

Home Education Policies and Procedures Manual

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SECTION 1 – POLICIES AND PROCEDURES

Purpose of manual and definitions

1. This manual sets out the policies and procedures to assist Ministry staff with processing applications for exemptions to home education. This manual intends to provide the basis for national consistency in:
 - Processing home education applications (Sections 1 and 2).
 - Home education allowance payments and the declarations process (Section 3).
 - The process for complaints, appeals, revoking certificates and ERO reviews will be covered in a separate manual.
 - The manual's appendices include a checklist for the processing of home education applications (Appendix 1) and 'letters' or text for Ministry regional office and National Office staff communications with parents and schools (Appendix 2), and
 - common home education philosophies and approaches (Appendix 3)
2. Only parents or legal guardians can apply for a Certificate of Exemption from Enrolment at a Registered School (referred to herein as a certificate or exemption certificate). A **parent** is defined in [Section 10 of the Education and Training Act 2020](#) (the Act) as *the mother, father or guardian of the individual*. This manual is written in terms of a two-parent family who are home educating one child so will generally use the term parents.
3. However, to avoid repetition parents in this manual also refers to a single parent home educating a child/children, a two parent family home educating more than one child, or one or more guardians' home educating one or more children as well as non-custodial parents who are involved in the home education of their child/children.
4. In this manual the terms child, children, and student are also used interchangeably to refer to children and young people of school age (ie, 5 to 19) who are home educated unless stated otherwise.

Introduction

5. Under Sections [35](#) and [36](#) of the Education and Training Act 2020 (the Act) students who have turned 6 and have not yet turned 16 years old must be enrolled at *and* attending a registered school. However, since the inception of a formal education system in New Zealand parents have been able to apply for exemption from enrolment at a registered school.
6. An exemption certificate enables parents to teach their children outside of a registered school (often but not exclusively at home). Parents must apply to the Ministry to receive an exemption certificate.
7. The Ministry in this context refers to regional office staff and management. These employees have been delegated the following powers:
 - Granting or declining an exemption certificate
 - Requesting a discretionary Education Review Office (ERO) review
 - Revoking an exemption certificate and assisting parents to transition their child back to school (if they are under 16 years of age).
8. Before parents can be granted an exemption certificate they must meet the requirements of section [38](#) of the Act in which the Ministry must be satisfied that the student will be '*taught at least as regularly and well as in a registered school*'. Or in the case of a student who has additional learning needs or is neurodiverse, will be '*taught at least as regularly and well as in a specialist school or a special service*'.

9. Parents must ensure that their child is **‘enrolled at and attending a school until the exemption certificate is granted’**. Failure to do so may result in their child being referred to the Attendance Service via a Non Enrolment Notification (NEN). [Refer to Non-enrolment procedures](#).

Meeting [s38](#) requirements

10. As noted in [s38](#) parents must demonstrate that their child **will be taught at least as regularly and well as in a registered school**. Parents can arrange for an alternative educator to teach their child and/or they may use educational programmes provided by others. The reference in [s38](#) to ‘the student will be taught’ implies that the child is receiving education/learning.

‘At least as well’

11. If parents arrange for an alternative educator/use educational programmes to teach their child they must demonstrate how they will retain overall responsibility for their child’s education e.g. providing, supervising, and monitoring it.
12. For example, besides [Te Aho o Te Kura Pounamu](#) (Te Kura (New Zealand’s distance school)), other organisations (e.g. [Home Schooling New Zealand \(HSNZ\)](#)) prepare and distribute educational material for home educators to purchase.
- Stating the name of one (or more) of these groups or a particular course/programme in an application will not on its own demonstrate the parents having an understanding of the overall education of the child. They will need to demonstrate comprehension of the designated education programme to receive a certificate of exemption.
13. If the proposed teaching programme does not demonstrate appropriate parental control of the overall education programme, then this could lead to the application being declined.
14. If there is concern that a parent is relying on others to the extent that they are no longer responsible for their child’s overall education programme and therefore not meeting [s38](#) requirements, further investigation should be undertaken. If necessary, an ERO review can be requested or the exemption certificate can be revoked (refer to ERO Review and Appeals Process).
15. Parents need to demonstrate in practical terms how they will meet [s38](#) requirements through provision of a topic or special project plan and how the 12 month educational goals will be achieved.
16. The assessment of [s38](#) requirements of a student’s entire education journey, when students are of primary age or younger who are likely to have unanticipated developmental changes in the long term may be difficult to be accounted for within the context of the application form. However, for students of secondary school age or those about to enter secondary school these longer term pathways should be clearly identified and adequately demonstrate how they will be achieved.

‘At least as regularly’

17. The [s38](#) requirement of regularity does not mean that parents have to adhere to a regular timetable as is the case at a registered school. However, it does mean that the education programme has to be delivered in such a way that the parents’ educational vision, outcomes, topic plans, and assessments are satisfactorily attained. If there are concerns about the breadth, depth, or regularity of a learning programme then further clarification and information should be sought from the parents.

18. Although parents have the right to apply for a certificate of exemption this does not mean that they are entitled to receive one.

Information for parents

19. Home education application form and guidance is available on MOE website, links [Home education application form.pdf](#) and [Home education application guidance.pdf](#). Can be printed and sent to parents requesting hard copies.

Valid applications

20. In accordance with [s38](#) the Ministry is required to process all home education applications it receives. However, an exemption certificate can only be granted on the basis of a valid application.
21. While the Ministry prefers the use of our curated application form, we will also accept an application of the parents' own design. Where a customised/personalised version is received it must include Section One of the standard application form. Parents must also refer to the guidance document to make sure their own application form meets the set criteria. Applications can be submitted both via email or post.
22. A valid application must be dated and signed by a parent or guardian. An electronic signature is acceptable as long as it can be verified as the applicants. If it cannot be verified or there is any doubt a physical or digital signature should be sought. In all cases it is sufficient for an application to be signed by one parent or guardian only. For further guidance refer to [Processing Applications](#).
23. Where a legal guardian makes an application for a certificate of exemption, proof of guardianship status is required as supporting evidence when submitting the application for a certificate of exemption.
24. Where a child has never enrolled in a registered school proof of child's identity is required. List of acceptable verification documents is the same as the ENROL list: [ENROL list of verification documents](#)
25. Application's for children aged sixteen or older cannot be accepted as they are not legally required to be enrolled at and attending a registered school. Parents who apply for a child who is aged sixteen or older should be informed that a certificate of exemption is not required and they are free to home educate.
26. Applications for children less than six years of age can be accepted. However, parents should be encouraged to apply no earlier than three months before a child's sixth birthday and reminded that the exemption does not come into legal effect until the child's sixth birthday.
27. Requesting applications be lodged no earlier than three months prior to a child turning six years old is in recognition that many children experience significant learning development between the ages of four to six. This will be more accurately reflected in the context of meeting [s38](#) requirements.
28. Applications can be accepted from parents returning to New Zealand from overseas and can be processed up to 3 months before they arrive in New Zealand. They must have a New Zealand residential address and will be assessed by the local MOE office. This will allow the family time to provide for additional information requests and mitigate stress of having to enrol children for a short time in a school.

Third-Party Assisted applications

29. Parents should declare when input and assistance from agencies such as the [National Council of Home Educators New Zealand \(NCHENZ\)](#) has been sought. Where parents have not

acknowledged [NCHENZ](#) (or other agencies) input on the application form, discuss further with parents and Provider Services.

30. If parents acknowledge third party assistance e.g.([NCHENZ](#) or other agencies) in the declaration, then the application will be assessed on its merits. In signing the declaration the parent confirms the education programme outlined is one they believe they can deliver.
31. Where regional office staff have evidence that indicates the parents cannot deliver the teaching and learning programme outlined in the application, the parents must be given a reasonable opportunity to demonstrate that they can deliver the stated teaching and learning programme. Regions can request additional information, discussions with parents further exploring the education programme.

Additional Learning Support needs

32. The Ministry may be asked for an exemption for a child who has additional learning support needs. In these cases, regional office staff must be confident that the parents will meet [s38](#) requirements i.e., that the student will be 'taught at least as regularly and as well as in a specialist school or a special service'.
33. Parents who are granted an exemption to home educate a child with additional learning support needs can seek advice and guidance from their regional office (or if necessary the National Office) learning support team. Home educated children who have identified additional learning support needs can access the following Ministry provided specialist services:
 - Ongoing Resource Scheme (ORS)
 - Speech-language therapy
 - Specialist services for children with a moderate physical disability
 - Assistive equipment.
 - Some services for deaf and hard of hearing students including repair and maintenance of government owned hearing aids and FM systems, specialist literacy assessment and learning advice, NZ Sign Language and Deaf Studies advice, and involvement in an Individual Learning Plan (ILP) process.
 - Similarly for blind and low vision students, services can include assessments, information, teaching and learning strategies, referral to other services, and assisting with the development of an ILP.
34. Requests for these services are assessed on the same basis as for school-based students.
 - For assistive equipment the Ministry supports the parents in information gathering for the assessment.
35. However, parents of home educated students **cannot access** associated funding and support for these services:
 - Special Education Behaviour Service
 - Resource Teachers: Learning and Behaviour (RTLb)
 - Resource Teachers: Literacy
 - The School High Health Needs Fund
 - Direct teaching services related to children who have blind or low vision and/or are deaf or hearing impaired, and
 - Additional teacher and teacher's aide time as part of ORS.

36. Regional office staff who are processing these applications should liaise with their learning support colleagues, including obtaining an assessment report if one has not been done previously, before issuing an exemption certificate. This is especially important where the child has not previously enrolled at a school e.g., an application for a five-year-old. A learning support transition plan should also be developed where necessary.
37. The assessment report should determine the child's required learning support needs and assist in establishing the parents' ability to teach "at least as regularly and well as in a specialist school or special service."
38. In cases where the exemption certificate has been issued with terms and conditions which require the parents to liaise with the Ministry's learning support staff, failure to do so (after reasonable attempts have been made) could result in the possible revocation of the certificate. In these cases, the procedures in ERO Review and Appeals process should be followed.
- **Note:** An exemption certificate should not be issued with terms and conditions without express permission from the Legal Services Team in National Office. Legal will provide the correct wording for any associated terms and conditions.
39. Where a student has an exemption certificate and they are not at the expected educational level due to learning support needs, and these same issues are precluding them from attending school at all or only on a part-time basis regional office staff should work with their learning support colleagues. Learning support staff should organise an assessment of the student to determine their needs and requirements.
40. Based on these assessments home education staff working with learning support colleagues, parents and the student should develop an appropriate education plan and pathway.
- This might include (but not be limited to): remaining (or becoming) home educated or enrolling at a local school or [Te Kura](#). In all cases appropriate learning support would need to be in place for the student.
41. In determining whether the student continues to be (or becomes) home educated, the key considerations should be what is in the best interest of the child and if the parents can continue to meet [s38](#) requirements.

Child safety

42. Child safety concerns must be considered in accordance with the [Ministry's child protection policy, Oranga Tamariki Act 1989 and/or Children's Act 2014](#). This may include liaising with Oranga Tamariki (OT) and NZ Police through a formal request under [s66c of the OT Act 1989](#) or [Integrated Safety Response \(ISR\)](#).
43. Oranga Tamariki and NZ Police can approach the Ministry (and the Ministry can approach Oranga Tamariki and NZ Police) if there are any concerns about a child being home educated. This information sharing can include establishing whether Oranga Tamariki or NZ Police is the child's guardian and if there are any outstanding investigations, court orders etc. in relation to the child.
44. Oranga Tamariki or NZ Police can raise concerns about parental ability to home educate or the suitability of a child for home education. However, regional staff should be clear with Oranga Tamariki and NZ Police that their views and opinions are being sought mainly in relation to child safety/wellbeing.
45. Oranga Tamariki and NZ Police do not have the expertise or knowledge to make an assessment as to whether the parent(s) can meet [s38](#) requirements or if the child is 'suited' to home education. Irrespective of the concerns raised by Oranga Tamariki and NZ Police,

both organisations must undertake the necessary checks and provide appropriate evidence to support them. This is particularly important because validated child safety concerns would see the application declined.

Adopted or foster children, [whāngai](#)

46. Children adopted from overseas who are classified as domestic students must be enrolled at a registered school or hold a certificate of exemption from enrolment. Regional offices should inform parents that an application cannot be processed until we receive proof of domestic student status.

47. Foster children can be eligible to be home educated if guardianship of the child can be confirmed, as only parents or legal guardians can apply for a home education exemption per [s38](#).

Consider and follow the process below:

- Confirm with Oranga Tamariki that the application is from one of their foster parents
- Obtain written consent from:
 - child's biological parents (if possible)
 - child's legal counsel
 - Oranga Tamariki social worker and relevant manager.

48. If there is any doubt about whether the applicants are parents, as defined in the Act then legal advice should be sought.

International and Domestic Students

49. International students do not require a home education exemption unless they are classified as a domestic student e.g. Domestic student time bound, holds refugee status. International students are not legally required to enrol at or attend a registered school.

50. If the child or children are classified as domestic students they must be enrolled at a school or have an exemption certificate.

51. An overseas student classified as a domestic student is determined by the [Education \(Domestic Students\) Notice](#). This defines who can be treated as a domestic student.

Information and guidance is in education circular – [Eligibility to enrol in New Zealand schools](#).

Expiring Domestic visas

52. If the domestic visa of a student expires, the student is deemed an international student. Meaning they are no longer subject to the requirement to be enrolled in a registered school.

53. You are only required to be enrolled at a registered school if you are a domestic student.

54. If a domestic visa expires before the end of the year the student may continue to be enrolled until the end of the school year as per eligibility criteria to enrol in a NZ school.

55. Updated documents (extended domestic visa) must be produced for the next year to reinstate domestic student status and therefore the requirement to be enrolled in a registered school.

56. If the student has a certificate of exemption and their domestic visa expires, they are deemed to be international students. The certificate of exemption should therefore be ceased as they no longer meet the criteria for needing an exemption from enrolment.

57. Regional offices are to cease students in the Home schooling RAD and update ENROL.

Parents with custody agreements or Court orders in place regarding education

58. Parents who have joint or physical custody who both have the child during the school week, need to both be in agreement to home educate to ensure the child will be taught 'as regularly and as well as in a registered school' in the care of both parents.
59. Parents who have joint or physical custody who cannot agree on home education for their child, may have to resolve this through external mediation or the [Family Court](#). The Ministry is required to make **educational judgements only** and cannot resolve these disputes.
60. A parent with sole custody's application for an exemption certificate should be processed in the standard procedure.
61. If the non-custodial parent objects to home education as an option for their child, they can approach the [Family Court](#) and invoke provisions under [Care of Children Act 2004](#) for settling disputes between guardians.
62. If there is a current Court Order directing the child be enrolled at a specific school, MOE has a valid reason to decline the exemption certificate. If an exemption certificate is granted MOE would be facilitating a breach of the Court Order.
 - If required during court proceedings, the application could be assessed and determined if it would have been granted, were it not for the Court Order

Requests for information from third parties and parents

63. The Ministry may receive requests for personal information related to individual home educated students including their names and addresses. In most cases this information cannot be supplied to third parties, and with these requests the [Ministry's privacy](#) and [Sharing information](#) guidelines must be adhered to and an additional check with the Legal Services team needs to be undertaken.
64. Agencies may request sharing of information under [Oranga Tamariki Act 1989 Section 66c](#). Who can request and disclose information under s66c is listed in [Section 2 of the OT Act](#).
65. Parents can request the information that has been supplied to the Ministry from a school principal under the [Privacy Act](#). If necessary legal advice should be sought in determining whether this request should be granted.
 - Principals should be informed of this fact as their views on home education applications are requested.

Requesting and considering information from schools

66. If a student is enrolled at a registered school at the time an application for an exemption certificate is made, Ministry staff should contact the principal for comment. The principal and school may have critical information that can aid in the evaluation of the application for a certificate of exemption. ([refer to Letter 2 in Appendix 3](#)).
67. Regional Ministry staff's request for information should seek the principal's opinion on whether the child will be taught 'at least as regularly and as well as at a registered school' and, if not, their reasons/evidence for this opinion. As well as any further information they consider important within the evaluation of the application.
68. If feedback from the principal raises concerns about the parent's ability to meet [s38](#) requirements or the student's suitability for home education, regional staff should follow up with the parents.

Requesting and considering additional information

69. It is recommended that before submitting an application, parents contact their regional office and refer to the [home education webpage](#)'s application and guidance documents. Parents are expected to provide the following information:
- Contact details and requested documentation e.g., Child's birth certificate, name change certificate, proof of permanent residency or citizenship, court orders.
 - a description of their home education approach, philosophy, and/or curriculum
 - a description of the intended learning areas and/or subjects
 - a description of the resources and reference materials that are available to them to teach their child and an explanation of how they intend to use them
 - short- and long-term educational goals for the student
 - a description of how they intend to measure and record progress and achievement in relation to the learning goals
 - a demonstration of regularity i.e., when, how often, and for what duration the student will be taught.
70. If the application does not provide sufficient information to satisfy regional staff that [s38](#) requirements will be met, regional staff should contact the parents by phone or email (refer to [Letter 1 in Appendix 3](#)). Where parents are contacted by phone, supporting notes should be made of the conversation and any agreed outcomes and actions must be recorded on the RAD and/or electronic file.
71. A face-to-face meeting can be initiated (at a time and place of the parent's choosing) where email and phone are unsuccessful in getting the requested information/clarification. Please note a home visit can **only be undertaken with the parent's permission**.
72. If during a home visit staff have any concerns about the child's wellbeing they must ensure that the [Ministry's Child Protection Policy](#) is adhered to. This policy also outlines key signs for staff to look for when assessing if there are child wellbeing issues. [Refer to Child Safety](#).
73. It is crucial that relevant information from parents and external sources including school principals, Oranga Tamariki and NZ Police has supporting evidence so that it can be considered as part of the decision to approve or decline a home education application.
74. [Oranga Tamariki Act 1989 Section 66](#) outlines information sharing provisions and [how-to-share-information](#). MOE guidance to [Sharing information](#) under s66c of the Oranga Tamariki Act 1989 is available here [Info under s66c](#).

Issuing, revoking, and ceasing exemption certificates

75. A separate certificate of exemption **must be issued for each child**.
76. Under [s38](#), an exemption certificate continues in force until it is revoked or expires.
77. As per [s38](#) a certificate can be revoked after reasonable efforts have been made to get all of the relevant information and ERO have reviewed and reported on their decision. As per section 38(6) of the Act 'If the Secretary thinks any student to whom an exemption certificate applies would be better off if receiving education at a registered school, the Secretary may revoke the certificate and issue a direction under [section 37](#). Refer to ERO Review and Appeals Process.

78. An exemption certificate expires when the student turns 16, or enrolls at a registered school, whichever happens first, [Education and Training Act 2020 s38\(7\)](#). However, parents can continue to receive a home education allowance until the end of the year in which the student turns 19 years provided they return signed declaration they are continuing with home education studies.
79. Exemption certificates are not required for students who are enrolled at and attending provisionally registered private schools because these are recognised as registered schools under [Schedule 7 of the Act](#).

Exemption certificate start dates

80. Parents may elect a start date of when they will start home education. The start date cannot be more than 10 weeks in the future.
81. If the student is enrolled at a registered school, the exemption start date will be the next school day after the student withdraws from the school.
- Note:** If the school hasn't updated the Last Day and Leave Reason at the end of the school year, **don't enter a date after the last gazetted school day**. This has an impact on ENROL internal and external reporting to other agencies.
82. If a child is under 6 years, the exemption certificate start date will be their 6th birthday.
83. If an exemption certificate is **issued before** the first gazetted school day of the school year for a child aged over 6 years:
- The exemption certificate start date should be entered as 1 January. Having a start date of 1 January will ensure that the home education allowance will be paid for the full 6 months of payment term 1 January to 30 June.
 - A child who is issued with an exemption certificate after the 1 January will be paid a pro rata payment based on the time during the payment term (1 January to 30 June)
84. The Home Education allowance in the RAD is calculated on a daily rate.
85. ENROL - regional staff enter the date the certificate was issued in the ENROL database or diarise the entry for the student's sixth birthday or a later start date. Always check that the leave reason entered by the last school is **Transferring to home-schooling**, if not please correct and update.

Exemption certificate cease dates

86. The exemption cease date will be determined by enrolment date in a school or leaving home education.
87. Where a child is enrolled to start at a registered school on the first gazetted day of the school year, their exemption is ceased in the HS RAD and ENROL with effect from 31 December of the previous year. This will ensure that the home education allowance will be paid for the full 6 months term of 1 July – 31 December. A child who is ceased before 31 December will be paid a pro rata payment based on the time, they have been home educated within the payment term.

Enrolment at school

88. An exemption certificate will automatically expire when the student enrolls at any registered school including any unit for any duration. Parents need to contact the Ministry if they enrol their child at school.

89. When a home educated student enrolls at school, the RAD and ENROL databases should be updated by the regional office or the Resourcing team at National Office depending on who receives the information from the parent.
90. If the enrolment is a school trial and the parents wish to restart home education, a new exemption certificate is required and can be issued from the Regional Office. This does not necessarily mean that parents must submit a new application, [refer to school trials](#).

Five-year-olds

91. A parent is free to withdraw their five-year-old at any time and not re-enrol them at another school or kura until they turn six, [unenrolling five year olds](#).
92. Where parents withdraw their five-year-old from school, after discussion with the school or kura, the school or kura can remove the child from their roll with leave reason 'caregivers' decision'.

School visits and participation in school-based activities

93. Schools can allow home educated students to visit. The school is responsible for the home educated student's health and safety while they are onsite. However, schools and parents need to be aware that schools are not resourced or funded to provide instruction to non-enrolled students (and cannot charge fees to cover costs).
94. Similarly, schools or external organisations are not required to permit home educated students to participate in their sporting, cultural or other activities and events. [Information on eligibility regulations for NZ Secondary School Sports](#)

School trials (please note: under review)

95. **Parents must contact MOE if they want to trial a school.** Home educated students may attend a school on a trial basis. Irrespective of which school is chosen (including Te Kura) the school must agree to the trial taking place. Parents will need to adhere to any terms and conditions that the school sets as part of the trial.
96. Schools must enrol a student if they attend for more than 2 weeks. The school will enrol the student during the trial period. This can be checked and confirmed in the ENROL database.
97. Trials should be treated as an opportunity for regional office staff to work with parents about what is the best option for their child. Regional office staff should work with parents on a transition plan for their child exiting home education and attending school or leaving school and recommencing home education if necessary.
98. School trials should be regarded as a serious attempt by the student and their parents to reintegrate (or enter for the first time) into a schooling environment. Multiple school trials require further investigation by regional office staff to assess why they are occurring. This will involve discussions with both the parents and the relevant school(s).
99. The maximum duration a home schooled student can attend a school on a trial basis and continue to receive their home education allowance is 10 school weeks. If a trial falls over a school holiday period then those holiday weeks will not be counted towards the 10 week duration.
100. If the student returns to home education on or before 28 days they will receive the full home education allowance for the trial period.
101. If the student trials attending a school for more than 28 days but less than 10 school weeks a 'less days' funding calculation for their home education allowance will be made for the trial period.

102. If the student trials attending a school for more than 10 school weeks, their home education allowance will cease and a new application will be required for the new exemption certificate to be issued.
103. For school trials of 10 weeks or less a new exemption certificate is required. However, a new application is only required where there has been a material change in circumstances.
104. In this context a material change in circumstances involves determining whether the parents can continue to meet [s38](#) requirements. Where reapplication is sought on this basis there should be appropriate supporting evidence.

Non-enrolment procedures

105. If a student under 16 years of age is no longer being home educated and is not showing on the ENROL database as enrolled at a school, regional office staff should generate a non-enrolment notification (NEN).
106. A NEN should also be initiated if the exemption certificate is being processed and the child is not enrolled at and attending school.
107. In cases of non-compliance, where parents have not enrolled their child at a registered school despite their application for an exemption certificate being declined or revoked. The Ministry can:
- Follow its NEN procedures
 - Refer the matter to Oranga Tamariki under the Truancy Protocol
 - Referrals to Oranga Tamariki should only be done if there is an underlying welfare issue, which if addressed, could resolve the non-enrolment issue.
 - Inform the police and/or
 - Informing the police would only occur where the situation went beyond simple truancy.
 - Lay charges against the parents.
 - Prosecutions should only be considered as a last resort and only taken on advice from the National Office Legal team.
108. Parents who are intending to home educate or have applied for an exemption should be referred by Attendance Service providers and their Ministry relationship managers to the Ministry's webpage on [home education](#).
109. Attendance Service Providers and their Ministry relationship managers can also advise that home education applications generally take 4-6 weeks to process. Students are legally required to be enrolled and attending a registered school during the application process. If necessary, they should refer parents to the home education lead contact in the regional office.

Criteria for a private school

110. Exemption certificates are not required for students who are enrolled at and attending provisionally registered private schools because these are recognised as registered schools under section 214 of the Act.
111. The [criteria for registration as a private school, Schedule 7 of the Act](#) follows and must have **all attributes**:
- (a) has premises that are suitable, as described in [clause 3](#); **and**
 - (b) usually provides tuition for nine or more students who are aged 5 years or over but under 16 years; **and**

- (c) has staffing that is suitable to the age range and level of its students, the curriculum taught at the school, and the size of the school; **and**
- (d) has equipment that is suitable for the curriculum being delivered or to be delivered at the school; **and**
- (e) has a curriculum for teaching, learning, and assessment and makes details of the curriculum and its programme for delivery available for parents; **and**
- (f) has suitable tuition standards, as described in [clause 5](#); **and**
- (g) has managers who are fit and proper persons (as described in [clause 6](#)) to be managers of a private school; **and**
- (h) is a physically and emotionally safe place for students.

Home educators cannot form a school or operate an unregistered school

112. It is illegal for home educators to form a school (private school defined in [Schedule 7 of the Act](#)).
113. [Section 36 of the Act](#) states “Students of registered schools required to attend whenever schools are open.
- (3) For the purposes of this section, a student attends a school on any day, if on the day –
- (a) It has been open for instruction for 4 hours or more; and
 - (b) The student has been present for 4 hours or more when it was open for instruction.”
114. [Clause 5 Education and Training Act 2020](#) states “Tuition standards
- (1) Tuition of a suitable standard at a private school must include giving students tuition of a standard no lower than that of the tuition given to students enrolled at State schools of the same year levels.
 - (2) In assessing the standard of tuition, the mode of curriculum delivery and the regularity of instruction must be considered.
115. Factors to consider when determining if a home educator group is operating informally/ as a ‘school’:
- Size e.g. Do they have 9 or more ‘students’ attending?
 - On any day is it open for instruction for 4 hours and more and the student has been present for 4 hours or more when it was open for instruction?
 - A timetable that resembles a typical school day i.e., Monday to Friday for periods of six hours or more
 - has a curriculum for teaching, learning, and assessment and make details of this and its programme for delivery available for parents
 - has staffing that is suitable to the age range and level of its students, the curriculum taught at the school, and the size of the school.
 - Taking on a formal structure or name
 - Hiring a site or establishing a substantial “school” building rather than simply meeting at a convenient location
 - Advertising
116. Many home educators meet together on a regular or semi-regular basis. A parent has not necessarily relinquished responsibility for their child’s learning if they are being home educated in these settings.
117. These home educator groups could be an extended whānau or large family who are not trying to form a school. However, large families or extended whānau should be advised that if they were to teach children from other families, they could be in breach of [Schedule 7 of the Act](#).
118. Example of circumstances regarded as a school:

- i. A group of nine plus children from different families are being taught together several days a week at a specified location by a single adult who has a curriculum for teaching, learning, and assessment and makes details of the curriculum and its programme for delivery. Is open on any day for instruction for 4 hours or more; and student is present for 4 hours or more when it is open for instruction.
119. Examples of circumstances not regarded as a school:
- ii. An indeterminate group of home educating parents meeting for three mornings a week delivering educational programmes to their children.
 - iii. A Sunday school run by home educating parents is not a school under [Schedule 7 of the Act](#) even if it had more than 100 children or young people attending. This is because it is restricted in scope and, though regular, is in session for only a small period of time once a week.

Recommended actions if home educators are operating as a school

- 120. If a regional office becomes aware of home educator groups that may be operating in breach of [Schedule 7 of the Act](#) it should refer the matter to the National Office who will seek legal advice on further action.
- 121. If the Ministry considers a large home educator group may be operating as a school they may ask the group to cease operations immediately or seek provisional registration as a school. Refer to [letter 5](#) in Appendix 2.
- 122. If the Ministry has concerns on small group gatherings that meet the criteria for a private school refer to [letter 6](#) in Appendix 2.

Home educated students who enrol at Te Kura

- 123. [Te Kura](#) allows home educated students to enrol in its courses if parents supply a copy of their exemption certificate together with their enrolment application.
- 124. For home educated students (who are 15 years of age or younger) there is no limit to how many subjects can be purchased. [Te Kura](#) will consult with the parent and student before making a final decision as to how many subjects a home educated student can access.
- 125. [Te Kura](#) provides support to home educated students on the same basis as other students. For example, [Te Kura](#) can organise a visit every four weeks from a liaison teacher for home educated students who are deemed to be isolated.

Note: not all regions have Te Kura liaison teachers. Even where they are available these liaison teachers do not teach; rather they facilitate improved relationships between parents/whānau, students, and [Te Kura](#). They also help students manage any challenges that are impacting achievement of their educational outcomes.

- 126. Overall responsibility for the student's education remains with the parent. [Te Kura](#) expects the parent to communicate with Te Kura staff at least twice per week and ensure work is submitted on time.
- 127. An exemption certificate expires when the student turns 16 years, [s38\(6\)](#). However if continuing with home education, the home education allowance will apply until the student turns 19 years.
- 128. Students who are home educated and aged 16 or older can access [Te Kura](#) courses and resources free of charge through its [Young Adult gateway](#). If they enrol in three or more courses they are regarded as full-time students with [Te Kura](#) and will lose their home education allowance.
- 129. Home educated students will lose their exemption status if they are referred to [Te Kura](#) through either a Ministry or Oranga Tamariki Gateway.

130. When a home educated student turns 19 they must enrol full-time at [Te Kura](#) as an adult student and will lose their supervision allowance.
131. If it comes to the Ministry's attention that parents:
- have not used Te Kura (when this was part of the approved teaching programme)
 - have stopped using Te Kura (when this was part of the approved teaching programme)
 - or appear to be relying solely on Te Kura provision for their teaching programme then the following steps should be taken.
132. Regional office staff should attempt to clarify the situation with the parents. If regional office staff are not satisfied that the parents are continuing to meet [s38](#) requirements then they should contact them to establish how much [Te Kura](#) is contributing to their teaching and learning programme.
133. If a response to this is not forthcoming or is unsatisfactory, then the staff member should investigate further and if necessary, revocation procedures should be followed. Refer to ERO Review and Appeals Process.
134. All details relating to home educated students enrolled with [Te Kura](#) are available on request.

NCEA and Cambridge through Te Kura and School

135. Home educated students can undertake National Certificate of Educational Achievement (NCEA) courses through [Te Kura](#).
136. They can also be assessed against NCEA standards by a [Link School](#) that has been granted "consent to assess" by the [New Zealand Qualifications Authority \(NZQA\)](#). There is no obligation on the part of any school to act as a Link School to carry out this role for home educated students.
137. The [NZQA](#) website has further information about the eligibility of home educated students to access [NCEA through link schools](#). Schools with queries on how to record student in SMS should email the Data Management and Learner Records team, email DMLR@nzqa.govt.nz for a response.
138. Additional criteria apply for home educated students wishing to apply for [the New Zealand Scholarship](#). They must not have completed their secondary education in a previous year and need to attest to their eligibility through a Justice of the Peace.
139. Home educated students can also sit [Cambridge International Examinations](#) at approved schools every October/November. To do so they must negotiate directly with an approved school and pay the required fees (refer to [The Association of Cambridge Schools in New Zealand \(Inc\) \(acsnz.org.nz\)](#) for further information).

Education pathways, career options, and learning support for students continuing with home education aged 16 or older

140. An exemption certificate expires when the student turns 16 years [s38\(6\)](#). However if continuing with home education, the home education allowance will apply until the student turns 19 years.
141. Students continuing with home education aged 16 or older can directly access [Youth Guarantee](#) or tertiary courses. Alternatively, they can access these courses through [Te Kura's Young Adult Gateway](#).

142. It is important that when students enrol in [Te Kura](#), [Youth Guarantee](#), or tertiary courses on a part-time basis that overall responsibility for the student's education still remains with the parent.
143. If a 16-year-old home educated student enrolls fulltime on a fees free course or as a Young Adult at [Te Kura](#) their home education allowance will cease. These students will need to be ceased in the RAD and removed from the home education roll in ENROL.
144. University's that provide entry pathways and criteria for home educated students:
- The University of Canterbury:
<https://www.canterbury.ac.nz/enrol/eligibility/home-school-students/>
 - Massey University:
http://www.massey.ac.nz/massey/admission/entryrequirements/eligible_homeschool.cfm
145. Other NCEA and non NCEA pathways to university for home educated students are outlined here by [Te Pūkai Tara | Universities New Zealand](#)
146. Home educated students who hold a [Christian Education New Zealand \(CENZ\) Level 3 certificate or CENZ Level 3 certificate with Honours](#) can enter any university as part of an agreement between [CENZ](#) and [Te Pūkai Tara | Universities New Zealand](#).
147. Home educated students applying for university (or other tertiary study) outside these pathways should establish what the provider's enrolment criteria are. It is recommended that this is done up to two years prior so a suitable entrance pathway can be developed.
148. Home educated students receiving [Ongoing Resource Scheme \(ORS\) support](#) can continue to access it until the end of the year in which they turn 21. However, to continue receiving [ORS support](#) and the home education allowance parents need to contact their [local Ministry office](#).
149. Other career options for home educated students and their whānau are here:
- <https://www.careers.govt.nz/tools/skill-matcher/>
 - <https://www.careers.govt.nz/job-hunting/cvs-and-cover-letters/describing-skills-in-your-cv/>.

Transfer between Regions

150. When a family who are home educating move from one Ministry region to another, the exemption certificate continues to apply.
151. The 'new' office should contact the office holding the exemption file to arrange transfer of the file. If Resourcing receives a change of address notification, they will update the management area in the RAD. RAD will then send notification to new regional office.

Home educators going overseas

152. Parents must notify their nearest [regional office](#) when they are travelling overseas, preferably by email. On occasion the parents may contact Resourcing directly. The regional office will contact [Resourcing](#) to update the RAD and ENROL databases and manage the home education allowance payments.
153. When parents return from overseas, they must contact their [regional office](#) who will notify [Resourcing](#). On occasion the parents may contact Resourcing directly. Resourcing will update the RAD and ENROL databases and recalculate the allowance payment based on the family's arrival date.

154. Irrespective of the duration of their overseas travel, students do not lose their exemption status (unless they have turned 16 years) and do not need to reapply to have their certificate reinstated.
155. The number of days travelling overseas will have an impact on the instalment payments for the home education allowance. During the instalment term (1 January to 30 June or 1 July to 31 December) the following is payable:
- 0 - 28 consecutive days - No effect on their home education allowance.
 - More than 28 days, but less than 6 months - Allowance will be recalculated and only **paid for the time in New Zealand**.
 - More than 6 months - Home education allowance will cease and they will need to reapply for it on their return.
156. New Zealand Home education is only available to families living in New Zealand. If families are intending to live overseas and wish to home educate, they'll need to apply in and follow the home education laws of the country they are living in.
157. If the family is intending to return within two years and want to follow the [NZ curriculum](#) while overseas, they may meet [Te Kura's eligibility criteria for overseas domestic students](#).

Early Leaving Exemptions (ELX) and access to Youth Guarantee and tertiary courses for 15-year-old students

158. Home educated students, who are aged 15, require an [ELX](#) as one of the entry criteria for enrolment in [Youth Guarantee](#) and some tertiary courses. It is highly unlikely that an [ELX](#) can be granted to home educated students because they would not meet the statutory criteria set out in [Section 39 of the Act](#).
- The criteria is the Ministry must be satisfied that on the basis of the student's educational problems, conduct, and lack of benefit student will get from attending another available school, it is sensible for granting an ELX.
159. Note: if the student is enrolled in a fees-free course, the parents must demonstrate that they are still responsible for providing, supervising, and monitoring their learning programme. If they cannot, then the exemption should be ceased, the RAD and ENROL updated, and the parents notified accordingly.

SECTION 2 – PROCESSING APPLICATIONS

Pre-assessment requirements

160. Before it can be assessed an application must:
- be made for each child (any exceptions need approval from the National Office Legal Services team)
 - Proof of child's identity is required if the child has never enrolled in a registered school.
 - be for a domestic student (refer [Education Circular 2020/08](#) for a definition of a domestic student)
 - be for a child who is soon to turn six or is 6-15 years (inclusive). Note Child aged between 6-15 **must be enrolled at and attending school** while their application is being processed
 - be from at least one parent or guardian (evidenced by a Birth Certificate or Court Order) of the child.
 - If there is a shared or physical custody agreement in place and the child is in the care of both parents during the school week, both parents' agreement is required to ensure child will be 'taught at least as regularly and well as in a registered school'.
 - be signed by the parent or guardian (any exceptions need approval from Legal Services).

Note: the 'tick box' in the application form constitutes a signature where the staff member is satisfied that this is generated by the parent or guardian. If there is any doubt a physical or digital signature should be sought.

Procedures and supporting resources for home education applications

161. When processing home education applications the service guide standards are:
- Acknowledge receipt of the application by email or letter within one working day
 - The assessment and recommendations for an application are made within 25 working days of receipt
 - Applicants and relevant parties are informed of the outcome within one working day of a decision being made
162. Further information on home education service standards, supporting information and resources are available in [Te Pae Aronui Collaborative Hub](#)
163. Check if the family have an existing record on the home schooling RAD. Enter application details in the home schooling RAD. This includes all data and supporting notes related to approved, declined, lapsed, and withdrawn applications. Relevant information should also be added to the family's electronic file.
- Note:** The person entering comments into the RAD should enter their name and the date in the **Notes** field on the **Family screen**. The **Last Changed By** field is overwritten each time a change is made in the **Family screen**. New comments should be entered above previous comments to show most recent at the top and scrolling down for previous events.
164. If additional information is required to support the application refer to [Requesting and considering additional information](#). Generally, the additional information required is because of one or more of the following reasons:
- Insufficient evidence or demonstration of how [s38](#) requirements would be met e.g., not demonstrating sufficient understanding of the stated philosophies, methods, and

approaches, low quality topic plans, or an inability from the parent to clearly articulate how their overall educational vision for their child will be attained.

- Additional Learning Support needs (When processing an application, check systems to assess if the child has received any learning support services. Refer to [Additional Learning Support needs](#).)
 - Non-receipt of a New Zealand Birth Certificate or proof of New Zealand Permanent Residence or Citizenship. For applicants born outside of NZ who are neither residents nor citizens proof of their domestic student status is required.
 - No signature on the application form
 - No evidence of guardianship
 - No marriage certificate (where there has been a change of name).
165. If the additional information requested is not supplied within four weeks, the application can be set to lapsed in the RAD and the parents informed.
166. If at any time during the processing of the application the parent withdraws their application, it should be set to declined in the RAD and the reason noted as withdrawn.
167. When an application is lapsed or withdrawn, staff need to ensure that the child is re-enrolled (or enrolled for the first time) at school and should initiate a Non-Enrolment Notification (NEN) if required ([refer Non-enrolment procedures](#)).

Issuing exemption certificate

168. Staff should complete the Home Education Staff Checklist sheet ([Appendix 1](#)) prior to issuing or declining a home education certificate. The relevant manager must consider all the material before making a decision on issuing or declining an exemption certificate.
169. If a decision to approve the application is made the manager will sign the checklist, letters to parents ([refer to Letter 3 in Appendix 2](#)) and the exemption certificate. Staff should also (where necessary) inform the student's school by letter or email.
170. Student's school to remove student from roll and update school management system (ENROL) with withdrawal reason "home schooling" from day before exemption was granted.
171. If an exemption certificate is issued after Resourcing have run their declaration print for the 6 month payment term, regional staff should print a copy of the declaration form and include with the letter and exemption certificate to parents. (e.g exemption certificate issued 1 April and Resourcing ran declaration print on 10 March, region to include declaration form with letter.)
172. Staff update the ENROL database with enrolment in home schooling with start date of exemption certificate within five working days of approval. Or diarise for ENROL update on the student's sixth birthday, ENROL will not allow home education start date to be entered before the sixth birthday.
173. When the ENROL database has been updated, staff can file applications under the family name.

Declining home education exemption

174. If a decision is made to decline an application this needs to be clearly stated and supporting evidence provided. If there is uncertainty in making a clear decision the regional director can have the application peer reviewed by the lead home education contact in another regional office.
- **Note:** This is particularly important where the application is being declined for reasons other than not meeting [s38](#) requirements.

175. If the application is declined because the additional information provided is not sufficient or it still does not satisfy [s38](#) requirements, inform the parents ([refer to letter 4 in Appendix 2](#)). Record this in the RAD with a declined status with the applicable reason being curriculum/timetable unsatisfactory.
176. Applications can also be declined where there are child wellbeing issues that impact on 'to be taught at least as regularly and well'. These issues and concerns may be identified through a variety of sources including school principals or through information obtained from other external sources such as members of the public, hospitals, and local Oranga Tamariki staff. Must clearly be well documented.
177. Child wellbeing issues or concerns must be verified through robust supporting evidence and following appropriate processes (including if required giving parents a chance to respond to child wellbeing allegations).
178. Where an application is declined for reasons other than not meeting [s38](#) requirements, false declaration and child wellbeing concerns, these should be recorded in the RAD with the reason 'other' and supporting notes.
179. Where an application is declined for a student aged six to 15 and they are not enrolled at and attending a registered school, a [Non Enrolment Notification](#) (NEN) needs to be created, refer to [Non-enrolment procedures](#).
180. If the family have a shared or physical custody agreement in place and the child is in the care of both parents during the school week, what plans do both parents have to cooperatively support the child's education?
181. If there is doubt about a parents understanding of what has been written on their behalf and/or if they can deliver the stated teaching programme, contact the parents for additional information ([refer to requesting and considering additional information](#)).
182. For home education applications using the Accelerated Christian Education (A.C.E.) or similar curricula, evidence of appropriate diagnostic testing should be included.
183. Staff may need to support parents by explaining why their application has been declined. Parents to provide the responses to the key questions/concerns and resources.
184. Where an application is declined, staff should work with parents to develop a transition plan that supports a student's return to, or first-time enrolment at, school.

New application and request to appeal decision to decline application

Refer to ERO Reviews and Appeals Process manual

SECTION 3 – HOME EDUCATION ALLOWANCE PAYMENTS AND DECLARATIONS

185. The home education allowance is intended to assist parents in providing their children with supervision and resources for their education. The home education allowance is a contribution, not a full reimbursement for all the costs parents incur to home educate their child/children.
186. The home education allowance payment is retrospective and cannot be paid in advance. Payment of the home education allowance is the responsibility of the Resourcing team in National Office.
187. Payments will be direct credited to the bank account nominated by the parents. When parents are not living together, the parent who is responsible for providing the home education will receive the payment.

Amount of the supervision allowance

188. The amount of the home education allowance is:
- For the first child \$769 per annum (\$384.50 per half year)
 - For the second child \$654 per annum (\$327.00 per half year)
 - For the third child \$538 per annum (\$269.00 per half year)
 - For subsequent children \$385 per annum (\$192.50 per half year)

Non-payment of the supervision allowance

189. Reasons that the home education allowance may not be paid (status of the exemption certificate) include:
- a) The student is enrolled at a registered school (exemption certificate expires)
 - b) The family has moved overseas (exemption certificate expires at age 16 years [s38\(7\)](#))
 - c) Have not returned the declaration (exemption certificate expires at age 16 years [s38\(7\)](#))
 - d) The exemption certificate has been revoked
 - e) The child is deceased (exemption certificate expires)
 - f) The student is over 16 years of age (exemption certificate expires [s38\(7\)](#)). If the certificate was issued before the student's 16th birthday and the parents continue to submit a signed declaration confirming they are still home educating, the home education allowance can continue to be paid until the end of the year in which the student turns 19.

Pro rata payments

190. When students commence or exit home education, payments will be calculated on a pro rata basis for the time their child has been home educated within the instalment payment term (1 January – 30 June or 1 July to 31 December).
191. When parents notify a regional office that home education has ceased, staff will enter the information on the RAD and ENROL. This will be picked up when Resourcing prints out requests for a declaration towards the end of the instalment payment term.

False declarations

192. If a declaration is suspected of being falsified it is not to be actioned for payment. Further information should be requested from the parents. If fraud is suspected advice should be

sought from Legal Services. If Legal Services recommends informing the police, the police will determine if it warrants an investigation.

Declaration and home education allowance process

In March and August each year the Resourcing team send out a letter, a declaration, and a form for the home education allowance. Parents need to complete and return by the due date in the letter in order to be paid on time (June (January to June period) and November (July to December period)).

Declaration and home education allowance form sent

- 193. The Declaration provides the Ministry with assurance that the child is being schooled at least as regularly and as well as at a registered school. This applies to parents continuing to home educate children from 16 to 19 years.
- 194. "An exemption certificate expires when the person to whom it applies turns 16 years or enrolls at a registered school, whichever occurs first." "A certificate continues in force until it is revoked or expires." [Section 38 \(7 and 8\) Education and Training Act 2020](#)
- 195. Home education allowance form is for payment to the family. If the family do not return the home education allowance form, payment will not be made to the family.
- 196. A declaration form is sent with the home education allowance form to parents to confirm they are continuing with home education.
- 197. Where MOE is not satisfied that the child is still being taught as regularly and as well as in a registered school, we can request an ERO review of their home education.

Declaration returned and home education allowance paid (Please note: Under review)

- 198. If the declaration is signed and returned by email or post, the home education allowance can be paid.
- 199. It is the parents' responsibility to ensure that the Resourcing team has a correct postal address to send the declaration forms to.
- 200. The home education allowance is paid in June (for the January to June period) and November (for the July to December period).
- 201. The Home Education allowance is calculated in the RAD for each half year. A daily rate is applied for any period less than 6 months. If an exemption certificate is issued before the first gazetted school day of the school year:
 - The exemption certificate start date should be entered as 1 January or their 6th birthday, whichever is later. Having a start date of 1 January will ensure that the home education allowance will be paid for the full 6 months term of 1 January - 30 June.
 - A child who has been issued with an exemption certificate after the first gazetted school day of Term 1 will be paid a pro rata payment based on the time they have been home educated within the payment term (1 January – 30 June).

Parents can decline home education allowance

- 202. There is an option on the declaration form for parents to decline payment of the home education allowance. This will be noted in the RAD.

- The family details are loaded into the RAD as normal so that the check on the return of declarations is accurate.

203. If parents decline home education allowance, student's exemption will expire on their 16th birthday and should be ceased in the RAD in line with [Section 38 \(7 and 8\)](#). If parents wish to continue to home educate their child until their 19th birthday, they may need to complete a declaration form.

Non return of declaration for children aged 16 to 19 years (Please note: under review)

204. The Resourcing team sends a RAD generated reminder letter and new declaration forms to parents with children aged 16 to 19 years who have not returned their declaration. This is sent after the payment for returned declarations has been processed.
205. If the parents contact the Ministry within 10 weeks their allowance can be generally reinstated.
206. Where parents still do submit a declaration 10 weeks after the reminder letter, the Resourcing team sets their supervision allowance payments to ceased status in the RAD (generally in February and August) to prevent additional payments being made. The exemption will remain in place for a student aged under 16 years as noted in [Section 38 \(7 and 8\)](#)

Appendix 1 – Home education processing checklist for Ministry regional staff

HS Family #

Application Received

Process Commenced

Surname

First Name/s

Date of birth

Age

NSN

Gender

Application form attached

Previous sibling/s home educated Yes/No/N/A

Birth certificate attached

Guardianship verified Yes/No/N/A

ERO reports attached Yes/No/N/A

Visa attached Yes/No/N/A

School*

School phone*

School Email*

School Fax*

School Comment:*

Date:

Agencies:*

MOE Comment:*

* where applicable

Staff checklist and comments

Learning Support (Special Education) needs and requirements must be addressed so that s38 requirements are met ie, that the student will be taught at least as regularly and well as in a specialist school or a special service.

Section Two ("as well as")

A) Broad curriculum areas/programmes/teaching methods and learning activities

Learning areas:

- English
- Mathematics and Statistics
- The Arts
- Science
- Social Sciences
- Technology
- Health and Physical Education
- Learning Languages
- Other

Curriculum supplied by (if purchased/obtained from an external provider or organisation):

Is the content sufficient?

Topic Plan (contains the following)

- Aims
- Resources
- Methods
- Progress and Achievement

B) Resources (are or will be)

- Age appropriate

- A diverse range
- Enable or support the delivery of the stated curriculum so that it meets s38 requirements (ie, that the student will be taught at least as regularly and as well as in a registered school or in the case of a student with learning support needs and requirements in a specialist school or a special service).

C) Education goals for first year

- Are literacy/numeracy/other subjects covered in a manner sufficient to meet s38 requirements?
- Assessment (are there assessment elements incorporated in these goals?)
- Are the goals appropriate for age and development level?

D) Education goals for long term home education

- Appropriate goals have been set
- Consideration has been given to how these goals will be achieved

E) Detailed special project or topic plan

- Appropriate for age and development
- Has a progress and achievement component

Section Three ("as regularly as")

A) Teaching requirements

- Example of timetable or equivalent provided
- Optional notes

Section Four (other information added to support application)

- Optional notes

General

- I have phoned and/or emailed the parents/legal guardians in relation to this application (only if necessary)
- I have made face-to-face contact (if the above was unsuccessful)
- Any relevant comments or information from schools and/or any other relevant agencies has been considered (only if necessary)

Ministry Advisor/Senior Advisor or equivalent:

I am satisfied this child will be taught as well as they would be in a registered school (or special class or clinic or by a special service if they have learning support needs and requirements)

Yes No

I am satisfied this child will be taught as regularly as they would be in a registered school

Yes No

I recommend this application is approved or I recommend this application is declined

Signature _____ Date _____

* If the assessing advisor has recommended that this application be declined, then the decision must be peer reviewed and the peer reviewer MUST be from another regional office.

Peer Reviewer* Ministry Advisor/Senior Advisor or equivalent (generally only necessary where an application is being declined):

I recommend this application is approved or I recommend this application is declined

Signature _____ Date _____

Manager:

I recommend this application is approved or I recommend this application is declined

Signature _____ Date _____

Certificate of Exemption effective from (if the application is approved) ____/____/____

Data entry process checklist

- When the application is received check that there are no existing family records and ensure the status on the RAD is set to "pending".
- Update the home education status on Home Education RAD (when approved or declined or where the application has been lapsed or withdrawn)
- Print off letter of approval/decline and certificate (if approved) for parents/legal guardians
- Send this letter of approval/decline to school principal and/or other relevant external agencies (as and when necessary and appropriate)
- Enter on the ENROL database as Home Schooling (if approved) within 5 working days after approval or when the child turns 6 (whichever is the later)
- File the paper application and associated documentation. NB also ensure the paper or electronic versions of the application and associated documentation are stored in a suitable online repository, eg, File Net.
- Generate a NEN referral if the application is declined and the child is not enrolled at school.

Appendix 2 – Letters/email message to parents and schools

Suggested text for letters

Information letter/email to parents

Dear (insert name)

He mihi nui ki a koe,

Thank you for your request for information about home educating your child. Home education application form and guidance is available on Ministry of Education website, links [Home education application form.pdf](#) and [Home education application guidance.pdf](#). (Can attach hard copies if required)

Please note that while your home education application is being processed, and **your child is between the ages of 6 and 16 years, they must be enrolled at and attending a registered school** in accordance with Sections [35](#) and [36](#) of the Education and Training Act 2020.

If your child is enrolled at and attending a school, the Ministry will contact the school as part of the application process.

Heoi anō

(Relevant manager, Director, staff member from the appropriate regional office)

Letter 1 (to parents requesting additional information)

Thank you for your home education application for (insert student's name). To further progress your application, there are some areas where more specific details are required. These areas and additional information requirements are: (remove those that are not applicable and add in your own questions as necessary):

Philosophy/approach

Please demonstrate (through examples and evidence) how your philosophy/approach will meet the requirement to teach your child as regularly and as well as at a registered school.

Learning support (special education) needs

How do you plan to meet and review (insert student's name) learning support needs?

Curriculum and learning areas

Please provide more information on your intended education programme for (insert student's name). Describe in more detail the learning areas, educational outcomes and goals, and teaching of education programme.

Delegated teaching responsibility

Please provide more details on how you will retain overall responsibility and control for (insert student's name) education programme when you are delegating some of the teaching and learning to other online distance schools (Te Kura (New Zealand's distance school) and/or other providers).

Educational goals for the next 12 months

Please outline your educational outcomes and goals for the next 12 months and how you will know if you have met them?

Progress and achievement

Please provide more details on how you intend to keep records, track and measure (insert student's name) progress and educational outcomes.

Long-term vision for the child's educational journey

Please provide more details about the long-term aspirations for (insert name/s of child/children). You may want to consider long-term goals such as achieving University Entrance, securing an apprenticeship, having the skills to run a successful business, and developing key personal attributes.

Resources and reference material

Please provide details on the resources and reference materials you plan to use in (insert student's name) education programme. These resources should enable and support the effective delivery of this programme.

Topic plan

Please provide the following:

- Topic title
- Learning goals - what skills and knowledge will your child achieve, as a result of you teaching this topic
- Resources - what materials will you use to teach the topic
- Teaching Methods – how will you teach the material to your child
- Assessment – how will you track and measure your child's outcomes.

Regularity

In describing your teaching and learning programme can you demonstrate how you will meet the requirement that (insert student's name) will be taught at least as regularly as in a registered school.

This might include a description of a typical week's teaching and learning of your child's education programme, of timeframes. Examples include timetables of subject plan and activities, or calendar including dates and times of teaching on subjects and topic plans.

Letter 2 (to a school principal requesting information on home education applicants)

This letter (and the others below) will contain suggested text for particular scenarios or to support specific processes. Note that letters or emails 2-4 (inclusive below) are also available through the RAD which should be used in the first instance.

Tēnā koe (principal name if known)

Re: (insert student's name). We have received an application from the parents of (students name) for an exemption from enrolment in a registered school to home educate (students name).

The Education and Training Act 2020 states that children being educated at home must be "taught as regularly and as well" as they would be in a registered school.

We would appreciate information on (insert student's name)'s:

- Educational achievements
- Regularity of attendance
- Strengths and barriers to engagement
- Social engagement
- and any other information which may have relevance to application for exemption.

Your input will be considered alongside the application to determine if (insert student's name) would be "taught as regularly and as well" as they would in a registered school.

Can you provide this information by email or phone call within the next 5 working days.

Please note that a copy of the information you provide can be requested by (insert student's name)'s parents/guardians.

Letter 3 (to parents advising certificate has been granted)

Your application for (insert student's name) to be exempt from enrolment at a registered school to be home educated, has been approved. *(For children who are five years old only add the following text: Please note that this certificate does not come into force until (insert name of child) sixth birthday).*

Please find enclosed a certificate of exemption from enrolment granted under Section 38(1)(a) of the Education and Training act 2020 for (students name). This certificate of exemption only applies while you are living in New Zealand.

I will inform (students' school) that a certificate of exemption has been granted and they will remove (students name) from their school's roll. If you wish, you may request a copy of (insert name of child) school records.

Home education programmes are monitored from time to time by the Education Review office (ERO), who review home education on behalf of the Ministry of Education. We will advise you of a review if this occurs.

Please see parents.education.govt.nz/home-education for information and resources you may find useful while home educating.

I wish you and (students name) every success in your home education journey. If you have any questions, please call me.

Letter 4 (to parents advising application has been declined)

Thank you for your application for exemption from enrolment in a registered school to home educate (insert student's name). After careful consideration, I regret to advise you that your application has been declined.

I acknowledge the effort you put into your application and your intention to provide an education "at least as regularly and as well as in a registered school" for (insert student's name).

After reviewing all information available to us, there was not enough evidence to provide confidence you are able to ensure that: *(delete bullet points that are not appropriate and provide supporting evidence or examples where possible):*

- The level of education is comparable to one provided at a registered school.
- The education programme will be provided regularly over the year/s.
- You have adequately planned the curriculum coverage for the first year and subsequent years of your home education programme.
- You have the required knowledge and understanding of your intended education programme. Learning resources appropriate to your child/children's age and education needs will be used
- Recording, measuring and evaluation of progress will be undertaken, recorded and used to strengthen your child's education programme.

- You have the ability to deliver and teach the education programme described on the application
- Your child/children's learning support needs will be met as well as in a learning support class, or clinic or by a learning support service.

A letter will be sent to the Principal of school notifying them of this decision. The letter will not include the reason(s) for the decline.

(Student's name) is legally required to be enrolled and attending a registered school between ages 6 and 16 years while your application is being reviewed and during the appeal process. You will need to ensure (student's name) is enrolled in a registered NZ school (for children who are aged five years - ADD 'when (insert name of child) turns six years').

You can submit a review or appeal the decision.

To submit a review, please email your request to me and the application will be reviewed by another regional office.

or

Your application has been reviewed by another regional office and has been declined. You can request an appeal against this decision and follow the appeal procedure outlined below.

If you submit an appeal, please write to the Secretary of Education and email this to me, or the regional director [region]. Our addresses are listed below.

When we have received your appeal, Education Review Office (ERO) will review and report on their recommendations. The Secretary of Education (or representative) will confirm the final decision to approve or decline the exemption certificate.

The remaining letters below are not available via the RAD so these should be used at least as a guide to inform your conversations with parents on complaints, ERO referrals, their responsibilities following revocation of their certificate, and requirements for teaching in large groups.

Letter 5 (advice to parents on large groups and how to apply for registered school status)

Dear (insert name)

I have received information that (insert student's name) may be attending an unregistered school. The available evidence (insert appropriate details here) suggests that you may be providing structured and frequent educational assistance to a number of children whose parents hold certificates of exemption issued under [Section 38 of the Education and Training Act 2020](#) (the Act).

The nature of the assistance you are providing (give details) would seem to indicate that you are operating as a private school. As such I require you to apply for registration under [Schedule 7 of the Act](#).

Registration as a school means you must meet the legislative requirements of Schedule 7 of the Act. You will need to meet the criteria for registration as a private school, [Schedule 7 \(2\)](#) of the Act.

Enclosed is an application for provisional registration of a school to be completed by (insert date) and returned to me.

If you consider you do not meet the criteria for a private school please respond in writing by (insert date). If you are running an unregistered school please cease your current operations and inform me in writing that you have done so.

Failure to comply with registration of a private school whilst operating as an unregistered school may lead to prosecution under [Schedule 7 of the Act](#).

Letter 6 (advice to parents teaching small groups)

Dear (insert name)

In response to your query of (insert date) regarding what constitutes an unregistered school, [Section 38 of the Education and Training Act 2020](#) does not contain any requirement for children to be taught in their own home. Parents can employ others to teach their children or parents can teach someone else's children.

However, parents must retain overall responsibility for ensuring their children are taught at least as regularly and as well as in a registered school. Failure to do so can result in their certificates of exemption being revoked.

If you are operating as an unregistered school, you may be in breach of [Schedule 7](#) of the Act if you continue to provide structured and frequent education to a group of children from several families. In the past, when the Ministry has become aware of groups that may be operating in breach of [Schedule 7](#) it has taken action to ensure that the operation is ceased or a suitable application is made to become a registered school.

Appendix 3 - Home education philosophies and approaches

This section summarises the major home education philosophies and approaches based on the ones listed in the application guidance and the NCHENZ website.

- This does not preclude parents adopting others.
- Where other home education philosophies are adopted, staff should undertake independent research to obtain more knowledge on them and more importantly be satisfied it will allow the parents to meet s38 requirements.

Charlotte Mason

This Christian-based approach is widely used by home educators. Its main philosophy is that children learn best from 'live' books that are engaging and written by authors with a 'passion' for the topic, not text books that tend to be largely fact-based. Instead of learning through lectures, children are required to narrate back what they have learned from being read to, or through reading or observation. Children engaging with the outdoors is encouraged.

Formal lessons do not commence until the child turns six with written narration occurring between the ages of 10-12. There are no formal texts or assessments. Instead there is an emphasis on short, focused lessons. The main subjects covered are: literature, art, music, poetry, bible-study, and history (through a chronological approach using historic fiction). More information on <https://simplycharlottemason.com/>

Classical

Classical education is based on a medieval 'trivium' of grammar, logic, and rhetoric. Grammar from Years 1-6 focuses on memorisation and general 'gathering' of knowledge in each subject. The Logic Stage (Years 7-8) focuses on a developing a child's abilities to understand the abstract, identify cause and effect, and use formal logic, analysis, and criticism. The Rhetoric Stage (Years 9-12) is when students concentrate on using their knowledge and reason to express their thoughts in clear, eloquent writing and speech. It has its own dedicated list of resources including history and science which use non-formal books and text.

Montessori

The focus of the Montessori approach is on independence, freedom within limits, and respect for a child's natural psychological development. The Montessori approach involves teaching based around a child's natural interest and activities rather than formal methods. This approach also stresses the importance of a child being free to investigate and make choices about the things they want to do. In large families Montessori can be beneficial with its emphasis on cooperative learning where older children teach younger ones, and younger ones learn by example. More information on [Montessori Education](#)

School at home

Home educators provide a fixed curriculum and timetable to mimic an actual school. The curriculum is generally a formal one that is either the official NZ Curriculum or is based on it. However, the curriculum can also be derived using text books and online resources, for example the Down the Back of the Chair ones outlined in Appendix 5 below. This alignment with school can also extend to assessments and associated records and a dedicated room and school type furniture for lessons.

A common example of a school at home approach is the Christian Education New Zealand (CENZ) curriculum and qualifications via Home Schooling New Zealand or the Accelerated Christian Education or the A.C.E. curriculum and qualifications via Home Education New Zealand.

Unschooling

This is the opposite approach to the school at home one. While many of its advocates prefer alternative terms such as natural, child-led, or free-range learning at its core is a belief that learning occurs at all times in all contexts through 'teachable moments'. It is an unstructured but integrated approach that like Montessori is based on the child's interests and passions.

Parents act as facilitators and do not try and direct their child's learning pathway. However, parents can and do assist the child's exploration through the provision of resources, opportunities, and liaising with experts. But they do not determine the 'depth' that the child goes to in their chosen subject of interest.

Unit studies

This approach involves integrating literacy, numeracy, science, arts, the humanities, and other learning areas using a particular subject(s) linked to the child's interests. For example, if a child was interested in butterflies they might read and write a story about them (literacy), investigate patterns and symmetry or do a 'head count' (numeracy), examine the butterfly's life cycle (science), and do butterfly inspired art and craft (art).

Waldorf

This approach is based on the work of Rudolf Steiner, an Austrian philosopher and teacher. The Waldorf approach is holistic and stresses the importance of a child's body, mind, and spirit in their learning. Formal instruction is delayed until the child turns seven. Priority is given to developing subject matter that is truly relevant to the child's 'inner life'. The Waldorf approach emphasises arts and crafts, music and movement, natural science, spirituality, and group social skills. Children routinely record their experiences, thoughts, and conclusions, including daily drawing and painting. More information on <https://www.waldorfeducation.org/waldorf-education>

Eclectic

This approach adopts various components of the above and other philosophies and sources. This approach gives home educators the flexibility to adapt their teaching and learning programme to fit in with the family's goals, commitments, and lifestyle. This approach could, for example, consist of using unit studies supplemented by a formal curriculum for maths, attending set activities at specific times during the week, and having afternoons devoted to child-led learning opportunities. Information on [Homeschooling Methods: Eclectic Homeschooling \(educationcorner.com\)](https://www.educationcorner.com/Homeschooling-Methods-Eclectic-Homeschooling)