



Education Report: Reviewing qualification settings for Pacific language education and care services

To:	Hon Chris Hipkins, Minister of Education Hon Aupito William Sio, Associate Minister of Education		
Date:	27 June 2022	Priority:	Medium
Security Level:	Industrial Relations sensitive	METIS No:	1286390
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Messaging seen by Communications team:	No	Round Robin:	No

Purpose of report

This paper seeks your agreement to the scope, process and timeframe for reviewing qualification settings for Pacific language education and care services.

Summary

Supporting Pacific language learning in the education system is a priority identified in the Action Plan for Pacific Education and the Pacific Languages Strategy. Pacific language education and care services play an important role in this.

Through the Early Learning Action Plan, the Government has committed to regulating for 80% qualified teachers at teacher-led centre-based services. 9(2)(f)(iv)

The proposed 80% certificated regulation would apply to around 68 Pacific immersion and bilingual education and care services. Due to teaching supply and funding challenges, the Ministry considers that Pacific language bilingual and immersion services may require alternative pathways and additional support to meet the qualification requirements. Providing additional support would align with Government's commitment to strengthen Pacific language pathways for learning Pacific languages and learning in Pacific languages.

We recommend an engagement process to review whether regulating for 80% certificated teachers is appropriate for Pacific language education and care services. While we recommend this focus on services that have at least 51% of teaching time in a single Pacific language, we propose engaging with pan-Pacific services that meet at least 40% teaching time in Pacific languages. This would allow consideration of whether additional measures should also be extended to services below the bilingual threshold.

Engagement would be through language specific and regional talanoa. We recommend our engagement explores alternative timeframes and pathways to meeting the proposed

regulation, alternative qualification requirements, and associated funding and pay parity implications if operating under different qualification settings. The aim of this work is to ensure the implementation of an 80% certificated teacher regulatory standard does not lead to closure of these services. We would also like to consider how staffing-related funding settings can support these services given the challenges they identify with teacher supply.

9(2)(f)(iv)

We will provide advice in late 2022 on the preferred options developed through our engagement process.

Recommended actions

The Ministry of Education recommends you:

- a. **agree** that this review focuses on Pacific bilingual and immersion education and care services, as defined as services delivering the curriculum in a single Pacific language at least 51% of the time

Agree / Disagree
Minister Hipkins

Agree / Disagree
Minister Sio

- b. **agree** that engagement extends to education and care services with at least 40% teaching time in pan-Pacific languages, to better understand pathways for learning in Pacific languages

Agree / Disagree
Minister Hipkins

Agree / Disagree
Minister Sio

- c. **agree** that the scope applies to qualifications requirements and associated funding settings, and will explore:

- timeframes to meeting the proposed 80% certificated teacher regulation
- who should count as if they are certificated during any transition period
- whether to recognise any cultural roles on an interim or permanent basis
- 9(2)(f)(iv)
- language thresholds for services that could qualify for alternative pathways to meet the 80% certificated teacher regulation, and whether this should extend to pan-Pacific services below the bilingual level
- whether a new licence type would better recognise Pacific language education and care services

Agree / Disagree
Minister Hipkins

Agree / Disagree
Minister Sio

- d. 9(2)(f)(iv)

Proactive Release

- e. **proactively release** this education report with any information needing to be withheld done so in line with the provisions of the Official Information Act 1982.

Release / Not Release
Minister Hipkins

Release / Not Release
Minister Sio



Siobhan Murray
Senior Policy Manager
Te Puna Kaupapahere

27/06/2022



Hon Chris Hipkins
Minister of Education

17/8/2022



Hon Aupito William Sio
Associate Minister of Education

4/8/22

with suggestions

Background

Government has committed to strengthening Pacific language pathways

- 1 The Government emphasises the importance of Pacific languages in Aotearoa through the Action Plan for Pacific Education (APPE) and the Early Learning Action Plan (ELAP). These strategies recognise the need to support the workforce in strengthening Pacific language pathways.
- 2 Key shift 5 of APPE aims to grow, retain and value highly competent teachers, leaders, and educational professionals of diverse Pacific heritages. Objective 3 of ELAP aims for a workforce with well qualified, diverse, culturally competent, and valued teaching staff and leaders.
- 3 The Pacific Languages Strategy recognises and values the identities, language and culture of our Pacific communities. The Government has made commitments through this strategy to grow and maintain pathways for learning Pacific languages and learning in Pacific languages.
- 4 The following work is underway to support teacher supply of Pacific language teachers, including in early learning:
 - The Ministry, the Teaching Council, NZQA and the Ministry for Pacific Peoples are currently reviewing English language competency requirements for entry into initial teacher education (ITE) and teacher registration for Pacific language teachers [METIS 1278136 refers]. Part of this work programme provides targeted support for speakers of Pacific languages to complete ITE and become a New Zealand registered teacher.
 - Budget 2022 provides \$5.163 million over four years to grow and retain the Pacific immersion and bilingual workforce. This initiative includes targeted support for Pacific people to enable them to meet the English language requirements to train and register as a teacher.
- 5 These workstreams will support teacher supply for Pacific services over the medium to long term.

Government has committed to strengthening the regulatory requirements for certificated teachers in early learning

- 6 Action 3.1 in *He taonga te tamaiti: Early Learning Action Plan 2019-2029* is:

Incentivise for 100 percent and regulate for 80 percent qualified teachers in teacher-led centres, leading to regulation for 100 percent.

The 100% certificated teacher¹ funding band was reintroduced in January 2021 for kindergartens and education and care services². Regulating for 80% certificated teachers in kindergartens³ and education and care services is the next step towards achieving Action 3.1.

¹ A certificated teacher is defined as ECE and primary qualified teachers holding a current practising certificate. An ECE certificated teacher means ECE qualified teachers holding a current practising certificate.

² An education and care service is a teacher-led centre-based service that is not controlled by a kindergarten.

³ Kindergartens are teacher-led centre-based services that are controlled by a kindergarten association. Certificated teachers employed by kindergarten associations in teaching roles are part of the state sector.

7 Currently, the Education (Early Childhood Services) Regulations 2008 (the Regulations) require that 50% of required staff⁴ in kindergartens and education and care services be an ECE qualified teacher⁵. This requirement is measured by staff employed or engaged by the service rather than staff in contact with children. Whenever children are attending, these services must have one Person Responsible for every 50 children present. Persons Responsible must be an ECE or primary qualified teacher holding a current practising certificate.

8 In May, Minister Hipkins agreed to a staged approach to updating the regulations, which involves requiring teacher-led centre-based services to employ or engage:

9(2)(f)(iv)

The process for regulating will involve Cabinet agreement and then consultation on draft regulations, which will provide an opportunity for the early learning sector to input on the proposed implementation timeline and regulatory standards.

9 Minister Hipkins also agreed to receive further advice on developing qualification settings for Māori and Pacific language education and care services. As outlined in advice on regulating for 80% certificated teachers, Māori and Pacific services identified the need for additional support to address the specific challenges they face meeting new qualification requirements.

10 This work is important because Pacific language services provide a base for children to use the Pacific language competencies they have and/or develop their Pacific language competencies, during a key phase in children's first and additional language acquisition. This is an important first step in the language pathway and education pathway for learners, to support sustained language acquisition.

11 Consistent failure to meet regulated standards can lead to the Ministry stopping a service operating. If education and care services are unable to meet the standards set out in Education (Early Childhood Services) Regulations 2008 (the Regulations), they risk being placed on a provisional licence. The Secretary can cancel a licence if a service is in breach of the standards, previously had a provisional licence and is not likely to comply with the standards in future.

12 If the regulated qualification standards were to change, we would need to consider how this may align with pay parity and affect the funding of these services.

9(2)(f)(iv)

⁴ Required staff refers to the number of staff required to meet the minimum adult:child ratios set out in the Regulations, as measured against the maximum number of children a service is licensed for.

⁵ The Regulations define a qualified teacher as a person who holds an ECE qualification that leads to registration with the Teaching Council. One student in their final year of studying towards an ECE teaching qualification can count as a qualified teacher per service.

- 13 This paper provides advice on the scope, process, and timeframes for developing qualification settings and associated funding settings to better support Pacific language education and care services. The direction of this work aligns with commitments the Government has made to grow and maintain Pacific medium education.
- 14 We have prepared separate advice for reviewing qualification settings for Māori medium education and care services [METIS 1290028 refers].

Previous engagements with Pacific language education and care services

- 15 In sector engagements on proposals for regulating for 80% certificated teachers, Pacific language services told us that there is a shortage of certificated teachers with Pacific language skills [METIS 1281265 refers]. This shortage will make reaching a new 80% standard difficult for these services.
- 16 Pacific bilingual and immersion services consistently raise the English language requirements as a barrier for teacher supply. This applies to both the language requirements to entry into initial teacher education as well as the language requirements for teacher registration. It is difficult for fluent Pacific language speakers to become certificated teachers because of the language requirements. Competence in Pacific language and culture is essential for bilingual and immersion services to engage appropriately with families and communities.
- 17 A shortage of certificated teachers fluent in a Pacific language also has funding consequences for services. Nearly a third of Pacific education and care services fell below the 80-99% funding band at some point over the four funding periods from March 2021 to March 2022. In comparison, between 3-5% of all teacher-led centre-based services received lower than the 80-99% certificated teacher band over those funding periods.

Supporting Pacific bilingual and immersion education and care services to meet 80% certificated teacher regulations

- 18 The Ministry proposes that we engage with Pacific immersion and bilingual services about the transition to regulating for 80% certificated teachers.

Services in scope

- 19 The Ministry recommends focusing on Pacific immersion and bilingual education and care services. The Ministry definition of bilingual and immersion services is using a single Pacific language at least 51% of the time as a medium of instruction.
- 20 This definition is consistent with that used in Equity C funding, which is for language and culture other than English. Equity funding requires services to submit an attestation form, but teaching time estimates is reported by all services through the annual ECE census. The 2021 ECE census identifies 68 Pacific education and care services that met this criterion. These services are currently licensed for up to 2753 children.
- 21 The 80% certificated teacher standard will apply to teacher-led early childhood centres – both kindergartens and education and care services. We recommend focusing this work on education and care services, as there are no Pacific kindergartens meeting the above definition. There are seven kindergartens teaching in pan-Pacific languages between

25% and 35% of the time. However, kindergartens do not report the same level of teacher supply problems as Pacific education and care services.

- 22 The definition of bilingual services does not recognise pan-Pacific services that spend most of their time teaching in more than one Pacific language. In 2021 there were seven pan-Pacific education and care services that spent less than 49% of their time teaching in English, but did not meet the 51% threshold in a single Pacific language.
- 23 Pacific early learning services below the Ministry's threshold of bilingual and immersion services would not be directly in scope although they do provide important cultural services to their communities. The Ministry proposes extending our engagement to services that provide 40% teaching time in one or more Pacific language. This would include 22 additional services, including 10 pan-Pacific services teaching in at least one Realm language.
- 24 Including these services in the engagement approach would support the Ministry for Pacific Peoples' Pacific Languages Strategy to strengthen pathways for learning in Pacific languages. Options to support bilingual and immersion services may also be appropriate for other Pacific language and cultural services, and may incentivise them to work towards the bilingual threshold.

Settings in scope

- 25 The Ministry recommends engaging with Pacific services about qualification requirements for both regulatory and funding purposes. While the impetus for this work is the move to regulate for 80% certificated teachers, the funding system also incentivises for high proportions of certificated teachers.

9(2)(f)(iv)

- 26 We propose that this work focuses on the move towards complying with the proposed 80% certificated teacher regulation. It will consider:

- the timeframes to meet the proposed regulatory standard. This may result in a different implementation timeframe
- who should count as if they are certificated teachers during a transition period.

9(2)(f)(iv)

- what, if any, cultural roles should count as if they are certificated teachers for funding and regulation purposes and whether this would be interim or permanent.

9(2)(f)(iv)

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- language thresholds for services that could qualify for alternative pathways to meet the 80% regulation, and whether this will extend to pan-Pacific services below the bilingual level
- whether a new licence type would better recognise the language and cultural provision of these services. Any changes to licensing would require careful consideration for the interaction with network management.

- 27 There is a risk that some parts of the early learning sector may negatively perceive Pacific services as receiving special treatment, particularly the notion of compromising quality. The approach is not intended to undermine the current ECE teaching qualification, but to acknowledge that Pacific education and care services often serve a different purpose from mainstream services and require additional skills and competencies.


Process and timeframe

- 28 Following agreement to the scope of this work, the Ministry will engage with Pacific bilingual and immersion education and care services. The intention is to work collaboratively with services on options to achieve the 80% certificated teacher regulation. The Ministry will hold a series of talanoa regionally and according to specific language groups.
- 29 As part of the engagement process, the Ministry intends to report themes from the engagement back to the sector and discuss options towards complying with the proposed 80% certificated teacher regulation. Services will be presented with multiple options during a second round of engagement to help refine any preferred solutions to discuss with you.
- 30 Following the engagement process, the Ministry will provide advice on the options developed through talanoa. This advice will include timeframes for the next steps to further develop and implement any actions agreed to by you.
- 31 The table below outlines the indicative key project deliverables and timing identified to date. This table assumes agreement to the scope and purpose outlined in the paper.


Date (2022)	Deliverables
July-October	<ul style="list-style-type: none">• Sector engagement with Pacific education and care services• Summarising themes from sector engagement and developing options
October	<ul style="list-style-type: none">• Report findings back to the sector and further refine options• Draft advice based on sector engagement and analysis
Late October November	<ul style="list-style-type: none">• Provide advice to Ministers with recommendations based on sector engagement, and timeframes for next steps

Budget implications

9(2)(f)(iv)



9(2)(f)(iv)




- 34 In the early learning sector, the Government is only involved in negotiating the employment terms and conditions of kindergarten teachers. This is because kindergarten teachers are part of the state sector, and therefore the Secretary for Education negotiates on behalf of employers with NZEI, the union that represents kindergarten teachers.

9(2)(j)



9(2)(f)(iv)




Funding beyond the scope of this work

- 39 As part of Budget 2021, new operational funding was introduced for Pacific bilingual and immersion schooling. This funding is provided on per-learner rates with higher funding available for immersion level education⁶. Te reo Māori programmes receive a similar component within their operational grants for schools.
- 40 The only targeted bilingual and immersion funding in ECE is Equity C, which is provided at a flat rate of \$5300 (incl. GST) per service per year. It is not specifically for Pacific language services and is lower than the rates in schooling. In 2022, the schooling rates are \$584.65 and \$1197.99 (incl. GST) per student per year for Pacific bilingual and immersion levels respectively.
- 41 Funding outside of staffing is outside the proposed scope for this project. However, teacher salaries are usually services' largest expense, and most of the additional cost associated with immersion and bilingual provision relates to the additional skills staff need to have. Addressing staffing-related funding issues is a priority.

⁶ Immersion level uses the target Pacific language at least 81% of teaching time.

9(2)(f)(iv)



Proactive release

- 44 It is recommended that this Education Report is proactively released, with any information needing to be withheld done so in line with the provisions of the Official Information Act 1982.