Te Aho o Te Kura Pounamu Board of Trustees

Submission to the Education and Science Select Committee on the Education (Update) Amendment Bill

Introduction

Te Aho o Te Kura Pounamu – The Correspondence School (Te Kura) is the largest distance education provider in the New Zealand school sector. We support proposals in the Bill that will give more opportunities to learners who are not well served by the current school system.

This submission by the Te Kura Board of Trustees[1] sets out our vision for equitable access to education in New Zealand, our educational approach and our reasons for supporting greater flexibility and choice within the education system. A concluding section provides comments on specific clauses in the Bill.

About Te Kura

Te Kura offers personalised, high quality learning programmes to over 20,000 students throughout New Zealand each year who access all, or part, of their learning with Te Kura. We offer programmes from early childhood (age 3) to Year 13/NCEA Level 3.

We are the largest school in New Zealand, with nearly 100 years' experience in distance education. We have more than 300 registered teachers based in locations from Christchurch to Whangarei, all highly experienced in providing learning programmes at a distance using a range of learning and communication tools.

We have a regionalised delivery model that offers regular opportunities for face-to-face interaction between teachers and students. Students who are enrolled with us full-time meet with teachers to receive guidance and support in their learning, as well as meeting other students.

Te Kura's approach involves each full-time student having a nominated supervisor who is present with them at home or wherever their learning takes place (this is a legal requirement for students under 14 years of age). In many cases the supervisor is a parent, but can be a family member or the supervisor of another Te Kura student. Te Kura teachers also have a role as learning advisors (facilitators). Learning advisors keep in close contact with supervisors and encourage them to be actively involved in their student's learning.

Operating at the boundaries of the system

Te Kura has always operated at the boundaries of the education system, ensuring access and occupying the spaces between the parts of the system reached by other providers. By providing a different type of education, we have served the interests of students and New Zealand as a whole. For example:

- Historically we provided schooling for remote and rural students. This role remains important today for a minority of our students who live in isolated parts of the country

- In the immediate aftermath of the Christchurch earthquakes, we worked with teachers using our learning resources to provide education for students whose school buildings had been damaged or destroyed

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[1] The membership of Te Kura Board of Trustees is detailed in Appendix A

- We are currently working with other agencies, iwi and community groups to provide wrap-around support for students who are disengaged from learning and/or have been excluded from traditional schooling

- In the future we are seeking to play a role in developing innovative models of schooling to respond to changing learning needs and rapid increases in population in areas such as Auckland.

Current models may be neither cost effective nor the most desirable way of responding to learning needs. In *Learning from the Extremes*, Leadbeater and Wong argue that to get learning at scale to all those who need it, transformational innovation will be needed. Transformational innovation will create new ways to learn, new skills, in new ways, outside formal school. Examples include programmes which:

- Draw families and children to learning by making it attractive, productive, and relevant

- Use peer-to-peer learning

- Create spaces for learning where they are needed, rather than just using schools.[2]

We are already using many of these features in our educational approach. Through operating at the boundaries of the system, we can act as a catalyst for innovation and change in the system as a whole.

Te Kura's vision for education in New Zealand

We have a clear vision for education in New Zealand:

> *Every learner has equitable access to high quality education that enables them to be successful in the future world.*

This vision is broader and more aspirational than Te Kura alone – it is about what the education system as a whole can deliver for learners.

Our vision of equitable access is that:

- Every learner has access to a variety of learning opportunities that will develop future-focused skills and competencies

- Every learner has access to a variety of learning opportunities that reflect their strengths, needs and prior learning

- Every learner has access to educational resources appropriate to their educational needs

- Māori and Pasifika learners are well supported to access learning opportunities that value their identity, language and culture

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[2] Charles Leadbeater and Annika Wong, *Learning from the Extremes*, CISCO, 2010.

- Learners with special education needs are well supported with learning opportunities that reflect their individual circumstances, and that combine an appropriate level of challenge and support

- Learners who have left school early have a chance to re-engage with learning and gain qualifications outside school.

To meet the vision of equitable access, the education system needs a range of options for learners. The system must include providers that are successful with learners who other parts of the system can't reach – those who would otherwise miss out or not be able to reach their potential.

For some learners, equitable access means providing learning opportunities outside the school in which they are enrolled. For others, it means meeting their educational needs when they are outside traditional schools altogether.

Te Kura's core mission is to meet the needs of learners who would otherwise not have access to high quality education. We will continue to serve these learners, both as a direct provider and through working with other schools and providers to ensure they can support their students to be successful.

Online learning - debunking the myths

The term "online learning" refers to a wide variety of types of education provision – ranging from Massive Open Online Courses (MOOCs) delivered to large numbers of people over the internet, through to individual or niche learning programmes which utilise technology for specific aspects of learning, teaching and assessment. Some online learning provides a high standard of education, some does not.

In our view, high quality online learning uses technology as a tool to help in providing learning programmes that address learners' individual needs and promote their engagement and achievement. The degree to which online delivery is "blended" with the overall educational approach is crucial. Put another way, technology is a medium but it does not guarantee learning.

The section on the following page addresses some common misunderstandings about online learning, and outlines our view of what high quality online learning looks like in practice.

Debunking the myths

Myth 1: Teachers will be replaced by computers

Reality: High quality online learning needs skilled educators working with students to identify their learning needs, provide access to programmes that meet these needs, assess their progress and provide feedback. Teachers will not be replaced by technology, rather they will use the technology alongside their learners.

Myth 2: Online learning is "one size fits all" with everyone learning the same thing

Reality: High quality online learning is "*one size fits one*". Students learn at their own pace, with personalised content and teaching that is tailored to their prior knowledge and learning goals. Assessment embedded within learning programmes ensures that learners understand what they are learning before progressing to the next stage.

Myth 3: Students don't develop social skills

Reality: Done well, online learning involves social interaction and teamwork, both through communications technologies and through face-to-face activities such as community based projects. It is particularly useful for supporting collaborative learning involving students and teachers.

Myth 4: Online providers don't supervise students

Reality: Some providers of online learning do not supervise students. Te Kura does. Students can be supervised in community facilities, marae, school facilities, other education institutions or at home. Legally, students under 14 have to be supervised.

Myth 5: Achievement at online providers is worse than traditional schools

Reality: International evidence suggests that achievement at distance and online schools varies considerably, just as it does in traditional schools. This research examines a wide variety of providers, many of whom provide a different delivery approach from Te Kura. It is not the use of technology or the effect of distance that determines students' achievement, it is the quality of education they receive, the quality of their relationship with the provider and the extent to which their education engages and motivates them.

The key research issue is not so much about what happens on average, but in understanding in what circumstances online learning may produce better outcomes, for whom and at what cost.

Myth 6: Students will have to pay for online learning

Reality: High quality online learning including curriculum delivery and student support can be provided at a comparable cost to traditional schooling. Whether students have to pay is determined by Government policy and by funding levels, not the learning delivery mechanism.

Te Kura and online learning

Te Kura is not a traditional school, but is definitely an education provider. We are committed to making a difference in people's lives through education. Like traditional schools, we employ trained teachers to deliver the New Zealand Curriculum and our pedagogical approach involves personalised, collaborative and problem based-learning. We see the interaction between educators and learners as the heart of the educational process. We are about education, not about technology, just as in the past we were about education, not mail.

Te Kura has a long history as the State supplier of distance education in New Zealand. Today, we use online learning for much of our educational provision. Our technology is an array of techniques that minimise the impact of isolation, intensify attention to individual needs, blend face-to-face learning with self-directed activity and respect the role of whānau in the educational process.

It's not the technology that makes us different from other schools, rather it is that we have more freedoms because we don't have buildings, classrooms or timetables. Freedom from the constraints of time and place allow us to explore and implement new approaches to student-centred learning, often using technology as a medium.

Through our role as a distance education provider we are able to provide learning that by its very nature is personalised:

- Learning is structured around the needs and motivations of individual students, working with educators and facilitators who can help them achieve their learning goals

- Learning can happen at any time in any place, thus helping to break down the traditional silos between school, home, tertiary organisations and employment

- Students can receive immediate responses to any issues with their learning. Feedback can be adapted to their learning needs and can help to "staircase" them to the next level of learning

- Technology supports new approaches to assessment, including creating individual records of learning and achievement

- Data analytics can pinpoint where individual students need additional support.

Learning at Te Kura

Te Kura students access learning programmes based on a blended learning approach which includes online, offline and authentic learning opportunities, supplemented by face-to-face support.

Learning advisors (teachers) work with students and their whānau to develop a personalised learning programme for students based on their interests and aspirations.

Teachers work online alongside their students, guiding the student's learning, providing feedback and "feedforward". They are available by email and telephone to answer questions or provide guidance if the student is stuck.

Students can access new online courses which are available through the school's Online Teaching and Learning Environment (OTLE).

NCEA courses are progressively being made available to students through online delivery in the OTLE, beginning with NCEA Level 1 in 2016. Te Kura's integrated programme Te Ara Hou (for years 7 to 10) will be available from 2017. By 2018 all Te Kura courses will be available online.

The use of online courses together with NZQA's new approach to online assessment creates the potential for Te Kura to move away from the "time served" nature of traditional schooling. For example, by introducing a fifth term during the summer to increase flexibility for students.

There are opportunities in every online course for offline activities. For example, students may be required to explore their natural environment, learn and practise skills (such as in art and music), conduct experiments or make things to reinforce their learning.

Students can work at their own pace – they might start early in the day and spend an hour or two on their device before going out to play or do offline activities, and come back to their device later on; or spend the morning on their school work doing a mix of online and offline activities, then spend the afternoon playing sport or catching up with friends.

Click on the links to watch some of our students talk about their learning experience at Te Kura:

Zoe[3]
Latisha[4]
Authentic learning at Te Kura[5]

You can find additional insights into the Te Kura learning experience on our Facebook page[6] and YouTube channel[7] .

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[3] https://www.youtube.com/watch?v=Txv13ntbv8s
[4] https://www.youtube.com/watch?v=dwyBNo7Y18g
[5] https://www.youtube.com/watch?v=xKaIgzwKoAk
[6] https://www.facebook.com/tekuranz or search for "Te Aho o Te Kura Pounamu" on Facebook
[7] https://www.youtube.com/channel/UCZArkcBUsL41kq6D7wG1ekg or search for "Te Aho o Te Kura Pounamu" on YouTube

Achievement at Te Kura

In assessing student achievement at Te Kura it is important to take into account the nature of the student population and the circumstances in which students come to Te Kura.

Te Kura is unique in New Zealand, not only in terms of its form of delivery but also the mix of students who enrol. Many students come to Te Kura after long periods of disengagement and it can take time to get them back on track with their learning. Other students, particularly young adult and adult students, are learning part-time so they may not be enrolled in enough courses to earn an NCEA qualification. Te Kura also teaches a large number of dual registered students whose results are reported by their home school.

Assessing achievement of students against national averages is therefore not a meaningful measure of value-added by Te Kura. Analysis by the Ministry of Education shows that when student factors are taken into account Te Kura's performance comes close to that obtained in other schools. The differences associated with different types of school are very much less that those between different types of students.

Te Kura's achievement in different enrolment categories is summarised in Appendix B.

Te Kura's response to the Bill

Summary

Te Kura supports the establishment of Communities of Online Learning (COOLs) because they would give learners and their whānau greater flexibility to choose the education that best suits their needs.

The quality of schooling in New Zealand is very high, but some students struggle to achieve success in a traditional school setting. Many of these students are referred to Te Kura after long periods of disengagement from education and when all other options have been exhausted. Under the proposed changes students, with the support of their whānau or school, could choose to come to Te Kura – or to another COOL – and continue with their learning programme in an environment which may be better suited to them.

Te Kura already provides flexible, personalised learning programmes, many of which are delivered online. The proposed changes reinforce the direction we are already heading in, particularly our focus on online learning, personalised and authentic learning experiences, and priority groups.

As an established provider, Te Kura is very willing to work with education agencies and providers to share our knowledge of providing quality learning programmes and pastoral care at a distance and online.

Operating as a provider of choice

Over many years Te Kura has sought to operate as a "provider of choice", meaning that students could choose to learn through us rather than eventually being referred to us after they have left the traditional schooling system.

It often takes some time before students who have left or been excluded from traditional schools are able to enrol at Te Kura, and as a result many have suffered gaps in their education. As a COOL, we look forward to students being able to enrol with us when they choose to do so. We believe that the type of education we provide will appeal to a range of young people and their whānau.

Te Kura has always provided for the needs of young people who are not well catered for in the rest of the system. We do not see this changing under the new regulatory environment – we will continue to provide access to high quality education for students who other parts of the system can't reach, and we will work with each student to address their specific learning needs.

Other COOLs

Te Kura welcomes the proposal that other online providers will be able to enrol students. Our vision of equitable access to high quality education for every learner will be enhanced by a diverse range of providers with different philosophies and approaches. We do not support sole rights for any provider or any one approach to achieving more success for more students.

Adding new providers will also ensure that existing schools and providers, including Te Kura, don't become complacent and that we continue to seek new and innovative ways of providing students with the best possible education.

Our vision is for equitable access to *high quality* education (not just any education). To provide high quality education, COOLs will need to:

- Work with each student to support their learning, *not* simply provide them with online courses

- Address the different needs of students (including those who face various learning challenges), *not* "cherry pick" the students who are most likely to succeed with the least support.

Te Kura has a track record over many years as a distance and online provider. We are highly experienced in working remotely with students who face multiple learning challenges. We are well placed to work with Government on accreditation criteria for new COOLs, and would welcome the opportunity to do so.

Working with other schools and providers

Through our system of dual registration, Te Kura has a history of working in collaboration with other schools to increase the opportunities for their students. We will continue to work in partnership with schools and providers, using our specialist expertise in distance and online learning. This is a key strategy to meet our vision of improving access to high quality education for every learner, not just the students we enrol directly.

In particular, we will work with other schools and providers to explore:

- Using our learning advisors as mentors to classroom teachers seeking to facilitate online learning for their students

- Using online delivery and assessments to free up teachers' time and support collaboration between teachers

- Making our online curriculum resources available for schools and providers to use (in combination with appropriate professional learning)

- Helping schools with multi-level learning (i.e. by groups of students who are at different levels), including rethinking their approach to timetabling and introducing more flexible use of learning spaces

- Making available the expertise and tools we are developing on assessment (e.g. assessment of dispositions relating to "learning to learn") to other schools and providers

- Sharing our experience of working across sector boundaries, including ways of working with families/whānau to support transitions between early childhood, primary and secondary schooling and enhance tertiary education pathways

- Sharing our experience of working in specific cultural contexts with local communities.

Learning beyond New Zealand

The Government's *Leadership Statement for International Education* (2011) includes the following goals:

- Developing and sustaining mutually beneficial education relationships with key partner countries in Asia, the Pacific, the Middle East, Europe and the Americas

- Increasing annual revenue from providing education services offshore

- Increasing New Zealanders' skills and knowledge to operate effectively across cultures.

Te Kura is able to play a role in supporting the school sector to achieve these goals, leveraging our investment in the development of online teaching and learning resources. Areas where we may be able to assist include:

- Providing introductory courses offshore to students who are considering coming to New Zealand to study with a tertiary provider

- Providing high quality educational services to students in other countries wishing to improve their English language skills

- Developing educational resources in Pasifika languages that reflect and value Pasifika learners' identity, language and culture, that other providers and agencies may not prioritise or have the knowledge to develop.

Designing the new environment

Te Kura has experience and capability that will enhance the development of the new regulatory environment. We want to work with the Ministry of Education and other agencies on issues that will need to be addressed if the new regulatory environment is to be successful in supporting equitable access to high quality education.

The transition to online learning

The transition to online learning may initially prove challenging for both teachers and students, especially students over the age of 12 who have not grown up with modern digital education. Issues such as access to devices and connectivity, including in rural blackspots, will need to be considered and planned for. Te Kura is committed to working with other agencies to address these issues, regardless of the legislative environment, because of the positive benefits that online learning can offer.

Funding

The design of the funding system could "make or break" the success of the new arrangements. Te Kura wants to work with the Ministry of Education to ensure that the funding system supports the intent of the legislation and serves the needs of learners – both through the design of long term funding arrangements and through ensuring that there is appropriate transitional funding for Te Kura's existing learners (including home schooled and dual enrolled students).

Our vision of equitable access requires that every learner should have access to educational resources based on their educational needs, not on the type of provider with whom they are enrolled. To ensure that funding is allocated fairly within the system as a whole, double funding (where more than one provider is funded for providing the same service to students) needs to be reduced.

Equitable access may also require flexible learning across a range of providers. There is work to be done on the basis on which providers can charge schools and COOLs for services they provide for their students. There are examples at the secondary-tertiary interface where schools access services from other providers that could provide a model.

Teacher education and registration

Increased use of online learning throughout the education system will have implications for initial teacher education and professional development as well as for the employment policies within schools and COOLs. Te Kura considers that the ability to collaborate with other teachers in facilitating online learning should be a requirement for teacher education and registration for every teacher in New Zealand.

While the role of teachers will change, the requirement for trained teachers will remain. In the new regulatory environment, Te Kura will continue to employ trained and registered teachers to work with students. Te Kura's Board also considers that the Chief Executive must have significant knowledge and experience as an educator.

However, Te Kura has significantly different management requirements from traditional schools which may not be met in the future if the pool of appointees is limited to registered teachers. Other COOLs will also have varying management requirements in the new environment.

We are able to help develop accreditation criteria for COOLs that strike an appropriate balance between the requirement for trained teachers and the need for flexibility in management arrangements.

Governance

The governance requirements for COOLs will need to be explored. In the past the traditional model of locally elected Boards of Trustees was not effective for Te Kura given our national scope and scale. In our experience the current system of Ministerial appointments has resulted in stronger governance, and more effective decision-making for the long term. In the future legislative environment, shared governance across schools and COOLs could also be investigated.

Te Kura's future legislative status

It will be important to clarify Te Kura's future legislative status. Te Kura may need to operate as a State school only for a transitional period, while funding and other policies are being developed. However, with the proposed removal of the category of "correspondence school", it will be important to ensure that the general provisions applying to State schools do not unduly restrict Te Kura's governance, management and operations, or lead to a situation in which Te Kura enjoys less freedom than currently.

We propose that Te Kura be established as Crown entity with a Ministerially-appointed Board under legislation specifically designed to reflect Te Kura's characteristics and role in the system as a national open and distance education provider serving students of all ages and schools of all types across New Zealand.

Te Kura's comments on specific legislative proposals are included in the following section of this report.

Te Kura comments on provisions in the Education (Update) Amendment Bill

This section of the submission includes Te Kura's views on:

a) The overall objectives of the Bill set out in the General Policy Statement. Te Kura's views reflect its vision for the education system described in this submission and its perspective as a significant education provider.

b) Proposals relating to the regulatory environment for online learning. These proposals directly affect the environment in which Te Kura operates.

c) Specific clause by clause comments, where these are not covered in the comments in a) or b) above.

Objectives of the Bill

(Explanatory Note Page 1)

Objective	Te Kura's View
Make the achievement and learning of children and young people central to the early childhood education and compulsory schooling Parts of the Act	Te Kura supports the proposal to introduce a new statement of National Education and Learning Priorities, focusing on education outcomes. **The statement should reflect the goals in the *New Zealand Curriculum, Te Marautanga o Aotearoa* and *Te Whāriki* that learners should gain the knowledge, skills, competencies and values to be successful in their future lives.** **The goals should also reflect the principles of future-focused education and ensuring equitable access for every learner.**
Strengthen the efficiency, effectiveness and accountability of schools and the schooling network	**The proposed roles and responsibilities of boards of trustees should include responsibility for meeting the educational needs of every student, especially those whose needs are not currently well addressed within the system.** **Boards should have responsibility for working together with a range of partners including parents, whānau and local communities to meet students' needs. There should be an expectation that boards provide and access relevant expertise and work collaboratively with others providers if this is necessary to respond to students' needs and to ensure they have the opportunity to succeed.** **Planning and reporting processes should provide for timely, useful and relevant information about students' learning and achievement.** This could be assisted through digital technology

	and analytics. **The proposed performance measures for schooling should reflect future-focused education and "measure what matters" in terms of the skills needed to be successful in the world outside school.** Te Kura supports proposed changes to the interventions regime and provision for amalgamation of Boards where Boards are not performing well in supporting student achievement.
Enhance collaboration within the schooling network	Te Kura supports measures to strengthen communities of learning. As well as enhancing collaboration within the schooling network as proposed in the Bill, these measures could also support collaboration between schools and early childhood institutions and tertiary providers, reflecting the need for effective transitions and pathways through the education system. Communities of learning could use digital technology to facilitate sharing of professional practice and expertise and to expand the range of pathways and programmes that students are able to access (in a similar way to COOLs). **The relationship between CoLs and COOLs in the new legislative environment should be clarified.**
Increase flexibility in the enrolment and attendance requirements for the first year of learning	Te Kura supports flexibility in enrolment and attendance requirements. Te Kura will continue to enrol its own students in the first year of schooling in ways that reflect the circumstances and wishes of learners and whānau.
Strengthen the legal framework for managing teacher competence issues	Te Kura supports provisions to ensure that complaints about teacher competence are dealt with effectively. **The relationship between new processes for managing teacher competence proposed in the Bill and internal processes within providers such as Te Kura should be clarified.**
Establish a future focused legislative framework for online learning	See comments below.
Update aspects of the law that have become outmoded and inefficient	Te Kura supports proposals to ensure the efficient administration of enrolment schemes for schools. **Arrangements for enrolment schemes should reflect the importance of a provider being able to immediately enrol young people who are excluded from school so they do not have a gap in their education**. **The relationship between general enrolment schemes and new enrolment arrangements for COOLs should be clarified**.

Improve the provision of careers services by the government	Te Kura supports careers services that give students access to high quality information about the full ranges of options and choices that are available to them within the education system as well as in their working lives.

Legislative framework for online learning

(Explanatory Note Page 3)

Proposal	Te Kura's View
Replace provisions relating to "correspondence" education with "online learning"	Te Kura welcomes removing the provisions relating to correspondence schooling, which are outdated and and do not reflect the realities of Te Kura's role in a modern education system. "Online learning" means different things to different people, as discussed in this submission. Many online providers also provide face-to-face learning opportunities. For example Te Kura requires all learning programmes to include off-line components (through students exploring their natural environment, learning and practising skills in areas such as art and music, conducting experiments or making things). **The requirements for COOLs to provide online learning, including access to devices and connectivity, should be clarified.** The implications for rural "blackspots" should also be considered. These requirements may have implications for Te Kura's accreditation as a COOL. Te Kura's assumption is that it will continue to operate as a State school as well as a COOL. **The statutory responsibilities of Te Kura arising from its status as both a State school and a COOL should be clarified.** Some of the legislative provisions relating to State schools (e.g. elections of Boards of Trustees and attendance requirements) are not directly applicable to Te Kura.
Enable the Minister to accredit a wide range of providers as communities of online learning	Te Kura welcomes this proposal, as discussed in this submission. Its vision of ensuring that every learner has equitable access to high quality education will be enhanced if the system includes a diverse range of providers with different philosophies and approaches.
Students to be able to enrol • In a face to face school, with learning programmes	Te Kura strongly supports the flexibility and potential for choice inherent in these proposals. To ensure this potential becomes a reality, accreditation, enrolment and funding arrangements will need to be designed in a way that supports the intent of the

provided from the school or a COOL • In a COOL with learning programmes provided either from the enroling COOL or other COOLs.	legislation.
Enrolling institutions to be responsible for students' full time learning programme and pastoral care	Te Kura supports the proposal that enrolling COOLs should be responsible for all aspects of a students' learning and pastoral care. This reflects Te Kura's existing approach for fullly enrolled students. The proposal should not undermine: • The part that students can play in selecting their own programmes at other COOLs • The responsibility that supplementary COOLs have in providing learning programmes that support student progress and achievement.
Transitional period to maintain the status quo for aspects of the operations of Te Kura while regulations are being drafted	Te Kura supports a transitional period to ensure that accredidiation, funding and enrolment policies are well designed, and also to ensure that its own students (including dual-enrolled and home schooled students) are not disadvantaged by the transition to the new legislative arrangements.

Clause by Clause Comment

Clause	Te Kura's View
Clause 25-30, requiring enrolment at a registered school or "full" community of online learning	"Full" community of online learning requires definition. Te Kura assumes it will apply to COOLs who enrol their own students. Some providers (such as Te Kura) may need to be accredited as both a full COOL and a supplementary COOL.
Clause 30, specifying that students at a COOL are not required to attend school but must meet attendance requirements set out in regulations	"Attendance requirements" is unclear in a distance or online context.
Clause 32, allowing the Secretary to require parents to enrol students at a full	It is not clear how this provision will work in practice given that COOLs may have different enrolment policies. Te Kura's policy will continue to be to accept any students who are referred to it.

community of online learning	Requiring parents to enrol students at a COOL may have implications for the provision of devices and online connectivity, depending on how the responsibilities of COOLs are defined.
New Section 35T, providing for provisional accreditation of online learning	**It should be clarified whether Te Kura will initially be fully or provisionally accredited.**
New Section 35T, providing for provisional accreditation of online learning and Section 35X, providing for full accreditation	The expectation that COOLs will have "premises" is surprising, given that online provision does not necessarily require buildings. **The intention of the requirements for premises should be clarified.**
New Sections 35U and 35Y allowing the Minister to set conditions on the provisional and full accreditation of COOLs	It will be important to ensure that the the Minister's ability to specify enrolment policies at COOLs, including a maximum roll, does not undermine choice in the system or preclude Te Kura's ability to enrol students for whom its learning approach is best suited to their needs.
New Section 35Z, providing for reviews of COOLs by ERO	ERO may need to develop a specialised methodology and expertise for this task. Te Kura's experience is that ERO has had to adapt its school review methodology to fit Te Kura's educational approach.
New Section 35ZE setting out duties of COOLs	The requirements in (2) relating to guidance, counselling and careers advice are more applicable to a "full" COOL that enrols its own students than to a supplementary COOL which may only be responsible for a small proportion of a student's learning.
New Section 35ZG allowing COOLs to charge fees	As noted in this submission, the design of the funding system and policies for charging fees will be crucial to ensure equitable access for learners.
New Section 35ZH requiring the Secretary to arrange enrolment at a school or COOL for students supended or expelled from COOLs	See comments on Clause 32 above.
New Section 35ZO providing for regulations to be made in respect of accreditaion, enrolment and fees charged by COOLs	As noted in this submission, the design of the regulations will be important to give effect to the intentions of the legislation.

Appendix A: Te Aho o Te Kura Pounamu Board of Trustees

Dame Karen Sewell QSO (Chair)

Paul Adams

Gillian Heald

Maxine Moana-Tuwhangai

Stuart Middleton

John Chemis

Mike Hollings (Chief Executive)

Appendix B: Understanding the achievement of Te Kura students

In assessing student achievement at Te Kura it is important to take into account the nature of the student population and the circumstances in which students come to Te Kura.

Te Kura is unique in New Zealand, not only in terms of its form of delivery but also the mix of students who enrol. Many students come to Te Kura after long periods of disengagement and it can take time to get them back on track with their learning. Other students, particularly young adult and adult students, are learning part-time so they may not be enrolled in enough courses to earn an NCEA qualification. Te Kura also teaches a large number of dual registered students whose results are reported by their home school.

Assessing achievement of students against national averages is therefore not a meaningful measure of value-added by Te Kura. Analysis by the Ministry of Education shows that when student factors are taken into account Te Kura's performance comes close to that obtained in other schools. The differences associated with different forms of schooling are very much less than those between different types of students. Te Kura does not use aggregated statistics, not adjusted for the nature of the student population, to measure student performance.

Enrolment categories

Te Kura has two categories of enrolment:

- Access – a parent can make an application for their child's enrolment

- Referral – the application must be supported by referral documents from the Ministry of Education, the Department of Corrections or Child, Youth and Family.

Within each of these categories are a number of enrolment "gateways" (i.e. sets of entry criteria).

The following table summarises Te Kura's main enrolment gateways:

	Access	Referral
Early Childhood Education	- Geographic isolation - Itinerancy - High health needs - Special circumstances	- Special development needs - Ministry of Education
Adults and Young Adult Students	- Young adult over the age of 16 and not attending school full-time - Adults over the age 20 accessing "second chance" education for the purpose of achieving NCEA qualifications	n/a

Year 1-15 Full-time Students (Most full-time students are expected to do a full year's course of at least four or five subjects)	• Exceptional arts or sports performance • Geographic isolation or inaccessibility • Itinerancy • Young parents • Overseas domestic students	• Student is in the custody and/or guardianship of Child, Youth & Family • Student is in the custody of the Department of Corrections • Ministry of Education – student is non-enrolled • Ministry of Education – student is excluded/expelled • Ministry of Education Special Education – student has psychological or psycho-social needs
Dual Tuition	State, state-integrated, partnership schools kura hourua, and private schools may register Year 1-15 domestic students with Te Kura for supplementary government funded dual tuition where the entry criteria are met.	

Te Kura's 2015 NCEA achievement

NCEA qualification achievement for participating[8] students in our main enrolment categories compared to the national average.

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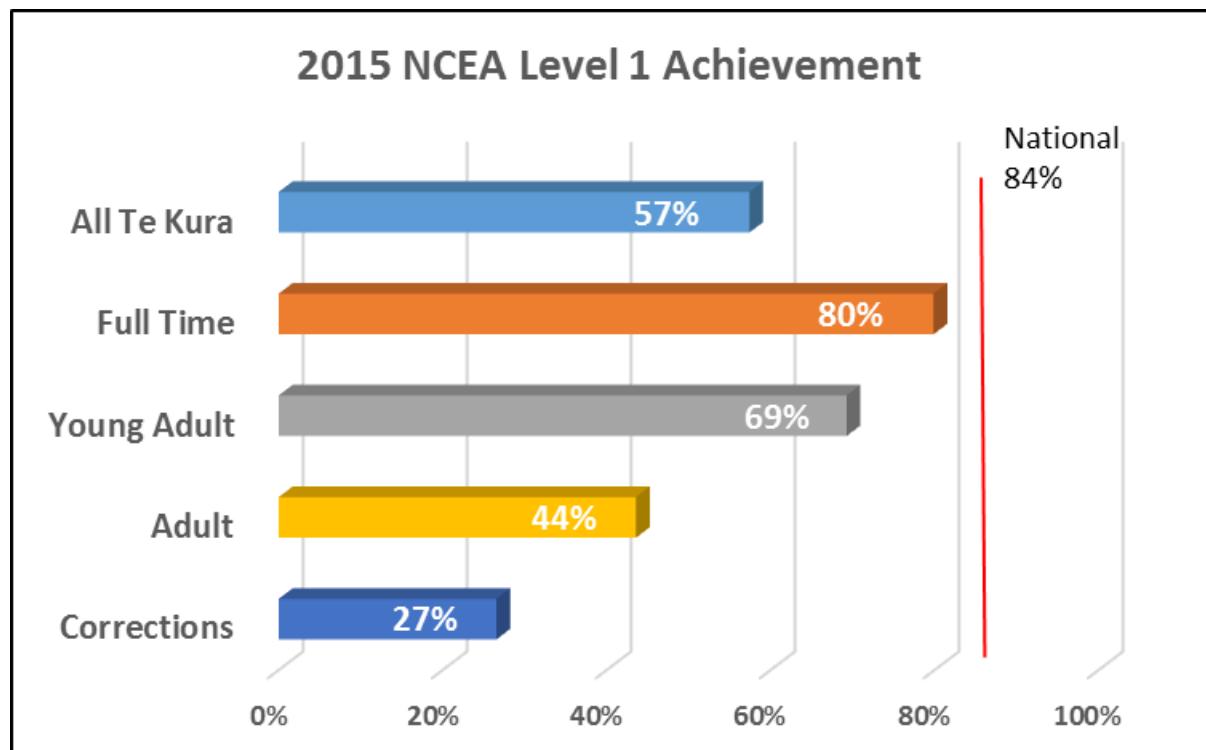
[8] A participating student would have sufficient credits to be able to achieve the qualification by the end of the year in question if they were to achieve all of the credits for which they are entered and those were added to any credits previously attained.

2015 NCEA Level 2 Achievement

National 87%

All Te Kura	59%
Full Time	85%
Young Adult	68%
Adult	40%
Corrections	33%
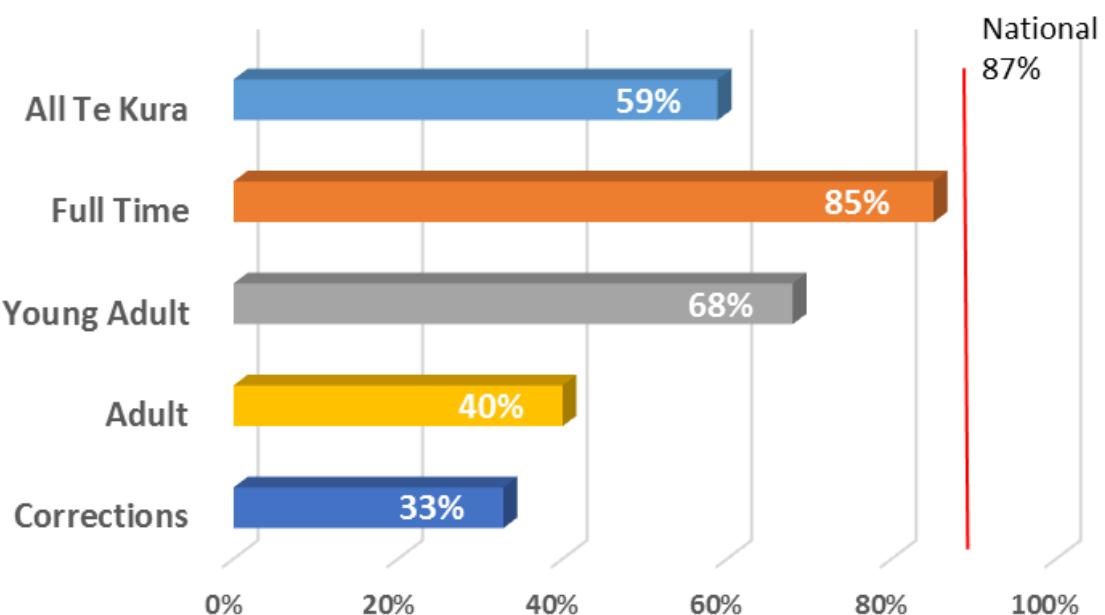
2015 NCEA Level 3 Achievement

National 83%

All Te Kura	63%
Full Time	81%
Young Adult	74%
Adult	54%
Corrections	30%