



Education Report: Options for delivering online learning

To:	Hon Chris Hipkins, Minister of Education		
Date:	4 June 2019	Priority:	Medium
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Purpose of report

This paper provides options to progress the future of online learning in New Zealand through the Education and Training Bill.

Summary

1. Online learning can be used to deliver distance education or be an aspect of face-to-face education. Used well, it provides a range of options to increase learning opportunities, enable the sharing of resources and expertise across the schooling system, and has the potential to lead to more equitable outcomes in education.
2. Distance education delivered online is provided by Te Aho o Te Kura Pounamu o Aotearoa (Te Kura) and the Virtual Learning Networks (VLNs). Te Kura is the only provider of "correspondence" (or distance) education recognised in the Education Act 1989.
3. Having a regulatory framework that supports distance education delivered online is likely to be essential in the future, given New Zealand's geographic isolation, the potential for ongoing skills shortages for teachers in specialist subjects, the range of opportunities that online distance education provides and the key role it is likely to play in teaching and learning. This report provides options to progress technical regulatory changes in distance education delivered online through the Education and Training Bill.
4. We recommend making technical changes to the Education Act 1989 to update the language from "correspondence" education to "distance" education. This would recognise developments in technology and pedagogy.
5. We also recommend clarifying that, subject to board agreement, online tuition can be provided by one board for students enrolled in a school administered by another board.
s 9(2)(f)(iv)

6. We do not recommend broadening access by enabling students to make a choice about enrolling fulltime in distance education delivered online at this time, because there are a number of risks around ensuring the fitness for purpose and quality of education provided solely online. If you are interested in pursuing this option, we could develop a work programme to ensure online education, including distance provision is integrated within the education system in a way that ensures quality and enables positive outcomes.
7. Depending on your preferred option(s), we could undertake targeted engagement on the recommended technical changes. We could progress these changes now.
8. To progress wider policy changes we would recommend a discussion document for public consultation, to enable the public to have a say on what level of choice should be given for full-time and/or supplementary enrolment in distance education delivered online. Feedback from this consultation would inform a broader online learning policy work programme.
9. This consultation should be deferred until decisions have been made on the recommendations in the Tomorrow's Schools Review, because this could change how schools are governed, monitored and evaluated in relation to online learning.

Recommended Actions

The Ministry of Education recommends you:

- a. **note** that having a regulatory environment that enables education to be delivered online is likely to be essential in the future given New Zealand's geography, the range of opportunities that online learning provides and the key role it is likely to play in teaching and learning

Noted
- b. **note** that the comments on online education from the Education Conversation | Kōrero Mātauranga and Tomorrow's Schools Review have generally been broad and high level, rather than being specific enough to guide regulatory change

Noted
- c. **agree** that legislative changes, which could be included in the Education and Training Bill later this year, should be technical and clarifying only, with a view to updating language from "correspondence" to "distance" education, and clarifying that boards can agree for one board to provide tuition delivered online to students enrolled at other schools, and authorising multiple school boards to enter into one agreement to work together

Agree / Disagree
- d. **agree** that broadening access to fulltime enrolment in distance education in legislation should not be progressed at this time

Agree / Disagree

e. s 9(2)(f)(iv)

Proactive Release

- f. **agree** that this Education Report is NOT proactively released at this time because final decisions have not been made.

☒ Agree / Disagree



Dr Andrea Schöllmann
Deputy Secretary
Education System Policy

04/06/2019



Hon Chris Hipkins
Minister of Education

19/6/19

Background

1. Part of the Education Amendment (Update) Act 2016 was a legislative framework for full and supplementary enrolment¹ in Communities of Online Learning (COOL). Any registered school, tertiary education provider, or a body corporate approved through the accreditation regime, would have been able to be a COOL.
2. Submitters who opposed COOL identified concerns about the risks around private providers of state education; whether all students should have the choice about enrolling in online tuition and at-risk students being “off-ramped” into online education.
3. You agreed to repeal the COOL provisions to enable a wider conversation about online learning. Twenty-one submissions were received on the proposal to repeal the COOL legislation. Generally, there was support for the repeal of COOL in favour of a national conversation about the role of online learning in New Zealand.
4. Two Virtual Learning Networks (VLNs) submitted. While supporting the repeal of the COOL, they were concerned that the repeal would result in further delay in establishing a systematic approach to online learning.
5. Some education providers already provide distance education online (including some without statutory authority). It would be beneficial to ensure that the Education Act 1989 reflects current and future modes of delivery of education. This report provides options for a future-focused regulatory regime that will provide for quality distance education delivered online.

Online learning can be used to provide distance education or supplement face-to-face education

6. Online learning is learning and teaching that is facilitated by or supported through the use of digital technologies. Online learning is a mode of delivery that can be used when providing distance education or face-to-face education.
7. Distance education provides access to learning and teaching without the need for the student or teacher to be physically present in a school. Distance learning previously required a “correspondence” approach, where learning materials were sent to the student, who would complete the work and send it back to the provider.
8. Developments in online learning mean that distance education can be synchronous and involve live communication e.g. webinars, online messages or teleconferences. Distance education can also be asynchronous where students can engage at times that suit them e.g. online forums, accessing resources for self-directed study.
9. Face-to-face education happens when the student and teacher are physically present in a school, usually at set times. Students and teachers may still use digital technologies to support or enhance classroom learning.
10. Blended education uses a combination of distance and face-to-face learning.

¹ “Full enrolment” in this context means students learn by distance fulltime, while “supplementary enrolment” means that only part of their learning happens by distance.

Delivering education online provides the schooling system, educators, and students with a range of opportunities to teach and learn in more innovative ways

11. Used well, digital technology has the potential to increase equality of opportunity in education by reducing geographic, socio-economic, and cultural barriers to teaching and learning. For example, students learning online are able to access subjects that are not available at their local school; educators are able to share expertise and resources across schools; and the schooling system is able to overcome teacher shortages by sharing and retaining teachers in specialist subject areas, such as Te Reo Māori.
12. The opportunities digital technologies and online learning provide were raised in the Education Conversation | Kōrero Mātauranga and Review of Tomorrow's Schools. Through the Education Conversation | Kōrero Mātauranga, we learned that New Zealanders believe we need an education system that understands individual personality traits, interests, strengths and weaknesses and learning styles; schools and the education system need to be fun and enjoyable so that students are engaged to learn; and people need to have technological literacy to succeed in their future education, work and life. People also emphasised the importance of ensuring equitable access to digital technologies and online learning.
13. While comments specifically about online learning only made up a small proportion of those received through the Education Conversation | Kōrero Mātauranga, most were positive about the opportunities online learning creates. This includes opportunities to enable students to access more subject choices and specialist expertise, to allow students to have more control over when and how they learn, and to provide greater consistency in teaching and learning across the country. On the other hand, concerns raised about online learning related to the need for face-to-face student-teacher interaction, students not necessarily having the necessary self-management skills to effectively engage with online learning, and low completion rates of online learning programmes.
14. The Tomorrow's Schools Independent Taskforce (the Independent Taskforce) found that Te Kura and the VLNs have great potential to support and facilitate the provision of more flexible schooling, including innovation in online curriculum content, learning, pedagogy and assessment.

Distance education delivered online is currently provided by Te Aho o Te Kura Pounamu o Aotearoa and the Virtual Learning Networks

15. The Education Act 1989 restricts who can be a recognised provider of "correspondence" education (increasingly distance education); and who can have access to that "correspondence" education. Te Aho o Te Kura Pounamu o Aotearoa (Te Kura) is the only provider of full enrolment and dual enrolment in "correspondence" education recognised by law.
16. The VLNs also provide supplementary or dual tuition delivered online using blended or distance education. Students must be present at their enrolling school while attending their VLN classes. While legal, the VLNs are not specifically provided for by the Education Act 1989.
17. VLN Primary receives funding from the Ministry on a discretionary basis each year. However, most VLNs operate based on member schools' willingness to contribute part of a teacher FTE. The VLNs are concerned about their sustainability as a result of uncertain funding.

18. Online learning and digital technologies may also be used by teachers in the classroom to support and enhance face-to-face education. This current state is set out in more detail in Annex 1.

Options for progressing regulatory changes to distance education delivered online

19. There are a range of changes that could be made to the regulatory framework for how distance education is delivered online. These options do not address the use of digital technologies in classrooms because there are no regulatory barriers to their use.

We recommend making technical changes to the regulatory framework through the education and training bill

Updating the language around "correspondence" education

20. We recommend updating the language from "correspondence" education to "distance" education. This change would recognise the developments in technology that mean face-to-face and distance education are converging through synchronous online learning delivery.
21. It would also reflect changes to pedagogy. In recent years, Te Kura's operating model has shifted and now places a greater emphasis on face-to-face learning opportunities for those students who want them. These face-to-face learning opportunities aim to provide a greater local presence and a more personalised approach to teaching and pastoral support. They are delivered through regional "learning advisories" and community based learning.

Clarifying that schools can collaborate to provide tuition online

22. We also recommend clarifying that tuition delivered online can be provided by one board for students enrolled in a school administered by another board. This would provide regulatory recognition for the increased role of online learning, and would make it clear that boards could agree on a payment for these services.
23. We could also simplify the collaboration process by authorising multiple school boards to agree to do work for each other within one agreement. Currently, each board must have an individual agreement to do work for another board, adding to the administrative burden and acting as a barrier to collaboration
24. This would make VLN operation simpler for schools and would recognise that schools other than Te Kura could provide supplementary or dual tuition delivered online. It would also provide an opportunity for schools who do not want to be a part of a VLN, but who still want to provide online tuition to students enrolled at another school.
25. Under this proposal, students would attend their enrolling school while the school is open for instruction. However, students could attend classes face to face and/or classes provided virtually by schools who are members of the agreement. The enrolling school would be responsible for the student's full-time learning programme and pastoral care.
26. This proposal would better enable schools to overcome teacher shortages, particularly in subjects like STEM and languages, and provide high quality learning opportunities from participating schools. It would also give students access to more subjects and teaching expertise in areas of interest, enabling a more personalised learning approach.

27. This could be supported by non-regulatory guidance for schools on how to collaborate to provide tuition in an online setting, informed by Te Kura and the VLNs.

s 9(2)(f)(iv)

28. s 9(2)(f)(iv)

29. s 9(2)(f)(iv)

30. s 9(2)(f)(iv)

We do not recommend broadening access to full-time distance education under the current framework or before consulting

31. Online learning outcomes for full time students are relatively poor compared to face-to-face learning outcomes (annex 2 provides further details). It would therefore not be preferable to broaden access to fulltime online learning through legislation before more work is done to ensure that online courses are of an acceptable quality and best practice online teaching methods are used as standard practice.
32. While increased competition in distance education may be a way to improve quality, this is not likely without an effective regulatory framework. The Education Act 1989 allows for new "correspondence" schools to be established, which could increase competition. However, it is unlikely that this will occur because of the high start-up costs and restrictions on who can enrol. This means it is likely that Te Kura will continue as a sole provider of full-time distance education.
33. Furthermore, submitters who opposed the COOL provisions expressed concerns that distance education delivered online is not appropriate for all learners. In particular, submitters were concerned that learners at-risk of disengaging from education would be "off-ramped" into distance education delivered online. Currently, because of how the enrolment gateways to access Te Kura are set up, approximately 60% of Te Kura's fulltime enrolments are students who are at-risk.
34. At-risk learners require additional support to reengage with education, such as pastoral care, regardless of the mode of delivery.² There are additional challenges to providing

² ERO evaluation of the Te Kura Big Picture Learning pilot.

this support by distance. We would recommend working through these first before broadening access to fulltime distance education delivered online through legislation.

We recommend exploring further options for online learning following decisions on the Tomorrow's Schools Review

35. One of the Independent Taskforce's draft recommendations is that Education Hubs, working with schools and communities, design community-wide flexible curriculum, assessment and timetable offerings for schools. This draft recommendation suggested using digital infrastructure and delivery options more intensively. If this draft recommendation is finalised and adopted, further work on how it is operationalised, including policy and legislative implications would be needed.
36. This work could include considering whether a student needed to be physically present on the school-site at all times to meet attendance requirements; how different Education Hubs could work together using digital infrastructure to provide online tuition; how digital infrastructure could be used to better connect schools with their communities (including further education and training providers and employers); and whether students and their parents and caregivers, schools, or hubs should hold the choice about enrolling in classes that use mixed or digital delivery options.

Next steps

37. If you agree to progress work on technical changes to the Act, we would like to discuss targeted engagement options with you, to ensure we can meet the timeframes for the Education and Training Bill final policy decisions in August.

Annexes

- Annex 1: The current state of online learning in New Zealand (*attached separately*)
- Annex 2: Evidence about online learning

Annex 2: Evidence about online learning

There have been several examinations of distance education delivered online in New Zealand to date

1. The first report was published in 2005 by the New Zealand Council of Educational Research.³ It examined the Kaupapa Ara Whakawhiti Mātauranga (KAWM) initiatives which aimed to improve ICT infrastructure and student and teacher capability through ICT. The report concluded that there was a need to develop a framework which achieved a balance between centralised decision-making and was flexible enough to meet the needs of all schools. This project was effectively the genesis for the VLNs.
2. In 2009, the Ministry again contracted NZCER to undertake research about students' experiences of learning in virtual classrooms.⁴ This concluded that students experienced different degrees of success and comfort in virtual learning environments; some students' experiences were positive and some less so.
3. This was followed by a project by the Distance Education Association of New Zealand in 2011. The Association engaged Dr Michael Barbour to examine the development of the VLN clusters and the barriers they faced to achieving sustainability and maturity.⁵ Barbour recommended a reorganisation of the way primary and secondary online learning was structured and supported through a new organisational model. The proposed model focused on expanding the brokerage role of the Ministry, providing more regional support, and continuing to provide individual e-learning clusters that had the flexibility to meet local needs.
4. CORE Education subsequently published a report in 2013 which examined the current state of distance education in the schools sector and charted a vision for distance education in the future.⁶ The vision presented proposed another potential organisational structure for the delivery of virtual learning in New Zealand in which one national body would have responsibility to:
 - a. provide and support asynchronous and synchronous tools for virtual learning;
 - b. develop and maintain a repository of online course content that is available to users free of charge; and
 - c. provide brokerage services for users that provide excess capacity or collaborate with others.
5. Most recently, a 2018 report published by Cognition Education has set out the features of high quality online teaching and learning. The report concluded that online teachers need to develop an online pedagogy that effectively uses digital tools and distance methods to enable learner success. This involves translating and transferring known principles of effective teaching and learning, to the online environment. Online learners

³ See: *Evaluation of Kaupapa Ara Whakawhiti Mātauranga (KAWM)*.

<https://www.nzcer.org.nz/research/publications/evaluation-kaupapa-ara-whakawhiti-matauranga-kawm>

⁴ See: *Students' experiences of learning in virtual classrooms*.

<https://www.nzcer.org.nz/research/publications/students-experiences-learning-virtual-classrooms>

⁵ See: *Primary and secondary e-learning: Examining the process of achieving maturity*.

http://www.vln.school.nz/mod/file/download.php?file_guid=114023

⁶ See: *Virtual learning as an impetus for educational change: Charting a way forward for learning in New Zealand*. <http://www.core-ed.org/assets/PDFs/Virtual-Learning-as-an-Impetus-for-Educational-Change-Charting-a-Way-Forward-for-Learning-in-New-Zealand.pdf>

still expect a genuine relationship with their teachers and uninterrupted time with them. They value authentic teacher engagement, demonstrations of teacher care, and teachers who respond to their unique needs and context. While student expectations of teachers were similar to that of a face-to-face setting, teachers need a suite of online teaching skills to meet these expectations.

International evidence indicates that online learning outcomes are relatively poor compared to face-to-face learning but this is likely to be because it is an emerging concept

6. In terms of online learning outcomes, available international evidence suggests that these are relatively poor compared to face-to-face learning. However, this is likely to be because online teaching and learning is still emerging and developing. Best practice online teaching methods, as outlined in Cognition Education report above, are not happening as standard practice, so research is based on existing low-quality online provision.
7. A global report about the use of digital technology by the OECD looked at education systems that had invested significantly in computers and concluded there was "no noticeable improvement" in their results for the core subjects in the Programme for International Student Assessment (PISA) tests.⁷
8. The US-based National Education Policy Center's sixth annual report into fulltime virtual and blended schools⁸ concluded that the academic outcomes of students in both such schools⁹ continue to be worse than in traditional public schools despite enrolments increasing. The report found that of these virtual and blended schools, the lowest performing were large schools with high student-to-teacher ratios.
9. The report also recommends policymakers conduct more research in a number of areas. These include how such schools are serving students with disabilities, optimal school and class size, what constitutes good teaching practice in virtual and blended learning environments, and how different blended school delivery models can serve students more successfully.
10. In a tertiary context, a recent US-based study¹⁰ found that college students, particularly those with below-median pre-university grade point averages, experience substantially worse learning outcomes in online courses than in face-to-face courses. Further, the study found that for these students, taking these online courses impacted performance in future classes and increased the likelihood of them dropping out of university. While the demographics and expectations of tertiary students are different to those in a schooling context, this points to the need to ensure any online learning is of acceptable quality.
11. In a New Zealand context, Te Kura has experienced some success in delivering distance education online through trialling its 'Big Picture Learning' (BPL) approach. BPL utilises both face-to-face and virtual learning approaches to create personalised learning pathways for students.

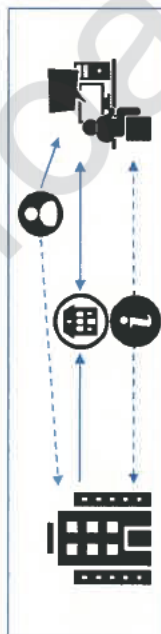
⁷ OECD (2015), *Students, Computers and Learning: Making the Connection*, PISA, OECD Publishing, Paris, <https://doi.org/10.1787/9789264239555-en>.

⁸ Gary Miron, Christopher Shank and Caryn Davidson, *Full-Time Virtual and Blended Schools: Enrollment, Student Characteristics and Performance*, May 2018.

⁹ The report defines 'fulltime virtual schools' as those which deliver all curriculum and instruction online by distance, and 'blended schools' as combining virtual instruction with traditional face-to-face classroom instruction.

¹⁰ Eric Bettinger and Susanna Loeb, *Promises and pitfalls of online education*, June 2017.

Fulltime enrolment in distance education online



The Education Act 1989 restricts who can be a recognised provider of "correspondence" education (increasingly online education); and who can have access to that "correspondence" education.

The only correspondence school in New Zealand is Te Aho o Te Kura Pounamu o Aotearoa (Te Kura). Te Kura enrolls students through gateways that are prescribed by the Secretary under section 7 of the Education Act 1989. Te Kura is not a "school of choice."

In 2018, Te Kura had around 21,000 enrolments.* Around 3,700 of these were fulltime enrolments.

Fulltime enrolment numbers were made up of: 16% Year 1 - 6 students, 37% Year 7-10 students, 41% Year 11 - 13 students and 5% Learning Support students.

In terms of student achievement outcomes, 75% of participating students enrolled in Te Kura fulltime achieved NCEA Level 1 in 2017 (compared to the national average of 84%), 68% achieved NCEA Level 2 (compared to the national average of 89%) and 85% achieved NCEA Level 3 (compared to the national average of 84%).

*note that this figure represents the total number of enrolments throughout the year, not a count of students. Students may be enrolled for only part of the year or enrol more than once in a year.

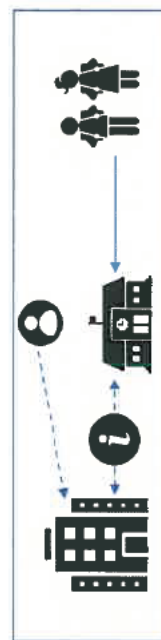
Big Picture Learning

Since 2014, Te Kura has been trialling a new approach to educating at-risk students called the "Big Picture Learning" (BPL) approach. The BPL approach places the students, their values, context and needs at the centre of all teaching and learning experiences. Students, together with their families and teachers, are actively involved in creating personalised learning pathways. This approach aims to cater for students' potential abilities and needs through a tailored and responsive programme. A key element of BPL is building knowledge through practical learning experiences including internships, job shadowing and support from locally-based mentors.

A 2017 ERO evaluation of the Pilot found that this approach improved student engagement, wellbeing and achievement outcomes.

The next step is for Te Kura to deliver Big Picture Learning at a larger scale.

Supplementary learning through distance education online



Te Kura Dual Tuition

Dual tuition describes the situation where a student is enrolled at a school while also accessing resources through Te Kura (e.g. where a subject is not available at their school).

New Zealand students at state schools, including state-integrated schools, can access government funding for dual tuition through Te Kura if they meet certain eligibility criteria. These criteria are set out in the Te Kura enrolment and dual tuition policy. Government-funded dual tuition is limited to between one and four subjects, depending on the enrolment gateway.

For private or home schooled students, Te Kura can charge a fee. If a private school is accessing Te Kura, it is likely these fees will be passed on to the student. State schools cannot charge their students for access to Te Kura because state education is free.

In 2018, there were approximately 9,000 enrolments in dual tuition from years 1-13 at a total cost of approximately \$8.4 million.

Virtual Learning Networks

The other group of providers of supplementary distance education are the Virtual Learning Networks (VLNs). These have been a 'grassroots' development at the school level. They are not recognised by law. Networks of schools (some now established as trusts) provide online tuition for one another's students.

VLNs in secondary schools provide lessons to more than 3000 students. In primary schools, participation has gone from 142 learners in 2011, to 751 learners in 2018.

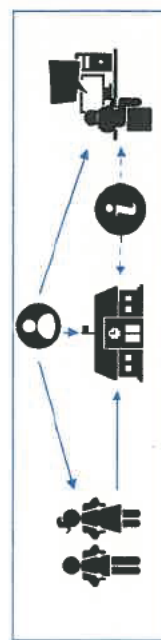
However, the number of VLNs operating is in decline. We are aware that VLNs are having difficulties in meeting overhead costs for things such as administration and pastoral care. This is a barrier for many of them to expanding online tuition.

The secondary school-based VLNs are funded by a complex system of transferring funding or staffing entitlements or agreements for reciprocal teaching (School A teaches School B's students in one subject area and School B teaches School A's students in another subject area).

The Ministry has provided the VLN Primary School with \$80,000 to \$100,000 p.a. of funding since 2012 for coordination and administrative activities. This is in recognition of the fact that primary schools part of the VLN are largely small, rural and remote with limited capacity to fund the activities required to support their cross-school programmes of learning. In addition, the VLN Primary applies for funding for specialist learning programmes, such as Asian Language Learning in Schools (ALLIS) and Networks of Expertise (NEX). This funding doubled from \$100,000 to \$200,000 for the 2019 school year.

In Confidence

Digital technologies in the classroom



Digital technologies, including online learning, can also be used to support and enhance face-to-face teaching and learning by teachers and their students in classrooms.

There are two technological areas in the Technology Learning area of the New Zealand Curriculum and Te Marautanga o Aotearoa: one about students developing an understanding of computer science principles that underlie digital technologies; and another about learning how to design quality, fit-for-purpose digital solutions.

The use of digital technology in New Zealand classrooms varies from school to school. There are a number of equity issues in terms of access to digital content and services (e.g. inequity in access to devices, lack of technology support, costs and variation in digital literacy of school staff).

Digital technology in action: Manaikalani Trust

The Manaikalani programme, run by the Manaikalani Trust, supports 12 mostly decile 1 schools in the Auckland suburbs of Glen Innes, Pt England and Parnumure. It supports learners and their whānau to use digital technology to enable learning anywhere, anytime and at any pace. It also provides funding to buy a personal digital device for each learner, provides wireless internet at home and school, and supports teachers in pedagogical innovation.

Building workforce capability through online networks of expertise

There are a couple of online platforms to help teachers build their capability. This includes "N4L" Pond, an online forum which aims to help teachers share pedagogical resources and knowledge.

In addition to this, VLN Primary School and NetNZ have recently announced that they are developing a new Network of Expertise (NEX) for online teaching and learning using funding from the Ministry's NEX fund.

The network will aim to create a learning community where teachers who are or want to teach online, as well as those who support online learners, are supported to connect and share resources and expertise.