



## President's Comment 9

31st March 2010

Dear Colleagues

### Board of Trustees Elections

The call for nominations for Boards of Trustees has gone out. Recent statements and actions by NZSTA over the role and relationship between Principals and Boards in relation to 'National Standards' are of concern. These include sending information to Boards and excluding Principals, that principals must follow the direction of the Board and advising Principals not to speak out against national standards.

While not wanting to get into the National Standards debate, it is important to remind current trustees and those potential candidates of the following:

- Principals are also trustees and therefore enjoy the same rights and entitlements of other trustees, including the right to information
- While it is correct in law that the principal is employed by the Board and must follow its policy directives, the Courts have consistently stated it is intended to be a consultative and cooperative relationship.

*'Clearly a doctrinaire mutual exclusivity approach to the issues of day-to-day management and governance, if rigidly adhered to and persisted in by either a Principal or Board of Trustees, will tend to create divisive confrontation between them which is the antithesis of the co-operative trusting partnership approach contemplated in the Tomorrow's School Regime.'*

*(Hobday v Timaru Girls High School Board of Trustees 1994*

- Principals are the Chief Executives of the Board (s76 of Education Act 1989) and its chief adviser. It is both necessary and desirable that Boards take advice from Principals as career professionals in education on 'educational matters'.
- Principals are leaders in their communities. Democracies permit and encourage debate. School communities and the public are entitled to know what educational leaders think on issues. Thankfully we have a Bill of Rights Act which protects freedom of speech.

### Jurisdiction Over Students Outside of School Hours

The jurisdiction of schools over students outside school hours and the confines of the grounds is a difficult issue. The legal principles are not settled in New Zealand.

If you wish to exercise jurisdiction however, it is preferable to have a policy so at least the element of 'surprise' cannot be a defence i.e we did not know the school intended to exercise authority over us outside school. Attached to this newsletter is a policy kindly supplied by Avondale College, which you may care to use or adapt. You should, of course, take advice before a stand down or suspension is taken, since the legal concept of extra-territoriality is complex and very fact dependant.

### Previous Comments

#### Comment 8 - 03.10

New SPANZ Executive, SPANZ Union, NZ Teachers Council Registration Fee Increase.

#### Comment 7 - 18.03.10

Farewell to Peter Gall - previous President of SPANZ..

#### Comment 6 - 11.03.10

Ministry of Education and NZQA Regional Seminars.

#### Comment 5 - 04.03.10

Internet Safety in your school.

### Contact Us

PO Box 11541  
Eilerslie Auckland 1542

Phone: 09 571 2233  
Fax: 09 571 2244

Email: [office@spanz.school.nz](mailto:office@spanz.school.nz)  
[www.spanz.school.nz](http://www.spanz.school.nz)

## Monster Parents

Although the vast majority of parents in our schools are very supportive and reasonable, an increasing minority are not. In legal circles they are known as querelants and if not handled well, can consume vast amounts of time and money.

A recent article in the NZ Herald (27/03/2010) described these parents in Japan as 'Monster Parents'. You may wish to reassure yourselves and your stressed out teachers that the situation is not as bad as the survey results in Japanese schools reveals.

His survey found that one teacher was asked to visit a pupil's home every morning to pick the child up. Another teacher was urged to check weather forecasts and instruct children if they needed to carry umbrellas the next day.

Schools had faced demands that they wash children's gym outfits, clip their nails – or redo a yearbook because a particular child was not in many photos.

One mother argued that her child broke a school window because the stone he used should not have been where he found it. She demanded compensation for the wages she missed through taking time off work to visit the school over the issue.

And more than 26,000 teachers and other school workers in Tokyo have insured themselves against lawsuits, up from only 1300 a decade ago.

Remember, the value 'taking care of self' over the Easter Break.

Kind regards

A handwritten signature in black ink that reads "Patrick Walsh". The signature is written in a cursive, flowing style.

Patrick Walsh

President