



**National Council of
Women of New Zealand**

Te Kaunihera
Wahine O Aotearoa

National Office
Level 4 Central House
26 Brandon Street
PO Box 25-498
Wellington 6146
(04) 473 7623
www.ncwnz.org.nz

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**Submission to the Education and Science Select Committee on the
Education Amendment Bill 2004**

The National Council of Women of New Zealand (NCWNZ) is an umbrella organization representing 42 nationally organized societies and a number of individual women. NCWNZ has 33 branches to which women from 150 societies are affiliated. The Council's function is to serve women, families and the community through research, study, consultation and action. It has been difficult to contact members during the December-January period, consequently this submission has been prepared using survey responses from members of 10 branches, and from NCWNZ education policy developed over 108 years.

While most of the feedback from members related to the two areas of significant change, namely; the regulation of early childhood education and the use of student numbers, for the sake of clarity, this submission will comment on clauses chronologically.

NCWNZ supports the over-all purpose of the Amendment Bill to up-date, reform and improve education legislation. With this general purpose in mind, this submission also indicates clauses in the principal Act which are not included in this Amendment Bill but which NCWNZ believes deserve urgent attention and should be included in the Bill.

Executive summary

- The issue of free education should have been included in Clause 3.
- The issue of free education for 17-19 year olds should have been included in Clause 3.
- The words "after full consultation" should have been included in Clause 6 (New Section 70A (1) and in Clause 31 on school mergers.
- The term "person" needs to be defined to include students regarding the offence of insulting, abusing, or intimidating staff in Clause 29 new section 139C.
- The funding of early childhood services and certified play groups must be adequate to enable low socio-economic families to participate fully.
- Numbering of students is a "good idea" but could be impractical in terms of data-base accuracy and cost effectiveness.

Part 1 Amendments to the Education Act 1989 – The principal Act

Schools

Clause 3 In the principal Act Clause 3 begins with the right to free primary and secondary education in state schools. Ministry of Education figures showed that in 2001 parents of secondary students paid an average of \$314.61 in activity fees and \$75.10 in donations per student. Primary students paid \$106.61 in activity fees and \$55.70 in donations (*NZ Herald*, 20-21.10.03, A6). Given the annual complaints from parents that donations did not appear to be voluntary (Latimer, 2002*) and the submissions from groups such as NCWNZ (Resolution 5.5.11, 2003) claiming that there is a lack of 'free' education as established in the principal Act, NCWNZ expected that this Amendment Bill would have clarified the principle of "free" education. In the opinion of NCWNZ this is a major flaw in the Education Amendment Bill since it leaves schools vulnerable to challenge in the courts and students open to discrimination where their parents cannot afford to pay donations or, as some claim, choose not to pay because of Clause 3 (*NZ Herald*, 13-14.11.04, A23).



Clause 3 guarantees free education until the age of 19. This part of Clause 3 also requires explanation and clarification. The Amendment Act 1991 No 136 made education compulsory until the age of 16. If education is still free between 17 and 19, the Act should enable students in this age group to pursue their free education in appropriate vocational training.

- * Latimer, S. (2002). *User-pays in New Zealand's Free Compulsory Education System*. Unpublished thesis for the degree of Master of Public Policy, Massey University, Auckland.

Clause 6 New Sections 70A (1) The Minister may declare land to be no longer needed for educational purposes

Based on policy (5.16.4 2004), NCWNZ requests that the words 'after full consultation with the communities involved' be added after 'The Minister may...' (line 13). This is particularly important where schools are closed or merged.

Teacher Registration

Clauses 15 – 27 Teacher Registration

This is an important section clarifying a wide range of issues related to teacher registration including early childhood teacher registration. NCWNZ supports this clarification.

Schools

Clause 29 New Sections 139C to 139E inserted

139 C Offence of insulting, abusing, or intimidating staff

This is a welcome addition for the protection of school staff. However the clause does not define 'person'. Given that a survey carried out by the Post Primary Teachers Association in 2004 showed that 'more than a third of secondary teachers say they face bullying and harassment every week' by students (NZ Herald, 23.9.04, A7), 'person' could be taken to include students. If the intention of the Amendment is that students are included, this should be made clear.

The Bill itself or Regulations should make it the responsibility of Boards to ensure that the community is aware of the clause and the penalties involved.

139E Bonds for trainee teachers

NCWNZ is delighted to see this inclusion which should help to increase numbers in teacher training and provide assistance for young teachers, many of whom will be women, in the matter of student loans repayment.

Clause 31 Minister may merge schools

Mindful of the upset caused by reviews, closures and mergers in 2004, NCWNZ urges the addition of a new section to Clause 31 as follows. 'The Minister may merge or close schools after full, transparent and harmonious consultation with affected communities' and 'the Minister shall have regard to any recommendations made'. The principal Act cites the need for consultation in the case of Maori communities (62) and proprietors of integrated schools (108). These precedents therefore indicate that it is appropriate to add guidelines regarding consultation in cases of merger or closure.



Early childhood education

Clause 43 New Part 26 Early Childhood education and care

Since its inception in 1896, NCWNZ has supported quality early childhood education. The importance of high quality education at this level cannot be over estimated. Consequently NCWNZ fully supports the general tenor of this part of the Education Amendment Bill.

Funding

Clause 311 Funding of certain early childhood services and certificated play groups

Early childhood education is not included in Clause 3 of the principal Act 1989 regarding free education. However, the recognized importance of early childhood education in a child's progress in learning at primary school makes it obvious that adequate funding for this educational sector is critical, especially for the poorest families. NCWNZ urges the Government to ensure that public funding for early childhood education (including teachers' pay) is sufficient so that high early childhood education fees do not exclude children – especially those whose homes may well be lacking in educational resources and stimulation.

Clause 313 Administrative requirements [in early childhood education]

(d) (e) While supporting the need for record-keeping and monitoring as part of accountability measures, NCWNZ members expressed concern about the cost of compliance in terms of time and money. NCWNZ asks that steps be taken to ensure that the work of compliance will not lessen the time and resources available for tuition.

Clause 314 Curriculum framework [in early childhood education]

(1) NCWNZ members fully supported the policy of having a national, ERO-monitored curriculum as long as originality and creativity were not impeded. Concern was expressed about whether there are enough trained teachers to meet current and future requirements. NCWNZ urges the Ministry to take all steps necessary to train or retrain enough male and female staff.

(2) NCWNZ is pleased to note the requirement for consultation and urges the Government to ensure that parent/caregiver communities and early childhood services staff are fully informed about curriculum matters.

Clause 319 Regulations relating to certification of playgroups

(f) Concern was expressed by some members about recruitment difficulties in rural areas. Because of transport difficulties, rural children often attend pre-school or play center only two or three sessions of half a day each week, thus making employment opportunities for trained staff less viable. One Branch suggested having trained rural supervisors for several play center groups so that these valuable pre-school educational groups could qualify for licensing or certification as a group or cluster.

Powers of entry and inspection [in early childhood education services]

Clause 319A - F Parent's right of entry, powers of entry and inspection, and police vetting

NCWNZ members fully supported the policy of strengthening the protection of children and staff.

*Funding***Clause 319I Payment of fees for attendance of children at kindergartens**

As stated in 311 above: Early childhood education is not included in Clause 3 of the principal Act 1989 regarding free education. However, the recognized importance of early childhood education in a child's progress in learning at primary school makes it obvious that adequate funding for this educational sector is critical, especially for the poorest families. NCWNZ urges the Government to ensure that public funding for early childhood education (including teachers' pay) is sufficient so that high quality early childhood education fees do not exclude children – especially those whose homes may well be lacking in educational resources and stimulation.

Clause 319N Licence-exempt centres may continue

NCWNZ members query the length of time (6 years) allowed for centres to continue without being licensed. There may well have been sound financial reasons for centres to have been granted exemption under the Education Amendment Act 2004, but when the number of children affected by poor service over a 6 year period is considered, NCWNZ requests that consideration be given to reducing the number of years to 3 years.

New Part 30 added.**Part 30 'National Student Numbers'****Clause 343 Assigning national student numbers**

NCWNZ members who responded to the survey were, in general, in favour of this amendment although some had major concerns about the practicality of the idea.

NCWNZ members considered the move a positive one to cut down on the numbers of children who disappear from school rolls. It was considered particularly important where children moved among family members and were known by different names. Some also used more than one early childhood education service. It was noted that the practice of having a number was well established through IRD numbers, tertiary institutions, banks and many other facets of life.

The two major concerns of members were the massive additional administrative load that will be placed on educational institutions and the practical difficulty of keeping accurate track of students. Children from broken homes and reconstituted families may change their names. Women in tertiary education who marry/remarry and change their names would have to be tracked also. Members wanted to know who would be responsible for the data-base and how the data-base would be kept up-to-date. Some thought that the numbering system would not ensure continuous attendance, or without a great deal of work for early childhood education services and schools, keep track of trends and cases of poor attendance/truancy. It was noted by one respondent that having an IRD number does not prevent some people from evading taxes.

Members expressed concern about the possibility of computer error in recording numbers and names, and deletion by mistake.

Clause 344 Use of national student numbers

The student numbers would certainly be useful for the reasons provided in the Amendment Bill but members questioned how accurate the data base will be considering the concerns expressed in Clause 343 above.



Clause 346 Offences

These should certainly be monitored and fines imposed to protect the owners of numbers where abuse of privacy is apparent.

Part 2 Other enactments

Clause 49 Student Loan scheme Act 1992 amended

NCWNZ is very pleased to support the provision of bonding of students in terms of student loans. Perhaps this action could be applied retrospectively in specific areas of labour shortage to students who have gone overseas.

Conclusion

The National Council of Women appreciates the opportunity to make recommendations to the Select Committee on this important Amendment Bill. We note that this Amendment Bill is the first stage in a process to reform and improve the state of education legislation. We have suggested areas of importance such as 'free' education, and education for 16 – 19 year olds, which are not included in this Bill. If these matters cannot be included in this Amendment Bill, we urge that they be reformed in the next Amendment Bill after full detailed public discussion. User-pays education must be addressed.

Christine Low
National President

Frances Townsend
Convener, Education Standing Committee