

14 September 2016

IM60/104/52/3

**Education Report: Partnership Schools | Kura Hourua
Contract Variations 2016**

Recommendations

We recommend that the Minister of Education:

- a. **note** that on 4 May 2016 you agreed contract variations for the eight current Partnership Schools [METIS 979850 refers];
- b. **note** that the Sponsors have returned signed Variation Agreements for these Schools;
- c. **note** that the Ministry of Education (the Ministry) has made some minor changes to the Variation Agreements for Te Kura Hourua o Whangarei Terenga Paraoa and Te Kāpehu Whetū Teina at the Sponsor's request;
- d. **agree** the following changes:

Te Kura Hourua o Whangarei Terenga Paraoa

- (i) Update clause (e) with the following:

2016	Term 1 - 9 February until 15 April
	Term 2 - 2 May until 8 July
	Term 3 - 25 July until 23 September
	Term 4 - 10 October until 16 December
	Total = 382 half days

 AGREE / DISAGREE

- (ii) Update clause (i) with the following: The Sponsor is permitted to provide religious instruction to the Students during School hours. The Sponsor may provide education reflective of its secular cultural world view;

 AGREE / DISAGREE

- (iii) Update clause (j) to reflect the following mix of teaching staff:

Year	Registered	Limited Authority to Teach	Subtotal Reg/LAT (Minimum)	Non Registered (Maximum)	Total (Minimum)
2016	10	0	10	3	13

- (iv) reduce the minimum number of holders of Limited Authority to Teach to zero and increase the maximum number of unregistered teachers from two to three;

AGREE / DISAGREE

- (v) Update clause (k) to set the percent of curriculum time taught by Registered Teachers and holders of Limited Authority to Teach for 2016 to 60 percent;

AGREE / DISAGREE

- (vi) Update clause (m) to reflect the (historic) 2015 NCEA student achievement targets of 84.0 percent for NCEA level 1 and 73.0 percent for NCEA level 2;

AGREE / DISAGREE

Te Kāpehu Whetū Teina

- (i) Update clause (h) with the following:

2016	Term 1 - 9 February until 15 April
	Term 2 - 2 May until 8 July
	Term 3 - 25 July until 23 September
	Term 4 - 10 October until 16 December
	Total = 382 half days

AGREE / DISAGREE

- (ii) Update clause (j) with the following: The Sponsor is permitted to provide religious instruction to the Students during School hours. The Sponsor may provide education reflective of its secular cultural world view;

AGREE / DISAGREE

- (iii) Update clause (I) to reflect the following mix of teaching staff:

Year	Registered	Limited Authority to Teach	Subtotal Reg/LAT (Minimum)	Non Registered (Maximum)	Total (Minimum)
2016	5	0	5	1	6

 AGREE / DISAGREE

- e. **sign** the Sponsor-signed Variation Agreements (attached as Appendix One);
- f. **sign** the attached *Gazette* Notice correcting the name of Pacific Advance Senior School and providing for a Christian ethos in its operation (attached as Appendix Two);
- g. **note** the Ministry will send a letter to Pacific Advance Senior School advising of your approval of changes through the *Gazette* notice (attached as Appendix Three);
- h. **agree** to release the signed variations and related Education Reports, with appropriate redactions, as part of a future proactive information release.

 AGREE / DISAGREE

PP 
Lisa Rodgers
Deputy Secretary
Early Learning and Student Achievement

Encls

NOTED


Hon Hekia Parata
Minister of Education

David Seymour
Under-Secretary to the
Minister of Education

11/10/16

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Education Report: Partnership Schools | Kura Hourua Contract Variations 2016

Purpose of Report

1. This report asks you to
 - a. confirm and sign Variation Agreements for seven Partnership Schools for 2016;
 - b. issue a notice in the *New Zealand Gazette* correcting the name and clarifying part of the aims, purposes and objectives of one Partnership School.

Finalisation of Variation Agreements for 2016

2. You approved Variation Agreements for the eight current Partnership Schools on 4 May 2016 [METIS 979850 refers].
3. These were to be sent to Sponsors for signing, and returned to you for final signing.
4. The Variations were sent to Sponsors. Some minor alterations were requested, as detailed below. We have made these alterations and all Variation Agreements have been signed by Sponsors. These are now ready for you to sign.
5. We acknowledge that this has been a drawn out process, resulting in Variation Agreements being signed too late in the year. A number of measures are being taken to bring this timeline forward. They include beginning negotiations earlier in the previous year, and removing overly prescriptive details in the Agreement Schedules that currently need annual updating. The end of Guaranteed Minimum Rolls will also reduce the annual workload required for Variations.
6. The Variation for Pacific Peoples Advancement Trust allowed for insertion of a *Gazette* notice correcting its name from Pacific Advancement Senior School to Pacific Advance Senior School. The current *Gazette* notice (notice 2014go5837, issued on 18 September 2014, incorrectly named the Trust's school 'Pacific Advancement Senior School'.
7. Also, the current *Gazette* notice does not refer to the inclusion of practices and instruction in the Christian faith. This is an inherent part of the school's character, discussed during the application phase of its establishment. The ability to provide religious instruction to students during school hours is included in the 2016 contract variation for this School, as the Sponsor had raised this for clarification during 2015.
8. This clarification of the Christian faith being part of the School's inherent character needs to be recognised via the *Gazette* notice, pursuant to section 158B of the Education Act 1989. A draft *Gazette* notice is attached as Appendix Two.

Changes to Variation Agreements

He Puna Marama Charitable Trust - Te Kura Hourua o Whangarei Terenga Paraoa

9. The school term dates originally advised in clause (e) were as follows:

Term 1 - 9 February until 2 April
Term 2 - 27 April until 26 June
Term 3 - 13 July until 19 September
Term 4 - 5 October until 5 December
Total = 364 half days

These have been changed to the following:

Term 1 - 9 February until 15 April
Term 2 - 2 May until 8 July
Term 3 - 25 July until 23 September
Term 4 - 10 October until 16 December
Total = 382 half days

10. Clause (i) did not allow for provision of religious instruction. The Sponsor is concerned about current legal action around religious instruction and the use of karakia in schools. We have added the ability to provide religious instruction within that context. The *Gazette* notice for this School provides for kaupapa Māori philosophy, Māori culture and world view. In the context of the request we do not consider it needs updating.
11. Clause (j) of the original variation provided for the following mix of teaching staff for 2016:

Registered	Limited Authority to Teach	Subtotal Reg/LAT (Minimum)	Non Registered (Maximum)	Total (Minimum)
10	1	11	2	13

12. This has been changed to the following;

Registered	Limited Authority to Teach	Subtotal Reg/LAT (Minimum)	Non Registered (Maximum)	Total (Minimum)
10	0	10	3	13

13. The 2017 Variations will update the term "registered teacher" to "holder of a practising certificate", in line with changes to the Education Act 1989.
14. Clause (k) originally set the percent of curriculum time taught by Registered Teachers and holders of Limited Authority to Teach for 2016 at 70 percent. This was inconsistent with the average of 60 percent over 2014 to 2018. The Sponsor therefore requested it be changed to 60 percent to be consistent with the average.
15. Clause (m) listed the four years' NCEA performance standards as follows:

NCEA level/ University Entrance	Performance Standard			
	2014	2015	2016	2017
School leavers with NCEA level 1	80.9%	82%	85%	90%
School leavers with NCEA level 2	66.9%	70%	75%	85%

The (historic) 2015 figures were incorrect. The table has been updated as follows:

NCEA level/ University Entrance	Performance Standard			
	2014	2015	2016	2017
School leavers with NCEA level 1	80.9%	84.0%	85.0%	90%
School leavers with NCEA level 2	66.9%	73.0%	75.0%	85%

He Puna Marama Charitable Trust - Te Kāpehu Whetu (Teina)

16. The school term dates originally advised in clause (h) were as follows:

Term 1 - 9 February until 2 April
Term 2 - 27 April until 26 June
Term 3 - 13 July until 19 September
Term 4 - 5 October until 5 December
Total = 364 half days

These have been changed to the following:

Term 1 - 9 February until 15 April
Term 2 - 2 May until 8 July
Term 3 - 25 July until 23 September
Term 4 - 10 October until 16 December
Total = 382 half days

17. Clause (i) did not allow for provision of religious instruction. The Sponsor is concerned about current legal action around religious instruction and the use of karakia in schools. We have added the ability to provide religious instruction within that context. The *Gazette* notice for this School provides for kaupapa Māori philosophy, Māori culture and world view. In the context of the request we do not consider it needs updating.
18. Clause (l) originally set the number of Registered Teachers and Holders of Limited Authority to Teach as follows:

Registered	Limited Authority to Teach	Subtotal Reg/LAT (Minimum)	Non Registered (Maximum)	Total (Minimum)
5	0	5	0	5

This has been changed to the following:

Registered	Limited Authority to Teach	Subtotal Reg/LAT (Minimum)	Non Registered (Maximum)	Total (Minimum)
5	0	5	1	6

The Rise UP Trust – The Rise UP Academy

19. Clauses (l) and (m) of the Variation Agreement altered clause 1.4 of Schedule 7 of the Agreement and tidied up a renumbering issue. This was done for all Variations. This Sponsor found this difficult to follow and requested that we replace the whole clause, as it would appear following amendment, in the Variation to avoid further confusion. This has been done.

Next Steps

20. The Sponsor-signed Variations need to be signed by you to become part of the respective Agreements.

21. A *Gazette* notice needs to be issued to correct the name of, and allow for religious instruction at, Pacific Advance Senior School.
22. We will include the signed Variations, this Education Report, and the initial Education Report on these Variations, in the next available Ministry of Education proactive information release, in consultation with your Office.

Appendix One

Sponsor - signed Variation Agreements

Appendix Two
Gazette Notice for Pacific Advance Senior School

New Zealand Gazette Notice

Education Act 1989

Correction of school name for Pacific Advance Senior School

Pursuant to section 158B of the Education Act 1989, I hereby give the following notice:

I hereby correct the school name of Pacific Advancement Senior School to Pacific Advance Senior School.

I update clause 7 of the Notice by adding:

(f) To operate based on a Christian ethos.

This notice shall come into force the day after its publication in the *New Zealand Gazette*.

Dated at Wellington this

11th day of *Oketopa* 2016



Hon Hekia Parata

Minister of Education