Is there a match between the Education Review Office's identification of concerns and the Ministry of Education's Statutory Intervention in schools on Supplementary Review in specific case studies?

A thesis
submitted in partial fulfillment
of the requirements for the degree
of

Master of Education
at
The University of Waikato

by
Cynthia Manion

_____
The University of Waikato
2008

Abstract

In New Zealand's compulsory education sector quality assurance is undertaken by the Education Review Office (ERO). When a school is found to be less effective than is acceptable through the triennial review process, ERO may return to review that school within six or twelve months. This Supplementary Review is identified to the Ministry of Education (MOE) which has several levels of intervention at its disposal which can be employed singularly or in concert to improve the school.

Despite the support and interventions funded and/or managed by MOE, some schools have consecutive Supplementary Reviews and some remain under Statutory Intervention for several years. Commonalities among these schools that repeatedly or consistently present as 'at risk'[1] may indicate a need for greater or different support or intervention. Self managing schools, while effective for many schools, may not be a workable and sustainable proposition for others. This may well be particularly true for those schools identified as 'at risk'.

This paper considers ERO's process to identify schools 'at risk' and subsequent interventions employed by MOE to support the Principal and Board of Trustees in addressing improvements required within the school. Statistics and document analysis were used to extract data from documents with findings presented as a series of tables. It seeks a match between what is identified by ERO and the Statutory Intervention engaged by MOE. It explores the commonalities of schools under Statutory Intervention and on Supplementary Review. Practice in other countries is also considered in an effort to understand and contextualise the ideas and beliefs that support these approaches.

While there is evidence ERO identifies teacher and Principal performance as major areas of concern, lead issues for Statutory Interventions in the same schools focus

---

[1] Schools in NZ may be termed 'at risk' when the operation of a school, the student welfare or educational performance is at risk.

on the performance of the Board of Trustees as those with the responsibility of governing the school. The focus on governance to improve school performance is not working for some schools, more or different support may be necessary to effect positive change. The balance between capacity building, incentives and accountability for all involved in schools with Statutory Interventions, appears necessary for those with the capacity to improve.

Acknowledgements

I wish to acknowledge the advice, support and guidance of
my supervisor Professor Russell Bishop,
School of Education,
University of Waikato;

the
support of my employer
School Support Services, School of Education, University of
Waikato;

the assistance of Ministry of Education (Central North) and
Education Review Office

and
the understanding and encouragement of
my husband and daughter.

Table of Contents

List of tables and figures

Literature Review

Introduction

In New Zealand's compulsory education sector quality assurance is undertaken by the Education Review Office (ERO). Throughout the triennial review process a school's performance is reported in terms of areas of achievement and areas for improvement. ERO makes recommendations to guide schools in their development between reviews. When a school is found to be less effective than is acceptable, ERO may return to review that school before the regular cycle of three years. This Supplementary Review is usually at 12 or 24 month interval following the initial review. Any school placed on the Supplementary Review cycle by ERO is identified to the Ministry of Education (MoE). A range of supports and interventions that are managed by MoE, are available to schools on Supplementary Review. This paper considers ERO's process to identify schools 'at risk' and subsequent interventions employed by MOE to support the Principal and Board of Trustees in addressing improvements required within the school. It seeks a correlation between what is identified by ERO and the intervention engaged by MoE. Practice in other countries is also considered in an effort to understand and contextualise the ideas and beliefs that support these approaches.

The Labour government elected in New Zealand in1984 set about overhauling and reforming the economic climate and culture of NZ. As these reforms progressed it became apparent that education could not remain untouched in the new market-liberal environment. Russell Marshall, Minister of Education, was pressed to establish a Taskforce, under the stewardship of Brian Picot, a successful businessman, to investigate and recommend reforms for the administration of education that would align it more appropriately with the new economics. The Taskforce reported by way of the 'Picot Report' in May 1988 and the resultant policy document 'Tomorrow's Schools' was implemented on 1st October 1989.

Background to Education Review Office - Self-managing schools

'Tomorrow's Schools' adopted, almost in their entirety, the recommendations of the informing taskforce. The reforms emphasized the decentralization of governance, administration and management of education. A middle section of education administration was done away with and elected Boards of trustees (BoT) assumed responsibility for governance - overall control of their school. Thus the BoT became the employers of school staff with Principals managing the day-to-day administration of their respective schools. The school charter linked national and local policies and operations as well as establishing the accountability of BoTs for the delivery of educational outputs. Schools were given the choice of direct resourcing through the payment of operational and teacher salaries grants.

Tooley (2001) notes while the reforms focused largely on structural changes, other initiatives were also implemented to address greater equity of educational achievement for students. New Zealand's Tomorrow Schools reforms have been described as 'hybrid' (Grace, 1990; Mansell, 1992; cited in Tooley, 2001) since they embody both social-democratic goals of community participation and egalitarianism, and the market drivers of efficiency and competition. This combination is a distinguishing factor of Tomorrow's Schools reform with more extensive powers and responsibilities transferred to the school site and at the extreme end of the self managing school model.

In critiquing the model Snook et al (1999) found locating the objectives of this much vaunted reform impossible but since equality was deemed to be lacking from the former system perhaps the intention of the new market driven system was to improve equality within education. However this was not clearly stated, time parameters were not set and no agency was responsible for its achievement.

Change was multi-faceted. National curriculum and industrial relations responsibilities remained centralized while huge flexibility in resource use by schools

was considered highly significant to the responsiveness of the school and its community. This funding reform allowed schools to opt into bulk funding of all fiscal resources open to schools, these then being utilized as the self managing school governance and management saw fit. User pays philosophy extended to non compulsory education and the student loan phenomenon was born. At the school level parent-elected boards of trustees assumed responsibility for governance. They became the legal employers of teachers and made principal appointments. Schools, as self-managing entities, were responsible for drawing up a charter and developing policies and practices to guide their operation that would meet the needs of not only MOE but also the local community(B. Ministry of Education, H., Gray, A., 2000).

The market driven model of education promoted parent choice of school and resulted in zoning[2] being removed. The assumption was that successful schools would attract students and by natural attrition of less attractive schools education would improve or disappear. Existing relationships between government, the Department of Education and teachers' professional associations were comparatively congenial and collegial. These were not seen as conducive to accountability under the new regime. Monitoring and reporting of student achievement at both school and national levels became a focus with initiatives such as the National Education Monitoring Project.

Education Review Office

The Education Review Office (ERO) was established as part of these far reaching education reforms. The former Department of Education was divided into six bodies – Ministry of Education (MOE) - primarily policy advice related, the New Zealand Qualifications Authority, the Education Review Office (ERO), the Special Education Services, a Careers Service and an Early Childhood Development Unit. Fancy (2004)

---

[2] Many popular schools operated geographical enrolment zones

reminds us that in effect "Tomorrow's Schools" did away with the departmental administration layer of 10 regional education boards. Behind this lay the belief that shifting the decision-making closer to those who participated in it actively, meant the people best informed would make the decisions for their particular cohort of students, in their unique context.

In defining their purpose Education Review Office (2008) states:

> "The Education Review Office (ERO) is a government department whose purpose is to evaluate and report publicly on the education and care of students in schools and early childhood services. ERO's findings inform decisions and choices made by parents, teachers, managers, trustees and others, at the individual school and early childhood level and at the national level by Government policy makers." (Education Review Office, 2008)

ERO of today is very different to the one that was established in 1989. MoE (2000) describes an office, working under the broad terms of the Act, that undertook "reviews, either general or relating to particular matters of the performance of applicable organizations in relation to the applicable services they provide " (p8). Initially ERO interpreted this obligation as evaluating the quality of education witnessed in schools and early childhood centres in the broadest sense. Since its establishment ERO has trialed, responded, been reviewed and modified its approach to quality assurance of New Zealand schools. One of the first of these, the Lough review of the education reforms, refocused ERO reviews on education aspects of institutions (excluding property and finance) until a further shift was called for with a change of government in 1990.

The focus shifted once again; towards educational achievement and quality rather than processes pertaining to organization. From 1992/3 the Office undertook assurance audits, which dealt with compliance matters, and effectiveness reviews which were outcomes focused. A further change of government in 1993 heralded 'accountability reviews' to supercede the assurance audits and effectiveness reviews with a focus on quality of performance and management of risk to students and the Crown. The Austin Report in 1997 and the ERO Annual Report of 1999 continue to articulate a move beyond compliance reviewing to educational outcomes and student achievement. Primary Principal's made their feelings known in Wylie (1997). Among the ratings Principals gave to aspects of the ERO reviews at that time, student achievement rated 3.9 on a scale where 9 was highest. The reviews were reported as stressful and focused on the negative.

ERO faced, and continues to face, tensions in terms of its purpose, procedures and obligations to schools. Evaluation and accountability had, in the early years, taken precedence over the support and advice role of ERO in schools. There has evolved a movement towards some balance of these two conflicting tensions or dimensions of their work.

Education Reviews today

Following the 2001 Ministerial Review of the Education Review Office, ERO remained a stand-alone department. While the compliance function was maintained, reviews focused on educational improvement. There was a commitment to ERO and MOE working closely together to support school improvement (ERO, 2007). At this time ERO invited comment from schools and other education providers regarding proposals developed for school review changes. From the approximately 500 comments received (ERO, 2007) and subsequent trials,

ERO introduced a new review process for all state schools in 2002 now known as Education Reviews.

Three components comprise an Education Review:
- School specific priorities
- Areas of national interest
- Compliance issues

Within these strands ERO reports intend identifying:
- What they are doing well
- Where they need to improve
- What they should do next (Education Review Office, 2006).

The school's own self review forms an important component in this process. Schools are asked to identify areas of focus for the review (school specific priorities), which ERO then clarifies in discussion with the BoTs. The Education Review report generated as a result of discussions and observations reflects ERO's evaluation of the school in terms of school-specific priorities, government priorities and compliance issues. With the focus of the reviews on school improvement, ERO reports are designed to help schools see that which they are doing well, that which needs improving and that which should be addressed next.

The size and scope of a full and complete quality assurance review of a school is not practicable. Once a school has been notified they are scheduled for a regular cycle education review, a process of information gathering and sharing takes place. This follows a defined process:
1. Exchange of information
2. Scope and assemble information (Initial Scoping)
3. Meet to discuss Priorities
4. Refine the review process

5. On-site investigation and synthesis

6. Discuss findings and Make Recommendations

7. Reporting

School-specific priorities

Prior to the in-school work there is an exchange of information. At this time ERO ensures information about the review process, copies of support resources, Board Assurance Statement and Self-Audit Checklist and Guidelines, and the Evaluation Criteria. Schools have the opportunity to inquire into and clarify their understanding of the review process. Schools are invited to highlight priorities for external review by identifying some intersection between ERO and school priorities. The Chain of Quality graphic simplifies the relationship between processes, activities and student achievement within a school. (Education Review Office, 2003)

Figure 1: ERO Chain of Quality

Education Review Office

Chain of Quality – Framework for School Reviews

Positive and Safe School

| Effective Governance & Management | Professional Leadership | High Quality Teaching | Student Achievement |

Involved Families and Communities

(Education Review Office, 2003)

Direct links are made to student achievement by ensuring the school's particular review focus recognises the level of impact on student achievement and the number of students affected by the policy, procedure or programme. The figure below is used to guide schools towards selecting a focus for the school-specific priority for the education review. A school specific focus that will have both high effect on student achievement and on high numbers of students is presumably desirable.

Figure 2: Likely effect on student achievement

High			
Medium			
Low			
	Low	Medium	High
	Number of students affected		

(Education Review Office, 2006)

Areas of National Interest

Areas of National Interest (ANI) result from discussion and consultation with the Minister, MOE, education sector group and reviewers. Working from an annual list of around twenty topics, ERO defines the duration of each topic – usually one or two school terms[3]. Information can be accessed from confirmed ERO reports, reviewers asking specific in-depth questions while in schools, questionnaires and specific studies outside reviews. Information that supports the ANIs collected during reviews is analysed and reported nationally. This national information can be used by government to effect longterm, systemic educational improvement. Examples of the ANIs to be reported on by ERO for Term 3, 2007 are:

- Provision for Gifted and Talented Students
(All schools)

---

[3] New Zealand compulsory education operates on a 4 term year

- Thinking About the Future

   (Secondary Schools)

Ongoing topics

- Māori Student Achievement: Progress since last ERO review

   (All schools with Māori students)

- Pacific Student Achievement

   (All schools with Pacific students)

- Student Underachievement

   (All schools)

- Provision for Students in the School Hostel

   (All schools with students accommodated in a hostel)

- Provision for International Students:

   - Compliance with the Code of Practice for Pastoral Care

   - Provision of English language support

   (All schools with international students)

- Progress with Quality Assurance for Adult and Community Education (ACE)

   (All schools that receive ACE funding)

   (Education Review Office, 2006)

These change from time to time, even within a calendar year, as the focus changes or areas of concern or a need for information is identified.

Compliance Matters

Self reporting comprises the major part of the compliance component of an Education Review. Schools complete a Board Assurance Statement and Self-Audit Checklist and Guidelines. Only where there is evidence of significant levels of risk does compliance become a major focus. It is a measure of the school's self review capability; where non-compliance is not identified by the BOT but uncovered by

ERO. A supplementary review may result if the risk is considered significant (ERO, 2006).

The main role of quality assurance in schools is twofold – accountability and educational improvement. "Evaluation for accountability purposes involves reporting on goals and standards (including checking on compliance matters) while an improvement focus involves assisting schools to develop themselves through feedback." (p3 Education Review Office, 2006). The tensions that exist between the roles of ERO are not to be underestimated. Wherever public funds are being expended there is a need for accountability, and for the education on offer as a public service to be of suitable quality.

A strong formative component, now apparent in ERO reviews, was previously nonexistent in its infancy or in the days of its forerunner, the inspectorate. This move was signalled to the Review of 2000 in an ERO submission that indicated the possibility of a move to a formative model(B. Ministry of Education, H., Gray, A., 2000). There is a desire to be transparent and inclusive throughout the process which is seen as modelling the self-review process for schools. Trends such as being evidence-based and providing both feedback and feed forward, promulgated by MOE to schools, are also evident. Inclusive consultation with stakeholders – boards of trustees (Principal included), teachers, other staff, students, parents, the Maori community, and/or other groups provides the broadest perspective on the school's performance (ERO, 2006). To this end ERO (2003) invites comments about the indicators and supporting material used and considers they "will evolve and expand over time in light of field experience and new research information" (pi).

Evaluation and Evaluation Indicators

In 2003 ERO produced the evaluation indicators they had promised schools. The set of indicators is to be "used by review officers in carrying out reviews, and to give these to boards of trustees and staff, so that they are equally aware of the kinds of things that ERO will focus on in reviews" (pi ERO, 2003). The indicators are also seen as a resource to support schools undertaking their own self review and are the result of several influences; research, reviewer experience and an exercise used to develop the indicators through system modelling. ERO (2003) defines an outcome indicator as "things directly connected to the merit of what is being evaluated. They describe the criteria by which judgement is made, and they can have specific outcome measures attached to them. In schools, measured student achievement is an example of an outcome indicator". (p6). Process indicators are "proxies for desirable outcomes but not directly connected to those outcomes. In schools, examples of process indicators are the quality of teaching and the quality of assessment. These are indirect indicators of merit, but do not in themselves guarantee high levels of student achievement." (p6). This distinction between outcome and process indicators signals an understanding of the complexity and interconnectedness of the factors and influences at work in a school.

Student achievement is signalled as the key purpose of schools. This is built on the belief that the higher the achievement of the individual, the better educated he is and the better educated the individual the more positive will be their engagement in and contribution to the social and economic life of the community.

Each outcome and process indicator has been analysed into a table of indicators, rationale, evidence and research information. While it is not ERO's intention that these form a checklist, the evidence column presents a guide to what could be expected in a school that is performing well within that indicator. The indictors also

form a useful point of reference for discussion with the Principal and/or BOT and ensure the focus remains on student achievement. Through the indicators reviewers are able to generate evaluative and investigative questions and signpost the types of evidence that would or could be used to substantiate school claims. At the report writing stage, indicators provide a basis for reporting areas of good performance and areas for improvement.

Figure 3: Process and Outcome Indicators
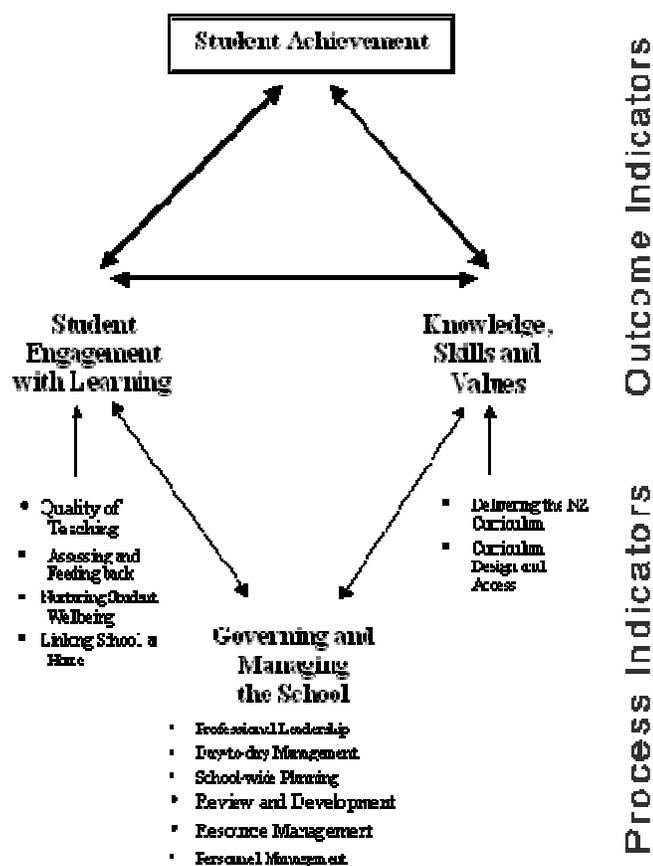
(p5 ERO, 2003)

Other types of review

Where an Education Review determines the performance of a school is of concern and requires further investigation a supplementary review may be called for. This supplementary review responds to specific terms of reference arising in the previous

review report. In this case the school is taken out of the regular review cycle and maybe reviewed in 12 or 24 months. These schools may be referred to as 'at risk'.

Special Reviews investigate particular areas of performance and may be initiated in response to issues of serious concern. Private School Reviews evaluate the school as "efficient" when measured against a comparable state school and are undertaken at least three yearly. Homeschooling Reviews consider the regularity and quality of education offered to the student who has sought exemption from school enrolment.

<u>Supplementary reviews</u>

Where ERO discovers a school has serious issues to resolve, it may be scheduled for a supplementary review. These are undertaken either 12 or 24 months following the review that highlighted the shortcomings. The terms of reference from the review report form the basis for the supplementary review. ERO (2006) reports "Of all the school reviews carried out in 2005/06, 16 percent were supplementary reviews. This compares with 15 percent in 2004/05 and 17 percent in 2003/04." (p20). As part of the improvement process for a school on supplementary review, ERO now offers a post-review workshop to help develop a plan of action designed to address issues identified in the report.

Supplementary reviews are also carried out in schools where the Secretary for Education has established an intervention under Part 7A of the Education Act, 1989. In the case of insufficient improvement having been achieved, ERO carries out further Supplementary reviews. Of schools on supplementary review during 2005/2006 nearly 80 percent were evaluated to have made the required improvement and were returned to the regular cycle of 3 yearly reviews.

Hawk & Hill (1999) studied 24 NZ schools that were on supplementary review ie. considered 'at risk' – some over many years. From their study they developed a list of responses common among schools identified for supplementary review. Withdrawal or avoidance of situations that may expose the school's reality can be part of the build up and the response to identification. Denial of the problem's existence is the norm and can result in information being blocked, lying to hide evidence (Hawk, 1999). Blaming others happens regularly and can take the form of making a scapegoat of individuals or a group or 'shooting the messenger'. The person at the heart of the problem tends to surround themselves with allies and can target individuals who challenge their practice. Staff often responded to this treatment by leaving as soon as possible. Exhaustion in the face of the enormity of the task to turn the school around is a common reaction. Only a few schools recognized they needed help prior to external evaluation ie the ERO review. At the time of Hawk and Hill's article, 1999, strong market forces were being used to drive education, and support for schools in need was not available.

Education review reports have been made available publicly since 2000. Once the school has had an opportunity to respond to the draft report – changes may or may not be made to the final report as a result of the school's response – the final report is posted on the ERO website in its entirety. Earlier reports are retained on the site, giving the public an overview of the school's journey. It is intended that the report highlights issues of interest to parents and the wider community. Parental and community involvement are integral factors in self managing schools so talking with parents about what happens at a school, seeking evidence of community consultation and the publication of reports all support that ethos.

Quality assurance systems in Victoria (Australia), USA and UK

Australia operates statewide education systems and structures. In Victoria, quality assurance is the responsibility of the Department of Education & Training. Reviews

are carried out by an external, accredited school reviewer on behalf of companies who have 3 year contracts to provide the service. The Charter, school annual report and the triennial school review are the three components of the Framework. The school review is seen as a systematic way of examining school performance against stated school goals and Department of Education & Training's objectives.

The school review process was introduced in 1997, and has undergone substantial modification since then. In 2004, the introduction of the School Accountability and Improvement Framework signalled significant change for school review. Improvements have included a differential model of school review designed to cater for varying levels of school performance and development. The three types of review are:

Negotiated review is usually used for schools where student outcomes and other key indicators are above expected levels. The school's capacity to manage a negotiated review is also taken into consideration. In essence the reviewer fulfils a critical friend role in examining a specific area for improvement previously identified through school self-evaluation.

Continuous improvement review is usually for schools presenting satisfactory student outcomes and other key indicators, but still with areas for improvement. This involves a pre-review visit from the reviewer, a day-long review panel meeting with the principal, school council president and key staff (which can incorporate a focus group with students), plus a report to staff and the school council.

Diagnostic review follows a similar structure to continuous improvement review but provides additional fieldwork time. It is used for schools with some student outcomes and other key indicators below expected levels, or where the circumstances of the school are complex, such as a multi-campus school, a P-12 school, a school with a large number of students with disabilities, or a recently

amalgamated school. (Department of Education and Early Childhood Development, 2008)

Also significant was the change to a four year cycle of self-evaluation, review and strategic planning. The school strategic plan (previously The Charter), the school's last three annual reports and evidence gathered in the self-assessment in preparation for the review form the basis for continuous review. The self-assessment involves analysing information on the progress made towards the achievement of school goals and priorities and aims to identify the achievements of the school, performance trends emerging from data collected over a three year period and recommendations for the new school charter.

Two documents comprise the self-evaluation:

(i) The School Level Report document which contains comprehensive school performance results covering the data sets required

(ii) an analysis document (prepared from a template) which is designed to allow schools to analyse the data contained in the School Level Report, to incorporate other data that is not included in the School Level Report, to provide written summaries in specified areas, to make judgements about school performance outcomes and to outline recommendations for the next Charter.

The reviewer conducts a panel meeting with the principal, the school council president (or representative) and, often school leadership team members. Positive outcomes are acknowledged and areas requiring improvement identified. The reviewer, following the meeting, prepares a report which is signed by the reviewer, principal and school council president and then submitted to the Department. The report will include recommendations for improvement, including identifying one or more priority areas to be addressed in the next Strategic Plan.

Under the terms of a Diagnostic Review, the reviewer spends a longer period in the school, gathering more information and evidence, including communicating with a broader cross-section of the school community eg. staff, parent and student groups. There exists a strong and clear link between the School Strategic Plan, the Annual Reports and the Review Report. Findings and recommendations acknowledged in the Review Report are to be addressed in the next Strategic Plan, so initiating another cycle of strategic planning, self-evaluation, review, with the school review for most schools falling in the 4th year of their cycle.

United Kingdom (UK)

In the UK, the Office for Standards in Education (Ofsted) inspection teams, led by a registered inspector and including a lay inspector report on the:

- quality of the education provided by the school
- educational standards achieved by pupils in the school
- efficiency with which the financial resources available to the school are managed
- spiritual, moral, social and cultural development of pupils at the school

Since 2000 a new system has been operating which allows for differentiated inspections. The purpose of this introduction was to offer the most effective schools a Section 5 or 'Short Inspection' while other schools have a Section 10 or 'Full Inspection,' which bears strong similarities to inspections carried out prior to the changes. The Government has shown its commitment to less intervention where schools have proved to be more successful. The differences between short and full inspections are detailed on the chart below:

Figure 4: Ofsted Inspections

SHORT INSPECTION	FULL INSPECTION
Educational 'health check' - samples school's work.	Inspecting and reporting fully on each subject
2-3 days	At least a week (depending on school size)
2-3 inspectors	Seven or eight inspectors (depending on school size)
Less stress on school	More stress on school
Not all subjects reported on	Detailed reporting of each subject
Some parts of Evaluation Schedule may be omitted	Fulfil the requirements of the whole Evaluation Schedule
Feedback is offered to every member of staff if practicable	Feedback is offered to every member of staff
Teachers are not provided with a profile of inspectors' judgements on their lessons	Teachers are provided with a profile of inspectors' judgements on their lessons
Work of every teacher not necessarily covered	Work of every teacher covered

(Ofsted, 2000)

Parents are involved at the pre-inspection stage, helping the inspection team to gain some insight into the school and identify the inspection focus. The observation of lessons, along with scrutiny of pupils' work, ensures the inspections and inspectors work within the classrooms. The individual teacher's ability to teach effectively is assessed as well as the school as a whole. The teachers' performances and other areas of evaluation are appropriated achievement level of outstanding, good, adequate or poor. Whatever the findings, review teams must arrive at a consensus as to the quality of school for the reporting process. Oral feedback to the school usually involves the Principal and senior management team. This is followed by oral reporting back to the governing authority, the Local Education Authority (LEA) and finally a full written report is issued with a summary report being available to

parents and media. If the school is underachieving or has serious weaknesses, it is likely to be subject to HMI monitoring and/or an early full re-inspection. The report from a short inspection will focus selectively on the school's strengths and areas where improvement is needed. Schools considered to be failing are subject to follow-up visit from inspectors to review the implementation of the action they had developed in response to the review report that found the school performance wanting.

Since September 1, 2005 there have been two categories of schools causing concern. Ofsted (2006) explains

> "Schools subject to special measures are those that, when inspected, were failing to give their pupils an acceptable standard of education and in which the persons responsible for leading, managing or governing the school were not demonstrating the capacity to secure the necessary improvement in the school. Schools requiring significant improvement are those that, when inspected, although not requiring special measures, were performing significantly less well than they might in all the circumstances reasonably be expected to perform. Ofsted issues such schools with a Notice to Improve." (p1 Ofsted, 2006)

There is a requirement that schools causing concern produce an action plan as a result of the inspection, indicating how the school will take up the inspectorate's recommendations.

United States of America (USA)

The beginning of quality assurance and school improvement in USA is found in the 1983 Report 'A Nation At Risk'. This gave rise to the establishment of national

education goals and proved to be the catalyst that initiated the curriculum standards, testing and accountability systems that would ensure schools taught to these standards. In the USA we need to remember schools are administered by district and state offices, with Principals operating within the designated framework of their employing body. There exists legislative variance between states and implementation variance between districts within states.

The 'No Child Left Behind' Act of 2001 (NCLB) became the driver of strategies to address low-performing schools and low achievement for their students. A school's success in USA is quite simply measured by the achievement of its students in state academic testing. Statewide testing is used to quantify school effectiveness. The Academic Performance Index (API) is the cornerstone of the state's academic accountability requirements. Its purpose is to measure the academic performance and growth of schools. In California for example from the multi-curricula tests undertaken by students from Grades 2 -12, schools are ascribed an API. Schools of the same type (elementary, middle, high school) have their scores ranked from highest to lowest and deciles (10 even groups) are delineated. This statewide rank shows a school's relative API placement against schools of the same type. In a further ranking system a school's relative placement compared to 100 other schools with similar opportunities and challenges is shown. The 'similar' schools are categorised by several key demographic characteristics including student mobility, ethnicity, socio-economic grouping, teacher credentials, class size and programme structure. Furthermore each year schools are set an API growth target based on the previous year's API. State results focus on how much schools are improving academically from year-to-year, based on information gathered from statewide testing.

Fullan (2007) responds to policies such as NCLB as not inspiring the widespread "meaning" by scores of people necessary for success. He identifies the common

failure of top down change to garner ownership, commitment or even clarity about the reform as   acknowledges NCLB's impact in bringing matters of performance and progress to the fore, however fatal flaws exist in its focus on accountability at the expense of capacity building.

While there are some common trends present in some of these countries, the definition and identification of at risk or failing or ineffective schools is more to do with the beliefs and assumptions about education and governance or management held by each country. By way of interest, in the Netherlands schools are inspected once a year, usually with prior notification, but unannounced if a serious problem is suspected. Schools that return negative evaluation reports, which are made available to the school, the Ministry and to parliament, can suffer a loss in funding. In Ireland full school inspections are only carried out on primary schools while in Portugal such reviews only commenced in 1999 with no systematic process yet developed.

Statutory Interventions in NZ

To understand where NZ is today when we think about 'at risk' schools and the interventions or supports instigated in response to their plight, it is necessary to revisit the thinking behind, and climate that resulted from Tomorrow's Schools. From this perspective the self-managing, market-driven model of education legislated for, was ground breaking and a radical change from what had existed. In the early days of ERO there seems to have been an assumption that the identification of areas of need by an ERO audit would be sufficient for schools to work from in improving their performance. The feedback received by the school was the external evaluation by professionals as to the quality of the education being offered in the school and also the effectiveness of the school in terms of meeting the directions and guidelines outlined by the MoE in its National Administration

Guidelines (NAGs) and National Education Goals (NEGs). The National Education Goals are:

- The highest standards of achievement, through programmes which enable all students to realise their full potential as individuals, and to develop the values needed to become full members of New Zealand's society.
- Equality of educational opportunity for all New Zealanders, by identifying and removing barriers to achievement.
- Development of the knowledge, understanding and skills needed by New Zealanders to compete successfully in the modern, ever-changing world.
- A sound foundation in the early years for future learning and achievement through programmes which include support for parents in their vital role as their children's first teachers.
- A broad education through a balanced curriculum covering essential learning areas. Priority should be given to the development of high levels of competence (knowledge and skills) in literacy and numeracy, science and technology and physical activity.
- Excellence achieved through the establishment of clear learning objectives, monitoring student performance against those objectives, and programmes to meet individual need.
- Success in their learning for those with special needs by ensuring that they are identified and receive appropriate support
- Access for students to a nationally and internationally recognised qualifications system to encourage a high level of participation in post-school education in New Zealand.
- Increased participation and success by Mäori through the advancement of Mäori education initiatives, including education in Te Reo Mäori, consistent with the principles of the Treaty of Waitangi.
- Respect for the diverse ethnic and cultural heritage of New Zealand people, with acknowledgment of the unique place of Mäori, and New Zealand's role in the Pacific and as a member of the international community of nations.

(Ministry of Education, 2008)

The whole arena of school improvement was being contemplated, explored and developed internationally. The call for accountability of schools and education systems to a) spend public funding judiciously and b) ensure students received a high quality education was a growing trend internationally and was a natural step

for New Zealand . In the newly established self managing environment of New Zealand schools, this accountability and the requirement of improvement added a further and new dimension to the roles of governance and management.

However many schools were not able to meet these challenges. A gulf opened between those schools with the capacity to self manage effectively and efficiently and those without. The lack of capacity was not limited to any one component such as governance, management or classroom practice. Capacity as explained by Stoll, Stobart et al (2003). . . "is a complex blend of motivation, skill, positive learning, organisational conditions and culture, and infrastructure of support. Put together, it gives individuals, groups and, ultimately whole school communities the power to get involved in and sustain learning." (p24 Stoll, 2003)

In some cases this lack of capacity was restricted to one area of the school, in other schools it affected many areas of school administration. Thus despite being given clear feedback from ERO in their report as to the areas of need, many schools were unable to easily manage their own improvement. Lack of capacity, skill, knowledge, experience and action at all levels throughout the school, the BoT, Principal and staff, could be identified as reasons for this inability.

So as ERO came to grips with its newly reshaped service through review, feedback, reflection and response to experience, it became increasingly clear that the role of support fell outside its jurisdiction. In fact the provision of support and guidance could be seen as contradictory to its evaluative role. While this tension between assessment and advice still exists and will always exist to a degree, time and successive modifications to practice have seen ERO fine tune the extent of their involvement in support to identifying areas for improvement, making recommendations and holding post review workshops for schools that want them.

MOE recognised the need to establish an active role in the quality of education in schools and the focus shifted in the late 1990s to include a more supportive function. This need initially became apparent in low decile[4] schools or where community resources were limited; where sustaining long term improvement challenged the school's ability to self manage through trying times. Community representatives were thrust into the roles of governance; of employer, property manager, financial planner, quality controller. In many communities the school was governed by well meaning, community spirited people with few skills and little experience that related to the complexity of governing a school. An assumption of Tomorrow's schools, that every community would have an accountant and a lawyer who was willing to support their school from a governance position on the board of trustees, was largely misplaced in a country where many small schools serve isolated, rural communities. Since many of the small, rural and isolated communities particularly in the North Island are predominantly Maori, these schools were particularly challenged to meet the demands of the self managing school.

These difficulties highlight the need that was apparent in many schools. MoE and some schools were operating in what Fullan (2007) refers to as "two entirely different worlds – the policy makers on the one hand and the local practitioner on the other hand." (p99 Fullan, 2007) Support was not available. One unanticipated gap that grew out of Tomorrow's Schools was support sector for schools and early childhood centres. This sector of service within education did not develop as planned under the market model; it had been anticipated that private providers would emerge to fill the void. However the consultant sector had not grown with the self managing schools to provide support and guidance as had been expected by the legislators. Submissions to MoE echoed the lack of support available to schools.

---

[4] Deciles were originally calculated by sampling a school roll and matching addresses with income brackets from the census.

<u>Interventions defined</u>

The legislative framework that guides the MOE interventions today was introduced in October 2001 and assembled all statutory interventions together under one part of the Education Act. The intention is to deliver "prompt, flexible and appropriate response to the varying needs of schools where there are reasonable grounds to believe that the operation of the school, or welfare or educational performance of the students is at risk." (Ministry of Education, 2007b)

All interventions are applied at governance level to the Board of trustees. However that does not mean their influence is restricted to the meeting room. Because of the scope within the various interventions, the impact should be felt throughout the school as application of board policy, direction to board employees, performance management, budgets etc.

The definitive and cooperative roles of governance and management within New Zealand's self-managing schools, and the associated responsibilities and functions are often a source of difficulty. This is not made any easier by an absence of specific statutory definition of respective governance or management roles; where governance ends and management begins.

"a school's Board has complete discretion to control the management of the school as it thinks fit ....(b) subject to paragraph (a) of this subsection, has complete discretion to manage as the principal thinks fit the school's day to day administration."(Ministry of Education, 2007b).

As with much of what happens in schools, a working relationship between governance and management is dependent on a culture of trust, confidence and goodwill, and fair and reasonable treatment within a good employer/employee relationship.

"The level of evidence-based identified risk will determine the level of intervention applied. The aim is to intervene no more than is necessary, at the same time as addressing the risks promptly and effectively to reduce the likelihood of more

extreme and expensive interventions at a later stage."(Ministry of Education, 2007b).

Section 78i of the Education Act (1989) identifies six possible levels of intervention.

"The interventions in schools that are available are as follows

(a)   a requirement by the Secretary for information

(b)   a requirement by the Secretary for a Board to engage specialist help

(c)   a requirement by the Secretary for a Board to prepare and carry out an action plan

(d)   the appointment by the Secretary, at the direction of the Minister, of a limited statutory manager (LSM)

(e)   the dissolution of a Board by the Minister, and the appointment of a commissioner

(f)   the dissolution of a Board by the Secretary, and the appointment of a commissioner". ("Education Act," 1989)

The "requirement to provide information" under section 78J requires the BOT to provide the Secretary for Education with specified information in accordance with a particular time frame or schedule. This intervention is likely to be invoked where there is a perceived gap in information that gives cause for concern in regard to the school operation and/or the welfare or educational performance of its students. In its efforts to meet the directive for information, the BOT will either satisfy or alert the Ministry of Education as to the state of the school. During a Section 78J the school's day to day management remains the principal's responsibility. An annual review of this intervention by the MOE is required. When the Secretary for Education is satisfied no further action is required, or on the other hand that an increased level of intervention is required, the Section 78J is revoked.

The second tier of intervention described in Section 78K is commonly known as a specialist adviser. The Secretary for Education directs the BOT to engage a specialist adviser to assist the board with a particular aspect (or aspects) of governance. Risks to the operation of the school, and/or to the welfare or achievement of the students are motivation for a specialist adviser. A contract between the BOT and a specialist adviser is agreed, to provide assistance within the identified areas of governance. The adviser is appointed because of the skills required and compatibility with the particular school context. The principal retains responsibility for the day to day school management. There is a requirement for the BOT to act on the advice of the specialist adviser, who, as a statutory appointee, cannot be elected/co-opted/appointed to the board while in the independent statutory role. While no voting powers or membership of the board are held by the specialist adviser, attendance and speaking rights at all board meetings and committee meetings are necessary to fulfill the role. The specialist adviser reports to both the BOT and the local MOE on a regular basis. Fees and reasonable expenses of the specialist adviser are paid by the BOT from school funds. In cases where the finances are such that the additional fees of a specialist adviser are beyond the school, the MOE may provide temporary funding. The MOE is required to review the intervention at least annually, and it may be revoked when the Secretary is satisfied the BOT has sufficient capacity to sustain the positive change that has been achieved.

The third level of statutory intervention, an action plan, is depicted under section 78L of the Act. Secretary for Education directs the BOT to prepare and carry out an action plan to address specific matters of governance because of risks to the operation of the school, or the welfare or educational performance of the students. On approval of the action plan, the BOT must implement it and submit and distribute the plan as if it were part of the school's charter. The purpose of the plan is to assist the BOT in addressing areas of priority. MOE provide support to develop and implement the action plan. As with the previous interventions, day to day

school management remains the responsibility of the principal, MOE is required to review the intervention at least annually and the intervention may be revoked when the Secretary is satisfied the board has the capacity to sustain the positive change that has been achieved.

When Section 78M is invoked the Minister directs the Secretary to appoint a limited statutory manager for the BOT. The LSM assumes an aspect or aspects of the BOT's governance role with the BOT still in existence. The LSM takes over particular board functions and responsibilities; most commonly finance, employment and/or curriculum. These functions, powers and roles having been temporarily removed from the BoT. There may also exist circumstances whereby an LSM is appointed with specific advisory powers, which the board is required to act upon. The BOT members hold office alongside the LSM and work closely with the principal. Hopefully BOT capacity is strengthened by the knowledge, experience and capabilities of the LSM who should be "a natural person" for the role.

The statutory intervention, section 78N(1)(2), sees the Minister of Education dissolve the BOT and the Secretary for Education appoint a commissioner to govern the school. All board responsibilities are removed from the board, and all governance roles and responsibilities are vested in the commissioner. The commissioner is selected on the basis of skills required and compatibility with the school environment. The commissioner works closely with the principal, while advising and consulting with the school community.

A further set of procedural requirements may also see a commissioner appointed to a school under section 78L (3). These could include: if the board has not held a meeting during the previous 3 months; because of the number of casual vacancies on the BOT no one is eligible to preside over the meetings; fewer than 3 trustees are

elected by parents; an election of trustees has not been held and/or it is impossible or impracticable to discover the results of an election of trustees.

The remuneration of the commissioner is determined by the Secretary and paid for out of board funds. In cases where it is unreasonable that the school should pay (because school funds are already committed or very low) the Ministry of Education will discuss with the school the need for additional temporary funding. The intervention is monitored, with the commissioner regularly reporting progress against indicative outcomes to the MOE on. When deemed appropriate the commissioner may establish a community advisory group to provide a community viewpoint to the school governance and also develop skills and knowledge useful to an elected board of trustees. Before a returning officer may be appointed to run elections for a newly elected board, the Secretary of Education must be satisfied a commissioner is no longer necessary in the school. The commissioner then appoints a date for the election of a new board of trustees, and the commissioner's appointment comes to an end seven days after the date set for BOT elections.

Interventions are not necessarily applied singularly, in some cases they are applied concurrently. However where a commissioner has been appointed to replace the BOT (under section 78N) any additional expertise required is contracted in at the commissioner's discretion. The aim of statutory intervention and support is always to return the school to full self-management as soon as required changes can be sustained without the statutory intervention. Varying exit strategies are used to conclude a statutory intervention. The exit strategy used will depend on the particular set of circumstances, evidence of sustainable change, and evidence of actual and potential risk factors. When the statutory intervention is revoked, the Ministry will continue to monitor progress and maintain an informal level of support for whatever period is considered necessary to sustain the positive change. The Ministry is required by legislation to formally review the intervention within its first

year and annually thereafter. In the interim, should the level of identified risk alter, the intervention may be amended or reduced accordingly.

What constitutes sufficient risk to "the operation of the school, or the welfare or educational performance of its students" that would warrant a ministerial intervention? At the lowest level of intervention, the request for information, can be invoked should the Secretary have reasonable grounds for concern. The other interventions are brought to bear when there are reasonable grounds to believe that there is a risk to the operation of the school, or the welfare or educational performance of its students.

Evidence of risk to the operation of a school includes such factors as:
- problems with financial management
- problems with personnel management and/or asset management
- inadequate planning, policy setting and reporting to parents
- poor community relationships
- failure to comply with legislation.

Evidence of risk to student welfare includes;
- inadequate policies and practices to ensure student welfare
- health and safety
- persistently high truancy rates
- high suspension, exclusion and expulsion rates
- a critical incident relating to student welfare and safety.

Evidence of risk to the educational performance of the school's students includes;
- inadequate curriculum management
- absence of adequate policies and processes for student assessment
- staffing issues that may influence student performance

- persistently low student achievement in relation to comparable schools
- low achievement of particular groups within the school.

The person charged with the responsibility of initiating the intervention and the management of that intervention is the Schools Development Officer working out of the Regional Office of the MOE and responsible to the Schools Performance team leader. A key aspect of this officer's role is the development, implementation and monitoring of effective mechanisms to monitor critical aspects of school performance. The purpose of the monitoring is the early identification and effective management of actual, and potential, risks in schools. This can be achieved to a degree by monitoring ERO reports and responding to the other sources of information upon which MoE will act. These include direct reports to the Minister's office from education sector agencies, the public, and/or the media. In some cases the board of a school, or in integrated schools, the proprietors, may request a statutory intervention.

It is also the role of School development officer to establish whether reasonable grounds for concern or reasonable grounds to believe that there is a risk to the operation of the school, or the welfare or educational performance of its students exists. And having established the presence of risk to one or more of these crucial areas of school performance, the most appropriate course of action is considered by MoE and a level of intervention is recommended to the Secretary of Education.

It would seem a natural assumption that the School development officer recruits and appoints the personnel to lead the intervention to the school i.e. the specialist help, adviser, Limited Statutory manager and Commissioner. The person specification for LSM in the MoE explanations calls for a 'natural person' to fill this role. Of the many dictionary definitions attributable to 'natural' and compatible with the noun person, 'of or in agreement with the character or makeup of, or

circumstances surrounding someone or something' are perhaps the most fitting. Another definition, referring to natural talent or gifts, is the only other possible interpretation. For the duration of the intervention it is the role of the School development officer to monitor their performance. (Patillo, 2007). It is possible there may be more than one intervention in place in a school at any given time.

As a result of investigations where ERO finds serious cause for concern, a recommendation for statutory intervention is made. To this end MoE coordinates its work with, and takes cognisance of, the actions required by ERO. The MoE adopts a brokerage role in coordinating the support options and professional advice or services to meet a specific need. This support is in most cases delivered by School Support Services the main vehicle for MoE provision of centrally-funded and managed professional learning programmes. In the case of a school at risk in NZ, that support would most likely be led and coordinated by a Leadership and Management adviser providing support and professional learning for the principal. Other specific curriculum advisers would be involved to support teachers' professional learning where these needs had been identified. Fullan (2007) identifies five components of school capacity that are interrelated – teachers' knowledge, skills and dispositions, professional community, program adherence, technical resources and principal leadership. (p164 Fullan, 2007). While the first of these components will make a difference in a classroom unless it is connected through collective learning, Fullan (2007) finds it will not influence the culture of the school and "school capacity cannot be developed in the absence of quality leadership." (p164).

Scoping an identified concern or risk within a school will begin with working with the board and senior management of the school, NZSTA advisers, PPTA/NZEI field officers, ERO and other education sector agencies. The Ministry tracks identified school support risk factors (MOE, 2007) including financial status, staff turnover,

school roll numbers, suspensions, exclusions, expulsions numbers and community complaints, to ascertain the scope of the problem and appropriate level of intervention.

In the case of Kura Kaupapa Maori[5] operating in accordance with Te Aho Matua[6], before applying any intervention, Te Runanga Nui[7] must be consulted. Similarly in an integrated school[8] the proprietors must, if practicable, be consulted before the appointment of a limited statutory manager or a commissioner.

The involvement of the board of trustees of the school, although not a requirement of the legislation, has become the preferred modus operandi. This reflects a commitment to the self management concept even when it has gone terribly wrong. Where the board of trustees has been consulted and involved from the outset in considering and addressing risk and appropriate intervention options, experience has shown a greater willingness to work co-operatively with the intervention. In serious situations, where time is of the essence, consultation may be brief or somewhat limited. Cooperation and collaboration at both local and national level of MoE generates the documentation necessary for the recommendation of a statutory intervention. While several divisions of the Ministry may have contributed to the documentation, it is always managed by National Operations Division.

Intervening in schools in other countries

In many countries policies designed to address school failure, or under performance, tackle the problem through remedial rather than preventative measures. Such

---

[5] Kura kaupapa Māori are state schools where the teaching is in the Māori language (te reo Māori) and is based on Māori culture and values.

[6] Te Aho Matua is a philosophical statement of Maori cultural and spiritual beliefs, values and practices, and was written as the foundation document for kura kaupapa Maori.

[7] Te Runanga nui o Ngä Kura Kaupapa Maori - National Association of kura kaupapa Maori

[8] Integrated schools are schools that used to be private and have now become part of the state system. They teach the New Zealand curriculum but keep their own special character (usually a philosophical or religious belief) as part of their school programme. Integrated schools receive the same Government funding for each student as state schools but their buildings and land are privately owned so they charge attendance dues to meet their property costs.

measures are closely focussed to address specific areas of need previously identified and are seen as dealing with the immediate issues. As with the identification of ineffective schools, I will consider Victoria, USA and UK provisions for interventions into schools.

In announcing new government policy in 2003, Hon Lynne Kosky recognised the desirability of engaging external support and professional help is well articulated "Clearly if they had the requisite capacity there would be no need to intervene." Her announcement of "The Blueprint for Government Schools' in Victoria, Australia introduced efforts to make school improvement the shared responsibility between schools and both central and regional offices of the Department of Education. Explicit responsibility for direct intervention into schools "demonstrably under-performing both in student outcomes, and on other indicators such as parent and student opinion" was outlined to the Department. (Kosky, 2003, Victorian Auditor General's Office, 2007).

The Victorian State framework is underpinned by several assumptions, inline with current research on school effectiveness and improvement:

"• All students can achieve at the appropriate level, given sufficient time and support;

Teaching and learning in all classrooms can be improved;

• Improvement occurs by improving the knowledge-base, expertise and capability that the teacher and student bring to teaching and learning;

• Improving knowledge and capability requires professional learning in context and based on effective learning principles;

• Schools improve by ensuring that all programs, activities and services work in concert and support the development of the characteristics of an effective school;

• Leadership plays a central role in creating the organisational conditions for this to occur." (p4 Office for Government School Education, 2006)

The ongoing annual review of the Framework ensures changes in the context of Victorian education are reflected, and thinking from Australian and international experts is incorporated.

Until recently, the process to determine which schools with issues of concern would receive targeted support was not particularly clear. Decisions it would appear are not always well documented or consistent. Schools identified for diagnostic review usually received targeted support in the same year. Additional schools identified for targeted support in the same year were those considered to have the most challenging circumstances and those whose performance demonstrated a capacity to implement and sustain improvement. Where targeted support was not forthcoming, monitoring was maintained by the regional office.

Insight SRC (2004) in their report on school review processes found principals from diagnostic review schools desired more directive input and felt that without the necessary support and funding from the region or central office, the review process and its recommendations could neither be fully realised nor implemented. The Targeted Improvement Initiative assists participating schools to better understand the underlying issues affecting student outcomes, and provides support to the school in developing and resourcing improvement strategies. The contextual difference between schools with regard to challenges faced, and strategies needed to ensure improvement, is acknowledged in this programme. In each school, a professional support team works with regional office staff to develop an improvement plan and identify the resources required to implement the strategy. Regional staff plays an important role in providing the high level support required for schools to achieve improvement.

Minister of Education, Hon Lynne Kosky (2005) anticipated some of the difficulties in school improvement strategies. She identified the failure "to get traction in the schools that most need the support… Solutions which only focus on systemic approaches … do not address the fact that many schools haven't the internal capacity to change even when faced with drastic consequences." (p13 Kosky, 2005) The auditor's report states regional offices have worked intensively with around 15 schools each year since 2006 to support improvement. These fifteen schools may include those performing below expected levels or those having satisfactory student outcomes that should be performing better. Regional office support is provided to achieve outcomes established with the school through a Memorandum of Understanding which usually has a two or three-year duration. Principals completing a survey and schools visited in the course of auditing function indicated that targeted support was valuable. The support had been used in different ways, reflecting the variety of issues focused on and strategic approaches adopted.

An evaluation of the Targeted School Improvement initiative recommended that the schools be supported and resourced for a minimum of three years to implement improvement strategies. Targeted funding and priority support from the regional offices is generally available for twelve months which is being viewed as a critical factor that may effect the capacity of schools performing below expected levels to affect improvement. The intervention process in Victoria is less defined and prescriptive than in some the other countries considered. It would appear the process provides flexibility for schools to focus their attention and improvement efforts on those areas they believe to be the ones that will make a difference, and in accordance with international practice is data driven. Since the introduction of the Blueprint intervening when performance is less than expected, undertaking a diagnostic review or a targeted intervention of ongoing and intensive regional office support, are now accepted as part of how education operates within Victoria.

NCLB required states/districts to intervene in low-performing schools previously identified by poor performance in statewide testing. Thirty one different interventions of varying degrees of severity were mandated and available to state and local policymakers when faced with schools whose students fail to make sufficient academic progress.

These interventions are underpinned by some basic assumptions according to Brady (2003):

1. all schools, regardless of students' backgrounds, can succeed.
2. some element or set of elements in the current school is missing or awry, hereby inhibiting success.
3. the intervening body possesses what the troubled school lacks
4. the current leadership and/or professionals in the school lack the requisite skills to achieve success
5. school leadership and/or school staff lacks the will to improve.

These many interventions can be characterized by their level of disruption to school operations, programmes and personnel. At the mild and least disruptive level interventions do not significantly disrupt the basic structure of the school. Retention of staff and a call for them to adjust to changes in some of the basic structures and processes in the school typifies the middle and moderate level of intervention. At the strongest end of the continuum interventions are the most disruptive and often result in changes in school staff and always result in significantly changed school structures or processes. They require that programmes or initiatives be added to the existing school structure and implemented by existing school staff.

The first mild intervention is to place faltering schools on some form of state watch, warning, or probationary school lists. Schools thus identified as low performing are exposed and pressure created within the school, its parent community and by

district administrators to improve. Known as "sunlight theory" the hope being that exposure will prompt improvement. In practice when states have sought to turn around failing schools they have frequently devised multiple simultaneous intervention strategies, mixing and blending different approaches to fit the particular context. A plan may be implemented that typically includes a thorough needs assessment designed to communicate shortcomings that have contributed to the school's low performance and a description of the systematic steps necessary to remedy these. Advice and support on school improvement matters may be gained from a state or district staff member, or an experienced educator brought in as a consultant to work with the principal and selected teachers. Professional development for teachers is another avenue of improvement and it is desirable that such training is consistent the school's improvement plan. Greater parental involvement in the school may be in the form of assistance in classroom activities, more formal input into management, after school enrichment opportunities for students, supplemental tutoring for students after school, before school or on Saturdays. In many instances, students at risk of failing state tests are identified for tutoring.

At the moderate level of intervention the addition of instructional time after-school or on Saturdays for at-risk students, or even whole classes has a compulsory attendance requirement. Days may be added to the year beginning and/or end; time may be added by revising the school schedule. Voluntary reorganization is typically initiated by existing school staff. It may involve governance, decision-making processes, staff responsibilities, school and programme structure and teaching practices to boost student achievement. A change of Principal is another possibility, that is infrequently used. Where Principals do not have permanent positions, eg Florida and Massachusetts, non-renewal of a contract for the principal of a failing school is a possibility. In other cases it must be proved that the principal has not served as an effective school leader and these actions are often subject to prolonged

legal challenges. Indeed, Principals of failing schools may be encouraged to retire or find employment elsewhere or assigned to other schools or to positions in the central office of a school district.

Strong interventions include informing existing staff towards the end of the school year that they will all need to reapply for their positions – with not many being re-employed. The state may assume governance appointing an individual or entity to serve as the new chief administrator. The state may also takeover an entire low-performing district removing the local board of education and replacing the superintendent. School closure can result in the design of a new school, a new instructional programme is developed, a new principal and staff hired, and school building refurbished and even renamed. Vouchers may allow students from failing schools to attend private or public schools. The district may impose a different curriculum on the school, a school's or district's operations may be outsourced from an outside provider. At the extreme end are Redirection of School or District Funds, withholding of School or District Funds and closing Failing Districts.

Identification of a school in California for Immediate Intervention (II) on an Underperforming Schools Program (USP) then commits a school to the process detailed in the following flow chart. Student achievement results on statewide testing are the benchmark of the school's progress towards making the improvements required, just as they are the indicator initial identification of effectiveness.

Figure 5: Immediate Intervention (II) on an Underperforming Schools Program (USP)

Results of Participating in the II/USP Program for the First Two Funded Implementation Years.

- Schools making API growth targets for two consecutive years exit II/USP.
- Schools making significant growth in either of the two implementation years become schools "under watch."
- Schools making zero or negative growth for two consecutive years become state-monitored.

- Schools that continue to make significant growth remain "under watch."
- Schools that do not make significant growth in any given year (after the two implementation years) become state-monitored.
- Schools that make all API growth targets for one year exit II/USP.

- Schools have three years once the are identified as state-monitored to make significant growth for two consecutive years and exit the II/USP Program.

(California Department of Education, 2005)

According to Brady (2003) of the many strategies employed, a success rate of 50 percent is high, and most approaches yielded lower rates. A commonality in successful interventions was "good school-level leadership." As NCLB law passes its 5 year anniversary this year, 2007, proposals for its improvement are being suggested. Hoff (2007) notes that a number of groups suggested policy proposals designed to expand state tool kits for intervening in struggling schools. These include expanding school choice under the law by providing vouchers for students to seek education in private schools, pouring extra money into the troubled schools, and finding ways to differentiate interventions depending on schools' needs. The

debate has also extended to issues such as the adoption of national standards and how best to measure students' academic growth.

England and Wales both have systematic followup after an Ofsted inspection has revealed problems. Schools are also held accountable through the publication of league tables that inform all the stakeholders in the school, including the staff, Local Education Authority (LEA), parents and of course the students. If a school has been found to be providing an unacceptably poor level of education after the Chief Inspector of Schools has checked the reviewers findings, 'special measures' may be imposed. Following the inspection the school is required to draw up an action plan to address the key issues, the LEA also draws up plans outlining how they will support the school. The LEA has delegated power to withdraw the school's budget, and/or appoint additional governors to the school. Closure of the school and subsequent dispersal of students to other schools is also a possibility. Once special measures have been imposed, progress of schools towards achieving the desired improvements is monitored by Ofsted termly[9]. The appropriate government ministers are advised by the Chief Inspector of Schools throughout the 'special measures' and of the readiness for removal of the measures. There is the expectation that the necessary improvements are made within 2 years. Should the school, in cooperation with the LEA be unable to effect sufficient change, the Minister has the power to take the school from the authority of the LEA and appoint a group of people to take control of its future – deciding whether or not it is to remain in existence and/or to implement the programme of improvement. (OECD, 1998)

The difference in improvement between schools in 'special measures' and those causing lesser concern is interpreted by Matthews and Sammons (2005) as a reflection of a greater capacity to improve and to sustain improvement. They

---

[9] Schools in UK operate on a 3 term year

suggest the greater support and monitoring available to those in special measures, may be necessary for those causing lesser concern to overcome a lack of capacity to be self-critical, and the appropriate leadership to sustain the drive for self improvement. The initial judgement that a school requires special measures can be devastating to a school and result in feelings of demoralisation, staff leaving, parents withdrawing their children and negative publicity. The school, with the help of the LEA, has to produce an action plan to address weaknesses identified by inspectors for approval by the Secretary of State for Education and Skills, and becomes eligible for extra funding. The typical journey of a school in special measures is represented graphically by the chart below:

Figure 6: Typical improvement path of a school in special measures

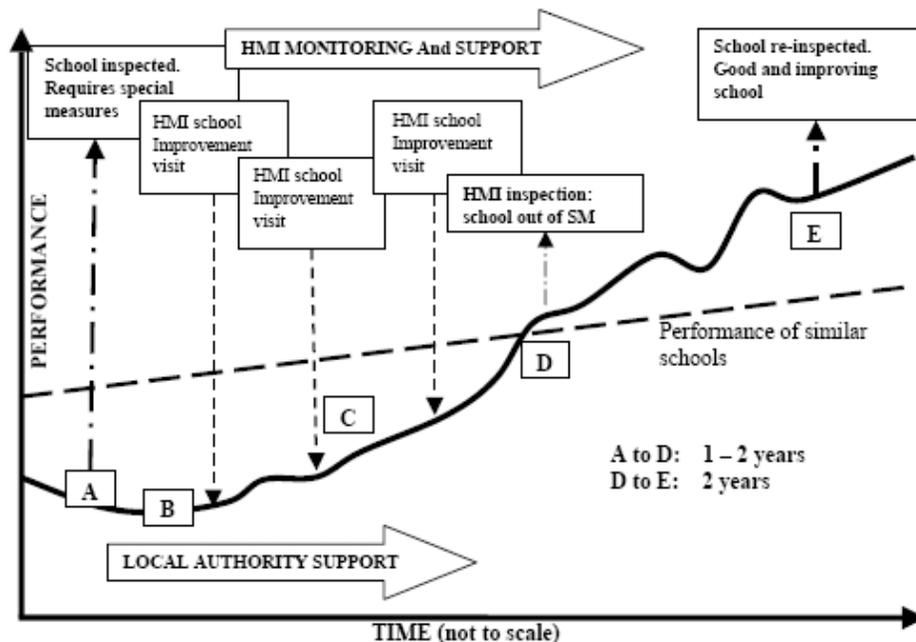Figure 2.   A typical improvement path of a school in special measures

(p164 Matthews and Sammons, 2005)

Matthews and Sammons (2005) suggest that these HMI school improvement visits, shown as 'C' on the figure above, are often valuable to the school in its journey to become more effective. A school is expected to be ready to emerge from special measures status within two years, and, in practice, most achieve removal from

special measures earlier than this. Point 'D' in the diagram represents the inspection that removes 'special measures' and the school is then re-inspected by a section 10 inspection (Point E) usually two years after coming out (point 'E'). Almost 60% of the schools re-inspected after coming out of special measures are judged to be: "… good, or even very good or outstanding. Successful and sometimes innovative practice has put some of these schools at the leading edge within their LEAs" (p51 Ofsted, 2005).

In efforts to achieve Ofsted's 'improvement through inspection' claim, Chapman (2002) and Cuttance (1994) support the findings that it is the combination of internal and external elements that produce effective school evaluation. The internal capacity for improvement is best engaged when supported by external agencies and professionals. She also draws attention to the context specificity with schools at different stages of development, having diverse cultures, structures and capacity for change. School improvement calls for change at all levels and post-inspection support to facilitate the change process. Chapman identifies communication between stakeholders of the school, the re engagement at the local level, along with a shift from pressure to a more supportive approach as increasing the possibility of school improvement beyond current practice.

In their anaylsis of the experience of failing schools Nicolaidou and Ainscow (2005) reported an over dependence of schools on LEAs for improvement strategies had actually hindered the desired improvement. Greater autonomy for schools in 'special measures' can be construed as lack of support and in fact some schools in Nicolaidou and Ainscow's study deemed tha LEA's lack of support to be instrumental in their placement in 'special measures'. In most cases the schools welcomed the LEA involvement and considered improvement impossible without it.
An oversimplification of contexts, that considers problems facing schools in special measures are "predictable and straightforward", (Nicolaidou, 2005) is

counterproductive. They found the problems are more likely to be both complex and unique and very much dependent on leadership.

There are a range of tailored interventions which can be used depending on the needs of the individual school. The options may involve strengthening the leadership of a school or giving extra support to improve teaching and learning. For serious cases there may be a fresh start[10], a collaborative restart (or a support federation) with a stronger school or the appointment of an Interim Executive Board to temporarily replace the governing body. School Improvement Partnership Boards have been set up in some authorities to oversee school improvement in one or more schools. In some cases a failing school may be replaced by an academy.

Interventions can approach the problem of school failure or effectiveness at the system or individual school level. Most of these programmes are also remedial and reactive rather than preventative and proactive. In practice most countries according to OECD (1998) use a combination of systemic and school approaches. Since the 1980s many countries have reformed their curriculum to address what was seen as a deliberate response to concerns about school standards. In England and Wales this was quite substantial replacing previously sketchy guidelines with detailed programmes and attainment targets for all subjects. In Finland, Norway, Sweden and Portugal similar reforms occurred, however they were less comprehensive, detailed and rapid. Considerable opposition from teachers' unions resulted in the curriculum being trimmed down and the Chief Inspector of Schools has subsequently claimed its success in beginning to raise standards.

In countries where there has been major political change eg the Eastern block countries, a similar level of reform has taken place, however it is more common to see a more restrained approach to curriculum reform. Reform can also come in the

---

[10]Since 1998 51 Fresh Start schools - 23 primaries, 27 secondaries and 1 special have opened (Department of Children, 2007)

guise of a change in ethos or objectives. A recent example of this change exists in Japan where the traditional, narrow, rigid curriculum and limited teaching styles were addressed by challenging the underlying beliefs about the purpose of education. Schools became more student focussed and friendly and teachers more open-minded and flexible. A third level of reform may look at the administration of the educational system – examinations, accreditation and scholastic structures. In France, Spain and French speaking Belgium restructuring of the programmes into learning cycles and restructuring the baccalaureate in France and Spain and the implementation of NCEA in NZ are all examples of this manner of reform.

School effectiveness and improvement are managed in a variety of ways to suit national contexts and beliefs about and education. Strategies for interventions at the school level are founded on the assumption that schools are responsible for student achievement and have the ability to make improvements. The direct application of an intervention at school level is seen by policy makers as promoting accountability of schools in an age of concern over standards. (OECD, 1995). Fullan (2007) reminds us of the tension that exists between accountability, incentives and capacity building and of the importance of all three working in concert to achieve change that will go the distance.

Methodology

Introduction

Quality assurance in New Zealand schools has both internal and external aspects. External aspects are largely measured by an Education Review Office review. Schools seen to raising concerns for ERO reviewers can be placed on Supplementary rather than the regular review cycle. Being on supplementary review cycle means there will be a supplementary review undertaken either in 6 or 12 months to ascertain process made in the areas previously identified as of concern. This information is shared with MoE and where considered necessary, the Ministry of Education can invoke Statutory Interventions designed to improve the situation in the school. Ministry of Education Statutory Interventions are a range of interventions that may be used to address risks to the operation of individual schools or to the welfare or educational performance of their students. Six interventions are legislated: a requirement for information; a requirement to engage specialist help; a requirement to prepare and implement an action plan; the appointment by the Secretary, at the direction of the Minister, of a limited statutory manager; the dissolution of a Board by the Minister, and the appointment of a commissioner, and the dissolution of a Board by the Secretary, and the appointment of a commissioner.

In seeking an answer to the research question "Is there a match between the Education Review Office's identification of, and the Ministry of Education's intervention in schools on supplementary review in specific case studies?" this study will consider commonalities and characteristics of schools with Statutory Interventions. Types of Intervention and the lead issues identified by MoE for Statutory Interventions for specific schools will be analysed and then compared to the concerns found in the ERO reports for the school. The duration and revocation of interventions will also be considered.

Two cohorts of schools will form comprise the case studies: Cohort 1 is the group of primary schools in Central North MoE region with Statutory Interventions between

2003 – 2007; Cohort 2 is the group of primary schools in Central North MoE region with Statutory Interventions and repeat Supplementary Reviews between 2003 – 2007.

Conceptual Design

In Central North MoE region there are higher rates of Statutory Intervention than in other MoE regions. Any evidence of patterns or trends in schools that find themselves under Statutory Intervention and/or on Supplementary Review may be helpful in anticipating such difficulties in similar schools in the future. Improving schools is the raison d'etre of a Statutory Intervention. With ERO in the main identifying the difficulties and MoE intervening, a match between their findings and focus may be expected.

Education Review Office reviews, based on a three yearly review cycle of every school, is the basis of external quality assurance. While ERO is satisfied with the education being offered and the risk to the Crown schools remain on the regular review cycle. When ERO is not satisfied on one of these fronts then schools a placed on the Supplementary Review cycle and undergo either 6 or 12 monthly supplementary reviews. These cycles are represented below:

Figure 7: ERO Review Cycles
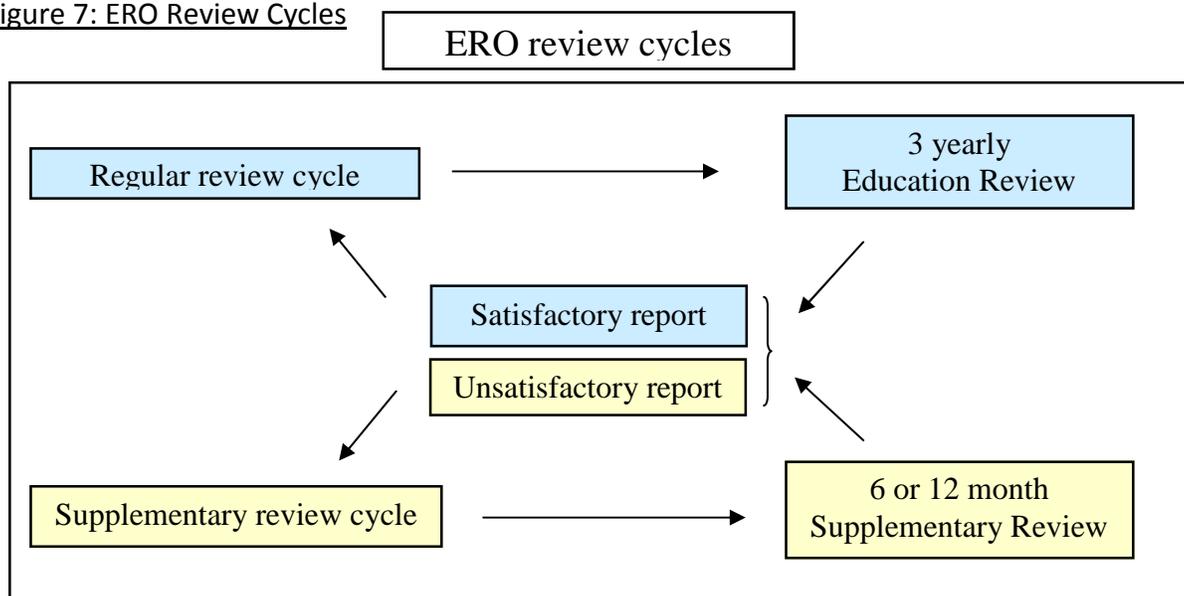
Ministry of Education Statutory Interventions are a range of interventions that may be used to address risks to the operation of individual schools or to the welfare or educational performance of their students. Six interventions are legislated: a requirement for information; a requirement to engage specialist help; a requirement to prepare and implement an action plan; the appointment by the Secretary, at the direction of the Minister, of a limited statutory manager; the dissolution of a Board by the Minister, and the appointment of a commissioner, and the dissolution of a Board by the Secretary, and the appointment of a commissioner. In many cases MoE is alerted to difficulties in a school as a result of an ERO review, however this is not the only source from which concerns can be raised. Public, community, other agencies and self referral are all avenues via which schools come to the attention MoE as shown on the diagram below.

Figure 7a: Statutory Intervention Initiation
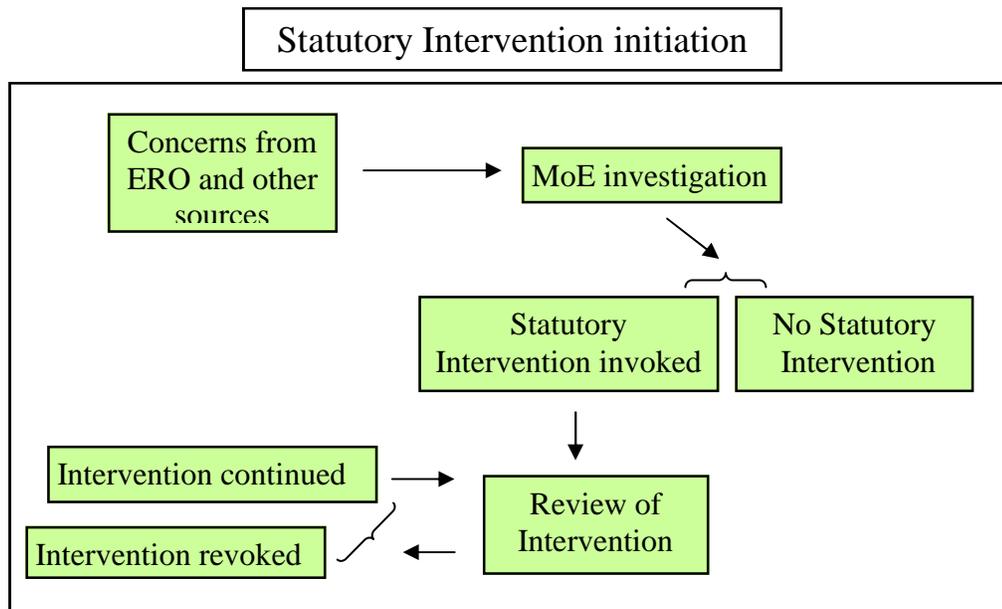
The connection between ERO reviews and Statutory Interventions is rather individualised. While the two partners are working towards similar goals their roles and systems are distinct and separate. The connection is at an information sharing level and the responses customised to each school context. The following diagram

shows the source of concerns that may result in Statutory Interventions for schools on both the regular and supplementary review cycles.

Figure 7b: ERO Review cycles with initial catalyst of Statutory Interventions

ERO review cycles

Regular review cycle

3 yearly Education Review

Statutory Interventions arise from sources other than

Satisfactory report

Unsatisfactory report

Statutory Interventions may arise from ERO concerns and/or other sources

Supplementary review cycle

6 or 12 month Supplementary Review
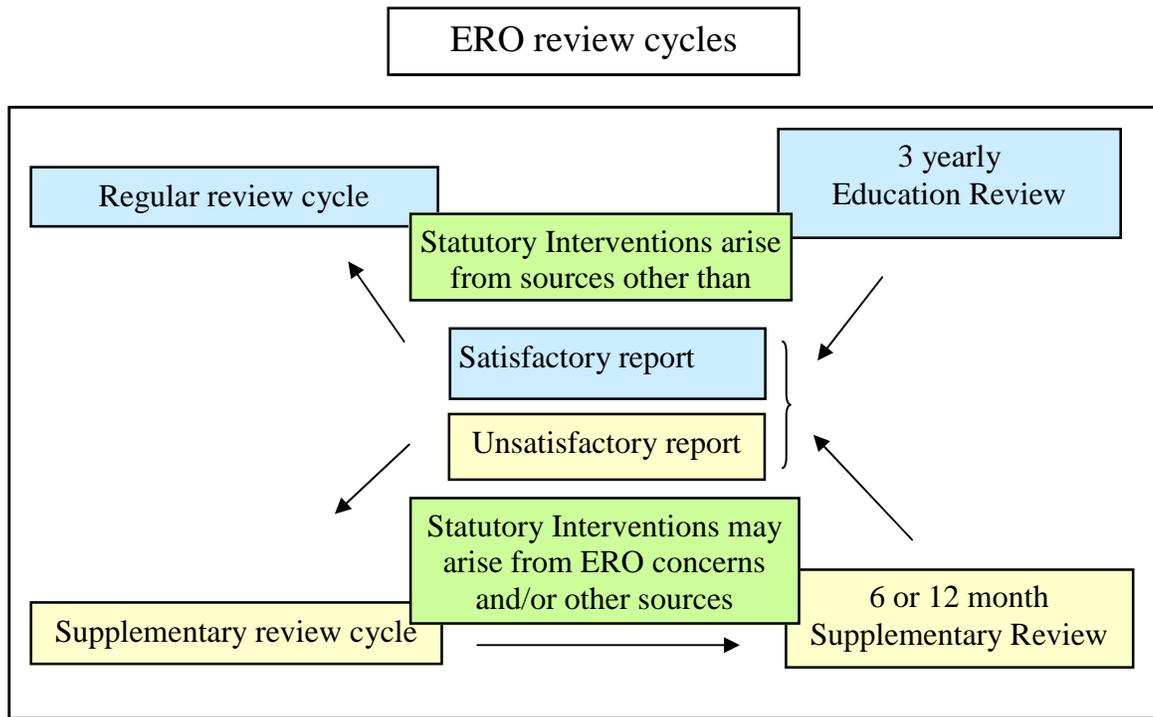
Research Method

This study used statistics and document analysis as a research method. The data regarding schools with Statutory Interventions was all made available by Ministry of Education. ERO reports for all schools are publically available on ERO's website. School data was pared down to primary schools in Central North MoE region with Statutory interventions between 2003 – 2007. Further data regarding isolation of schools (MoE source), ethnicity of roll, total school roll and decile (uplifted from the latest ERO report for each school) were added to the data for Statutory interventions. ERO concerns were taken from the ERO reports of the schools. The exact wording was used to identify the concern expressed ERO.

<u>Limitations</u>

This study is limited by:
- its dependence on arithmetic analysis of data.

- Accuracy and consistency of extraction of concerns from ERO review reports

- Accuracy and consistency grouping ERO concerns into categories

<u>Importance of study</u>

This study will be of interest to MoE, particularly the School Development section, to ERO, to School Support Services and similar organisations who often facilitate the onsite professional learning and support, to the people directly employed in the Statutory Interventions (LSMs, Commissioners etc) to the Boards of Trustees, Principals, staff and communities of schools with Statutory Interventions and/or repeat supplementary reviews.

Method

With my research question 'Is there a match between the Education Review Office's identification of, and the Ministry of Education's intervention in schools on supplementary review in specific case studies?' I set about gaining an indepth understanding of how schools are identified as 'at risk'. I investigated the theory and practice of identifying schools at risk in New Zealand and then broadened the perspective to include the theory and practice of identifying schools at risk in other countries – Australia, UK and USA. The theory and practice of intervening in schools 'at risk' in New Zealand with the goal of school improvement considered the second half of the question. Again the theory and practice of intervening in schools 'at risk' in other countries was reflected on as a contrast to the New Zealand situation and to emphasize the variation in philosophy that underpins a country's educational practice. My primary sources of information and data for this study were Ministry of Education and ERO, supported and challenged by school effectiveness and school improvement writers.

The Central North Regional Office of Ministry of Education provided their data on Statutory Interventions in schools in the form of The Statutory Interventions Quarterly Report (2007) and Internal Record of Statutory Interventions (Ministry Of Education, 2007a).   Access to and use of these documents carried the requirement that no schools were identified in the study. Ministry of Education has accepted the offer to peruse this paper prior to its submission. MOE information of every school within the Central North region was made available. Answering the question required an indepth look at how the system works in practice. The schools for this study and their progress through the process of identification and intervention were selected from Internal Record of Statutory Interventions (Ministry Of Education, 2007a).

The table showed the school name, the school's official number, school type defined as either primary, secondary or composite. As the table forms part of wider MoE reporting, the MoE region Central North followed. The school's location is defined as either Waikato or Bay of Plenty. The type of intervention in place in the school is identified by its statutory intervention code 78K, 78L, 78M, 78N(1), 78N(2), 78N(3). A lead issue is identified, the name of the person appointed to intervene, the date the intervention commenced and where appropriate the date the intervention was revoked. The date for the MOE review of the intervention is also published in this spreadsheet.

Primary schools were identified from this table along with their type of intervention, lead issue, the person appointed to intervene, the commencement date of the intervention and where appropriate the date the intervention was revoked. The lead issues for the schools were quantified and later compared to the concerns raised by ERO. The duration of each intervention (until December 2007) for all schools with Statutory Interventions was calculated in months. To this basic information about the 32 primary schools with Statutory Interventions, I added total school roll, Maori roll as a percentage of the total school roll, ethnic composition of the total roll, decile ranking and isolation category of the school.

The roll was taken as that reported on the latest ERO report. Schools are required to disaggregate their roll for reviews. This seemed the most useful as there was also a breakdown of that total roll number into ethnicities. The ethnic composition of a school has also been extracted from Part 1 of the latest Education Review Office report in the period 2003-2007. Maori student numbers were reported for every school and clearly identified as such, however smaller ethnic groups were reported or recorded in a variety of formats that may leave them somewhat open to interpretation. There is some variation in the recording of this data. This variation relates to the many ways in which ethnicities are recorded and also to the form of

reporting. Where actual roll numbers were reported for each ethnicity I have calculated these to percentages rounding to the nearest whole number. Ethnicities recorded in the schools were New Zealand European/Pakeha, Maori, Asian, Pacific, Cook Island Maori, Chinese, Indian, Other European, Korean, Tongan, Niuean Samoan and Other.

Some reports refer to actual numbers of students within each ethnic group while others present these as percentages of the entire school roll. In a couple of cases the ethnic percentages reported do not total 100%. This oversight may have been on the School's or Education Review Office's account. A cursory glance suggests some ambiguity in ethnicity reporting. Asian in general NZ usage could refer to Chinese, Indian, and Korean and other. Likewise Pacific Island could also include Cook Island Maori, Tongan, Niuean, Samoan and Other. The same could be true of New Zealand European/Pakeha and Other European and Other. On the surface it does appear that Maori reporting is more definitive. However, there remains the possibility of Maori students being misrepresented as Pakeha, or any of the other ethnic groups where their heritage is mixed.

MOE (2008) explains the decile of a school is an indication of the extent to which the school's students are drawn from low-socio economic communities. Schools categorized as Decile 1 are the 10% schools with the highest proportion of students from low-socio economic communities while at the other end of the scale Decile 10 schools are the 10% with the lowest proportion of students from low-socio economic communities. Five factors across a random or whole sample of students addresses are used to calculate the decile of a school.

1. Household income – percentage of households with equivalent income in the lowest 20% nationally.
2. Occupation – percentage employed in lowest skill occupations

3. Household crowding – number of people in the household divided by number of bedrooms

4. Educational qualifications – percentage of parents with no tertiary or school qualifications

5. Income support – percentage of parents directly receiving Domestic Purposes, Unemployment, Sickness and Invalids Benefits in the past year. (Ministry of Education, 2008)

Each of these 5 factors is used to rank schools against all others. A score is achieved according to the percentile they fall into for each factor. The scores are totaled without weighting. This total then gives the overall position of the school which can be divided into 10 even groups - deciles. The deciles referred to in this study have been taken from the school's latest ERO Report.

Isolation was included in this study of schools "at risk" as this seemed to be one of the common factors of these schools. Whether it was present as a factor was worth exploring before even contemplating the whether it was causal or not. Isolation can be a relative and emotional concept. MoE school isolation index for allocation of Targeted Funding for Isolation was used to measure and compare isolation status of the schools studied. Cohort 1 and subsequently Cohort 2 school isolation indicies were extracted – the range, median and average was recorded for both groups. This was compared to the range, median and average isolation index for all New Zealand schools

In a similar vein while much of my research into ERO's processes and procedures involved documents that are in the public domain, access was given to the Education Review Office (2007)Manual of Standard Procedures for Education Reviews The research division of ERO requested the opportunity to check accuracy of the study on its completion. With the background established, a sharpening of the focus occurred. Extensive reading of ERO's methods of identifying schools that

could be 'at risk' was undertaken. ERO, as the quality assurance office of education in New Zealand, has that responsibility. Identification of the risk to student learning and the Crown's investment is an outcome of the auditing and reviewing process in New Zealand. The development of self managing schools from the fledging concept of the 80's has precipitated changes to their role and approach of Education Review Office. The focus of the self managing school review is one of partnership from the scoping work done before 'in school' work, through to the draft report, submissions, final report and where necessary the post review workshops. The background to Education Review Office and the current review processes provided a starting point. What processes are in place and what beliefs support those processes? And at the school site, what happens when a school is reviewed by Education Review Office?

The types of reviews undertaken by Education Review Office prior to and across the period of this study have evolved as the review process and Education Review Office itself have adopted and grown to meet the challenge of the new environment of self managing schools and a more transformative approach to review. All Education Review Office reviews for schools have been public documents since 2000. These are now fully and freely accessible online. Using the Ministry of Education Central North information of school with either recent of current Statutory Interventions I filtered out all secondary and composite schools to focus solely on Primary schools. All Education Review Office reviews for these thirty two primary schools were then accessed. One hundred and twenty six Education Review Office reports were accessed for the thirty two schools.

Accountability and Education reviews are for the purposes of this study considered the 'normal' regular cycle reviewing undertaken by Education Review Office. The name changes are indicative of the change in focus, structure and purpose of the reviews as Education Review Office developed, refined and responded to research and school and educator feedback.

Discretionary, Supplementary and Special Reviews are not considered part of the regular cycle of reviewing. Although they can emanate from a variety of catalysts, they can indicate a least one party of the wider school community is not convinced about the Schools' ability to deliver education of the expected standard and/or the management of risk to the Crown's investment.

To make the project more manageable and taking into account the frequency or occurrence of Education Review Office reviews the study then looked at the reviews between 2003-2007 for Schools in Central North with Statutory Interventions – 79 review reports then fitted this brief. Of these 79 a breakdown by review type reveals:

Each of the seventy nine reports was read and Education Review Office concerns identified. Reporting formats varied in accordance with the type of review. Some listed compliance issues and recommendations clearly identifying key areas. Others, often Supplementary Reviews that only review areas identified in previous reports, often report under the headings of the previous review and do not categorically state compliance matters that must be addressed and recommendations that could improve the School's performance in a finite list as a conclusion to the report. Where this was the case key areas for improvement were identified by phrases such as 'the Board of Trustees must ensure …'

The exact wording of the issues, whether stated emphatically in list form or explicitly within paragraphs where there was no concluding list was maintained as the heading for that particular concern. Another school with the same wording in their Education Review Office report may then be identified as presenting with the same concern. Between Education Review Offices, between Review teams and even within Education Review Office teams there may well exist diversity in phrasing to

record the same concern. In many cases the concerns were closely related and could well be categorized together yet the choice of wording separated them. Nuances indicated the presence or absence of intent, willingness, and/or ability to complete certain requirements. The one hundred and twenty two items identified as of concern either at a compliance or recommendation level were then grouped into categories.

1. Principal
2. Teaching and Learning
    a. General
    b. Documentation and use of data
    c. Management
3. Community
4. Safety
5. Board of Trustees
    a. Planning and reporting
    b. Personnel
    c. Governance

The categories were settled on by considering who has responsibility for this and who does it affect.

Teaching and learning became a very large category. Originally called Curriculum and Pedagogy, on reflection I thought Teaching and Learning was a more appropriate title. Subcategories - General, Documentation and use of data, and Management - were used. Many items in the reports were closely related and /or interdependent, and could have been comfortably sited in two or all three subcategories. Similarly Board of Trustees concerns fell into three subcategories – Planning and Reporting, Personnel and Governance.

The identification of ERO's concerns for schools in the study provided the opportunity to match what seemed to present to ERO as significant and the lead issue named by MOE for the purpose of their Statutory Intervention. What also became apparent was in some situations a school presents with concerns, these are dealt with promptly and effectively, and the school returns to a regular review cycle. For whatever reason, the school has gone through a blip and been able to remedy the situation quickly and effectively. At the other end of the scale there seemed to be a number of schools that were persistently present on the schools with Statutory Interventions register. Some of these schools were subject to multi interventions either consecutively or concurrently. Despite there being the same type of intervention in place and ERO completing the same quality assurance processes, improvement was minimal or insufficient or compartmentalized to the specific concern.

To enable closer study of recidivism in schools under Statutory Intervention, schools with repeat Supplementary Reviews were identified. In all but one school not only were there repeat Supplementary Reviews within the 2003 – 2007 timeframe they were also consecutive.

From the Central North region's schools with Statutory Interventions schools that had had repeat supplementary reviews were identified and considered as one cohort. A supplementary review for a school is an indicator the review team from Education Review Office were not satisfied with the standard of education being offered for the students or that there existed some risk to the Crown. The initial review would have signaled clearly and concisely areas where action was both required for compliance and recommended for more effective operation. The ensuing Supplementary Review evaluated progress made towards meeting those specifics and previously catalogued shortcomings. The return of the Education Review Office to the School would have occurred in most cases after twelve months

and in some cases, after twenty four months. In the knowledge that the Ministry of Education office responsible for the School would have been notified of the situation at the School and the concerns of Education Review Office assistance would have been forthcoming to move the School, staff, students and community into a more effective educational environment.

Support and professional input is not limited or restricted to that of The Statutory Intervention. Organisations such as School Support Services, Tuhoe Education Authority and private providers etc (more from SSS at risk list) are likely contributors to the school improvement programme. It is reasonable to assume that if areas of concern are clearly defined and there is some support and professional input that a school with the capacity and capability to improve will be able to make substantial progress towards achieving the outcomes expected by Education Review Office within that twelve or twenty four month period.

For a school to be returned to the regular review cycle, Education Review Office must be convinced of the Board of Trustee's ability to successfully manage the School. Where a Supplementary Review has been involved this can mean not only have the necessary changes been made on managerial and governance but that the Board of Trustees will be able to maintain and build on this next platform. A subsequent Supplementary Review then signals Education Review Office is not confident the Board of Trustees is able to initiate and maintain the changes required, despite the professional support available to the School.

Therefore consecutive Supplementary Reviews defined the schools with Statutory Interventions that form the cohort closely examined in this study. Data from the seventeen schools identified as having consecutive Supplementary Reviews were separated from the non consecutive Supplementary Review schools.

I compared the concerns listed by ERO in all the Review Reports between 2003 and 2007 for the schools with consecutive Supplementary Reviews with that time frame. The comparisons were made between categories rather than subcategories as I believed the subcategories to be too narrow in their application to indicate a trend, improvement or otherwise, within the school. This data revealed patterns of concerns repeated in subsequent ERO reports, some concerns being cleared in subsequent ERO reports and in other cases still more concerns being identified. Concerns were registered as present within each category previously attributed to concerns from ERO reports for each report within the timeframe. Where a concern was registered within one of the categories and a concern was registered in the same category in a subsequent ERO report it was deemed to be a repeated concern. Where a concern was registered within one of the categories and none was registered in the same category in a subsequent ERO report it was deemed to be a cleared concern. Where a concern was not registered within one of the categories in the initial report but appeared as a concern in the same category in a subsequent ERO report it was deemed to be an identified concern. These definitions of concerns were then recorded as a percentage of the total concerns recorded.

Through the course of this study the research question has skewed to include the common factors for recidivism of schools under Statutory Interventions and has opened the lid on the can of self managing schools. Findings deal with the commonalities between the study schools, patterns of concerns identified by ERO, patterns of naming lead issues for Statutory Interventions and the recidivism of concerns and duration of interventions. Possible reasons for these occurrences and the possible impact and predictability of commonalities on school performance were considered. Finally some ways forward are suggested.

Results

Nationwide governance and administration of NZ's education system and quality assurance provides uniformity of approach and process for the identification and intervention in schools that are less effective than expected. Central North MoE region is over represented in statistics for schools in NZ with Statutory Interventions. Some findings of this study replicated information that is available at a National level and across other regions. Other findings draw attention to not only commonalities in school composition and situation but also cause us to consider why and how issues or concerns are identified and addressed as they are. The scope of the problem of schools under Statutory Intervention appears to be greater in the Central North Region when compared against other regions.

Table1: National Overview

Type of intervention	Northern	Central North	Central South	Southern	Total
78J: requirement to provide information	0	0	0	0	0
78K: specialist help	5	10	7	3	25
78L: action plan	1	0	0	0	1
78M: limited statutory manager	7	16	11	10	44
78N(1): commissioner	5	8	0	2	15
78N(3): commissioner	4	5	2	1	12
Total:	22	39	20	16	97

Six percent of schools in the Central North region have a statutory intervention. Four percent in Central South, three percent in Northern and two percent of schools in the Southern region have an intervention. Overall, 3.9 percent of schools nationally have a statutory intervention." Table and caption reproduced from Quarterly Report of Statutory Inventions.

The total number of schools under Statutory Interventions in Central North (39) constitutes 6% of the schools in the region. Northern region schools under Statutory Interventions (22) represent 3% of the region's schools. Central South's schools under Statutory Interventions (20) comprise 4% of their schools and the Southern

region's schools under Statutory Interventions (16) are the smallest percentage at 2%.

These Central North primary schools with Statutory Interventions were grouped as cohort 1 for this study. The nominal data for this cohort were compared. Primary schools in Central North MoE region with Statutory Interventions and that had repeat Supplementary Reviews under ERO between 2003 – 2007 were grouped as cohort 2. There were thirty two primary schools in Central North that made up cohort 1. There were seventeen primary schools in Central North under Statutory Interventions that also had repeat Supplementary Reviews between 2003 – 2007. Schools in this study are identified by an ID number to protect confidentiality.

Table 2, following, identifies lead issue, type and duration of intervention in place in Primary schools in Central North as of November 2007 – Cohort 1. Shaded rows identify schools with Statutory Interventions and repeat Supplementary Reviews between 2003 – 2007 - Cohort 2. Columns in the table refer to:

Column 1 – ID - identifies the primary schools in central North region under
        Statutory Interventions by ID number

Column 2 – Lead issue – identifies the issue MOE considers to be the main or lead in
        the Statutory Intervention

Column 3 – Intervention – a split column identifies the Statutory Intervention by
        Statute code eg 78M and by the role/common term related to the code eg
        Limited Statutory Manager

 Column 4 – Duration in months – the term a revoked Intervention is recorded in
        months. Where an Intervention is continuing the months of duration at end
        of 2007 are recorded, followed by current in recognition of its continuance.

Table 2: Lead issue, type and duration of intervention in place in Primary schools in Central North as of November 2007(Cohort 1).

School ID	Lead Issue	Intervention		Duration in months
1	unconstitutional governance	78N(3)	Commissioner	33
1	community issues	78N(1)	Commissioner	8 current
2	employment	78K	Specialist help	5
3	employment	78M	LSM*	12
4	employment	78M	LSM*	15
5	employment	78K	Specialist help	10
6	employment	78K	Specialist help	15 current
7	unconstitutional governance	78N(3)	Commissioner	33
7	multiple issues	78M	LSM*	1 current
8	board dysfunction	78K	Specialist help	12 current
9	employment	78N(3)	Commissioner	12
10	employment	78M	LSM*	11
11	employment	78M	LSM*	14
12	employment	78N(1)	Commissioner	19 current
13	unconstitutional governance	78N(3)	Commissioner	4
14	other	78K	Specialist help	13 current
15	financial	78K	Specialist help	12
15	employment	78N(1)	Commissioner	36
15	multiple issues	78M	LSM*	3 current
16	employment	78M	LSM*	10 current
17	curriculum	78K	Specialist help	12
18	financial	78M	LSM*	12 current
19	multiple issues	78M	LSM*	52 current
20	multiple issues	78M	LSM*	17 current
21	employment	78M	LSM*	15
22	multiple issues	78M	LSM*	18
22	employment	78K	Specialist help	1 current
23	employment	78N(3)	Commissioner	13 current
24	employment	78M	LSM*	7
25	curriculum	78K	Specialist help	28 current
26	employment	78M	LSM*	21 current
27	financial	78L	Action plan	15
27	employment	78K	Specialist help	17
27	employment	78N(3)	Commissioner	15 current
28	employment	78M	LSM*	15
29	multiple issues	78K	Specialist help	14
30	employment	78M	LSM*	12
31	employment	78M	LSM*	13
32	student safety/welfare	78M	LSM*	12

* LSM = Limited Statutory Manager

The thirty two primary schools in cohort 1 had thirty nine Statutory Interventions between them. Twenty three Statutory Interventions were spread across the seventeen primary schools in cohort 2. The interventions comprised:

Table 2a Statutory Interventions by type

Intervention	Types of intervention as a % of Interventions for cohort 1*	Types of intervention as a % of Interventions for cohort 2*
Specialist Help 78K	28	22
Action plan 78L	3	4
Limited Statutory Manager 78M	46	52
Commissioner 78N(1) & 78N(3)	23	22

*Cohort 1 is the group of primary schools in Central North MoE region with Statutory Interventions between 2003 – 2007.
* Cohort 2 is the group of primary schools in Central North MoE region with Statutory Interventions and repeat Supplementary Reviews between 2003 – 2007.

Figures for the type of intervention are mirrored across the two cohorts. In the Cohort 1 schools interventions almost cover the available range - Specialist Help 78k (28), Action plan, 78L (3), Limited Statutory Manager 78M (46), Commissioner 78N (1) and78N (3) (23). In the Cohort 2 schools interventions were Specialist Help 78k (22), Action plan, 78L (4), Limited Statutory Manager 78M (52), Commissioner 78N (1) and78N (3) (22). A strong use of Limited Statutory Managers (46 & 52%), moderate use of Commissioners (23 & 22%) and Specialist Help (28 & 22%) and very low use of Action Plans (3 & 4%) replicates national figures across other regions shown on the table below. The number of Commissioners engaged is separated in this MoE table, whereas in this study's table 2a above, the Commissioner numbers have been combined.

Ministry of Education identifies a lead issue or issues where interventions are implemented.

Table 2b Lead issues of intervention for primary schools in Central North with Statutory Interventions

Lead issues	MOE lead issue in Interventions for cohort 1* as a %	MOE lead issue in Interventions for cohort 2* as a %
BOT dysfunction	2.5	0
Community issues	2.5	0
Student safety/welfare	2.5	4
Other	2.5	0
Curriculum	5	0
Financial	8	13
Unconstitutional governance	8	9
Multiple	15	22
Employment	54	52

*Cohort 1 is the group of primary schools in Central North MoE region with Statutory Interventions between 2003 – 2007.
* Cohort 2 is the group of primary schools in Central North MoE region with Statutory Interventions and repeat Supplementary Reviews between 2003 – 2007.

For schools in Cohort 1 these lead issues were identified as Board of Trustees Dysfunction (1), Community Issues (1), Student Safety/Welfare (1), Other (1), Curriculum (2), Financial (3), Unconstitutional Governance (3), Multiple Lead Issues (6) and Employment (21).Lead issues for schools in Cohort 2 were identified as Student Safety/Welfare (1), Financial (3), Unconstitutional Governance (2), Multiple Lead Issues (4) and Employment (10). Multiple is undefined and if taken literally is a combination of any of the other named lead issues. Other is a total unknown.

Table 2c –Revocation of Statutory Interventions

Interventions revoked	Interventions revoked as a fraction of intervention type in cohort 1*	Interventions revoked as a fraction of intervention type in cohort 2*
Interventions revoked	24/39	15/23
78L Action plan revoked	1/1	1/1
78K Specialist Help revoked	6/11	4/5
78M LSM revoked	8/16	6/12
78N (1) & (3) Commissioner revoked	6/9	4/5

*Cohort 1 is the group of primary schools in Central North MoE region with Statutory Interventions between 2003 – 2007. * Cohort 2 is the group of primary schools in Central North MoE region with Statutory Interventions and repeat Supplementary Reviews between 2003 – 2007.

Of the interventions implemented for Cohort One Schools, 62% (24/39) had been revoked by the end of 2007. Revocations of particular interventions occurred at varying rates; Action Plan (1/1), Specialist Help 78K (6/11), Limited Statutory Manager 78M (8/16) and Commissioners 78N (1) and (3) (6/9). Of the interventions implemented for Cohort 2 Schools, 65% had been revoked by the end of 2007. Revocations of particular interventions occurred at varying rates; Specialist Help 78K (4/5), Action Plan (1/1), Limited Statutory Manager 78M (6/12) and Commissioners 78N (1) and (3) (4/5). By type of intervention some are achieved more revocations than others across both cohort 1 and cohort 2; Action Plan (100% & 100% respectively), Specialist Help (55% & 80%), Limited Statutory Manager (50% & 50%) and Commissioner (67% & 80%).

The duration of an intervention was considered. Information from MOE indicated the commencement date and revocation date for each intervention. The range of duration for revoked intervention was 4 months to 36 months. However, when we look at interventions that are ongoing the range is 1 month to 52 months. Average duration for interventions that are then revoked – in essence, satisfactorily completed interventions – in CN region schools with Statutory Interventions was 15.8 months.

Table 2d: Intervention duration

Intervention	Interventions greater than 12 months as a fraction of that intervention for cohort 1*	Interventions greater than 12 months as a fraction of that intervention for cohort 2*
All interventions > 12 months [1]	29/39	14/23
78K Specialist Help > 12 months	8/11	2/5
78L Action plan > 12 months	1/1	1/1
78M LSM > 12 months	13/18	8/12
78N (1&3) Commissioner > 12 months	7/9	3/5

[1]An intervention that had been in place for 12 months and was ongoing was recorded as greater than 12 months.
*Cohort 1 is the group of primary schools in Central North MoE region with Statutory Interventions between 2003 – 2007.
* Cohort 2 is the group of primary schools in Central North MoE region with Statutory Interventions and repeat Supplementary Reviews between 2003 – 2007.

In Cohort 1 schools 74% of all interventions (29) lasted longer than 12 months. Of the interventions for Cohort 1 schools that lasted or were in place for 12 months or longer, 21% involved Specialist Help (8), 3% involved an Action Plan (1), 33% involved a Limited Statutory Manager (13), and 18% involved Commissioners (7). In Cohort 2 schools 52% of all interventions lasted longer than 12 months. Of the interventions for Cohort Two Schools that lasted or were in place for 12 months or longer, 9% involved Specialist Help (2), 4% involved an Action Plan (1), 35% involved Limited Statutory Manager (8) and 13% involved Commissioners 78N (3).

A school may have more than one Statutory Intervention in place. There is some variation as to the lead issues identified as either single issues for separate interventions or multiplicity of issues identified under a collective banner eg multiple issues.

Table 2e: Number of Statutory Interventions in a school

Number of Statutory Interventions in a school	Schools in Cohort 1		Schools in Cohort 2	
	No.	%	No.	%
1	29	84.5	13	76
2	3	9.5	2	12
3	2	6	2	12

*Cohort 1 is the group of primary schools in Central North MoE region with Statutory Interventions between 2003 – 2007.
* Cohort 2 is the group of primary schools in Central North MoE region with Statutory Interventions and repeat Supplementary Reviews between 2003 – 2007.

84.5% of schools (29) in Cohort 1 had one intervention in place. 9.5% of the schools (3) had two interventions in place, and 6% (2) had three interventions. 76% of schools (13) in Cohort 2 had one intervention in place, 12% of the schools (2) had two interventions in place, and 12% (2) had three interventions.

School Profiles

The schools in Cohort 1, those primary schools under Statutory Intervention in Central North (Ministry Of Education, 2007a) present with profiles similar to national and regional figures for schools under Statutory Intervention. The profile is

intensified when the 32 schools under statutory intervention are then filtered for schools with repeat Supplementary Reviews between 2003 – 2007. Maori roll and isolation are added to school roll and decile in the search for commonalities.

Table 3: Roll, % Maori students, decile and isolation for Cohort 1 & 2 schools. (Cohort 2 shaded).

School ID	Roll	% Maori	Isolation	Decile
1	34	79	1.87	1
2	77	17	1.94	7
3	92	10	1.21	8
4	536	22	1.1	5
5	89	70	1.3	1
6	50	64	1.76	3
7	38	100	2.18	2
8	59	83	1.07	2
9	14	0	1.27	6
10	43	100	0.62	1
11	36	100	0.42	2
12	36	100	3.73	2
13	25	48	0.69	3
14	31	6.5	1.34	6
15	18	100	0.8	1
16	259	98	0.43	2
17	16	50	1.74	3
18	38	100	2.04	1
19	10	100	2.41	2
20	235	99	0.49	2
21	43	100	0.78	1
22	12	100	0.9	1
23	378	32	0.63	7
24	126	100	1.39	1
25	163	100	0.06	1
26	61	100	0.81	2
27	88	66	0.92	1
28	109	68	0.91	1
29	141	19	0.19	6
30	32	7	0.62	10
31	18	50	1.32	9
32	95	43	0.4	2

Column 1 – ID - identifies the primary schools in Central North region under Statutory Interventions with consecutive Supplementary Reviews by study ID number.

Column 2 – Roll – identifies identifies the total school roll as it was at the time of the latest ERO report

Column 3 – % Maori –identifies the % of students of the total school roll who were recorded as Maori at the time of the latest ERO report

Column 4 – Decile – the decile ranking for each school as reported on the school's latest ERO report

Column 5 – Isolation – the isolation rating for the schools in this study was accessed from Resourcing Division MOE

School roll

Almost all of the seventeen schools in the study cohort were small. As seen in Table 3a there also exists a strong parallel between the wider group of 32 schools (Cohort One) and the focus group of 17 (Cohort Two). Small schools predominate the data.

Table 3a Roll

Total school roll	% of schools of that roll in Cohort 1	% of schools of that roll in Cohort 2
≤ 50	53	53
< 100	75	82
<150	84	94
< 200	87	94
< 300	93	100
< 550	100	0

*Cohort 1 is the group of primary schools in Central North MoE region with Statutory Interventions between 2003 – 2007.
* Cohort 2 is the group of primary schools in Central North MoE region with Statutory Interventions and repeat Supplementary Reviews between 2003 – 2007.

In Cohort One 53% of schools had a roll less than 50, 75% had a roll less than 100, 84% had a roll of less than 150, 87% had a roll less than 200, 93% had a roll of less than 300 and all had a roll of less than 550. In Cohort Two 53% have a roll less than 50, 82% have a roll less than 100, 94% have a roll of less than 150. Only one has a roll greater than 150 – that of 235. Compare these to the national figures where "Fifty six percent of schools with interventions have a roll of 150 students or less (42% of all schools have a roll of 150 students or less)."(p5Ministry of Education, 2007c). In a country with a multitude of small schools it appears those in Central North are not performing as effectively as those across other regions.

Maori roll

Table 3b Maori students as % of total school roll

Maori student % of total school roll	% roll reported as Maori students in Cohort 1	% roll reported as Maori students in Cohort 2
>30%	78	88
> 50%	69	76
100%	38	53

Schools in the two study cohorts shared strong ethnic profiles. In Cohort 1 38% of the schools had 100% Maori roll, 69% had a Maori roll greater than 50% and 78% had a Maori roll greater than 30%. In Cohort 2 53% of the schools had 100% Maori roll,76% had a Maori roll greater than 50% and 88% had a Maori roll greater than 30%.

Two schools in the study cohorts also reported a relatively high Cook Island Maori roll. School 27 reported 22% Cook Island Maori and 66% Maori students. School 28 reported 18% Cook Island Maori students, 68% Maori students and 6% Samoan. School 32 was the most ethnically diverse with 6 ethnicities reported – a Maori roll of 43%, Indian 21%, NZ European 18%, Pacifica 8%, Chinese 5% and Other 5%. Similarly School 9 reported 14% Other, School 17 reported 6.5% Other European, and School 29 reported 5% Others. Pacifica ethnicities were reported as Pacific Island, Cook Island and Samoan and Tongan. The diversity within Pacifica and Other remains unclarified.

Central North region does have the highest Maori roll numbers in New Zealand so it is expected that the schools represented may have higher Maori roll numbers than for schools across other regions where the total Maori population is lower. Statistics NZ in the 2006 Census found Maori to comprise 14% of New Zealand's total population, 20% of Waikato total population and 26% of Bay of Plenty population. Higher percentages of Maori on school rolls are therefore in keeping with demographics.

Isolation

MoE recognises the impact of isolation of schools by paying Targeted Funding for Isolation (TFI) – the indexes attributed to schools during this process have been used

to consider any match between relative isolation and primary schools under Statutory Interventions. Basic maintenance services are available from towns of 5,000; financial and banking services from towns of 20,000 and complete professional and specialist from cities of 100,000. These distances from services necessary for a school are the basis for generating the isolation index:

- 0.8 x the school's distance in kms from the nearest population centre of 5,000 or more
- Plus the school's distance in kilometres from the nearest population centre of 20,000 or more
- plus 0.4 x the school's distance in kilometres from the nearest population centre of 100,000 or more
- total divided by 100 to produce index.

The Index is reassessed following a national census. All mainland schools with an index rating of 1.65 or higher are eligible for Targeted Funding for Isolation.

Table 3c Cohort school isolation using MoE Targeted Funding for Isolation Index

	Cohort 1 schools	Cohort 2 schools	All NZ schools (Excluding Chatham and Pitt Is)
TFI Range	0.06 – 3.73	0.4 – 2.41	.01 – 7.93
TFI Average	1.166875	1.146471	.981504
TFI Median	0.92	0.9	0.71
No.qualifying for TFI	7 (21.8%)	4 (23.5%)	517 (19.9%)

*Cohort 1 is the group of primary schools in Central North MoE region with Statutory Interventions between 2003 – 2007. * Cohort 2 is the group of primary schools in Central North MoE region with Statutory Interventions and repeat Supplementary Reviews between 2003 – 2007.

Schools in cohort 1 had Isolation indexes ranging from 0.06 – 3.73; for cohort 2 the range was 0.4 – 2.41. The average Isolation index for cohort 1 was 1.166875 and 1.146471 for cohort 2, with a median index of 0.92 and 0.9 respectively. Seven schools in cohort 1 (21.8%) and four in cohort 2 (23.5%) were assessed as sufficiently isolated from population centres that are able to provide the range of services required by a school to qualify for Targeted Funding for Isolation. In comparison isolation indices for all new Zealand schools range from 0.01 – 7.93(excluding Chatham and Pitt Is); the average Isolation index is .981504, with a median index of

0.71. Nationally, 19.9% of schools qualify for targeted Funding for Isolation (calculated with figures extracted from Ministry of Education, 2006)

Decile

In Central North 72% of schools with Statutory Interventions are low decile ie decile 1-3 and 88% of schools with Statutory Interventions that have had repeat Supplementary Reviews between 2003 – 2007 are low decile. "Nationally sixty one percent of current interventions are in low decile schools." (p5 Ministry of Education, 2007c).

Table 3d Decile

Decile	Number and % of schools of that decile in Cohort 1		Number and % of schools of that decile in Cohort 2	
	No.	%	No.	%
1	11	34.3	8	47
2	9	28	6	35
3	3	9.3	1	6
4	0	0	0	0
5	1	3.1	0	0
6	3	9.3	1	6
7	2	6.2	1	6
8	1	3.1	0	0
9	1	3.1	0	0
10	1	3.1	0	0

*Cohort 1 is the group of primary schools in Central North MoE region with Statutory Interventions between 2003 – 2007.
* Cohort 2 is the group of primary schools in Central North MoE region with Statutory Interventions and repeat Supplementary Reviews between 2003 – 2007.

In Cohort One 34.3% of schools (11) are decile one, 28% (9) are decile two, 9.3% (3) are decile three, 3.1% (1) are decile five ,9.3% (3) are decile six and 6.2% (2) are decile seven, 3.1% (1) are decile eight, 3.1% (1) are decile nine and 3.1% (1) are decile ten. In Cohort Two 47% of schools (8) are decile one, 35% (6) are decile two, 6% (1) are decile three, 6% (1) are decile six and 6% (1) are decile seven. While it is quite feasible for a school of any decile ranking to be under Statutory Intervention the evidence in Central North finds it much more likely to be a Decile 1 or 2 school than any other decile. In the study cohort 2 the trend is even stronger - almost 5 times more likely to be decile 1 or 2.

ERO Concerns

Table 4 shows concerns raised in ERO reports of schools with Statutory Interventions that have repeat supplementary reviews between 2003 – 2007 (Cohort Two). The headings of the concerns are taken from the wording of the reports. The number next to each concern heading represents the occurrence on that concern across the cohort of 17 schools in this study, ie how many times the concern was raised across all the reports considered. Concerns with 4 or more occurrences are highlighted. The concerns are grouped into categories Principal, Teaching and Learning (General, Documentation and Use of Data and Management), Safety, Community and Board of Trustees (Planning and Reporting, Personnel and Governance).

Table 4: Detail of categorized concerns identified in ERO reports 2003 -2007 for Central North region schools under statutory intervention that have repeat supplementary reviews (Cohort 2)

Category 1 – Principal:

Principal professional development	16
Identification of Principal's Responsibilities	2
Principal release	1
Professional leadership	8
Principal mentor	1
Professional management	5
Principal reporting to BOT	4
Principal's relationships	1
Staff forum	1
Report student achievement	4

Category 2 – Teaching and learning: General

NAG1[11]	2
NAG1 in the Senior Room	1
All learning areas	4

---

[11] National Adminisration Guidelines (NAG)- Guidelines for school administration set out statements of desirable principles of conduct or administration for specified personnel or bodies. NAG1 – Each Board of Trustees is required to foster student achievement by providing teaching and learning programmes which incorporate the New Zealand Curriculum (essential learning areas, essential skills and attitudes and values) as expressed in National Curriculum Statements.

All teaching	4
Learning needs of students	5
Student learning at risk	2
Literacy	5
Reading	1
Reading achievement	1
Oral Language	1
Numeracy	5
Gifted &Talented	1

Documentation and use of data

Student achievement targets	6
Achievement data	12
Maori achievement	2
Curriculum quality assurance	13
Curriculum Policy procedures and guidelines	9
Curriculum review	2
Teacher planning	7
Formative assessment	9
Use of learning intentions	2
Assessment	12
Assessment and reporting	4
Diagnosis & interpretation of achievement data	1
Teacher reporting	1
Modify report form	1
Portfolios	1

Management

English instruction	1
Career education for Years 7 & 8	2
Wider range of reading resources	1
Staff professional development	16
Use education resources effectively	2
Classroom environment	1
Multi level teaching	2
Class without adult present for substantial part of day	1
Wharekura offering inadequate education	2
Whanau unit teaching	1
Students establish own learning goals	1
Poor programme and behaviour management in Jr Rm	1

Category 3 – Safety:

Safe physical environment	2
Safe emotional environment	2
Staff safety	2
Behaviour management	5
Analyse behaviour management data	1
Sexual harassment policy and processes	1
Termly evacuation	1
Evacuation procedures displayed	1
Accident register	1
Record of medications administered	1
Hazards	1
Safe chemical storage	1

Category 4 – Community:

Parent complaints	2
Whanau consultation	4
Parent involvement	2

Category 5 – Board of Trustees - Planning and Reporting

Annual Plan	4
Annual report & charter	2
Strategic plan	7
Self review	18

Personnel

Act as good employer	2
Personnel	3
Industrial/personnel policies	2
Appointment processes	1
Police vetting of staff	1
Principal contract	1
Principal job description	1
Employment of untrained teachers	2
Teacher registration	2
Policies/procedures / programme to support PRTs	7
Performance management policy/procedure	3
Manage Principal	9
Principal performance agreement	5
Principal appraisal against professional standards	13
Staff performance agreement	1
Teacher appraisal	17

<u>Governance</u>

Governance manual	1
Improve governance	13
BOT legal obligations	2
BOT leadership	2
BOT planning	1
BOT documentation	3
BOT training	1
Finances	5
Action plan to address concerns	1
BOT operates with a quorum	1
Staff representation to BOT is via the elected rep	1
BOT/school community relationship	2
BOT meet in committee when necessary	1
BOT share workload more evenly	1
BOT internal communication in decision making	1
BOT Chair meet with Principal regularly	2
Standdown and suspension policy	2

The highlighted cells on the tables are the concerns identified by ERO across the study cohort that featured four or more times in ERO reports.

Within the category of Principal concerns that appeared 4 or more times in ERO reports were Principal Professional Development (16), Professional Leadership (8), Professional Management (5), Principal Reporting to Board of Trustees (4), and Reporting Students' Achievement (4). Frequent concerns around Teaching and Learning (General) were all learning areas (4), all Teaching (4), Learning Needs of Students (5), Literacy (5) and Numeracy (5).

In the category of Teaching and Learning (Documentation and Use of Data) concerns that registered 4 or more times in ERO reports were Student Achievement Targets (6), Achievement Data (12), Curriculum Quality Assurance (13), Curriculum Policy/Procedures/Guidelines (9) Teacher Planning (7), Formative Assessment (9), Assessment (12) and Assessment and Reporting (4). Teaching and Learning (Management) category recorded just one concern - Staff Professional Development

(16). Behaviour Management (5), in the category of Safety and Whanau Consultation (4) in the category of Community also appeared 4 or more times in ERO reports.

In the category of Board of Trustees (Planning and Reporting) Annual Plan (4), Strategic Plan (7) and Self Review (18) had registered frequently. In the category of Board of Trustees (Personnel) similarly represented concerns were the Policies/procedures / programme to support Provisionally Registered Teachers is (7), Managing the Principal (9), Principal Performance Agreement (5), Principal Appraisal Against Professional Standards (13) and Teacher Appraisal (17). While within the category of Board of Trustees (Governance) Improved Governance (13) and Finances (5) featured.

This list of high frequency concerns straddles the range of functions and roles a school performs. ERO identifies concerns and focuses on the teaching and learning business of a school. The total concerns reported in each of the study's categories are as below.

Table 4a Total ERO concerns by category

Principal	Teaching & learning	Community	Safety	BOT Combined
43	145	8	19	141

Table 5 gives some indication of the alignment between MOE lead issues of the Statutory Intervention and the findings of ERO reviews undertaken within the timeframe 2003 – 2007 for schools in Cohort 2. It also records the number of concerns identified by ERO and the number of concerns cleared ie the non appearance of that concern in a subsequent ERO review, that group of schools.

<u>Table 5: Match between ERO concerns and MoE lead issues</u>

Column 1 – ID - identifies the primary schools in central North region under
      Statutory Interventions with consecutive Supplementary Reviews by study ID
      number.
Column 2 – Review type – identifies the type of ERO review undertaken – Edu =
      Education Review, Supp = Supplementary Review, Special = Special Review
Column 3 – Year – identifies the year the review was undertaken
Column 4- 8 – categories of concern raised by ERO as recorded in specific ERO
      reports
      Column 4 – concerns regarding Principal
      Column 5 – concerns regarding Teaching and learning
      Column 6 – concerns regarding Community
      Column 7 – concerns regarding Safety
      Column 8 – concerns regarding BoT
Column 11 – MOE lead issues – issues identified by MOE as the lead issue in invoking
      the school's Statutory Intervention
Column 12 –Repeated (the repeat appearance in an ERO report of concerns in a
      particular category), cleared (previously identified concerns in a category
      that are not present in subsequent ERO reports), identified (fresh concerns in
      a category that were not identified in preceding reports within the study)
      ERO concerns.

      These concerns are recorded as a fraction, where the numerator is the
      number of occurrences and the denominator the total number of categories
      causing concern eg 3/4 repeated would indicate 4 categories of concern
      were identified in ERO reports for the school – 3 of those categories also
      appeared in a subsequent review, 1/4 cleared would indicate 4 categories of
      concern were identified in ERO reports for the school – 1 of those categories
      did not appear in subsequent reviews - 1/4 identified would indicate 4
      categories of concern were identified in ERO reports for the school – 1 of
      those categories was not identified in first report within this study
      timeframe.

ID	Review type	Year	Princ.	T & L	Comm	Safety	BOT	MOE lead issues	Occurrence, recurrence, clearance
2	Edu	2004		3			2	employment	3/4 repeated 1/4 cleared
2	Supp	2005		3			2		
2	Supp	2006		2			2		
5	Supp	2003	1	2			5	employment	5/5 cleared
5	Supp	2004							
7	Edu	2003	2	2			1	Unconstitutional governance Multiple issues	5/5 repeated 1/5 cleared
7	Supp	2004	1	3			3		
7	Supp	2006	1	3			2		
7	Supp	2007		2			2		
9	Edu	2004	3	1			2	employment	3/5 repeated 4/5 cleared 1/5 identified
9	Supp	2005	1	1	1		1		
9	Supp	2006	1						
10	Edu	2004	2	1			4	employment	4/4 repeated 4/4 cleared
10	Supp	2005	1	3			4		
10	Supp	2006							
11	Supp	2004	1	3		3		employment	4/5 repeated 2/5 identified
11	Supp	2004	1	2			1		
11	Edu	2007	2	4		1	5		
13	Supp	2003		1				Unconstitutional governance	1/1 repeated
13	Supp	2004		1					
13	Supp	2005		4					
15	Supp	2003		2			3	financial employment multiple issues	3/3 repeated 1/3 cleared
15	Supp	2004		2			1		
15	Supp	2006		3			1		
18	Supp	2005		5		3	3	financial	3/4 repeated 1/4 identified
18	Supp	2006		3		1	4		
19	Edu	2003	2	1	1		10	Multiple issues	5/7 repeated 1/7 cleared 1/7 identified
19	Supp	2004	1	3		2	9		
19	Supp	2005					10		
19	Supp	2007	2	3			2		
20	Supp	2003		2			2	Multiple issues	2/7 repeated 2/7 cleared 4/7 identified
20	Edu	2005		5		1			
20	Supp	2007	1	4	2		5		
22	Edu	2005	1	2			7	Multiple issues employment	4/5 repeated 3/5 cleared
22	Supp	2006	1	7			2		
22	Supp	2007	2	8					
24	Supp	2005		6			1	employment	2/2 repeated
24	Supp	2006		3			2		
26	Supp	2003					5	employment	5/5 repeated 3/5 identified
26	Supp	2005	2	6			5		
26	Supp	2006	3	11			8		
27	Edu	2005	2	1		2	8	employment financial employment	4/7 repeated 4/7 cleared 1/7 identified
27	Supp	2006	3	6	1		1		
27	Supp	2007	4	1			1		
28	Edu	2004		5			3	employment	3/7 repeated 5/7 cleared 3/7 identified
28	Supp	2006	1	2	2	1	4		
28	Supp	2007		2			1		
32	Special	2003		3	1	5		Student safety and welfare	1/7 repeated 3/7 cleared 2/7 identified
32	Supp	2004		4			4		
32	Supp	2005		3					
32	Edu	2007	1	1					

In considering the alignment of MOE lead issues with ERO concerns, some patterns emerge. Employment (8), Multiple Issues (2), finances (1), unconstitutional governance (1) and student safety/welfare feature as single intervention lead issues. Where schools have or have had multiple interventions either concurrently or consecutively, employment (3), multiple issues (3), finances (2) and unconstitutional governance (1) were the lead issues. In the schools with employment cited as a lead issue(11), either for a single intervention (8) or part of a multiple intervention (3), all but one school (ID 15) registered ERO concerns in the BOT category 'Personnel'. At the same time all of those schools (11) registered concerns in the Teaching and Learning category. Of the 11 schools with employment as a MOE lead issue only 2 schools (ID 5 & 9) recorded greater concerns in the category of Personnel than in Teaching and Learning. In school 5, Personnel (4) was double the concern of Teaching and Learning (2) while in school 9, Personnel (6) was a greater concern than Teaching and Learning (4). However the remaining 9 schools tell a different story. In these 9 cases, the concerns registered in the Teaching and Learning category are either equal to the number of concerns in Personnel (2 – 2) or greatly outweigh them (8 - 3, 9 -4, 7 – 0, 17 – 4, 9 – 3, 17 – 10, 8 – 3, 9 – 5). Finances were cited as a lead issue in 3 schools, either as a single intervention (1) or part of a multiple intervention (2). At the time all of those schools (3) registered concerns in the Teaching and Learning category. Since finances fit within the category of BOT Governance in this study, it is prudent to compare the Teaching and Learning concerns to the BOT Governance concerns. In these 3 schools, the concerns registered in the Teaching and Learning category greatly outweigh those of BOT Governance (8 - 2, 8 - 0, 8 - 6).

In schools with multiple issues as the lead issue, the category of Teaching and Learning was difficult to compare since the other category remains undefined. However the presence of a high level of concerns in the category of Teaching and Learning tells its own story. Schools with multiple issues as the lead issue as either a

single intervention (2) or part of a multiple intervention(3) also recorded concerns in Teaching and learning (10, 7, 7, 11 and 17 respectively). The school with Unconstitutional Governance registered no concerns other than Teaching and Learning (6) matters. Where student safety/welfare was the lead issue, concerns raised around safety (5) were outnumbered by a high level of concern expressed about Teaching and Learning (11). All schools in Cohort 2 recorded ERO concerns in the category of Teaching and Learning. School representation in all categories equated to Teaching and Learning (17), BOT Personnel (14), BOT Planning (13), BOT Governance (12), Principal (12), Safety (7) and Community (2).

ERO reports have also been used to track the repeat appearance of concerns from one ERO report to a subsequent report and also the clearance of concerns. The categories this study employed to group the concerns raised in ERO reports formed the basis for repeat or clearance of a category of concerns. Seven categories appear on this table Principal, Teaching and learning, Community, Safety, BOT Planning, BOT Personnel and BOT Governance. Schools in cohort 2 featured with concerns in a number of categories; one category (1), two categories (1), three categories (1), four categories (3), five categories (7), six categories (0) and all seven categories (4). Most of the seventeen schools (16) recorded repeated categories of concern; most schools managed to clear concerns from a or some category/ies (12); many schools had concerns identified in new categories between 2003 – 2007 (9). In terms of repeating categories of concerns, several schools (6) repeated all categories of concern; many schools (13) repeated over 50% of their categories of concern and only a small number of schools (4) managed to repeat less than 50% of their categories of concern. Only one school returned no repeats in categories of concern.

Clearance of categories of concern means the subsequent ERO reports did not report concerns in that particular category. Of the twelve schools that had success in clearing concerns two cleared all categories of concern while at the other extreme

three schools did not clear any of the concerns raised by ERO. Ten schools cleared more than 50% of the categories in which they had recorded concerns; seven cleared less than 50% of the categories in which they had recorded concerns. The distribution and frequency of cleared categories of concerns was BOT Planning (7), BOT Personnel (7), BOT Governance (6), Community (5), Safety (5), Principal (4) and Teaching and Learning (3).

The number of schools having new categories of concern identified (9) comprises those with one new category identified (4), two new categories identified (2), three new categories identified (2) and four new categories identified (1). The distribution and frequency of newly identified categories of concerns was Principal (4), Community (4), BOT Governance (4), Safety (3), BOT Planning (2), Teaching and Learning (1) and BOT Personnel (1).

Summary

Interventions

Central North MoE region is over represented in statistics for schools with Statutory Interventions (6%) when compared to Northern (3%), Central South (4%) and Southern (2%). Thirty two Central North MoE region primary schools with Statutory Interventions were grouped as cohort 1, seventeen Central North MoE region primary schools with Statutory Interventions and repeat Supplementary Reviews under ERO between 2003 – 2007 were grouped as cohort 2. Cohort 2 schools therefore are a subset of cohort 1. For both cohort 1 and cohort 2, strong use of Limited Statutory Managers (46% & 52% respectively), moderate use of Commissioners (23% & 22%) and Specialist Help (28% & 22%) and very low use of Action Plans (3% & 4%) is evident in the Central North schools. This spread replicates national figures for interventions across other regions (Ministry of Education, 2007c). While the type of Statutory Intervention invoked in primary schools in Central North replicates the national trends, the region has a higher intervention rate than other regions.

Definition of lead issues is in quite broad terms. Lead issues for Statutory Interventions for schools in Cohort 1 and 2 were identified as Board of Trustees Dysfunction (1 & 0 respectively), Community Issues (1 & 0), Student Safety/Welfare (1 & 1), Other (1 & 0), Curriculum (2 & 0), Financial (3 & 3)), Unconstitutional Governance (3 & 2), Multiple Lead Issues (6 & 4) and Employment (21 & 10). Employment then, the domain of the BoT, far outnumbers any other lead issue identified for Statutory Interventions in Central North primary schools.

Interventions are revoked by MoE when there is sufficient evidence the lead issue/s is/are remedied, and the improvement appears sustainable by those responsible for the governance and management of the school. This can improvement can be measured or judged from the findings of an ERO review. Of the interventions

implemented for Cohort One Schools, 62% (24/39) had been revoked by the end of 2007; for Cohort 2 Schools revocations amounted to 65% of those initiated. Some variance existed between the revocations of particular interventions in cohort 1 schools; Specialist Help 78K (6/11), Action Plan (1/1), Limited Statutory Manager 78M (8/16) and Commissioners 78N (1) and (3) (6/9). In cohort 2 schools, revocations of particular interventions were Specialist Help 78K (4/5), Action Plan 78L (1/1), Limited Statutory Manager 78M (6/12) and Commissioners 78N (1) and (3) (4/5). Revocations, as a percentage of interventions across both cohort 1 and cohort 2, show Specialist Help (55% & 80% respectively), Action Plan (100% & 100%), Limited Statutory Manager (50% & 50%) and Commissioner (67% & 80%). Best success rates, if that is what revocation indicates, are achieved by Action Plans, followed by Commissioners then Specialist Help and lastly Limited Statutory Managers. The Action Plan sample (1) however was too small to indicate a trend. Some forms of intervention then, appear to achieve the desired results more effectively than others.

Linked to revocation is the duration of an intervention. The range of duration for revoked intervention was 4 months to 36 months. However, when we look at interventions that are ongoing the range is 1 month to 52 months. Average duration for interventions in CN region primary schools with Statutory Interventions that have been revoked was 15.8 months. In Cohort 1 schools 74% of all interventions (29) lasted longer than 12 months; for Cohort Two schools the figure was 52%. The analysis of duration of interventions shows that, by type, some interventions tend to be of shorter duration than others. With a small sample of Action Plan interventions (1) to consider, significance of the 100% duration of 12 months or longer is limited. However with the other interventions having a larger sample, there is evidence across both cohorts to suggest fewer Commissioner (18% & 13%) and Specialist Help (21% & 9%) than Limited Statutory Manager (33% & 35%) interventions were in

place for 12 months or more. This matches directly with the findings of revocation –
there is a match between the type of intervention, its success and duration.

School profile

Across NZ only 56% of schools with interventions have a roll of less than 150
compared to cohort 1 (84%) and cohort 2 (94%). Small schools are over-represented
in Primary schools with Statutory Interventions in the Central North MoE region. In
Cohorts 1 and 2 respectively, schools reported a roll of less than 50 (53% & 53%), a
roll less than 100 (75% & 82%), and had a roll of less than 150 (84% & 94%). It is fair
to assume many small schools in Central North are not performing as well as their
counterparts in other parts of NZ when measured by the invocation of Statutory
Interventions and are not performing to standards deemed by MoE and/or ERO to
be acceptable.

Strong similarities in the ethnic profiles of schools emerged for the cohort schools.
High Maori roll numbers are recorded in both cohorts - 100% Maori roll (38% &
53%), a Maori roll greater than 50% (69% & 76%) and a Maori roll greater than 30%
(78% & 88%). Two schools reported a relatively high Cook Island Maori (22% & 18%)
roll in conjunction with a high NZ Maori roll (66% & 68%). Ethnic diversity was
reported in one school with 6 ethnicities reported – a Maori roll of 43%, Indian 21%,
NZ European 18%, Pacifica 8%, Chinese 5% and Other 5%. Maori population figures
for both Waikato and Bay and Plenty are higher than national figures. It is expected
the percentage of Maori students in Central North schools would be higher as a
result. Ethnicity is no more distributed equitably across schools, than it is across
towns or areas. Some areas have higher concentrations of a particular ethnicity than
others. Central North schools, as in any region, reflect the ethnic makeup of the
communities. Since schools of high Maori roll are over-represented in the schools
with Statutory Interventions and it may be fair to deduce that schools in

communities of high Maori population are over-represented in the schools with Statutory Interventions.

Low decile schools, ie decile 1-3, are significantly more likely to have a Statutory Intervention than higher decile schools. In cohort 1, 72%, and in cohort 2, 88%, of schools are ranked as decile 1-3. Nationally the percentage for low decile schools on Statutory Interventions is 61%. (p5 Ministry of Education, 2007c) While it is quite feasible for a school of any decile ranking to be under Statutory Intervention, the evidence in Central North finds it much more likely to be a Decile 1 or 2 school than any other decile. In the study cohort 2 the trend is even stronger - almost 5 times more likely to be decile 1 or 2.

The schools in this study were more isolated when compared to all schools nationally. The average isolation index was higher for schools in this study indicating greater isolation - Cohort 1 (1.166875) and Cohort 2 (1.146471) – than for all NZ schools (.981504). The medians produced a similar comparison (Cohort 1 0.92, Cohort 2 0.9, national 0.71)

ERO concerns

Concerns raised by ERO and grouped into the categories of Principal, Teaching & learning, Community, Safety and Board of Trustees, indicate the reviewers' perception of concerns within the school. Teaching and learning registered the largest number of concerns (145) closely followed by BoT (141). Principal (43) followed by Safety (19) and Community (8) comprise the remainder. Quite clearly there are two categories of concern that standout from the others to ERO – Teaching and Learning and BoT.

The category of Teaching & learning was broken into subcategories of General (32), Documentation and use of Data (82) and Management (31). Subcategories

registering concern 4 or more times on this collation were All learning areas (4), All teaching (4), Learning Needs of Students (5), Literacy (5) and Numeracy (5), Student Achievement Targets (6), Achievement Data (12), Curriculum Quality Assurance (13), Curriculum Policy/Procedures/Guidelines (9) Teacher Planning (7), Formative Assessment (9), Assessment (12) and Assessment and Reporting (4) and Staff Professional Development (16). Almost all of these categories, the titles of which are taken from ERO reports, are extremely broad - an indication of the scope within each the concern; they cut across, and to, the core of teaching and learning. The extent of the concerns leaves no doubt as to the quality of the teaching and learning available to the students in these schools. With the Principal in the lead teacher, leading the learning, lead learner role it seems surprising that the Principal category scores so lowly. The teaching and learning in a school reflects the leadership and in most cases that is assumed to come from the Principal. The pedagogy and practice of the Principal and every teacher in the school must be examined. In the majority of cases these are registered teachers - teachers who have graduated from a pre service education provider; been attested to for registration; attested to for subsequent salary increments; appraised yearly against the professional standards for teachers; set goals for professional growth; not been deregistered through competency procedures and been appointed to the position. In a highly visible and public domain of teaching, it is difficult to imagine how all other professionals had not identified deficiencies with pedagogy and practice before an ERO Supplementary Review.

The Board of Trustees category, combining Planning and Reporting, Personnel and Governance was the second category to raise significant concerns for ERO. The subcategory Personnel is highly represented (70), followed by Governance (40) and Planning (31). To break the category down to concerns that registered 4 or more mentions, we find Annual Plan (4), Strategic Plan (7) and Self Review (18) Policies/procedures/programme to support Provisionally Registered Teachers (7),

Managing the Principal (9), Principal Performance Agreement (5), Principal Appraisal Against Professional Standards (13) and Teacher Appraisal (17), Improved Governance (13) and Finances (5). The Personnel subcategory appears to be populated by concerns that involve the performance of the teachers and Principal. Improved governance from the Governance subcategory of BoT is once again sufficiently broad to imply that concerns are more than likely multifaceted or global. This then is the challenging interface of self managing schools, where for altruistic purposes in the main, well-intentioned, non-educationalists govern professional educators and are held to account for the latter's' professional practice and pedagogy.

Alignment of MOE lead issues with ERO concerns

Since an ERO review is often the trigger for a statutory intervention it seems reasonable to expect the concerns raised by ERO would feature prominently in defining the lead issue for a MoE intervention. Bearing in mind that a school may more than one intervention operating concurrently, and the intervention may have a single or multiple lead issues, clear patterns emerge. Employment (8) was the most common single lead issue in the interventions. Where schools have or have had multiple interventions either concurrently or consecutively, employment (3) and multiple issues (3) featured as the lead issues. In the schools with employment cited as a lead issue (11), there was a clear alignment with ERO concerns in the BOT category 'Personnel' (10). However at the same time all of those schools (11) registered concerns in the Teaching and Learning category. In fact 9 of the 11 schools recorded greater concerns in the category of Teaching and Learning than in Personnel yet Curriculum was not identified.

Finances were cited as a lead issue in 3 schools, all of which also registered concerns in the Teaching and Learning category. Since finances fit within the category of BOT

Governance in this study, it is prudent to compare the Teaching and Learning concerns to the subcategory of BOT Governance concerns. In these 3 schools, the concerns registered in the Teaching and Learning category greatly outweigh those of BOT Governance (8 - 2, 8 - 0, 8 - 6) yet Curriculum was not identified as a lead issue.

High level of concerns in the category of Teaching and Learning in schools with 'multiple issues' as the lead issue (10, 7, 7, 11 and 17 respectively), are reported. The school with Unconstitutional Governance only registered concerns in Teaching and Learning (6). Where student safety/welfare was the lead issue, safety (5) was outnumbered by Teaching and Learning (11). School representation in all categories of concerns equated to Teaching and Learning (17), BOT Personnel (14), BOT Planning (13), BOT Governance (12), Principal (12), Safety (7) and Community (2).

Although employment is the most common lead issue in primary schools with Statutory Interventions and repeat Supplementary Reviews 2003 – 2007, most concerns raised in ERO reviews are in Teaching and Learning. In fact regardless of the lead issue named, Teaching and learning features prominently with all schools represented in cohort 2. In all the schools, Teaching and Learning registered a higher level of concern than the identified lead issue. This appears to be a mismatch between concerns identified by ERO and lead issues named by MoE. With such a high level of concern over Teaching and Learning it is reasonable to expect Curriculum would be named as the lead issue or to feature more often where several lead issues are named. The more circuitous route of holding the BoT responsible for the performance of the Principal and the teachers appears to be the preferred option. The naming of the lead issue is more than a matter of semantics. The lead issue of the Statutory Intervention directs the focus, the energy, the effort and subsequent reporting of progress and the revocation of the intervention.

ERO reports have also been used to track the repeat appearance of concerns from one ERO report to subsequent reports, and also to track the clearance of concerns. 82% percent of schools in cohort 2 recorded repeated categories of concern; 71% managed to clear concerns in one or more categories; 53% had concerns identified in new categories between 2003 – 2007. Six schools (35%) repeated all categories of concern; thirteen schools (76%) repeated over 50% of their categories of concern and four schools (24%) managed to repeat less than 50% of their categories of concern. Only one school returned no repeats in categories of concern. There appears to be a tremendous propensity for the same concerns to be raised again in ensuing ERO reviews.

Two schools (12%) cleared all categories of concern while three schools (18%) did not clear any of the concerns raised by ERO. Ten schools cleared more than 50% of the categories in which they had recorded concerns; seven cleared less than 50% of the categories in which they had recorded concerns. The BoT category had the highest clearance rates (20), followed by Community (5), Safety (5), Principal (4) and Teaching and Learning (3). Interestingly enough the focus on BoT performance would appear to be effective, since it is the category with the highest rate of clearance of concerns. Teaching and learning, the category recording the greatest number of concerns, yet largely overlooked in the naming of lead issues, is the category with the lowest rate of clearance of concerns.

Where new concerns were identified, the distribution of the concerns across the categories was Principal (4), Community (4), BOT Governance (4), Safety (3), BOT Planning (2), Teaching and Learning (1) and BOT Personnel (1). In subsequent ERO reviews fewer Teaching and Learning and Personnel concerns were newly identified, however Principal, Community and Governance all featured equally.

These high frequency concerns, identified by ERO, straddle the range of functions and roles a school performs. As an organization with a core business of teaching and learning, the school focus, energy and effort must be directed at curriculum and pedagogy. ERO identifies concerns and focuses on the teaching and learning business of a school. For schools that are small, particularly those with a roll of less than 100, that have high Maori roll and are low decile, it is highly likely they will face difficulties in providing a learning environment that equips their students to take a full and active part in a modern, global world. In many of these schools there is also a risk to the Crown's investment. Being small or mainly Maori or low decile does not present difficulty for all schools but as a combination of factors they work together to limit the opportunities the school can generate for its students. The rolls of these schools may well represent small numbers of students in the national picture; to the small communities many of them purport to educate, they are the hope of a better life. When the standards of education are poor and/or untenable, the promise education holds for the future, is lost.

Conclusion

A mismatch exists between concerns identified by ERO and the naming of MoE lead issues in Statutory Interventions for schools in this study. BoT responsibilities (governance) comprise most of the lead issues in the Statutory Interventions considered, while ERO finds most concerns with teaching and learning in the same schools. Emerging from these data are further questions around self-managing schools, quality of teachers, and the use of capacity building, incentives and accountability in school improvement.

The community demographic, in conjunction with the size and location of a school can be significant in determining its success in educating its students. Add school self-management to the mix, and we have a challenge facing small, low decile, Maori school communities. Having the lawyer and accountant euphemistically touted at the outset of 'Tomorrow's Schools', to sit on the BoT is quite unrealistic for many communities. Knowledge of education may be limited to the trustee's own primary school experience - which may well be within the same school. With each NZ school being self-managing, and at the extreme end of the self-managing continuum (Wylie, 2007), there is a huge responsibility on lay people to govern the school in terms of student achievement, planning and reporting, employment and personnel matters, finances and property, physical and emotional safety of students and compliance with general legislation. While the BoT grapples with its roles and responsibilities, they may well be representative of a parent body that is unfamiliar with, or unable to advocate for high or even acceptable standards of education for their children.

Earley (1997), reporting findings of a study that interviewed heads and chairs of governors in the six schools put on 'special measures' in the UK, explains the governing bodies were unaware that their school's situation and the likelihood of failing the inspection. For NZ BoT this governance includes performance

management of the education professionals – an enormous task for lay people, who, for the most part, do not possess the experience, confidence and expertise to recognize and manage Principal performance effectively. The link between BoT and the teaching and learning aspects is apparent in ERO's Chain of Quality[12]; ie Effective Governance & Management affects Professional Leadership which affects High Quality Teaching and ultimately Student Achievement. However I wonder if the subtleties of reporting concerns in relation to the Chain of Quality are lost in the school context they seek to improve. Where improvements are sought in professional leadership, teacher effectiveness and/or student achievement, and the report identifies BoT governance issues in managing principal or teacher performance and student achievement, the onus for action may be construed to remain with the BoT. The need for improved professional leadership, teacher effectiveness and/or student achievement may well go unacknowledged within the school community. While the NZ self-managing model is successful for many schools, it is not working for some schools and their communities, and it is the student achievement at the end of the chain that suffers most.

Small, low decile, isolated primary schools with high Maori population often attract few, if any, applicants for teaching and Principal positions. Appointments then, are likely to be more about availability, than quality. Teaching and learning difficulties are likely to be dominant and recurrent themes exacerbated by, or the result of, difficulties in attracting quality teachers. It may well be time to consider whether the tension and balance between incentives, support and accountability (Fullan, 2007) is working for the betterment of the education in their schools.

Initial, superficial school improvement is insufficient; significant and sustainable change and improvement are necessary to impact on student achievement. Short term improvement can be achieved relatively quickly, but the deeper sustainable change takes longer (Fullan,2007; Hargreaves 2007). In the UK there is an

---

[12] See diagram on page 7

expectation that schools should be leaving special measures by two years from the initial inspection date (Early, 1997). Brady (2003) recognises the real success of a school can only be measured in student achievement, and that this may not become apparent for two or three years. The success of schools in having Statutory Interventions revoked and/or returning to the regular review cycle of ERO, and the time taken to achieve that, varies. And if, as Hopkins (2003) states, it is about "an approach to educational change that enhances student outcomes as well as strengthening the school's capacity for managing change" then success cannot be measured just by the revocation of a intervention or the return to a regular review cycle.

Moreover those employed at all levels and in all roles of an intervention must be motivated and committed to turning schools around. The ability to develop and maintain strong working relationships, coaching and mentoring skills and a relevant research base must be prerequisites. Acceptance of lack of improvement while under Statutory Intervention continues to put student learning at risk. Rigorous review of processes and personnel at all levels of the intervention must be part of the management of Statutory Interventions, their revocation and the return to ERO's regular cycle of review. Fullan (2007) finds capacity building, incentives and accountability need to be employed together to effect school improvement. All levels and all roles participant in the intervention could benefit from engaging with these three dimensions.

Capacity building or support is available to these schools and many avail themselves of this support. ERO is accessible to schools to transition from review to support phase through the post review workshops. MoE staff, in regional offices in particular, are available and accessible to support schools both onsite and by distance. NZ schools are supported at the BoT level through training programmes - many delivered on behalf of New Zealand School Trustee Association. Principals' are supported by Leadership and Management advisers and teacher support is delivered

through curriculum advisers. School Support Services, other agencies and private providers offer professional development opportunities. The Statutory Invention itself most often involves support personnel.

The effectiveness of this support and its impact on capacity building may be questionable. An explanation is offered by Elmore (2007) who notes some schools that are low performers have problems with internal capacity that can negate any benefit of the external support available to them. They lack the basic internal coherence required to act collectively on instructional problems and this internal capacity need must to be addressed if significant change is to be achieved and sustained. The principal is the key player in developing this capacity in each school. Finally, support is factionalised, either for the BoT, the Principal and or teachers. Overcoming the relationship void between BoT as the employers and staff as employees, could result in all parties working collaboratively to improve the school through a unified approach that puts the school's needs first.

Incentives seem to be few and far between. The incentives may well be missing from this situation at several levels – incentives for high quality teachers and Principals to apply for positions at, and to contribute to, these schools and for teachers to improve their practice. Teacher remuneration increments linked to attestation against professional standards are subject to Principal approval and can be considered an incentive. How much rubber stamping of increments happens and how rigorous the process is, is debatable. At a BoT level incentives tend to be of the punitive kind, the requirement to fund the intervention from the school operations grant. What incentives exist for intervention and MoE personnel to perform at a high level, is not known. Many people are intrinsically motivated and don't require extrinsic rewards or incentives, however they can be powerful in directing efforts and energy.

In terms of accountability, attestation to teacher performance for salary increments while being an incentive, could be considered one measure of individual

accountability. Mandatory performance management systems can measure accountability and, where necessary, competency procedures are able to be engaged. Accountability, at the whole school level was to be dependent on market forces under self managing schools - enrolments would 'vote with their feet'. Such enrolment choice is dependent on there being a schooling alternative and the parents or caregivers having the ability to undertake these choices. So in fact in some areas, market forces do not have the planned outcome.

A closer partnership with MoE may be helpful. A relationship where the BoT is able to customise its governance by retaining manageable responsibilities and delegating others to either MoE or someone who reports to the community, may be sufficient support to enable the school to function more effectively. Employment of a 'hands on' successful, experienced educator to work directly with, and in, a cluster of schools to improve not only the concerns raised by ERO, but also to improve student achievement, is a possibility. A geographically based cluster makes sense to me as a cluster drawn only of schools with Statutory Interventions and/or repeat Supplementary Reviews could be a non productive union without strong positive models with whom to share practice and build capacity. A PLC at cluster level would generate more professional learning opportunities - "The specific intervention strategy is not important. What's important is having the right mix of people, energy, timing, and other elements—particularly school leadership—that together contribute to success"(p32 Brady, 2003). Schools operating within a cluster that share resources, professional learning and personnel may help satisfy Fullan's (2007) capacity building, incentive and accountability factors.

"The task of re-motivating and re-energising was likely to fall mainly on the shoulders of the head in primary school" (Earley, 1997). Where leadership is absent the possibility of a Principal from a nearby successful school being employed in a multi-site Principalship may be a short term solution; however the competitive model under which NZ schools operate would make this difficult. The merger of

smaller schools to create one more sustainable and viable school is another possibility. Under an earlier system, a Country Service requirement to access annual salary increments, saw Principals actively seek positions in country schools. Perhaps instead of being managed punitively, a similar system could be a useful incentive in encourage upcoming Principals into smaller schools or those with staffing difficulties.

Some schools evidence their own decline; whether due to size, ability to attract quality staff and to implement the changes necessary or to have the community capacity to self manage the school. Evidence of the quality of the school, as shown through student achievement data, its ability to attract high quality teachers and Principal, teacher effectiveness and effective governance must be considered in decision making. Omission of these crucial aspects from discussions about a school's future could raise questions of the politics at work. While communities may begrudge the closure or merger of their community school with another[13], the perpetuation of schooling that is below acceptable standards impoverishes the community both now and in the future.

Schools under Statutory Intervention with repeat Supplementary Reviews must undergo significant and sustained improvement to positively affect student achievement. Success is dependent on the key personnel, their ability to lead the improvement process and the individual and collective capacity of the school personnel and community. Few issues in themselves are insurmountable. Those faced by schools and their communities are no different. Yet, for all the rhetoric of working for the good of the students, situations and conditions that are far from desirable for students and their learning persist over months, terms and years in some schools and for me raises the questions 'Do the interventions work to improve the real problems within the school? Furthermore do all schools have the internal

---

[13] In February 2004 the NZ government announced a 5 year moratorium on school closures.

capacity to improve their performance and deliver the standard of education expected in modern day NZ?

References

Education Act, (1989).

Austin, M., Edwards, W., Parata-Blane, A. (1997). *Achieving excellence : a review of the education external evaluation services : self management, self-review, self improvement, whaia te i kahurangi (strive for the ultimate)*

Brady, R. (2003). *Can Failing Schools be fixed?* : Thomas B Fordham Foundation

Chapman, C. (2002). Ofsted and School Improvement: teachers' perceptions of the inspection process in schools facing challenging circumstances. *School Leadership & Management, 22*(3), 257-272.

Cuttance, P. (1995). An evaluation of quality management and quality assurance systems for schools. *Cambridge Journal of Education, 25*(1).

Department of Children Schools and Families. (2007). School Improvement [Electronic Version]. Retrieved October 20, 2007, from www.standards.dfes.gov.uk

Department of Education and Early Childhood Development. (2008). School Review [Electronic Version], from http://www.education.vic.gov.au

Department of Education and Training. (2008). *Framework for Victorian Government Schools*.

Department of Education and Training. (2004). *Evaluation of the Implementation of the Enhanced School Review Program*.

Earley, P. (1997). External inspections, 'failing schools' and the role of governing bodies. *School Leadership & Management, 17*(3), 14.

Earley, P. (1998). *School improvement after inspection? : school and LEA responses* London. Chapman, P.

California Department of Education. (2005). Exit Criteria for II/USP [Electronic Version], from http://www.cde.ca.gov/ta/lp/iu/

Education Review Office. (1999). *School Governance and Student Achievement*. Wellington: ERO

Education Review Office. (2003). *Evaluation Indicators for Education Reviews in Schools*: ERO

Education Review Office. (2006). *Framework for School Reviews*: ERO

Education Review Office. (2007). Education Reviews 2007 [Electronic Version]. Retrieved July 19, 2007, from http://www.ero.govt.nz/ero

Education Review Office (2007a). *Manual of Standard Procedures for Education Reviews* (12th ed.)

Education Review Office. (2008). The Education Review Office [Electronic Version], from http://www.ero.govt.nz/ero

Elmore, R. F. (2007). Let's act like professionals. *Journal of Staff Development, 28*(3), 31-34.

Elmore, R. F., Jones, J. F. (2007). Professional Networks and School Improvement. *School Administrator, 64*(4), 20-25.

Fullan, M. (2000). The Three Stories of Education Reform. *Phi Delta Kappa, 81*, 581-584.

Fullan, M. (2007). *The new meaning of educational change* (4th ed.). New York: Teachers College Press.

Gray, A. (2000). *External evaluation in education : a literature review for the Ministry of Education and the Education Review Office*

Hannan, J., Rishworth, P., Walsh, P. (2006). *Education law*: New Zealand Law Society.

Hargreaves, A. (2007). The Long and Short of Educational Change. *Education Canada, 47*(3).

Harris, A., Chapman, C., Muijs, D., Russ, J., Stoll, L. (2006). Improving Schools in Challenging Contexts: Exploring the possible. *School Effectiveness and School Improvement, 17*(4), 409-424.

Hasan, A., Kovacs, K. (1998). *Overcoming failure at school*: Organisation for Economic Co-Operation and Development.

Hawk, K., Hill, J. (1999). *Schools at Risk: Dilemmas and Solutions*. Paper presented at the AARE-NZARE Conference.

Hess, F. M., Kendrick, R. (2007). Too Many Remedies? *Education Week, 27*(5), 30-31.

Hoff, D. L. (2007). Turnarounds Central Issue Under NCLB :How to fix failing schools enters debate on renewal. *Education Week, 26*(42), 32-33.

Hopkins, D. (2003) Instructional leadership and school improvement [Electronic Version]. Retrieved May 22 2008, from http://www.ncsl.org.uk

Kosky, L. (2005). *Speaking Points - Keynote: Minister for Education and Training*. Paper presented at the ANZSOG.

Leeuw, F. L. (2002). Reciprocity and Educational Evaluations by European Inspectorates: assumptions and reality checks. *Quality in Higher Education, 8*(2).

Levacic, R. (2005). Educational Leadership as a Causal Factor Methodological Issues in Research on Leadership 'Effects'. *Educational Management Administration & Leadership, 33*(2), 197 - 210.

Matthews, P., Sammons, P. (2005). Survival of the weakest: the differential improvement of schools causing concern in England. *London Review of Education, 3*(2), 159-176.

Ministry of Education. (2006). *Annual Report*

Ministry of Education. (2006a). Isolation 2006.

Ministry of Education. (2007). Directory of Schools [Electronic Version]. Retrieved November 15 2007, from www.minedu.govt.nz

Ministry of Education. (2007a). Internal Record of Statutory Interventions.

Ministry of Education. (2007b). Interventions in Schools (Part 7A of Education Act 1989): Guide for Schools [Electronic Version]. Retrieved July 29, 2007, from www.minedu.govt.nz

Ministry of Education. (2007c). Quarterly Report of Statutory Interventions.

Ministry of Education. (2008). How The Decile Is Calculated [Electronic Version]. Retrieved March 20 2008, from www.minedu.govt.nz

Ministry of Education. (2008). National Education Goals [Electronic Version]. Retrieved May 8 2008, from http://www.minedu.govt.nz

Ministry of Education, B., H., Gray, A. (2000). *Report to the Minister of Education A Review of the Roles and Responsibilities of the Education Review Office.*

Nicolaidou, M., Ainscow, M. (2005). Understanding Failing Schools: Perspectives from the inside. *School Effectiveness and School Improvement, 16*(3).

OECD. (1995). *Schools Under Scrutiny*: OECD.

Office for Government School Education. (2006). *Accountability and Improvement*.

Office of Review. (1997). *The School review Pilot Program: An Evaluation*. Victoria: Department of Education.

Office of Review. (1998). *Building HIgh Performance Schools: An Approach to School Improvement*.

Ofsted. (2000). *Inspecting Handbook for Inspecting Primary and Nursery Sschools with guidance on self-evaluation.* The Stationery Office.

Ofsted. (2006). *Information on Schools Causing Concern*. Retrieved. from www.ofsted.gov.uk/assets/Internet_Content/Shared_Content/Files/info_scc _summer06.doc.

Ofsted. (2006). Schools subject to special measures (Summer term).

Omona, J. (2003). Design that supports service quality: New Zealand's model. *Quality Assurance in Education, 11*(3), 157-171.

Pesta, G., Respress, T., Major, A.K., Arazan, C., Coxe, T. . (2002). Evaluation Research and Quality Asssurance. *Evaluation Review, 26*(3), 251-271.

Phillips, D. C. a. B., N.C. (2000). *Postpositivism and Educational Research*. Lanham, MD: Rowman & Littlefield.

Robertson, S., Thrupp, M., Dale, R., Vaughan, K., Jacka, S. (1997). *Review of ERO : final report to the PPTA*: Auckland Uniservices Limited.

Snook, I., Collins, G., Adams, P., Harker, R., & Adams, R., O'Neill, J., Clark, J., Pearce, D., Codd, J. (1999). *Educational Reform in New Zealand 1989-1999: Is there any evidence of success?* Paper presented at the APEC Summit.

Statistics NZ. (2006). Quickstats [Electronic Version]. Retrieved May 1, 2008, from www.stats.govt.nz/census/census-outputs/quickstats

Stoll, L., Stobart, G, Martinn, S, Freeman, S, Freedman. E, Sammons, P, Smees, R. (2003). *Preparing for Change: Evaluation of the Key Stage 3 Strategy Pilot Final Report*. London: Department for Education & Skills.

Tooley, S. T. (2001). School-based Management: Some Observations on the Imposition of 'New Public Management' within New Zealand's State Education System. In L. R. Jones, Guthrie, J., Steane, P. (Ed.), *Learning From International Public Reform*. London: Elsevier-Oxford Press.

Victorian Auditor-General's Office. (2007). Support Framework For Schools Performing Below Expected Levels [Electronic Version]. Retrieved November 4, 2007, from www.audit.vic.gov.au/reports_par/agp12704.html

Walsh, P. (1997). *Educational management and the law : a practical guide for managers involved in pre-school, primary, secondary and tertiary education in New Zealand*. Auckland: Addison Wesley Longman.

Woods, J. (1998). *Quality in South Australian Schools*. Adelaide

Wylie, C. (1997). *School Governance in New Zealand - how is it working?* Wellington: NZCER

Wylie, C. (2007). *What can New Zealand learn from Edmonton?* New Zealand Council for Educational Research.