



Education Report: Advice on the proposal to broaden the temporary offshore education policy to include new international school students

To:	Hon Chris Hipkins, Minister of Education		
Date:	6 May 2021	Priority:	Medium
Security Level:	In Confidence	METIS No:	1259317
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Messaging seen by Communications team:	N/A	Round robin:	No

Purpose of report

This paper provides advice on expanding the temporary COVID-19 offshore education policy to include international students outside the country who are not enrolled in a New Zealand school, but who intend to live and study in New Zealand when border controls allow them to do so.

Summary

1. The Schools International Education Business Association (SIEBA) and the Secondary Principals' Association of New Zealand (SPANZ) have asked for the temporary offshore education COVID-19 response policy to be expanded to include international students who are not already enrolled at a New Zealand school, but who intend to live and study in New Zealand when border controls allow it.
2. Because it would take time to change the legislation to implement SIEBA and SPANZ's request, they have also asked for an exemption to the current legislation to enable them to provide education to students outside New Zealand. There is no legal mechanism to provide such an exemption.
3. Broadening the policy would support the financial recovery of state and state-integrated schools that have lost revenue from reduced enrolments of fee-paying international students, and contribute to the wider recovery of the international education sector.
4. However, this would be a significant policy shift, requiring change to the temporary provision in the Education and Training Act 2020 (the Act) that enables approved schools to educate and assess their eligible students while they are outside the country. This policy is time-limited and restricted to students enrolled on or before 3 July 2020.
5. There are substantial issues and risks associated with the SIEBA/SPANZ proposal, including risks to the international reputation and credibility of New Zealand's national qualifications and wider education system. In addition, it would be operationally complex

to establish whether students have a genuine intention of coming to New Zealand for study, making the proposed expansion difficult to administer with integrity.

6. The Ministry of Education and NZQA recommend that you do not proceed with this proposal.

Recommended Actions

The Ministry of Education recommends that you:

- a. **note** that the Schools International Education Business Association (SIEBA) and the Secondary Principals' Association of New Zealand (SPANZ) have requested an expansion of the temporary offshore education COVID-19 response policy
Noted
- b. **note** that SIEBA and SPANZ have sought an exemption from the current legislative prohibition on providing education offshore, and that there is no legal mechanism to provide such an exemption
Noted
- c. **note** that there are significant risks associated with the SIEBA/SPANZ proposal, relating to the international reputation and credibility of New Zealand's national qualifications and wider education system
Noted
- d. **note** that NZQA agrees the temporary policy should not be expanded
Noted
- e. **agree** that we will not expand the temporary provision in the Education and Training Act 2020 that enables approved schools to educate and assess their eligible students while they are outside the country

Agree / Disagree

Proactive Release Recommendation

- f. **agree** that this Education Report is proactively released as part of the next publication.

Agree / Disagree



Dr Andrea Schöllmann
Deputy Secretary
Education System Policy

06/05/2021



Hon Chris Hipkins
Minister of Education

2 / 6 / 2021

Background

Request to broaden policy

1. The Schools International Education Business Association (SIEBA) and the Secondary Principals' Association of New Zealand (SPANZ) provided you with a joint briefing dated 14 April to inform you about the current threats and opportunities facing international education in New Zealand schools. The briefing includes a request that schools be allowed to provide online delivery of education to offshore students, including those that were not enrolled by the 3 July 2020 cut-off date required in the current temporary provision in the Education and Training Act 2020 (the Act).
2. SIEBA and SPANZ are concerned that the loss of revenue from fee-paying international students could cause difficulties for schools, as the money goes towards resources and facilities for all students. Their joint briefing also highlights social and cultural benefits brought by international students, such as cultural exchange and diverse perspectives.
3. SIEBA and SPANZ have noted that changing the legislation would take time and have requested they be granted an exemption from the current legislation.

Current policy settings

4. State and state-integrated schools are established to provide education to students in New Zealand, and their objectives and functions outlined in the Act do not include educating students outside the country. Additionally, the provision of NCEA outside New Zealand is prohibited under the Act. There is no mechanism to grant an exemption from these provisions in the Act.
5. To address the impact of COVID-19 and border closures on students, the Act was amended to temporarily allow approved schools to continue educating and assessing their enrolled international students who have returned to their home countries. This COVID-19 response policy expires on 31 December 2022 and is restricted to students enrolled on or before 3 July 2020. The rules around approval mitigate some of the risks and challenges associated with providing New Zealand education and assessment outside the country.
6. In their applications, schools must demonstrate they have the capacity and capability to provide quality learning programmes, assessments and pastoral care suitable for distance provision to their eligible students, and that they have consulted teaching staff about additional workload. So far 22 schools have applied and been approved by you and NZQA to do this.

Potential benefits and risks of proposal to expand the policy

Benefits of broadening the policy

7. Broadening the policy to allow all schools to provide education through online delivery to fee-paying students outside New Zealand would support the financial recovery of state and state-integrated schools that have lost revenue from reduced enrolments of fee-paying international students, and contribute to the wider recovery of the international education sector.

8. The impacts of revenue loss do not fall evenly across the system as the majority of international fee-paying students are enrolled in higher decile secondary schools.¹
9. Additional funding to mitigate some of the impacts from lost revenue was provided to schools in Budget 2020.

Risks from broadening the policy

10. There is a range of risks to consider about the reputation of our qualifications and curriculum, and the quality of education that international learners can be provided while they are outside the country.
11. The New Zealand Curriculum and the NCEA qualification are unique to the New Zealand context, and were developed for New Zealand students or those living in New Zealand. They were not designed to be provided to students outside the country.
12. It would be difficult to provide high quality pastoral care from a distance to new students and their families who do not have an established relationship with the school and teachers.
13. Widespread provision of New Zealand education and assessment to school students outside the country is logistically difficult to quality assure and could create significant risks to the international reputation and credibility of New Zealand's national qualifications and wider education system.
14. It would be difficult to ensure the validity and authenticity of offshore students' work from a distance, especially for NCEA assessments, if the student is new and does not have an established relationship with the school and teachers.
15. For most schools more than 60 percent of results for NCEA standards are from internal assessments, which are not moderated by exams or external assessments.
16. The high levels of quality assurance and moderation necessary in NCEA's standards-based assessments works in the context of teachers trained in assessing under the National Curriculum. When NCEA is offered offshore, the connection with the broader system is likely to become more tenuous, increasing risks to the quality and consistency of teaching and assessment.
17. NZQA does not offer exams offshore due to the significant risk of an exam breach impacting on the credibility of the NCEA qualification for domestic students.
18. NZQA have indicated that if the scale of NCEA delivery offshore were to increase significantly, it would impact on their ability to carry out the necessary monitoring to ensure consistency of outcomes. They would need to scale up existing systems and capacity either by reprioritising from existing baseline resources or through an injection of new funding.
19. If schools could provide education offshore to new international students who intend to live and study in New Zealand when the borders are re-opened, it would be very difficult to verify the intention of students who declare they intend to come here, and it is unclear

¹ (Metis 1227998) Our earlier briefing note on COVID-19 impact on international education in schools indicated that decile 9-10 schools make up 33% of schools enrolling international students, and account for 42% of total enrolments. Showing the reverse trend, 10.7% of decile 1-3 schools enrol international students, but account for only 3.6% of enrolments.

which agency would be responsible to verify and enforce this. In addition, schools would not be able to guarantee that newly enrolled students would meet immigration requirements for entry to New Zealand even when borders are re-opened.

20. On balance, we recommend you do not broaden the current temporary provision in the Act that allows approved schools to provide education to students outside New Zealand for a time limited period and is restricted to students already enrolled by 3 July 2020. ✓
21. In the meantime, New Zealand schools and their students can still benefit from cultural exchanges and diverse international perspectives by engaging online with young people and their teachers overseas as part of the school's local curriculum activities to support the learning of their enrolled students. This could include, for example, video chatting with a class overseas or establishing pen-pals.

Other relevant information

22. SIEBA and SPANZ have requested a meeting with you to discuss their briefing note and your office has been provided with a draft letter in response.
23. You are also due to meet with international education sector peak bodies on 11 May. SIEBA and SPANZ will be attending that meeting. You will receive a separate briefing note to support your attendance at that meeting.