

# Charter schools fact sheet

The Minister of Education is Hon Erica Stanford. [E.Stanford@ministers.govt.nz](mailto:E.Stanford@ministers.govt.nz)

The Assoc. Minister of Education is Hon David Seymour. [D.Seymour@ministers.govt.nz](mailto:D.Seymour@ministers.govt.nz)

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## **Government passed the Education and Training Amendment Act<sup>1</sup> on Wednesday 25 August 2024. This act reintroduced charter schools to New Zealand.**

Although the legislation was not timetabled to be returned to Parliament for final consideration until September 2024, the Government opened applications to operate charter schools in July.<sup>2</sup>

### **Reintroducing Charter Schools**

In Budget 2024, the Government allocated \$153M for 15 new and 35 converted state schools over four years. The Associate Minister states funding per student in charter schools will be roughly equivalent to state schools.

Charter schools will be taxpayer funded but privately operated by a sponsor who will have operational discretion to manage the school.

There will be two categories of charter schools; new charter schools and state schools that convert to private operation.

### **Charter Schools in New Zealand 2014–2018**

This is the second introduction of charter schools in Aotearoa.

ACT MP John Banks, previous Associate Minister of Education, introduced charter school legislation following the 2011 election. Between 2014 and 2018, 11 new charter schools began operation (conversion of state schools was not part of that legislation). The total cost averaged three times the state school average. The costliest charter school received more than six times the average state school funding per student.<sup>3</sup>

The Labour/NZ First Government abolished charter schools following the 2017 election.

A 2017 report by charter school Advisory Group found only 40% of charter schools operating demonstrated satisfactory student achievement.<sup>4</sup>

A 2019 Ministry of Education report on charter schools found insufficient evaluation meant evidence of charter schools having a positive impact on educational achievement could not be proved. This report also found no evidence of teaching practice innovation beyond what could be found in state schools. Any innovative practice was in operational areas such as separation of management functions and in staffing levels enabled by the funding arrangements.<sup>5</sup>

### **Charter School Establishment and Operation**

Charter schools will be funded by the state but will not be part of the state schooling system.

A charter school's educational and operational expectations and obligations will be set out in a contract with a Minister-appointed body, the Charter School Authorisation Board.

State schools can be converted to charter schools. The Minister, or an individual from the school community (along with a sponsor) can instigate the process for considering the conversion of state school to a charter school.

The charter school legislation sets out different obligations for charter schools to state schools:

- They will be able to employ unqualified and unregistered teachers.
- They can set their own curriculum and mode of delivery.

- They will not have the same regulation and safeguards as state schools.
- They will not have to give effect to Te Tiriti o Waitangi, or be required to have parent governance structures.
- They will not have the same level of oversight from the Education Review Office or Teaching Council of Aotearoa / New Zealand.

Employees of charter schools will lose collective employment agreement protections. This was included in charter schools legislation specifically to reduce the influence of teachers and principals in the operation of charter schools.<sup>6</sup>

## Criticisms of Charter Schools

The Government argues charter schools will allow for autonomy and diversity in schooling.

The 2024 OECD Economic Survey of New Zealand addressed the reintroduction of charter schools stating, “The high autonomy of schools mean they can already tailor significantly their offer to local needs suggesting **[charter] schools would not add much in this domain**”.<sup>7</sup>

The non-politically aligned Aotearoa Education Collective of education academics, principals and teachers said **there is not enough evidence charter schools can make a difference to educational outcomes** for Government to justify this proposal ahead of other much needed educational reform and resourcing.<sup>8</sup>

Ninety percent of select committee submissions on the charter school legislation opposed their introduction.<sup>9</sup>

**Teacher and principal groups have criticised the Government’s spending of \$153M** on this initiative instead of long-standing priorities such as addressing understaffing of learning support.

Charter schools have no requirement to ensure their plans, policies and curricula reflect local tikanga Māori, mātauranga Māori and te ao Māori, or to take reasonable steps to make instruction in tikanga Māori and te reo Māori. A Ministry of Education Regulatory Impact Statement said ‘**charter schools could also reinforce existing inequities experienced by ākongā Māori**, particularly if a school’s leadership lacks the skills needed to address Māori concerns and inequities’.<sup>10</sup>

**Unqualified and unregistered people can hold teaching positions in charter schools.** In response, thousands of teachers signed an open letter supporting the Teaching Council of Aotearoa/New Zealand’s position, that ‘a quality education system requires qualified teaching professionals in every kura, school and Early Childhood Education (ECE) service’.

Overseas experience has also been cited by critics of the charter school proposal. Advice provided to Minister Stanford included a 2015 USA research survey that found that ‘teachers in charter schools tend to be younger, have less experience, less training and lower rates of certification than their public school colleagues’, and that there is ‘higher teacher turnover in charter schools compared to public schools’.<sup>10</sup>

For more information:

<https://www.nzeiteriuroa.org.nz/help-advice/knowledge-base/nzei-te-riu-roa-stands-for-public-education>

Email: [nzei@nzei.org.nz](mailto:nzei@nzei.org.nz)

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