
Gov 3 **BOARD COMPOSITION**

Link to: *Trustee Register*
Board Annual Agenda

- **Background**

The make-up or composition of a board of trustees, and the processes involved in establishing and maintaining a board are set out in Part 9 of the Education Act 1989 (sections 94–105). These are summarised in Section A of the NZSTA Trustee Handbook (pp 8-13). Elections for boards of trustees are held every three years, and are governed by the relevant sections of the Education Act 1989 and the Education (School Trustee Elections) Regulations 2000. The Board must manage this process. A board is able to have a mid-term (staggered) election process, whereby half its parent representatives are elected every 18 months for the three-year term. The decision to opt in or out of this process rests with the board; however there are legislative requirements that need to be followed.

A board is directed under Section 94 (2b) of the Education Act 1989 to have 5 parent-elected trustees, although it can alter this number, by formal resolution, to between 3 and 7 parent-elected trustees. A primary school also has two school-based trustees - the principal and a staff-elected representative. Additional members may also be co-opted, although there must always be a majority of parent-elected over co-opted members. Total membership of a board can therefore vary from 5 to 15 members.

Section 99 of the Education Act states that it is desirable for a board to reflect the character of the school and community it serves, including the ethnic and socio-economic diversity of the students at a school and gender balance. It is important also that a board has a range and mix of skills among its members that will contribute towards effective governance of the school. A board may wish to co-opt additional members to enhance its skill base.

It is important for board members to be aware of the rules governing the eligibility of persons to become trustees, contained in section 103 & 103A of the Act. The law requires a person to confirm their eligibility before being elected or co-opted as a trustee. A Board needs to ensure that this is done. Trustees also need to ensure that they remain eligible to be trustees once they assume office (section 104), and be aware of the rules governing the filling of casual vacancies (section 105).

3.1 The Board will ensure that any actions it takes relating to the establishment and maintenance of the board and the election of board members comply with the requirements of Sections 94 – 105 of the Education Act 1989 and the Education (School Trustee Elections) Regulations 2000.

3.2 The Board will ensure that any prospective trustee has, with reference to sections 103 and 103A Education Act 1989, confirmed, in writing, their eligibility to be a trustee prior to their election or co-option to the Board.

3.3 Elections for Waihopai School Board's parent representatives will be held every three years.

3.4 The Waihopai Board of Trustees currently has 5 parent-elected trustees, in addition to its two school-based trustees (staff representative and Principal). The Board is therefore able to co-opt up to 4 additional trustees.

3.5 Details of the current Board will be displayed in the Trustee Register, which will be available to all Board members and available for inspection at the school office.

3.6 Annually, the Board will consider its make-up and mix of skills and expertise, and decide, particularly with reference to Section 99 of the Education Act 1989 and the school's strategic plan, if any changes should be made to the composition of the Board.

Any changes to the number of parent-elected members will be made by formal resolution, in accordance with Section 94B of the Education Act 1989.