



## Education Report: Alternative Constitution for the Board of Trustees for Te Rangihakahaka Centre for Science and Technology (871)

<b>To:</b>	Hon Chris Hipkins, Minister of Education		
<b>Date:</b>	21 July 2020	<b>Priority:</b>	High
<b>Security Level:</b>	In Confidence	<b>METIS No:</b>	1224245
<b>Drafter:</b>	Donna Noonan, Senior Adviser (National Office) Hana Crengle, Senior Advisor (Bay of Plenty-Wairiki)	<b>DDI:</b>	s 9(2)(a)
<b>Key Contact:</b>	Ezra Schuster, Director of Education for Bay of Plenty Wairiki	<b>DDI:</b>	
<b>Messaging seen by Communications team:</b>	No	<b>Round Robin:</b>	No

### Purpose of Report

The purpose of this paper is for you to:

- **approve** an alternative constitution for the Board of Trustees for Te Rangihakahaka Centre for Science and Technology (871);
- **sign** the attached *New Zealand Gazette* notice and letters to the Establishment Board of Trustees Chairperson and local Members of Parliament notifying them of your decision; and
- **agree** to proactively release this Education Report as part of the next publication.

### Summary

- 1 In July 2018, you established Te Rangihakahaka Centre for Science and Technology (871) as a Year 1-10 co-educational designated character school in Rotorua. You also declared that the constitution of the board of trustees would be an alternative constitution in accordance with section 98A of the Education Act 1989 (the Act).
- 2 Te Rangihakahaka Centre for Science and Technology is currently governed by an Establishment Board of Trustees (EBOT). The EBOT is ready to transition out of the establishment phase to a board with an alternative constitution, and you are now being asked to approve that alternative constitution.
- 3 The proposed board will comprise the Pou Matangirua (Principal), between one and three trustees appointed by Te Whakaruruhau o Ngāti Whakaue (Ngā Kaumatua o ngā marae o Ngāti Whakaue, Members of the Paepae o Ngāti a Whakaue), two whānau

representatives to be selected following a specified process, and up to three co-opted trustees.

- 4 A *New Zealand Gazette* notice and letters to the EBOT's Chairperson and the local Members of Parliament, advising of your approval of the alternative constitution, are attached for your signature.

### Recommended Actions

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The Ministry of Education recommends you:

- a. **approve** the alternative constitution for the Board of Trustees for Te Rangihakahaka Centre for Science and Technology (871) under section 98A of the Education Act 1989.

☒ Agree ☐ Disagree

And if you agree:

- b. **sign** the attached notice for publication in the *New Zealand Gazette*;
- c. **sign** the attached letter to the Establishment Board's Chairperson, Marita Ranclaud, advising her of your decision;
- d. **sign** the attached letters to the local Members of Parliament Hon Todd McClay and Tamati Coffey, advising them of your decision

You are also asked to:

- e. **agree** to proactively release this Education Report as part of the next publication.

☒ Agree ☐ Disagree

  
Katrina Casey  
Deputy Secretary  
Sector Support and Enablement

21/7/2020

  
Hon Chris Hipkins  
Minister of Education

5/8/2020

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## Background

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- 1 In July 2018, you established Te Rangihakahaka Centre for Science and Technology (871), a decile 2, co-educational Year 1-10, designated character school in Rotorua. You also agreed that the constitution of the board of trustees would be an alternative constitution in accordance with section 98A of the Education Act 1989 (the Act).
- 2 Te Rangihakahaka Centre for Science and Technology replaced the former Partnership School | Kura Hourua that was also called Te Rangihakahaka Centre for Science and Technology (831), which opened in January 2018.
- 3 As of March 2020, the roll of the kura was 101, all of whom identified as Māori.

### Designated character of Te Rangihakahaka Centre for Science and Technology

- 4 As set out in the establishment notice, Te Rangihakahaka Centre for Science and Technology provides a kaupapa Māori learning environment that is unique to Ngāti Whakaue and supports students to learn through a programme of science, technology, engineering, arts and mathematics.
- 5 The New Zealand Curriculum is delivered through localised and contextualised content by way of an interdisciplinary and applied approach whilst infusing Ngāti Whakaue identity, language, and culture in everything that is said, done, seen, heard, and felt.
- 6 Mātauranga-a-lwi and lwi values are expressed and reflected in the delivery of the programme.
- 7 Te Rangihakahaka Centre for Science and Technology is committed to providing and facilitating 'new learning' which is relevant and engaging for all tamariki and whānau whilst restoring Māori "ways of being" in order to uplift, nurture and empower whānau, hapū and iwi. This enables them to recognise and support the revival and retention of Te Reo Māori me onā tikanga, through future generations.

### Current governance structure

- 8 An Establishment Board of Trustees (EBOT) currently governs Te Rangihakahaka Centre for Science and Technology.
- 9 The EBOT membership is with the Principal, Renee Gillies; five members Marita Ranclaud (Chair), Ngahua te Awekotuku, Rawiri Bhana, and Jodie Wharekura<sup>1</sup>, and Sivina Jacobs. Sivina Jacobs was appointed to the EBOT in August 2019 to replace original member, s 9(2)(a) who died in 2019.

## Legislative requirements

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- 10 Under section 98A, you may not approve an alternative constitution for a board unless you have reasonable cause to believe that an alternative constitution is in the best interests of the school or schools governed by the board.

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<sup>1</sup> METIS Refers #11306879



- 11 As Minister, you can approve a wide variety of governance structures to suit the circumstances of any given board. For example, an alternative constitution can allow, formal recognition of a school community/identity; formal recognition of ongoing partnerships between the school and other parties; or a workable or different mix and/or number of trustees on a board.
- 12 You have already agreed, as part of establishing the school, that the constitution of the Te Rangihakahaka Centre for Science and Technology Board of Trustees (the Board) will be an alternative constitution under section 98A of the Act.
- 13 At that time, the composition of the alternative constitution was not specified, and you are now being asked to approve the proposed alternative constitution.

### **Consultation**

- 14 The Act does not require consultation by you, or the board, for an alternative constitution in this instance, as the alternative constitution will be the successor constitution to an EBOT. We have provided guidance and information about alternative constitutions to the EBOT.

### **The proposed alternative constitution**

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- 15 The EBOT formally requested your consideration of the proposed alternative constitution on 20 June 2020 (Annex 1). Their request set out the proposed membership of the board; how trustees will be selected or appointed; and an explanation of how the proposed alternative constitution reflects the unique nature of Te Rangihakahaka Centre for Science and Technology.

### **Composition of board**

- 16 The EBOT proposed that the Board (Te Pae o Matariki o Te Rangihakahaka) comprise the following members:
- the Pou Matangirua (Principal) of Te Rangihakahaka Centre for Science and Technology;
  - a minimum of one and no more than three members appointed by Te Whakaruruhau o Ngāti Whakaue (Ngā Kaumatua o ngā marae o Ngāti Whakaue, Members of the Paepae o Ngāti a Whakaue);
  - two whānau representatives to be selected following a specified process; and
  - up to three members co-opted by Te Pae o Matariki o Te Rangihakahaka on the basis of particular experience, expertise, skill and/or leadership that will assist in advancing the kaupapa of Te Rangihakahaka Centre for Science and Technology.
- 17 All appointments, selections and co-options to Te Pae o Matariki o Te Rangihakahaka will be made on the basis of knowledge of the kaupapa of Te Rangihakahaka and in accordance with the position descriptions and skills-based matrix approved by Te Pae o Matariki o Te Rangihakahaka.
- 18 The proposed composition of Te Pae o Matariki o Te Rangihakahaka reflects a focus on role of the selected people to guide decisions for the whānau as a collective responsibility, rather than as representatives of certain interests.



- 19 Notwithstanding section 98B of the Act (which overrules several sections of the Act when an alternative constitution is in place), section 104 (when casual vacancies arise) will apply, subject to all modifications necessary to give effect to the alternative constitution.

#### **Appointments by Te Whakaruruhau o Ngāti Whakaue**

- 20 Te Whakaruruhau o Ngāti Whakaue (Ngā Kaumatua o ngā marae o Ngāti Whakaue, Members of the Paepae o Ngāti Whakaue) is the committee of elders/members of the marae of Ngāti Whakaue.
- 21 The connection between the kura and the marae o Ngāti Whakaue is essential to the special character of the kura, therefore it is appropriate for the marae to have a role in the governance of the kura and be represented on the board.
- 22 Te Whakaruruhau o Ngāti Whakaue will have the ability to appoint at least one, and up to three, members to the Te Pae o Matariki o Te Rangihakahaka.

#### **Selection of whānau representatives**

- 23 The proposed alternative constitution provides for two whānau representatives.
- 24 These trustees will be chosen and appointed by a three-member panel (Te Ohu Tūtahi o Te Rangihakahaka) appointed by Te Pae o Matariki o Te Rangihakahaka, with regard to position descriptions and a skills-based matrix set out by Te Pae o Matariki o Te Rangihakahaka.
- 25 Te Ohu Tūtahi o Te Rangihakahaka will comprise three people who shall not be:
- a current trustee;
  - a candidate for selection;
  - a Te Rangihakahaka Centre of Science and Technology staff member;
  - a member of Te Whakaruruhau o Ngāti Whakaue;
  - the Pou Matangirua; or
  - a tauira (student).
- 26 Te Ohu Tūtahi o Te Rangihakahaka will be responsible for:
- establishing a list of whānau eligible to participate in the selection process (parents and caregivers of tauira), and recording the participants;
  - convening a whānau hui (with at least 14 days' notice) to explain the process, timelines, position descriptions and skills-based matrix, eligibility criteria, and other information;
  - collecting and publicising nominations submitted within 14 days of the whānau hui;
  - short listing candidates, and conducting hui whakawhanaunga (interviews) with each shortlisted nominee, and their whānau tautoko (support) (within 20 working days from the date that nominations closed); and
  - selecting the whānau representatives, and notifying all relevant parties of their decision (within seven days of the conclusion of the hui whakawhanaunga).
- 27 This process reflects the special nature of Te Rangihakahaka, which relies on a referral-based system for introducing trustees, staff and whānau into Te Rangihakahaka Centre for Science and Technology.

### **Provision for co-opting members**

- 28 The proposed alternative constitution provides for up to three members to be co-opted by Te Pae o Matariki o Te Rangihakahaka, on the basis of particular experience, expertise, skill and/or leadership that will assist in advancing the kaupapa of Te Rangihakahaka Centre for Science and Technology.
- 29 This will allow Te Pae o Matariki o Te Rangihakahaka to co-opt additional trustees when they consider it necessary to ensure the right balance of skills, expertise and experience at the governance table.

### **No provision for staff or student representatives**

- 30 The proposed alternative constitution does not provide for student or staff representatives.
- 31 The EBOT considers that the selection of trustees should be based on knowledge, skills, and experience. The chosen trustees have a responsibility for the well-being of the whole community, and must make decisions with that collective responsibility at the centre.
- 32 The EBOT noted that staff are part of the kura whānau, and their interests and well-being will be taken into account by ensuring that education knowledge and understanding of the perspective of educators is included in the skills matrix used to select trustees.
- 33 Staff members who are parents of students will be eligible to nominate candidates for the whānau representative positions, however they are not eligible to be whānau representatives, nor can they be co-opted or appointed members of Te Pae o Matariki o Te Rangihakahaka.
- 34 The EBOT also explained that Te Rangihakahaka Centre for Science and Technology provides avenues for student voices to be heard, listened to, and acknowledged as part of the whānau based approach of the kura.

### **Terms of office**

- 35 The term of office for the Te Pae o Matariki o Te Rangihakahaka members first appointed, selected or co-opted under this alternative constitution will end on the last date set (by notice in the *New Zealand Gazette*) for the 2022 triennial elections for school boards of trustees.
- 36 After 2022, the term of office for trustees will end on the last date of the range of dates Gazetted for school board of trustee triennial elections. In each election year, the newly appointed and selected members will take office on the day after the previous members leave office.



## Transitional arrangements

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### First meeting of Te Pae o Matariki o Te Rangihakahaka

- 37 Under section 101(8A), if you approve the alternative constitution you must also, in the same *New Zealand Gazette* notice fix the date of the first election (if any) and first meeting of the board.
- 38 If you approve the alternative constitution, we recommend you fix 10 November 2020 as the date of the first meeting of the Te Pae o Matariki o Te Rangihakahaka. The first trustees appointed, selected or co-opted under the new constitution will take office on this date.
- 39 The EBOT have requested this date, as it aligns with the Maramataka and Māori New Year that Te Rangihakahaka Centre for Science and Technology follows. It also allows time for the whānau representatives' selection process to be undertaken, following your decision.

### Transition to alternative constitution

- 40 A letter to the current Chair of the EBOT is attached for your signature (Annex 3). It outlines the alternative constitution, when it will take effect and the date set for the first board meeting. This will allow the EBOT to begin planning for implementation of the new constitution.
- 41 Prior to the first meeting, the EBOT will:
- appoint Te Ohu Tūtahi o Te Rangihakahaka to fix dates for the initial hui whānau to begin selecting whānau representatives in time for them to take office on the date of the first meeting;
  - notify the date of the first Board meeting to Te Whakaruruhau o Ngāti Whakaue, which must appoint at least one, and up to three trustees prior to that date; and
  - leave office at the end of the day before the date of the first Board meeting set under section 101(8A).
- 42 The Ministry will work alongside the new Board when it takes office to support the new governance model and monitor its effect.
- 43 A notice for the *New Zealand Gazette* addressing these matters is attached for your signature (Annex 2).

## Risks

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- 44 We consider that the risks of approving this proposal are low.

- 45 The lack of student or staff elections and representation on the board may result in staff and students feeling that they are not represented on the board, and their voice is not taken into account in governance decisions.
- 46 Reduced parent representation (compared to a standard constitution), and selection of whānau representatives by Te Ohu Tūtahi o Te Rangihakahaka (rather than voting), may result in some whānau feeling inadequately represented.
- 47 The discretionary nature of the selection criteria for board appointments may inhibit the introduction of alternate viewpoints or fresh membership to the Board.
- 48 These risks are mitigated by the Act itself, as section 98A sets out criteria for who can request an alternative constitution. If 20% or more of the parents of children enrolled at the Kura request an amendment to an alternative constitution, the Minister of Education can consider the proposed amendment.
- 49 All these potential risks will be managed by ongoing monitoring of the Board and support from the Ministry during the transition and beyond.

### Financial Implications

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- 50 The Ministry will provide funding towards the costs of running the selection process for whānau representatives in line with the board of trustee elections funding formula.

### Ministry comment

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- 51 The Ministry supports the proposed alternative constitution and recognises the EBOT's view that that the proposed constitution allows for a successful governance model.
- 52 Under section 98A, you may not approve an alternative constitution for a board unless you have reasonable cause to believe that an alternative constitution is in the best interests of the school or schools governed by the board.
- 53 The Ministry is satisfied that the alternative constitution is in the best interests of the school, and that the risks associated with approving the proposed alternative constitution can be mitigated by the Act, and the opportunity for families to choose to change schools.

### Proactive Release

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- 54 It is intended that this Education Report be proactively released as per your expectation that information be released as soon as possible. Any information which may need to be withheld will be done so in line with the provisions of the Official Information Act 1982.



## Annexes

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- Annex 1: Letter from applicant (EBOT) requesting consideration of alternative constitution
- Annex 2: Notice for the *New Zealand Gazette*
- Annex 3: Letter to EBOT chair confirming decision
- Annex 4: Letters to Members of Parliament

Proactively Released

Annex 1: Letter from EBOT requesting consideration of alternative constitution

Proactively Released





**TE RANGIHAKAHAKA**  
Centre for Science and Technology

Date: 20/06/2020

Tena koe Minister Hipkins,

*Kei aku rangatira,*

*Tēnei mātou o te poari o Te Rangihakahaka e mihi kau atu ana ki a koe, otirā ki a koutou e kawē nei i ngā ahuatanga o te ture kāwanatanga hai tāonga whakamiha mo wā tātou tamariki mokopuna, me ngā whanau o Te Rangihakahaka.*

The Establishment Board of Trustees (EBOT) for the Te Rangihakahaka Centre for Science and Technology is pleased to provide you with a proposed Alternate Constitution for your consideration and approval.

This Constitution is the outcome of extensive whānau and iwi consultation. As described in the supporting information (attached), it reflects the unique nature of the Centre in terms of its learning approach as well as its relationship to and significance for Ngāti Whakaue.

We are keen to transition to our alternative constitution, and would like to hold the first meeting of the new board on 10 November 2020.

In the development of the Alternate Constitution, the EBOT acknowledges the support provided by the Regional Office of the Ministry of Education.

We look forward to confirmation of your approval.

Nāku noa,

Marita Ranclaud

Chair- Establishment Board of Trustees

Address: 7-11 Dinsdale St, Mangakakahi  
Rotorua  
Phone: 07 9299641  
Email: [admin@terangihakahaka.school.nz](mailto:admin@terangihakahaka.school.nz)



**Supporting Information for Proposed Alternative Constitution for Te Rangihakahaka  
Centre for Science and Technology**

**Glossary of Terms**

<b>Hui Whakawhanaunga</b>	Interviews
<b>Hui Whanau</b>	Meeting of parents/ caregivers and family members of the school
<b>Maramataka</b>	Maori Lunar Calendar
<b>Pou Matangirua</b>	Principal
<b>Tauira</b>	Students
<b>Te Ohu Tūtahi o Te Rangihakahaka</b>	Independent Committee appointed by BOT
<b>Te Pae o Matariki o Te Rangihakahaka</b>	BOT for Te Rangihakahaka
<b>Te Whakaruruhau o Ngāti Whakaue</b>	Elders/ Members of the marae of Ngāti Whakaue
<b>Whānau tautoko</b>	Family support members

**Background to proposed alternative constitution**

1. Te Rangihakahaka Centre for Science and Technology provides a kaupapa Māori learning environment that is unique to Ngāti Whakaue and supports students to learn through a programme of Science, Technology, Reo Māori, Engineering, Arts, Mathematics and Mātauranga Māori (STREAMM).
2. We align to the New Zealand Curriculum through localised and contextualised content by way of an interdisciplinary and applied approach whilst infusing Ngāti Whakaue identity, language, and culture in everything that is said, done, seen, heard, and felt. Mātauranga-a-lwi and lwi values are expressed and reflected in the delivery of every aspect of the programme.
3. We are committed to providing and facilitating 'new learning' which is relevant and engaging for all tamariki and whānau whilst restoring Māori "ways of being" in order to uplift, nurture and empower whānau, hapū and iwi. This enables us to recognise and support the revival and retention of Te Reo Māori me onā tikanga, through future generations.
4. We are proposing an alternative constitution for the board (Te Pae o Matariki o Te Rangihakahaka) based on tikanga of Ngāti Whakaue and Mātauranga-a-lwi, in consultation with whānau and iwi.





### **Composition of Te Pae o Matariki o Te Rangihakahaka**

5. Te Pae o Matariki o Te Rangihakahaka will comprise of the following:
  - the Pou Matangirua (Principal) of Te Rangihakahaka Centre for Science and Technology
  - a minimum of one and no more than three members appointed by Te Whakaruruhau o Ngāti Whakaue (Ngā Kaumatua o ngā marae o Ngāti Whakaue, Members of the Paepae o Ngāti Whakaue)
  - two whānau representatives to be selected following a specified process
  - up to three members co-opted by Te Pae o Matariki o Te Rangihakahaka on the basis of particular experience, expertise, skill and/or leadership that will assist in advancing the kaupapa of Te Rangihakahaka Centre for Science and Technology.
6. All appointments, selections and co-options to Te Pae o Matariki o Te Rangihakahaka will be made based on knowledge of the kaupapa of Te Rangihakahaka, and in accordance with the position descriptions and skills-based matrix approved by Te Pae o Matariki o Te Rangihakahaka.
7. Te Whakaruruhau o Ngāti Whakaue (Ngā Kaumatua o ngā marae o Ngāti Whakaue, Members of the Paepae o Ngāti Whakaue) is the committee of the elders/members of the marae of Ngāti Whakaue. Their representation on Te Pae o Matariki o Te Rangihakahaka is essential to the special character of the kura, therefore they will have the power to appoint up to three trustees.
8. The two whānau representatives will be selected by a three member panel (Te Ohu Tūtahi o Te Rangihakahaka), appointed by Te Pae o Matariki o Te Rangihakahaka. The whānau representatives will be selected through a hui process, with regard to the position descriptions and skills-based matrix set out by Te Pae o Matariki o Te Rangihakahaka.
9. Hui will be held to explain the selection process and call for nominations, followed by hui whakawhanaunga (interviews) for the shortlisted candidates. Te Ohu Tūtahi o Te Rangihakahaka will make the final selection. We consider that this process is the most appropriate to select whānau representatives for Te Pae o Matariki o Te Rangihakahaka for our community, and that it supports transparency to have selections undertaken by an independent committee who are experienced educators with skill and knowledge.
10. Our kura has a small community, and at times it may be necessary to bring additional trustees onto the board to ensure we have the right balance of skills, expertise and experience. The provision for up to three members to be co-opted provides Te Pae o Matariki o Te Rangihakahaka the ability to bring on the necessary skills, experience and expertise to govern the kura if needed.
11. We have not included a staff representative on the board. At the heart of our process is a focus on the knowledge and skills of the selected people, who are chosen to guide



decisions for the whanau as a responsibility that is held for the wellbeing of the whole school whanau. Staff are part of the whanau of Te Rangihakahaka and their interests will be secured in the governance of the school by ensuring the people selected to the board have education skills, knowledge to understand the perspective of educators, and embeddedness within the community of Te Rangihakahaka.

12. We have not included a student representative on the board. Te Rangihakahaka provides for students voices to be heard, listened to and acknowledged as part of the whanau approach of the school, for e.g. via their teachers and their parents and whanau. The board believes this would not be strengthened by asking some of the older students to select a single student representative on the board. The board also feels that the responsibility of a student representative is a tuakana role more appropriate for older students in Years 11-13.
13. The selection of dates for selection hui will take into account Maramataka (the Māori luna calendar). Terms of trustees will be three years, and align with the triennial elections for all boards. Their terms will end on the last of the dates Gazetted by the Minister of Education for board elections every three years.

Proactively Released



## NOTICE FOR NEW ZEALAND GAZETTE

### **Alternative Constitution for the Te Rangihakahaka Centre for Science and Technology (871) Board of Trustees**

Pursuant to section 98A of the Education Act 1989 ("Act"), I hereby approve the following constitution for the Board of Trustees of **Te Rangihakahaka Centre for Science and Technology (871)**:

- 1 The Board of Trustees (known as Te Pae o Matariki o Te Rangihakahaka) shall be made up of the following members:
  - a. the Pou Matangirua (Principal) of Te Rangihakahaka Centre for Science and Technology;
  - b. a minimum of one and no more than three members appointed by Te Whakaruruhau o Ngāti Whakaue (Ngā Kaumatua o ngā marae o Ngāti Whakaue, Members of the Paepae o Ngāti Whakaue);
  - c. two whānau representatives to be selected following the process set out in this notice; and
  - d. up to three members co-opted by Te Pae o Matariki o Te Rangihakahaka on the basis of particular experience, expertise, skill and/or leadership that will assist in advancing the kaupapa of Te Rangihakahaka Centre for Science and Technology.
- 2 All appointments, selections and co-options to Te Pae o Matariki o Te Rangihakahaka are to be made on the basis of knowledge of the kaupapa of Te Rangihakahaka and in accordance with the position descriptions and skills-based matrix approved by Te Pae o Matariki o Te Rangihakahaka.
- 3 The term of office for all appointed, co-opted or selected members shall be no more than three years. Eligible trustees may be re-appointed, re-selected, or co-opted, for further terms not exceeding three years. A resolution by Te Pae o Matariki o Te Rangihakahaka co-opting a member, or an appointment by Te Whakaruruhau o Ngāti Whakaue may specify a shorter term of office.
- 4 Notwithstanding section 98B of the Act, section 104 of the Act will apply in respect of Te Pae o Matariki o Te Rangihakahaka, subject to all modifications necessary to give effect to this constitution.

#### **Selection of Whānau representatives**

- 5 Whānau are parents or caregivers of students, other than adult students, enrolled in Te Rangihakahaka Centre for Science and Technology. The selection of whānau representatives to Te Pae o Matariki o Te Rangihakahaka shall be by way of hui managed by Te Ohu Tūtahi o Te Rangihakahaka (an independent committee).



- 6 Te Ohu Tūtahi o Te Rangihakahaka will be appointed by Te Pae o Matariki o Te Rangihakahaka, and will comprise three members who shall not be:
  - a. a current trustee;
  - b. a candidate for selection;
  - c. a Te Rangihakahaka Centre of Science and Technology staff member;
  - d. a member of Te Whakaruruhau o Ngāti Whakae;
  - e. the Pou Matangirua; or
  - f. a tauira (student).
- 7 Te Ohu Tūtahi o Te Rangihakahaka shall convene a meeting of parents and caregivers of enrolled students (hui whānau) to:
  - a. explain the nomination and selection process, including the applicable dates; and provide information on the eligibility criteria under the Act, and the skills and knowledge matrix approved by Te Pae o Matariki o Te Rangihakahaka; and
  - b. invite attendees to submit nominations at the hui or in writing to be lodged with Te Rangihakahaka Centre of Science and Technology office within 14 calendar days of the hui being held. All nominations shall be displayed at Te Rangihakahaka Centre of Science and Technology office and/or made publicly available to whānau.
- 8 Employees of Te Pae o Matariki o Te Rangihakahaka or staff of Te Rangihakahaka Centre for Science and Technology who are also parents/caregivers of an enrolled tauira may nominate a candidate for a whānau representative trustee position.
- 9 Te Ohu Tūtahi o Te Rangihakahaka shall shortlist nominees and hold hui whakawhanaunga (interviews) with each shortlisted nominee and their whānau tautoko (support) within 20 working days from the date that nominations closed. This process reflects the special nature of Te Rangihakahaka, which relies on a referral-based system for introducing trustees, staff and whānau into Te Rangihakahaka Centre for Science and Technology.
- 10 Te Ohu Tūtahi o Te Rangihakahaka will apply the applicable eligibility criteria and the position description and skills matrix approved by Te Pae o Matariki o Te Rangihakahaka in assessing eligibility of nominations for the shortlist and the final selections.
- 11 Te Ohu Tūtahi o Te Rangihakahaka shall select the whānau representatives and notify the results to the Board Chair.

- 12 Te Ohu Tūtahi o Te Rangihakahaka are responsible for:
- running the hui whānau and hui whakawhanaunga;
  - establishing the list of taura enrolled in Te Rangihakahaka Centre for Science and Technology, and the list of their parents/ caregivers, and ensuring all the parents/caregivers participating in the hui are eligible to do so;
  - notifying the parent and school community at least 14 calendar days in advance of the details of any relevant hui;
  - keeping a list of those who attend any relevant hui;
  - ensuring that nominees have confirmed in writing that they accept the nominations and are not ineligible to be trustees under section 103 and 103A of the Act 1989; and
  - notifying the incumbent Te Pae o Matariki o Te Rangihakahaka, the Secretary for Education, and the public, who have been selected as whānau representatives on Te Pae o Matariki o Te Rangihakahaka, within seven days of the hui whakawhanaunga being completed.

#### **Transitional arrangement replacing the Establishment Board of Trustees**

- 13 For the purpose of section 101(8A) of the Act, the first meeting of the Board under this alternative constitution will be on 10 November 2020. This aligns with the Maramataka and Māori New Year that Te Rangihakahaka Centre for Science and Technology follows.
- 14 The first whānau representatives and trustees appointed by Te Whakaruruhau o Ngāti Whakaue under this alternative constitution shall take office at the date of the first Board meeting. Te Pae o Matariki o Te Rangihakahaka may co-opt trustees from that date.
- 15 The Establishment Board of Trustees Te Rangihakahaka Centre of Science and Technology shall:
- appoint Te Ohu Tūtahi o Te Rangihakahaka to fix dates for the initial hui whānau to begin selecting whānau representatives. The whānau representatives must be selected prior to the date of the first board meeting.
  - notify the date of the first board meeting to Te Whakaruruhau o Ngāti Whakaue, which may appoint at least one and up to three trustees prior to that date.
  - leave office at the end of the day before the date of the first board meeting.
- 16 The term of office for all Te Pae o Matariki o Te Rangihakahaka members during the transition to this alternative constitution will end on the last date Gazetted for the 2022 triennial elections for schools. Casual vacancies for whānau representatives occurring before the 2022 triennial election period will be managed using the process set out in this notice.

#### **Terms of office**

- 17 The term of office for all appointed, co-opted or selected trustees shall be a maximum of three years. Eligible trustees may be re-appointed, re-selected, or co-opted, for further terms not exceeding three years. A resolution by Te Pae o Matariki o Te Rangihakahaka co-opting a member, or an appointment by Te Whakaruruhau o Ngāti Whakaue may specify a shorter term of office.

- 18 From 2022, the term of trustees will end on the last date of the range of dates Gazetted by the Minister of Education for school board of trustee triennial elections. In an election year, the newly appointed and selected trustees will take office on the day after the previous members leave office.

#### **Casual Vacancies**

- 19 If a casual vacancy for a whānau representative position arises prior to six months of the expiry of the term of that position, Te Pae o Matariki o Te Rangihakahaka must, within six weeks of the position becoming vacant:
- resolve to select another eligible person to fill the vacancy using, in the first instance, the unsuccessful short-listed candidates from the most recent nominations, if those nominees remain available and/or eligible; or
  - if required, appoint and reconvene Te Ohu Tūtahi o Te Rangihakahaka to undertake the process of selection.
- 20 The term of office for the replacement trustee shall start on the day they were selected and be for the remainder of the term of the vacating member.

Changes to the constitution of Te Pae o Matariki o Te Rangihakahaka will be subject to the approval of the Minister of Education and must be notified in the *New Zealand Gazette*.

This notice shall come into effect on the date of publication in the *New Zealand Gazette*.

Dated at Wellington this 5th day of August 2020.



Hon Chris Hipkins  
Minister of Education



Annex 3: Letter to EBOT chair confirming decision

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Proactively Released

Ms Marita Ranclaud  
Chairperson  
Establishment Board of Trustees  
Te Rangihakahaka Centre for Science and Technology  
PO Box 12071  
Rotorua South  
Rotorua 3045

Dear Marita

Thank you for your request seeking my approval for an alternative constitution for Te Rangihakahaka Centre for Science and Technology.

I am pleased to tell you that I have approved an alternative constitution under section 98A of the Education Act 1989 (the Act).

The notice of my approval will be published in the New Zealand Gazette ([www.gazette.govt.nz](http://www.gazette.govt.nz)).

The first Board under the alternative constitution will take office on 10 November 2020. This date will also serve as the date of the first Board meeting under the alternative constitution.

The Board of Trustees (Te Pae o Matariki o Te Rangihakahaka) shall be made up of the following members:

- a. the Pou Matangirua (Principal) of Te Rangihakahaka Centre for Science and Technology;
- b. a minimum of one and no more than three members appointed by Te Whakaruruhau o Ngāti Whakaue (Ngā Kaumatua o ngā marae o Ngāti Whakaue, Members of the Paepae o Ngāti Whakaue);
- c. two whānau representatives to be selected following the process set out below;
- d. up to three members co-opted by Te Pae o Matariki o Te Rangihakahaka on the basis of particular experience, expertise, skill and/or leadership that will assist in advancing the kaupapa of Te Rangihakahaka Centre for Science and Technology.

All appointments, selections and co-options to Te Pae o Matariki o Te Rangihakahaka are to be made on the basis of knowledge of the kaupapa of Te Rangihakahaka and in accordance with the position descriptions and skills-based matrix approved by Te Pae o Matariki o Te Rangihakahaka.

The term of office for all appointed, co-opted or selected members shall be no more than three years. Eligible trustees may be re-appointed, re-selected, or co-opted, for further terms not exceeding three years. A resolution by Te Pae o Matariki o Te Rangihakahaka co-opting a member, or an appointment by Te Whakaruruhau o Ngāti Whakaue may specify a shorter term of office.

Notwithstanding section 98B of the Act, section 104 of the Act will apply in respect of Te Pae o Matariki o Te Rangihakahaka, subject to all modifications necessary to give effect to the alternative constitution.

### **Selection of whānau representatives**

The selection of whānau representatives will be managed by an independent committee, which will be known as Te Ohu Tūtahi o Te Rangihakahaka.

Te Ohu Tūtahi o Te Rangihakahaka will be appointed by Te Pae o Matariki o Te Rangihakahaka, and will comprise three members who shall not be:

- a. a current trustee;
- b. a candidate for selection;
- c. a Te Rangihakahaka Centre of Science and Technology staff member;
- d. a member of Te Whakaruruhau o Ngāti Whakaue;
- e. the Pou Matangirua; or
- f. a taura (student).

Te Ohu Tūtahi o Te Rangihakahaka shall convene a meeting of parents and caregivers of enrolled students (hui whānau) to:

- a. explain the nomination and selection process, including the applicable dates; and provide information on the eligibility criteria under the Act, and the skills and knowledge matrix approved by Te Pae o Matariki o Te Rangihakahaka; and
- b. invite attendees to submit nominations at the hui or in writing to be lodged with Te Rangihakahaka Centre of Science and Technology office within 14 calendar days of the hui being called. All nominations shall be displayed at Te Rangihakahaka Centre of Science and Technology office and/or made publicly available to whānau.

Te Ohu Tūtahi o Te Rangihakahaka shall shortlist nominees and hold hui whakawhanaunga (interviews) with each shortlisted nominee and their whānau tautoko (support) within 20 working days from the date that nominations closed. This process reflects the special nature of Te Rangihakahaka, which relies on a referral-based system for introducing trustees, staff and whānau into Te Rangihakahaka Centre for Science and Technology.

Te Ohu Tūtahi o Te Rangihakahaka will apply the applicable eligibility criteria and the position description and skills matrix approved by Te Pae o Matariki o Te Rangihakahaka in assessing eligibility of nominations for the shortlist and the final selections.

Te Ohu Tūtahi o Te Rangihakahaka shall select the whānau representatives and notify the results to the Board Chair.



Te Ohu Tūtahi o Te Rangihakahaka are responsible for:

- a. running the hui whānau and hui whakawhanaunga;
- b. establishing the list of taura enrolled in Te Rangihakahaka Centre for Science and Technology, and the list of their parents/ caregivers, and ensuring all the parents/caregivers participating in the hui are eligible to do so;
- c. notifying the parent and school community at least 14 calendar days in advance of the details of any relevant hui;
- d. keeping a list of those who attend any relevant hui;
- e. ensuring that nominees have confirmed in writing that they accept the nominations and are not ineligible to be trustees under section 103 and 103A of the Act; and
- f. notifying the incumbent Te Pae o Matariki o Te Rangihakahaka, the Secretary for Education, and the public, who have been selected as whānau representatives on Te Pae o Matariki o Te Rangihakahaka, within seven days of the hui whakawhanaunga being completed.

While no provision has been made for staff or student representatives, employees of Te Pae o Matariki o Te Rangihakahaka or staff of Te Rangihakahaka Centre for Science and Technology who are also parents/caregivers of an enrolled taura may nominate a candidate for a whānau representative trustee position.

### **Terms of office**

The term of office for all appointed, co-opted or selected trustees shall be a maximum of three years. Eligible trustees may be re-appointed, re-selected, or co-opted, for further terms not exceeding three years. A resolution by Te Pae o Matariki o Te Rangihakahaka co-opting a member, or an appointment by Te Whakaruruhau o Ngāti Whakaue may specify a shorter term of office.

From 2022, the term of trustees will end on the last date of the range of dates Gazetted by the Minister of Education for school board of trustee triennial elections. In an election year, the newly appointed and selected trustees will take office on the day after the previous members leave office.

### **Casual vacancies**

If a casual vacancy for a whānau representative position arises prior to six months of the expiry of the term of that position, Te Pae o Matariki o Te Rangihakahaka must, within six weeks of the position becoming vacant:

- a. resolve to select another eligible person to fill the vacancy using, in the first instance, the unsuccessful short-listed candidates from the most recent nominations, if those nominees remain available and/or eligible; or
- b. if required, appoint and reconvene Te Ohu Tūtahi o Te Rangihakahaka to undertake the process of selection.

The term of office for the replacement trustee shall start on the day they were selected and be for the remainder of the term of the vacating member.

### Transitional arrangements

The first whānau representatives and trustees appointed by Te Whakaruruhau o Ngāti Whakaue under this alternative constitution shall take office at the date of the first Board meeting, 10 November 2020. Te Pae o Matariki o Te Rangihakahaka may co-opt trustees from that date.

The term of office for all Te Pae o Matariki o Te Rangihakahaka members during the transitional period will end on the last date Gazetted for the 2022 triennial elections for schools.

To facilitate the transition to the alternative constitution, I ask that you and your fellow trustees:

- a. appoint Te Ohu Tūtahi o Te Rangihakahaka to fix dates for the initial hui whānau to **begin selecting whānau representatives**;
- b. notify the date of the first board meeting to Te Whakaruruhau o Ngāti Whakaue, and request that they appoint at least one and up to three trustees prior to the date of the first board meeting;
- c. leave office at the end of the day before the date of the first board meeting.

I encourage you to use the resources available from the New Zealand School Trustees Association ([www.nzsta.org.nz](http://www.nzsta.org.nz), or 0800 353 284).

Finally, I would like to congratulate the Board and their advisers for the work towards this alternative constitution and the governance of the school under the EBOT. I wish you and the school community well for the future.

Yours sincerely



**Chris Hipkins**  
**Minister of Education**

cc Renee Gillies, Principal, Te Rangihakahaka Centre for Science and Technology

Proactively Released



Hon Todd McClay  
Member for Rotorua  
Parliament Buildings

Dear Todd

I am pleased to communicate that I have approved an alternative constitution for the Board of Trustees (the Board) for Te Rangihakahaka Centre for Science and Technology, under section 98A of the Education Act 1989.

The Board (Te Pae o Matariki o Te Rangihakahaka) and will be made up of the following members:

- a. the Pou Matangirua (Principal) of Te Rangihakahaka Centre for Science and Technology;
- b. a minimum of one and no more than three members appointed by Te Whakaruruhau o Ngāti Whakaue (Ngā Kaumatua o ngā marae o Ngāti Whakaue, Members of the Paepae o Ngāti Whakaue)
- c. two whānau representatives to be selected following a specified process; and
- d. up to three members co-opted by Te Pae o Matariki o Te Rangihakahaka on the basis of particular experience, expertise, skill and/or leadership that will assist in advancing the kaupapa of Te Rangihakahaka Centre for Science and Technology.

The full alternative constitution is detailed in a notice in the *New Zealand Gazette*, and will take effect on the date of publication.

Yours sincerely



**Chris Hipkins**  
**Minister of Education**

Tamati Coffey  
Member for Waiariki  
Parliament Buildings

Dear Tamati

I am pleased to communicate that I have approved an alternative constitution for the Board of Trustees (the Board) for Te Rangihakahaka Centre for Science and Technology, under section 98A of the Education Act 1989.

The Board (Te Pae o Matariki o Te Rangihakahaka) will be made up of the following members:

- a. the Pou Matangirua (Principal) of Te Rangihakahaka Centre for Science and Technology;
- b. a minimum of one and no more than three members appointed by Te Whakaruruhau o Ngāti Whakaue (Ngā Kaumatua o ngā marae o Ngāti Whakaue, Members of the Paepae o Ngāti Whakaue)
- c. two whānau representatives to be selected following a specified process; and
- d. up to three members co-opted by Te Pae o Matariki o Te Rangihakahaka on the basis of particular experience, expertise, skill and/or leadership that will assist in advancing the kaupapa of Te Rangihakahaka Centre for Science and Technology.

The full alternative constitution is detailed in a notice in the *New Zealand Gazette*, and will take effect on the date of publication.

Yours sincerely



**Chris Hipkins**  
**Minister of Education**



**TE RANGIHAKAHAKA**  
Centre for Science and Technology

Date: 20/06/2020

Tena koe Minister Hipkins,

*Kei aku rangatira,*

*Tēnei mātou o te poari o Te Rangihakahaka e mihi kau atu ana ki a koe, otirā ki a koutou e kawe nei i ngā ahuatanga o te ture kāwanatanga hai tāonga whakamiha mo wā tātou tamariki mokopuna, me ngā whanau o Te Rangihakahaka.*

The Establishment Board of Trustees (EBOT) for the Te Rangihakahaka Centre for Science and Technology is pleased to provide you with a proposed Alternate Constitution for your consideration and approval.

This Constitution is the outcome of extensive whānau and iwi consultation. As described in the supporting information (attached), it reflects the unique nature of the Centre in terms of its learning approach as well as its relationship to and significance for Ngāti Whakaue.

We are keen to transition to our alternative constitution, and would like to hold the first meeting of the new board on 10 November 2020.

In the development of the Alternate Constitution, the EBOT acknowledges the support provided by the Regional Office of the Ministry of Education.

We look forward to confirmation of your approval.

Nāku noa,

Marita Ranclaud

Chair- Establishment Board of Trustees

*Address: 7-11 Dinsdale St, Mangakakahi*

*Rotorua*

*Phone: 07 9299641*

*Email: admin@terangihakahaka.school.nz*