



NZSTA

e tipu e rea

THE TREATY OF WAITANGI AND SCHOOL GOVERNANCE

Ki tua atu o te matapaki kōrero ko te mahi

He mihi

E tangi ana te manawa ki ō tātou mate huhua o te wā. Kua wehe atu koutou i te tirohanga kanoahi, kua mū o koutou reo. Haere atu koutou, noho atu rā ki te pae o maumahara, hei akiaki i a mātou te hunga ora e mahue mai nei. Moe mai rā, whakaoti atu.

Kei aku rangatira, e mihi ana ki a koutou, koutou ngā tumu whakahaere o te hunga ora. Ko koutou ērā i manaaki i te mana mātauranga, i te mana motuhake hoki o ngā kura puta noa, i ngā motu tau atu, tau atu.

Kua whakarewahia tēnei pūrongo kia tutuki pai ai ngā mātāpono o Te Tiriti o Waitangi i roro i ngā mana whakahaere o ngā kura. Mokori anō kia rere a mihi ki te rōpū taunaki nā koutou mātou i ārahi kia kounga ai te rauemi nei nā reira koutou ko Christine Herzog, ko Chris Montgomerie, ko Wharehoka Wano, ko Justin Roberts tēnā koutou katoa.

Ka noho tēnei rauemi hei kawenata āwhina, poipoi hoki, ka mutu, hei whakahau i ngā ara hou kei mua i te aroaro o te katoa. Ko tā te rauemi nei, hei manaaki i ngā ākongā nō ngā hau e whā o tēnei whenua o tātou, o ngā whenua hoki o Te Moana Nui-a-Kiwa.

We would like to acknowledge those past and present who have worked tirelessly in the area of Treaty education: your efforts to ensure our learning systems are inclusive and just have been invaluable. We thank you. Finally, this resource would not be possible without the support and critical guidance of our advisory group: Christine Herzog, Chris Montgomerie, Wharehoka Wano and Justin Roberts. Tēnā koutou katoa.

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Updated by Rod Lane (Manager, Learning and Innovation) in December 2020

What are the implications of the Treaty of Waitangi for school boards? Te whai take o Te Tiriti o Waitangi i ngā whakahaere

He mihi

A board has a wide range of responsibilities. One of these is to exercise honourable governance in a way that values and reflects New Zealand's dual cultural heritage. The Treaty of Waitangi provides a strategic framework for this responsibility and potential to be met.

Boards play a vital role in recognising and promoting Māori educational success because more Māori are attending English-medium than Māori-medium schools.

The Education and Training Act 2020 amended the primary objectives of school boards, one of which is:

The school gives effect to Te Tiriti o Waitangi, including by—

- working to ensure that its plans, policies, and local curriculum reflect local tikanga Māori, mātauranga Māori, and te ao Māori; and
- taking all reasonable steps to make instruction available in tikanga Māori and te reo Māori; and
- achieving equitable outcomes for Māori students.

The purpose of this resource is to:

Enable boards of English-medium schools to better understand the Treaty; emphasise the responsibility and potential that boards have in ensuring that the implications, obligations and spirit of the Treaty are implemented and upheld.

This document is made up of three key parts:

1. A basic introduction to the Treaty to help boards exercise honourable governance.
2. Creating a shared understanding about how NZSTA governance principles and honourable governance can enable Māori students to succeed academically, culturally, spiritually, socially and emotionally.
3. Instructions for board activities and inquiry scenarios that stimulate thinking and action about ways boards can resource and share decision-making power with diverse Māori.

This resource offers boards an overview of the Treaty articles in the context of education. It is not possible to answer all the questions that individual board members and boards will want to explore and address. For example, there is no “one-size fits all approach” to effectively apply the Treaty or achieve Māori educational wellbeing. Boards need to critically reflect on the possibilities in their own learning community. This resource assumes that Boards, school leadership and teachers will be doing additional learning about the Treaty to enhance their own professional development.

Please note that this resource can be used alongside Hautū – Māori cultural responsiveness self-review tool for boards.

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PART 1

Introduction to the Treaty in practice

Whakatuwheratanga – Kia whai take ai Te Tiriti o Waitangi

“A contentious matter such as the Treaty will yield to those who study it whatever they seek. If they look for difficulties and obstacles, they will find them. If they are prepared to regard it as an obligation of honour, they will find that the Treaty is well capable of implementation.”

The Māori text of the Treaty of Waitangi was signed on 6 February 1840 at Waitangi, by Captain Hobson and about 40 rangatira. By the end of that year at least another 450 rangatira had signed. The written document comprises three articles and a fourth was added verbally during the debate. The main point of each article is summarised below:

Article 1: Kāwanatanga: the right of the British to govern

Article 2: Rangatiratanga: the right of hapū to retain sovereignty

Article 3: Ōritetanga: the guarantee that Māori would have the same rights as others

Article 4: the assertion that Māori customs shall be protected

There is considerable debate about the Treaty, past and present. In essence it is a political agreement. It was used to establish a mutually beneficial relationship between hapū (who had been here for centuries) and the Crown (who represented the interests of Europeans and new settlers).

The term “honourable kāwanatanga” or “honourable governance”, describes the situation where those on the Crown side of the Treaty relationship, such as boards, work toward meeting their Treaty responsibilities. There is no single definition of honourable kāwanatanga. However, Articles 3 and 4 give an indication of what would be involved: Māori enjoying the same rights as others, in culturally appropriate ways. In education, this is captured by the objective “Māori achieving educational success as Māori”. The conditions for Māori to achieve educational success as Māori are relevant in Aotearoa New Zealand because they are embodied in the Treaty.

Unfortunately, the colonisation process interfered with expectations of how the Treaty relationship would develop in mutually beneficial ways. However, in recent years there has been increasing interest in putting the Treaty into practice.

Articles 3 and 4 envisage Māori enjoying the same rights as others, in culturally appropriate ways. In education, this is captured by the objective “Māori achieving educational success as Māori”.

Boards are in a position to enter into discussions about how honourable kāwanatanga rights and responsibilities intersect with rangatiratanga (referred to in Article 2 of the Treaty). Boards around the country want to know how to move beyond superficial acknowledgement of the Treaty to Treaty-based understandings and practices that are culturally responsive. This resource and its associated activities and inquiry scenarios aim to equip trustees to do this better.

PART 2

Creating a shared understanding

Kia Māori ai te māramatanga

This section is based on the notion of honourable governance and NZSTA's governance principles. There is sound research-based evidence about how board members can best support Māori students to succeed academically, culturally, spiritually, socially and emotionally. This section summarises the evidence in relation to these NZSTA governance principles:

1. Leadership: Te Wāhi ki ngā Kaiurungi
2. Representation: Te kanoahi Māori
3. Accountability: Te eke angitu a te Māori
4. Employer role: Te manaaki tangata.

1. Leadership

Te wāhi ki ngā kaiurungi

Leadership is a key ingredient for English-medium schools to perform optimally. The Office of the Auditor General (2013) estimates that “by 2030, about one third of our students—and, therefore, one-third of our future workforce—will be Māori. For Māori students to succeed and for our country's prosperity, the education system must perform well for Māori”.

For leaders then, what does the evidence say about the biggest levers for Māori educational wellbeing? In general, two factors have been found to make the biggest difference for Māori students:

1. Quality leadership, teaching and learning have the greatest influence on learner achievement.
2. Effective engagement with learners and those who are best placed to support them (parents, whānau, iwi, communities and businesses).

Practical actions that have been shown to be effective include:

- Establishing the importance of goals with and for Māori students and whānau.
- Ensuring that the goals are clear to staff, whānau and students.
- Developing staff commitment to the goals.

It has been found that whānau involvement in school decision-making and strategic planning is essential for Māori success. Explicit goals about Māori educational success and how these goals support language, identity and culture day-to-day must be developed.

When whānau are fully engaged with the school they are able to be informed, influencing, engaged in and demanding of quality education provision. It has been found that whānau involvement in school decision-making and strategic planning is essential for Māori success. Explicit goals about Māori educational success and how these goals support language, identity and culture day-to-day must be developed. Then they must be matched against progress. A very positive way to value whānau contributions and ideas is for schools and whānau to develop these goals together.

Forums inside and outside the school have been found to be most effective. These include hui, wānanga, focus groups and interviews where information is collated from whānau. These joint activities enable schools and their boards of trustees to demonstrate their investment in Māori students and their whānau. Whānau are also able to share their diverse insights to help schools become more effective educators of Māori students.

The Office of the Auditor General (2015) found that these things are important when building relationships with diverse Māori:

- School leaders value Māori.
- Schools collaborate with whānau and iwi.
- Schools have open and honest communication.
- Schools take a flexible approach.
- Schools have policies on building relationships with whānau, where needed.

Visible school leadership and effective support for teachers of Māori language provides the best outcomes for Māori learners in English-medium settings.

Other effective school leadership considerations and practices are:

- Reviewing the curriculum to ensure that the aspirations and needs of Māori students, whānau, the Treaty, and cultural diversity are valued. The curriculum must include the New Zealand Curriculum principles.
- Ensuring that Māori stakeholders in the community are represented in governance, planning and decision making.

Visible school leadership and effective support for teachers of Māori language provides the best outcomes for Māori learners in English-medium settings.

- Resourcing which is adequate for curriculum goals such as Māori achieving educational success as Māori. These goals require investment in resources, appropriate pedagogy and assessment practices so that Māori student achievement outcomes can be realised.
- Recognising the diversity of expectations within Māori communities. Schools must not assume that silence on the part of whānau means they are satisfied with the Māori content provided.
- Including Māori language education within investments in resources and other support.
- Making decisions about Māori language education provision based on the evidence of what works.
- Providing leadership, support, encouragement and professional development for board members, senior managers and teachers. The aim is to build their capability in implementing policies and practices that promote success for Māori students. Investments that support professional leadership in teaching and learning will lead to greater Māori student achievement than investment in leadership practices in management and administration.

2. Representation

Te kanohi Māori

There is no “one way” or “best way” for schools and Māori communities to engage with each other. It is clear, however, that the balance of responsibility resides with the schools and the stance they adopt in communicating with whānau, hapū, and on occasions, iwi.

Research evidence gives a powerful warning against schools taking simplistic approaches to involving whānau in their governance and everyday operations. Even if they are well-meant, if whānau and students do not see long-term commitment and actions that affirm Māori language, culture and identity school-wide, sustainable relationships between schools and whānau are put at risk.

A broad approach must be taken, where whānau and communities build strong relationships with schools and teachers. Effective teaching and whānau-school partnerships are one of the biggest system levers for improving student learning outcomes. This means that schools establish and nurture partnerships with students, their parents, whānau, hapū, iwi and the wider community such as professional health and social services. These relationships form an ecosystem that strengthens Māori representation in the school. They create potential to find creative solutions to actively improve the wellbeing of all students.

In order to engage with diverse Māori communities, these actions have been found to be effective:

- Face-to-face engagements and relationships with schools who “know their stuff” and who can communicate effectively and responsively with the community.
- School leadership that values holistic and multi-generational perspectives.
- School staff and leadership who are known to the community, are part of it and are closely engaged with families and whānau in a variety of ways.
- Schools that value whakapapa/whanaungatanga (a sense of belonging), and religious and/or spiritual connections.
- Schools using a variety of ways to engage parents and whānau regularly and involve them in students’ learning.
- Schools using easily accessible and relevant information. This should be written in plain language, in te reo and English, using a variety of modes (face-to-face, digital, print) to suit diverse whānau needs.

These actions signal that boards and school leadership are proactive in seeking and considering the representation and aspirations of their Māori community. It is vital that the board of trustees and school leadership create an environment which encourages positive relationships and partnerships between the school and whānau. When this happens, there are positive results:

... children and their families experienced Māori ways of being and doing as normalised; this, in turn, affirmed Māori identities and aspirations. Whānau reported their strong sense of feeling welcomed, comfortable, and belonging, with intergenerational involvement a particular feature.
(Ritchie & Rau, 2008, p. 2)



Any form of successful home-school partnerships takes time and commitment. Internationally, outreach workers have played an important role in establishing home-school partnerships in communities where the language and culture of the home is different from those of the teachers.

Schools need to work with their own whānau and Māori communities to determine the most appropriate way forward. Whatever relationships are developed, schools should be encouraged to form deep partnerships that are based on mutual respect. Once these are in place, it is then important to monitor Māori student outcomes in order to modify or extend the school's partnership approach.

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3. Accountability

Te eke angitu a te Māori

Student wellbeing is strongly linked to learning and achievement. Boards require timely, accurate and comprehensive Māori specific data in order to provide quality leadership and authentic responses to the needs of Māori in their schools. It is not enough for schools to simply collect data about success for all students. Māori specific information is needed in order for Māori to do well. Considering the key determinants that impact on Māori educational success will enable Boards to make evidence-based decisions for the school.

The holistic approach to students' wellbeing includes physical, spiritual, intellectual, and whānau dimensions. A student's level of wellbeing at school is shown by their satisfaction of life at school, their engagement with learning at home and their social-emotional behaviour. School commitment to Māori students achieving educational success as Māori is visible when:

- Schools are accountable to students and whānau when Māori students understand their place in the world, are confident in their identity and optimistic about the future. They are included, involved, engaged and they are invited to participate in making positive contributions to their learning.
- Student wellbeing indicators are linked to a sense of belonging and connection to school, whānau, friends and community.
- Effort is made to collaboratively promote, monitor and reflect on students' learning outcomes. Teaching practices are modified in ways that lead to improvements in Māori students' achievement, and this knowledge is shared with the students.
- There is an intentional approach to building strong, resilient students who are socially and emotionally mature, who are able to lead and self-manage and who are responsible decision makers.
- Students are nurtured and cared for by teachers at school. They have adults to turn to who grow their potential, celebrate their successes, discuss options and work through problems. Schools understand that the key is engagement with their whānau about how best to create these conditions.

Accountability goals are useful indicators of progress and goal achievement. These goals relate to leadership and teaching approaches which include Māori worldviews, matched with specific evidence about Māori student learning. Feedback about these goals and indicators from students, their whānau, school staff and fellow board members will ensure that these indicators are relevant and robust. In practice, this means making the whole school accountable to the overall goal of Māori achieving educational success as Māori.

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4. Employer role

Te manaaki tangata

The ethical responsibility of teachers, leaders and trustees is to consider, promote, balance and respond to all aspects of the student, including their physical, social, emotional, academic and spiritual needs. These considerations require deliberate expression and action across all curriculum areas, pastoral care, strategic priorities and teaching practice. To maximise the role that schools have in promoting and responding to student wellbeing, these systems, people and initiatives need a high level of school-wide coordination and cohesion. (Education Review Office, 2013, p. 4.)

Honourable governance does not mean that boards assume they know what is best for Māori. Honourable governance is about engaging in meaningful discussions with local whānau in order to strengthen partnerships and contribute to the overall goals and aims for the school. As a good employer, it is suggested that boards do this by:

- The appointment of staff who are culturally responsive and who value Māori educational aspirations and priorities.
- A coherent planned approach to Māori educational improvement.
- Leadership appraisal goals that are challenging, specific and linked to strategic goals about improving Māori teaching and learning.
- Assessment of goals or progress based on a range of information about teacher practices and Māori student learning.
- Recruiting Māori staff and supporting and resourcing them appropriately.
- Effectively resourcing whānau or members of a Māori community to be involved in school decision-making processes.
- Directly promoting and investing in professional development that:
 - challenges teachers' and professional leaders' beliefs about Māori learners.
 - deliberately increases teachers' and professional leaders' knowledge of what works for and with Māori, based on the evidence.
 - involves and appropriately remunerates whānau of the school in building teachers' abilities to provide excellent teaching for Māori students.
 - documents its effectiveness in improving teaching practices and outcomes for learners, specifically identifying Māori learner outcomes.
 - continues to build our knowledge of what works for and with Māori and ensures this is integrated into teaching programmes.

It is important to remember that goals and strategic aims for Māori should be driven by and with Māori. Māori communities want to have input into the ethos of the school. When whānau are involved in school decision-making, schools are being responsive to Māori student and whānau needs and aspirations.

The Māori Education Strategy Ka Hikitia – Ka Hāpaitia is a cross-agency strategy for the education sector which incorporates all early learning, schooling, and tertiary education provision.

It sets out how the agencies will work with education services to achieve system shifts in education and support Māori learners and their whānau, hapū and iwi to achieve excellent and equitable outcomes and provides an organising framework for the actions to be taken.



Schools are finding it invaluable in their thinking, planning and implementing actions for Māori learners.

When Boards establish trusted networks and relationships with their Māori communities, Māori students' achievement can be realised. These approaches create the potential for local Māori to have a voice in strategically planning Māori learning and educational wellbeing. Together, whānau and schools are able to design the future for Māori education in schools. This creates a culturally responsive educational setting.

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PART 3

Board activities and inquiry scenarios He ngohe hei whakaū, he kitenga hei whakawai

Boards can move beyond simplistic acknowledgement of the Treaty to practices that are evidence based and culturally responsive. Effective Treaty practices that include whānau and Māori communities benefit not only Māori education, but everyone in the 21st century. Treaty based leadership, representation, and accountability will enhance strategic approaches in our schools and result in improved student outcomes and wellbeing.

This resource is supported by a set of activities and inquiry scenarios that help boards to think about practical ways that they can best achieve Māori educational success as Māori. These scenarios aim to stimulate your thinking and responses individually and as a group.



Click on the picture below to access this resource online

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**THE TREATY OF WAITANGI
BOARD ACTIVITIES AND
INQUIRY SCENARIOS**

He ngoha hei whakaū, he kitenga hei whakawai

Support and Resources

New Zealand School Trustees Association

Te Whakaroputanga Kaitiaki Kura o Aotearoa

www.nzsta.org.nz

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NZSTA Advisory and Support Centre, Governance

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NZSTA Advisory and Support Centre, Employment

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NZSTA Professional Development

pdadvice@nzsta.org.nz

NZSTA Governance Framework

www.nzsta.org.nz/governance-framework-2018

Trustee election website

www.trustee-election.co.nz

Ministry of Education

Te Tāhuhu o te Mātauranga

www.education.govt.nz

Te Kete Ipurangi (TKI)

www.tki.org.nz

Education Review Office

Te Tara Arotake Mātauranga

www.ero.govt.nz

Education and Training Act 2020

<http://www.legislation.govt.nz/act/public/2020/0038/latest/LMS170676.html>



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