

# Negs & Regs 2

## ***NEGs, REGs and NEGULATIONS Part 2***

**A Case of the Sponsor's Product?** Last week I gave an account of the background of Regs (Regulations) and Negs (National Education Guidelines). Importantly, the Education Standards Act 2001 has extended the prescriptive capability of the Minister of Education **and** his Ministry of Education. It will always be something of an undisclosed puzzle as to who initiates such changes and dubious bright ideas - the Minister (perhaps) or the Ministry (indeed)! I'm sure my subtlety will not pass you by when I suggest that the NEGs could well be the sponsor's product. This week I present the facts as they are, but begin by outlining the history of the NEGs. You might detect a curiously disturbing pattern:

**1990:** Minister of Education **Phil Goff** signs out the first ever NEGs.

**1993:** Minister of Education **Lockwood Smith** signs out new NEGs, and cancels out those promulgated by Phil Goff.

**1997:** Minister of Education **Wyatt Creech** signs out a small change to the NAG 1 (NAGs being part of the NEGs).

**1999:** Minister of Education **Nick Smith** signs out changed NAGs 1 and 2 - which decreed his government's priorities for literacy, numeracy, and Maori Achievement. Moreover, he approved requirements for strategic plans, self-review and reporting.

**2001:** Minister of Education **Trevor Mallard's** Education Standards Act changes the legal framework and extends the scope of the National Education Guidelines - the first such legislative change since the 1989 Education Act ...

Described below, quoting the respective 1989 and 2001 Acts of Parliament, are the old and new statutory frameworks within which the Minister of Education (Ministry of Education?) can write the actual NEGs. Note that the frameworks in the Education Act are not the NEGs - rather, they set out the extent of the Minister's (Ministry's) authority in prescribing (regulating) the NEGs.

### **1989 Legal Framework for the NEGs**

The NEGs comprised 3 parts:

- (1) **Goals** ("Statements of desirable achievements by the school system, or by an element of the school system.");
- (2) **Curriculum Statements** (That is to say, statements of i. The areas of knowledge and understanding to be covered by students; and ii. The skills to be developed by students; and iii. Desirable levels of knowledge, understanding, and skill, to be achieved by students, - during their years of schooling);
- (3) **National Administration Guidelines** ("Desirable codes or principles of conduct or administration for specified kinds or descriptions of person or body").

**Kindly note that the 1989 legislation DID refer to student achievement, despite suggestions from one quarter that it didn't, and thus one of the reasons for the new Education Standards Act.**

**New Legal Framework for the NEGs as per Education Standards Act, October 2001 (Underlined sections are in addition to old provisions.)**

The NEGs comprise 3 parts:

(1) **Goals** (i. "Statements of desirable achievements by the school system, or by an element of the school system. ii. Statements of government policy objectives for the school system".);

(2) **Curriculum Statements** (That is to say, statements of i. The areas of knowledge and understanding to be covered by students; and ii. The skills to be developed by students;, and iii. Desirable levels of knowledge, understanding, and skill, to be achieved by students, - during their years of schooling.)

(3) **National Administration Guidelines** (" i. Desirable codes or principles of conduct or administration for specified kinds or descriptions of person or body"; ii. Requirements relating to planning and reporting, including: (a) scope and content areas, where appropriate; (b) Timeframe for the annual update of the school charter; (c) Broad requirements relating to consultation in the development of a school charter; (d) Variations from the framework for school planning and reporting for certain schools or classes of schools, based on school performance; iii. Communicate the government's policy objectives; iv. Transitional provisions for the NAGs).

Clearly, it is reasonable to anticipate that as a consequence of the highly expensive process of making legislative changes, the NEGs will soon be changed again, and the reason behind the changes will undoubtedly be linked into new legal requirements for charters, school planning and reporting. The 1989 Education Act said that the school charter was deemed to have the aim of achieving, meeting and following the NEGs.

The 2001 Education Standards Act has repealed that definition and replaced it by stating that the school charter is "to establish the mission, aims, objectives, directions, and targets of the Board **that will give effect to the government's national education guidelines** and the Board's priorities". For the person in the street - the change will be largely semantic. In reality - it has put more teeth in the mouth of a head that could bite, or, more bite in the teeth in a head with a mouth!