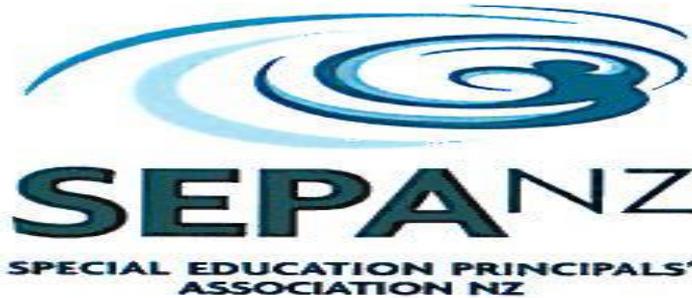


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“It’s not where, it’s how”
“Ehara I te wāhi ko te tino take, engari me pēhea”

SEPANz Executive:

Northern/Auckland: [Sally Wilkinson, Blomfield Special School \(Secretary\)](#)

Central: [Barrie Wickens, Tauranga Special School \(2016-17 NZEI Rep.\)](#)

[Diane Whyte, Fairhaven Special School \(Treasurer\)](#)

Southern: [Graeme Daniel, Allenvale School \(Past President\),](#)

[Margaret Dodds, Waitaha Centre \(Southern Rep.\)](#)

PRESIDENTS NEWSLETTER

September, 2017

Kia ora. Tēnā koutou katoa.

The New Zealand election looms! No matter which political party gains ascendancy one thing is for certain – our sector will have to continue the good fight to ensure that the most appropriate schooling is available for all young people and that effective specialist educational practice is maintained for the sake of all.

Because we have always had to find that special learning programme to address the unique and challenging learning needs of every one of our Young People, frequently it is “our” sector that initiates new and exciting pedagogical practice. Due to this never ending search we are path-finders and those new paths inevitably result in better teaching and improved learning for all! Education would lose should “our” influence diminish!

1: MOE – Learning Support – Section 9 Process:

The Section 9 process has generated a degree of energy this year – mainly due to the MOE/Learning Support interpretation. Following several meetings we have better insight to the machinations of the thought process behind the S9 documentation. At best, we should have base-line clarity across the country.

We can accept that disparities did exist - whether from a School’s implementation of the S9 process or by an MOE/LS Office - these have now been clarified. Also it is accepted that some transport anomalies existed. There is no bottomless pit of funding for transport assistance and some of the daily expenses incurred on behalf of some children were not sustainable.

One aspect of the new process that is challenging for us is that “capacity” and property have been added to the mix. This was explained by way of “safe guarding” our ability to provide the best possible programmes and for our schools not to be constrained by over-crowding. My argument was, and is, that other schools don’t turn Children away due to “capacity” without direct property intervention – implemented by MOE. “They” could only agree to this argument but did not waiver from the position.

We will continue to work sensibly and sensitively to ensure that Children are supported as fairly as possible. **My best advice is to work closely and collaboratively with your local MOE –LS Manager.**

After several meetings with Wellington MOE to discuss the S9 process the following document provided by Nicky Hampshire hopefully gives clear information.

Section 9 agreements key messages for SEPANZ –August 2017 – Nicky Hampshire, MOE Wellington:

Introduction

Section 9 refers to section 9 of the Education Act. A section 9 agreement is the process used to comply with the requirements of the Act.

In 2017 we have updated our advice for Ministry section 9 delegation holders in response to changes in roles and delegations. This advice is based on work done in 2016 with SEPANZ and also on advice from our legal team. It focuses on consistent management of the section 9 process across the regions.

The section 9 agreement

- The purpose of a section 9 is to allow a student to enrol in a special school, or to attend a school outside the legal age in exceptional circumstances in order to receive specialist support.
- A section 9 agreement is a formal agreement between parents/whānau and the Secretary for Education. This process is managed by statutory delegation holders within the Ministry on behalf of the Secretary of Education.
- There will be some regional differences in how agreements are managed now. In each region Managers Learning Support and Special School Principals will discuss any changes and introduce these as new requests are considered.

The process

- Parents must be well informed and supported through this process. To initiate the process the parent contacts their local Ministry of Education office.
- A quality conversation between the Ministry and parents is an essential part of the process. In this conversation student views and needs and the range of options available are discussed.
- Conversations between the Manager Learning Support and the Special School Principal are also important within the agreement process. The effect of the current site capacity on the student's needs is one of the topics discussed.
- Steps in the process include:
 - parent contacts Ministry
 - parent-Ministry conversation
 - Ministry- Special School conversations
 - decide if a section 9 agreement is required
 - form completed
 - form reviewed and decision
 - others are informed.

Nicky Hampshire, Group Manager, Service Delivery, Learning Support, Wellington

The following information I downloaded from the MOE Web site:

Entering into a section 9 agreement: A section 9 agreement allows students to enrol in a special school or regional health school. It also allows students to enrol outside the legal age in exceptional circumstances. The name ‘section 9’ refers to a part of the Education Act 1989 that deals with special education (learning support) services.

What section 9 agreements are for A section 9 agreement is for:

- students who wish to be enrolled in a special school
- students who wish to have a regional health school as their base school
- students who are under 5 or over 14 and whose exceptional needs mean that a primary school is the best place for their education
- students who are over 19 and whose exceptional needs mean that a secondary school is the best place for their education (if not ORS verified).

A section 9 agreement is a formal agreement between the Ministry (*Secretary for Education in fact!*) and the parent or guardian of the child.

The difference between section 9 and the Ongoing Resourcing Scheme (ORS) The Ongoing Resourcing Scheme (ORS) is one form of agreement under section 9 of the Education Act. If a student is in the ORS, they still need a section 9 agreement for enrolment in a special school. If a student is not part of ORS, parents can still apply for a section 9 agreement. To be successful, an application needs to be supported by the school and the Ministry.

For children starting school before they are 5 The Ministry will agree to this only in special circumstances. It must be proven that it’s in the child’s best educational interests.

For students staying at school longer Sometimes the parents, the school and the Ministry agree that it would benefit a student’s education if they stay longer at their regular school. A section 9 agreement is needed to allow them to stay in a primary school beyond the year they turn 14 or in a secondary school beyond the year they turn 19.

For students enrolling in special schools Before a student is enrolled in a special school, a conversation with the Ministry, the parents and the school takes place. After this, a decision is jointly made about whether to apply for a section 9 agreement.

Things to think about when entering into a section 9 agreement All parties need to think about:

- **what’s best for the student’s education**
- **any health and safety issues**
- **what kind of specialist teaching the student needs**
- **what therapy the student needs**
- **the location of the child’s home and the location of the school**
- **the transport options to and from the school – Specialised School Transport Assistance (SESTA) needs to be applied for separately**
- **whether the school has capacity for the student**
- **the length of the enrolment and the date the agreement ends or is reviewed. Transport and the section 9 agreement** Specialised School Transport Assistance (SESTA) is not included as part of a section 9 agreement. Parents need to apply for this separately. To apply or to find out more, go to the [school transport assistance](#). **Applying for a section 9 agreement** If you are considering a section 9 agreement contact your [local Ministry office](#). You can access the form and supporting documents [online](#)[PDF, 704 KB]. **If a section 9 agreement is declined** If a section 9 request is declined the Manager Learning Support or the Intensive Wraparound Service (IWS) team will support access to other learning support options. Parents can also ask for a review of a section 9 agreement decision. To request a review contact the Manager Learning Support in your [local Ministry office](#). They will provide information about the review process. **When a student with a section 9 agreement leaves the school:** When a student leaves their special school or class, the section 9 agreement ends. A new section 9 agreement is needed each time a student wants to enrol at another special school or class.

2: Specialist Service Standards:

The Team has been focussed on review with the intent of making the process relevant for providers. It is a very challenging scenario, in my mind, partly due to the disparity between providers. The Standards themselves are the main common denominator! Draft documents have been produced. Below please find a snap-shot – but please remember that it is DRAFT only! Some of you will be asked to kindly participate in a trial of the new process. Having also been a “guinea pig” school in the past I can highly recommend it – you gain advantageous insight!

A main change is that the Review will focus on your own self review process – much akin to our ERO review process. As yet no definite decision has been made as to how to link the SS Review process with the ERO process. One of the stumbling blocks of course is that MOE/LS cannot link easily with ERO – but to my mind they should – in that way we could address the matter of the MOE reviewing themselves! Best news though is that SS Review/ERO discussions are ongoing!

It is likely that the annual Assurance Statement will remain and that it will cover:

- Attestation that the Management and Organisational Standards are met
- Information on how the provider is reviewing the specialist service provision leading to improved outcomes for children and young people.

We are likely to be given really good “lead-in” to a Review. For example contact may be made 6 months before a review, with follow up at pre-determined intervals.

3: N.E.L.P:

This “ginger” group meets most terms to think on national education priorities and to feedback at the highest level. The group includes the leaders from each education sector. It is important that we are included in this group and that our message is understood. The most recent initiative from N.E.L.P. was another letter to the Minister for Education Hon. Nikki Kaye. Naturally it is confidential, however I can say that items covered included:

- A request to participate in the Statement of National Education Learning Priorities (SNELP)- which will become a pivotal document in shaping the future of education in New Zealand.
- With reference to SNELP we queried whether wellbeing, K.C’s, would be considered.
- Funding Review Groups
- Reporting to families
- School Charters
- Learning Support
- Teacher Supply
- Communities of Learning (Kahui Ako)

4: SEPANZ Executive:

At the latest meeting discussions included:

KC Pathways: The need to allow schools a choice between electronic and hard copy KCP documentation. Nianna (exec Officer at Fairhaven School) will be the contact person for KCP orders and reconciling of accounts henceforth. Kindly contact Nianna at Fairhaven - Diane’s School.

When the reviewed version of the KCP is ready for publication it is planned to provide additional pages that can be inserted into the current folders – until such time that it is expedient to provide new printed

copies. As at 4/8/17 – there remain 70 copies in stock. We are hopeful that Gary (Goldfields) will kindly discuss the updates during Conference.

NZEI: Steph Mills, Director of Campaigns NZEI, and Lynda Stuart, NZEI President briefed the Exec members:

Learning Support Update: NZEI is involved in the LS Update Reference Group- they have concerns about lack of involvement of education practitioners. NZEI feeling ‘Uncomfortable’ – as these meetings are all about CoLs and pilots from MoE. NZEI met with those involved in the pilot in Rotorua-no real evaluation done. The MoE is rolling out the pilot to 20 other COLs-NZEI advice is ‘do not do it’. Letter sent from NZEI re these concerns, as well as severe behaviour issues, led to a meeting with David Wales. Lynda believes a systemic response from LS throughout the country is required. NZEI is promoting SENCOS in school-training- resourcing for frontline very challenging behaviours. Question about whether special education was ever supposed to be part of Col was discussed.

At least 1,000 ORS teachers have been excluded from the funding for Cols and that NZEI should be fighting for this. No additional funding is available for the new Navigators/Facilitators/Super-Senco - described as a return to the ‘patch system’. SEPAnz felt concerned that there were not enough experienced trained people throughout the country for these roles. These people do not have expertise to carry out these roles. Perhaps there is a window of opportunity to relook at role of LS and CoLs through new Minister? Agreed that a systemic approach is not going to happen through CoLs. In the interim kids are missing out. Discriminatory for students if they are not receiving equitable funding because that school is not in a CoL.

Discussion about the Education Council becoming providers of PLD going forward. PLD model is inequitable at present – many gaps and reliance on ‘accredited’ presenters. Education Council has discussed how new model will be better- more holistic.

Support Staff Collective Agreement: Settlement has not been put into Ops Grant. Huge cost to Special schools. Pay equity settlement would still mean ongoing negotiations. Pay equity time frame until June 2018 is the only sweetener. Support Workers claim will have direct effect on the TA claim. There is a contingency in Budget overall for Pay Equity settlements. RTLB focus is not on students. STOS service exists also- we have to keep reminding MoE that SEPANZ has this Itinerant service in place already.

Inclusive Summit: Why was NZEI involved? Why were NZEI subsidizing groups to attend? Steph explained that the Summit was held to look at what was happening with LS Update. Is there a system change happening for students with Special Needs? It was an attempt to strengthen relationships across the whole sector – concern that Government is using different perspectives of groups against one another. Some speakers were subsidized otherwise local branches only may have been supporters. Judith put forward that what was missing were the voices of 4000 parents who belong to our young people. Lobbyists who were presenting at the Summit went through the school system many years ago. Many of our recent/current families had more positive experiences. Good to hear Louise’s presentation on the positive things a Special School can offer. Feedback from SEPAnz to NZEI: –Not good first day – war stories. Ministry people disrespected. It gelled when the students were part of it on the second day. Rhetoric would have overbalanced the summit if we hadn’t turned up. SEPAnz would like a ‘heads up’ for next time. Agreed for future.

Deciles not going till 2019/20 so reviews still can happen.

Lynda and Steph were thanked for their open and supportive response.

5: SEPANZ Conference:

Annual Meeting 1.00PM November 3rd, 2017 (second day of Conference):

Constitutional Change:

Please note that the Executive is recommending some change to the Constitution. Sally, will forward the Constitution and recommended changes to everyone prior to the Conference allowing sufficient time for you all to consider how you want to vote on said changes.

The other major consideration is that we elect the NZEI Representative. Previously the Executive elected the NZEI rep. however the previous constitution was un-clear on that process which led to confusion at the 2016 AM. The constitutional changes, if agreed to, would have the NZEI Rep elected following a call for nominations from across our SEPANZ Group. For the 2018 year, as a result of an affirmative constitutional change, nominations would be called for and voting would take place at least prior to end of March, 2018.

The Executive would have 6 people – two representatives from each region.

The NZEI Rep would be an additional position and would submit reports to the President.

Kindly closely read the suggested Constitution changes and be prepared to discuss, debate and to vote on them.

SEPANZ Conference Thursday 2nd and Friday 3rd November, 2017: The programme is as set as we can make it prior to the election! Pending the Election outcome we may have a Minister to speak – which may alter some of the format! However it promises to be a great Conference and we look forward to catching up in person – see you there!

Heads' Up: Apparently Waipuna is now booked out for those dates. The Novotel at Ellerslie is recommended – or there are some motels in Pakuranga!



LEADING IN A LEARNING NETWORK

2017 CONFERENCE PROGRAMME

Thursday 2ND NOVEMBER – Day One

7.30am	Registration
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8:45am	Conference Opening
9.00am	Keynote: Lois Christmas.
10.30am	MORNING TEA
	Keynote: Dr Welby Ings title Misreading 'Special': Alternative Intelligences, and the Recovery of Humanity in Education. abstract
11.00am	This address looks at the 'business of success' in New Zealand schools. Fed by neoliberal thinking across two generations, this model has influenced the way we fund and value learning in our schools. The talk considers the damage such thinking does to diverse intelligences, but more importantly it examines the transformative role teaching and intimacy have come to play in the face of diversity, marginalisation and misunderstanding.
12.30pm	LUNCH
1.45pm	Whetu Cormick, NZPF President
2.30pm	Iona Holsted, Secretary for Education
3.45 pm	CLOSE
7.00pm	Conference Dinner

Friday 3rd NOVEMBER, 2017 – Day Two

7.30am	Registration
9.00am	Welcome
9.15am	'State of the Nation' –
10.30am	MORNING TEA
11 am	Lesley Hoskin, Deputy Chief Executive of Education Council 'Professional Boundaries' presentation
12.30pm	LUNCH
1.00pm	SPECIAL SCHOOLS PRINCIPALS' ASSOCIATION AM
2.30pm	CONFERENCE CLOSE
2.40pm	
3.45pm	

Lois Christmas is Director of Lead Learning and an independent consultant to schools. She has worked with over 70 schools in the last five years as a principal appraiser, consultant supporting principal appointments, independent evaluator, coach and facilitator.

Welby Ings professor in design at Auckland University of Technology. He is an elected Fellow of the British Royal Society of Arts and a consultant to many international organizations on issues of creativity and learning. He is also an award-winning academic, designer, filmmaker and playwright.

Very best regards to everyone. Please be certain to have a well-deserved Holiday break! I will be visiting with Prof. Barry Carpenter and other friends from Birmingham University!

Kindest regards

Judith

Judith Nel

President