

**MINUTES OF THE NASDAP EXECUTIVE COMMITTEE MEETING  
HELD ON FRIDAY, 6 MARCH 2009 at the CONFERENCE ROOM,  
AIRPORT, WELLINGTON**

**PRESENT :** Annette Taylor, Penny Prestidge, Roy Fletcher, Betty Wakelin, Lynette Parish, Gerri Shorter, June Clark, Sarah Stenson, Geoff O'Halloran, Sandra White (Minute Secretary)

**APOLOGIES :** Noreen Melvin, Phil Keenan.

**MINUTES OF LAST MEETING**

The minutes of the meeting held on Friday, 31<sup>st</sup> October 2008 were confirmed as read.

**MATTERS ARISING FROM THE PREVIOUS MINUTES**

Scholarship 2010 – last year the deadline was changed to give people more time but there were still only two applicants. No award should be made if the Scholarship Committee thinks the applicants are not worthy. Tim Tucker will be the 4<sup>th</sup> recipient. Annette will promote the Scholarship in the newsletter, the Education Gazette and also determine the possibility of using SPANZ. Members need to be aware that there are no costs for the scholarship to schools. Schools are reimbursed for the cost of the salary(ies) paid while the winner is on leave.

Sabbatical requirements for DP's are tougher than for teachers. The question was raised whether NASDAP can afford to offer Scholarships. The answer was "Yes" if schools pay their subscriptions. Shona's report should be publicised due to its excellence. NASDAP's profile has been lifted due to the Scholarships.

Our Guest Speaker is Steve Boviard, Principal of Lynfield College and he would be an excellent speaker for other meetings.

The newsletter deadline is Wednesday 11 March 2009 – articles to be in RTF format please.

## **DATES FOR 2009**

Friday 22 May at Wellington airport

Tuesday 25 August (AGM on 27<sup>th</sup>) at Hastings

Friday 30 October at Wellington airport

It was suggested that the Executive have a dinner meeting prior to the Conference in Hastings – Gerri to find suitable restaurant.

Suggested speakers for meetings in 2009 : Kate Gainsford, Rt Hon Anne Tolley and Patrick Walsh.

## **CONFERENCE**

Conference Funding is an issue for the region hosting it. Areas might loan money to the conference organisers but it would need to be done legally as a fund base for conferences. It is proposed that conferences are held in all regions so that smaller regions do not always bear the costs of transport. Organising committees can apply to NASDAP for up to \$10,000. A proportion of the profits of each conference should come back into this fund after the conference, provided a profit is made. Conferences outside the main centres may struggle to make a reasonable profit due to smaller attendees. Conditions might need to be imposed on organising committees if they have a seeding loan.

It is important that schools incorporate into their budget costs for attendees to the conference.

Unused Scholarship funds could be put aside for conference seeding grants as it would provide more training for more people and NASDAP aims to encourage more people into leadership roles.

NASDAP expects funds to be returned which it has loaned to regions. Money needs to be set aside in a separate fund.

Executive members need to ask their regions which of the following options they prefer for future conferences:

- a) Percentage of the profit;
- b) If you make a profit, the percentage may be dependent on the profit made;
- c) Pay back up to a ceiling.

### **Background for Conferences**

We don't want to stop regions running conferences because they do the work. Do regions want more support (not financial) from NASDAP with organising conferences? Conferences used to be held every year. They should be bi-ennial and it is a good idea to have them alternate between North and South Island, however this is difficult due to the smaller number of schools in the South Island. Next year regions will be asked if they would be interested in hosting a conference in 2013. Partnerships could be formed between two smaller regions if this would help, or conferences could be held overseas as air travel is often cheaper.

### **Elections for the 2009-2010 year**

Annette Taylor was nominated as President by Penny Prestidge, seconded by Lynette Parrish. **CARRIED**

Penny Prestidge was nominated as Vice President by Roy Fletcher, seconded by Annette Taylor **CARRIED**

Sandra White was nominated as Secretary by Gerri Shorter, seconded by Geoff O'Halloran **CARRIED**

Annette Taylor was nominated as Treasurer by Lynette Parrish, seconded by Betty Wakelin **CARRIED**

## **CORRESPONDENCE**

- 1) TRCC - AP/DP Training 6-11 July 2009 in Wellington.
- 2) Invitation for NASDAP President to meet with Kate Gainsford and Martin Henry 22 May at 3.30 p.m.
- 3) Invitation for two NASDAP Executive members to attend Ministry of Education "Design Group Day for Middle and Senior Leadership". This will be Lynette Parrish and Sarah Stenson, as they began working on this on our behalf in 2008.
- 4) ERO :
  - a) Managing Review Schedule; Graeme Stoop is now National Manager Reporting Services Special Adviser, Chief Review Officer; Makere Smith, National Manager of Maori Reporting Services. Differentiated ERO reports - reviews will be held over 2-3 years. Review may be held every 4-5 years for stable schools. Annette to reply supporting review timeframe change.
  - b) Personnel Changes in ERO.

## **MATTERS ARISING FROM THE CORRESPONDENCE**

Executive were asked if anyone would like to make a presentation to the AP/DP Training. Annette to e-mail convenors that she or Geoff O'Halloran will make the presentation.

## **GUEST SPEAKER – STEVE BOVIARD, LYNFIELD COLLEGE**

Mr Boviard spoke about his recent experiences with the court case which had nationwide implications for schools. He gave a background into what had happened prior to May 2007 which provoked the court case.

When dealing with the legal system there is no certainty and the sand is always moving under your feet. Principals like to be in control of things and this is not the case in law. Being open and honest with the Board, staff and colleagues repaid itself many times over. He always made sure that the staff knew about issues that the school was facing if it was likely to be in the media if at all possible. You need your Board on-side

with you. As a result of that the relationships between the Board, staff, etc. strengthen. The final issue was about the child's behaviour on a geography camp. When a staff member takes a group of students out of school it puts the staff member in a really difficult position [if the student misbehaves]. I tell students when they are going on camp now that they need to make sure the staff member with them has a good time too.

Colleagues at SPANZ, Principals' Council and independent schools were all supportive of the stance we took and the decision by the Lynfield Board to take the case to Appeal. Stick to your fundamentals. We know what is right and wrong and look after staff and students by providing staff and students with a supportive environment – this is fundamental. Ministry of Education offered words of encouragement and advice and coaching in dealing with the media.

By following the rules we got into trouble. Court of Appeal judges realised that the rules were not working and the Ministry of Education changed the guidelines. Do not underestimate the toll this places on staff. This stress may have caused one of my senior management team to retire earlier than they would probably have done. It is strange having your school as a case study.

### **Rules for how we operate with suspensions and standdowns issues**

No matter how often you read the guidelines there are still things that crop up that you don't realise were in there. We are educators, not lawyers. Speak with Ministry of Education in Wellington and ask what is now going to happen to the guidelines in light of the Court of Appeal ruling and they told me they were hoping to have a new set of guidelines very soon.

If you are unhappy with a High Court ruling, then you can appeal – it costs about \$10,000 .

## **High Court Ruling**

The Ruling may be downloaded from the Internet. Mr Boviard tabled three papers and spoke to them. One of the issues raised was that school reports are aimed at reporting on a student's achievements and identifying barriers that a student may face with learning. These reports can be used against you, so care needs to be taken when writing reports. The judge thought that the Board had been right in excluding him in the first instance but after he was re-instated that made it different.

Consultation with parents was an issue – at what stage should the parent be brought in when dealing with an incident? When you first interview a student, the issue may not be serious but on investigation, can become more serious. At Lynfield the Principal always gets the parents in before a decision to stand down or suspend is made. That is not actually necessary in law, but he felt that it was important to do it. The judge said that if you follow the Ministry rules, you actually breach the student's natural justice. There are no fixed rules for natural justice.

Question : “If you get parents in before a suspension, then you would assume that you would do the same with a standdown?”

Answer : Standdowns and suspensions do not have to meet the same level as criminal law.

Question: “At what point does an investigation change from a lower level to a higher level and having to get the parents in?”

Answer : The judge said that you have to get a nominee if you can't get the parents in. Smaller schools don't have resources for, say, a staff member or Guidance Counsellor which raises problems. The Ministry of Education did say that it was impractical to have every parent come in at the start of every investigation.

## **Court of Appeal**

The judge asks questions of the lawyer on what has been submitted. The High Court and Court of Appeal time can be a year apart. Lynfield College was appealing against the High Court ruling to get clarification for all schools. There were three reasons why they didn't overturn the re-instatement :

- 1) The student shouldn't have been suspended, he should merely have been reinstated;
- 2) The Board asked one of the other students and they did that after the student's interview with the Board;
- 3) See No. 75 of the ruling (? Which one- High Court or Court of Appeal?)

## **Court Conclusion**

Minutes of meetings of Suspensions need to be very clear and follow the form on the back of the Guidelines for Standdowns and Suspensions. Use the space provided. Ministry of Education has been asked to change the form so there is more opportunity to give reasons. Guidance needs to be there. It is still Lynfield College's practice to get parents in as much as possible. Lynfield have their own set of procedures for the Board to operate when dealing with standdowns and suspensions.

Mr Boviard's has analysed the standdowns and suspensions for the Board Report in February each year for the last seven years. It gives extremely valuable data and can be produced in various forms – by ethnic groups, etc.

Annette thanked Mr Boviard for his extremely interesting and thought-provoking presentation.

## **TREASURER'S REPORT**

Not all schools have paid their subscriptions yet. These were sent to schools on 12 January 2009. Annette has purchased postage-paid stamped envelopes as it was cheaper to do that and reduces the cost of each newsletter sent by 10c.

The first instalment of the 2009 Scholarship be released today to Tim Tucker.

Moved Annette Taylor / seconded Betty Wakelin **CARRIED**

## **GENERAL BUSINESS**

### **Conference**

June Clark asked if Executive could encourage their regions to get their registrations in for conference. The 2009 NASDAP Bi-ennial Conference is from 26-28 August in Hastings.

### **Committees that NASDAP Executive sit on**

Annette could not attend the Leaders' Meeting Forum meeting – when minutes come they will be forwarded to all Executive Committee members. There are two other Leaders Forum meetings set for 2009; 26 June and 30 October.

SPAC summary comments were tabled. A discussion ensued on hours of work – breaks have to be 10 minutes in the morning, half an hour for lunch, and 10 minutes after lunch. The breaks do not have to be over two hours. Teachers are not entitled to a break if they have not been on site for 30 minutes. Please see the article in this newsletter from Rob Willetts at PPTA.

### **Payroll Reference Group**

Check out the website: [www.schoolpayroll.govt.nz](http://www.schoolpayroll.govt.nz)

A paper was tabled giving a summary of this group's meeting with further comments by Geoff O'Halloran.

### **Professional Development Opportunities**

PPTA are running a Good Employer Programme in conjunction with the Labour Department which is aimed at Principals and would also be good for DP's and Senior Managers.

A website AsiaNZ.org.nz has subsidised trips to Asia and a good scholarship for a student to go to Singapore for four years.

**Issues for us to consider:**

***NETS Referrals***

Response time from some NETS units is creating problems. Students who are truant and taken off the role are often out of school for 2-3 months.

***CEC – 2009 is the right time for Assistant and Deputy Principals to discuss:***

- 1) Pay rates
- 2) Sabbaticals
- 3) Acting Up Allowances

***Jumbo Curriculum Days***

Some schools had not received the requisite information about the PPTA provided days. Principals and Branch Chairs have received information but information has not been disseminated.

***Pressure on Schools***

Financial pressure is building on schools. Operating grants are not keeping up with costs. There are more difficult students to deal with than previously. Youth Guarantee Scheme – what will this mean for schools?

**Newsletter**

If any Executive Committee members have information for the newsletter, could they e-mail it to Annette.

A suggestion was made to e-mail the newsletters individually. Annette to check out website blogs and e-mailing of the newsletter with NASDAP's website providers.

## **Regional Reports**

*Aoraki/Catnerbury*: Will be having a meeting before the end of this term

*Central North Island* : We had a meeting with NZCER on assessments. Nick Tuitase spoke about young people.

*Auckland* : First meeting has been held. Philosophy of including schools in Auckland, what buildings they have built and what they are doing.

*Hawkes Bay* : The majority of meetings have been centred on the upcoming conference.

*Wellington* : Howard Fancy talked in Term 4 of 2008 and next term Kate Gainsford will be talking.

*West Coast / Nelson / Marlborough* : Hopeful of a meeting early next term.

The meeting closed at 3.00 p.m.