

Summary

This paper explores the issue of zoning and its influence on house prices, the movement of students to schools and the perceptions of parents who make choices about which schools to send their children. It identifies unfairness and waste in the current zoning policies and calls for a review.

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1. Introduction

1.1 Background to the paper - Inequality and Polarisation

At the 2012 Annual Conference the Waikato Region presented two papers, A Level Playing Field – the Importance of Local Funding in Financing Secondary Schools to Meet Future Needs¹ and School Charges – Rights, Obligations, Limits.² These papers highlighted the growing inequality and polarisation of schools and the contrast between the amount of money able to be provided in affluent communities as opposed to the struggle faced by schools in poorer areas. At the 2013 Annual Conference the Waikato Region presented a further paper, A Hierarchy of Inequality - the Decile Divide³ which considered the extent to which decile funding is failing to address inequality, partly because school funding overall is inadequate but also because of the capacity of high decile schools to obtain significant extra funding from their communities. This paper further extends the themes of inequality and polarisation between schools.⁴

1.2 The best school?

The paper explores the issue of zoning and its influence on house prices, the movement of students to schools, and the perceptions of parents, who make choices about which schools to send their children to. There has been a considerable

1. A Level Playing Field – the Importance of Local Funding in Financing Secondary Schools to Meet Future Needs

2. School Charges – Rights, Obligations, Limits.

3. A Hierarchy of Inequality -the Decile Divide

4. This paper is in response to the recommendation from the 2013 Conference. “That the National Executive research and recommend policy to the 2014 Annual Conference on the reintroduction of fair zoning as a way of increasing equity in education for all children in New Zealand state schools.”

amount of research into the negative aspects of parental choice in a free market, the competition between schools for students and the impact on students of the laissez-faire philosophy that allows struggling schools to fall over. There are also publications for parents purporting to help them choose the “best” school.

1.3 Fairer zoning

The paper advocates a review of the present zoning policy to more fairly reflect the concept of “the best school as the local school.” The last few years has seen some schools growing rapidly at the expense of others, particularly in urban areas. The increasing rolls in the larger, higher-decile schools and the declining rolls in the smaller, lower-decile schools cause problems for both.

2. The background to the need for a review of zoning and enrolment schemes

2.1 Local school: first choice school

Until the late 1980’s and the implementation of Tomorrow’s Schools, parents usually sent their children to the local high school, though a small number chose single sex, integrated or private schools. The perception was that the local school was as good as any other and certainly more convenient. Once a more competitive model based around increased parental choice was introduced, schools became less multicultural and comprehensive and more racially and socially segregated. Now the local school is not necessarily seen as the first choice. The result is that schools go in and out of favour, with some schools growing rapidly and developing waiting lists, while others are below capacity and have little choice in terms of student intake. The process is affecting rural schools on the fringes of cities as well, where transport linkages provide travel to a city school seen as better than the local one. Increased mobility for

families and house purchases in desirable suburbs close to preferred schools are other manifestations of this process of choice.

2.2 School choice versus network capacity

The way schools are funded exacerbates the problem as the more students a school has, the more it is funded and staffed. Oddly, school property funding is based on the number of students a school has, regardless of how old and in need of repair its buildings are. There is now a serious lack of balance as schools that are growing attract more students and more facilities in a cumulative effect which enhances their profile, while others are left to struggle, under-capacity and in a vortex of decline, with underused facilities, restricted curriculum choices and tired and badly-maintained buildings.

It is the contention of this paper that the legislative definition of “reasonably convenient” in terms of school choice has failed to ensure that the existing network of schools in an area is used effectively. If the intention was to avoid the waste that occurs when some schools are under-capacity, yet the taxpayer has to fund more facilities and spaces in schools which are growing, it has not been successful.

2.3 Manipulation of zones

There is also criticism of the present system based on a number of factors:

- perceived unfairness in the way zones are drawn up;
- manipulation of zone boundaries;
- marketing for students outside the home zone;
- loss of uniformity between schools; and
- real estate advertising based around “good” schools.

For these reasons and to take into account changes in population numbers in some areas and economic circumstances, a review of the zoning system and enrolment schemes is required.

2.4 Establishing new schools

The situation is not helped by politicians who prefer the electoral capital to be gained from opening new schools to grappling with the much more difficult issue of how to manage the network in order to give value to the taxpayer and to sustain robust and effective schools. For years they have been opening new special character schools or allowing private schools to integrate into the public system with little or no regard for the impact on the majority of students in the region. As these schools come with free bussing for students, they can seriously destabilise local education provision. It's hard to see any sense in the politically expedient decision to integrate Whanganui Collegiate School in a city which already had over 1000 surplus places. Similarly, the approval to set up two charter schools in Whangarei, another city with around 1000 surplus places, cannot be justified educationally.

3. Zoning and enrolment schemes⁵

3.1 Home zones

New Zealand secondary schools have a designated “home zone”, a specific area from which students living there are guaranteed a place at their local school. Where a school faces overcrowding, an enrolment scheme is set in place to prevent this. There are conditions for entry, where all the students in the school zone itself are expected to be admitted (even if the number is large and causes pressures as a result of families moving into the zone), while families outside the zone who wish their children to be enrolled at a school of

5. This section is based on information from the [Ministry of Education website – Zoning](#)

their choice go through a ballot process, the number being set by the school based on what it thinks it can cope with. Approximately 30% of New Zealand's secondary schools have enrolment schemes. (See Table in [Appendix A](#))

3.2 Out-of-zone applications

The process for dealing with schools that are “overcrowded” is set out in the Education Act 1989.⁶ The school must work with the ministry to set up an enrolment scheme that is supposed to balance two conflicting aims: the right of a child to attend their nearest school, and the need to manage the network. Students outside that zone may be accepted to the school in a prioritised order – broadly: applicants for a special programme, siblings, children of former students and children of board employees or board members. If there are more applicants than places a ballot must be conducted under supervision.

3.3 Sharp Practices

There has been research (Lubienski, 2011)⁷ which suggests the process is manipulated and not transparent. In particular, schools may apply the rules at year 9 but hold over vacancies for selected year 10 students. On the other side, there have also been cases where local students have been excluded from their nearest school because, for example, an area of social housing has been deliberately ring-fenced by the zone.

Enrolment schemes and the setting of zone boundaries are contentious, as they cut across the right to enrolment at any state school between the ages of 5 and 19 (s3 of the Education Act 1989). They also restrict schools' ability to select students who will bring academic, cultural or sporting kudos to the school.

6. Key sections of the [Education Act 1989](#) are attached as Appendix A

7. Lubienski, Chris [The Decile Delusion](#) Education Review June 2011

4. Background history and development of zones and enrolment schemes⁸

4.1 1924 Education Act: zoning for primary schools

The first statutory provision in New Zealand limiting attendance at state schools for reasons of overcrowding was s19 of the Education Act 1924. This related only to primary schools and stated that:

To prevent overcrowding at Public Schools the Board may limit attendance.

A Board may, with the approval of the Minister, in order to avoid overcrowding at any public school, limit the attendance at such school in a manner as it determines.

Provided that the power hereby confirmed shall not be exercised unless there is adequate and convenient provision for every child eligible therefor and debarred from attending such school at another public school.

The central approval requirement (by the Minister) and reference to “adequate and convenient” provision of education for a potentially excluded child to attend another state school has been an enduring theme in legislation since.

4.2 1932 Education Amendment Act: secondary school zoning

In 1932-3 the Education Amendment Act (s10) provided that:

Where the accommodation available at any secondary school, or combined school is not sufficient for all children qualified for free places and applying for admission thereto, the Minister may, by notice in writing, direct the governing body of the school to restrict the admission of pupils to the school in manner set

8. This section is based on an article by Jan Breakwell, Manager of Legal Services. [The Pendulum Swings – Back to Reasonably Convenient Schools](#). Ministry of Education.

out in the notice:

provided that no direction shall be given which would exclude any child qualified for a free place from admission as a pupil unless there is adequate and reasonably convenient accommodation for such child available at another secondary school, technical school or combined school.

4.3 Post-War: the egalitarian myth

Zoning became important when secondary education became universal at the end of World War II but was not greatly contentious at the time of post-war solidarity, when the egalitarian ethos was very powerful. Communities tended to take pride in their local school, commuting was far more difficult than it is today and the use of competitive academic results for marketing purposes was less significant as the economy offered plenty of industrial and trades work. Even at that time, however, many schools showed awareness of differences in their population catchment areas, so sought to have zone boundaries that included the so-called desirable streets. Anxiety about schooling increased in the latter decades of the 20th century as there was a noticeable surge in the parental drive to access desirable schools.

4.4 Social differentiation of schooling

In 1956, the Director General of New Zealand Schools (C.F. Beeby) said that New Zealand was an egalitarian country that would not tolerate selection, even though there were signs of zoning to regulate entry to popular schools in Auckland. Zoning was seen as a mechanism to give fair treatment for newly established schools in a time of growth. However, there was a perpetuation of the pattern of social differentiation already apparent in established schools.

4.5 1964 Education Act

In 1964, there was a major revision of the Education Act and the following appeared:

s129 Restriction on Enrolment

(1) An Education Board may, with the approval of the Minister, in order to avoid overcrowding at any state primary school (other than a Maori School), direct the attendance at the school in such manner as it determines

(2) Where the accommodation available at any secondary school or technical school is not sufficient for all children qualified for free education and applying for admission thereto, the Minister may, by notice in writing, direct the governing body of the school to restrict the admission of pupils to the school in the manner set out in the notice

(3) No direction shall be given so as to exclude any child qualified for free education from admission as a pupil unless there is adequate and reasonably convenient accommodation for the child available at another secondary school.

4.6 Poor schools, rich schools

By the 1970's educational gaps between schools in wealthy areas and those serving poor communities were evident as migration into so-called good school zones occurred. The Private Schools' Conditional Integration Act was introduced in 1975 to save the collapsing Catholic schooling system. Few would have seen that it was to become a vehicle whereby elite and wealthy schools could receive full state funding while still retaining the capacity to hand-pick their students and to charge substantial 'donations'.

4.7 1978 Education Act

In 1978 the Education Act was again amended to insert new and much more detailed provisions about limitations on enrolment at secondary schools. Before the amendments, there was clearly a power to restrict enrolments on accommodation grounds but this had been used infrequently as the practice had developed of regulating enrolment by informal schemes agreed to by the affected schools. The objective was to ensure orderly

enrolment procedures at a time of rising rolls and limited accommodation at some schools.

4.8 The introduction of "enrolment schemes"

The 1978 amendment introduced the term "enrolment scheme" for the first time, along with an elaborate procedure for devising, agreeing and approving secondary school enrolment schemes. The amendment applied in any district in which a student could conveniently attend more than one secondary school. Schools would decide, at a meeting chaired by an Education Department officer, by a majority vote if necessary, an enrolment scheme. If agreement was not possible, then the Regional Superintendent was empowered to determine a scheme, to be submitted to the Minister for approval. Schemes were to have either what was in effect a home zone, or state a number of entitlement students and the criteria used in selecting them. The schemes were to be coordinated between the schools.

4.9 "Convenient school" convenient to whom?

These 1978 provisions stayed until 1989 and were the source of some tension. Litigation challenged the restrictions on parental choice, while the powers that be had to ensure that all students were allocated to schools that had adequate physical facilities and were neither overcrowded nor underused. The cases that went to court focussed on the word "convenient". The courts clarified that it was the convenience of the student which was meant, not the convenience of schools. The convenience related to the distance between the student's home and school and would differ according to the individual student's needs and the availability of travel options to a particular school.

4.10 Tomorrow's Schools 1989

By 1989 policy makers had turned away from centrally-managed efforts to foster social equality through schooling, towards devolving autonomy to local schools and empowering parents as consumers. Following the implementation of Tomorrow's Schools, changes to the Education Act mandated schools to provide choice. Undersubscribed schools were required to take all students who wished to attend, while oversubscribed schools had to identify a home zone, specify how many out-of-zone places would be available each year and conduct a ballot to fill those places.

4.11 Protecting the right to attend the local school

The Picot Report said that the zoning of enrolment should have only one purpose – to ensure every student has the absolute right to attend the nearest neighbourhood school. Zoning should not be used to maintain enrolments in schools which might otherwise decline. Schools were entitled to enrol any student who, in the opinion of the school, could be accommodated. Where there were more enrolments than places available, a supervised ballot would be held to decide which students would be enrolled. Schools with a special character were entitled to give preference to students who subscribed to the particular religious or philosophical values of that school.

4.12 Legislating for fairness: maximum rolls and home zones

The government confirmed that there would be an enrolment scheme for secondary schools, available for use in those communities which needed to regulate their catchment area. The purpose of an enrolment scheme was to ensure that students could attend a state school reasonably convenient to their home. Parents were to be given maximum choice and the best use made of the existing school plant. A maximum roll was to be

set for every school as part of the charter negotiations with the ministry – available accommodation would be a significant, but not the sole factor in deciding on the maximum roll figure.

- Within the total maximum roll, a threshold roll to accommodate home zone pupils was to be established and all pupils living within the home zone were guaranteed enrolment.
- The ministry was to negotiate the home zone for a school and establish the threshold limit.
- Where a school had unfilled places after enrolling home zone pupils and where there were more out-of-zone applications than there were places available, these were to be filled by ballot.
- Once students had been admitted to a school, their brothers and/or sisters could also attend that school, on the same basis as home zone pupils.
- There was to be provision to review the home zone area, as well as the maximum and threshold numbers, which could be amended as necessary.
- Enrolments to integrated schools continued to be controlled through a maximum roll.

The result of the 1989 amendments was that an elaborate system was prescribed which required a maximum roll, a home zone, a maximum of out-of-zone enrolments, early applicants, late applicants, acceptance in the order applications were received and a ballot, if necessary.

The ballot was unpopular in some circles as it removed elements of school choice and discretion. School enrolment zones were negotiated with individual boards, not on a district basis. Students also did not have to attend their local school.

4.13 Education Amendment Act 1991: free market schools

In 1991 a further amendment to the Act transferred the entire responsibility for devising and implementing an enrolment scheme to the board of the school concerned. The Secretary for Education had only to certify that there was a threat of overcrowding and a school could put a scheme in place. This ushered in a free market phase. Schools were no longer required to define home zones, although many did. The ballot was abolished and schools were left free to choose students according to any criteria they liked, within New Zealand's human rights laws.

4.14 Abandonment of geographic zones

The free market approach meant that selection criteria were not required to be made public and generated concerns that the abandonment of geographical criteria meant a child might live near a school but could be denied entry. Debate raged over the meaning of "reasonably convenient school". There was a belief that de-zoning would result in an improvement in the overall standard of schooling because of the application of a business model of consumer choice and market competition. Successful schools would grow and less successful schools would fall away – a philosophy which ignored the damage done to a cohort of students in a declining school and assumed that closing a school was politically easy. It also failed to produce the desired result of raising educational achievement for all schools.

4.15 Schools choose

Between 1991 and 1998 the number of schools with enrolment schemes increased and many of these had no geographic zone so were able to put an increasing emphasis on selection criteria. By 1998, the network of schools was unable to provide access to a convenient school for all. Families moving during a school year encountered difficulty in enrolling in a local school in

their neighbourhood. Suburbs where there was significant in-migration, infill housing and rapid population growth were short of school places. The result was the 1998 Education Amendment Act No 2 which replaced the 1991 provisions. It widened the application of enrolment schemes to include groups of schools which had not been subject to the regime previously.

4.16 A necessary restriction of choice

The new legislation featured the term "reasonably convenient" again as a principle underlying the development and operation of schemes. There was also explicit reference to the ministry needing to make reasonable use of the existing network of schools in situations where overcrowding exists. This had not been stated in legislation before. The traditional ideal of parental choice was recognised, but as a secondary consideration to principles which acknowledged the fundamental tensions that made it necessary to restrict that choice. The development of an enrolment scheme had to be approved by the Secretary for Education before it was to be adopted and implemented by the school. Compliance by the board with the purposes and principles of the Act and consultation requirements were to be mandatory. Avoiding overcrowding or the likelihood of overcrowding, as well as making reasonable use of the existing network of schools were significant principles preventing boards from considering their own school's scheme in isolation.

4.17 A "reasonably convenient school"

An enrolment scheme had to reflect the desirability of students being able to attend a reasonably convenient school. A "reasonably convenient school" was judged to be one which a reasonable person living in the area would consider to be reasonably convenient for a particular student, taking into account such factors as distance, travelling time, reasonably available means of transport, common public transport routes, traffic hazards and

the age of the student. In practice, these factors have become blurred over time due to various changes in communities and other factors. Consultation between boards was important as the ministry needed to be assured that the network of schools was providing access to a reasonably convenient school for all students in an area.

4.18 The loopholes will always be with us

Unfortunately, there are always loopholes and some schools are adept at getting around regulations. The ministry is not very vigorous in upholding fairness when faced with demands from influential trustees and principals from decile ten schools. As a result, some schools are able to increase their rolls as a matter of status, without considering the pressures on their own plant and class sizes and certainly not the general negative effect on the wider school community.⁹

5. Zoning and enrolment schemes – the debate and issues

5.1 What are the options?

School zoning has been a vexed issue for many years and this is unlikely to change much, given entrenched attitudes and commitments made by families. The debate centres around two ideological positions.

5.2 Choice – let the devil take the hindmost

The first view holds that parents should be able to apply to send their children to whatever secondary school they wish, a system which applied through the 1990's before being changed in 2000. The advocates of this view say that parental choice should determine school placement, not location. They claim that many young people are disadvantaged by not being able to attend certain schools because they live in a different part of the city. This

9. See Appendix 3 for case studies on zoning as it applies in Auckland, Christchurch and Hamilton

view ignores the cost to the taxpayer of having to provide uneconomic schools on every street corner. The people who offer “the market” as a solution forget that no business could survive if it tried to operate multiple, competing sites.

Moreover, parental choice in practice serves to empower school choice, as it will be the school that ultimately decides who will be accepted – usually after an elaborate and nerve-racking interview. After all that, parents may never know why their child was turned down. Attendance at school, which is mandated by the state, should not be made so potentially traumatic for students and their parents. Schools shouldn't be able to decline a student who might live very close to the school or to cherry pick the best students in a range of fields, so strengthening their position at the expense of other schools.

5.3 Enrolment free-for-all?

Critics of the present zoning system, including the right-wing Education Forum and the Maxim Institute,¹⁰ argue that zoning was suitable for the homogeneous landscape of secondary schools in the 1960s and 1970s but not for the diverse nature of schools and the 21st century mix of population. Schools are not equidistant, nor of the same type and the same philosophy. They say there should be free choice for parents to choose whatever school they wish without restriction and that schools should be granted more freedom to manage their own capacity, form partnerships with other schools and utilise the free space of some schools to operate off site campuses/outposts. They also say that the true reasons for zoning popular schools are to stop them selecting the best applicants from anywhere and to help other schools retain their numbers. These organisations do not, however, address concerns about inequality, cost to the taxpayer and the unfairness of schools

10. Thomas, Steve. [Abolish School Zones](#) Maxim Institute. Education Review May 2009

engaging in cherry-picking.

5.4 No home zones?

There are also views about all students having vouchers which they can take to any school. While this idea has been discredited¹¹, it still comes up from time to time. Few countries have been bold enough to experiment with complete choice. The Recovery District of New Orleans¹² stands out as a warning as it now has no public schools at all so parents are fully responsible for finding a school that will accept their child. As may be expected, wealthy, influential parents lay claim to the nearest schools and poor families are left having to send their children to unpopular and ineffective charter schools at some distance from their homes. Despite the barriers placed in their way, parents are still liable for fines should their children fail to attend school.

5.5 Persistent middle class advantage

The model we currently have is based on the principle that children must be able to attend their local school as-of-right and surplus places are subject to a selection process and then a ballot. In practice this system favours the middle class for the following reasons:

- Sought-after schools are located in the higher socioeconomic areas of cities so if parents are not able to afford to purchase a residence in that area, children are denied the opportunity to attend these schools.

11. Lubienski, Lee and Gordon. [Self-Managing Schools and Access for Disadvantaged Students](#)

New Zealand Journal of Educational Studies. 2013

Gordon, Liz. [Questions Answered About School Zoning](#) Scoop News. 26th June 2012

Bitler, M. Thurston, D. Penner, E. Hoynes, H. [Distributional Effects of a school voucher program: Evidence from New York City.](#) National Bureau of Economic Research. 2013

Portales, J. Vasquez Heilig, J. [Understanding How Universal Vouchers Have Impacted Urban School Districts' Enrolment in Chile](#) Education Policy Archives, July 21 2014

12. [Anger, frustration as hundreds of New Orleans parents turned away from public school enrollment center](#) The Times-Picayune, July 9 2014

- Specialist programmes in particular curriculum, sporting and cultural areas for out-of-zone students can operate as form of selection.

- Wealthier schools may offer scholarships to attract able students which, again, advantage the wealthier schools who are able to offer the financial incentives.

- The priority order for sons and daughters of former students to attend as of right, if their families live outside the zone may support cherry-picking as it means admission is likely to be influenced by the parents' background.

The current model has also been subjected to residential fraud with false addresses and use of property other than the family home. Schools are now requesting more proof of residence, getting parents to sign a statutory declaration that they live in the school zone and conducting spot checks on addresses given. Enrolment schemes give some control over school selection of students, even though it still advantages those with power and finance to buy into the best education.

6. General comments on the issue of choice from the research

6.1 Zone cheating

A number of studies have been carried out examining parental choice and the operation of zoning/enrolment schemes.

6.1.1 Zones as marketing devices

Chris Lubienski¹³ found that 75% of Auckland secondary schools had zones which did not match the immediate area. Zones had been drawn to include affluent neighbourhoods and exclude poorer ones.

13. Lubienski, Chris. The Decile Delusion ibid

He believed that schools manipulated their zones to reach a higher decile rating, which is then used as a marketing tool, as parents' perceptions of a good school are often based on the rating. Schools in affluent areas were more likely to create zones to help them manage demands on their enrolments. While this may make sense in an attempt to distribute demand more broadly (and thus avoid the costs of building more spaces in popular schools where places are available at other nearby schools), it enables affluent schools to take advantage of their market positions. While zones are to be drawn up with oversight from the Ministry of Education, schools sometimes push the boundaries and say that they are able to cope with an increase in student numbers, even though this causes pressure on class sizes, buildings and other resources.

6.1.2 Intergenerational Inequality

Lubienski also suggests that the priority order perpetuates the generational patterns of inequality and polarisations, rather than opening up opportunities for less advantaged students to take opportunities that might be available. Ballots, which are supposed to be conducted fairly and under supervision, may still be rigged. These points have been strongly denied by some principals, but illustrate that there is still a degree of mistrust about the fairness of the scheme. A number of commentators have noted that there is not enough control over how zones are drawn up.

6.1.3 Who's out? Who's in?

Liz Gordon¹⁴ highlighted a concern about the term "reasonable convenience to a school" which is deliberately vague and allows schools a huge leeway in setting up the zones. The right to draw zones is in the legislation and there is evidence that it is unfair as poorer students have reduced access to some schools.

14. Gordon, Liz [Questions Answered About School Zoning](#)
Scoop New 26th June 2012

Lubienski, Lee and Gordon¹⁵ also investigated whether disadvantaged students had access to schools of their choice. How might schools act if there was autonomy to choose their own enrolment boundaries? Market theory would predict that, faced with competitive incentives and opportunities to serve students dissatisfied with their assigned school, schools will work to attract these students. But an alternative view is that schools may reconfigure their enrolment boundaries to attract the advantaged, easier to educate students and limit access for the more disadvantaged. The research suggested that schools drew up their zones to try to avoid diversity.

6.1.4 Zones as tools of exclusion

The analysis of data on Auckland school enrolment zones ([Appendix C](#)) indicates that more affluent schools are often using zone boundaries to exclude the most disadvantaged students and adopting enrolment practices to shape their intake and their position in the market, thereby limiting opportunity for less advantaged students. Schools may be recognising competitive incentives to maintain or improve their market position by attracting better students. This has serious implications for the responsibility of public education to promote equity

7. Towards a situation of greater equity – is change possible for the future?

7.1 PPTA position: good schools for all

The NZPPTA view related to zoning, enrolment schemes¹⁶ and the maximum roll setting for integrated schools is clear: zoning ensures fairness and is an entirely defensible and necessary protection of

15. Lubienski, Lee and Gordon. [Self Managing Schools and Access for Disadvantaged Students](#)
New Zealand Journal of Educational Studies 2013

16. [The NZPPTA view related to zoning, enrolment schemes](#)

taxpayers' money. Given the scarcity of the education dollar, it is not unreasonable to refuse to invest in additional facilities and buildings, when there are surplus places in surrounding schools. A popular school one year can quickly become the opposite, given parental perspectives. There appears to be a covert agenda which accepts increased social segregation as an acceptable price to pay for the provision of greater educational options for a wealthy minority.

8. Time for a review?

8.1 Neighbourhood schools

At the time of the 1998 legislation the then Minister of Education, Hon Wyatt Creech, said that the zoning laws were fair and transparent. "Before the changes some schools were half empty and wasting resources, while others were growing at a phenomenal rate and costing the taxpayer. Weakening the zoning requirements would cause the same situation."

He went on to say, "it reflects in a common sense way what I think New Zealanders believe to be the right policy – that is, there should be a broad neighbourhood school principle involved in enrolment schemes. I know there will be contention about some of the details, but this is good legislation that will advance the education sector in New Zealand and be in the best interests of all our young people."¹⁷

Yet the present system of enrolments and ballots has not produced a more equitable landscape. It is accepted that gaps between schools are undesirable - the phrase from Finland is "good schools for all, not for some". There has been recent comment in the media from former students who attended their local school which has gone into decline, lamenting the change, where there used to be a good, solid mix of students and success was by and large achieved by all who attended. The concept

17. Breakwell, Jan. Ibid. p.16

of the neighbourhood, local school as a first choice needs to be advocated more strongly.

8.2 Educational apartheid

The basic principle in New Zealand education that all children have access to "free" public schools where one is as good as another, is under serious threat. Zoning in its current form gives students the theoretical right to go to their local school but popularity and high student numbers at some schools do not necessarily allow that ideal. There is some evidence¹⁸ of growing segregation and polarisation as schools, in a downward spiral, lose students and funding as well-off families to other schools outside the local area. Discrimination in enrolment practices and fudging of zone boundaries is difficult to prove, but there is some evidence which suggests that Maori and Pacific Island students are less likely to be accepted in an out-of-zone enrolment, unless they have a particular strength, such as in sport, where a scholarship could be offered. Poorer families are also less likely to apply for an out-of-zone enrolment, as the costs of attending a distant school may be too much.

8.3 The pernicious effect of real estate advertising

Where a school is growing, shrinking the zone will also not work, as current house prices and marketing by real estate firms prey on family anxiety about buying in a particular zone. Infill housing and higher density accommodation can also see a rapid rise in the population in particular areas. The former principal of Auckland Grammar School, John Morris,¹⁹ commented in 2006 that he saw equity under the notion of choice. "Zoning only gives students the privilege of attending a particular popular school to those whose

18. David Hughes and Hugh Lauder. [School Choice Equals Greater Disparity in New Zealand](#) Columbia Teachers Federation May/June 2002

19. Morris, J. [School zoning may seem fair but in reality it fails.](#) NZ Herald. Feb 9 2006

parents can afford housing in the local area. Children from poor and ethnic minority groups should have a chance to break the iron cage of zoning.” Unfortunately the evidence as referenced in this paper does not bear out his claim.

8.4 Is the process reversible?

The question is – while the ideal would be to have diversity, with perhaps an expanding school having a particular quota to facilitate a cross section of society in its students, would it actually happen? Critics say this is social engineering and could dilute the quality of the achievement levels of a particular school. Certainly, the beneficiaries of the status quo who can send their children to well-resourced high-decile schools and enjoy the rising real estate values that that privilege provides, are unlikely to support a change to something fairer – even if it gives better value to the taxpayer and probably better educational outcomes nationally.

8.5 No easy answers

A hybrid model proposed by John Langley in 2009²⁰ may have merit if there is to be a review of the present system. Attendance at the local school would be a right and the transparency of the ballot would be retained for those out-of-zone, but a certain number of places would be provided for out-of-zone students who wish to access particular programmes and/or if the school decides to take a certain number of students from outside the zone, who may be disadvantaged. The problem remains, though, that “special programmes” can act as proxies for discrimination; consider the different clientele attracted by a music course as opposed to, say, Pasifika languages. Unfortunately all systems can be undermined if individuals are determined to find a way.

20. Langley, J. [Third way for school zoning allows pupils to specialise](#). New Zealand Herald April 24, 2009

8.7 Let's have a review!

It is difficult to see any political will to challenge the status quo as it would risk the ire of the well-heeled who are currently so well-served in their high-decile schools.²¹ At the same time, they excuse their privilege by advancing the fantasy that low-decile schools struggle, not because they have fewer resources and deal with much more challenging students but because of the quality of teaching and leadership.

The results of the 2013 Census already show considerable changes within urban areas in terms of population growth, income and ethnic mix. These changes will necessitate a review of the decile system, as well as providing an opportunity to examine closely the present zoning system. It is time for a review.

9. Conclusion

9.1 Is there a more rational approach?

The absolute right of students to attend their local school should be central to any change. Because the State mandates attendance at school, politicians need to ensure that all schools are funded and supported to be as effective as they can be. Rather than a multiplicity of small uneconomic schools, we need fewer, more robust community-hub schools, large enough to provide all the options and support that students need. There is also a need for a transparent process of setting zone boundaries and better oversight of any manipulation of enrolments. Rules around zoning must be based on a clear and agreed set of social and educational principles and must operate transparently. For change to occur, politicians would need to set aside

21. A good example of the lengths people will go to protect what they regard as a right to attend certain elite schools is summarised in this article on a proposal to amend the grammar school zones in Auckland. The Act Party which has policy of abolition of zoning and the replacement of the right to attend the nearest school, changed sides and supported the retention of the zone as it operated in New Zealand's wealthiest suburbs. “[College backs down on zoning plan after hostile feedback](#),” NZ Herald 24 July 2014.

party differences and work together on a national plan to provide fair access to high quality schools for all New Zealand students. A review would be a good place to start.

9.2 Time for action

These principles are not being applied universally across the country, as debate continues about gaps between schools and recent changes in New Zealand society. It is recognised that any change will produce anxiety, but there is a need to ensure that there is as little difference between schools as possible. The recommendation passed at the 2013 Conference relating to zoning, fairness and equity has been covered by this paper in terms of research on the issue and some direction for PPTA policy. The paper has continued with the theme of inequality and the need for equity between schools – it now remains to move forward to address these issues.

- [Contact PPTA for references consulted](#)

Appendix A

TABLE 1: SECONDARY SCHOOLS WITH ZONES AND ENROLMENT SCHEMES BY REGION 2012

The data does not include Integrated Schools. Information accessed from MOE Zoning

Northland	4	Wairarapa	2
Auckland	27	Kapiti – Porirua	3
Counties – Manukau	4	Hutt Valley	2
Thames Valley	2	Wellington City	6
Western Bay of Plenty	3	Nelson	1
Waikato	4	Christchurch City	12
Eastern Bay of Plenty	2	Canterbury Country	3
Central Bay of Plenty	2	Dunedin City	6
Manawatu – Wanganui	5	Otago Country	1
Hawkes Bay	7	Southland	3
TOTAL 99			

For the names of the schools with enrolment schemes, go to <http://www.schoolzones.co.nz/>

10. Recommendations

- ~~1. That the Report be received.~~
- ~~2. That PPTA engage with and make representations to the Ministry of Education to review the zoning and enrolment scheme system to ensure greater equity between schools.~~
- ~~3. That this Conference notes with concern the increasing polarisation between schools on ethnic and socioeconomic lines.~~
- ~~4. That PPTA advocate the importance of the local neighbourhood community state school as a first consideration for family choice of schooling.~~
- ~~5. That PPTA continue to press for the funding of state secondary schools to minimise differences in the provision of a quality education for all students.~~

TABLE 2: ROLL NUMBER % INCREASES FOR AUCKLAND SECONDARY SCHOOL 2004 – 2013

These were published on line related to an article in the New Zealand Herald 31st March 2014. The table does not identify individual schools.

Number	Location	Decile		Roll 2004	Roll 2013	% Change
1	Central	5	Yes	1345	1374	2.2
2	Central	10	Yes	2403	2547	6.0
3	Central	9	Yes	1894	2186	15.4
4	Central	7	Yes	1769	1852	4.7
5	Central	7	Yes	2034	2694	32.5
6	Central	4	Yes	2260	2209	-2.3
7	Central	3	No	869	906	4.3
8	Central	4	Yes	1310	1312	-0.1
9	Central	4	No	1143	870	-23.9
10	Central	1	No	563	559	-0.7
11	Central	8	Yes	676	1319	95.2
12	East	10	Yes	311	1807	(new)
13	East	4	Yes	1277	787	-38.4
14	East	9	Yes	902	1049	16.3
15	East	10	No	2350	1867	-20.5
16	East	10	Yes	2241	2553	13.9
17	East	8	Yes	2097	2087	-0.5
18	North	6	No	919	718	-21.9
19	North	7	No	1204	744	-38.2
20	North	8	No	854	1399	63.8
21	North	10	No	1282	1752	36.6
22	North	8	Yes	1371	1122	-18.1
23	North	9	Yes	1458	2017	38.3
24	North	10	Yes	3078	2983	-3.0
25	North	10	Yes	1480	1581	6.8
26	North	9	Yes	1937	2283	17.7
27	North	9	Yes	1993	2150	8.4
28	South	2	Yes	1066	1486	39.4
29	South	1	No	1395	1313	-5.9
30	South	1	No	723	797	10.2
31	South	2	No	2072	1859	-9.8
32	South	1	No	1319	1303	-1.2

33	South	2	No	1292	803	-37.9
34	South	3	Yes	1727	1649	-4.5
35	South	6	Yes	1418	1598	12.7
36	South	6	Yes	1918	1722	-10.2
37	South	1	No	1662	1544	-7.1
38	South	1	No	910	918	0.8
39	West	4	Yes	2626	2667	1.6
40	West	4	Yes	611	583	-4.5
41	West	4	No	1122	929	-17.2
42	West	3	No	950	626	-34.11
43	West	5	Yes	2219	2144	-3.4
44	West	6	Yes	1269	1395	9.9
45	West	3	Yes	1500	1384	-7.7

Almost all schools with growing rolls have zoning and enrolment schemes, particularly in specific parts of the city, while those with declining rolls have open enrolment

TABLE 3: HAMILTON SECONDARY SCHOOL ROLLS 2013 – 14

The data is taken from two Waikato Times investigations May 10 2013 and January 28 2014. The schools are not specifically identified.

Number	Type	2012 Roll	2013 Roll	Applications Received	Applications Declined	Out-of-zone Applications	Waiting List	Capacity (over/under)
1	S/I/G	946	925	236	30	0	0	-25
2	C	801	783	140	0	0	0	-223
3	S/B	2276	2150	853	N/A	562	312	+497
4	C	606	620	212	22	0	0	-198
5	C	1694	1708	426	N/A	175	105	+66
6	C/I	144	177	32	0	0	0	0
7	S/I/G	687	692	212	53	N/A	0	+29
8	S/I/B	786	750	175	0	0	0	-8
9	S/G	1667	1650	425	3	25	0	+135
10	C	1566	N/A	N/A	N/A	N/A	N/A	-397

S = Single Sex, I = Integrated, G = Girls, B = Boys. There are 851 places available under capacity and 698 places over capacity.

Appendix B

THE PROCESS FOR OUT-OF-ZONE APPLICATIONS

Out-of-zone students who apply for enrolment at the school must be accepted in the following order:

- a) Students accepted for enrolment in a special programme run by the school
- b) Brothers and sisters of current students
- c) Brothers and sisters of former students
- d) Children of former students
- e) Children of board employees or children of board members
- f) All other students.

If there are more applicants in the priority groups (b) to (e) than there are places available, selection must be by ballot. The Board of Trustees must place a notice in a newspaper circulating in the area stating:

- how many out-of-zone places are likely to be available;
- the date by which applications for out-of-zone places must be received; and
- the date(s) of any ballot(s) for out-of-zone places.

The ballot must be held under strict conditions and supervision to avoid manipulation and there is an appeal process available for families who believe there are good reasons why a child should be enrolled in a particular school if not selected by the priority order or the ballot.

The rationale for enrolment schemes from a legal and Ministry point of view is to:

- as far as possible, exclude no more students than necessary to avoid overcrowding;
- enable the Ministry to make the best use of the existing networks of state schools;
- ensure that the selection of applicants for enrolment at a school is carried out in a fair and transparent manner;
- enable students to attend a reasonably convenient school; and
- as far as possible, not exclude local students.

Appendix C

A TALE OF THREE CITIES – CASE STUDIES OF ZONING AND ENROLMENTS IN PRACTICE

Christchurch

School zoning has always been important in Christchurch and since the earthquakes, even more so, as school closures and amalgamations have occurred. Studies carried out by the Christchurch Press newspaper in 2008, based on research by the Maxim Institute study Roll Play (see References section), have focussed on how parents view and choose schools for their children in the city. Name dropping of desirable schools in real estate advertisements provide a perception of “good” schools with consequent rises in house prices in school zone hot spots.

The Maxim Institute research carried out in 2007 found that about 50% of parents did not choose to send their child to the nearest school to where they lived or were zoned for, and 75% of parents surveyed knew when they moved to their present home, that it was in the zone of the school in the area (to the point where it was a preferred school). If money was no object, about 25% of parents would change their child’s school and would be willing to pay for the cost of travel to that school. Reputation, values and academic performance were factors in that choice.

The policy, introduced in 2000, to reintroduce zoning included room for negotiation between the Ministry and schools. Using the loose criteria of “convenience“, schools could redraw catchments to take in desirable neighbourhoods and/or less desirable ones. In an interview, one Christchurch principal gave a candid response to the hypothetical question of what would happen if a so-called better school was to redraw its zone to take in poorer areas. “Changing the zone would be huge as if the zone was changed by the school, how would parents feel if they had paid a premium price for a house in the zone? So it’s unlikely we would shift a zone, though the Ministry does reserve the right to shrink a zone if overcrowding occurs.”

As with other large cities differences between secondary schools in roll numbers, wealth and achievement have widened. White flight has continued even with zoning as parents enter the out-of-zone ballot to get into a school across town, causing some rolls to bulge and others to decline.

Auckland

For many years zoning in Auckland has been a hot topic because of population growth, migration into desirable suburbs, transport networking issues and city and competitive marketing by individual schools. The population growth of Auckland is continuing to grow, with pressures on house prices. There has been much debate about planning for this growth, including the provision of more infill and higher density housing in suburbs closer to the CBD. A number of schools are at bursting point, to the degree that potential students in the school zone could miss out on their local school. Many Auckland secondary schools have enrolment schemes and waiting lists. With higher population numbers in particular areas there are two choices – shrink the zone, or cram more building spaces on site to cope with the increased numbers. Due to transport and traffic problems, some families are prepared to send their children to board at the school of their choice, despite the cost.

A New Zealand Herald analysis of roll numbers for Auckland secondary schools has found that in poorer communities (Deciles 1–6), school rolls are declining as local families abandon them for schools in the wealthier suburbs (Deciles 7–10), where rolls are increasing, despite

enrolment schemes to control numbers. (Refer to [Table 2](#) for data.) This means the divide widens and the popular schools seek to restrict open enrolment as they are at bursting point. Many commentators say that a school should reflect its community. This seems to favour the wealthier inner city suburbs rather than the poorer ones, as the latter group of schools do not have a cross-section attending their local school. With the pressures on numbers, some of the top schools are having to turn away students with family connections, including Maori and Pacific Island students. One school had 60% of its roll in zone in 2005 and now it is 83%. The roll itself is growing rapidly with the need for more physical space. Another school has virtually doubled its roll over the past 10 years through a mix of in-migration and changing perceptions of it. Another school has turned around out migration from its local areas to other schools to now being seen as the local school of choice. Parents' general perceptions of schools are fickle and subject to change.

Hamilton

From a situation 20 years ago where the accepted norm was of the neighbourhood school being the first choice for families in that community, Hamilton has become a very competitive and polarised setting. There is now a two tier grouping of schools: those with enrolment schemes and small zones are growing rapidly and their facilities are being upgraded making them even more popular; those without an enrolment scheme see students leave the local zone for other schools and receive little in the way of development and improvement of facilities. A comment was made by one ex-student of a school who said “the school has been gutted as the middle class achievers have gone”. One secondary school now has 20% of its roll in-zone, 80 % out-of-zone and is still growing. (Refer to [Table 3](#) for data.) There have also been suggestions that problem students are eased out and dumped on schools that have spare capacity.

A further development, based on the rapidly increasing population in the north of the city, is the proposal to build new schools, even though the closest secondary schools are under capacity. This development will also inevitably affect rolls in other parts of the city. Parents will worry about the boundaries being set for the zone. There has already been concern from families who have been left out of the zone for a possible new Year 7 – 13 secondary school, even though the primary school their children now attend is in the proposed zone. The situation shows how arbitrary the process can be – the parents have stated that they are prepared to enter the ballot for the new secondary school, even though there are two other secondary schools under capacity within a short distance which they could choose to send their children to.

The case studies are examples of how the present situation with zoning and enrolment schemes is not working as intended. There is not universal satisfaction with the process, the network of schools is not being used effectively, polarisation of schools in terms of ethnic and socio economic background is occurring and general academic gaps between schools as a result of comparative advantage and disadvantage, remains wide. Parental choice and perception is being driven by property prices in desirable areas, to the point where selection-by-mortgage is significant.

2014 Annual Conference

Minutes

Minutes of the Annual Conference of the New Zealand Post Primary Teachers' Association (Inc) held at the Brentwood Hotel, Kilbirnie, Wellington, commencing at 9.45 a.m. on Tuesday 30 September 2014, continuing at 9.00 a.m. on Wednesday 1 October and 9.00 a.m. on Thursday 2 October 2014.

Zoning, Enrolment Schemes and School Choice - Educational Apartheid?

C14/98/05

1. THAT the report be received.
2. THAT PPTA engage with and make representations to the Ministry of Education to review the zoning and enrolment scheme system to ensure greater equity between schools.
3. THAT this Conference notes with concern the increasing polarisation between schools on ethnic and socio-economic lines.
4. THAT PPTA continue to advocate for the importance of a student's closest state school as the first and best choice for that student's education.
5. THAT the PPTA call on the government to ensure the equitable funding of state secondary schools to minimise differences in the provision of a quality education for all students.

Carried