

# Role of the student representative

After attending this workshop participants will have an understanding of:

- Governance responsibilities of the board and the management responsibilities of the principal, and working in partnership
- The composition of the board, and why there is a student representative
- Trustee responsibilities and accountabilities, and working as a team
- Some key board responsibilities and accountabilities
- Issues that may arise for the student representative; and ways to handle them



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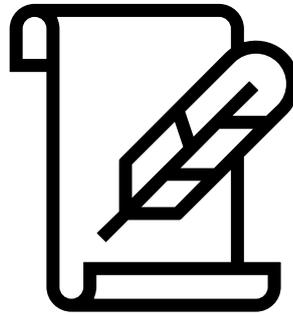


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Find someone who ...



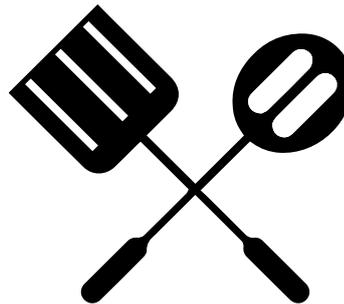
Speaks more than one language



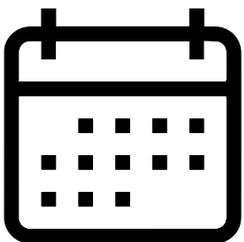
Studies history



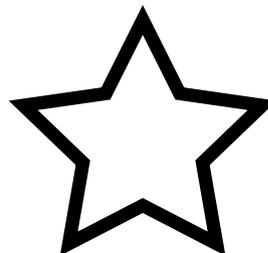
Plays more than one sport



Likes cooking



Has a long-term plan



Is related to or knows someone famous

## Membership of the board | poari

Each trustee | kaitiaki has **equal** standing, voice, accountability and vote, regardless of their position on the board | poari.

The Education Act 1989 specifies the makeup of the board | poari but provides some discretion for the board | poari in determining its total size. This flexibility helps the board | poari ensure its membership reflects the diversity of the community and the skills required for effective governance. There are a number of ways diversity can be reflected.

|  | Position on board   poari          | School   kura type  | Term of office  | # on your board   poari |
|--|------------------------------------|---|---|-------------------------|
| <b>Non-school based trustees   kaitiaki</b>    | Parent representative <sup>1</sup> | State, including kura and designated character, and state integrated                                      | 3 years maximum <sup>2</sup>                                    |                         |
|  | Co-opted trustee                   | State, including kura and designated character, and state integrated <sup>3</sup>                         | 3 years maximum or a lesser term, as specified by board   poari |                         |
|  | Proprietor's appointee (usually 4) | State integrated  | 3 years maximum or a lesser term, as determined by proprietor   |                         |
|  | Chair                              | State, including kura and designated character, and state integrated                                      | 1 year  | 1                       |
| <b>School   kura based trustees   kaitiaki</b> | Principal   tumuaki                | State, including kura and designated character, and state integrated                                      | N/A   | 1                       |
|  | Staff   kaimahi representative     | State, including kura and designated character, and state integrated                                      | 3 years <sup>4</sup>  | 1                       |
|  | Student   ākonga representative    | State, including kura and designated character, and state integrated, with students   ākonga above Year 9 | 1 year  | 1                       |

<sup>1</sup> Exact number depends on constitution of the board | poari.

<sup>2</sup> Depending on date of election, by-election or selection.

<sup>3</sup> State integrated schools | kura have the ability to co-opt, but only if the proprietor/s agree to reduce the number of proprietor's appointees.

<sup>4</sup> Depending on date of election or by-election.

- Regardless of their role, each trustee | kaitiaki has equal standing, voice, accountability and vote.
- The board | poari is a body corporate, a Crown entity and a local authority.
- Trustees | kaitiaki are not personally liable for the decisions that a board | poari does, or does not make, as long as they act in good faith and not independently of the board | poari.

### Consider:

- Who sits around your board | poari table and why?
- What does 'representative' mean for the three types of elected trustees | kaitiaki on the board | poari?
- Does your board | poari have a trustee | kaitiaki register?
- The board | poari as an entity can be held liable – do you know what insurance cover your board | poari has?

# The legislative framework – Education Act 1989

## Governance and management: one vision, different roles

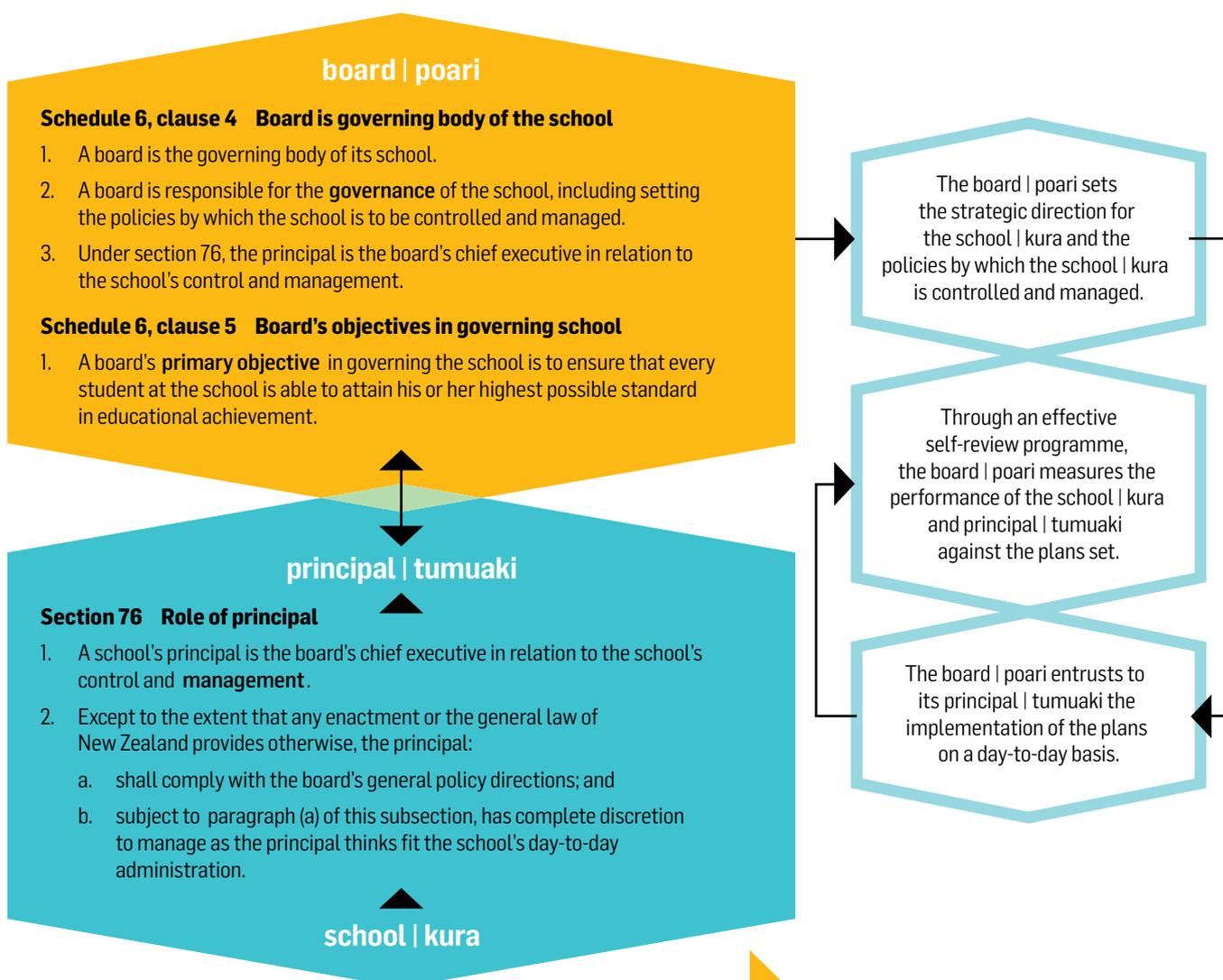
Governance and management is a partnership which may work differently from school | kura to school | kura. The legal responsibility of boards | poari and principals | tumuaki is outlined in the Education Act 1989, and allows each board | poari to define a model of governance that will best work for their school | kura.

Schedule 6 of the Education Act 1989 sets out, largely in one place, the key legal roles and responsibilities of the board | poari

in school | kura governance, whilst those of the principal | tumuaki are set out in Section 76. It is within these requirements, that each board | poari is able to define its own model of governance.

Successful schools | kura are characterised by both the board | poari and principal | tumuaki having a clear understanding of their respective roles and responsibilities whilst working toward a shared vision.

### The Education Act 1989



**Consider:**

Has your board | poari discussed governance and management roles?

## Who has leadership responsibilities in a school?



Boards | poari provide strategic leadership and direction to schools | kura. This is done through the charter/strategic plan and governance framework which, together with the annual implementation plan, give direction to guide all school | kura activities and decisions.

Leadership involves setting vision, direction and strategy to ensure that every student | ākonga achieves their highest possible educational potential.

| Leadership roles The 'who' |  |
|----------------------------|--|
| Board   poari              | The 'what' and the 'why'   |
| All trustees   kaitiaki    | Strategic direction <ul style="list-style-type: none"> <li>•</li> <li>•</li> </ul> Policies <ul style="list-style-type: none"> <li>•</li> <li>•</li> </ul> Monitoring and measurement of performance <ul style="list-style-type: none"> <li>•</li> <li>•</li> </ul>  |
| Chair                      | Guiding board   poari operations <ul style="list-style-type: none"> <li>•</li> <li>•</li> </ul> Managing board   poari relationships <ul style="list-style-type: none"> <li>•</li> <li>•</li> </ul> Ensuring the work of the board   poari is done <ul style="list-style-type: none"> <li>•</li> <li>•</li> </ul> Relationship with the principal   tumuaki <ul style="list-style-type: none"> <li>•</li> <li>•</li> </ul> |
| Principal   tumuaki        | The 'how'  |
|                            | The board's   poari chief executive in relation to the school's   kura control and management <ul style="list-style-type: none"> <li>•</li> <li>•</li> </ul> Professional leadership of teaching and learning <ul style="list-style-type: none"> <li>•</li> <li>•</li> </ul>   |

**Consider:** Are these roles clearly defined and evident in your school | kura?

# A framework for effective governance



## Part A: Annually updated policies

1. Trustee register
2. Board workplan
3. Charter / strategic plan
4. Board delegations list

## Part B: Governance policies

1. Board roles and responsibilities policy
2. Trustee code of behaviour policy
3. Trustee remuneration and expenses policy
4. Conflict of interest policy
5. Chair role description policy
6. Staff and student representative role description policy
7. Relationship between chair and principal policy
8. Principal performance management policy

## Part C: Processes and procedures

1. Meeting protocols
2. Public attending board meetings
3. Meeting agenda
4. Meeting checklist
5. Evaluation of meeting
6. Committee principles
7. Review committee terms of reference
8. Student behaviour management committee terms of reference
9. Finance committee terms of reference and annual calendar
10. Trustee induction process
11. Concerns and complaints process
12. Board complaints checklist
13. Internal evaluation process
14. Triennial review programme

## Part D: Operational policies

1. Responsibilities of the principal policy
2. Curriculum delivery policy
3. Personnel policy
4. Appointments policy
5. Financial planning policy
6. Financial condition policy
7. Asset protection policy
8. Protection and sharing of intellectual property (Creative commons) policy
9. Health and safety policy
10. Child protection policy
11. Managing challenging behaviour and physical restraint policy

# Trustee responsibilities and accountabilities



The trustee code of behaviour is an important way to ensure that board business is conducted in an ethical and respectful manner, in accordance with legislation and board policy. Every board needs to ensure there are opportunities to discuss its expectations of trustee conduct. It is suggested every board member is given their signed copy of the code.

## Example trustee code of behaviour policy

### Expectations and limitations

As members of an effective governance team, each member of the board of trustees shall:

1. ensure the needs of all students and their achievement is paramount
2. be loyal to the school and its mission
3. maintain and understand the values and goals of the school
4. protect the special character of the school
5. publicly represent the school in a positive manner
6. respect the integrity of the principal and staff
7. observe the confidentiality of non-public information acquired in their role as a trustee and not disclose to any other persons such information that might be harmful to the school
8. be diligent and attend board meetings prepared for full and appropriate participation in decision making
9. ensure that individual trustees do not act independently of the board's decisions
10. speak with one voice through board policies and ensure that any disagreements with the board's stance are resolved within the board
11. in the course of board meetings, disclose any interests in a transaction or decision where they, their family and/or partner, employer or close associate will receive a benefit or gain and leave the meeting for the duration of discussion and/or voting in relation to the matter
12. recognise the lack of authority in any individual trustee or committee/working party of the board in any interaction with the principal or staff
13. recognise that only the chair (working within the board's agreed chair role description or delegation) or a delegate working under written delegation can speak for the board
14. continually self-monitor their individual performance as trustees against policies and any other current board evaluation tools
15. be available to undertake appropriate professional development.

Adapted from NZSTA Governance Framework 2018.

# Student representative – roles and responsibilities

Section 94(1)(f) of the Education Act 1989 requires that every school with students in year 10 and above must have a student representative on its board of trustees. The student representative is elected by their peers to serve the interests of the school at governance level, but are not required to be an advocate for student interests. Rather, the student representative brings a student perspective to board discussion and decision making.

## Example student representative role policy

### Expectations and limitations

| Student representative accountability   |     | Standard   |
|---|-----|--|
| 1. To work within the board's charter/strategic plan.   | 1.1 | The charter/strategic plan is obviously considered in board decisions.                           |
| 2. To abide by the board's governance and operational policies.   | 2.1 | The student trustee has a copy of the governance manual and is familiar with all board policies. |
| 3. The student trustee is first and foremost a trustee and must act in the best interests of the students at the school at all times.             | 3.1 | The student trustee is not a student advocate.   |
|   | 3.2 | The student trustee does not bring student concerns to the board.                                |
| 4. The student trustee is bound by the trustee code of behaviour.   | 4.1 | The student trustee acts within the code of behaviour.   |
| 5. It is not necessary for the student trustee to prepare a verbal or written report for the board unless specifically requested to by the board. | 5.1 | No regular reports are received unless a request has been made by the board on a specific topic. |

Adapted from NZSTA Governance Framework 2018.

The student representative has equal voice, vote, standing and accountability to any other board member.

## Meeting terminology



|                                  |  |
|----------------------------------|--|
| 1. Notice of meeting             |  |
| 2. Agenda                        |  |
| 3. Open to the public            |  |
| 4. Quorum                        |  |
| 5. Apologies                     |  |
| 6. Conflict of interest          |  |
| 7. Pecuniary interest            |  |
| 8. Minutes                       |  |
| 9. Matters arising               |  |
| 10. Moving a motion              |  |
| 11. Seconding a motion           |  |
| 12. Deliberative vote            |  |
| 13. Casting vote                 |  |
| 14. Resolution                   |  |
| 15. In committee/Public excluded |  |
| 16. Trustee honorarium           |  |

# Sample meeting agenda

A typical agenda will be as follows:

| Board of trustees meeting agenda – date   |                                     |        |            |
|---|-------------------------------------|--------|------------|
|   | Policy reference                    | Led by | Time       |
| <b>1. Administration</b>  |                                     |        | 5 mins     |
| 1.1 Present   |                                     |        |            |
| 1.2 Apologies   |                                     |        |            |
| 1.3 Declaration of interests  |                                     |        | 30–45 mins |
| <b>2. Strategic decisions</b>   |                                     |        |            |
| 2.1 Strategic decisions made if required  | Operational/ governance policy xxxx |        |            |
| <b>3. Monitoring</b>  |                                     |        | 45–60 mins |
| 3.1 Ongoing summary of progress to date in relation to annual plan  |                                     |        |            |
| 3.2 Expert presentation   |                                     |        |            |
| 3.3 Data analysis   |                                     |        |            |
| 3.4 Exploration of key result area (goals)  |                                     |        |            |
| 3.5 Finance and audit report  |                                     |        | 30–45 mins |
| <b>4. Strategic discussions</b>   |                                     |        |            |
| 4.1 Exploration of special issue or project (e.g. budget, principal performance agreement/appraisal, delegations) |                                     |        |            |
| <b>5. Identify agenda items for next meeting</b>  |                                     |        | 5–15 mins  |
| <b>6. Administration</b>  |                                     |        | 5–15 mins  |
| 6.1 Confirmation of minutes   |                                     |        |            |
| 6.2 Correspondence  |                                     |        | 5–15 mins  |
| <b>7. Meeting closure</b>   |                                     |        |            |
| 7.1 Comments on meeting procedures and outcomes   |                                     |        |            |
| 7.2 Preparation for next meeting  |                                     |        |            |

Notes:

- Correspondence is listed on the back of the agenda.
- List of current delegations is attached to the agenda.

Adapted from NZSTA Governance Framework 2018.

# Budgets

The role of the board is to identify the school's education priorities to develop a budget that allocates resources to these priorities, and to monitor and report on this expenditure.

Allocation decisions must consider:

- Strategic and annual implementation plans, goals and targets
- Asset management and property obligations.

Approving and monitoring the budget are responsibilities of the board that cannot be delegated (except in a committee of the board). Collectively, all members of a board are accountable for the funding and other resources allocated to the board.

## Financial cycle



- Review outcome; will income cover expenditure?
- Are the budgets for all categories, including separate budgets for local funds income and local funds expenses?
- Do we have a capital (asset) budget?
- Review key assumptions in January/ February e.g. starting roll size – is adjustment needed?
- Have we considered cash implications e.g. seasonality?
- Include lease payments, cyclical maintenance and depreciation.

# Financial reporting

## Regular financial reports should assure the board | poari that:

- income and expenditure is within budget for the year to date – or reasons for major variations are supplied;
- income and expenditure for the rest of the year is forecast to be on track – or what action is being taken to mitigate identified issues and risks e.g. the forecast has been adjusted if the roll has changed significantly;
- the school | kura has set aside enough money for long-term commitments e.g. asset replacement, external painting;
- all funds held on trust are kept separate and managed appropriately;
- any financial issues are being managed e.g. recommendations from the auditors;
- the school | kura is operating within the policies approved by the board | poari e.g. there has been no unauthorised expenditure and all spending is within delegations.

| The operating statement shows  | The balance sheet shows   |
|--|---|
| <ul style="list-style-type: none"> <li>• Budgeted income</li> <li>• Budgeted expenses</li> <li>• Budgeted surplus/deficit</li> <li>• Actual income and expenditure to date</li> <li>• Progress against budget</li> </ul> | <ul style="list-style-type: none"> <li>• A snapshot of the financial position at a specific point in time</li> <li>• What the board   poari owns</li> <li>• What the board   poari owes</li> <li>• The difference between what is owned and what is owed</li> </ul> |





## Scenarios: A

### Scenario 1

Students at your school are unhappy with the quality, choice and cost of food on sale. The student council has done a survey and asked you to take the feedback to the board.

- *What do you think about this?*
- *What would you do?*

### Scenario 2

The board is going to discuss whether to withdraw the right of senior students to leave the school grounds in the lunch hour. Many students feel very strongly that this is unfair and want you to take their objections to the board.

- *What do you think about this?*
- *What would you do?*

### Scenario 3

The college student council wants you to complain about a teacher. Students don't feel they are learning anything from the teacher's lessons.

- *What do you think about this?*
- *What would you do?*



## Scenarios: B

### Scenario 1

The board goes 'into committee', also known as PEB (Public Excluded Business). The principal starts to talk about a discipline matter that involves a friend in your year.

- *What do you think about this?*
- *What would you do?*

### Scenario 2

The school has had a complaint against a staff member. The board is going to move to exclude the public and go "into committee" (the confidential part of the meeting). You are asked to leave.

- *What do you think about this?*
- *What would you do?*

### Scenario 3

During a board meeting the staff representative expresses an opinion that you disagree with. It looks like it could lead to the board making a decision that students are not going to like.

- *What do you think about this?*
- *What would you do?*



## Scenarios: C

### Scenario 1

The school has had to suspend a number of students recently and the board disciplinary committee has been busy. You have been told that it is inappropriate for you to be on the disciplinary committee.

- *What do you think about this?*
- *What would you do?*

### Scenario 2

The deputy principal has resigned. The board is forming an appointments committee to appoint a new one. You have been told this will not involve you but you believe there are things the committee should consider.

- *What do you think about this?*
- *What would you do?*

### Scenario 3

From the financial report presented at the board meeting you learn that the college has a financial deficit but the principal has reported that new teachers are being appointed. It doesn't seem to make sense.

- *What do you think about this?*
- *What would you do?*







# Support and resources



**New Zealand School Trustees Association**  
Te Whakaroputanga Kaitiaki Kura o Aotearoa  
[www.nzsta.org.nz](http://www.nzsta.org.nz)

0800 782 435

**NZSTA Advisory and Support Centre, Governance**  
[govadvice@nzsta.org.nz](mailto:govadvice@nzsta.org.nz)

**NZSTA Advisory and Support Centre, Employment**  
[eradvice@nzsta.org.nz](mailto:eradvice@nzsta.org.nz)

**NZSTA Professional Development**  
[pdadvice@nzsta.org.nz](mailto:pdadvice@nzsta.org.nz)

**NZSTA Governance Framework**  
[www.nzsta.org.nz/governance-framework-2018](http://www.nzsta.org.nz/governance-framework-2018)

**Trustee election website**  
[www.trustee-election.co.nz](http://www.trustee-election.co.nz)

**Ministry of Education**  
Te Tāhuhu o te Mātauranga  
[www.education.govt.nz](http://www.education.govt.nz)

**Te Kete Ipurangi (TKI)**  
[www.tki.org.nz](http://www.tki.org.nz)

**Education Review Office**  
Te Tara Arotake Matāuranga  
[www.ero.govt.nz](http://www.ero.govt.nz)

**Education Act 1989**  
<http://www.legislation.govt.nz/act/public/1989/0080/latest/DLM175959.html>