



Te Whakarōputanga
Kaitiaki Kura o Aotearoa
New Zealand School Boards Association

e tipu e rea...

SCHOOL BOARD ELECTIONS

HANDBOOK



Table of Contents

Legal Framework	3
Election Planner	4
<i>Parent elections and staff triennial elections</i>	<i>4</i>
<i>Staff by-elections and student elections</i>	<i>4</i>
The Board's Role.....	5
<i>By-elections.....</i>	<i>5</i>
<i>Student elections</i>	<i>6</i>
<i>Setting the date</i>	<i>6</i>
<i>Letter of appointment.....</i>	<i>6</i>
The Returning Officer's Role	7
<i>Help for returning officers</i>	<i>7</i>
Using an External Provider (including electronic voting provider)	8
Preparation for Election Process	9
<i>First task as returning officer – register the election</i>	<i>9</i>
<i>Election dates and schedule</i>	<i>9</i>
<i>Notify school community and wider local community</i>	<i>9</i>
Preparing Main Electoral Roll	11
<i>Parent elections</i>	<i>11</i>
Have the main roll open for inspection.....	11
Close the main roll	11
<i>Eligibility to participate in a parent election</i>	<i>12</i>
Immediate caregiver	12
<i>More examples of eligibility to go on the parent roll</i>	<i>13</i>
Parents of students enrolled in year 6 at contributing schools to an intermediate school.....	13
Parents of students in satellite classes of special schools	13
Parents of students enrolled at special schools	13
Parents of alternative education students.....	13
Principals as parents	13
<i>Staff elections</i>	<i>14</i>
Calling for Nominations	16
<i>Parent elections</i>	<i>16</i>
Prepare nomination forms ready to be sent out by the call for nominations date or earlier	16
Eligibility.....	17
<i>Staff elections</i>	<i>17</i>
Accepting Nominations	18
<i>Close nominations at noon</i>	<i>18</i>
<i>Optional candidate statements</i>	<i>18</i>
<i>Optional candidate photographs</i>	<i>19</i>
<i>Candidates' eligibility</i>	<i>19</i>

Non-Voting Elections	21
Voting Elections	22
<i>Prepare voting forms after noon on the day nominations close</i>	<i>22</i>
Voting Process	23
<i>Voting forms</i>	<i>24</i>
<i>Withdrawal of candidates</i>	<i>25</i>
Election Day.....	26
<i>Voting closes at 4pm on Election Day</i>	<i>26</i>
<i>Invalid votes</i>	<i>26</i>
<i>Appointment of scrutineers.....</i>	<i>27</i>
<i>Recount (electronic elections).....</i>	<i>27</i>
<i>Tied votes</i>	<i>27</i>
<i>Integrity of the electoral process</i>	<i>28</i>
Declaration of results	29
Finishing the Election	30
<i>Board takes office</i>	<i>30</i>
<i>School Board Updates form</i>	<i>30</i>
<i>Challenge to elections.....</i>	<i>31</i>
Student elections	32
<i>Funding and returning officer's fee</i>	<i>32</i>
<i>Timeframe</i>	<i>32</i>
<i>Eligibility</i>	<i>32</i>
<i>Issuing the student election notice.....</i>	<i>32</i>
<i>Calling for nominations</i>	<i>32</i>
<i>Voting procedure</i>	<i>33</i>
<i>Electronic voting.....</i>	<i>33</i>
<i>Integrity of the electoral process</i>	<i>34</i>
<i>Declaration of results and completion of School Board Updates form</i>	<i>34</i>
Documentation for all elections	35

Legal Framework

Elections must be held in accordance with provisions in the Education and Training Act 2020, including schedules 22 and 23, and the Education (Board Elections) Regulations, 2022.

In this handbook, these abbreviations are used for the legislation:

- Section 'x' refers to the Education and Training Act 2020.
- Schedule 'x(x)' refers to a schedule of the Education and Training Act 2020.
- Regulation 'x' refers to the Education (Board Elections) Regulations 2022.

As a returning officer, be aware that where a matter is not dealt with in legislation you have the authority to conduct the elections as you see fit (regulation 7(4)(b)). You do not have authority to alter the election timetable. Contact NZSBA for advice.

The legislation can be found on our [website](#). However, by following the procedures in this handbook you will be acting within the legislation, so you do not need to read the legislation to run a legal election.

Election Planner

Use these tables to record dates from [election planning tool](#).

Parent elections and staff triennial elections

Event	Date
Select Returning Officer by	
Close Main Roll	
Call for Nominations by	
Close Supplementary Roll	
Nominations Close (at 12 pm)	
Voting Forms Issued by	
Election Day	
Accept Postal Votes	
Count Votes	
Elected Board members take Office	

Staff by-elections and student elections

Event	Date
Select Returning Officer by	
Close Main Roll	
Call for Nominations by	
Close Supplementary Roll	
Nominations Close (at 12pm)	
Voting Forms Issued by	
Election Day	
Close Poll (4 pm on election day)	
Count Votes by	
Elected Board member takes Office	

The Board's Role

The board appoints the returning officer (RO), sets the date for the election, and promotes the election from within the community. The board must be clear with the RO about the number of positions to be filled, at a triennial election all parent positions and the staff position become vacant (other than midterm board members in schools using staggered election cycles).

When choosing a returning officer, be mindful of the skills they need to be successful. A successful RO will be confident with IT, have an attention to detail, is efficient, and well organised.

The returning officer for a school board election has the legislated mandate to run the election as they see fit as long as they comply with the regulations. This will be achieved if they familiarise themselves with the role, and follow the processes outlined in this handbook.

In preparation for triennial elections and midterm elections the board will receive memos reminding them of the process and key tasks to be completed.

If the board operates with staggered election cycles, additional factors need to be considered. The RO is advised to contact NZSBA in this situation. If the board is opting into staggered elections for the first time, a different nomination form and voting form are used. If the board is continuing staggered elections, then they need to be aware of which members are stepping down. The Returning Officer needs to be informed if the board is opting out of staggered elections, whereby all positions will become vacant.

The Ministry of Education provides funding directly to boards to contribute towards the cost of running triennial and mid-term elections (for boards that use the staggered election cycle). Out of this funding comes the returning officer's fee.

The election funding consists of two components:

- A base amount, which is the same for all schools.
- A per-student amount for each full-time student.

The funding formula is the same for all schools except stand-alone intermediate schools. For stand-alone intermediate schools, the per-student funding is higher. Check the Ministry of Education's website for election funding for the particular year the election is being held in. Go to [school board elections funding](#).

By-elections

The board can retrospectively claim election funding for by-elections from the Ministry of Education by submitting receipts for actual and reasonable costs attached to a reimbursement claim form. The claim form is available from the MOE website on the page relating to [election funding](#).

NOTE: There is a maximum amount that can be claimed for a staff by election, this information is available on the Ministry of Education website.

Student elections

No funding is provided for a student election, but the board can still resolve to pay its returning officer a fee to run the student election or by-election.

Setting the date

There will be a recommended election date for triennial, midterm, and student elections published on our website. The recommended dates are chosen to ensure the best possible fit of tasks and dates, any variance from this date will require you to set a different election timetable. Please go to the [election planner tool](#) to calculate your board's election timeline.

Letter of appointment

The **returning officer** should be given a letter of appointment by the board. Go to the 'Run an Election' page on our school board elections website, to download a template appointment letter. The letter should include:

- the negotiated fee for running the election
(The MoE have a recommended formula for calculating the returning officer fee, usually 50% of base rate and 25% per student rate. This information is repeated on our website, with example RO fees.)
- the number of positions to be filled in each election
- if the board is opting into or out of the staggered election cycle
- the presiding members name and contact details
- who to contact to obtain access to the school electoral roll.
- If the board is running an electronic election.
- Which election the RO is running (parent, staff, student),
- The date for the election.

The board is responsible for promoting elections. The Board can delegate this work, but it is not part of the returning officer's role.

After the election, the board should ensure that there is an effective induction process for new members.

The Returning Officer's Role

Use this handbook for all school board elections.

- Triennial (staff and parent elections)
- mid-term parent elections (for boards that use the staggered election cycle)
- annual student elections
- by-elections for parent, staff, and student representatives
- establishment board elections, including elections:
 - for a new school
 - for a newly merged school
- combined board elections and elections for boards with an alternative constitution
- elections to replace a commissioner.

Contact NZSBA (see below) for advice about these elections before you start your role.

The returning officer appointed for an election **can** nominate and vote in that election (if otherwise eligible) but **cannot** stand as a candidate in that election.

Help for returning officers

Te Whakarōputanga Kaitiaki Kura o Aotearoa (NZSBA) is contracted by the Ministry of Education to advise and assist returning officers in their role.

This is provided in the following ways:

- Elections Handbook (the content from this document is also on our website)
- Phone: NZSBA's election advice line 0800 ELECTION (0800 353 284)
- Email: electionsadvice@tewhakaroputanga.org.nz
- Website: www.schoolboardelections.org.nz
- Returning Officer Memos: emailed to all registered returning officers during triennial elections (all boards) and mid-term elections.
- For boards appointing an accredited provider as their RO or engaging an accredited provider to deliver services to the RO, any technical support related to electronic elections or the provider's software will need to be referred to the accredited provider. NZSBA will continue to offer assistance to all ROs around the election process and the regulations.

Using an External Provider (including electronic voting provider)

School boards may appoint an external provider to be the returning officer and manage their elections. This section will apply to any situation where the returning officer is not an employee of the school or does not have ready access to the school SMS (Student Management System).

If a school wishes to have electronic voting elections for any parent or staff election, including by-elections, it must appoint an accredited provider to either be the returning officer, or to make their portal available for your board's appointed returning officer (if the provider allows this option).

When using an external provider, it is essential that the school appoints a liaison person to work with the provider. This person would maintain good communication channels with the provider and ensure that all school-based tasks are done.

These will include:

- ensuring the provider has an accurate electoral roll for the type of elections being run. (See section on preparing main electoral roll.)
- Having a copy of the electoral roll, without contact details, available for inspection by voters. This will either be in the school office or staff room as appropriate.
- Keep an updated list of nominations available in the school office or staff room.
- Keep the board updated on the nominations coming in so the board knows if it needs to improve its promotion strategies.
- Ensure that the community is appropriately informed of the result of the election. (The provider may do this but best to check it is being done.)
- Display and appropriately file the declaration notice.

School boards need to be aware that it remains their role to promote the elections and the value of school board membership within their communities. It is not the returning officer's role to do this, regardless of whether they are an internal or external appointment.

The currently accredited providers of electronic voting elections can be found on the [MoE website](#).

Choosing a provider

When choosing a provider boards need to bear in mind the costs involved. External providers will have varying fee structures.

Bear in mind there is still a need to have an internal staff member liaising with the provider. The preparation of the electoral roll is one of the most important tasks and the person doing this will need time allocated so they can do this well.

At the time of Triennial elections some providers do not include the staff election in their package and offer it as an extra. In these cases, it is possible that the total cost of your elections will exceed the amount provided by the MoE to run your elections.

Preparation for Election Process

First task as returning officer – register the election

To register, please go to the ‘Run an Election’ page on our website and follow the links. Returning Officers must register for each election they run. You will need to know the type of election you are running (e.g. triennial, mid-term, by-election for staff or parents etc). Once registered, you will receive an email (remember to check your spam or junk mail) that contains login information, (username and password) and a Returning Officer ID, which is unique for every election.

Use your returning officer login details to access:

- election forms A–G (these are the nomination and voting forms). Complete online, then download and photocopy. Go to [elections forms](#).
NOTE: The returning officer does not have authority to alter these forms in any way.
- Sample election notices 1A - 8B. Go to [sample election notices](#) to download these Word documents. You can then type in the required information. These can be modified as you wish (e.g. adding school logo).
The handbook will tell you which notices to use.

Use your 8-digit returning officer ID to enter information about the election, such as the election date and number of nominations (“0” if none received yet). You do this through the [Update board information](#) link.

You should then open an election file, which will subsequently be held by the school administration or online and should include all relevant documentation.

Election dates and schedule

Make sure that you understand your key tasks and know the latest dates by which they must be completed.

NOTE: The intervals between legislative actions in the election timetable must not be altered. The dates for each action are determined by the chosen election date.

Use the [election planner tool](#) to insert the election date for your board’s election(s), the key election dates in the election process will generate automatically. Print out the resulting table or you can enter the dates in the table above.

NOTE: If the planning tool date is a “by” date, the item may be completed BEFORE that date – we encourage this particularly when calling for nominations.

Notify school community and wider local community

It is good practice to give advance notice to the appropriate section of the school community that an election is imminent. For by-elections and student elections you can just inform that part of the community participating in the election.

You can notify the school community and any other affected parties in the local community in a way that best meets the needs of your communities. You could do this by displaying or posting Notice 1A: Sample parent election notice (notify community) in places such as:

- school website, newsletter, or school Facebook page
- local community noticeboards (e.g. library, supermarket, sports clubs)
- local community webpages e.g. Facebook, etc
- local newspaper
- school parent and whānau meetings or hui.
- email to people on roll.

Preparing Main Electoral Roll

(This section applies to parent and staff elections. There is a separate section, later in the handbook dedicated to student elections.)

The returning officer prepares a roll that contains the name and contact details of every person entitled to vote in the election. This roll is referred to as the main roll, and after it closes, a supplementary roll needs to be opened. The supplementary roll allows people who become eligible to vote after the main roll has closed, and anybody left off the main roll in error, to be included in the election.

The roll is required to ensure the RO knows:

- who to issue nomination forms to, • who is eligible to nominate candidates and
- who is eligible to vote in the election.

This roll (with no contact details) must be available at the school for inspection at any reasonable time throughout the election process.

Parent elections

Updating and checking the names can take some time, so advise the school administration that you will need a list of all parents and caregivers (refer to definitions if needed) of students enrolled full-time at the school.

NOTE: The rolls should be in alphabetical order of surnames. The electoral roll for parent elections should include the names of all eligible voters as far as is reasonable.

Have the main roll open for inspection

The roll must be available for inspection at any reasonable time at the school for one week before the main roll closes. If you do not work at the school site, it is recommended that you ensure the roll is available for public inspection (it could be left at the school's office).

NOTE: When the roll is on display for inspection, no contact details should be visible.

Telephone enquiries are acceptable. A name provided by a caller may be confirmed as being on the roll or not. No contact details should be disclosed by you, or any person authorised to assist you.

Close the main roll

At noon on the day that the main roll closes, the RO stops altering the roll. At the same time the RO opens the supplementary roll.

Eligibility to participate in a parent election

Education and Training Act 2020 Section 10 defines the term “parent” as meaning someone who is the person’s father, mother, legal guardian, or immediate caregiver. Both parents of a student have the right to vote, even if they do not live with the student.

In this guide, wherever the word “parent” is used, it is with the understanding that it refers to any parents, legal guardians, and "immediate caregivers" as defined below.

Immediate caregiver

An “immediate caregiver” is defined in s10 Education and Training Act 2020 as:

- in relation to a student who usually lives in a household that includes the student’s father or mother but not both, but also includes the spouse or partner of the father or mother, means the spouse or partner
- in relation to a student who usually lives in a household that includes the student’s father or mother and no spouse or partner of the father or mother, but also includes a person who has turned 20 and has a day-to-day responsibility for the student clearly greater than that of any other person, means that person
- in relation to a student who usually lives in a household that does not include the student’s father or the student’s mother, means any member of the household who has turned 20 and has a day-to-day responsibility for the student clearly greater than that of any other person.

A student is regarded as having no immediate caregiver if they:

- usually live in a household that includes both parents
- do not usually live in a household (for instance, they live in a hostel). A hostel is not deemed to be a household, and hostel employees are not regarded as being immediate caregivers.

The following are eligible to be on the parent roll:

- Parents of those students who are under 20 years of age and are enrolled full-time at the school on the day that the roll or the supplementary roll for the election closes.
- Parents of international students, regardless of where they live in the world. They should be posted election forms if their contact details are known.
- Adult students who are 20 years of age or older, who are enrolled full-time at the school on the day that the roll or the supplementary roll for the election closes.

Staff members who are also a parent of a student enrolled at the same school will automatically go on the staff roll but can opt to go on the parent roll instead.

NOTE: The right to choose which election a person will participate in only applies to a person with dual parent/ staff member status in the same school.

More examples of eligibility to go on the parent roll

Parents of students enrolled in year 6 at contributing schools to an intermediate school

These parents can go on the roll of both the contributing school and the stand-alone intermediate school at which their child is likely to be enrolled as a full-time student in the year after the elections. “Stand-alone intermediate” refers to schools in which only years 7 and 8 students are enrolled.

If an intermediate school has an enrolment scheme, the returning officer should delete the names of parents of year 6 students with addresses outside the enrolment zone. If the contributing school has privacy concerns regarding providing the information, remind them that legally, an intermediate school board is elected by parents of both students enrolled at the school, and parents of students likely to be enrolled in the following year.

Parents of students likely to be enrolled at the intermediate in the following year, must be on the parent roll of the intermediate school to enable the returning officer to send them nomination forms and then voting forms (if required).

If you are the returning officer for an intermediate school, you will need to obtain the Year 6 student rolls from contributing primary schools before your main roll closes. Promptly contact the contributing schools and remind them that they must arrange for you to be given the names and contact details of all parents with at least one child in year 6.

If you are the returning officer at a contributing school, ensure that the intermediate school is provided with the names and contact details of parents with students in year 6.

Parents of students in satellite classes of special schools

Parents of students in satellite classes of special schools are eligible to be on the parent roll at the special schools but not the host schools where the satellite classes are sited.

Parents of students enrolled at special schools

Parents of mainstreamed students (e.g., students enrolled in special schools who regularly attend classes in other schools) are eligible to be on the parent rolls at the special schools provided the student is under 20 years of age.

Parents of alternative education students

Parents of alternative education students may vote in parent elections for the schools where the students are enrolled full-time.

Principals as parents

A principal who is also a parent of a student (who is under 20 years of age) enrolled fulltime at the school, is eligible to be on the parent roll. They can nominate and vote in the parent elections but cannot stand as a candidate.

Staff elections

All board staff are able to participate in a staff election with some exceptions, as indicated below.

ETA 2020 Section 10 defines the term ‘board staff’ as “in relation to a board on any day, means the people who, on the day, are not students enrolled full-time at a school administered by the board and who,—

- (a) on the day, have taken up a permanent appointment to a position in the employment of the board, or a position (at a school administered by the board) in the employment of a body established under this Act or of the Secretary; or
- (b) during the period of 2 months ending with that day, have been continuously employed in that position”

- Permanent staff eligible to go on the staff roll can be:
 - ☐ full-time
 - ☐ part-time
 - ☐ teaching
 - ☐ non-teaching
 - ☐ staff employed by the school who also work at other schools.

Fixed-term staff can go on the staff roll **only** if they have been continuously employed at the school in one or more positions for **two months or more**, before the day the main or supplementary roll closes.

- Non-permanent (fixed-term) staff who have been continuously employed for 2 months could include staff who are:
 - ☐ full-time
 - ☐ part-time
 - ☐ teaching
 - ☐ non-teaching
 - ☐ staff employed by the school (board) who also work at other schools.

NOTE: Permanent and fixed-term staff that work at the school but are employed by another school (board) **cannot** go on the staff roll. They can only go on their employing school (board)’s staff roll.

- The principal is **not** eligible to participate in the staff election. They do not go on the roll so they cannot nominate, stand, or vote.
- Itinerant, resource, and similar teachers **can** go on the staff rolls of the base schools that employ them, **but not** the staff roll of any of the other schools at which they work.
- Day-to-day relievers do **not** go on the staff roll.
- Contractors are not employed by the school and are **not** eligible to go on any staff roll.

Dual eligibility – staff member who is also a parent of a child at the school A staff member with dual eligibility can only be on one roll at a time. They automatically go on the staff roll and stay there unless they advise the returning officer in writing they wish to be on the parent roll. They must do this before the applicable roll (main or supplementary) closes.

- If the staff member opts to go on the parent roll, they can nominate and vote in the parent election but cannot stand as a candidate unless they are in a fixed-term position.
- Once on a particular roll for the triennial elections, the staff member must wait until the next triennial election before advising the returning officer if they wish to change rolls again.
- Keep a record of the staff with dual eligibility and which rolls they chose to go on. This will be referred to for any by-elections that occur after the triennial elections.
- A person with dual eligibility, who ceases to be eligible for one roll, will automatically default to the other roll.

Calling for Nominations

(This section applies to parent and staff elections. There is a separate section, later in the handbook dedicated to student elections.)

This step of the election process requires the returning officer to ensure that the required information is provided correctly to all eligible voters. It is also important to maintain timely and ongoing communication with the presiding member during this process. Please follow the actions below carefully.

If a board is opting into the staggered (mid-term) election cycle at these triennial elections, then a special nomination form (Form B) and special voting form (Form D) will need to be used for the parent election.

The parents (see definition on page 10) of foreign fee-paying students enrolled at the school are entitled to participate in any parent representative election or by-election. The returning officer needs to process their requirements first. To check overseas postal delivery times, go to: nzpost.co.nz/personal/sending-internationally.

A candidate in a parent representative election does not need to be a parent of a student enrolled at the school. If not on the roll, the candidate needs someone on the roll to nominate them.

Parent elections

In order to meet legislative requirements (preferably as early as possible), be clear about the date by which nomination forms will need to be issued (your school and local communities should have been notified beforehand). The nomination form must be issued to each person on the electoral roll.

Prepare nomination forms ready to be sent out by the call for nominations date or earlier

When calling for nominations, you must do the following:

- Download and prepare a parent election nomination cover letter. This notice explains the parent election process. It should accompany the nomination form (Form A) that is issued to all eligible people on the voting roll.
- Download and prepare a nomination form. Use Form A (or B if the board is opting into the staggered election cycle), which you can download from [elections forms](#).

Before distributing the cover letter and nomination form, you must circle the type of election (parent/staff), and enter:

- ☐ the name of the school
- ☐ the school profile number
- ☐ the address to which the form must be returned (usually the school office)
- ☐ the date and time (noon) by which the completed form must be received by the returning officer.

- **If sending out by post**, download or print **one** copy and photocopy the required number of forms to post.
- All nomination forms are available in other languages. Download these languages: English, Te Reo Māori, Tongan, Samoan and Simplified Chinese. Download from [election forms](#).
- The nomination form (Form A) can be issued to every person named on the roll by email, delivery by hand, or post.

Eligibility

On the back of the nomination form are the criteria for people who are NOT eligible to be school board members, please ensure these are read by ALL nominees before they sign to declare their eligibility.

Staff elections

Nominations must be called for by the date specified. When calling for nominations for the staff election use Notice 5. This notice explains the staff election process.

You, as returning officer, can EITHER:

- Issue the notice to each staff member on the roll by personally delivering, emailing, or placing in each staff member's pigeon hole (if these are used) or,
- Display copies of the notice in prominent places around the school or online if you, as returning officer, are satisfied that doing this will adequately inform staff about the call for nominations.

NOTE: If you issue the notice to each staff member, you can also display the notice in prominent places around the school (but you do not have to).

ROs may choose to have staff collect nomination form A from them if they wish to nominate themselves or someone else.

Accepting Nominations

Update the presiding member on the number of valid nominations received as they come to hand.

Log in to the school board elections website and update your election information with the number of valid nominations as you receive them.

For a form to be valid it must be completed correctly. This means it must be signed by both nominee and nominator (even if the person has nominated themselves) and must have all sections filled in correctly. For staff and student elections the nominee must be on the roll, but in the case of parent elections only the nominator must be on the roll.

If there are fewer nominations than there are vacancies to be filled, keep the presiding member informed, as the board will need to encourage nominations.

Keep receiving nominations and candidates' statements. Ensure that the name of every eligible candidate is available for inspection at any reasonable time at the school throughout the election process.

Receive nominations until noon:

- When nominations are received, check them immediately and, if valid, put the candidates' names on a list that is displayed in an area such as the noticeboard in the school foyer/staffroom or online where the public/staff can see it.
- Log in to the website and update your elections information with the number of valid nominations.
- If a nomination is not valid, advise the nominee and nominator and give the reason.
- If a nomination form has one or more errors, advise the nominee and nominator and give them the opportunity to correct any errors by using a new form. **NOTE:** Errors must be corrected before nominations close.
- Nomination forms can be received in a number of ways provided they arrive by the date and time nominations close (e.g. hand delivery, post, email (scanned) and fax).

NOTE: It is not the role of the RO to check the eligibility of candidates, only to ensure the validity of the forms. Candidates declare their own eligibility by signing the form.

Close nominations at noon

Nominations must close at noon on the date nominations close. The nomination forms, along with any candidates' statements, must be in your hands by noon or held at the school office for you to collect later in the day.

No nominations received after noon can be accepted.

Optional candidate statements

Receive candidates' statements by noon on the date nominations close and edit if necessary.

Statements may include each candidate's:

- experience
- qualifications
- abilities
- previous involvement with the school(s) or institution(s) administered by the board
- reasons for standing for election
- interests
- anything else that can be reasonably linked to the education of children.

Regulation 20(2) authorises you to omit or abridge any part of a statement if you are satisfied on reasonable grounds that it is likely to be defamatory or offensive or is too long.

Your role in editing statements about candidates is limited to the requirements expressed in this regulation. It is vital that you are not seen either to favour one candidate over another or in any way to attempt to influence the voters when editing candidates' statements.

You must be seen to be impartial. You should not be involved in organising or calling public meetings of candidates. You may be present at such meetings in order to receive nominations, but this should be your only involvement.

Optional candidate photographs

Photographs of candidates are not necessary. However, if photographs are received in time (by noon the day nominations close), they can be distributed with the candidates' statements.

Candidates' eligibility

The Education and Training Act 2020 lists the categories of persons who are not eligible to be a board member. This includes all types of board members – e.g. elected, coopted, or appointed board members and board members elected or selected to fill a casual vacancy.

With each nomination form issued, the information "People who are not eligible to be school board members" should be included on the back. If it is not, ensure that you print this information separately (from sample election notices) to include when you distribute the nomination forms.

A person is ineligible if they:

- are an undischarged bankrupt
- are not allowed to be a director or promoter of or be concerned with or take part in the management of a company (under sections 382, 383 or 385 of the Companies Act 1993)
- are a permanently appointed member of the board staff, unless they are standing for election as a staff representative
- contract or subcontract with the board without the approval of the Secretary for Education and receive payments exceeding \$25,000 in any financial year – this also covers situations where a person has a 10% or more shareholding in the contracting company or a company that controls the contracting company

- are subject to a property or personal order (under the Protection of Personal and Property Rights Act 1988)
- are a person convicted of an offence punishable by imprisonment for two years or more, or who has been sentenced to imprisonment for any other offence, unless that person has obtained a pardon, served the sentence or “otherwise suffered the penalty imposed on the person”
- A person who has been convicted of a specified offence identified in [Schedule 2](#) of the Children’s Act 2014, unless that person has obtained a pardon or been granted an exemption under subclause (5) of Schedule 23 of the Education & Training Act 2020
- are not a New Zealand citizen **and are:**
 - a person in New Zealand unlawfully (i.e. section 15 or 16 of the Immigration Act 2009 applies to them)
 - a person who has been granted a temporary visa for less than 12 months □ deemed for the purposes of that Act to be in New Zealand unlawfully.

NOTE: If a person has approval to reside in New Zealand for 12 months or more, they may stand as a candidate (if otherwise eligible).

Non-Voting Elections

If there are fewer than or an equal number of nominations to the number of vacant positions on the board, you can promptly declare all candidates elected.

This is called a non-voting election, but candidates have still been elected.

NOTE: School's that have not filled their vacant positions should contact NZSBA for advice on what action to take.

The election has now ended. Follow the process under the heading, 'Declaration of results.' Use Notice 4B instead of notice 4A. Nothing needs to go to the local District Court. The Board should keep the roll and nomination forms for 6 months after the election has been completed and then these can be permanently destroyed.

Similarly, if there is only one valid nomination for a staff representative election, you can promptly declare the candidate elected. This is also a non-voting election.

NOTE: People elected in a non-voting election take office seven days after the day nominations close. This will be earlier than expected had the election gone to a vote.

Voting Elections

If there are more valid nominations received than the number of positions advertised, a voting election must be held.

- Voting forms must be issued to all people on the electoral roll after the date nominations close. For triennial elections or parent by-elections they must not be issued any later than 28 days before the election date.
- Voting forms can be posted, sent out electronically by an accredited provider or personally delivered to every person named on the roll. Voting papers may **not** be sent by email if the school has not appointed an accredited provider as the returning officer.
- Each voting form must be accompanied by a cover letter (Notice 3), a return envelope that voters **may** choose to use but do not have to (note that the envelope does not have to be stamped), and candidate statements if they have been provided.

For parent elections, use voting form C. If opting into staggered elections for the first time in a triennial year use form D. For staff representative elections use form E.

Prepare voting forms after noon on the day nominations close

Download the voting form from [election forms](#). Voting forms are available in these languages: English, Te Reo Māori, Tongan, Samoan, Simplified Chinese.

NOTE: If you are a returning officer running elections for a combined board, you will need to use a special parent representatives voting form (Form G).

When preparing the voting paper be sure to write on the paper how many candidates people can vote for. This will be the same as the number of positions to be filled in this election. The board should have advised the RO on how many positions are to be filled and therefore how many votes people can make. Contact NZSBA if you are unsure of this number.

Voting Process

Each voter must be given a voting form, cover letter, candidate statements and a separate return envelope. This should be addressed to the returning officer and titled “voting form.”

The board may decide to pay for the cost of return postage by placing a stamp on each envelope or arranging a freepost service but there is no requirement for the school board to pay for return postage.

If the board decides to use a freepost service to have the voting forms returned through the post, this needs a clear, preferably written, agreement with an accredited postal service, specifying the frequency with which it will deliver that mail to you.

The important thing is to make sure you understand the arrangements between yourself and the accredited postal service early in the process and preferably before nominations close.

Many voting forms are returned by hand. In this case there will be no need for postage stamps.

- The preparation and distribution of voting forms may begin immediately after the close of nominations.
Voting forms must be distributed to all people on the electoral roll by **28 days** before the election date.
- **Staff election:** You may follow the process above, or you may display notices around the school and online advising where and when voting forms may be collected. If you choose to do this, keep a record of which staff have collected voting forms.
- Any statements provided by the candidates must be posted/personally delivered with the voting forms.
- Completed voting forms may be returned to the returning officer or they can be delivered by hand to the returning officer until 4pm on election day. They do not have to be returned in the envelope previously provided (but they can be).
- It is recommended that a sealed ballot box be provided at the school office under the direct supervision of a person nominated by you.
- All voting forms that are returned to the school either through the post or by hand should immediately be placed in the ballot box.
- Your responsibility as returning officer to issue voting forms could include posting, personally delivering or handing out at a meeting or hui.
- Voters who intend to post their votes need to do so as early as possible before voting day.
- All valid voting forms that are received by you through the post before the end of the fifth day after voting closes will be included and counted.
- It is the responsibility of returning officers to receive all voting forms and ensure they are held in safe custody.

Voting forms

Download the appropriate voting form for the type of election you are running.

- Enter the names of candidates with valid nomination forms in alphabetical order by their surnames or family names on the voting form and make the appropriate number of copies.
- Each voting form can be coded or numbered to ensure voters are not able to vote more than once by duplicating their voting forms. The system used should allow you to check the number of votes exercised but should not enable voters to be identified, as this is a secret ballot. Coloured voting paper could also be used.
- If a numbering system is used the numbers must be added randomly to the voting forms. This is so you cannot see from a voting form who has voted but can confirm that the number is an allocated one.
- An alternative system is to stamp each voting form with the school seal or some other original stamp that cannot be easily duplicated.
- Whatever system is used, the returning officer must be confident that a completed voting form when received, is the one that was issued.
- If there are more candidates than the number of spaces on the voting form, please contact the NZSBA Election Advice Line 0800 ELECTION (0800 353 284).
- Print only the required number of voting forms.
- The official voting form for parent representative elections (Form C) states, “You may vote for up to (insert the number of vacancies to be filled) candidates.”

Make sure you insert the correct number of vacant positions to be filled. If there are 5 positions available, then voters can vote for 5 candidates.

A voter can vote for fewer than the number of vacant positions available, but they cannot vote for more candidates than the number of vacancies to be filled. E.g. If there are three vacant positions in the election, the voter may vote for up to three candidates.

NOTE: Voting forms must be issued in a separate envelope for each voter. The following must be included with the voting forms:

- Copies of any candidates’ statements (but not statements by candidates who have withdrawn).
- The envelope in which the voting form **may** be returned.
- Recommended: A voting cover letter. See the sample on page 21 or download from [sample election notices](#).

Issue cover letter, voting form, return addressed envelope and candidate statement by the date on the Election Planner Tool.

Please ensure that office staff at the school know and follow your requirements for the return of voting forms.

If you intend to use a ballot box, you must ensure that it is secure and locked away each evening.

Withdrawal of candidates

Any candidate may withdraw from election by giving written notice to the returning officer. Where this occurs, you must take all reasonable steps to ensure that voters are notified of this.

If the withdrawal reduces the number of candidates standing to the same number as, or a smaller number than, the number of board members required, ensure voters are notified that voting will no longer be required.

Voters may be notified of the withdrawal, where time allows, by public advertisement or written notice to electors, through the school newsletter, on the school website and by prominent notices around the school.

If the withdrawal occurs after the voting forms have been distributed or too late to notify electors and the withdrawn candidate is elected, the withdrawal in effect causes a casual vacancy on the board. If the withdrawn candidate is not elected, no further action is required.

Staff elections:

You may follow the process as for parents, or you may display notices around the school and online advising where and when voting forms may be collected. If you choose to do this, it is advisable to keep a record of which staff have collected voting forms.

Election Day

Voting closes at 4pm on Election Day

- You must not count votes and declare results until six days after the election date. This allows time to receive postal votes. (**Note:** for staff by-elections you may start counting the votes from 4pm on election day and may declare the results as soon as you are certain that all votes have been counted).
- At 4pm, remove all ballot boxes to a secure place so that no more voting forms can be placed in them.
- Do not include any voting forms that may be handed to you after this time. Take them but do not open the envelopes. Instead, mark the envelopes as “Invalid: received after 4pm on (insert date voting closes)”.
- Count the votes in the presence of any scrutineer/s appointed by candidate/s.
- You may be helped in the vote counting procedure by someone you have appointed as a clerical assistant. That person cannot be a scrutineer.
- The suggested order of proceedings is to gather all the voting forms in one place under your direct care. Open and examine all voting forms to determine whether the votes meet the requirements for validity
- Separate out those voting forms that you think are invalid. You should then consider each of these and decide if it is valid or invalid.
- That decision is yours alone to make. Return the valid voting forms to the uncounted pile and count the invalid votes to get a final total, then put them aside.
- Have a simple system to record the number of valid votes cast for each candidate.
- Count all valid votes and ascertain individual totals.

NOTE: One invalid voting form is counted as one invalid vote regardless of how many times the form is marked or not marked.

Invalid votes

A voting form received after 4pm on election day is invalid unless the voting form was posted before election day. A vote is also invalid for any of the following reasons:

- The voter votes more than once in the election.
- The voter votes for more candidates than there are board members to be elected.
- The voting form does not, in the opinion of the returning officer, clearly indicate the candidate or candidates for whom the voter intended to vote.
- The returning officer believes on reasonable grounds that the voting form was not issued to the voter by the returning officer.

NOTE: A voting form deemed to be invalid, for whatever reason, is to be recorded as one invalid vote regardless of the markings on the form.

Appointment of scrutineers

Scrutineers are appointed as candidates' "agents" and may be present during the time you are opening the envelopes, counting the votes, and making decisions about the result of the election.

A candidate may appoint one person as a scrutineer, but they cannot appoint themselves or another candidate. You must be advised, in writing, of the names (and preferably contact details) of any scrutineers before voting closes.

You must advise any scrutineers of when and where you will be counting the votes. You should attempt to make arrangements to suit everyone involved, but you have a timetable that must be followed.

A scrutineer is entitled to be present and observe the opening of envelopes containing voting forms. They may also examine the envelopes and voting forms and then observe the counting of votes. They are not entitled to be involved in the process. If there is a tie involving a candidate represented by a scrutineer, the scrutineer is entitled to be present while you break the tie by lot (see as follows).

Recount (electronic elections)

A scrutineer can perform a recount of votes cast electronically. The electronic voting provider will advise on how this is done. For paper votes cast on an electronic voting election, the scrutineer has the same role as described above.

Tied votes

Where two candidates receive the same number of votes they are both elected unless the position is the last to be filled. In that case, you must decide by lot which candidate is elected. For example, if there are five positions being contested and four are clearly filled, but there is a tie for the fifth position – the returning officer would be responsible for breaking the tie "by lot."

This decision must be made in the presence of two members from the existing board or two members of staff if board members are not available in a reasonable time. Any scrutineers representing the affected candidates must also be present.

NOTE: The principal and staff representative are both members of the existing board.

"Tie broken by lot" should be noted on the results notice.

Examples of a "lot" are tossing a coin, cutting a pack of cards, drawing straws, and pulling a name out of a hat.

Integrity of the electoral process

Voting forms may not be faxed or emailed as attachments. They may be either posted back or personally delivered to the required address (usually the school office). This election is by way of a secret ballot. This is the same as voting in government and local body elections. You should find a quiet room or area to concentrate on the vote count without distractions. Access to that area should be confined to any appointed assistants and scrutineers.

None of those people can communicate any information about the state of the voting or tell anyone how the votes are stacking up or provide any other information likely to defeat the secrecy of the ballot.

That state of confidentiality should be maintained from the moment the first voting form is returned until you declare the result.

Declaration of results

When you are satisfied that the totals are correct you must declare the final result as soon as the result is known.

This is done by:

- Giving written notice to the board.
NOTE: Arrange in advance with the presiding member who will be responsible for contacting the candidates.
- Prominently displaying notices at the school or online.
- Notifying the school community by issuing the results to every voter on the role via the parent portal, newsletter, or email.
- You can use sample notice 4A to declare parent and/or staff election results (download from [sample election notices](#)).
- The notice must include the number of valid votes cast for each candidate, the names of those elected, and the total number of invalid votes cast.

Finishing the Election

Board takes office

New Board members take office seven days after election day. Board members who did not stand for election or were not successful in being elected go out of office the day before.

If there is no need for a voting election, new board members take office 7 days after nominations close.

Dispatch forms to the District Court.

After declaring the result of an election, including all by-elections, all sets of voting forms, including invalid votes and copies of all electoral rolls, should be sent to the registrar of the nearest District Court with the school's name stated on the outside of the parcel.

Court registrars have asked that voting forms be securely wrapped and tied with string.

We recommend that all nomination forms be kept by the board for six months following the election, before being destroyed.

School Board Updates form

NOTE: Previously, MoE and NZSBA have used Appendix 1 & 2 to collect board members' information, the [School Board Updates form](#) combines and replaces these.

The returning officer needs to complete the School Board Updates form to reflect the make-up of the newly elected board once the election results have been confirmed.

Board secretaries should ensure this form reflects any changes that your board undergoes outside of the elections period (e.g. someone leaves the board or a new board member is co-opted).

Please complete the School Board updates form if any of the following apply to your school:

- If you have had a parent, staff or student election (including by-elections). If you've had an election the returning officer will need to provide candidate information and election results (including candidate names and voting numbers).
- If you have a new board member taking office outside of an election. E.g. cooption, selection or a change in Principal or Presiding member.
The Ministry of Education and Te Whakarōputanga Kaitiaki Kura o Aotearoa need to be made aware when you have a new board member to ensure our records are up to date. It would be ideal for the board secretary to do this.
- If you have a member leaving your School Board.
The Ministry of Education and Te Whakarōputanga Kaitiaki Kura o Aotearoa need to be made aware when a member is leaving so we can update this in our

systems and ensure our records are up to date. It would be ideal for the board secretary to do this.

Challenge to elections

If the result of an election or the integrity of the electoral process is challenged or called into question, you should immediately contact NZSBA.

Student elections

Which boards have student representatives?

The board of every school with students in year levels above year 9 must include a student representative, unless it has an alternative constitution that provides otherwise.

NOTE: This requirement also applies to a special institution named in Schedule 2 that is required to have a student representative (section 122).

When do student elections occur?

Student elections take place in September each year. A student representative's term of office is 12 months.

Funding and returning officer's fee

Election funding is not provided to boards by the Ministry of Education for the running of student elections. However, the board still needs to appoint its returning officer to run the student election, and it can still decide to pay a fee, which would be paid from the board's funds. The returning officer needs to register on [returning officer registration](#).

Timeframe

The board needs to decide on the September student election date. Use the student election planner tool on the [election planning page](#), inserting the election date in September as notified by the board. We would recommend using a Thursday as it avoids task or deadlines falling due in weekends.

Eligibility

All students except for adult students (they can only participate in parent elections) enrolled full-time in year 9 and above at the school are eligible to be placed on the electoral roll and to nominate, stand as a candidate, and vote in the student election.

Issuing the student election notice

You, as returning officer, can:

- issue the notice to each student on the roll or
- display copies of the notice in prominent places around the school if you, as returning officer, are satisfied that doing this will adequately inform students about the call for nominations.

NOTE: If you issue the notice to each student, you can choose to **also** display the notice in prominent places around the school (but you do not have to).

Calling for nominations

You must call for nominations for the election of a student representative by issuing or personally delivering a nomination form (Form A) and a copy of the notice (download

from [sample election notices](#)) to each person named on the roll, or by displaying notices in prominent places around the school or online.

Make sure that nomination forms are available at the school office (Form A) and that students know that both the people being nominated and the nominators, must be current full-time students from year 9 or above. Eligible students may nominate themselves. Any full-time student in year 9 and above and aged under 20 years is entitled to nominate, stand as a candidate, and vote. International students who are legally in NZ for 12 months or more can participate in the election.

With each nomination form issued, ensure that the information sheet “People who are not eligible to be school board members” is either printed on the back or attached separately.

NOTE: Download the information sheet from [election forms](#).

Nominations must be in the hands of the returning officer by noon on the day the nominations close. These may be faxed, posted, emailed, or hand delivered.

Voting is not compulsory.

Campaigning by candidates is not a part of the legislated election process. If schools allow campaigning to occur, they need to ensure that it is done equitably, and that no candidate is disadvantaged by the process. All candidates must receive the same opportunities to promote themselves (e.g. if one candidate is allowed to speak in assembly, they must all have that opportunity).

If there is only one nomination, the candidate will be duly elected. If there are no nominations this will generate a casual vacancy, and the board will have to run a by-election.

Voting procedure

If two or more eligible nominations are received, a voting election will be required. Use Form F.

Voting forms should be prepared and distributed to students in years 9 and above and/or can be collected from a central point known to students and as advised by the returning officer in a notice displayed around the school or online.

A sealed ballot box must be set up in the school office. Students should be able to vote in private.

Electronic voting

Boards may offer electronic voting for their students. An accredited provider does not need to be used, however the board does need to ensure the requirements in regulation 13 of the 2022 Education Regulations 2022 are met.

Integrity of the electoral process

This election is by way of a secret ballot. This is the same as voting in government and local body elections. In all cases, votes cannot be counted before voting closes. Therefore, there is a requirement to maintain the secrecy of the state of the ballot. The easiest way to do this is to not open any envelopes containing voting forms until it is time to count the votes.

The confidentiality of the state of the ballot must be maintained at all times until you are satisfied that you have the correct result. This means that you should find a quiet room or area to concentrate on the vote count without distractions. Access to that area should be confined to any assistants you have asked to help you and scrutineers who have been appointed by candidates.

Declaration of results and completion of School Board Updates form

Declare results of a voting election to the school community using notice 8A (download from [sample election notices](#)).

Declare results of a non-voting election to the school community using notice 8B.

Go to the [School Board Updates form](#) and fill in the details of your newly elected board.

The roll and voting forms need to be taken to the local District Court. The nomination forms are kept by the board for 6 months and then they can be destroyed.

Documentation for all elections

FORMS A–G

You use these forms during the election process. You must be registered as a returning officer and logged in to access these forms. These forms are in English, Te Reo Māori, Tongan, Samoan, and Simplified Chinese.

NOTE: Forms A–G must not be altered in any way.

FORM A: Standard election nomination form

This nomination form is for use in all parent, staff, and student elections, including byelections, except when a board opts in to the staggered (mid-term) election cycle in a triennial election year.

FORM B: Opting into staggered (mid-term) election cycle nomination form (triennial election year only)

This nomination form is for use in elections for parent representatives but only when a board opts in to the (staggered) mid-term election cycle in a triennial election year.

FORM C: Parent election voting form

This voting form is for use in all parent elections, including by-elections, except when a board opts in to the staggered (mid-term) election cycle in a triennial election year.

FORM D: Parent election voting form (opting into staggered (mid-term) elections in a triennial election year)

This voting form is only for use in elections for parent representatives when a board opts in to the staggered (mid-term) election cycle in a triennial election year.

FORM E: Staff election voting form

This voting form is for use in staff elections, including by-elections.

FORM F: Student election voting form

This voting form is for use in all student elections, including by-elections.

FORM G: Combined school board election (parent election voting form)

This voting form is for use in elections for parent representatives on combined school boards.

SAMPLE ELECTION NOTICES 1A–8B

Notices 1A–8B can be downloaded from [sample election notices](#). Notices can also be created using the samples as a template.

School Board Updates form

The returning officer should complete the School Board Updates form online as soon as possible after an election. Go to [School Board Updates form](#).

NOTE: This form is held by the Ministry of Education and shared with NZSBA.