

Procedures for School Closure

1. Legal framework (and background) for decisions around school closure

Setting of dates the school is Open for instruction:

The Ministry of Education, under Section 65A to 65C of the Education Act 1989, sets the number of half-days on which state schools must be open and the terms and holiday dates for state schools. These dates take into account public holidays but do not include the local Anniversary Day holiday. Schools may exercise flexibility to open for instruction between the day following Auckland Anniversary day and 7 February, the day following Waitangi Day. Boards of Trustees do not need to advise the Ministry of their school term dates.

A Board of Trustees may close a school for teacher-only days, local gala or show days, and in-service training days. This flexibility is restricted to these events. Where a Board exercises this flexibility and closes the school, boards must ensure that schools are open for instruction for the prescribed number of half-days.

Section 65A(2) of the Education Act 1989 requires that every Board of Trustees shall ensure that each school it administers is open for instruction every year on the number of half-days set by the Minister of Education. Schools must be open for instruction accordingly.

Board of Trustees ability to close school for normal instruction:

Under section 65E of the Education Act 1989, a Board of Trustees may close a school at any time because of epidemic, flood, fire or other emergency. Ministry of Education consent to close a school in an emergency is not required although the local Ministry office should be notified. However, if the emergency will result in the school not being open for the required number of half-days in that year, approval to reduce the number of half-days open must be obtained from the Manager at the nearest office of the Ministry of Education. Emergencies do not include paid union meetings or strikes.

Who else can close the school?:

Other than the school's Board only the Medical Officer of Health (e.g. in a pandemic) or Civil Defence can actually close a school. If a state of civil emergency has not been announced then it is the Board's decision whether the school closes or not. The Ministry of Education, through their website (www.minedu.govt.nz), has provided guidelines to advise school Boards how to make this decision.

2. Procedures for the Board of Trustees to make a decision of closure outside of the calendar opening dates

(a) In the case of a *significant earthquake* the decision to open or close our school is made on the following:

1. Do we have power, water and sewer? If not we close.
2. Is there more significant liquefaction or other visible impact (e.g. evidence of greater cracking, foundation movement, warping or twisting) resulting from the earthquake ? If so we close, and call in structural engineers.
3. Was the force of the earthquake sufficient (e.g. of magnitude 6) that there are serious concerns about any of the buildings ? If so we close, and call in structural engineers.

There are no requirements to close with a certain magnitude of earthquake – it is up to the school to decide. However, the perception in the community is anything over a magnitude 5.0 is “serious” and *may* constitute school being closed. While we do need to balance our civic and professional responsibility to keep the school open, we will under all circumstances have the health and safety of the students and staff as our primary consideration.

The Board delegates to the Principal the responsibility of making the recommendation to close the school as a result of a significant earthquake based on perceived risks and possible impacts to the health and safety of the students and staff. Such a decision should be based on the Ministry of Education guidelines and advice from the school’s Property Manager. This decision should be (if possible) confirmed by either the Board Chair or Deputy Chair.

(b) In the case of a *heavy snow fall* our decision to open or close our school is made on the following:

1. Is public transport prevented from operating ?
2. Have the police requested that all non-essential transport is kept off the roads ?
3. Is the fall of snow sufficiently heavy to seriously restrict or place at risk transportation ?
4. Is the snow fall causing or likely to cause significant disruption to movement within the school ?
5. Has the school’s heating system failed or is it unable to cope with the conditions for whatever reason ?

The Board delegates to the Principal the responsibility of making the recommendation to close the school as a result of a significant snow fall based on perceived risks and possible impacts to the health and safety of the students and staff. Such a decision must be ratified by either the Board Chair or Deputy Chair.

(c) There are other possible cases when the Board of Trustees may need to consider closing the school. These could include: flooding, pollution hazard, tsunami warning, police warning of possible threat to the students/staff. In all these cases the school's emergency evacuation plan should also be consulted and applied.

The Board delegates to the Principal the responsibility of making the recommendation to close the school as a result of a significant threat based on perceived risks and possible impacts to the health and safety of the students and staff. Such a decision must be ratified by either the Board Chair or Deputy Chair.

3. Notification of decisions to close the school:

- The school is to use the best available technology to communicate in a timely manner with parents and care givers. This should include the use of text messaging, emails, pre-set voice message on school phone system, and message on the school's website.
- Staff should all be informed as soon as possible following any decision. This could include the use of the school's telephone/contact "tree" system to promptly disseminate the information to all colleagues.

4. Implications for Staff if the decision is made to close the school:

- If the decision has been made to close the school for instruction, Teachers and Support Staff are still entitled to be paid their usual salary/wages.
- Staff are not required to travel to school if conditions are hazardous and a risk to health and safety. Such a decision can be based upon Police advice and availability of public transport.
- Teachers and Support Staff are permitted to remain on the school site to work if conditions safely allow this. Such a decision is based upon the Principal's judgement or any official advice, such as from Civil Defence.
- If specific staff, such as property staff, are required to be at school to assist with clean up or restoring areas to enable the school to re-open then they can be requested to be present by the Principal. Such decisions must be reasonable and consider issues such as travel and workplace safety. In such circumstances the Principal is able to offer compensation where appropriate, by mutual agreement, to the staff member(s) concerned (e.g. additional pay or "time in lieu").