



Cabinet

Minute of Decision

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Next Steps with the Transition of Charter Schools

Portfolio

Education

On 14 May 2018, Cabinet:

- 1 **noted** that 12 applications have been received from the 13 partnership school kura hourua (charter school) sponsors currently contracted (this includes all charter schools as one sponsor submitted an application that covers two schools and three further contracts are in the final stages of early termination);
- 2 **noted** that the Minister of Education (the Minister) intends to take the next step in the process of effectively transitioning the charter schools into the State education system by commencing the termination for convenience process for the charter schools;
- 3 **agreed** that the termination for convenience process be commenced for all remaining charter schools to provide certainty that the charter schools will end on their last school day of 2018, consistent with the government's policy to remove the charter school model and to focus on a quality, comprehensive State school system that gives every child the opportunity to succeed;
- 4 **noted** that a sponsor may not support the Minister's decision to terminate their charter school contract and they could seek to review the decision or challenge it;
- 5 **noted** that the Minister will consider sponsors' responses (to the first notice) before considering whether or not to proceed with termination (issuing a second notice or letter that confirms termination);
- 6 **noted** that after the review period has concluded and if the Minister confirms that termination will proceed, the Minister will direct the Ministry of Education to resume discussions with sponsors to reach termination by mutual agreement as with that option there is the potential to reach a more favourable outcome for both parties;
- 7 **noted** that if additional funding is required for the establishment of State schools, the Minister will report back on this by August 2018 or earlier if possible;
- 8 **noted** that the Minister plans to propose an in-principle expense and capital transfer of [REDACTED] to the Minister of Finance in June, to help manage one-off initial costs for charter schools that are replaced by new schools under the State education model;

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- 9 **agreed** that, in the event the charter school's State school application is unsuccessful, the Minister may consider directing the Ministry to negotiate an amended termination date of the end of 2019 rather than the end of 2018, because the Minister's preference is to reach an agreeable outcome with sponsors;
- 10 **agreed** that in the event additional time is required to establish a State school the Minister may direct the Ministry to negotiate with a sponsor an amended termination date of the end of 2019;
- 11 **noted** that the Minister is scheduled to report to Cabinet in late May 2018 to progress the policy decisions agreed by Cabinet on 9 April 2018 [CAB-18-MIN-0157].

Michael Webster
Secretary of the Cabinet

Hard-copy distribution:

Prime Minister
Deputy Prime Minister
Minister of Education