



NATIONAL COUNCIL OF WOMEN OF NEW ZEALAND
TE KAUNIHERA WAHINE O AOTEAROA

23 January 2013

S13.01

**Submission to the Education and Science Select Committee on the Education
Amendment Bill 77-1**

The National Council of Women of New Zealand (NCWNZ) is an umbrella organisation representing 47 organisations affiliated at national level and a further 41 organisations affiliated at branch level. It has 22 branches throughout the country attended by representatives of these organisations, as well as individual members. NCWNZ's function is to represent and promote the interests of New Zealand women through research, discussion and action. This submission has been prepared by the NCWNZ Education Standing Committee and the Parliamentary Watch Committee after consultation with the membership of NCWNZ.

Introduction

Half of the NCWNZ members who responded to the Bill do not support the introduction of kura hourua partnership schools. In general, NCWNZ members see provision of education as the responsibility of government, a service to be provided by the government for the public good and not a commodity to be traded, with democratically elected Boards of Trustees who are accountable to the community. The involvement of third parties is seen to introduce unwelcome motives to the provision of education, often a profit motive. Fully qualified and registered teachers are seen to be essential by almost all of the members responding. A large number of members suggested that flexibility for alternative approaches is already possible under the existing legislation and that more could be made of this instead of introducing a new model for which the evidence of results is unclear. There was strong support for also addressing economic and social factors as a way of improving educational achievement.

In other provisions in the Bill, NCWNZ members have mixed views on multiple timetabling, with the impact of such measures on the wider community being of greatest concern. School Boards are seen to already have educational achievement as a goal, as this is implicit in the fact that the majority on Boards are parents and so have a vested interest in educational achievement. The surrender and retention provisions are generally supported. Although there are mixed views on the allocation of numbers for early childhood students, members are in agreement that any targeting of such measures amounts to unwarranted discrimination. Further, leasing of crown land to third parties was not supported on the grounds that the cost of early childhood would inevitably increase in such a scenario.

Comments on specific clauses

Clauses 4-6: Right to free primary and secondary education

NCWNZ welcomes the fact that the proposed kura hourua partnership schools would be included in students' rights to a free education. However, the real cost of education in state schools is unknown. The UN committee monitoring the Convention for the Elimination of all forms of Discrimination against Women (CEDAW) recommends more research to find out how 'free' education actually is in Aotearoa New Zealand¹. Some members expressed concern that kura hourua partnership schools would still find ways of charging, even if this was not officially 'fees'.

Clauses 7-10: Expulsion, exclusion, attendance

A major concern of NCWNZ members is the potential for kura hourua partnership schools to exclude students, especially students with learning disabilities. These clauses appear to limit the ability for such schools to exclude students in the same way as for state schools, but anecdotal evidence suggests that schools can still find ways to exclude students if they wish. Kura hourua partnership schools would have added incentive to find such ways of excluding, because of the need to produce results for funding.

Clause 15: Multiple timetable arrangements

Over 80% of respondents do not support multiple timetabling in Aotearoa New Zealand in the longer term, seeing them as unnecessary and undesirable, mostly because of our low population base and general culture of involvement in sporting and other extra-curricular activities. Members commented that multiple timetable arrangements were workable only in temporary situations such as after the Christchurch earthquakes, or in overseas countries with high populations.

Issues raised included maintaining sufficient numbers for sporting and other activities to be viable if all interested children were not available to participate at the same time, and the impact on the wider community especially the arrangement of interschool events, parents' work arrangements, out-of-school care for children and other supervision arrangements, and use of school facilities by community groups. There was general concern about educational issues, such as the impact of sharing learning environments especially at primary school level, and whether multiple timetabling would lead to further segregation of student populations with contingent adverse effects. One comment mentioned the impact on maintenance of school facilities with increased usage.

The benefits of multiple timetabling was seen as greater use of educational facilities by the community, maybe even extending to adult education although it was noted that this had all but disappeared with the government cuts of recent years.

Clause 16: Functions and powers of boards

A majority of respondents (over 50%) felt that the goal of students' educational attainment was already implicit in the functioning of school boards, especially as they are composed of parents and interested people from the local community, and therefore there was no need to legislate for it.

¹ CEDAW Committee Concluding Observations for New Zealand, p. 7.

Approximately 25% felt that including such a statement would be good, even if they had reservations.

Concerns raised with the inclusion of such a statement included a strong theme of keeping the role of boards as governance and the principal/school's role as management, with almost 50% of respondents commenting on this. Many felt that this statement would encourage boards to interfere with management and this was not seen as a good thing. Another significant theme was that such a statement might encourage the board to directly or indirectly practice discrimination and select students or redirect funding to students with the most potential to show results on measured tests (attainment), rather than focusing on student requirements for learning. One comment raised the specific issue of students with learning disabilities, whose educational attainment should be as important to boards as other students even though the measure of such attainment would be different to other students. How would this be accommodated within the proposed statement?

A further point was the increasing legal responsibilities being placed on the volunteers of school boards, and the impact of this on people willing to volunteer for the positions.

Clauses 23-26: Teacher registration

The members responding to this current Bill once again emphasised that having unqualified and unregistered teachers in our schools is not acceptable to us. NCWNZ feels very strongly about the importance of teachers to the quality of education, and the role of credentials and registration in setting standards for teachers and providing protection for students and families. NCWNZ passed resolution 5.12.5.5 in 1992, calling on the Minister of Education to “ensure that only trained, qualified and registered staff be employed to teach in New Zealand schools”, and this sentiment was expressed again in the submission S05.13 on the Education Amendment Bill 2004 that supported appropriate training and registration for teachers, and again in submission S09.16 on the Education Amendment Bill 25-1, 2009, where we stated “we largely support the intention of the Bill to have only registered teachers teaching and safe people having access to children.”

Clause 28: Surrender and retention of property

Most members responding to this question agree that there needed to be provision for teachers to have some powers of search and confiscation, especially when dealing with things such as illegal drugs, and therefore supported the proposed legislation. A significant minority, around 20%, support schools being allowed to use drug dogs. Approximately 40% of respondents commented on the need to have clear guidelines and policies in the schools for searches and confiscation, with some suggesting that two teachers should always be involved, and several comments regarding the signing of a contract when a student starts at the school.

Clause 31: Kura hourua partnership schools

Approximately half of the NCWNZ members responding do not support the introduction of kura hourua partnership schools. Disadvantages seen by respondents are many and varied, and with

much concern that overseas research tends to be inconclusive² and therefore not a good basis on which to introduce a new system which would take resources away from current schools. Advantages mentioned centre on the belief that kura hourua partnership schools would offer an alternative approach to education for those who are not well served by the current state system and that top quality teachers would be attracted to such schools by higher salaries. It is unfortunate, then, that overseas research shows that because of the funding-for-educational results formula, these features of charter schools tend not to be sustained in the long term³.

A further cause of concern is the perception by many members that kura hourua partnership schools are for 'slow learners', 'low achievers' and 'children who do not fit the state system'. There is a real danger, then, that this public perception would lead to further segregation of students in a community, with families choosing not to enrol their children so as to avoid being labelled as failures.

A broad, liberal curriculum that enables and encourages critical thinking is favoured, with many members concerned about the narrow curriculum that kura hourua partnership schools could potentially offer, with words such as "brainwashing" being used frequently in comments. Members question the motives of the sponsors, particularly in regard to the curriculum, religious and cultural persuasion, but also in regard to making a profit out of education.

There is also a lot of concern about the impact on other schools in the area, the non-accountability of kura hourua partnership schools to their local community, and the lack of oversight of the government on the school. Issues have been raised such as exclusion of students with 'lower potential' to achieve in order to meet success criteria for funding, the increasing segregation of students between schools in a community, the number of schools an area can support, and what would happen to students if the school 'failed' and had to close. The fact that kura hourua partnership schools would not be subject to the Ombudsmen Act 1975 and the Official Information Act 1982 was mentioned by a number of respondents with a high level of concern. As one respondent said so well: "Why must state schools be so restrained by the Government yet that same Government proposes that kura hourua partnership schools will be unrestrained?"

The government is seen as responsible for long term planning in conjunction with the community, and kura hourua partnership schools are seen as being outside of this process and therefore of concern. Members had access to varying levels of research evidence regarding charter schools overseas, but the general consensus is that the evidence shows results are mixed and often unclear. Many respondents do not feel that this is a good enough base on which to make radical changes to the education system.

² The 2012 report by the Education Policy Response Group of Massey University, *Charter Schools for New Zealand*, is a good summary of the research, and was either quoted directly by some members or the themes echoed by the members comments.

³ Education Policy Response Group of Massey University, 2012, *Charter Schools for New Zealand*.

There are many comments from members about how students with special learning needs would be treated by kura hourua partnership schools. Most are concerned that such students (excepting gifted students) would be excluded from the schools or not be supported appropriately. This is part of a larger theme which is that members believe that all students have a right to a full and appropriate education, although there are mixed views on whether or not kura hourua partnership schools would achieve that.

A major theme in the responses from members is that innovative and flexible schools, teaching approaches and programmes are already in place under existing legislation, and more could be made of this rather than introducing a new, still-experimental model. Some examples given of successful schools are the Steiner school in Auckland, Victory schools in Nelson, the Enviroschools programme, role model programmes (MSD RISE issue 20), Aranui High School academy programmes, James Hargest College in Invercargill, and schools for young mothers. One response stated: "Arguably, [state] schools are the success story of South Auckland, not the problem."

Another major theme is that in order to improve educational outcomes, social issues such as poverty and employment needed to be addressed. This is often seen as more urgent than introducing a new model of education. A recurrent suggestion is to provide food at schools, for example breakfasts or lunches.

Clause 34: ECEC centres and third party leases

The majority (over 80%) of respondents do not support the idea of third parties leasing land from the Crown. One of the main objections is that this would introduce an unwelcome profit motive into education, and that the result would be higher costs for those attending the ECEC centres. Members cannot see the benefits to the community of this arrangement.

Planning for education provision in the local community is also a concern raised in a variety of ways by members. It has been noted that 'for profit' organisations might not always consider the long term interests of the community, and that there is no guarantee of community involvement or input into educational facilities run by third parties. It was also mentioned in several comments that peppercorn rentals are common with community ECE services who lease land from the Crown, and these services would be disadvantaged if the Crown were to preferentially lease land to third parties, probably at higher rentals.

Clauses 35-39: National Student numbers for early childhood

Current members have mixed views about whether or not student numbers should be extended to early childhood education (ECE), but definite views (over 80%) that any such provision should be universally applied rather than targeted at specific children and families, which was seen as discriminatory. "It should be all or none" has been a common response, as were questions about who decides which children are to be considered 'at risk'. One response referred to the reaction of some families to such a system of labelling:

Recent anecdotal evidence in Australia⁴ suggests that pregnant Aboriginal girls are increasingly choosing to forgo vital antenatal care out of fear that their babies will be identified as potentially “at risk” (and become candidates for later removal). We would not wish there to be any such systemic deterrent for parents of potentially “at risk” children in NZ from enrolling their children in early childhood education.

NCWNZ has been cautiously supportive of the concept of national student numbers in the past, although concerns have been raised about the implementation and compliance aspects of these systems⁵.

Summary

There was general support for the proposed surrender and retention provisions, where assurances can be given that policies will be followed carefully.

While members have mixed views, they generally did not support leasing crown land to third parties as this would lead to higher end costs for users of early childhood services.

Discrimination is an issue of concern in relation to extending numbers to early childhood students, with members agreeing that such numbers should be applied to everyone or no-one.

There is not strong support for kura hourua partnership schools amongst NCWNZ members, with those who support the concept basing their hope in the ability of such schools to be flexible in their approach – something which research from overseas shows does not happen in the long term⁶. Members raised many objections as detailed above, including issues of impact on the wider community, discrimination and segregation of students within a community, long term planning, narrowing of the curriculum, and critically, the potential to employ unregistered teachers. NCWNZ members feel that more money should be directed towards improving the state school system rather than setting up a new model.

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⁴ Comments made by Dr Cindy Shannon, University of Queensland’s Pro Vice Chancellor (Indigenous Education), during a panel discussion at the Australian Federation of Graduate Women’s 25th Triennial Conference, Brisbane, 22-25 November 2012.

⁵ S05.13, NCWNZ Submission on the Education Amendment Bill 2004, and S01.46, NCWNZ submission on the Proposed Post-Compulsory Unique Identifier Code 2001.

⁶ Education Policy Response Group of Massey University, 2012, *Charter Schools for New Zealand*