

## Governance support resources

### Staggered (mid-term) elections

A board can decide at any time to adopt a staggered election cycle for the election of its parent representative trustees.

If the board wants its next triennial trustee election to be held under this system it must make the decision to opt in before the triennial election process gets underway, ie before it appoints its returning officer and sets its election date. Note, the triennials are held in an election year. An “election year” is defined as a year divisible by three (example: 2019).

If the board wants to start the staggered election cycle with a mid-term election, then it must make the decision to opt in before the mid-term election process gets underway.

It must be emphasised that holding elections under this system is an option available to boards. There are advantages and disadvantages the board needs to think through carefully. Each board and its parent community is unique.

#### Keeping the community informed

Before a board can adopt a staggered election cycle it must give reasonable notice to all parents of students at the school that it intends to consider the option. The board must tell the parents the time, day, and place of the meeting of the board where it will be considered, the nature of the decision to be made, and the fact they have the right to attend the meeting.

#### The process

Once the board has opted into the staggered election cycle it needs to notify the Ministry of Education so that it can receive mid-term election funding. It is also helpful to let NZSTA know.

**Option 1:** The board's first parent representative election in the staggered election cycle is the triennial one.

The board must work out which positions will be for the full three-year term of office and which ones will be for an initial 18-month term of office. The rule is that the majority of the parent representatives will be elected for the full three years (triennial parent representatives) and the minority for eighteen months (mid-term parent representatives). To work out what is the minority number, find the highest whole number under half the number of parent representative positions on the board.

*Example: There are five parent positions, half is two and a half so the highest whole number under half is two. Consequently three positions will be filled for a three-year term and two positions will be filled for an eighteen-month term.*

In essence two 'mini elections' will be held. The three top polling triennial parent representative candidates standing for the three-year term will be elected to the three positions available. The two top polling mid-term parent representative candidates standing for the 18-month term will be elected, regardless of where they may finish in comparison to any of the triennial candidates.

**Option 2:** The board's first parent representative election in the staggered election cycle is the mid-term one.

The minority of parent representatives on the board will stand at the mid-term elections. As a consequence, for this first mid-term election only, some trustees will have their term of office shortened. The decision about which trustee/s that will be must be made only by the **parent representatives** on the board. This decision must be by consensus of the parent representatives or, if consensus cannot be reached, by way of a ballot of all the **parent representatives**. That decision must be recorded as a statement in the minutes of the appropriate board of trustees meeting.

When a trustee is stood down for the initial election they can still re-stand at the mid-term elections.

Once a board has adopted the staggered election process the need to talk about an eighteen-month **term of office** disappears. What happens in the future is that every parent representative holds office for a three-year term, but there is an election for some parent representatives' positions every eighteen months. Legally the board's mid-term elections must be held in the month that is eighteen months after the month in which the board's triennial elections were held.

## Getting out of the staggered election cycle

If, at some stage in the future, a board decides to opt out of the staggered election cycle it can simply pass a resolution to do so at a board meeting. In that case some trustees' terms of office will be shortened. This is because all trustees will go out of office at the same time at the next triennial election year.

### Note:

The legal requirements for the Staggered (mid-term) election process are set out in sections 101A and 101B of the Education Act 1989. See:

[Education Act 1989 No 80 \(as at 30 March 2018\), Public Act Contents – New Zealand Legislation](#)

Both triennial and mid-term elections are conducted in the same manner. The correct process can be found in the Returning Officers' Election Handbook which is available in hard copy or on the NZSTA website, [www.nzsta.org.nz](http://www.nzsta.org.nz).

The Governance advisory and support centre advisers can also assist and are contacted on 0800 782 435, option 1 or [govadvice@nzsta.org.nz](mailto:govadvice@nzsta.org.nz)



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### Where do I get advice?

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