



Education Report: Advice on NEG, NAGs, and healthy drinks in schools

To:	Hon Chris Hipkins, Minister of Education		
Date:	9 June 2021	Priority:	Medium
Security Level:	In Confidence	METIS No:	1257543
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Messaging seen by Communications team:	No		

Purpose of report

At the agency meeting on 12 April, you requested advice on:

- Where the content of the National Education Goals (NEGs) and the National Administration Guidelines (NAGs) is currently set out;
- If there is any content in the NEGs and NAGs that we would wish to preserve when these are revoked on 1 January 2023 with the commencement of the new strategic planning and reporting framework; and
- Using regulations to impose a duty on school boards to provide only healthy drinks to students.

Summary

1. With the commencement of the new planning and reporting framework on 1 January 2023, the NEGs and NAGs will be revoked.
2. The majority of the content of the NEGs and NAGs has already been moved into primary legislation, reflected in the Statement of National Education and Learning Priorities (NELP), or identified as appropriate for inclusion in regulations that will be developed to support the implementation of the new planning and reporting framework.
3. NAG 5(b), which requires school boards to promote healthy food and nutrition for all students, is the only NEG or NAG that has not been identified for inclusion elsewhere.
4. At the Agency meeting on 12 April, you requested advice on imposing a duty on schools regarding the provision of healthy drinks. We do not have up to date information on the availability of unhealthy drinks in schools, and would need this information to complete the regulatory impact analysis for a new Regulation to place this duty on boards. We propose to seek Cabinet's approval to release a discussion document on a potential new Regulation in August.

5. This will be on the same timeline as the advice on possible content for planning and reporting regulations. Public consultation on both sets of regulations would be aligned and take place in September and October this year.
6. The power for the Minister to issue NAGs will be repealed with the commencement of the new planning and reporting framework on 1 January 2023. We do not consider that it is necessary to retain a power for the Minister to issue guidelines because the NEGs and NAGs content has already been included in primary legislation or identified for inclusion elsewhere.

Recommended Actions

The Ministry of Education recommends that you:

- a. **note** the NEGs and NAGs will expire upon the commencement of the planning and reporting regime on 1 January 2023
Noted
- b. **note** the vast majority of the content of the NEGs and NAGs has been included in primary legislation or identified as appropriate for inclusion in planning and reporting regulations
Noted
- c. **note** that NAG 5(b), requiring schools to promote healthy food and nutrition for all students, will expire on 1 January 2023, as it has not been carried over into primary legislation or been identified for inclusion in planning and reporting regulations
Noted
- d. **agree** to us commencing work on regulations, to proceed on the same timeframe as planning and reporting regulations, that would impose a duty on school boards to provide only healthy drinks to students
Agree / Disagree
- e. **note** that we will provide you with a draft Cabinet paper attaching a draft discussion document in July to take to Cabinet in August
Noted
- f. **note** that it is not necessary to retain a power for the Minister to issue guidelines for school boards as the NEGs and NAGs content has either been shifted into primary legislation, reflected in the NELP or identified for inclusion elsewhere
Noted

Proactive Release Recommendation

- g. **agree** that this Education Report be proactively released once Cabinet decisions have been made.

Agree / Disagree



Dr Andrea Schöllmann
Deputy Secretary
Education System Policy
09/06/2021



Hon Chris Hipkins
Minister of Education

29/6/21

The new strengthened regulation should apply to years 1-8. The existing NAG requirement should be carried through in regs for secondary schools.

Background

1. The Education and Training Act 2020 (the Act) carried over, without change, strategic planning and reporting provisions that were introduced by the Education (Update) Amendment Act 2017 (Update Act 2017).
2. The changes introduced by the Update Act 2017 were in response to the Taskforce on Regulations Affecting School Performance, which concluded that the planning and reporting system for schools was complex and did not enable schools to focus on what matters most for learners. Additionally, the National Education Goals (NEGs), which set out the direction of the education system, and National Administration Guidelines (NAGs), which set out some of the key requirements for board administration, were found to be incoherent and a significant portion was considered to be better suited for primary legislation.
3. The new strategic planning and reporting framework, scheduled to commence on 1 January 2023, is intended to focus schools on setting meaningful objectives for the progress and wellbeing of children and young people. Additionally, the new framework seeks to increase accountability to parents, whānau, school communities and government. On commencement of the new framework any current NEGs and NAGs will be revoked.
4. At the agency meeting on 12 April, you requested advice on where in legislation the current NEGs and NAGs are set out, and if there is any content we would wish to preserve that would otherwise be lost with their revocation.
5. At this meeting you also requested advice on imposing a duty on boards to only provide healthy drinks in schools and whether retaining a power for the Minister to issue guidelines to schools is necessary.

Where are the NEGs and NAGs? Are any likely to be missed out?

National Education Goals

6. As part of the review of the planning and reporting framework introduced in 2017 an assessment was made on whether NEGs would best be placed in primary legislation, regulations, or elsewhere. It was determined that a large proportion of the NEGs should be moved into primary legislation. The Education and Training Act 2020 (the Act) either carried these provisions over without change or updated and strengthened some of them, for example, boards' governing objectives. This means that the vision for the education system set out in the NEGs is largely already reflected in the Act.
7. Some of the Statement of National Education and Learning Priorities (NELP) is also broadly consistent with many of the NEGs. For example, NEG 2, the goal of equal educational opportunity for all New Zealanders through identifying and removing barriers to achievement, overlaps with priorities 2 and 7 of the NELP.
8. Annex 1 maps out where each of the NEGs have moved.

National Administration Guidelines

9. As with the NEGs, several NAGs have been shifted into primary legislation. For example, the requirement to develop a strategic plan (NAG 2(a)) and a requirement to provide a safe physical and emotional environment for students (NAG 5(a)) are now key legal

requirements of the Act. Some of the wording of the NAGs has also been strengthened and updated when lifted into the Act.

10. Some of the detailed requirements set out in the NAGs were identified as appropriate to include in planning and reporting regulations, for example, NAG 1a, which requires the development and implementation of teaching and learning programmes. We intend to provide you with advice on these regulations shortly.
11. A number of the NAGs will be allowed to expire as they are redundant and repeat requirements on boards that are already in the Act.
12. Annex 2 maps out where each of the NAGs have moved.

NAG 5(b) to expire upon the commencement of the new planning and reporting regime

13. As outlined above, when the new planning and reporting framework commences on 1 January 2023 all NEG and NAGs will expire. The only NEG or NAG not currently flagged for inclusion or included elsewhere is NAG 5(b), which requires schools to promote healthy food and nutrition for all students.

Imposing a duty on boards to provide healthy drinks

14. At the Agency meeting on 12 April, you requested advice on using section 638 to impose a duty to provide only healthy drinks in schools. This section enables the Governor-General to make regulations relating to how schools must be run. Such a duty would represent a strengthened obligation on school boards in relation to the provision of healthy drinks compared to the current NAG 5(b) requirement to promote healthy food and nutrition for all students.
15. We do not have up to date information on the availability of unhealthy drinks in schools. According to a 2016 University of Auckland survey, of the 820 schools sampled, 79 percent of primary schools and 16 percent of secondary schools reported that they were water-only.
16. We will need more up to date information to enable the regulatory impact analysis process to support a new Regulation. We therefore propose you seek Cabinet's approval to consult publicly on these potential regulations in August.
17. This will enable consultation on healthy drink requirements to be on the same timeline as the advice on possible content for planning and reporting regulations. Public consultation on both sets of regulations would be aligned and planned to take place in September and October this year.

Current and future support for schools and monitoring of compliance

18. There are a range of guidelines and supports for schools to promote healthy nutrition. This includes Ministry of Education guidelines on healthy eating environments. There is also guidance produced by the Office of the Children's Commissioner and the Ministry of Health that can support schools in promoting healthy lifestyles, including, relating to encouraging healthy eating and healthy lifestyles. The Ministry of Education is also working to highlight best-practice in the adoption of healthy canteen policies in schools involved in the Ka Ora, Ka Ako | Healthy School Lunches programme to support broader health outcomes.

19. We do not currently actively monitor the extent to which schools comply with NAG 5(b). However, the Education Review Office's Self-Audit Checklist enables schools to voluntarily report on whether they meet the requirements under NAG 5(b) to promote healthy food and nutrition for all students. Some schools also include some information relating to NAG 5(b) in their charters.
20. As a duty to provide only healthy drinks under section 638 would be a strengthened obligation, we consider that strengthened monitoring and reporting would be required. The Education Review Office currently has a process where the Chair of the Boards and the School Principal attest to their compliance with regulations. Any regulation on the provision of healthy drinks could be incorporated into this process. This process is paper based and it is not possible to report on regulatory compliance at an aggregate level. Consequently, another mechanism would need to be found to monitor how many schools comply with the regulation. The Education Review Office will continue to work through possible options for the monitoring and reporting of schools' compliance with this obligation.
21. While we do not monitor the extent to which schools comply with NAG 5(b), we do monitor the delivery of healthy lunches provided via the Ministry's Ka Ora, Ka Ako | Healthy School Lunches programme. Once fully implemented in mid-2021, the programme will serve up to 215,000 children and young people in over 900 schools each day. Nutrition guidelines for schools and suppliers were jointly developed with the Ministry of Health to ensure the lunches are of sufficient quality. Adherence to the guidelines is monitored by the Ministry of Education.

Retaining power for Minister to issue guidelines

22. The power for the Minister to issue NEGs and NAGs will be repealed upon the commencement of the new planning and reporting framework on 1 January 2023. During the policy development phase of the new planning and reporting framework, it was not considered necessary to retain this power as the content of the NEGs and NAGs was either shifted into primary legislation, reflected in the NELP or identified for inclusion in new planning and reporting regulations. With the obligation to promote healthy food and nutrition under NAG 5(b) being shifted into proposed regulations, we do not consider that it is necessary for the Minister to retain the power to issue guidelines.

Next steps

23. The table below sets out the timeline for the development of regulations to impose a duty on school boards to provide only healthy drinks to students.

Action	Date
Draft Cabinet paper attaching draft discussion document to Minister	July 2021
Cabinet approval to release regulations discussion document	August 2021
Public consultation on regulations (8 weeks)	September and October 2021
Regulations drafted	December 2021 – April 2022
Regulations come into force	May 2022

Annexes

Annex 1: Whereabouts of National Education Goals

Annex 2: Whereabouts of National Administration Guidelines

Annex 1: Whereabouts of National Education Goals

National Education Goals	Where the goal is now in the Act:	Where the goal is covered in the NELP
<p>1. The highest standards of achievement, through programmes which enable all students to realise their full potential as individuals, and to develop the values needed to become full members of New Zealand's society.</p>	<p>Section 5(4)(a) - (b) The education and learning objectives for early childhood education, primary education, and secondary education are— (a) to help each child and young person attain their educational potential; and (b) to promote the development, in each child and young person, of the following abilities and attributes: (i) resilience, determination, confidence, and creative and critical thinking; (ii) good social skills and the ability to form good relationships; (iii) participation in community life and fulfilment of civic and social responsibilities; (iv) preparedness for work;</p> <p>Section 127(1)(a) A board's primary objectives in governing a school are to ensure that— (a) every student at the school is able to attain their highest possible standard in educational achievement</p>	<p>Priority 2 Have high aspirations for every learner/ākonga, and support these by partnering with their whānau and communities to design and deliver education that responds to their needs, and sustains their identities, languages and cultures</p> <p>Priority 7 Collaborate with industries and employers to ensure learners/ākonga have the skills, knowledge and pathways to succeed in work</p>
<p>2. Equality of educational opportunity for all New Zealanders, by identifying and removing barriers to achievement.</p>	<p>Section 127(1)(b) - (c) (1) A board's primary objectives in governing a school are to ensure that— (b) the school— (i) is a physically and emotionally safe place for all students and staff; and (ii) gives effect to relevant student rights set out in this Act, the New Zealand Bill of Rights Act 1990, and the Human Rights Act 1993; and (iii) takes all reasonable steps to eliminate racism, stigma, bullying, and any other forms of discrimination within the school; and (c) the school is inclusive of, and caters for, students with differing needs</p>	<p>Priority 3 Reduce barriers to education for all, including for Māori and Pacific learners/ākonga, disabled learners/ākonga and those with learning support needs</p>

3.	Development of the knowledge, understanding and skills needed by New Zealanders to compete successfully in the modern, ever-changing world.	Section 5(4)(b) The education and learning objectives for early childhood education, primary education, and secondary education are— (b) to promote the development, in each child and young person, of the following abilities and attributes: (i) resilience, determination, confidence, and creative and critical thinking; (ii) good social skills and the ability to form good relationships; (iii) participation in community life and fulfilment of civic and social responsibilities; (iv) preparedness for work	Priority 4 Ensure every learner/ ākonga gains sound foundation skills, including language, literacy and numeracy Priority 7 Collaborate with industries and employers to ensure learners/ ākonga have the skills, knowledge and pathways to succeed in work
4.	A sound foundation in the early years for future learning and achievement through programmes which include support for parents in their vital role as their children's first teachers.	Not replaced in the Act. Identified previously as needing to be considered for inclusion in the regulations.	Priority 2 Have high aspirations for every learner/ākonga, and support these by partnering with their whānau and communities to design and deliver education that responds to their needs, and sustains their identities, languages and cultures Priority 4 Ensure every learner/ ākonga gains sound foundation skills, including language, literacy and numeracy
5.	A broad education through a balanced curriculum covering essential learning areas. Priority should be given to the development of high levels of competence (knowledge and skills) in literacy and numeracy, science and technology and physical activity.	Not replaced in the Act. Identified previously as needing to be considered for inclusion in the regulations.	Priority 2 Have high aspirations for every learner/ākonga, and support these by partnering with their whānau and communities to design and deliver education that responds to their needs, and sustains their identities, languages and cultures Priority 4 Ensure every learner/ ākonga gains sound foundation skills, including language, literacy and numeracy
6.	Excellence achieved through the establishment of clear learning objectives, monitoring student performance against those objectives, and programmes to meet individual need.	Section 164 Teaching and learning programmes The board of a school must ensure that the school's principal and staff develop and implement teaching and learning programmes that— (a) give effect to any foundation curriculum policy statements and national curriculum statements published under section 90 ; and (b) give the school's students access to a nationally and internationally recognised qualifications system.	Not covered in NELP

		<p>Section 165 Monitoring of and reporting on student performance</p> <p>(1) The board of a school must ensure that the school's principal and staff monitor and evaluate the performance of the school's students.</p> <p>(2) Monitoring and evaluating must include, but is not limited to, monitoring and evaluating the performance of the students in relation to—</p> <p>(a) any foundation curriculum policy statements and national curriculum statements published under section 90; and</p> <p>(b) any qualifications system referred to in section 164(b) that is offered at the school.</p> <p>(3) The board must ensure that information about a student's performance is given to a parent of the student in a timely manner and in a form that is readily understandable.</p> <p>(4) The board must report to the Secretary, to its school community, and to parents on the performance of the school's students in accordance with any regulations made under section 639.</p>	
7.	Success in their learning for those with special needs by ensuring that they are identified and receive appropriate support.	<p>Section 127(1)(c)</p> <p>(1) A board's primary objectives in governing a school are to ensure that—</p> <p>(c) the school is inclusive of, and caters for, students with differing needs;</p>	<p>Priority 2 Have high aspirations for every learner/ākonga, and support these by partnering with their whānau and communities to design and deliver education that responds to their needs, and sustains their identities, languages and cultures</p> <p>Priority 3 Reduce barriers to education for all, including for Māori and Pacific learners/ākonga, disabled learners/ākonga and those with learning support needs</p> <p>Priority 6 Develop staff to strengthen teaching, leadership and learner support capability across the education workforce</p>
8.	Access for students to a nationally and internationally recognised qualifications system to encourage a high level of participation in post-school education in New Zealand.	<p>Section 164(b) & 165(2)(b)</p> <p>164 Teaching and learning programmes</p> <p>The board of a school must ensure that the school's principal and staff develop and implement teaching and learning programmes that—</p> <p>(b) give the school's students access to a nationally and internationally recognised qualifications system.</p>	Not covered in NELP

		<p>165 Monitoring of and reporting on student performance</p> <p>(2) Monitoring and evaluating must include, but is not limited to, monitoring and evaluating the performance of the students in relation to—</p> <p>(b) any qualifications system referred to in section 164(b) that is offered at the school.</p>	
9.	Increased participation and success by Māori through the advancement of Māori education initiatives, including education in te reo Māori, consistent with the principles of the Treaty of Waitangi.	<p>Section 127(1)(d)</p> <p>A board's primary objectives in governing a school are to ensure that—</p> <p>(d) the school gives effect to Te Tiriti o Waitangi, including by—</p> <ul style="list-style-type: none"> (i) working to ensure that its plans, policies, and local curriculum reflect local tikanga Māori, mātauranga Māori, and te ao Māori; and (ii) taking all reasonable steps to make instruction available in tikanga Māori and te reo Māori; and (iii) achieving equitable outcomes for Māori students. 	<p>Priority 2</p> <p>Have high aspirations for every learner/ākonga, and support these by partnering with their whānau and communities to design and deliver education that responds to their needs, and sustains their identities, languages and cultures</p> <p>Priority 3</p> <p>Reduce barriers to education for all, including for Māori and Pacific learners/ākonga, disabled learners/ākonga and those with learning support needs</p> <p>Priority 5</p> <p>Meaningfully incorporate te reo Māori and tikanga Māori into the everyday life of the place of learning</p>
10.	Respect for the diverse ethnic and cultural heritage of New Zealand people, with acknowledgment of the unique place of Māori, and New Zealand's role in the Pacific and as a member of the international community of nations.	<p>Section 5(4)(c)</p> <p>The education and learning objectives for early childhood education, primary education, and secondary education are</p> <p>(c) to instil, in each child and young person, an appreciation of the importance of—</p> <ul style="list-style-type: none"> (i) the inclusion of different groups and persons with different personal characteristics: (ii) diversity, cultural knowledge, identity, and the different official languages: (iii) Te Tiriti o Waitangi and te reo Māori. 	<p>Priority 1</p> <p>Ensure places of learning are safe, inclusive and free from racism, discrimination and bullying</p> <p>Priority 2</p> <p>Have high aspirations for every learner/ākonga, and support these by partnering with their whānau and communities to design and deliver education that responds to their needs, and sustains their identities, languages and cultures</p> <p>Priority 5</p> <p>Meaningfully incorporate te reo Māori and tikanga Māori into the everyday life of the place of learning</p>

Annex 2: Whereabouts of National Administration Guidelines

NAG	What the National Administration Guideline requires	Where is the guideline now
1	Each board of trustees is required to foster student achievement by providing teaching and learning programmes which incorporate The National Curriculum, as expressed in The New Zealand Curriculum 2007 or Te Marautanga o Aotearoa.	<p>Section 164 Teaching and learning programmes</p> <p>The board of a school must ensure that the school's principal and staff develop and implement teaching and learning programmes that—</p> <ul style="list-style-type: none"> (a) give effect to any foundation curriculum policy statements and national curriculum statements published under section 90; and (b) give the school's students access to a nationally and internationally recognised qualifications system.
	<p>Each board, through the principal and staff, is required to:</p> <ul style="list-style-type: none"> a. develop and implement teaching and learning programmes: <ul style="list-style-type: none"> a. to provide all students in years 1–10 with opportunities to progress and achieve for success in all areas of The National Curriculum; b. giving priority to student progress and achievement in literacy and numeracy and/or te reo matatini and pāngarau, especially in years 1–8; c. giving priority to regular quality physical activity that develops movement skills for all students, especially in years 1–6; 	<p>This detail has not been replaced in the Act, but will be considered including in the regulations</p>
	<ul style="list-style-type: none"> b. through the analysis of good quality assessment information*, evaluate the progress and achievement of students, giving priority first to: <ul style="list-style-type: none"> a. student progress and achievement in literacy and numeracy and/or te reo matatini and pāngarau, especially in years 1–8; and then to: b. breadth and depth of learning related to the needs, abilities and interests of students, the nature of the school's curriculum, and the scope of The National Curriculum, as expressed in 	<p>Section 165, with details to be considered including in the regulations</p> <p>165 Monitoring of and reporting on student performance</p> <p>(1) The board of a school must ensure that the school's principal and staff monitor and evaluate the performance of the school's students.</p>

	<p>The New Zealand Curriculum 2007 or Te Marautanga o Aotearoa;</p> <ul style="list-style-type: none"> c. through the analysis of good quality assessment information*, identify students and groups of students: <ul style="list-style-type: none"> a. who are not progressing and/or achieving; b. who are at risk of not progressing and/or achieving; c. who have special needs (including gifted and talented students); and d. aspects of the curriculum which require particular attention; d. develop and implement teaching and learning strategies to address the needs of students and aspects of the curriculum identified in (c) above; e. in consultation with the school's Māori community, develop and make known to the school's community policies, plans and targets for improving the progress and achievement of Māori students; 	<p>(2) Monitoring and evaluating must include, but is not limited to, monitoring and evaluating the performance of the students in relation to—</p> <ul style="list-style-type: none"> (a) any foundation curriculum policy statements and national curriculum statements published under <u>section 90</u>; and (b) any qualifications system referred to in <u>section 164(b)</u> that is offered at the school. <p>(3) The board must ensure that information about a student's performance is given to a parent of the student in a timely manner and in a form that is readily understandable.</p> <p>(4) The board must report to the Secretary, to its school community, and to parents on the performance of the school's students in accordance with any regulations made under <u>section 639</u>.</p>
	<ul style="list-style-type: none"> f. provide appropriate career education and guidance for all students in year 7 and above, with a particular emphasis on specific career guidance for those students who have been identified by the school as being at risk of leaving school unprepared for the transition to the workplace or further education/training. 	<p>Section 103(a)-(b)</p> <p>The principal of a State school must take all reasonable steps to ensure that—</p> <ul style="list-style-type: none"> (a) students get good guidance and counselling; and (b) students in year 7 and above are provided with appropriate career education and guidance that is designed to prepare them to join the workforce or undertake further education or training when they leave school;
2	<p>Each board of trustees, with the principal and teaching staff, is required to:</p> <ul style="list-style-type: none"> a. develop a strategic plan which documents how they are giving effect to the National Education Guidelines through their policies, plans and programmes, including those for curriculum, aromatawai and/or assessment, and staff professional development; b. maintain an on-going programme of self-review in relation to the above policies, plans and programmes, including evaluation of good quality assessment information* on student progress and achievement; 	<p>Section 138(1)-(2), with details to be considered including in the regulations</p> <p>A board must have the following strategic planning documents for its school:</p> <ul style="list-style-type: none"> (a) a strategic plan, for each 3-year period or for a shorter period determined by the Secretary, that sets out the board's strategy for achieving (or making progress towards achieving) its objectives during that period; and

		<p>(b) an annual implementation plan for each year that sets out how the board intends to implement that strategy during the year.</p> <p>(2) A board must prepare its first strategic plan and annual implementation plan when required by regulations made under section 639 to do so.</p>
	<p>c. on the basis of good quality assessment information* report to students and their parents on progress and achievement of individual students:</p> <ol style="list-style-type: none"> i. in plain language, in writing, and at least twice a year; and ii. across The National Curriculum, as expressed in The New Zealand Curriculum 2007 or Te Marautanga o Aotearoa, including in mathematics and literacy, and/or te reo matatini and pāngarau; <p>d. on the basis of good quality assessment information*, report to the school's community on the progress and achievement of students as a whole and of groups (identified through National Administration Guideline 1(c) above) including the progress and achievement of Māori students against the plans and targets referred to in National Administration Guideline 1(e) above.</p>	<p>Section 165 Monitoring of and reporting on student performance</p> <p>(1) The board of a school must ensure that the school's principal and staff monitor and evaluate the performance of the school's students.</p> <p>(2) Monitoring and evaluating must include, but is not limited to, monitoring and evaluating the performance of the students in relation to—</p> <ol style="list-style-type: none"> (a) any foundation curriculum policy statements and national curriculum statements published under section 90; and (b) any qualifications system referred to in section 164(b) that is offered at the school. <p>(3) The board must ensure that information about a student's performance is given to a parent of the student in a timely manner and in a form that is readily understandable.</p> <p>(4) The board must report to the Secretary, to its school community, and to parents on the performance of the school's students in accordance with any regulations made under section 639.</p>
3	<p>According to the legislation on employment and personnel matters, each board of trustees is required in particular to:</p> <ol style="list-style-type: none"> a. develop and implement personnel and industrial policies, within policy and procedural frameworks set by the Government from time to time, which promote high levels of staff performance, use educational resources effectively and recognise the needs of students; and b. be a good employer as defined in the State Sector Act 1988 and comply with the conditions contained in employment contracts applying to teaching and non-teaching staff. 	<p>Section 128 and the remainder deleted as it says boards must obey existing law</p> <p>A board may, in accordance with the Public Service Act 2020, appoint, suspend, and dismiss school staff.</p>

4	<p>According to legislation on financial and property matters, each board of trustees is also required in particular to:</p> <ul style="list-style-type: none"> a. allocate funds to reflect the school's priorities as stated in the charter; b. monitor and control school expenditure, and ensure that annual accounts are prepared and audited as required by the Public Finance Act 1989 and the Education Act 1989; and c. comply with the negotiated conditions of any current asset management agreement, and implement a maintenance programme to ensure that the school's buildings and facilities provide a safe, healthy learning environment for students. 	Deleted as it says boards must obey existing law
5	<p>Each board of trustees is also required to:</p> <ul style="list-style-type: none"> a. provide a safe physical and emotional environment for students; 	<p>Section 127(1)(b)</p> <p>(1) A board's primary objectives in governing a school are to ensure that—</p> <p>(b) the school—</p> <p>(i) is a physically and emotionally safe place for all students and staff; and</p> <p>(ii) gives effect to relevant student rights set out in this Act, the <u>New Zealand Bill of Rights Act 1990</u>, and the <u>Human Rights Act 1993</u>; and</p> <p>(iii) takes all reasonable steps to eliminate racism, stigma, bullying, and any other forms of discrimination within the school;</p>
	<ul style="list-style-type: none"> b. promote healthy food and nutrition for all students; 	Has not been replaced in the Act
	<ul style="list-style-type: none"> c. comply in full with any legislation currently in force or that may be developed to ensure the safety of students and employees. 	Deleted as it says boards must obey existing law
6	<p>Each board of trustees is also expected to comply with all general legislation concerning requirements such as attendance, the length of the school day, and the length of the school year.</p>	Deleted as it says boards must obey existing law

7	Each board of trustees is required to complete an annual update of the school charter for each school it administers, and provide the Secretary for Education with a copy of the updated school charter before 1 March of the relevant year.	<p>Section 143, with details to be considered including in the regulations</p> <p>A board must prepare an annual implementation plan.</p> <p>(2) The plan must—</p> <p>(a) contain the information required by regulations made under <u>section 639</u>; and</p> <p>(b) be prepared in accordance with those regulations.</p>
8	Each board of trustees is required to provide a statement providing an analysis of any variance between the school's performance and the relevant aims, objectives, directions, priorities, or targets set out in the school charter the same time as the updated school charter provided to the Secretary for Education under National Administration Guideline 7.	<p>Section 134 (1)(a), with details to be considered including in the regulations</p> <p>A board must give the Secretary—</p> <p>(a) a statement of variance by a date fixed by the Secretary each year;</p>