

## **Alternative Constitution for the Combined Board of Trustees of South Auckland Middle School (876) and Middle School West Auckland (877)**

1. Pursuant to section 98A of the Education Act 1989 (“Act”), I hereby approve an alternative constitution for The Combined Board of Trustees for **South Auckland Middle School (876)** and **Middle School West Auckland (877)**.
2. The Combined Board of Trustees for South Auckland Middle School and Middle School West Auckland (“board”) will be made up of the following members:
  - a. One trustee nominated and elected by the parents of students attending South Auckland Middle School;
  - b. One trustee nominated and elected by the parents of students attending Middle School West Auckland;
  - c. The Principal of each school;
  - d. One staff trustee that will represent both schools, nominated and elected by the staff of both schools;
  - e. Three trustees to be appointed by Villa Education Trust on the basis of particular experience, expertise, skill and/or leadership that in the opinion of the Trust will assist in advancing the students of both schools.
  - f. Up to two trustees co-opted by the Board on the basis of particular experience, expertise, skill and/or leadership that in the opinion of the Board will assist in advancing the students of both schools.
3. Notwithstanding section 98B of the Education Act 1989, the following sections of the Education Act will apply to the Board:
  - Section 96 - Parent representatives
  - Section 97 - Staff and student representatives
  - Section 101 - Elections of trustees
  - Section 102 - Term of office
  - Section 104 - When casual vacancies arise
  - Section 105 - Filling casual vacancies of elected trustees.

### **Parent Elected Trustees**

4. The elected trustees will be elected in accordance with section 96(3) of the Act.
5. Each candidate shall be nominated and elected by the parents of students attending the school which the candidate is being nominated to represent, in respect of each school the Combined Board will administer.
6. The next election for the parent elected trustees will occur during the 2022 election period set by the Minister of Education, and triennially thereafter.

### **Staff Trustee**

7. The staff trustee will be elected in accordance with section 97(1) of the Act.
8. Each candidate shall be nominated and elected by the staff of both schools.
9. The highest polling candidate shall become a trustee.
10. The next election for the staff trustee will occur during the 2022 election period set by the Minister of Education, and triennially thereafter.

### **Trustees appointed by Villa Education Trust**

11. Villa Education Trust may appoint eligible trustees for a term of office of up to three years.
12. Villa Education Trust may re-appoint eligible trustees for a subsequent terms of office of up to three years.
13. Villa Education Trust may specify a shorter term of office for appointed trustees at their discretion.
14. Casual vacancies for appointed trustees must be notified promptly by the Board and such vacancies will be filled by appointment in the same manner as the vacating trustee was appointed for the residue of the term of the vacating trustee.

### **Co-Opted Trustees**

15. The term of office for eligible co-opted trustees is for a period of up to three years.

16. Eligible trustees may be co-opted for subsequent terms of office of up to three years.
17. A Board resolution co-opting a trustee may specify a shorter term of office.
18. Casual vacancies for co-opted trustees must be notified promptly by the Board and such vacancies will be filled by co-option in the same manner as the vacating trustee was co-opted for the residue of the term of the vacating trustee.

#### **Transitional Arrangements**

19. For the purpose of section 101(8A) of the Act, the first meeting of the Board under this alternative constitution is fixed as 21 August 2020. The first trustees elected, appointed or co-opted under this constitution will take office on this date.
20. The Establishment Board of Trustees will:
  - a. Notify the date of the first Board meeting to Villa Education Trust, which may appoint up to three trustees prior to that date; and
  - b. Leave office at the end of the day before the date of the first Board meeting set under section 101(8A) on which the new trustees take office.
21. In line with section 96 and 97 of the Act, the next election for parent and staff elected representatives will occur during the 2022 election period set by the Minister of Education, and triennially thereafter.

#### **Responsibility for the Different Character of the School**

22. Pursuant to section 156AA(4)(b)(ii) of the Education Act 1989, I hereby approve Villa Education Trust as a body that has responsibility for the different character of South Auckland Middle School and Middle School West Auckland.

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

Dated at Wellington this 30th day of June 2020.

HON CHRIS HIPKINS, Minister of Education.