

Pakuranga College Legislative Requirements

Date Reviewed: September 2022
Next Review Date: June 2025

National Administration Guideline 6 – Legislative Requirements

“Each college Board is expected to comply with all general legislation concerning requirements such as attendance, the length of the school day, and the length of the school year.”

Pakuranga College meets its obligations under the National Administrative Guidelines Section 6 through the implementation of the policies and procedures listed below.

The Pakuranga College Board monitors the implementation and effectiveness of these policies through the Principal’s monthly report.

Policy Statements

Attendance

At Pakuranga College all students will be full-time students and are expected to attend school during normal school hours. Students who fail to attend regularly will be identified and addressed in a way which will result in improved attendance.

Enrolment

At Pakuranga College the enrolment of students will be in accordance with the current enrolment scheme. This is available at the College office on the website.

Confidentiality

The Principal shall be the Privacy Officer.

Pakuranga College undertakes to keep the requirements of confidentiality appropriate for the professional practices of a school and act in accordance with the Privacy Act 2020. Personal information of students will not be disclosed without express permission. Where this is not possible, the matter must be referred to the Privacy Officer.

Copyright

The college is to comply with the Copyright Act with respect to the use of musical scores, videos, books, digital media and other material protected by copyright. Individual staff members will be personally liable for any breaches of the Copyright Act.

Creative Commons

Pakuranga College will adopt a Creative Commons copyright policy to encourage the open and free exchange of information, knowledge and resources; and support the collaborative production of Intellectual Property (IP) that is freely available to all. The full Creative Commons policy is appended.

Communication

All communications with the media are to be made only by the Principal and Presiding Member of the Pakuranga College Board. College letterhead can be used only for official College business. When college letterhead is being used for external communication, content must be approved by the Senior Leadership Team.

College Events

At Pakuranga College all college events outside the classroom happen only with the approval of the Principal or delegated Senior Manager. School rules involving conduct and behaviour apply at such events.

Stand Downs and Suspensions

1. The Pakuranga College Board acknowledges the need for the Principal from time to time to stand down or suspend a student or students from the college for behaviour as outlined in the Education and Training Act 2020 and the Education (Stand-down, Suspension, Exclusion, and Expulsion) Rules 1999.
2. The Principal and Board shall comply with all requirements of the Education and Training Act 2020 and the Education (Stand-down, Suspension, Exclusion, and Expulsion) Rules 1999 also giving due consideration to the processes of natural justice.

Appendix – Creative Commons Policy Detail

Supporting Documentation

Attendance Guidelines	NAG 5 Health & Safety Procedures Booklet (Pages 7-13)
Confidentiality Guidelines	NAG 5 Health & Safety Procedures Booklet (Pages 20-22)
College Events Guidelines	NAG 5 Health & Safety Procedures Booklet (Pages 14-15)
Guidelines for Serious Behavioural Issues	NAG 6 Procedures Folder
MoE Behavioural Guidelines	NAG 6 Procedures Folder

Signed: 
Presiding Member

Date: 12/09/2022

Appendix

Creative Commons Policy Details

Pakuranga College

1. Asserts its copyright over school employees' work created during the course of employment.
2. Applies by default a Creative Commons by Attribution Licence (BY) to all its teaching materials and policies and to its other work wherever possible.
3. Intellectual property in relation to other work (other than teaching materials and policies) is protected by default. The school may waive or alter IP protection only as detailed in clause 4 below and with the express agreement of the Principal.
4. May make exceptions to the sharing of Intellectual Property (IP) it owns on a case by case basis with detailed reasons for limiting the free access to material; any such restrictions should be time dependent and will include consideration of applying other Creative Commons licences to the work including Attribution-Share Alike (BY-SA), Attribution-Non-commercial (BY-NC), Attribution-Non-commercial-Share Alike (BY-NC-SA), Attribution-No Derivative Works (BY-ND) and Attribution-Non-commercial-No Derivative Works (BY-NC-ND).
5. Will transfer the copyright of created works to the original creator when a licence which meets the free cultural works definition (i.e. Creative Commons by Attribution Licence (BY) or Creative Commons Attribution-Share Alike (BY-SA) is applied to them.

Pakuranga College encourages staff and students to support free and open access to Intellectual Property and also to apply the Creative Commons Attribution framework to work created in their capacity as an individual.

Pakuranga College does not make any claim over the ownership of outputs or outcomes of students' work. These belong to the creator.

Definitions of Intellectual Property

- In this policy "Intellectual Property" includes the rights to all created work.
- Outputs are the products that are created by an individual or group of individuals. This may include for example artworks.
- Outcomes are the consequences or results arising from the development of, or use of, IP other than products that are created from IP. Examples may include a publication such as a book, web site or an exhibition.

Ownership of IP and outputs arising from intellectual activity

In general, all IP and the outputs and outcomes arising from that IP are owned by the creator. While Pakuranga College will derive benefits from the outcomes, there are exceptions to this, as follows:

1. Outputs and IP created by staff in the course of their employment are owned by the school unless otherwise expressly agreed by way of contractual obligations in an employment agreement.
2. Outputs and IP will be jointly owned by the school and a staff member only where such joint ownership is expressly agreed between Pakuranga College and the staff member.

Clarity of Licensing

All published works should be clearly labelled using the appropriate symbol from the Creative Commons icon set.

Disputes

Where there is a dispute over ownership, including co-ownership of IP, and/or the commercialisation of any co-owned IP, the following process will apply:

1. In the first instance the dispute should be documented and presented to the school Principal.
2. If the dispute is still not resolved, then the documentation should be presented to the Presiding Member of the Pakuranga College Board.
3. Mediation with an appropriate authority will be undertaken if the dispute cannot be resolved by the Principal and / or the Presiding Member of the Pakuranga College Board.