

NZ Model of Charter School Working Group

Terms of reference

1. Background

The Government is concerned that some New Zealand children are not being served well by the current education system, and are leaving school ill-equipped to enter the workforce and with limited choices for their future. Underachievement in education often compounds the disadvantages already faced by children in vulnerable, at-risk communities, and can contribute to intergenerational disadvantage, poor health, poverty, joblessness, welfare dependence, criminal offending and social dysfunction. It contributes to New Zealand's high rate of youth unemployment.

The Government has a number of initiatives in place to address educational underachievement. This includes the decision to pilot a New Zealand model of charter school serving areas where the risk of educational underachievement is the greatest. The pilot will begin with establishing such schools in areas of significant disadvantage or educational underachievement.

The New Zealand model of charter school is designed to provide a class of state school that has greater flexibility to innovate and stronger accountability than other schools. The design of such schools will provide for more flexibility in governance, greater autonomy and stronger accountability to better meet the particular needs of local communities. Such schools will be accountable for their performance to their sponsors, who will in turn be accountable to the Crown (principally its agents the Ministry of Education and Education Review Office).

2. Outline of the concept

The following is a broad outline of the New Zealand model of charter school concept to be piloted. It recognises that the New Zealand Model of Charter School Working Group will need to carefully consider and develop detailed advice for Ministers to consider regarding matters such as authorisation, governance, accountability, curriculum, funding, and evaluation. It is anticipated that amendments to the Education Act 1989 or other legislation will be required to enable the establishment of such schools.

Missions

The missions of such schools would be ambitious and clearly defined. They would likely differ from school to school, but would typically be designed to serve students from the Government's priority groups, and could include one or more of the following:

- to adopt a rigorous academic focus
- to focus on a particular language
- to focus on a vocational pathway
- to focus on other areas of specialisation
- to adopt a faith or culture based setting
- to apply a particular pedagogical philosophy
- to apply specific governance principles

Charter operators

It is envisaged that groups proposing to operate such schools could be non-profit or for profit entities. They could include community organisations such as Māori and Pasifika groups, iwi, faith or culture based educational organisations, universities, private firms or management groups.

New Zealand model of charter school operators would be granted an operating licence by an authorised body, if the required criteria were satisfied. It is envisaged that operating licences would run for a fixed period, and may be renewed or revoked according to performance in a variety of areas. Such schools could operate as individual entities or as a network. It is possible that existing schools could convert to become a New Zealand model of charter school.

It is expected that New Zealand model of charter school operators would appoint a governing body such as a board of trustees to be responsible for all aspects of school operations. It is possible that they could operate the school themselves, or contract out management to not-for-profit or for-profit education providers. Subject to criteria to be set by the authorising body, boards would be free to determine their own teaching practice, and policies regarding student behaviour, expectations of and support for parents, and length of the school day and year. The board would also be able to raise their own revenues (from the private, philanthropic and not-for-profit sectors), and have pay and employment conditions suited to their individual operating environment.

Such schools could co-locate with social service providers and/or early childhood providers.

For the purposes of this pilot, operating licences would initially be allocated in areas of significant disadvantage or educational underachievement.

Accountability

New Zealand model of charter school operators and their governing boards would be externally accountable to their sponsors, the Ministry of Education, and the Education Review Office for meeting student achievement goals set out in their operating licence, as well as financial and operational standards. It is expected such schools that fail to meet their achievement goals and other standards, including demand for places, would be subject to sanction, including closure.

Funding

It is expected that public funding would be on a per-child basis including equity considerations.

Fees

As at other state schools, tuition fees would not be charged.

Enrolment policy

It is expected that such schools will be required to accept all students who apply for entrance (until they have reached capacity), irrespective of background or academic ability. However, they could set geographical boundaries or requirements relating to the specialisation of the school, as long as these are not designed to deny opportunities to students from the Government's priority groups. Schools would be required to demonstrate a clear link between the mission, methodology and selection process. Where demand exceeds supply, such schools could choose to conduct entrance on a ballot basis.

Curriculum

It is envisaged that such schools would be free not to use *The New Zealand Curriculum*, but their proposed curriculum would need to be approved by the authorising authority, according to clear criteria.

3. Purpose of the New Zealand Model of Charter School Working Group

An independent New Zealand Model of Charter School Working Group (the Group) has been established to provide advice and recommendations to the Minister of Education, the Associate Minister of Education (Hon John Banks), and the Minister of Finance about developing and implementing pilot such schools in areas of significant disadvantage or educational underachievement within this parliamentary term. This is to help ensure the successful delivery of this initiative.

4. Members

The Chair of the Group will be Catherine Isaac.

Vicki Buck, Anthony Falkenstein, Michael Hollings, Hana O'Regan, Dr Margaret Southwick and John Taylor have been selected to provide the appropriate range of skills, experience and perspectives to carry out their functions.

The Group will be able to access international expertise and peer review as it deems necessary.

5. Scope

The Group will identify and examine the policy and operational issues related to developing and implementing the New Zealand model of charter school pilot, and shape the thinking and make recommendations to Ministers on:

1. a detailed blueprint for developing and implementing pilot schools in New Zealand. This would include:
 - a. authorising and accountability arrangements, such as processes relating to charters (e.g. granting and revoking), and processes for setting outcome targets and ensuring these are met
 - b. the freedoms that should be granted to such schools around governance, funding, staffing, curriculum, enrolment, and property and facilities
 - c. the content of potential provisions in legislation
 - d. all other matters relevant to establishing and operating a New Zealand model of charter school
2. processes for providing information and advice to parties interested in establishing a New Zealand model of charter school
3. providing advice, monitoring and reporting to Ministers on the timetable for successfully establishing pilot schools within this parliamentary term
4. overseeing the establishment of research and evaluation into the impact and effectiveness of the pilot schools

Out of Scope

The Group should not evaluate existing Government policies or get involved in the detail of wider educational issues.

The Group should not duplicate work already underway within government or under investigation by other advisory groups and forums.

6. Process

The Group will develop a model of charter school suitable for the New Zealand context by:

1. drawing on local and international expertise, research and experience
2. considering evidence from experts and interested parties
3. consulting with representatives from the education and other sectors, and undertaking fact-finding activities

The Group will report to, and provide advice and recommendations to the Minister of Education, the Associate Minister of Education (Hon John Banks), and the Minister of Finance.

7. Resources

The Chair will be supported by a Ministry of Education Secretariat. The Secretariat will provide briefings and reports to the Group and offer organisational support. The Secretariat will also analyse and gather new evidence as agreed with the Group.

External advisory support may be provided to the Group with the agreement of the Secretary for Education.

Treasury has offered to provide additional analytical support.

Ministers will meet regularly with the Group Chair as work progresses. It is not intended that Ministers attend regular meetings of the Group. They will provide input via the Secretariat or the Chair where necessary.

8. Confidentiality and Official Information

Advice provided by members of the Group will be treated in confidence. Members will not disclose any confidential information or material provided to the Group by officials. The Official Information Act 1982 will apply to the activities of the Group.

9. Public engagement

All media statements from the Group will be made by the Chair.

The Group may carry out public engagement activities or otherwise engage with stakeholders on aspects of the New Zealand model of charter school initiative. All plans for such engagement need to be agreed with Ministers in advance.

10. Timeframe

The Group will meet between 27 March 2012 and 30 June 2014 to develop advice and discuss progress in development and implementation. The frequency of meetings will be agreed between the Chair and Ministers. The schedule of meetings will be confirmed at the first meeting.

11. Good faith

Members of the Group are expected to act in good faith and on a 'no surprises' basis.

Members are expected to declare any potential conflicts of interest. A conflict register will be maintained and updated regularly. The Chair will be responsible for deciding how to manage any conflict (in the case of conflicts involving the Chair, Ministers will have responsibility for these decisions).