

19 February 2016

**New Zealand Principals' Federation (NZPF) Submission on the
EDUCATION LEGISLATION BILL**

To: the Education & Science Select Committee

Personal Details:

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The New Zealand Principals' Federation (NZPF) is the largest professional organisation representing the interests of 2,259 Principals of Primary, Intermediate, Area and Secondary Schools. Principals are from public, integrated and independent schools and are spread throughout New Zealand. NZPF aims to be the most influential advocate for school principals to enable high quality, well supported leadership for school learners in New Zealand.

We thank you for the opportunity to comment on the Education Legislation Bill and request that we make an **oral submission**. We open our commentary with some general observations.

Introduction

The motivation for proposing changes to the education legislation was first described by the Minister as a tidying-up exercise of no great consequence. This implies a low level exercise of modernising language and eliminating extraneous clauses. The proposals in the Bill are not low-level. They are now introduced as intended to improve administrative and governance arrangements in educational entities.

On the surface, they might be described as a collection of ill-conceived baseless changes which lack any intelligent rationale. They might otherwise be described as changes without openly expressed rationale yet intended to enable further expansion of certain policies and direction. As such they would be deeply systemic changes, with the potential to alter the very shape of our education system.

NZPF expresses its disquiet at the haste with which these possibly system altering proposals are being advanced. Since they have no articulated rationale, they have can have no substance. Neither the public nor the profession has identified barriers or problems that these changes propose to overcome which invites speculation in the minds of professionals as to their real intention.

This submission will comment on those aspects of the Bill relating to the compulsory sector, excluding Early Child Education, and charter school enablement.

1. Enabling a principal to be employed to manage more than one school

NZPF supports the view that typically every school should have its own principal and its own Board of Trustees. Only in the most extreme of circumstances would more than one school be managed by a single principal under a single Board of Trustees.

The option to allow one principal to manage more than one school was enabled in 2000 and has rarely been enacted because there is no demand for it. The conditions for this to occur include that the principal is employed by a single (combined) Board of Trustees. There are very good reasons for this. If a principal was employed to manage more than one school and each school had its own Board of Trustees, the principal would be employed by multiple Boards, with multiple strategic priorities and multiple community demands. Such circumstances would make the principal's position untenable.

To suggest that legislation be altered to expand this option is to suggest that there is growing demand. There is no evidence to suggest that this is the case. Nor is it likely there ever would be such demand. Except in very exceptional circumstances, which are already covered, no school community wants a part-time principal. A principal's job is complex and demanding no matter how big or small the school is. The bigger the school, the more challenges there are to face. The smaller the school, the more duties the principal has to perform including taking on classroom teaching roles.

NZPF finds the lack of sensible and transparent rationale for this proposal disturbing. It begs speculation of some much greater systemic change which makes the profession uneasy.

Placed in the context of the *IES* policy and using that structure as a motivation, one could speculate that there is an intention for *Lead Principals of Communities of Learning (CoLs)* to become '*super principals*' of the member schools of the CoL. If that was indeed the intent of this change, it would be rejected outright by NZPF and the profession.

NZPF recommends that unless the Education & Science Select Committee establishes a transparent and coherent rationale which they are prepared to make public, they should reject this change in its entirety.

2. Retaining minimum school opening hours which enable Boards more flexibility in the setting of opening hours

The current requirement for every school to be open two hours in the morning and two hours in the afternoon is both sensible and well embedded common practice. Our teaching profession is accustomed to constructing children's learning programmes around these hours and there are other factors contingent on school opening and closing hours remaining as they are.

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These include satisfying both country and urban bus timetables and keeping consistency with the hours of after-school programmes for children whose parents are both in employment. Associated with each of these issues are safety factors. It would be irresponsible for schools to vary their individual closing hours and compromise children's ability to meet a bus timetable or be supervised in an after-school programme.

Further, consistent opening and closing hours allow children to participate in a range of extra-curricular activities such as music lessons, the arts and sport. There is high priority placed on physical activity for children and any extension to the closing hours of schooling would create barriers to participation in many sports codes for many children. This is counter-productive to addressing the growing child-obesity problems that are so widely publicised and providing multiple learning pathways for priority learners.

NZPF struggles to accept that the authors of this change have not already considered these factors. That being the case the rationale for the change eludes us. Speculation would suggest that the intention is to satisfy the flexibility promised to the sponsors of private charter schools. If this is the case it should have been stated as such.

We would request that the Education & Science Select Committee reject this change due to a lack of reasonable and coherent motivation.

3. Enable the use of the national student number to create persistent student identity and log on for online learning

NZPF objects to the influence given to online learning by enshrining it in legislation with a persistent student identity and log on. NZPF supports quality teaching based on sound pedagogy. Online learning is a tool which can be used to support and enhance learning. It has no status, in our view, beyond that. We would not support any move to increase the status of online learning or facilitate the proliferation of online learning programmes in our schools.

Changing legislation to create a persistent student identity and log on using the national student number for a learning support tool is an excessive move. It again begs the question of motivation, and draws us to speculate that the intention is not trivial but systemic.

Technology can be used to store information, including assessment data and data moderated by tools such as the PaCT. Enshrining use of the national student number for online learning could lead to other uses in future. NZPF would object to such use of children's assessment data.

NZPF recommends that the Education & Science Select Committee establishes the real reason behind this change and articulates it publicly.

4. Enables the state services commission to approve generic or specific terms and conditions of empowerment additional to, but not inconsistent with, those in collective agreements between employees and employer.

NZPF does not support any changes to the existing powers of the state services commission to approve further terms and conditions of empowerment.

5. Retains the requirement for the MOE to provide a payroll service but removes operational specifications relating to the establishment and maintenance of sufficient staff and facilities.

NZPF supports the retention of a high quality, purpose-built, centralised payroll service. Further we would emphasise the importance of 'service' and suggest that the Ministry ensures that the service schools receive from payroll staff is responsive and of the highest quality.

6. Enables Tertiary Education Institutions (TEIs) to sponsor charter schools, an option currently not available under the 1989 Education Act.

NZPF supports high quality public education and does not support the introduction of charter schools as an option. Recent research by the OECD has placed our teaching profession amongst the top in the world for professionalism at all levels including in low decile schools.

The rationale for the introduction of charter schools was to provide an alternative form of schooling to satisfy the needs of priority students who largely populate lower decile schools. The latest OECD research provides ample evidence that such an option is not required in New Zealand where unlike other countries of the world, our low decile schools are well served by a highly professional teaching staff.

NZPF believes state education funding should be used to boost the performance of our high quality public system of education and should not be wasted on alternative options that are patently unnecessary.

NZPF does not support the legislation change to facilitate the establishment of a new set of charter school sponsors, the Tertiary Education Institutions.

Summary:

NZPF records its disappointment at the lack of motivational transparency associated with this set of legislation changes leaving commentators at a loss to clearly understand the reasons behind the changes. Such an approach leads to a culture of speculation and distrust. Without a clear and honest appreciation of the context for these changes, it has been difficult to make a useful, democratic contribution to the debate. The views expressed are nevertheless a reflection of the how principals across New Zealand assess these different issues.

Yours sincerely



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