
* Staff motivation is up and staff wellbeing is consolidated

**Students**

* Positive learning environment for all, mana and dignity flourishes
* Security – students know expectations and outcomes
* Equity- everyone is treated fairly
* Motivational- everyone feels part of the collective
* Modelling- behaviours are modelled by all
* Recognition- is given to good practice and to teacher and student need

PPTA represents the professional and industrial interests of some 17,000 secondary teachers in state secondary, area, manual training and intermediate schools, as well as tutors in community education institutions, alternative education and activity centres, and principals in secondary and area schools. More than 95% of eligible teachers choose to belong to the Association.

**NOTES**

2014 ANNUAL CONFERENCE NZPPTA – WAIKATO REGIONAL PAPER

Zoning, Enrolment Schemes and Choice – Educational Apartheid?

# Introduction

**1.1 Background to the paper** - **Inequality and Polarisation**

At the 2012 Annual Conference the Waikato Region presented two papers, A *Level Playing Field – the Importance of Local Funding in Financing Secondary Schools to Meet Future Needs[[16]](#footnote-16)* and *School Charges – Rights, Obligations, Limits.*[[17]](#footnote-17)These papers highlighted the growing inequality and polarisation of schools and the contrast between the amount of money able to be provided in affluent communities as opposed to the struggle faced by schools in poorer areas. At the 2013 Annual Conference the Waikato Region presented a further paper, *A Hierarchy of Inequality - the Decile Divide[[18]](#footnote-18)* which considered the extent to which decile funding is failing to address inequality, partly because school funding overall is inadequate but also because of the capacity of high decile schools to obtain significant extra funding from their communities. This paper further extends the themes of inequality and polarisation between schools.[[19]](#footnote-19)

**1.2 The best school?**

The paper explores the issue of zoning and its influence on house prices, the movement of students to schools, and the perceptions of parents, who make choices about which schools to send their children to. There has been a considerable amount of research into the negative aspects of parental choice in a free market, the competition between schools for students and the impact on students of the laissez-faire philosophy that allows struggling schools to fall over. There are also publications for parents purporting to help them choose the “best” school.

**1.3 Fairer zoning**

The paper advocates a review of the present zoning policy to more fairly reflect the concept of “the best school as the local school.” The last few years has seen some schools growing rapidly at the expense of others, particularly in urban areas. The increasing rolls in the larger, higher-decile schools and the declining rolls in the smaller, lower-decile schools cause problems for both.

# The background to the need for a review of zoning and enrolment schemes

**2.1 Local school; first choice school**

Until the late 1980’s and the implementation of *Tomorrow’s Schools,* parents usually sent their children to the local high school, though a small number chose single sex, integrated or private schools. The perception was that the local school was as good as any other and certainly more convenient. Once a more competitive model based around increased parental choice was introduced, schools became less multicultural and comprehensive and more racially and socially segregated. Now the local school is not necessarily seen as the first choice. The result is that schools go in and out of favour, with some schools growing rapidly and developing waiting lists, while others are below capacity and have little choice in terms of student intake. The process is affecting rural schools on the fringes of cities as well, where transport linkages provide travel to a city school seen as better than the local one. Increased mobility for families and house purchases in desirable suburbs close to preferred schools are other manifestations of this process of choice.

**2.2 School choice versus network capacity**

The way schools are funded exacerbates the problem as the more students a school has, the more it is funded and staffed. Oddly, school property funding is based on the number of students a school has, regardless of how old and in need of repair its buildings are. There is now a serious lack of balance as schools that are growing attract more students and more facilities in a cumulative effect which enhances their profile, while others are left to struggle, under-capacity and in a vortex of decline, with underused facilities, restricted curriculum choices and tired and badly-maintained buildings.

It is the contention of this paper that the legislative definition of “reasonably convenient” in terms of school choice has failed to ensure that the existing network of schools in an area is used effectively. If the intention was to avoid the waste that occurs when some schools are under-capacity, yet the taxpayer has to fund more facilities and spaces in schools which are growing, it has not been successful.

**2.3 Manipulation of zones**

There is also criticism of the present system based on a number of factors:

* perceived unfairness in the way zones are drawn up;
* manipulation of zone boundaries;
* marketing for students outside the home zone;
* loss of uniformity between schools; and
* real estate advertising based around “good” schools.

For these reasons and to take into account changes in population numbers in some areas and economic circumstances, a review of the zoning system and enrolment schemes is required.

**2.4 Establishing new schools**

The situation is not helped by politicians who prefer the electoral capital to be gained from opening new schools to grappling with the much more difficult issue of how to manage the network in order to give value to the taxpayer and to sustain robust and effective schools. For years they have been opening new special character schools or allowing private schools to integrate into the public system with little or no regard for the impact on the majority of students in the region. As these schools come with free bussing for students, they can seriously destabilise local education provision. It’s hard to see any sense in the politically expedient decision to integrate Whanganui Collegiate School in a city which already had over 1000 surplus places. Similarly, the approval to set up two charter schools in Whangarei, another city with around 1000 surplus places, cannot be justified educationally.

# 3. Zoning and enrolment schemes[[20]](#footnote-20)

**3.1 Home zones**

New Zealand secondary schools have a designated “home zone”, a specific area from which students living there are guaranteed a place at their local school. Where a school faces overcrowding, an enrolment scheme is set in place to prevent this. There are conditions for entry, where all the students in the school zone itself are expected to be admitted (even if the number is large and causes pressures as a result of families moving into the zone), while families outside the zone who wish their children to be enrolled at a school of their choice go through a ballot process, the number being set by the school based on what it thinks it can cope with. Approximately 30% of New Zealand’s secondary schools have enrolment schemes. (See Table in Appendix A.)

**3.2 Out-of-zone applications**

The process for dealing with schools that are “overcrowded” is set out in the Education Act 1989.[[21]](#footnote-21) The school must work with the ministry to set up an enrolment scheme that is supposed to balance two conflicting aims: the right of a child to attend their nearest school, and the need to manage the network. Students outside that zone may be accepted to the school in a prioritised order – broadly: applicants for a special programme, siblings, children of former students and children of board employees or board members. If there are more applicants than places a ballot must be conducted under supervision.

**3.3 Sharp Practices**

There has been research (Lubienski, 2011)[[22]](#footnote-22) which suggests the process is manipulated and not transparent. In particular, schools may apply the rules at year 9 but hold over vacancies for selected year 10 students. On the other side, there have also been cases where local students have been excluded from their nearest school because, for example, an area of social housing has been deliberately ring-fenced by the zone.

Enrolment schemes and the setting of zone boundaries are contentious, as they cut across the right to enrolment at any state school between the ages of 5 and 19 (s3 of the Education Act 1989). They also restrict schools’ ability to select students who will bring academic, cultural or sporting kudos to the school.

# 4. Background history and development of zones and enrolment schemes[[23]](#footnote-23)

**4.1 1924 Education Act: zoning for primary schools**

The first statutory provision in New Zealand limiting attendance at state schools for reasons of overcrowding was s19 of the Education Act 1924. This related only to primary schools and stated that:

To prevent overcrowding at Public Schools the Board may limit attendance.

A Board may, with the approval of the Minister, in order to avoid overcrowding at any public school, limit the attendance at such school in a manner as it determines.

Provided that the power hereby confirmed shall not be exercised unless there is adequate and convenient provision for every child eligible therefor and debarred from attending such school at another public school.

The central approval requirement (by the Minister) and reference to “adequate and convenient” provision of education for a potentially excluded child to attend another state school has been an enduring theme in legislation since.

**4.2 1932 Education Amendment Act: secondary school zoning**

In 1932-3 the Education Amendment Act (s10) provided that:

Where the accommodation available at any secondary school, or combined school is not sufficient for all children qualified for free places and applying for admission thereto, the Minister may, by notice in writing, direct the governing body of the school to restrict the admission of pupils to the school in manner set out in the notice:

* provided that no direction shall be given which would exclude any child qualified for a free place from admission as a pupil unless there is adequate and reasonably convenient accommodation for such child available at another secondary school, technical school or combined school.

**4.3 Post-War: The egalitarian myth**

Zoning became important when secondary education became universal at the end of World War II but was not greatly contentious at the time of post- war solidarity, when the egalitarian ethos was very powerful. Communities tended to take pride in their local school, commuting was far more difficult than it is today and the use of competitive academic results for marketing purposes was less significant as the economy offered plenty of industrial and trades work. Even at that time, however, many schools showed awareness of differences in their population catchment areas, so sought to have zone boundaries that included the so-called desirable streets. Anxiety about schooling increased in the latter decades of the 20th century as there was a noticeable surge in the parental drive to access desirable schools.

**4.4 Social differentiation of schooling**

In 1956, the Director General of New Zealand Schools (C.F. Beeby) said that New Zealand was an egalitarian country that would not tolerate selection, even though there were signs of zoning to regulate entry to popular schools in Auckland. Zoning was seen as a mechanism to give fair treatment for newly established schools in a time of growth. However, there was a perpetuation of the pattern of social differentiation already apparent in established schools.

**4.5 1964 Education Act**

In 1964, there was a major revision of the Education Act and the following appeared:

s129 Restriction on Enrolment

1. An Education Board may, with the approval of the Minister, in order to avoid overcrowding at any state primary school (other than a Maori School ), direct the attendance at the school in such manner as it determines
2. Where the accommodation available at any secondary school or technical school is not sufficient for all children qualified for free education and applying for admission thereto, the Minister may, by notice in writing, direct the governing body of the school to restrict the admission of pupils to the school in the manner set out in the notice

(3) No direction shall be given so as to exclude any child qualified for free education from admission as a pupil unless there is adequate and reasonably convenient accommodation for the child available at another secondary school.

**4.6 Poor schools; rich schools**

By the 1970’s educational gaps between schools in wealthy areas and those serving poor communities were evident as migration into so-called good school zones occurred. The Private Schools’ Conditional Integration Act was introduced in 1975 to save the collapsing Catholic schooling system. Few would have seen that it was to become a vehicle whereby elite and wealthy schools could receive full state funding while still retaining the capacity to hand-pick their students and to charge substantial ‘donations’.

**4.7 1978 Education Act**

In 1978 the Education Act was again amended to insert new and much more detailed provisions about limitations on enrolment at secondary schools. Before the amendments, there was clearly a power to restrict enrolments on accommodation grounds but this had been used infrequently as the practice had developed of regulating enrolment by informal schemes agreed to by the affected schools. The objective was to ensure orderly enrolment procedures at a time of rising rolls and limited accommodation at some schools.

**4.8 The introduction of “enrolment schemes”**

The 1978 amendment introduced the term “enrolment scheme” for the first time, along with an elaborate procedure for devising, agreeing and approving secondary school enrolment schemes. The amendment applied in any district in which a student could conveniently attend more than one secondary school. Schools would decide, at a meeting chaired by an Education Department officer, by a majority vote if necessary, an enrolment scheme. If agreement was not possible, then the Regional Superintendent was empowered to determine a scheme, to be submitted to the Minister for approval. Schemes were to have either what was in effect a home zone, or state a number of entitlement students and the criteria used in selecting them. The schemes were to be coordinated between the schools.

**4.9 “Convenient school” convenient to whom?**

These 1978 provisions stayed until 1989 and were the source of some tension. Litigation challenged the restrictions on parental choice, while the powers that be had to ensure that all students were allocated to schools that had adequate physical facilities and were neither overcrowded nor underused. The cases that went to court focussed on the word “convenient”. The courts clarified that it was the convenience of the student which was meant, not the convenience of schools. The convenience related to the distance between the student’s home and school and would differ according to the individual student’s needs and the availability of travel options to a particular school.

**4.10 Tomorrow’s Schools 1989**

By 1989 policy makers had turned away from centrally-managed efforts to foster social equality through schooling, towards devolving autonomy to local schools and empowering parents as consumers. Following the implementation of *Tomorrow’s Schools*, changes to the Education Act mandated schools to provide choice. Undersubscribed schools were required to take all students who wished to attend, while oversubscribed schools had to identify a home zone, specify how many out-of-zone places would be available each year and conduct a ballot to fill those places.

**4.11 Protecting the right to attend the local school**

The Picot Report said that the zoning of enrolment should have only one purpose – to ensure every student has the absolute right to attend the nearest neighbourhood school. Zoning should not be used to maintain enrolments in schools which might otherwise decline. Schools were entitled to enrol any student who, in the opinion of the school, could be accommodated. Where there were more enrolments than places available, a supervised ballot would be held to decide which students would be enrolled. Schools with a special character were entitled to give preference to students who subscribed to the particular religious or philosophical values of that school.

**4.12 Legislating for fairness: maximum rolls and home zones**

The government confirmed that there would be an enrolment scheme for secondary schools, available for use in those communities which needed to regulate their catchment area. The purpose of an enrolment scheme was to ensure that students could attend a state school reasonably convenient to their home. Parents were to be given maximum choice and the best use made of the existing school plant. A maximum roll was to be set for every school as part of the charter negotiations with the ministry – available accommodation would be a significant, but not the sole factor in deciding on the maximum roll figure.

* Within the total maximum roll, a threshold roll to accommodate home zone pupils was to be established and all pupils living within the home zone were guaranteed enrolment.
* The ministry was to negotiate the home zone for a school and establish the threshold limit.
* Where a school had unfilled places after enrolling home zone pupils and where there were more out-of-zone applications than there were places available, these were to be filled by ballot.
* Once students had been admitted to a school, their brothers and/or sisters could also attend that school, on the same basis as home zone pupils.
* There was to be provision to review the home zone area, as well as the maximum and threshold numbers, which could be amended as necessary.
* Enrolments to integrated schools continued to be controlled through a maximum roll.

The result of the 1989 amendments was that an elaborate system was prescribed which required a maximum roll, a home zone, a maximum of out-of-zone enrolments, early applicants, late applicants, acceptance in the order applications were received and a ballot, if necessary.

The ballot was unpopular in some circles as it removed elements of school choice and discretion. School enrolment zones were negotiated with individual boards, not on a district basis. Students also did not have to attend their local school.

**4.13 Education Amendment Act 1991: free market schools**

In 1991 a further amendment to the Act transferred the entire responsibility for devising and implementing an enrolment scheme to the board of the school concerned. The Secretary for Education had only to certify that there was a threat of overcrowding and a school could put a scheme in place. This ushered in a free market phase. Schools were no longer required to define home zones, although many did. The ballot was abolished and schools were left free to choose students according to any criteria they liked, within New Zealand’s human rights laws.

**4.14 Abandonment of geographic zones**

The free market approach meant that selection criteria were not required to be made public and generated concerns that the abandonment of geographical criteria meant a child might live near a school but could be denied entry. Debate raged over the meaning of “reasonably convenient school”. There was a belief that de-zoning would result in an improvement in the overall standard of schooling because of the application of a business model of consumer choice and market competition. Successful schools would grow and less successful schools would fall away – a philosophy which ignored the damage done to a cohort of students in a declining school and assumed that closing a school was politically easy. It also failed to produce the desired result of raising educational achievement for all schools.

**4.15 Schools choose**

Between 1991 and 1998 the number of schools with enrolment schemes increased and many of these had no geographic zone so were able to put an increasing emphasis on selection criteria. By 1998, the network of schools was unable to provide access to a convenient school for all. Families moving during a school year encountered difficulty in enrolling in a local school in their neighbourhood. Suburbs where there was significant in-migration, infill housing and rapid population growth were short of school places. The result was the 1998 Education Amendment Act No 2 which replaced the 1991 provisions. It widened the application of enrolment schemes to include groups of schools which had not been subject to the regime previously.

**4.16 A necessary restriction of choice**

The new legislation featured the term “reasonably convenient” again as a principle underlying the development and operation of schemes. There was also explicit reference to the ministry needing to make reasonable use of the existing network of schools in situations where overcrowding exists. This had not been stated in legislation before. The traditional ideal of parental choice was recognised, but as a secondary consideration to principles which acknowledged the fundamental tensions that made it necessary to restrict that choice. The development of an enrolment scheme had to be approved by the Secretary for Education before it was to be adopted and implemented by the school. Compliance by the board with the purposes and principles of the Act and consultation requirements were to be mandatory. Avoiding overcrowding or the likelihood of overcrowding, as well as making reasonable use of the existing network of schools were significant principles preventing boards from considering their own school’s scheme in isolation.

**4.17 A “reasonably convenient school”**

An enrolment scheme had to reflect the desirability of students being able to attend a reasonably convenient school. A “reasonably convenient school” was judged to be one which a reasonable person living in the area would consider to be reasonably convenient for a particular student, taking into account such factors as distance, travelling time, reasonably available means of transport, common public transport routes, traffic hazards and the age of the student. In practice, these factors have become blurred over time due to various changes in communities and other factors. Consultation between boards was important as the ministry needed to be assured that the network of schools was providing access to a reasonably convenient school for all students in an area.

**4.18 The loopholes will always be with us**

Unfortunately, there are always loopholes and some schools are adept at getting around regulations. The ministry is not very vigorous in upholding fairness when faced with demands from influential trustees and principals from decile ten schools. As a result, some schools are able to increase their rolls as a matter of status, without considering the pressures on their own plant and class sizes and certainly not the general negative effect on the wider school community.[[24]](#footnote-24)

# 5. Zoning and enrolment schemes – the debate and issues

**5.1 What are the options?**

School zoning has been a vexed issue for many years and this is unlikely to change much, given entrenched attitudes and commitments made by families. The debate centres around two ideological positions.

**5.2 Choice – let the devil take the hindmost**

The first view holds that parents should be able to apply to send their children to whatever secondary school they wish, a system which applied through the 1990’s before being changed in 2000. The advocates of this view say that parental choice should determine school placement, not location. They claim that many young people are disadvantaged by not being able to attend certain schools because they live in a different part of the city. This view ignores the cost to the taxpayer of having to provide uneconomic schools on every street corner. The people who offer “the market” as a solution forget that no business could survive if it tried to operate multiple, competing sites.

Moreover, parental choice in practice serves to empower **school** choice, as it will be the school that ultimately decides who will be accepted – usually after an elaborate and nerve-racking interview. After all that, parents may never know why their child was turned down. Attendance at school, which is mandated by the state, should not be made so potentially traumatic for students and their parents. Schools shouldn’t be able to decline a student who might live very close to the school or to cherry pick the best students in a range of fields, so strengthening their position at the expense of other schools.

**5.3 Enrolment free-for-all?**

Critics of the present zoning system, including the right-wing Education Forum and the Maxim Institute,[[25]](#footnote-25) argue that zoning was suitable for the homogeneous landscape of secondary schools in the 1960s and 1970s but not for the diverse nature of schools and the 21st century mix of population. Schools are not equidistant, nor of the same type and the same philosophy. They say there should be free choice for parents to choose whatever school they wish without restriction and that schools should be granted more freedom to manage their own capacity, form partnerships with other schools and utilise the free space of some schools to operate off site campuses/outposts. They also say that the true reasons for zoning popular schools are to stop them selecting the best applicants from anywhere and to help other schools retain their numbers. These organisations do not, however, address concerns about inequality, cost to the taxpayer and the unfairness of schools engaging in cherry-picking.

**5.4 No home zones?**

There are also views about all students having vouchers which they can take to any school. While this idea has been discredited[[26]](#footnote-26), it still comes up from time to time. Few countries have been bold enough to experiment with complete choice. The Recovery District of New Orleans[[27]](#footnote-27) stands out as a warning as it now has no public schools at all so parents are fully responsible for finding a school that will accept their child. As may be expected, wealthy, influential parents lay claim to the nearest schools and poor families are left having to send their children to unpopular and ineffective charter schools at some distance from their homes. Despite the barriers placed in their way, parents are still liable for fines should their children fail to attend school.

**5.5 Persistent middle class advantage**

The model we currently have is based on the principle that children must be able to attend their local school as-of-right and surplus places are subject to a selection process and then a ballot. In practice this system favours the middle class for the following reasons:

* Sought-after schools are located in the higher socioeconomic areas of cities so if parents are not able to afford to purchase a residence in that area, children are denied the opportunity to attend these schools.
* Specialist programmes in particular curriculum, sporting and cultural areas for out-of-zone students can operate as form of selection.
* Wealthier schools may offer scholarships to attract able students which, again, advantage the wealthier schools who are able to offer the financial incentives.
* The priority order for sons and daughters of former students to attend as of right, if their families live outside the zone may support cherry-picking as it means admission is likely to be influenced by the parents’ background.

The current model has also been subjected to residential fraud with false addresses and use of property other than the family home. Schools are now requesting more proof of residence, getting parents to sign a statutory declaration that they live in the school zone and conducting spot checks on addresses given. Enrolment schemes give some control over school selection of students, even though it still advantages those with power and finance to buy into the best education.

# 6. General comments on the issue of choice from the research

**6.1 Zone cheating**

A number of studies have been carried out examining parental choice and the operation of zoning/enrolment schemes.

**6.1.1 Zones as marketing devices**

Chris Lubienski[[28]](#footnote-28) found that 75% of Auckland secondary schools had zones which did not match the immediate area. Zones had been drawn to include affluent neighbourhoods and exclude poorer ones. He believed that schools manipulated their zones to reach a higher decile rating, which is then used as a marketing tool, as parents’ perceptions of a good school are often based on the rating. Schools in affluent areas were more likely to create zones to help them manage demands on their enrolments. While this may make sense in an attempt to distribute demand more broadly (and thus avoid the costs of building more spaces in popular schools where places are available at other nearby schools), it enables affluent schools to take advantage of their market positions. While zones are to be drawn up with oversight from the Ministry of Education, schools sometimes push the boundaries and say that they are able to cope with an increase in student numbers, even though this causes pressure on class sizes, buildings and other resources.

**6.1.2 Intergenerational Inequality**

Lubienski also suggests that the priority order perpetuates the generational patterns of inequality and polarisations, rather than opening up opportunities for less advantaged students to take opportunities that might be available. Ballots, which are supposed to be conducted fairly and under supervision, may still be rigged. These points have been strongly denied by some principals, but illustrate that there is still a degree of mistrust about the fairness of the scheme. A number of commentators have noted that there is not enough control over how zones are drawn up.

**6.1.3 Who’s out? Who’s in?**

Liz Gordon[[29]](#footnote-29) highlighted a concern about the term “reasonable convenience to a school” which is deliberately vague and allows schools a huge leeway in setting up the zones. The right to draw zones is in the legislation and there is evidence that it is unfair as poorer students have reduced access to some schools.

Lubienski, Lee and Gordon[[30]](#footnote-30) also investigated whether disadvantaged students had access to schools of their choice. How might schools act if there was autonomy to choose their own enrolment boundaries? Market theory would predict that, faced with competitive incentives and opportunities to serve students dissatisfied with their assigned school, schools will work to attract these students. But an alternative view is that schools may reconfigure their enrolment boundaries to attract the advantaged, easier to educate students and limit access for the more disadvantaged. The research suggested that schools drew up their zones to try to avoid diversity.

**6.1.4 Zones as tools of exclusion**

The analysis of data on Auckland school enrolment zones (Appendix C) indicates that more affluent schools are often using zone boundaries to exclude the most disadvantaged students and adopting enrolment practices to shape their intake and their position in the market, thereby limiting opportunity for less advantaged students. Schools may be recognising competitive incentives to maintain or improve their market position by attracting better students. This has serious implications for the responsibility of public education to promote equity

# 

# 7. Towards a situation of greater equity – is change possible for the future?

**7.1 PPTA position: good schools for all**

The NZPPTA view related to zoning, enrolment schemes[[31]](#footnote-31) and the maximum roll setting for integrated schools is clear: zoning ensures fairness and is an entirely defensible and necessary protection of taxpayers’ money. Given the scarcity of the education dollar, it is not unreasonable to refuse to invest in additional facilities and buildings, when there are surplus places in surrounding schools. A popular school one year can quickly become the opposite, given parental perspectives. There appears to be a covert agenda which accepts increased social segregation as an acceptable price to pay for the provision of greater educational options for a wealthy minority.

# 8. Time for a review?

**8.1 Neighbourhood schools**

At the time of the 1998 legislation the then Minister of Education, Hon Wyatt Creech, said that the zoning laws were fair and transparent. “Before the changes some schools were half empty and wasting resources, while others were growing at a phenomenal rate and costing the taxpayer. Weakening the zoning requirements would cause the same situation.”

He went on to say, “it reflects in a common sense way what I think New Zealanders believe to be the right policy – that is, there should be a broad neighbourhood school principle involved in enrolment schemes. I know there will be contention about some of the details, but this is good legislation that will advance the education sector in New Zealand and be in the best interests of all our young people.”[[32]](#footnote-32)

Yet the present system of enrolments and ballots has not produced a more equitable landscape. It is accepted that gaps between schools are undesirable - the phrase from Finland is “good schools for all, not for some”. There has been recent comment in the media from former students who attended their local school which has gone into decline, lamenting the change, where there used to be a good, solid mix of students and success was by and large achieved by all who attended. The concept of the neighbourhood, local school as a first choice needs to be advocated more strongly.

**8.2 Educational apartheid**

The basic principle in New Zealand education that all children have access to “free” public schools where one is as good as another, is under serious threat. Zoning in its current form gives students the theoretical right to go to their local school but popularity and high student numbers at some schools do not necessarily allow that ideal. There is some evidence[[33]](#footnote-33) of growing segregation and polarisation as schools, in a downward spiral, lose students and funding as well-off families to other schools outside the local area. Discrimination in enrolment practices and fudging of zone boundaries is difficult to prove, but there is some evidence which suggests that Māori and Pacific Island students are less likely to be accepted in an out-of-zone enrolment, unless they have a particular strength, such as in sport, where a scholarship could be offered. Poorer families are also less likely to apply for an out-of-zone enrolment, as the costs of attending a distant school may be too much.

**8.3 The pernicious effect of real estate advertising**

Where a school is growing, shrinking the zone will also not work, as current house prices and marketing by real estate firms prey on family anxiety about buying in a particular zone. Infill housing and higher density accommodation can also see a rapid rise in the population in particular areas. The former principal of Auckland Grammar School, John Morris,[[34]](#footnote-34) commented in 2006 that he saw equity under the notion of choice. “Zoning only gives students the privilege of attending a particular popular school to those whose parents can afford housing in the local area. Children from poor and ethnic minority groups should have a chance to break the iron cage of zoning.” Unfortunately the evidence as referenced in this paper does not bear out his claim.

**8.4 Is the process reversible?**

The question is – while the ideal would be to have diversity, with perhaps an expanding school having a particular quota to facilitate a cross section of society in its students, would it actually happen? Critics say this is social engineering and could dilute the quality of the achievement levels of a particular school. Certainly, the beneficiaries of the status quo who can send their children to well-resourced high-decile schools and enjoy the rising real estate values that that privilege provides, are unlikely to support a change to something fairer – even if it gives better value to the taxpayer and probably better educational outcomes nationally.

**8.5 No easy answers**

A hybrid model proposed by John Langley in 2009[[35]](#footnote-35) may have merit if there is to be a review of the present system. Attendance at the local school would be a right and the transparency of the ballot would be retained for those out-of zone, but a certain number of places would be provided for out of zone students who wish to access particular programmes and/or if the school decides to take a certain number of students from outside the zone, who may be disadvantaged. The problem remains, though, that “special programmes” can act as proxies for discrimination; consider the different clientele attracted by a music course as opposed to, say, Pasifika languages. Unfortunately all systems can be undermined if individuals are determined to find a way.

**8.6 Let’s have a review!**

It is difficult to see any political will to challenge the status quo as it would risk the ire of the well-heeled who are currently so well-served in their high-decile schools.[[36]](#footnote-36) At the same time, they excuse their privilege by advancing the fantasy that low-decile schools struggle, not because they have fewer resources and deal with much more challenging students, but because of the quality of teaching and leadership.

The results of the 2013 Census already show considerable changes within urban areas in terms of population growth, income and ethnic mix. These changes will necessitate a review of the decile system, as well as providing an opportunity to examine closely the present zoning system. It is time for a review.

# 9 Conclusion

**9.1 Is there a more rational approach?**

The absolute right of students to attend their local school should be central to any change. Because the State mandates attendance at school, politicians need to ensure that all schools are funded and supported to be as effective as they can be. Rather than a multiplicity of small uneconomic schools, we need fewer, more robust community-hub schools, large enough to provide all the options and support that students need. There is also a need for a transparent process of setting zone boundaries and better oversight of any manipulation of enrolments. Rules around zoning must be based on a clear and agreed set of social and educational principles and must operate transparently. For change to occur, politicians would need to set aside party differences and work together on a national plan to provide fair access to high quality schools for all New Zealand students. A review would be a good place to start.

**9.2 Time for action**

These principles are not being applied universally across the country, as debate continues about gaps between schools and recent changes in New Zealand society. It is recognised that any change will produce anxiety, but there is a need to ensure that there is as little difference between schools as possible. The recommendation passed at the 2013 Conference relating to zoning, fairness and equity has been covered by this paper in terms of research on the issue and some direction for PPTA policy. The paper has continued with the theme of inequality and the need for equity between schools – it now remains to move forward to address these issues.

# 10. Recommendations

1. THAT the Report be received.
2. THAT PPTA engage with and make representations to the Ministry of Education to review the zoning and enrolment scheme system to ensure greater equity between schools.
3. THAT this Conference notes with concern the increasing polarisation between schools on ethnic and socioeconomic lines.
4. THAT the PPTA advocate the importance of the local neighbourhood community state school as a first consideration for family choice of schooling.
5. THAT the PPTA continue to press for the funding of state secondary schools to minimise differences in the provision of a quality education for all students.

# Appendix A

**TABLE 1: SECONDARY SCHOOLS WITH ZONES AND ENROLMENT SCHEMES BY REGION 2012**

The data does not include Integrated Schools. Information accessed from MOE Zoning

|  |  |  |  |
| --- | --- | --- | --- |
| Northland | 4 | Wairarapa | 2 |
| Auckland | 27 | Kapiti – Porirua | 3 |
| Counties – Manukau | 4 | Hutt Valley | 2 |
| Thames Valley | 2 | Wellington City | 6 |
| Western Bay of Plenty | 3 | Nelson | 1 |
| Waikato | 4 | Christchurch City | 12 |
| Eastern Bay of Plenty | 2 | Canterbury Country | 3 |
| Central Bay of Plenty | 2 | Dunedin City | 6 |
| Manawatu – Wanganui | 5 | Otago Country | 1 |
| Hawkes Bay | 7 | Southland | 3 |
| TOTAL 99 | | | |

For the names of the schools with enrolment schemes, go to <http://www.schoolzones.co.nz/>

**TABLE 2: ROLL NUMBER % INCREASES FOR AUCKLAND SECONDARY SCHOOL 2004 – 2013**

These were published on line related to an article in the New Zealand Herald 31st March 2014. The table does not identify individual schools.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Number | Location | Decile | Scheme | Roll 2004 | Roll 2013 | % Change |
|  | Central | 5 | Yes | 1345 | 1374 | 2.2 |
|  | Central | 10 | Yes | 2403 | 2547 | 6.0 |
|  | Central | 9 | Yes | 1894 | 2186 | 15.4 |
|  | Central | 7 | Yes | 1769 | 1852 | 4.7 |
|  | Central | 7 | Yes | 2034 | 2694 | 32.5 |
|  | Central | 4 | Yes | 2260 | 2209 | -2.3 |
|  | Central | 3 | No | 869 | 906 | 4.3 |
|  | Central | 4 | Yes | 1310 | 1312 | -0.1 |
|  | Central | 4 | No | 1143 | 870 | -23.9 |
|  | Central | 1 | No | 563 | 559 | -0.7 |
|  | Central | 8 | Yes | 676 | 1319 | 95.2 |
|  | East | 10 | Yes | 311 | 1807 | (new school) |
|  | East | 4 | Yes | 1277 | 787 | -38.4 |
|  | East | 9 | Yes | 902 | 1049 | 16.3 |
|  | East | 10 | No | 2350 | 1867 | -20.5 |
|  | East | 10 | Yes | 2241 | 2553 | 13.9 |
|  | East | 8 | Yes | 2097 | 2087 | -0.5 |
|  | North | 6 | No | 919 | 718 | -21.9 |
|  | North | 7 | No | 1204 | 744 | -38.2 |
|  | North | 8 | No | 854 | 1399 | 63.8 |
|  | North | 10 | No | 1282 | 1752 | 36.6 |
|  | North | 8 | Yes | 1371 | 1122 | -18.1 |
|  | North | 9 | Yes | 1458 | 2017 | 38.3 |
|  | North | 10 | Yes | 3078 | 2983 | -3.0 |
|  | North | 10 | Yes | 1480 | 1581 | 6.8 |
|  | North | 9 | Yes | 1937 | 2283 | 17.7 |
|  | North | 9 | Yes | 1993 | 2150 | 8.4 |
|  | South | 2 | Yes | 1066 | 1486 | 39.4 |
|  | South | 1 | No | 1395 | 1313 | -5.9 |
|  | South | 1 | No | 723 | 797 | 10.2 |
|  | South | 2 | No | 2072 | 1859 | -9.8 |
|  | South | 1 | No | 1319 | 1303 | -1.2 |
|  | South | 2 | No | 1292 | 803 | -37.9 |
|  | South | 3 | Yes | 1727 | 1649 | -4.5 |
|  | South | 6 | Yes | 1418 | 1598 | 12.7 |
|  | South | 6 | Yes | 1918 | 1722 | -10.2 |
|  | South | 1 | No | 1662 | 1544 | -7.1 |
|  | South | 1 | No | 910 | 918 | 0.8 |
|  | West | 4 | Yes | 2626 | 2667 | 1.6 |
|  | West | 4 | Yes | 611 | 583 | -4.5 |
|  | West | 4 | No | 1122 | 929 | -17.2 |
|  | West | 3 | No | 950 | 626 | -34.11 |
|  | West | 5 | Yes | 2219 | 2144 | -3.4 |
|  | West | 6 | Yes | 1269 | 1395 | 9.9 |
|  | West | 3 | Yes | 1500 | 1384 | -7.7 |

Almost all schools with growing rolls have zoning and enrolment schemes, particularly in specific parts of the city, while those with declining rolls have open enrolment

**TABLE 3: HAMILTON SECONDARY SCHOOL ROLLS 2013 – 14**

The data is taken from two Waikato Times investigations May 10 2013 and January 28 2014. The schools are not specifically identified.

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Number | Type | 2012 Roll | 2013 Roll | Applications Received | Applications  Declined | Out-of-zone Applications | Waiting List | Capacity (over/under) |
| 1 | S/I/G | 946 | 925 | 236 | 30 | 0 | 0 | -25 |
| 2 | C | 801 | 783 | 140 | 0 | 0 | 0 | -223 |
| 3 | S/B | 2276 | 2150 | 853 | N/A | 562 | 312 | +497 |
| 4 | C | 606 | 620 | 212 | 22 | 0 | 0 | -198 |
| 5 | C | 1694 | 1708 | 426 | N/A | 175 | 105 | +66 |
| 6 | C/I | 144 | 177 | 32 | 0 | 0 | 0 | 0 |
| 7 | S/I/G | 687 | 692 | 212 | 53 | N/A | 0 | +29 |
| 8 | S/I/B | 786 | 750 | 175 | 0 | 0 | 0 | -8 |
| 9 | S/G | 1667 | 1650 | 425 | 3 | 25 | 0 | +135 |
| 10 | C | 1566 | N/A | N/A | N/A | N/A | N/A | -397 |

S = Single Sex, I = Integrated, G = Girls, B = Boys. There are 851 places available under capacity and 698 places over capacity.

# Appendix B

**THE PROCESS FOR OUT-OF-ZONE APPLICATIONS**

Out-of-zone students who apply for enrolment at the school must be accepted in the following order:

1. Students accepted for enrolment in a special programme run by the school
2. Brothers and sisters of current students
3. Brothers and sisters of former students
4. Children of former students
5. Children of board employees or children of board members
6. All other students

If there are more applicants in the priority groups (b) to (e) than there are places available, selection must be by ballot. The Board of Trustees must place a notice in a newspaper circulating in the area stating:

* how many out-of-zone places are likely to be available;
* the date by which applications for out-of-zone places must be received; and
* the date(s) of any ballot(s) for out-of-zone places.

The ballot must be held under strict conditions and supervision to avoid manipulation and there is an appeal process available for families who believe there are good reasons why a child should be enrolled in a particular school if not selected by the priority order or the ballot.

The rationale for enrolment schemes from a legal and Ministry point of view is to:

* as far as possible, exclude no more students than necessary to avoid overcrowding;
* enable the Ministry to make the best use of the existing networks of state schools;
* ensure that the selection of applicants for enrolment at a school is carried out in a fair and transparent manner;
* enable students to attend a reasonably convenient school; and
* as far as possible, not exclude local students

# Appendix C

**A TALE OF THREE CITIES – CASE STUDIES OF ZONING AND ENROLMENTS IN PRACTICE**

**Christchurch**

School zoning has always been important in Christchurch and since the earthquakes, even more so, as school closures and amalgamations have occurred. Studies carried out by the Christchurch Press newspaper in 2008, based on research by the Maxim Institute study *Roll Play* (see References section), have focussed on how parents view and choose schools for their children in the city. Name dropping of desirable schools in real estate advertisements provide a perception of “good” schools with consequent rises in house prices in school zone hot spots.

The Maxim Institute research carried out in 2007 found that about 50% of parents did not choose to send their child to the nearest school to where they lived or were zoned for, and 75% of parents surveyed knew when they moved to their present home, that it was in the zone of the school in the area (to the point where it was a preferred school). If money was no object, about 25% of parents would change their child’s school and would be willing to pay for the cost of travel to that school. Reputation, values and academic performance were factors in that choice.

The policy to reintroduce zoning (2002), included room for negotiation between the Ministry and schools. Using the loose criteria of “convenience”, schools could redraw catchments to take in desirable neighbourhoods and/or less desirable ones. In an interview, one Christchurch principal gave a candid response to the hypothetical question of what would happen if a so-called better school was to redraw its zone to take in poorer areas. “Changing the zone would be huge as if the zone was changed by the school, how would parents feel if they had paid a premium price for a house in the zone? So it’s unlikely we would shift a zone, though the Ministry does reserve the right to shrink a zone if overcrowding occurs.”

As with other large cities differences between secondary schools in roll numbers, wealth and achievement have widened. White flight has continued even with zoning as parents enter the out-of-zone ballot to get into a school across town, causing some rolls to bulge and others to decline.

**Auckland**

For many years zoning in Auckland has been a hot topic because of population growth, migration into desirable suburbs, transport networking issues and city and competitive marketing by individual schools. The population growth of Auckland is continuing to grow, with pressures on house prices. There has been much debate about planning for this growth, including the provision of more infill and higher density housing in suburbs closer to the CBD. A number of schools are at bursting point, to the degree that potential students in the school zone could miss out on their local school. Many Auckland secondary schools have enrolment schemes and waiting lists. With higher population numbers in particular areas there are two choices – shrink the zone, or cram more building spaces on site to cope with the increased numbers. Due to transport and traffic problems, some families are prepared to send their children to board at the school of their choice, despite the cost.

A New Zealand Herald analysis of roll numbers for Auckland secondary schools has found that in poorer communities (Deciles 1–6), school rolls are declining as local families abandon them for schools in the wealthier suburbs (Deciles 7–10), where rolls are increasing, despite enrolment schemes to control numbers. (Refer to Table 2 for data.) This means the divide widens and the popular schools seek to restrict open enrolment as they are at bursting point. Many commentators say that a school should reflect its community. This seems to favour the wealthier inner city suburbs rather than the poorer ones, as the latter group of schools do not have a cross-section attending their local school. With the pressures on numbers, some of the top schools are having to turn away students with family connections, including Māori and Pacific Island students. One school had 60% of its roll in zone in 2005 and now it is 83%. The roll itself is growing rapidly with the need for more physical space. Another school has virtually doubled its roll over the past 10 years through a mix of in-migration and changing perceptions of it. Another school has turned around out migration from its local areas to other schools to now being seen as the local school of choice. Parents’ general perceptions of schools are fickle and subject to change.

**Hamilton**

From a situation 20 years ago where the accepted norm was of the neighbourhood school being the first choice for families in that community, Hamilton has become a very competitive and polarised setting. There is now a two tier grouping of schools: those with enrolment schemes and small zones are growing rapidly and their facilities are being upgraded making them even more popular; those without an enrolment scheme see students leave the local zone for other schools and receive little in the way of development and improvement of facilities. A comment was made by one ex-student of a school who said “the school has been gutted as the middle class achievers have gone”. One secondary school now has 20% of its roll in-zone, 80 % out-of-zone and is still growing. (Refer to Table 3 for data.) There have also been suggestions that problem students are eased out and dumped on schools that have spare capacity.

A further development, based on the rapidly increasing population in the north of the city, is the proposal to build new schools, even though the closest secondary schools are under capacity. This development will also inevitably affect rolls in other parts of the city. Parents will worry about the boundaries being set for the zone. There has already been concern from families who have been left out of the zone for a possible new Year 7 – 13 secondary school, even though the primary school their children now attend is in the proposed zone. The situation shows how arbitrary the process can be – the parents have stated that they are prepared to enter the ballot for the new secondary school, even though there are two other secondary schools under capacity within a short distance which they could choose to send their children to.

The case studies are examples of how the present situation with zoning and enrolment schemes is not working as intended. There is not universal satisfaction with the process, the network of schools is not being used effectively, polarisation of schools in terms of ethnic and socio economic background is occurring and general academic gaps between schools as a result of comparative advantage and disadvantage, remains wide. Parental choice and perception is being driven by property prices in desirable areas, to the point where selection-by-mortgage is significant.

**REFERENCES CONSULTED AND FOR FURTHER EXTENSION**

**Articles**

[The Pendulum Swings – Back to Reasonably Convenient Schools](http://www.anzela.edu.au/assets/anzjle_4.2_-_1_jan_breakwell.pdf) Jan Breakwell, *Australia and New Zealand Journal of Law and Education Volume 4 Number 2 1999*

[Abolish School Zones](http://www.maxim.org.nz/Policy_and_Research/Abolish_school_zones_for_fair_enrolment_policy) Steve Thomas (Maxim Institute) *Education Review May 2009*

[The Decile Delusion](http://www.educationreview.co.nz/leadership-and-pd/july-2011/the-decile-delusion/#.U873GOOSyCk) Chris Lubienski *Education Review June 2012*

[School Zoning and the Illusion of Parental Choice](http://www.greatpotentials.org.nz/school-zoning-and-the-illusion-of-parental-choice/) Ann Dunphy Great Potentials September 2006

[School Choice Equals Greater Disparity in New Zealand](https://www.bctf.ca/publications/NewsmagArticle.aspx?id=10998) David Hughes and Hugh Lauder. *British Columbia Teachers Federation May/June 2002*

[Self Managing Schools and Access for Disadvantaged Students](http://search.informit.com.au/documentSummary;dn=590611845986041;res=IELNZC) Lubienski, C. Le, J and Gordon L, *New Zealand Journal of Educational Studies 2013*

[The Impact of Competition on the Performance of Public High Schools](http://docs.business.auckland.ac.nz/Doc/The-impact-of-competition-on-the-performance-of-public-high-schools.pdf) Julie Harrison / Paul Rouse, *Department of Accounting and Finance University of Auckland 2004*

This Is A Story. *North and South 1987 and*

Our Best Schools. *North and South February 2007*

[Hey Dude – What Happened To My School](http://natlib.govt.nz/records/20448855?search%5bi%5d%5bsubject%5d%5b%5d=High+schools&search%5bi%5d%5bsubject%5d%5b%5d=Curriculum-based+assessment&search%5bpath%5d=items) John Gerritsen Education Review September 2007

Back To School Virginia Larsen *North and South* December 2013

[School Choice and Competition – Evidence From the United States](http://www.government.se/content/1/c6/09/54/30/6de60e2f.pdf) Helen F. Ladd from Caroline Swedish Economic Policy Review 10 2003

Advocate For Change – An Interview with Martin Thrupp Education Review May 5th 2007

**Reports**

[NZPPTA - Submission to the Education and Science Select Committee Education Amendment Bill ( No 2 )](http://www.ppta.org.nz/resources/publications/cat_view/14-publications/100-submissions?start=30) August 2010

NZPPTA - Submission on the Education Amendment Bill May 2000 (Available from PPTA)

[Ministry of Education - Enrolment Schemes ( Zoning )](http://www.minedu.govt.nz/Parents/AllAges/UsefulInformation/EnrolmentSchemesZones.aspx) Website Reference 2013

[NZPPTA - Threats To New Zealand’s Public Education System Conference Paper 2005](http://ppta.org.nz/index.php/annual-conference/conference-papers)

[NZPPTA - Zoning and Current Issues PPTA Website Accessed 2013](http://ppta.org.nz/component/search/?searchword=Hierarchy&searchphrase=all)

[Roll Play](http://www.maxim.org.nz/site/DefaultSite/filesystem/documents/rollplay_full.pdf) - Maxim Institute 2007

Enrolment Schemes for [John Paul College](http://www.jpc.co.nz/our-school/enrolment/process/) and [Auckland Grammar School](https://www.ags.school.nz/enrolment/enrolment-procedure/enrolment-scheme/) (accessed from school websites)

[The Tomorrow’s Schools Reforms – An American Perspective](http://igps.victoria.ac.nz/publications/files/0321666586e.pdf) Edward .B. Fiske and Helen F. Ladd Institute of Policy Studies Victoria University of Wellington 2000

KiwiBlog - David Farrar [Zoning](http://www.kiwiblog.co.nz/2006/08) 31/8/2006

[Private Schools Now Cheaper Than Some Public Schools](http://www.kiwiblog.co.nz/2007/02/private_schools_now_cheaper_than_some_public_schools.html) 4/2/2007

[School Zoning](http://www.kiwiblog.co.nz/2006/02/school_zoning.html) 7/2/2006

[Solution To Zone Fixing – Abolish Them](http://www.kiwiblog.co.nz/2012/06/a_solution_to_zone_fixing_-_abolish_them.html) 27/6/2012

[White Flight](http://www.kiwiblog.co.nz/2007/07/white_flight.html) 16/7/2007

[Choice Bad in Hamilton](http://www.kiwiblog.co.nz/2014/01/choice_bad_in_hamilton.html) 28/1/2014

[Why School Zoning Should Go](http://www.kiwiblog.co.nz/2013/11/why_school_zoning_should_go.html) 9/11/2013

**News items**

[Zones of Obsession](http://www.stuff.co.nz/the-press/christchurch-life/mainlander/635700/Zones-of-obsession) *Christchurch Press* September 2008

[Local Solutions Key To Fitting In More Pupils](http://www.nzherald.co.nz/education/news/article.cfm?c_id=35&objectid=11229200) *New Zealand Herald* March 2014

[The Decile Divide](http://www.nzherald.co.nz/education/news/article.cfm?c_id=35&objectid=11225491) *New Zealand Herald* March 2014

[School Wait Lists Force family Shift](http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10782864) Nicki Preston *New Zealand Herald* May 2014

[Auckland Classrooms At Bursting Point](http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11223937) *New Zealand Herald* March 2014

[Top High Schools Seek Zoning Exemption](http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10564978) *New Zealand Herald 2011 (2009)*

[Schooled In The Dark Arts](http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10867374) *Herald On Sunday* February 2013

[Inflated House Prices](http://pacific.scoop.co.nz/2012/08/inflated-nz-house-prices-in-good-school-zones-hit-diversity-suburbs/) *Pacific Scoop 2013*

Hamilton’s New School a Battlefield *Waikato Times* 9th September 2013

Hundreds On Waiting List For Hamilton Schools *Waikato Times* 28th January 2014

Hamilton High Schools Over Capacity By Hundreds *Waikato Times* 10th May 2013

Popularity Contest Weighing On Schools *Waikato Times* 28th January 2014

Feast Or famine For High Schools *Waikato Times* 11th May 2013

Rural Families Left Out Of New School Area *Waikato Times* 22nd April 2014

[Status Rush Kills Schools Melting Pot Factor](http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11237585) Deborah Hill-Cone *New Zealand Herald* 13th April 2014

[School Zoning May Seem fair But In Reality It Fails](http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10367373) John Morris *New Zealand Herald* 9th February 2006

[Third Way for School Zoning](http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10568273) John Langley *New Zealand Herald* 24th April 2009

[Rich School, Poor School – Parents’ Decile Dilemma](http://www.nzherald.co.nz/russell-blackstock/news/article.cfm?a_id=770&objectid=10892319) *New Zealand Herald* 23rd June 2013

[School Zoning manipulation Illegal – PM](https://nz.news.yahoo.com/a/-/top-stories/14027931/school-zoning-manipulation-illegal-pm/) Yahoo News 25th June 2012

[Questions Answered About School Zoning](http://www.scoop.co.nz/stories/ED1206/S00116/questions-answered-about-school-zoning.htm) Liz Gordon Scoop New 26th June 2012

**Books**

[The Spirit Level – Why More Equal Societies Almost Always Do Better](http://en.wikipedia.org/wiki/The_Spirit_Level:_Why_More_Equal_Societies_Almost_Always_Do_Better) Wilkinson and Pickett Allen Lane 2009

[When Schools Compete – A Cautionary Tale](http://www.amazon.com/When-Schools-Compete-Cautionary-Tale/dp/0815728352) E.B. Fiske and H.F. Ladd Brookings Institute 2000

[Degrees of Deprivation in New Zealand](http://www.otago.ac.nz/wellington/research/hirp/otago020194.html) Peter Crampton Bateman 2000 (Updated to the New Zealand Deprivation Index Released May 2014)

[Inequality – A New Zealand Crisis](http://www.maxrashbrooke.org.nz/inequality/) Max Rashbrooke (Edited) Bridget Williams Books 2013

[Vital Connections](http://www.nzcer.org.nz/nzcerpress/vital-connections) Cathy Wylie NZCER 2013

**NOTES**

A needs-based model of resourcing for schools – time for a national discussion?

# Background

* 1. Teachers’ working conditions are students’ learning conditions, and these are determined by the resources invested in them. As most of these resources are invested by the state, how much, and how they are delivered are political questions.
  2. The OECD acknowledges the central importance of resourcing in discussions about schooling. It states “… expenditure per student is a key policy measure that most directly affects the individual learner, as it acts as a constraint on the learning environment in schools and learning conditions in the classroom”.[[37]](#footnote-37)
  3. Consideration of a move towards needs-based resourcing has been expressed in a range of papers and reports over many years. In 2007, Annual Conference resolved that a needs-based model for providing staffing to schools be developed. This led to the industrial claim which resulted in the [Secondary School Staffing Group (SSSG) report](http://www.ppta.org.nz/membershipforms/doc_download/1359-report-of-the-secondary-schools-staffing-group-sssg), agreed between the Ministry of Education, School Trustees Association, NZSPC, SPANZ and PPTA in 2012.
  4. Papers that have focussed on locally raised funds and decile funding in recent years, such as [*A Hierarchy of Inequality, The Decile Divide*](http://ppta.org.nz/component/docman/doc_download/1669-a-hierarchy-of-inequality-the-decile-divide?Itemid=192) in 2013, pointed out the various problems, and shortfalls, of the current operational funding approach.
  5. This paper explores what ‘needs-based’ could mean in terms of the totality of school resourcing.

# Why this is the right time to discuss school resourcing

The following factors suggest that the time is right for a review of how teaching and learning is resourced.

## Political will?

There have been recent indications from political leaders and ministries that the current resourcing model for schools may be reviewed:

1. Minister Parata has expressed her desire to adjust school funding. In February 2014 the Minister discussed with the Herald on Sunday her wish to move towards an ‘outcomes based’ funding approach. What this means is unclear, and it certainly poses risks, with the clearest being the possibility of a contractual, bulk-funded approach similar to charter schools resourcing.[[38]](#footnote-38)  In July 2013 the Minister told reporters “I don’t like deciles” and "We do need to review the way we fund schools and focus more on outcomes rather than blunt proxy”.[[39]](#footnote-39) The indications are there that a review of funding would be pursued by a future National-led government.
2. Treasury, a significant policy player, is also interested in school funding. For example, a 2012 paper discussed the efficacy and structure of the Targeted Funding for Educational Achievement (TFEA) component of school operations funding, noting that “A number of factors suggest that the current TFEA funding mechanism may not be the most effective way of targeting resources to low SES students”.[[40]](#footnote-40) In 2013 the Treasury’s report on the education sector over the long term noted that it would be “…prudent to assess whether expenditure is allocated to where it is most likely to achieve the highest return in terms of increasing educational attainment and contributing towards economic growth and societal well-being”.[[41]](#footnote-41)
3. While the SSSG report has not yet led to action from the current government, (despite the Secretary for Education agreeing to it), there is still the potential that it could spark a response. Recommendations two and three of the report are:
   * + 1. *The parties noted the possible conclusion that the current staffing allocation model is potentially not the right fit for 21st century student/school needs, given it comes from a perspective of limitation of liability rather than a needs-based focus….*
       2. *The parties work together to develop an agreed understanding of what a needs-based resourcing model may be, and how it might be used to improve the delivery of staffing.*
4. The urgency of these recommendations is underlined in a cabinet paper from 2013 which says “… we do not have research or modelling that identifies how much it costs to run a well-managed school…”[[42]](#footnote-42) While the Ministry has an interest in discussing further with the sector at least the staffing component of a needs-based funding model, and admits its lack of knowledge of the actual costs of running schools, PPTA should take this opportunity and begin the discussion.
5. Opposition parties are also talking about school funding. Labour has committed to implement aspects of the SSSG, and all the major opposition parties are well-aware of the inadequacy of the decile based TFEA fund to address educational disadvantage, while wanting to maintain the principle on which it is based. A number of parties, including Labour and the Greens have made announcements of SES targeted education policies which would give more resources to low decile schools.

## Poverty and inequality

* + 1. Growing economic inequality in New Zealand, is clearly related to educational inequality, leading to questions about how schools are best funded to address this. While the 10% of New Zealanders on lowest incomes have seen their incomes increase by only $1300 from 1984 to 2011, the wealthiest 10% gained nearly $44,000.[[43]](#footnote-43) Educational experiences are increasingly polarised, with the proportion of Pakeha students in decile 1 and 2 schools steadily declining over the last two decades. Young New Zealanders are particularly likely to be in poverty, with over 205,000 young people living in families on less than 50% of the median wage.[[44]](#footnote-44)
    2. Recent work from the [Children’s Commissioner’s Expert Advisory Group on Child Poverty](http://www.occ.org.nz/assets/Publications/EAG-Child-Poverty-Progress-29Oct13.pdf) identified education as a key area of government policy to make a difference to this particularly vulnerable group. While decile funding (the TFEA component of the operations grant) contributes only 3-4% of school funding (less for high decile and more for lower), evidence suggests that giving young people from low SES backgrounds educational opportunities similar to well-off students costs significantly more than that.

## Collaboration

* + 1. There are growing pressures for schools to work more collaboratively as the failings of the current competitive model become increasingly apparent, yet the funding model currently incentivises competition. Self-managing, largely autonomous, schools have not led to either greater innovation or better student learning. Cathy Wylie has noted the importance of creating structures that bridge gaps between schools for success to be shared and to promote greater equity,[[45]](#footnote-45)  yet it is difficult currently to fund groups of schools to create on-going structures to work together.

## Problems with decile system

* + 1. The existing decile system is inadequate to address the educational inequity of social disadvantage and it has become misused as a comparative measure of schools. Decile ratings are used by real-estate agents, and ambitious school leaders, as a marketing tool. The recent move by ERO not to publish decile ratings in their reports recognises this. More significantly, while the achievement gaps between high and low decile schools persist, it is reasonable to ask, are we doing enough to address the resourcing needs of learners in low decile schools?
    2. Though the evidence is clear that out of school factors are always the most significant determinants of school achievement, it is also true that in New Zealand our schooling system does not mitigate against the impact of SES as well as some other systems. Accepting that the resources available make a difference to learners’ experiences, there is a strong case to be made that one of the reasons for this inequity is inadequate resourcing for low SES students.

## Changing pedagogies and more individualised learning

* + 1. Both technological change in education and the philosophical shift towards a more individually responsive, student centred curriculum have significant costs. Perhaps more significantly, the different practices and structures of schools and changing pedagogies may require a different funding mechanism to enable them to occur in a systematic and equitable way for all learners. This is explored in the Future Focussed Learning Report from May 2014.[[46]](#footnote-46)

## Locally raised funds

* + 1. Schools rely overwhelmingly on locally raised funding to sustain programmes of learning, through employment of hundreds of additional teachers beyond the staffing supplied by the state and to supplement operational and property costs. It is common for large secondary schools, for example, to employ ten or more teachers above their staffing entitlement, often relying on locally raised funds. In 2012 the total amount raised by schools in local funding was $541,777,892.[[47]](#footnote-47) Reliance on these funds can create tensions between schools and parents, and also feeds into educational inequity.

## Lack of security in school resourcing

* + 1. In recent years small but increasingly significant changes to school funding have decreased certainty around budgets. This includes the move to quarterly funding of operations grants, which penalises schools with high student transience, and the bulk-funding of trades academy students. One impact of this is increasing numbers of teachers being employed through operational funding on fixed term agreements. Furthermore, neither school operational funding, nor staffing salaries, has any guaranteed mechanism to keep pace with rising costs. Contrast this to the political decision to fund charter schools with guaranteed increases based on a CPI/LCI mechanism each year.

## Awareness of behavioural and special education needs

* + 1. Currently the IHC is preparing a human rights case against the Ministry of Education for systematic discrimination against special needs students. IHC’s Director of Advocacy Trish Grant says that “We know that many schools acknowledge their response to disabled students is limited by resourcing and other constraints. It is clear that government policy does not allow all schools to do their best by disabled students.” She goes on to say, “One of the biggest problems schools face is the lack of resources. Many schools have no choice but to limit attendance whenever support is unavailable. Parents are often asked to contribute financially to teacher aide hours because of a funding shortfall, the only other option being that their son or daughter is sent home.”[[48]](#footnote-48)

## Staffing formula penalising large schools and junior high schools

* + 1. SSSG clearly identified the problems that large schools and junior highs face in maintaining class sizes that are reasonable for teachers, and meet parents’ and students’ expectations. In large secondary schools of over 1800 students, nearly 60% of classes have more than 25 students, while in schools of up to up to 900 this is less than 40%. The Labour Party has committed to implementing the SSSG recommendation to fix this, which is welcome, but a cross party consensus to deal with the staffing formula is a more certain way to ensure this inequity is resolved.

## Economic recovery?

* + 1. Spending on education is already a significant chunk of the government’s budget, at over $10 billion in 2014 (with secondary education at $2.1 billion). Nevertheless, moving to a needs-based funding system will necessarily cost more. Schools and communities will not accept a re-arrangement of funding in which some lose out – a clear base line must be that no-one will be worse off. As a result of this, beginning the discussion at a time when government revenue is increasing and there are predictions of steady economic growth will be more likely to bode well.

## Starting the discussion

* + 1. The problem with discussions of changing resourcing models is that such changes in the past three decades have often been proposed by politicians or officials driven by ideological imperatives or a desire to cut funding or impose business models.
    2. Consultation with the sector has been tightly controlled and ignored if it does not reflect the outcomes desired by the government organisations or the government.
    3. This paper is an attempt to start a broad-based discussion about the issues which need to be discussed and on which we need to develop consensus as a country.

# What do we want schools to do?

* 1. Fundamental to decisions about funding of schools are beliefs about the purpose of schooling.
  2. Currently the Government determines what ‘schools are for’ for funding purposes. This is often an ideological position that conflicts with the expectations of parents and the broader community. The net result, compounded by the competitive schools model in which they operate, is financial pressure on schools and a major reliance on locally raised funding. Key questions include:
     1. Are secondary schools solely about producing NCEA results? If they are not, how do we recognise and resource other outcomes that are desirable?
     2. Where is the line between the educational experiences the school is expected to provide and those that parents can be expected to provide?
  3. In the early 1970s in New Zealand there was a bold attempt to engage parents, communities, teachers and students in a broad discussion about the purpose, content and structures of education. This has never been attempted on the same scale since, but the ideas of that Education Development Conference, though rejected by Muldoon, influenced education policy deeply over the following decades[[49]](#footnote-49). Perhaps it is time for another such broad ranging discussion?

# What could ‘needs-based’ mean?

In discussing the development of needs-based resourcing we need to be clear what we are considering. Needs-based may mean:

## ‘Schools generally are under-funded and need more resources.’

* + 1. This definition focusses on the needs of the education system as a whole and would suggest that the needs of student across the system are not being met by current low funding to schools.
    2. The NZCER surveys of secondary schools conducted in 2009 and 2012 found that only 5 percent of principals thought that school funding was enough to meet the school’s needs.[[50]](#footnote-50) Two thirds of principals reported that their school’s financial situation was worse than three years before.
    3. Looking globally, it is clear that New Zealand school funding is relatively low. In in 2010 New Zealand, spent $8,170 (in equivalent US dollars) per student per year, while Australia spent $10,350, the UK $10,452, Japan $9,957 and Finland, $9162. The OECD average is $9,014. New Zealand has persistently spent less per student than these countries, while undergoing major educational reform.[[51]](#footnote-51)

## ‘Schools with the greatest needs get too little to meet those needs.’

* + 1. This definition focuses on our disadvantaged students and a failure to properly direct the resources to counteract that disadvantage. It would focus on better redistribution to those with greatest need.
    2. The level of deprivation suffered by children is worse now than in the past: child poverty rates (at 60% or less of median income) have risen from 14% in 1982 to 27% in 2014. Meanwhile, the schools that serve these populations struggle. Only 10% of principals of low decile schools think that their school is in a stable financial situation.[[52]](#footnote-52) As Treasury pointed out in the paper referred to above, there are concerns that the TFEA component is inadequate, and anyway it is only 3-4% of total school funding. Research from the USA has suggested that 40% to 100% more funding per student may be required to provide equitable learning opportunities for those from low SES backgrounds.[[53]](#footnote-53) That additional resourcing makes a difference for low SES learners was shown conclusively by recent US research which looked at what occurred when, in the 1970s and 80, some states were made to direct more resources into schools in low income communities. This found “…a 20 percent increase in per-pupil spending each year for all 12 years of public school for children from poor families leads to about 0.9 more completed years of education, 25 percent higher earnings and a 20 percentage-point reduction in the annual incidence of adult poverty…” .[[54]](#footnote-54)

## ‘Schools are able to draw on different levels of additional resourcing.’

4.3.1 As a result of reliance on locally raised funds, schools have very different amounts of resourcing available to them. Focussing on this aspect of needs based funding would encourage a more radical redistribution towards those in greatest need.

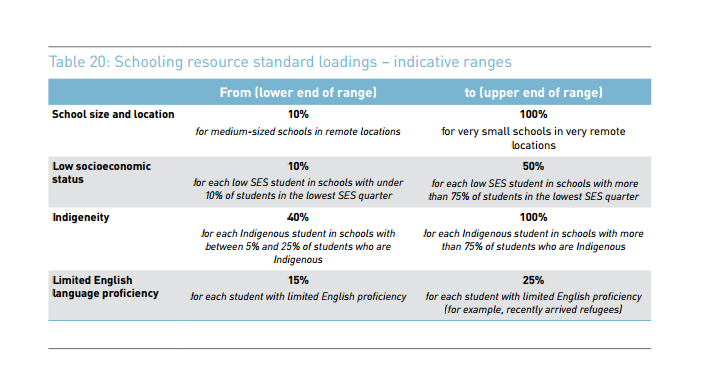
* + 1. In theory decile related funding is supposed to compensate for the educational disadvantage students from poor communities bring with them to their education by allowing schools that serve poor students to have greater resources available to bridge that gap. This currently is nowhere near the case.
    2. When locally raised and decile related funds are added together, decile one schools have just $350 more than those in decile ten schools to address their relative educational disadvantage – a fraction of the total (average) cost of educating a student each year, of $6991.[[55]](#footnote-55) Comparing decile 1-3 schools with decile 8-10, the difference shrinks, with low decile schools being $140 a year per student better off than the high decile. Contrast this to the Gonski funding review in Australia (see below), which recommended multipliers of up to 50% funding over baseline (for total funding, including staffing) for low SES students compared to their well off peers, with further multipliers for indigeneity, or isolation that could take the funding for students meeting these characteristics over 100% more than baseline.

## ‘Funding should be student-focussed.’

* + 1. The needs of the students should be identified and the resourcing should be provided to meet those needs. This definition focuses most on the needs of individual students and would lead to design of a funding system to meet those.
    2. A recent Child Poverty Action Group (CPAG) report on the schooling sector recommended that a range of student characteristics be identified on entry to school and funding directed on the basis of these.[[56]](#footnote-56) Two possible methods of this suggested in the CPAG report are the School Entry Assessment tool and the B4 School check, the former focussed on learning preparedness and the latter on health and well-being needs. This would be a much more sophisticated method than what currently occurs with the mesh-block approach of decile funding which relies on generalised population data, rather than actual student characteristics. While this is potentially a demanding way to make decisions about targeting resources, and posing a number of risks, in this era of big-data it could be possible to design a system that does this safely and with integrity.

# An example of funding review and reform

* 1. One approach to funding an ‘agreed standard’ is suggested in the Gonski report.[[57]](#footnote-57) This would identify a number of schools that are providing a high quality education to all their students, meeting quantifiable (but wide ranging) standards over an extended period of time. These schools would then be assessed for the total resourcing that they receive, from all sources. Averaging these out would establish a rate, per student, which would become the ‘resource standard’ for staffing and operational funding, and would be guaranteed for all public schools. Gonski estimated that in Australia the resource standard would work out at around $A10,500 per student per year.
  2. Following the establishment of the resourcing standard, different multipliers would be applied based on the characteristics of students. The table below gives indicative values:



* 1. A formula like this would give schools with high numbers of low SES students potentially an extra AU$5000 (based on the proposed resourcing standard) for almost every student at the school, compared to the extra $140-$300 for each student that is provided in New Zealand currently.

# Prerequisites to change

* 1. In developing a needs-based funding model which can be seen as adequate, meeting its purpose and equitable, PPTA believes that the community first needs to reach broad agreement on what every child should be able to access in their local school and therefore what should be free (i.e. fully funded by the state) and what might be considered to be outside the responsibility of the school to provide (and the state to fund).
  2. As noted earlier, the Ministry of Education does not know what it costs to run a ‘well managed’ school; there is no agreed standard, just the ‘historical accident’ of the funding formula and rates that have been arrived at currently. With an agreed standard it would be easier to judge the costs of meeting that standard education and the additional costs associated with those who begin with an educational disadvantage.
  3. Furthermore, a starting point for the discussion must be that, while there could be opportunities for savings and reprioritisation of spending, no students or schools will be worse off under any new model, recognising that there is no ‘fat in the system’ to trim.
  4. We also need to review the framework within which resourcing is provided and within which schools operate.
     1. Appendix 1 contains a number of questions which could form the basis of a national discussion about how we want to fund our schools.
     2. Appendix 2 contains a number of questions about more specific aspects of a needs-based funding discussion.

# Leading Discussion

* 1. There are a number of implications in discussions of ways in which the resourcing of schools might change to a needs-based model. While ideally the quantum of resourcing is likely to increase, the pattern of distribution of that resource is also likely to change. This would require that the greatest possible level of consensus is reached about why changes are necessary and which changes are desirable before moving to make changes.
  2. Considering the vast gulf between the resources available out of school, and if we consider education to be a social leveller, then a question that could stimulate this discussion would be, is five percent extra funding per student from a background of educational disadvantage enough to allow schools to compensate for that?
  3. The education system is too important to be left as the ideological playground for politicians and unaccountable bureaucrats. The Education Ministry serves the government of the day (and is itself not always free from ideological bias).
  4. No organisation operates in a policy-free environment, but the elected members of representative organisations could work together to lead a national debate on what the professionals and the broader community believe is appropriate for the delivery of education in New Zealand.
  5. PPTA calls on those organisations to work together to lead a national discussion on the resourcing of schools.

# Recommendations

1. THAT the report be received.
2. THAT PPTA seek to work with other representative sector organisations to initiate discussions on how state and integrated schools system could be resourced within a needs-based framework.

# Appendix 1: What might the discussion include?

Indicated below are a number of the questions PPTA believes should be answered in broad discussions with the sector and with the wider community prior to any moves towards establishing needs-based resourcing.

Broad funding questions:

1. NZ funding of secondary level schooling is low compared to OECD. What is an appropriate level of funding to be directing into education?
2. What is the basis for developing a coherent resourcing framework for schools? Is it sufficient to aim for it to be adequate, student centred, equitable and efficient?
3. Should we identify what every school is expected to deliver as a suitable educational experience for every student in any school in the country in order to establish what it is the state’s responsibility to fully fund, and what it is the parents’ responsibility or choice to provide?
4. As the Ministry of Education states “… we do not have research or modelling that identifies how much it costs to run a well-managed school…”, is it important to know the cost of providing a nationally acceptable programme of education to all students, and the associated administration, pastoral and guidance costs etc…?
5. When determining annual adjustments to education funding is the CPI and appropriate measure or should we establish an accurate education cost index and adjust operational funding for changes in the actual costs to schools?
6. Since 2011 governments have not automatically adjusted resourcing to schools to reflect demographic and inflationary changes. Should we expect governments to index funding to such changes?
7. The Education Act requires schools to provide a free education to all students, but almost all schools rely on parental donations/fees in order to maintain a nationally acceptable programme of education. Is the notion of a free education for all students still considered to be important to society? If so, how should this be reflected in the resourcing model?
8. If resourcing for secondary schools is agreed to be inadequate which method of providing additional resourcing would have greatest support? For example, transfers between government budget areas, a tagged increase in taxation, etc.
9. New Zealand is an internationally successful education system. What can we learn from the funding models of schools systems which produce outcomes which are equivalent or better than those of New Zealand schools?
10. Is the competitive, siloed schools model the most effective way of delivering and using educational resources? What other models are possible?
11. Do we think of schools (and resource them) as purely educational entities or do we consider them as part of the provision of a broad range of social services?

# Appendix 2: Questions on components of a needs-based model

**Operational funding**

1. Can we identify through independent review the cost of delivering education in schools of different size and location?
2. How frequently should analysis of actual costs of delivering the benchmark education be reviewed?
3. Can we more accurately identify the funding required to address educational disadvantage associated with socio-economic status?
4. Can we identify more accurately the actual costs of establishing, running and updating administrative and teaching/learning technology?

**Curriculum, pastoral and management staffing**

1. Can we identify the staffing and delivery mechanisms required:

* To deliver the breadth of curriculum expected in a state school?
* To establish the class sizes parents want in schools and the staffing quantum and model required to provide this?
* To provide the desirable level of pastoral and guidance support for students
* To provide small group mentoring?
* To meet the management and administration requirements of a modern school?

1. Can we identify any additional staffing component required to address educational disadvantage?
2. Should we provide a pool of national staffing entitlement for schools with special circumstances?

**Special Education**

1. Should we have an independent review the funding and staffing support required to support special needs students within our education system?

**Property**

1. What is the most efficient and effective way of managing school property?

**Equity and fairness**

1. Should local funds be managed though local trusts and be dispersed money equitably across the broader local network of schools?
2. Should we move to a decile profile model or individual student measures for equity funding?
3. How much extra is resourcing is required for the education of students from the lowest SES backgrounds to give them equitable education opportunities?
4. Should there be nationally agreed change management processes so that additional costs of new initiatives are built into planning and resourcing of change?
5. Should Governments be expected to maintain an automatic link between base line funding and demographic changes?
6. Should the state fund schools for cost increases?
7. Is contestable funding an appropriate model of funding for a national school system?
8. How can the state ensure that there is maximum security of funding for schools to allow them to plan for programme delivery within and between years?

**E-learning**

1. How do we recognise the resourcing requirements of delivering learning opportunities to students through e-learning and the adjustments required to employment provisions for e-teachers?

**Information Technology**

1. How do we identifying and address the costs of maintaining technologies which can be used effectively in teaching and learning and making these available to all students?

**Professional development**

1. How do we appropriately identify and resource the learning needs of the teaching profession?

**NOTES**

PPTA industrial strategy 2015

CONFIDENTIAL TO PPTA MEMBERS

# Background

1.1 The STCA expires on 30 June 2015 and, due to later expiry dates for our secondary principals and area school agreements, it is likely to be the only collective agreement we will be negotiating in 2015. This may be just as well as the STCA is our lead agreement and members appear to be uniting around the need for a claim for pay increases to realign salaries after the last five years of very low pay scale settlements.

1.2 Regardless of which flavour of government we have next year, any serious catch up salary is unlikely to be achieved unless members feel so strongly, they are prepared to take industrial action to achieve a substantial settlement. Preparation for this will need to include members, branches, regions and the national body in planning and setting aside funds from now on.

1.3 This paper proposes a strategy for teacher bargaining in 2015, based on consultation with members, branch and regional officers and national executive members. The paper aims to test the direction we believe members wish us to take in preparing a claim strategy for 2015.

# The 2015 environment – political, economic and industrial

2.1 At the time of writing, some months prior to the election, it is somewhat difficult to predict the bargaining environment with any certainty. However, there are some aspects we can be sure of.

2.2 We have been told for some time that we are out of recession and are likely to be further into the economic recovery period by the middle of next year. This will provide a better economic environment for negotiating salary increases. Bill English has spoken recently of wages increasing above inflation out to 2018 – with the average wage predicted to rise 20% while inflation tracks at 12%. However, under National-led governments, public sector workers are often amongst the last to benefit from growth.

2.3 Industrially, if a National-led government is back in power, the undermining of industrial protections and rights that unions and employees currently have cannot be underestimated. While the government’s Employment Relations Amendment Bill will not be passed prior to the election, they have promised to pass it within their first 100 days, i.e. long before we will be negotiating any of our current collective agreements. The Bill will introduce a number of anti-employee provisions, for example removing the right to meal or rest breaks, or denying access by teachers or their union to information relevant for disciplinary or competence procedures and redundancy.

2.4 Even more serious, are major changes which will seriously undermine collective bargaining by:

* removing the duty to conclude bargaining, i.e. allowing the Ministry to simply walk away from negotiations;
* imposing a 60 day stand-down period before bargaining could be reinitiated;
* allowing the Ministry to arbitrarily deduct up to 10% of teachers’ salaries for “partial strikes”; and
* removing protection for new teachers who would not be automatically covered by the collective agreement in their first 30 days of work.
  1. If there is a Labour-led coalition in government in 2015 it will not necessarily be easy sailing for PPTA members to achieve significant pay increases either. While Andrew Little has spoken publicly in recent times about workers needing to see 4% pay increases in coming years, the need to show fiscal restraint will weigh heavily. Labour has promised to run surpluses in government but has also committed significant funding in education to ensure 100% trained and qualified early childhood education teachers and to reducing class sizes.
  2. While a Labour-led government may not necessarily be better for PPTA in terms of winning a significant pay increase in bargaining in 2015, it would certainly provide a more favourable industrial and education climate generally. With commitments to extend the rights of workers to collectively bargain, and develop industry wide standards to form the basis of collective agreements, this is a markedly preferable option for our bargaining environment.

# Members expectations

3.1 Over the past year, we have heard both from executive members and regional officers that members are expressing a clear preference for salary over conditions in the next round of collective bargaining. This has been further tested this year in discussions by executive members and union staff with members and branch and regional officers.

3.2 At the July regional chairs’ forum, a workshop was run with all regional chairs where a claim proposal, first suggested by the executive industrial committee in December last year, was presented and discussed. This proposal clearly resonated strongly with regional chairs and it has since been endorsed further by the July meeting of the executive industrial committee and the full executive at its August meeting.

# The salary claim – how much is enough?

4.1 It is clear that recent salary movement has not kept up anywhere near inflation over the last five years. This is not surprising considering the recession, a strongly anti-union government, and the imperative to keep existing conditions in our collective agreements intact throughout its term, in the face of persistent claw back claims from the employer.

4.2 However, we are now out of recession, and members are rightly expecting that their salaries should now be comparable to those that teachers in other countries receive and that are commensurate with their worth.

4.3 Since the last 4% increase in July 2009, increases to the STCA have fallen well below inflation. The chart below tracks increases to inflation (as per CPI) up to December 2012 seen alongside our STCA increases, and also provides the current projected increases for the 2014 year and the years between 2015 and 2018 (maximum period of settlement of the 2015 STCA).

|  |  |  |  |
| --- | --- | --- | --- |
| **Year** | **CPI**  ***March year* C*hange*** | **STCA salary increase** | |
| 2009 | 3.0% | 4.0% | from 1 July 2009 |
| 2010 | 2.0% | Nil | protracted bargaining, CA unsettled |
| 2011 | 4.5% | 1-3% | from 13 April 2011 (with translation to new scale – trained rates only)  Nil for untrained teachers |
| 2012 | 1.6% | Nil |  |
| 2013 | 0.9% | 1.14% | from 23 Jan 2013 |
| 2014 | 1.5% | 1.0% | from 28 Jan 2014 |
| 2015 | 1.8% \*  2.0% \*\* | 0.49% | from 28 Jan 2015 – (till 30 June) |
| 2016 | 2.5% \*  2.4% \*\* |  |  |
| 2017 | 2.3% \*  2.4% \*\* |  |  |
| 2018 | 2.0% \* |  |  |

*\* March year projections in* *8 May 2014 Treasury Budget projections. Update due August 19th 2014.*

*\*\* March year projections by NZIER June 2014*

4.4 It is apparent that a CPI catch up claim could be very high for the first year. However, executive and regional chair members have strongly endorsed a salary claim that will contain:

a. a percentage increase on all scales to catch up with inflation (CPI) for the first year; and

b. a percentage increase on all scales as per projected inflation for second (and possible subsequent years).

# What this means for conditions claims

5.1 If we are serious about a major salary increase claim in this round, members will need to agree that there cannot also be a raft of conditions claims, as we have pursued in previous rounds. First, such claims will be unaffordable if we want all the available money to go into salary. Secondly, conditions claims are often complex and result in very long drawn out discussion in negotiations, which can side-track the major issue or issues.

5.2 Accordingly, Executive thinking to date is that there should be very few conditions claims to distract the employer team from addressing the significant increase in actual cost of living that teachers have experienced over recent years.

5.3 Executive has identified one major condition claim which is an iconic claim for our membership in terms of equity and could also be met at little or no cost to the employer. That is the claim for equitable pro-rated non-contact time for part-timers, together (quid pro quo) with the removal of the 11% loading. This is the same claim we lodged in the last bargaining round and we believe it could be successful if lodged again.

5.4 Executive believes that a maximum of three other appropriate claims could also be lodged, provided that they are at little or no cost, and not so complex that they could divert attention from the major salary claim.

5.5 The suggested approach to these is that branches hold meetings in the fourth term to discuss such claims, and that they be asked to forward their top three minor claims to National Office. The three most common would then be included in the claim, provided that they met the following criteria:

* Widely-held/deeply-felt;
* Low cost;
* Simple, i.e. increase in family leave, mileage allowance etc; and
* Strategic.

5.6 As always, there may also be a number of purely technical claims, i.e. simple claims that clarify existing provisions for both parties at no extra cost or loss.

# The 2015 STCA claims process

6.1 It is proposed that, should this paper be endorsed by conference, a claim be drawn up quantifying the salary and part-time non-contact claim and seeking input from branches as to the other three conditions claims.

6.2 Branches will be asked to meet in the fourth term to endorse such a claim and to agree on their top ‘other’ conditions claims, which will be forwarded to National Office.

6.3 The full claim will then be sent back to branches in the first term next year asking branches for final endorsement and the claim can then be lodged with the employers when bargaining is initiated on 1 May 2015.

# Planning for an industrial campaign

7.1 Neither a left nor a right led government will be disposed to meet a substantial pay claim, no matter how silver-tongued and persuasive our advocates and bargaining teams are. However, should we be bargaining under a National-led government, it is almost certain that the new provisions of the current Employment Relations Amendment Bill will be in place. This means we need to be preparing now.

7.2 Planning for any major industrial campaign needs to begin long before the campaign itself, at least in terms of preparing members, branches, regions and the national body for any potential financial costs involved. It is now many years since members have taken industrial action which has cost them actual pay, and members, especially those with one income and young families, will find losing pay very difficult. The union already has a good resource on how members can prepare financially for long periods of action which may result in the loss of salary. This can be reissued so that members are advised how and when to take these precautions.

7.3 There is also a need to prepare the ground work for a campaign so that the general public as well as members understand the reasoning behind it before negotiations begin.

# Implications for area school bargaining

8.1 The area school collective agreements, both for teachers (ASTCA) and for principals (ASPCA) expire on 3 November 2015 and 1 June 2016 respectively. However, the primary teachers’ collective (PTCA) does not expire until 21 December 2015, so bargaining for area school teachers cannot begin until 2016.

8.2 Similarly, the area school principals’ agreement (ASPCA) will have to wait until both major agreements for principals have also expired (primary in November 2015 and secondary in March 2016).

8.3 Waiting until the major agreements are, if not settled, at least in progress and with agreed claims, is a continued frustration for our area school members. However, both area school agreements are too small (i.e. do not have enough members to provide the necessary ‘industrial muscle’) to be lead agreements. In the past, although composite and area school members have had to wait for later negotiations and settlements (and with no back pay for the last two settlements under the National-led government), they have arguably obtained overall better settlements by aiming for the ‘best of both’ improvements made in the larger CA settlements.

8.4 There is, however, no reason why our area school members should not have the same ability to engage in and inform the major secondary agreement claim. We therefore intend to ask area school branches to meet and participate in suggesting the three additional conditions claims in the fourth term. This may or may not inform the final area school claim, depending on the success of the primary and secondary teacher claims, but it will serve as useful preparation.

# Conclusions

9.1 This paper is testing whether there is enough wide-spread support for the strategy and the framework of the claim proposed. Such a claim and strategy will rely on strong member support and we need to know whether that is there before we go ahead. Put simply, we need to be sure that, if we lead this charge, there will be troops coming over the hills behind us.

9.2 Alternative strategies, should members not endorse this strategy, could be to have a lower salary claim with more conditions, which may be easier to present to the public, but is unlikely to be simple or less costly or easier to win, or to open the claim fully to members (which is likely to lead to a costly and complex claim in any event).

# The recommendations

1. THAT the report be received.
2. THAT the industrial strategy and framework for claims for the STCA outlined in this paper be endorsed.
3. THAT branch, regional and national funds be set aside for a 2015 industrial campaign and members also be advised to prepare financially for a long campaign next year.
4. THAT branch meetings (possibly at branch PUMs) be called for members to consider and discuss a major salary claim and its implications, and the equitable part-time non-contact claim, and to agree on their three additional conditions claims.

**NOTES**

**Demolition or restoration: The election and our fight for the Teachers Council**

# Introduction

* 1. This paper is being written at a time of considerable uncertainty about the 2014 election result, but will be considered by Annual Conference at a stage when at least the general shape of the new government is likely to be known.
  2. This means that the recommendations have to provide for two general scenarios. It will be up to Annual Conference delegates to determine at the time whether it is appropriate to vote on only one of the substantive recommendations, or on both, as it is possible that the final shape of the government will still be under negotiation.

# The PPTA campaign so far

* 1. PPTA members excelled themselves in their response to Executive’s call at the Paid Union Meetings for large numbers of submissions to the Select Committee, including submitters requesting oral presentations in order to delay the proceedings of the Committee.
  2. Those who submitted orally impressed Select Committee members from all parties by their knowledge, their eloquence, and their passion for the cause of having a registration body for teachers that is led by teachers.
  3. As a result, one significant change was able to be agreed by all the parties represented on the Select Committee and included in the Bill when it was reported back to the House:
     1. The insulting wording “A maximum of 5 of the members must be people who are registered under section 353” was changed to read “At least 5 of the members must be people who are registered under section 353 and hold a practising certificate under section 361”.[[58]](#footnote-58)
  4. This amendment meant that the second of PPTA’s bottom lines as set by Annual Conference 2013, i.e. a majority of practising teachers, was met.[[59]](#footnote-59) (A shift from crown entity to statutory authority status was already achieved in the Bill.)
  5. Another benefit of members’ sterling efforts at the submissions stage was that a Bill that the Minister attempted at its first reading to convey as uncontroversial, describing it as “the result of a 3-year conversation”, suddenly appeared to the government to be a hot potato. As a result, it did not even get “above the line” on the order paper when it was reported back, signalling that it would not be debated before the election.
  6. This does not mean, though, that a newly elected National-led government, full of the confidence of victory and in the first year of a new term, would not immediately leapfrog it to the top of parliament’s order paper.

# Why the campaign must continue

* 1. It is Executive’s view that the amended Bill is still seriously flawed and cannot be allowed to pass in its current form.
  2. Furthermore, the government is claiming that its single concession to the hundreds of concerned submitters, to change the “maximum of 5” to “at least 5”, shows that they have listened and responded. This can be seen, however, as a cynical ploy to appear to be responsive while failing to address most other major issues raised by submitters.
  3. Two of PPTA’s bottom lines have still not been met: elections for teacher positions, and the right of PPTA to nominate a member to a position that is reserved for a PPTA nominee. The Minister retains the power to select all Council members from a general pool of nominations received and from people she chooses herself.
  4. In addition, the Minister’s offensive name for the Council remains, meaning that we would have the only teacher registration body in the world whose name does not include either the word “teacher” or “teaching”. The symbolism of this was not lost on members in their submissions.
  5. Members noted that the name went along with a dangerous loosening of the ability for untrained people to obtain a Limited Authority to Teach (LAT), with the Bill allowing such people to obtain a LAT to tout themselves around a range of schools, rather than only to fill a vacancy in a particular school that is unable to fill it with a trained and qualified teacher.
  6. The Code of Conduct which PPTA submitters found so repugnant remains.
  7. The burdensome audit and moderation of 10% of practising certificates remains, only it has been reworded in a way that makes it clearer but worse: “auditing and moderating the appraisals made for at least 10% of the practising certificates issued or renewed in each year”. This implies a level of interference in school processes that would be quite intolerable.
  8. The purpose and functions of the Bill remain as wide as ever, and likely to distract the new council from its proper focus on its core business.
  9. The permissive nature of the legislation remains unchanged. This means that key elements of the current regulatory framework could be altered by the new body without notice. These include the Code of Ethics, the Registered Teacher Criteria, the registration framework, or the teacher education course approval requirements, all of which are the product of extensive consultation with the profession.
  10. And perhaps even worse, the Bill remains very poorly drafted, with problems that the Teachers Council submission highlighted as positively dangerous to the safety of students but which the Select Committee failed to address. (The Teachers Council offered to help the Ministry correct these faults in the Bill, but this offer was never taken up.)
  11. These drafting problems are generally in the competence and discipline parts of the Bill, e.g.
      1. There is no provision for cancelling the registration (as distinct from practising certificate) of a teacher who has been found to be incompetent whereas they can for misconduct;
      2. The maximum fine the Disciplinary Tribunal can impose in response to any breaches of its orders such as a suppression order to protect student complainants is $1,000, a paltry amount for a media organisation or community group determined to breach such an order;
      3. There is no time period specified within which a Court Registrar must report the conviction of a teacher, which means that a teacher convicted of a serious offence could continue teaching for a considerable time before a report is received by the Council.
  12. However, while the Bill has been reported back with the amendments that the Select Committee was able to agree on, this does not mean that further amendments cannot be made. This would be done during the committee stages of the Bill, by Supplementary Order Papers put forward by parties other than National (as sponsors of the Bill), and it might be possible to get sufficient support for at least some of these to be incorporated into the Bill.[[60]](#footnote-60)

# Positions of the political parties

* 1. The National Party’s position is pretty clear. They intend to proceed with the Bill if re-elected on September 20. In this, they will most likely be supported by whatever support parties they line up in the new parliament, although there may still be room to persuade these support parties to vote against the Bill unless it is amended further.
  2. Labour would not proceed with the Bill as it is currently drafted. Its Manifesto says only that “Labour will support a self-governing teaching profession through the introduction of a democratic process for appointing the Board of the new Education Council”. The wording of this suggests that more work would need to be done with Labour, if they were in government, about a number of matters. These include the absence of “teachers” or “teaching” from the name, the value of union nominees on the council, and other matters. Their minority report in the amended Bill does, however, show awareness of the issues around democratic representation, the code of conduct, the purpose and functions, the 10% audit and moderation requirement, and the extended LAT.
  3. New Zealand First’s minority report in the amended Bill makes it clear that they understand the issue of the name, the risks from expansion of the LAT status, and the dangers of the overly broad purpose and functions in the Bill.
  4. The Green Party’s minority report agrees with submitters’ concerns about the purpose and functions, the name, the expanded LATs, and the code of conduct.
  5. It is likely, therefore, that a government consisting of Labour, New Zealand First and the Greens would be likely to replace this Bill with legislation that PPTA members could be comfortable with.

# Scenario 1: A National-led government is returned

* 1. Recommendation 2 provides a set of possible actions with the goal of achieving further changes to the Bill at the committee stage.
  2. The recommendation asks Executive to initiate a campaign including the elements listed and other elements as appropriate.
  3. The development of Supplementary Order Papers (SOP’s) would be a way to assist opposition parties to make amendments to the Bill in the committee stages. SOP’s drafted could be offered to a number of opposition spokespeople as part of lining them up to oppose the more offensive aspects of the Bill.
  4. It is also feasible that a new Minister might be given the responsibility for education after the election. This could open up the possibility of the government itself agreeing to make further changes to the Bill at the committee stage.
  5. While members might be feeling weary from what has been a long struggle on these issues, the tried and true strategy of lobbying local MPs can help to firm up their parties to oppose particular aspects of a Bill. Unless National has won the election with a simple majority and has no need of support parties, there is always scope to line up one or more support party alongside opposition parties on particular aspects of a Bill.
  6. The media have shown very little interest in this issue so far, but after the election they might be more interested in stories of this kind.
  7. Recommendation 2.d. recognises that other ideas for suitable action will emerge from discussion of this paper in branches, regions, and at annual conference, and gives Executive the authority to add these to the campaign strategy.
  8. Recommendation 3 provides for a situation where the government has ignored the opposition and passed the legislation regardless. It empowers Executive to develop a programme of actions by members that would constitute non-cooperation with the new body. The aim of this would be to show that members do not recognise the authority of the new body and are acting as if the Teachers Council is still in place. It would involve Executive consideration of:
     1. Refusing to comply with the new code of conduct but being meticulous about observing the Code of Ethics;
     2. Gathering evidence against the current Registered Teacher Criteria but not supplying it for the 10% audit;
     3. Refusing to gather evidence against any new standards;
     4. Refusing to re-register with the new body;
     5. Refusing to participate in any activities called by the new body;
     6. Using members’ capacity to take industrial action once the STCA expires;
     7. Other actions proposed by members.
  9. It is important that the Executive not be restricted to a particular course of action because it might not be the most appropriate at the time. This is an ever-changing landscape which requires Executive to be nimble, thus Recommendation 3 is a general rather than specific authority.

# Scenario 2: A Labour-led government is elected

* 1. This scenario would not be likely to require members to continue the struggle on a national scale, but would require Executive and staff of PPTA to work closely with the new government (including all its support parties) to ensure that any replacement legislation avoided all of the dangers of National’s Education Amendment Bill No.2.
  2. One option to pursue would be a very simple Bill which changed the status of the current Teachers Council from crown entity to independent statutory authority, but retained most other elements of the current legislation.
  3. There are some other improvements that PPTA has sought over the years, particularly in the area of reducing the functions of the current Council to ensure that it focuses on its core business. These could be incorporated in such a Bill.
  4. Minor changes such as these would achieve all of the requirements set out in Recommendation 4.
  5. If the new government were determined to introduce more major legislation to “reform” the Teachers Council, then Recommendation 4 sets out the elements that PPTA would seek to have included in such a Bill.

# Conclusions

* 1. Members have shown very clearly that they want a teacher registration body which is led by the profession. This includes both elections and union nominees.
  2. At the same time, members have shown that they understand that all such bodies include some ministerial appointees, and that this is reasonable in order to represent the public interest.
  3. However, the idea that teachers should be “led” by a body which is entirely ministerially appointed is simply offensive. For the government to claim that Education Amendment Bill No.2 delivers an “independent” teacher registration body is bizarre.
  4. The future of the Teachers Council rests largely on the election result. The timing of Annual Conference, 10 days after the election, will ensure an interesting debate on this paper.

# Recommendations

1. THAT the report be received.
2. THAT in the event of a National-led government being returned to power, PPTA Executive be asked to initiate a programme of action to seek further amendments to the Bill, to include the following:
   1. Provision, to opposition and support party MPs, of amendments to be presented as Supplementary Order Papers;
   2. Lobbying materials for members to use with local MPs from all parties;
   3. Media materials for use nationally and by regions;
   4. Other elements as determined by Executive.
3. THAT in the event of Education Amendment Bill No.2 being passed into law without sufficient improvements being made, Executive be empowered to initiate a programme of non-cooperation with the new body.
4. THAT in the event of a Labour-led government winning the 2014 election, PPTA lobby the new government to drop Education Amendment Bill No.2 and replace it with well-drafted legislation which meets PPTA’s four bottom lines and also addresses other key issues, i.e.:
   1. Statutory authority status instead of a crown entity;
   2. A majority of practising teachers;
   3. Elections for teacher positions;
   4. The right of PPTA to nominate a member to a position reserved for a PPTA nominee;
   5. A name which includes either “teachers” or “teaching”;
   6. Greatly reduced purpose and function statements;
   7. No relaxation of the current rules about Limited Authorities to Teach;
   8. No Code of Conduct;
   9. No requirement to audit and moderate a set percentage of practising certificate renewals each year.

**NOTES**

1. Schagen, Sandie and Hodgen, Edith (2008) [*Incidence of Severe Behaviour in Hutt Valley and Wellington Schools.*](http://www.nzcer.org.nz/research/publications/incidence-severe-behaviour-hutt-valley-and-greater-wellington-schools) NZCER. [↑](#footnote-ref-1)
2. <http://www.minedu.govt.nz/NZEducation/EducationPolicies/SpecialEducation/OurWorkProgramme/PositiveBehaviourForLearning/TaumataWhanonga/Presentations.aspx> [↑](#footnote-ref-2)
3. [About PB4L](http://pb4l.tki.org.nz/About-PB4L) [↑](#footnote-ref-3)
4. <http://www.beehive.govt.nz/feature/prime-minister%E2%80%99s-youth-mental-health-project> [↑](#footnote-ref-4)
5. [Stand-downs, suspensions, exclusions and expulsions from school. Ministry of Education 2013.](http://www.educationcounts.govt.nz/indicators/main/student-engagement-participation/80346) [↑](#footnote-ref-5)
6. <http://www.legislation.govt.nz/act/public/1989/0080/latest/DLM178252.html> [↑](#footnote-ref-6)
7. Clark T.C. et al (2013) [*Youth ’12 Overview: The health and wellbeing of New Zealand secondary school students in 2012.*](https://www.fmhs.auckland.ac.nz/en/faculty/adolescent-health-research-group/publications-and-reports/publications-by-year.html)Auckland, New Zealand: The University of Auckland. [↑](#footnote-ref-7)
8. Martin,M.,Mullis,I.,& Foy, P. (2008[).TIMSS 2007 international science report](http://timss.bc.edu/timss2007/sciencereport.html). Chestnut Hill, MA: TIMSS & PIRLS International Study Center. [↑](#footnote-ref-8)
9. [Bullying Prevention and Response: A guide for schools](http://pb4l.tki.org.nz/Bullying-prevention-and-response) [↑](#footnote-ref-9)
10. This was supported by PPTA’s 2013 annual conference paper, [*Equipping schools to fight poverty: A community hub approach*](http://www.ppta.org.nz/membershipforms/doc_download/1667-equipping-schools-to-fight-poverty-a-community-hub-approach)*.* [↑](#footnote-ref-10)
11. Towl, Patty (2007) [*Best Practice Behaviour Management a View from the Literature*](http://www.ppta.org.nz/index.php/resources/publications/doc_download/28-best-practice-behaviour-management-a-view-from-the-literature) [↑](#footnote-ref-11)
12. Visser, Dr John, Nov 2003[, *A Study of Children and Young People who Present Challenging Behaviour*,](http://lx.iriss.org.uk/sites/default/files/resources/3849.pdf) School of Education, University of Birmingham. [↑](#footnote-ref-12)
13. PPTA Education Change Management Toolkit [↑](#footnote-ref-13)
14. PPTA PLD toolkit [↑](#footnote-ref-14)
15. [PPTA School anti-violence toolkit](http://www.ppta.org.nz/resources/publication-list/2201-school-anit-violence-toolkit) [↑](#footnote-ref-15)
16. [*A Level Playing Field – the Importance of Local Funding in Financing Secondary Schools to Meet Future Needs*](http://www.ppta.org.nz/component/docman/doc_download/1501-a-level-playing-field-the-importance-of-local-funding-in-financing-secondary-schools-to-meet?Itemid=192) [↑](#footnote-ref-16)
17. [*School Charges – Rights, Obligations, Limits.*](http://www.ppta.org.nz/component/docman/doc_download/1505-school-charges-rights-obligations-limits?Itemid=192)  [↑](#footnote-ref-17)
18. [*A Hierarchy of Inequality - the Decile Divide*](http://www.ppta.org.nz/component/docman/doc_download/1669-a-hierarchy-of-inequality-the-decile-divide?Itemid=192) [↑](#footnote-ref-18)
19. This paper is in response to the recommendation from the 2013 Conference. “That the National Executive research and recommend policy to the 2014 Annual Conference on the reintroduction of fair zoning as a way of increasing equity in education for all children in New Zealand state schools.” [↑](#footnote-ref-19)
20. This section is based on information from the [Ministry of Education website – Zoning](http://www.minedu.govt.nz/Parents/AllAges/UsefulInformation/EnrolmentSchemesZones.aspx) [↑](#footnote-ref-20)
21. Key sections of the [Education Act 1989.](http://www.legislation.govt.nz/act/public/1989/0080/latest/link.aspx?id=DLM177480)are attached as Appendix A [↑](#footnote-ref-21)
22. Lubienski, Chris [*The Decile Delusion*](http://www.educationreview.co.nz/leadership-and-pd/july-2011/the-decile-delusion/#.U83jEvmSxig)  **Education Review** June 2011 [↑](#footnote-ref-22)
23. This section is based on an article by Jan Breakwell, Manager of Legal Services. [The Pendulum Swings – Back to Reasonably Convenient Schools](http://www.anzela.edu.au/assets/anzjle_4.2_-_1_jan_breakwell.pdf). Ministry of Education. [↑](#footnote-ref-23)
24. See Appendix 3 for case studies on zoning as it applies in Auckland, Christchurch and Hamilton [↑](#footnote-ref-24)
25. Thomas, Steve. [Abolish School Zones](http://www.maxim.org.nz/Policy_and_Research/Abolish_school_zones_for_fair_enrolment_policy)  Maxim Institute. Education Review May 2009 [↑](#footnote-ref-25)
26. Lubienski, Lee and Gordon. [Self-Managing Schools and Access for Disadvantaged Students](http://search.informit.com.au/documentSummary;dn=590611845986041;res=IELNZC)

    New Zealand Journal of Educational Studies. 2013

    Gordon, Liz. [Questions Answered About School Zoning](http://www.scoop.co.nz/stories/ED1206/S00116/questions-answered-about-school-zoning.htm)  Scoop News. 26th June 2012

    Bitler, M. Thurston, D. Penner, E. Hoynes,H. [Distributional Effects of a school voucher program: Evidence from New York City](http://www.nber.org/papers/w19271). National Bureau of Economic Research. 2013

    Portales, J. Vasquez Heilig,J. [Understanding How Universal Vouchers Have Impacted Urban School Districts’ Enrolment in Chile](http://epaa.asu.edu/ojs/article/%20view/1427/1314) Education Policy Archives, July 21 2014 [↑](#footnote-ref-26)
27. [Anger, frustration as hundreds of New Orleans parents turned away from public school enrollment center](http://www.nola.com/education/index.ssf/2014/07/hundreds_of_new_orleans_parent.html) The Times-Picayune, July 9 2014 [↑](#footnote-ref-27)
28. Lubienski, Chris. *The Decile Delusion* ibid [↑](#footnote-ref-28)
29. Gordon, Liz [Questions Answered About School Zoning](http://www.scoop.co.nz/stories/ED1206/S00116/questions-answered-about-school-zoning.htm)  Scoop New 26th June 2012 [↑](#footnote-ref-29)
30. Lubienski, Lee and Gordon. [Self Managing Schools and Access for Disadvantaged Students](http://search.informit.com.au/documentSummary;dn=590611845986041;res=IELNZC)

    New Zealand Journal of Educational Studies 2013 [↑](#footnote-ref-30)
31. [The NZPPTA view related to zoning, enrolment schemes](http://www.ppta.org.nz/issues/network-of-schools) [↑](#footnote-ref-31)
32. Breakwell, Jan. Ibid. p.16 [↑](#footnote-ref-32)
33. David Hughes and Hugh Lauder. [School Choice Equals Greater Disparity in New Zealand](https://www.bctf.ca/publications/NewsmagArticle.aspx?id=10998)  Columbia Teachers Federation May/June 2002 [↑](#footnote-ref-33)
34. Morris, J. [School zoning may seem fair but in reality it fails.](http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10568273)  NZ Herald. Feb 9 2006 [↑](#footnote-ref-34)
35. Langley, J. [Third way for school zoning allows pupils to specialise](http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10568273). New Zealand Herald April 24, 2009 [↑](#footnote-ref-35)
36. A good example of the lengths people will go to protect what they regard as a right to attend certain elite schools is summarised in this article on a proposal to amend the grammar school zones in Auckland. The Act Party which has policy of abolition of zoning and the replacement of the right to attend the nearest school, changed sides and supported the retention of the zone as it operated in New Zealand’s wealthiest suburbs.

    [College backs down on zoning plan after hostile feedback](http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11297989) NZ Herald July 24 [↑](#footnote-ref-36)
37. [OECD, *Education At A Glance 2013*](http://www.oecd.org/edu/eag2013%20(eng)--FINAL%2020%20June%202013.pdf)*, OECD Indicators*. P. 19 [↑](#footnote-ref-37)
38. The No Child Left Behind Act in the USA is the most well-known example of outcomes based funding. Standardised tests each year assess student performance, and if required improvements are not made school funding can be reduced. [↑](#footnote-ref-38)
39. Fea, S . 2013 ‘[Minister: I don’t like deciles’](http://www.stuff.co.nz/national/education/8860546/Minister-I-don-t-like-deciles) in Southland Times, 1.7.2013 Available from [↑](#footnote-ref-39)
40. Treasury Report, 8 June 2012. *The impact of socio-economic status on student achievement* Document released under the Official Information Act. Available from PPTA [↑](#footnote-ref-40)
41. Treasury Report, July 2013 [*The Education Sector over the Long Term.*](http://www.treasury.govt.nz/government/longterm/fiscalposition/2013) [↑](#footnote-ref-41)
42. Ministry of Education, July 2013 [*Education Report: Determining At Risk Payments for Partnership Schools*](http://www.minedu.govt.nz/~/media/MinEdu/Files/TheMinistry/PartnershipSchools/AppPhaseBriefingsAdvice/EducationReportAtRiskPaymentsPart1.pdf) [↑](#footnote-ref-42)
43. Rashbrooke, M. 2013. Inequality, a New Zealand Crisis. Wellington : Bridget Williams Books, p. 28 [↑](#footnote-ref-43)
44. Child Poverty Action Group, 2014 [*Our Children, Our Choice: Priorities for Policy.*](http://www.cpag.org.nz/assets/Publications/1-0%20Our%20Children%20Our%20Choice%20Part%202.pdf) [↑](#footnote-ref-44)
45. Wylie, C. 2012. Vital Connections, Why we need more that self-managing schools Wellington: NZCER Press [↑](#footnote-ref-45)
46. 21st Century Learning Reference Group, May 2014, [*Future-focused learning in connected communities*.](http://www.minedu.govt.nz/theMinistry/EducationInitiatives/UFBInSchools/FutureFocusedLearning.aspx) [↑](#footnote-ref-46)
47. [Question for written answer, New Zealand parliament.](http://www.parliament.nz/en-nz/pb/business/qwa/QWA_00301_2014/301-2014-chris-hipkins-to-the-minister-of-education) January 2014. [↑](#footnote-ref-47)
48. IHC, 2014. [‘IHC takes education discrimination complaint to Human Rights Commission’](http://www.ihc.org.nz/news/ihc-takes-education-discrimination-complaint-to-human-rights-commission/) [↑](#footnote-ref-48)
49. See for example Educational Development Conference, 1974 Educational Aims and Objectives Wellington, New Zealand : A.R. Shearer, Government Printer [↑](#footnote-ref-49)
50. Wylie, C. 2013. [*Secondary schools in 2012*](http://www.nzcer.org.nz/research/publications/secondary-schools-2012) [↑](#footnote-ref-50)
51. OECD, *Education At A Glance 2013, OECD Indicators*. ibid [↑](#footnote-ref-51)
52. Wylie, C. 2013. *Secondary schools in 2012. ibid.* [↑](#footnote-ref-52)
53. Research cited in Wylie, C., 2013 *Schools and inequality* in Rashbrooke, M. 2013. Inequality, a New Zealand Crisis. Wellington : Bridget Williams Books pp 134-147 [↑](#footnote-ref-53)
54. Jackson, C., Johnson, R. & Persico, C. 2014 [*The effect of school finance reforms on the distribution of spending, academic achievement and adult outcomes*](//pptanz.sharepoint.com///www.nber.org/papers/w20118from) [↑](#footnote-ref-54)
55. This is a different figure from the OECD one as it is based on different calculations, and this is in New Zealand dollars. This data is for 2013 costs including operations, staffing and property. Available from [*http://www.educationcounts.govt.nz/statistics/schooling/resourcing/per-student-funding*](http://www.educationcounts.govt.nz/statistics/schooling/resourcing/per-student-funding) [↑](#footnote-ref-55)
56. O’Neill, J. [2014 ‘Compulsory schooling and child poverty’](http://www.cpag.org.nz/assets/Publications/1-0%20Our%20Children%20Our%20Choice%20Part%203.pdf) part three of *Our children, our choice: priorities for policy* Child Poverty Action Group [↑](#footnote-ref-56)
57. Australian Government, 2011. [*Review of Funding for Schooling – Final Report*](http://www.schoolfunding.gov.au) [↑](#footnote-ref-57)
58. The amended Bill can be seen at <http://www.parliament.nz/en-nz/pb/sc/documents/reports/50DBSCH_SCR56752_1/education-amendment-bill-no-2-193-2> [↑](#footnote-ref-58)
59. Five would not be a teacher majority in the current Council of eleven, but it is for the new Council which is reduced to nine members under the Bill. [↑](#footnote-ref-59)
60. For an explanation of the stages through which a Bill goes to become law, see <http://www.parliament.nz/en-nz/about-parliament/how-parliament-works/laws/00CLOOCHowPWorksLawsHow1/how-a-bill-becomes-law> [↑](#footnote-ref-60)