

Bringing greater clarity to Part 12 and the establishment, closing and merger of schools

The changes to Part 12 in the Act add a purpose provision to the process used by the Minister of Education to manage the state schooling network, clarify that the Minister has absolute discretion to make all decisions around school provision, and clarify requirements around consultation when schools are closed or merged following an area strategy.

Source: Ministry of Education factsheet

The objectives for the process undertaken by the Minister to manage the state schooling network are to:

- enable the provision of a schooling network that assists parents to meet their obligations to enrol their children at school
- assist the efficient and effective use of the government's investment in schooling
- recognise the role of diversity in the provision of schooling, including Māori medium education

The Minister has absolute discretion in making the decision to establish a school, change the class of a school, specify the class levels that a school can provide, and close or merge a school.

What do boards need to do differently?

Nothing other than to be aware of these changes.

Can the Minister simply decide to establish, close or merge schools?

No. While the final decision is at the absolute discretion of the Minister, consultation with schools and communities is still a requirement. However, if schools have already been consulted on a specific closure or merger as part of an area strategy, the Minister is no longer required to also undertake the consultation requirements outlined in section 157 of the Act.

What is an area strategy?

An assessment of the number, size and types of schools in an area and how best to utilise them to cater for the educational needs of the students in that area. This process will include comprehensive consultation including options on closures and mergers.

Where do I find this in the Education Act?

Sections 145AAA, 146, 153, 154, 156A and 157.

When do the changes take effect?

These provisions took effect from 19 May 2017.

Where do I get advice?

NZSTA will continue to update and advise you through factsheets, newsletters, and our website.

You can call **0800 782 435** or email actupdates@nzsta.org.nz.