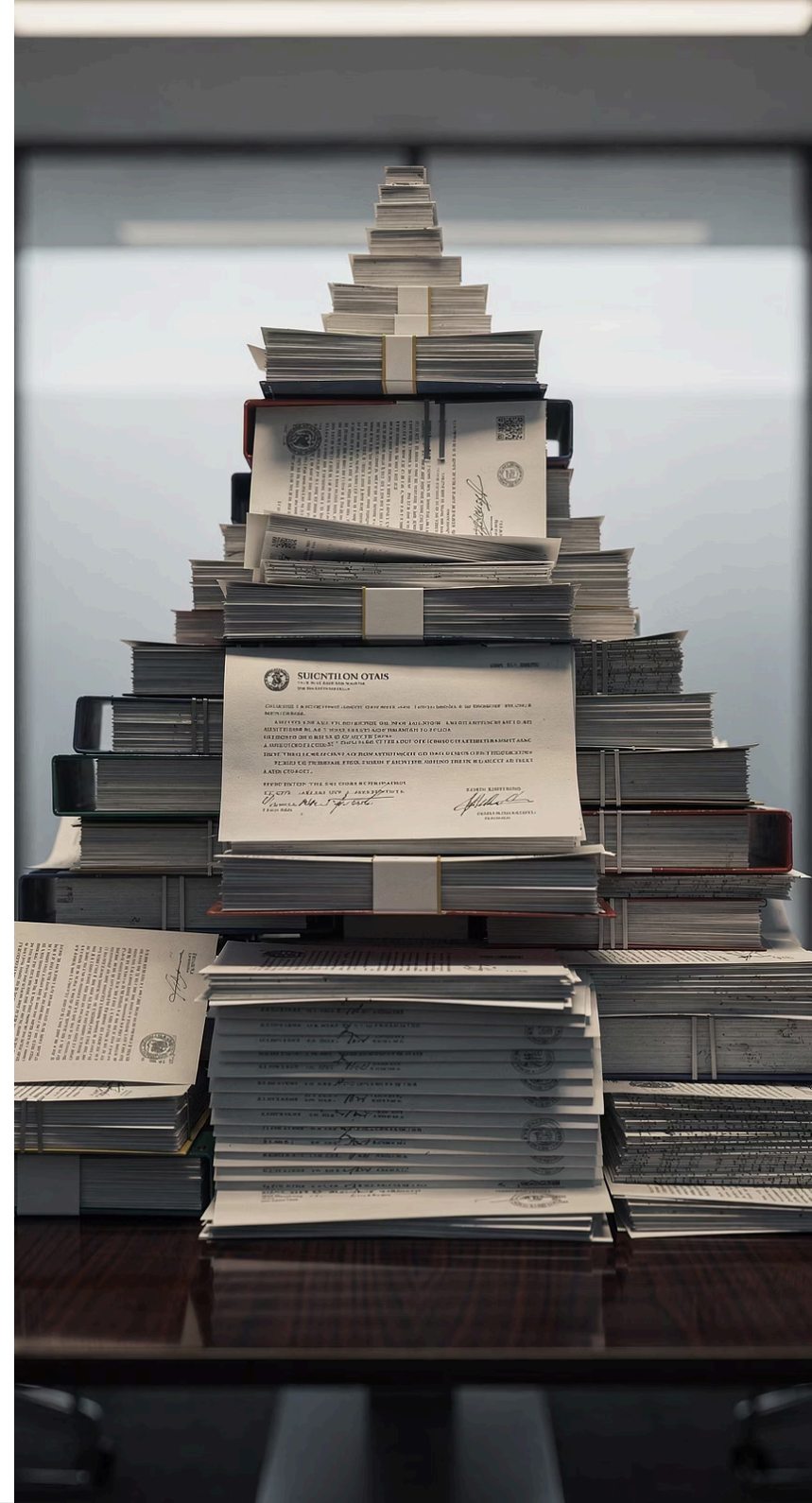


Compliances for State-Integrated School Boards

State Integrated School Board Professional Development
and Learning Series

©APIS 2026



Purpose

This document is a board focused compliance guide for preserving and safeguarding the special character of a State-integrated school. It sets out the key legal obligations that Boards must meet, alongside the practical actions and evidence a Board should be able to point to.



Board compliance at a glance

Use this as a checklist for Board assurance and reporting.

Compliance area	What the Board must ensure	Key legal anchor
Governance & consultation	Board decision-making is subject to the special character provisions; the Board has a structured, documented consultation process with the Proprietor on matters that may affect special character.	E&T Act 2020 Schedule 6 cl 1; cl 24(3); Integration Agreement (special character preservation clauses).
School programme	The general school programme reflects the special character; religious instruction and observances required by the Integration Agreement form part of the programme.	Schedule 6 cl 28; cl 29(1); Integration Agreement provisions on religious instruction/observances.
Sensitivity and opt-outs	The school is responsive to sensitivities and does not require participation in specific religious observances/instruction where parents have asked for an exemption.	Schedule 6 cl 29(2).
Enrolment and participation	Preference is applied as defined by the Proprietor and Integration Agreement; non-preference cap is not exceeded; parents understand participation in the general programme is a condition of enrolment.	Schedule 6 cl 26–27; Integration Agreement preference/non-preference clauses.
Staffing – tagged/special positions	Recruitment and appointments for specified roles follow the ‘tagged’/special position rules; proprietor involvement occurs where required; only acceptable candidates are appointed where the Act/Agreement requires.	Schedule 6 cl 46(2), 47, 50, 52; Integration Agreement staffing schedule and clauses on specified positions.
Chaplains, volunteers and funding	Voluntary religious instruction support is managed lawfully; proprietor-employed chaplains/special character staff are not paid from Board/State funds and the Board is notified as required.	Schedule 6 cl 53(1)–(2) and related notice/funding requirements described in the NZCEO guide.
Risk of jeopardising special character	Board assurance is strong enough to avoid jeopardising the special character (including consultation, programme, enrolment and staffing controls).	Schedule 6 cl 1(2); cl 13 (proprietor cancellation power); Integration Agreement preservation clauses.

Detailed special character compliance obligations

The table below expands each obligation into practical Board actions and suggested evidence (what you would show an evaluator, the Proprietor, or an auditor). (continued across pages)

Obligation	Where it comes from	Board must do (minimum)	Board evidence / assurance
Do not jeopardise special character	Schedule 6 cl 1(2) and Integration Agreement special character preservation clauses.	Treat special character as a governing constraint in all decisions (strategy, policies, property use, enrolment, staffing, complaints). Escalate early to the Proprietor if a decision could affect special character.	Board papers include special character implications section; board minutes record proprietor consultation and decisions; annual special character assurance report.
Ensure the school can reflect its special character through teaching and conduct	Schedule 6 cl 1(1).	Set expectations that the special character framework is visible across school life and culture (not limited to Religious Education).	Strategic plan and policies reference the Integration Agreement definition; board monitoring reports on culture/formation indicators.
Provide for adequate consultation with the Proprietor	Schedule 6 cl 24(3); Integration Agreement clauses reinforcing proprietor oversight and access.	Adopt a consultation protocol (what triggers consultation, timeframe, who meets, how decisions are recorded). Consult on strategic plan, policies, tagged/special positions, enrolment processes, and other matters likely to affect special character.	Consultation schedule/calendar; standing agenda item; written records of proprietor feedback and board response.
Ensure the general school programme reflects special character	Schedule 6 cl 28.	Oversee that curriculum delivery and pastoral systems reflect Catholic values and ethos across the school day.	Principal reporting on programme; board review of curriculum statement; evidence of integration in teaching and school-wide practices.
Include religious instruction and observances in the school programme	Schedule 6 cl 29(1); Integration Agreement provisions on RE and observances.	Ensure RE and observances required by the Integration Agreement are delivered, resourced and scheduled.	Annual plan includes RE/observances; school charter/strategic plan aligns; reporting on delivery and formation.

Detailed special character compliance obligations (continued)

Obligation	Where it comes from	Board must do (minimum)	Board evidence / assurance
Be responsive to sensitivities; allow exemptions from specific observances/instruction	Schedule 6 cl 29(2).	Maintain a clear process for parent requests; ensure exempted students are not required to participate in the specified observance/instruction.	Policy/procedure; records of requests and accommodations; communications to parents explaining the process.
Apply preference enrolment correctly and manage non-preference cap	Schedule 6 cl 26; Integration Agreement preference and cap clauses (including proprietor determining connection).	Apply preference criteria as set by the Proprietor; track non-preference numbers; ensure enrolment decisions do not undermine special character.	Enrolment register and roll cap tracking; preference certificate process; periodic board reporting on roll composition.
Ensure parents accept participation in the general programme as a condition of enrolment	Schedule 6 cl 27 (and related Integration Agreement clauses).	Ensure enrolment information clearly states participation expectations and what that means in practice.	Enrolment pack wording; signed acknowledgements where used; parent information evenings and FAQs.
Tagged positions: advertisements must include the 'willingness and ability' condition	Schedule 6 cl 47; Integration Agreement specified positions clauses.	Ensure advertisements for Principal, Director of Religious Studies and other 'tagged' positions state the required condition; ensure appointees accept it as a condition of appointment.	Templates for job ads; recruitment file includes ad copy, acceptance/attestation; board minutes of appointment decisions.
Special positions requiring particular capabilities	Schedule 6 cl 50 (commonly applies to Deputy Principal special character position in schools, and Integration Agreement wording for the DP role).	Ensure the correct special character 'tag' wording is used for the DP role and any other designated special positions, consistent with your Integration Agreement.	Register of tagged/special positions; job descriptions and ads with the correct wording; appointment documentation.

Detailed special character compliance obligations (continued)

Obligation	Where it comes from	Board must do (minimum)	Board evidence / assurance
Appointment committees must include at least one proprietor-appointed board member when delegated	Schedule 6 cl 46(2).	If appointment authority is delegated to a committee, ensure at least one proprietor-appointed board member is on the committee for teacher appointments/recommendations.	Terms of reference for committees; membership lists; recruitment file checklist.
Consult the Proprietor before appointing to certain teaching positions and appoint only acceptable candidates	Schedule 6 cl 52 (as described in NZCEO guide) and Integration Agreement provisions about acceptability of candidates.	Ensure proprietor consultation occurs where required; appoint only from applicants the Proprietor deems acceptable (on special character grounds and/or as per advertisement).	Proprietor acceptability confirmation on file; board minutes record consultation and decision.
Volunteers and chaplains supporting religious instruction	Schedule 6 cl 53(1)–(2) and related notice/funding conditions; Integration Agreement clauses on chaplains where included.	Ensure voluntary support is properly supervised and suitable; ensure any proprietor-employed chaplain/special character staff are not paid from Board/State funds and the Board is notified of names/roles.	Volunteer/chaplain register; funding confirmation; induction/safeguarding records; board notes of notifications.
Permit proprietor communication with parents via the school office	Schedule 6 cl 38.	Facilitate appropriate communication channels for proprietor-parent communications related to the benefit of the school and students.	Office process; communications log; clarity on who communicates and how.
Know and respect the 'integrated area' boundaries	Integration Agreement site plan (integrated vs non-integrated areas); EDT Act, schedule 6 / Integration Agreement property provisions.	Ensure Board decisions, budgets and delegations only cover the integrated areas unless a written agreement says otherwise. If the school uses non-integrated facilities (e.g., chapel/hostel), document the access terms and any cost-sharing / rental arrangements with the Proprietor.	Board minutes noting site-plan awareness; signed facility-use / cost-sharing agreement (if applicable); budget lines clearly separated where needed.

Detailed special character compliance obligations (continued)

Obligation	Where it comes from	Board must do (minimum)	Board evidence / assurance
Do not undertake structural/capital works without required approvals	Integration Agreement; Proprietor property ownership; Ministry property approval requirements for integrated schools.	Before any structural change, relocation, new build, or change of land use, obtain Proprietor written permission and (where required) Ministry approvals and statutory consents. Do not commence design, fundraising commitments or contracts until approvals are in place.	Written approvals; project file with consents; Board resolution and risk assessment; procurement/contract documents showing approvals as pre-conditions.
Maintain the property maintenance plan and fund ordinary maintenance appropriately	Minister's maintenance funding obligations under Integration Agreement; Board obligations for recurring maintenance (MoE guidance).	Maintain a 10-year maintenance plan (or current MoE equivalent) for the integrated area and ensure annual budgets provide for planned maintenance and repairs; escalate 'major maintenance' issues to the Proprietor promptly.	Current 10-year maintenance plan; annual maintenance schedule and budget; defect register; correspondence notifying Proprietor of major maintenance items.
Clarify insurance responsibilities (buildings vs contents) and coordinate with the Proprietor	Integration Agreement property/insurance provisions; Proprietor building insurance obligations; Board contents insurance obligations.	Ensure building insurance sits with the Proprietor (unless your agreement provides otherwise) and Board maintains appropriate cover for contents and other risks. Coordinate with the Proprietor so cover is adequate and responsibilities are clear (including for items not owned by the school).	Insurance schedule showing cover types and responsible party; annual confirmation/attestation from Proprietor re building cover; Board insurance renewal minutes.
Follow statutory requirements for fundraising and use of funds for property	EDT Act fundraising restrictions; MoE fundraising statutory requirements guidance for integrated schools.	Do not use Board (Crown) funds raised by the Board to meet Proprietor capital obligations or to fund Proprietor-owned buildings unless the law and approvals allow and documentation is in place. Keep Board-raised funds in Board-controlled accounts and ensure communications make clear who benefits from any fundraising.	Fundraising plan and comms; bank account statements; approvals/agreements where funds are used for 'better than entitlement' improvements; audit trail of decisions.
Manage use/hire of premises consistently with the Integration Agreement and Catholic ethos	Integration Agreement conditions of use; Proprietor rights to request access/use; Board's authority to hire subject to consent.	Have a clear facilities-use policy and ensure proprietor consent is obtained where required. Do not approve any use that risks damage to the asset or undermines Catholic special character. Ensure users contribute to costs and accept responsibility for damage.	Facilities-use policy; proprietor consent records; hire agreements; fee schedule; incident/damage log.
Enable Proprietor access for property and special character assurance	Integration Agreement access clauses (property stewardship and special character); proprietor stewardship role.	Facilitate reasonable access by the Proprietor/agents (with appropriate notice and minimal disruption) for property checks or special character assurance, and ensure any findings are addressed through agreed actions.	Access visit logs; reports/action plans; minutes noting follow-up actions and timeframes.



Property compliance red flags

Board must not:

Commit to, contract for, or commence capital works/structural changes without Proprietor written permission and any required Ministry approvals/consents.

Use Board-raised (Crown) funds to take on Proprietor obligations or to fund Proprietor buildings contrary to statutory requirements.

Assume responsibility for non-integrated areas (e.g., hostel/chapel) without a written agreement clarifying costs, access and liabilities.

Grant premises use that is inconsistent with special character, creates reputational risk, or risks damage to Proprietor assets.

Block reasonable Proprietor access for property stewardship or special character assurance.

Consultation triggers: when the Board should consult the Proprietor



Strategic and Annual Plans

Objectives, indicators, and initiatives affecting special character.



Policies

Enrolment preference practice, religious instruction/observances, behaviour/culture, and complaints involving special character issues.



Appointments

Principal, Deputy Principal, Director of Religious Studies, and other tagged/special positions; establishment of any special positions.



Enrolment Processes

Material changes to enrolment processes, waiting list management, or communications about participation in the general programme.



Use of Premises

Use of premises that may affect special character or the Proprietor's access/rights under the Integration Agreement.



Special Character Risks

Any matter where there is a credible risk that special character has been or is likely to be jeopardised.

Suggested Board assurance cycle

Frequency	Assurance activity
Each meeting	Standing agenda item: special character matters; record any consultation and decisions.
Each term	Principal report: programme delivery (RE/observances), culture/formation indicators, opt-out requests, roll composition (preference/non-preference).
Annually	Board review: special character policy framework; consultation protocol; register of tagged positions and staffing schedule; board induction/training on Schedule 6 and Integration Agreement.
As needed	Extraordinary consultation with the Proprietor for significant issues or disputes.

Primary legal sources & References

Primary legal sources

Education and Training Act 2020 (including Schedule 6 – State integrated schools).

School's Integration Agreement (including any special character / ethos schedule, and staffing schedule).

Related instruments (e.g., Public Service Act 2020 where applicable via Schedule 6 clause 58(2)).

Note: Clause numbering in Integration Agreements can vary by school. Always check your own agreement and its schedules.

Source documents used

NZCEO (October 2020), "New Zealand Legislation Special Character Obligations Required of Boards of Trustees of Catholic Integrated Schools".

APIS (2026), "Quick Guide – Legislative Obligations, Proprietor Rights and Board Roles".

APIS (2010), "Special Character Compliances Required of Boards of Trustees of Integrated Schools – Part Three (Property Matters)".

This consolidated guide is not legal advice; Boards should seek advice where needed and always check their own Integration Agreement and schedules.

Support

APIS – For free advice and support, training, and workshops. www.apis.org.nz

Ministry of Education – www.education.govt.nz