

# Regulatory Impact Statement: Attendance Management Plans for School Boards

## Coversheet

Purpose of Document	
Decision sought:	This analysis is produced for the purpose of informing Cabinet decisions on legislative amendments to require school boards to develop an Attendance Management Plan and on the creation of an empowering provision to enable regulations that specify components of the plans. Such a plan would set out the Board's processes and strategies for managing attendance and identifying and responding to patterns of absence.
Advising agencies:	<i>Ministry of Education</i>
Proposing Ministers:	<i>Hon David Seymour, Associate Minister of Education</i>
Date finalised:	9 September 2024
Problem Definition	
Schools have a key role in ensuring students attend school and have a legal obligation to take steps to ensure they do. However, some schools aren't effectively or consistently responding to address the diverse causes of non-attendance.	
Executive Summary	
<p>School attendance is associated with education achievement and better life outcomes. New Zealand is experiencing low rates of regular school attendance, and the Government has made attendance a key priority through its attendance action plan.</p> <p>Schools have a key role alongside parents in ensuring students attend school and are required to do so under section 36 of the Education and Training Act (the Act). However, reports from the Education Review Office (ERO) suggest that some schools aren't effectively or consistently responding to address the diverse causes of non-attendance.</p> <p>This Regulatory Impact Statement (RIS) assesses options to increase clarity around how schools are expected to meet their obligations under section 36 of the Act, and the likelihood that schools are more effectively and consistently responding to address the diverse causes of absence. The options include creating a legislative requirement for schools to have an Attendance Management Plan (AMP) and creating a legislative requirement for schools to follow the Stepped Attendance Response which is currently being developed by the Ministry of Education (the Ministry). This analysis finds that the most practical option is a requirement for schools to have an Attendance Management Plan.</p>	
Limitations and Constraints on Analysis	
The need to meet the deadlines for inclusion in the Education and Training Amendment Bill No 2 (ETAB 2) has placed constraints on policy analysis for the attendance management plan (AMP) proposal. 9(2)(f)(iv) [REDACTED]. Given the timing for final	

decisions to be made, and the sequencing of the advice to Cabinet on the attendance action plan, there have been constraints for the Ministry’s analysis including:

- **Limitations for treaty analysis** - lack of consultation has meant that the analysis does not take into account the views of Māori and the impact of the proposed options on ākonga Māori and Kaupapa Māori education settings is unclear.
- **Sector engagement:** We have not engaged with the education sector directly due to time constraints. This has created a risk that we do not to fully understand implementation implications for schools or the extent to which they would be fit for purpose for particular learners. We will continue working with the sector to ensure initiatives are fit for purpose and workable in all settings and for all learners. Some of this risk may also be mitigated through Select Committee processes and detailed implementation planning that will inform the design and content of any regulations that are introduced following enactment.

**Responsible Manager(s) (completed by relevant manager)**

*Jennifer Fraser*

*General Manager, Schools Policy*

*Te Pou Kaupapahere*

*Ministry of Education*

*23 April 2024*

**Quality Assurance (completed by QA panel)**

Reviewing Agency:	Ministry of Education
Panel Assessment & Comment:	<p>The Ministry of Education’s Quality Assurance Panel has reviewed the Regulatory Impact Statement produced by the Ministry of Education and dated 9 September 2024. The panel considers that it meets the Quality Assurance criteria. It is concise and makes a clear case, on balance, for the preferred option.</p> <p>However, the time constraints under which it was prepared and the subsequent lack of information on stakeholder impacts and views on the options means that there is some uncertainty about the potential impacts of the proposal. Robust monitoring of compliance and the impact of these changes on schools’ management of attendance will be crucial to the success of these proposals. The Statement clearly identifies the constraints on the analysis.</p>

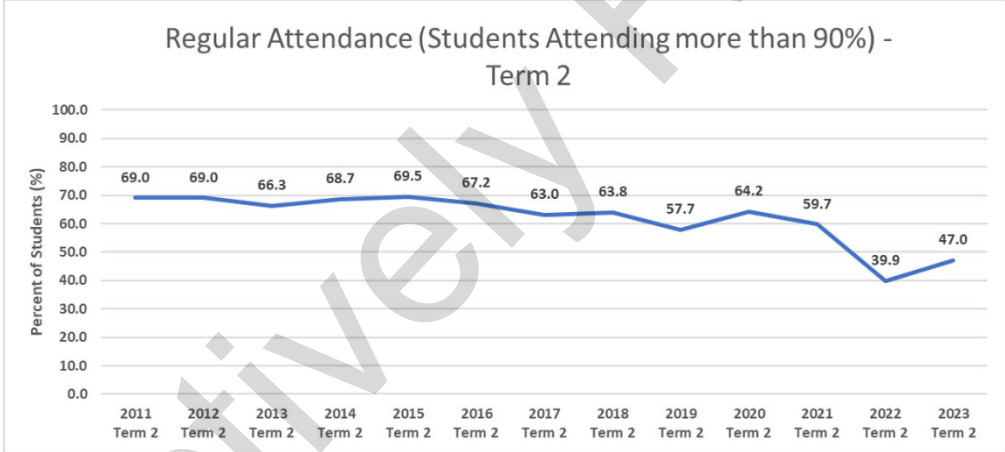
# Section 1: Diagnosing the policy problem

## What is the context behind the policy problem and how is the status quo expected to develop?

### New Zealand has low rates of regular school attendance

- 1. There is a long-standing concern that attendance rates are low in New Zealand. Between 2015 and 2019 regular attendance rates<sup>1</sup> declined from 69.5% to 57.7%. The COVID-19 pandemic has accelerated this decline due to disruptions and isolation requirements and was at 39.9% in Term 2 2022. There has been a recent recovery with regular attendance rates up to 53.6% in Term 4 2023. However, it is not back to pre-COVID levels yet and it is too early to say whether this is going to be an upward trend. New Zealand's attendance rates are lower than in other countries that use similar attendance measures such as Australia, the USA, England, and Ireland.
- 2. Students who are chronically absent (attending less than 70% of the time) are at risk of poor education outcomes and poor life outcomes. Some groups of students are over-represented in low attendance rates. For example, attendance rates have been lower for students in lower decile schools,<sup>2</sup> Māori and Pacific students, and secondary school students.

Figure 1: Regular attendance in New Zealand has been declining



### The drivers of attendance and absence are complex

- 1. The reasons for New Zealand's overall decline in regular school attendance are wide ranging and interrelated. Drivers of absences include both in school and out of school factors:
  - a. **Out of school factors** include health and mental health issues, lack of resources for transport, food or school-related materials, disruptions in the family or low parental expectations, and community or system level factors like insecure housing and poverty.

<sup>1</sup> Regular attendance is defined as attending school more than 90% of the term

<sup>2</sup> The decile system, which measured the overall socio-economic mix of students at a school, was replaced with the Equity Index in January 2023.

- b. **In school factors** include bullying and discrimination, poor teacher-student or teacher-parent relationships, relaxed attitudes around attendance in the school, and the curriculum not being sufficiently engaging or culturally responsive.
2. Because of these wide ranging and interrelated drivers of absences, there are many groups who have responsibilities for supporting attendance, including the Ministry, schools, parents and whānau, other government agencies and the wider community.

### **Schools have responsibilities to make sure that enrolled students attend**

3. Schools are required under section 36 of the Act to take all reasonable steps to ensure that the school's enrolled students attend school when it is open.
4. To help schools to meet their responsibilities, the Ministry provides guidance on developing attendance plans and responding to absences and funds Attendance Services and local initiatives through the Regional Response Fund.<sup>3</sup> Takiwā staff have also increased their focus on attendance in recent years as part of the Attendance and Engagement Strategy published in 2022 by the previous Government.

### **Some schools are not effectively or consistently responding to address the diverse causes of non-attendance**

5. Reviews undertaken by the Education Review Office (ERO) in recent years suggest that some schools are not effectively and consistently<sup>4</sup> responding to address the diverse causes of absence in their sphere of influence. While most schools are providing positive educational experiences for students, there are variations in practices. For example, an ERO report published in 2022 found that not all schools have systems to identify attendance patterns, and that schools have variable expectations for regular attendance.<sup>5</sup> These findings were largely repeated in an ERO briefing provided to the Associate Minister in 2024.<sup>6</sup> This report also found that in some areas many schools were doing better.
6. Based on our review of these reports and feedback from takiwā staff, we have summarised the reasons for this variation in response as being that some schools:
  - a. may not be clear about what the expectations are for attendance.
  - b. are not closely monitoring students who have had low attendance, or don't have plans in place to respond quickly when there are signs that attendance is slipping.
  - c. make assumptions about students' needs and the barriers to their attendance and may not be engaging sufficiently and effectively with students and their families and whānau to accurately identify them.

---

<sup>3</sup> Local initiatives funded by the RRF include supporting families to access / fund the basics needed to get students to school, assigning or appointing people to focus on attendance within schools, and raising awareness through community events and social media campaigns

<sup>4</sup> Consistency here refers both to consistent responses to absences within a school and that all schools are at a minimum using a data informed and systematised approach to monitoring and responding to absences.

<sup>5</sup> Education Review Office (2022) *Missing Out: Why Aren't Our Children Going to School?* page 111. Available at [Missing Out: Why Aren't Our Children Going to School? \(ero.govt.nz\)](https://ero.govt.nz/missing-out-why-arent-our-children-going-to-school/)

<sup>6</sup> Education Review Office (2024) *Emerging themes from fieldwork: Evaluation of supports for addressing persistent absence from school* (Briefing).

- d. are not clear about when it is appropriate to intervene. Some schools wait too long to intervene, while in other cases some schools withdraw support too early.
- e. are not clear what their roles and responsibilities are separate to those of the Ministry and other actors which leads to both gaps and overlaps in the work that different people and agencies do, as well as poor collaboration and information sharing in general.
- f. may lack the resources, capacity or capability to manage attendance effectively.

**This Government has launched the attendance action plan to respond**

7. In March 2024, the Government announced its attendance action plan which identified immediate actions and committed to investigating more systemic change that should have meaningful impact. One of the immediate actions included in the action plan was to develop a Stepped Attendance Response (STAR) which sets out the requirements and expectations for parents, schools, and the Ministry at different levels of a student's attendance. The guidance will specify baseline expectations for schools, parents and the Ministry and identify thresholds (numbers of days absent) at which responses are required. A more fulsome description of the STAR is provided below.

## What is the policy problem or opportunity?

- Expectations around how schools should manage attendance and respond to absences are not clearly set out in legislation or in current guidance. This means that there are inconsistencies for some schools in how they are meeting their obligations to ensure their students attend school, and that it is difficult for the Ministry to enforce compliance.

## What objectives are sought in relation to the policy problem?

- The key objective of this change is for expectations around how schools manage attendance and respond to absences to be more clearly set out for schools. This will mean schools will be more likely to be effectively and consistently responding to address the diverse causes of absence (within their spheres of influence). The Ministry expects schools to:
  - regularly monitor students' attendance and respond quickly and appropriately when there are signs that attendance is slipping.
  - be clear about their role and specific expectations in relation to attendance and that it should be a priority for them.
  - engage with students and families/whānau to identify students' needs and the barriers to their attendance.
- This is only one aspect of a wider set of actions to improve attendance rates. We would expect that alongside other interventions, such as strengthening board objectives around attendance and mandating the provision of daily attendance data, these objectives would contribute to better and more equitable outcomes in attendance for all students.

## Section 2: Deciding upon an option to address the policy problem

### What criteria will be used to compare options to the status quo?

- The Ministry has assessed the options based on the following criteria and compared them against the status quo. These criteria are developed to assess the overall costs and benefits of each option and the extent to which they meet the policy objectives.

Criteria	Description
<i>Effectiveness</i>	The extent to which the options are likely to achieve the policy objectives.
<i>Consistency</i>	The extent to which the option encourages consistent, data-informed approaches in how schools identify and respond to attendance issues.
<i>Flexibility</i>	The extent to which the option allows flexibility for schools to respond to attendance issues in a way that addresses the unique needs and context of their school community.
<i>Costs</i>	The extent to which the option poses fiscal costs and administrative burden on schools, and implementation costs for the Ministry.
<i>Honouring Te Tiriti</i>	The extent to which the option honours Te Tiriti o Waitangi / The Treaty of Waitangi.

## What scope will options be considered within?

12. We considered two different levels of regulatory options as well as a non-regulatory option, which is the status quo.
13. We considered a 4<sup>th</sup> option to mandate Attendance Management Plans through regulations without additional procedural requirements. This would have enabled requirements to come into effect faster. However, this option was discarded because of the desire to require school boards to have regard to operational guidance from the Secretary of Education when developing their plan and have thresholds which trigger interventions to be used. Because current regulation empowering provisions in the Act would not allow for this level of specificity, this could only be achieved through amending the Act.
14. Options that aimed to address resourcing or capability were considered out of scope for this review as they would require additional funding.

## What options are being considered?

### Option One – Status quo

15. To support schools to meet their legal obligations under section 36 (2) of the Act to take all reasonable steps to ensure that the school's students attend the school when it is open, the Ministry encourages schools to have an attendance management plan. This helps them to monitor and manage student attendance and measure the effectiveness of relevant policies, processes and procedures relating to attendance. The Ministry also provides operational guidance on developing these plans and on school responses to absence in general.<sup>78</sup>
16. Schools are not currently required to have an attendance management plan, however takiwā staff report that most schools currently have some form of an attendance policy or an attendance plan, although these are variable in quality and content.
17. Decisions have already been taken to enhance the status quo by introducing the STAR and updated guidance from Term 1 2025. This guidance will be more specific and prescriptive than currently, and implementation will be supported by takiwā. However, there will be no legal requirement on schools to use the STAR and follow guidance.
18. The STAR will outline baseline expectations for schools relating to attendance and have a set of thresholds for responding to different levels of absence. It will also clarify the Ministry's role in managing and responding to absence. Details about what will be included in the STAR have not been finalised or tested with the sector, however expectations for schools currently include:
  - a. *Baseline expectations*

There will be a number of expectations for schools' day-to-day operations that they should be taking as a preventative measure for all students. These include understanding the attendance history of new students, regularly gathering feedback from students and parents to support effective teaching practice, and actively minimising disruptions to the school term.

---

<sup>7</sup> Ministry of Education (n.d.) *Attendance is a shared responsibility* (Webpage) available [here](#).

<sup>8</sup> Ministry of Education (2011) *Attendance Matters: Guidelines for implementing an effective attendance management plan*. Available [here](#).

b. *Responding to absences*

As well as these baseline requirements, schools will be expected to respond at different levels of absence. These levels include less than 5 days, up to 10 days absence in a school term, up to 15 days absence in a school term, and 15 days or more of absence in a school term. Any student who reaches a specified threshold will trigger a proportionate response from their school and the Ministry. This could include a letter to parents/caregivers, identifying barriers to attendance and developing an improvement plan, and in some cases prosecution of parents.

**Option Two – Legislative requirement on Boards to implement the STAR.**

19. As well as introducing the STAR and updated guidance, Option two would amend the Act to require boards to adopt the full content of the STAR as their response to student absence. Under this approach, the STAR will shift from recommended guidance to a prescriptive roadmap of steps and processes that schools will be required to follow.

**Option Three – Legislative requirement on Boards to have an Attendance Management Plan (AMP)**

20. As well as introducing the STAR and updated guidance as in Option one, Option three would amend the Act to require boards to have an AMP that sets out their processes and strategies for managing attendance and identifying and responding to absence with the aim of returning students to regular attendance. Schools would be required to have regard to any operational guidance on school attendance management, published by the Secretary for Education, when developing their AMP (such as the STAR).
21. Under Option three, school AMPs would be required to include the following content:
- a. threshold ‘triggers’ for various school responses, linked to the number of absences a student has had over a school term, set in regulations under the Act;
  - b. processes and procedures schools will take to identify the issues that make attendance challenging for a student; and
  - c. strategies or interventions to respond to underlying causes of absence, which may vary according to levels of absence.
22. Boards would also be required to:
- a. publish the AMP on the school website so it is available to the public; and
  - b. re-develop and adopt a new AMP as prescribed in regulations.
23. The Act would also be amended to enable the making of regulations that create more detailed requirements for school boards regarding AMPs including:
- a. the form and content of plans;
  - b. essential components of plans;
  - c. specific data-based thresholds requiring schools to act and respond;
  - d. review periods for plans; and
  - e. commencement and transitional provisions.

## How do the options compare to the status quo/counterfactual?

Key	Significantly better than the status quo	+++	Much better than the status quo	++	better than the status quo	+	About the same as the status quo	0	Worse than the status quo	-
-----	--	-----	---------------------------------	----	----------------------------	---	----------------------------------	---	---------------------------	---

	Option one – Status Quo	Option Two – Duty to implement the STAR	Option Three – Duty to have an AMP
<b>Effectiveness</b>	<p>0</p> <p>There is evidence of varying practice between schools. Some schools may not be responding effectively to address the diverse needs of students.</p> <p>While there may be some improved consistency and effectiveness through the STAR, option one does not effectively meet the stated objectives as it will not be mandatory and therefore expectations will not be elevated, and fewer schools will comply.</p>	<p>+</p> <p>Option two more effectively meets the objectives as it will have detailed requirements that will increase clarity for schools and require them to monitor and respond to students' attendance. This would be more effective than the status quo as it will be required through legislation and therefore elevate the expectations for schools. However, option three would not allow schools to address the diverse causes of absence as effectively as there will be less flexibility in how they are able to respond. This may lead to unintended consequence of further alienating some students and families/whānau from the school.</p>	<p>+++</p> <p>Option three effectively meets the objectives as mandatory AMPs would push schools to more systematically consider their responses and monitor and respond to student absences. Legislated specifications around thresholds for responses being set out in legislation will clarify expectations for schools. We expect these factors to result in greater consistency in their response to absences.</p>
<b>Consistency</b>	<p>0</p> <p>There is evidence that school responses and the degree to which schools adhere to Ministry guidance varies between schools.</p>	<p>++</p> <p>Option two would result in greater consistency because making the STAR mandatory will increase the number of schools that follow it. The STAR will also have more detailed specifications about what schools' baseline expectations should be as well as what they must do at each threshold of absence than the AMP.</p>	<p>+</p> <p>Option three would set minimum expectations including for interventions at specific thresholds. It will also require certain processes relating to the AMPs including identifying causes of absence. This will mean schools are more likely to systematically respond to absence, and engage with students, their families/whānau and the Ministry at specific points. This will increase consistency to some extent.</p>

<b>Flexibility</b>	<p>0</p> <p>There is currently a high degree of flexibility as there are no detailed requirements around how schools should respond to attendance issues.</p>	<p>--</p> <p>Option two has the least flexibility as it will require schools to follow uniform procedures and responses. Under this option there is less opportunity for schools to adjust their practices to suit the specific needs of their community. This could have negative impacts for groups with differing needs such as Māori, Pacific, disabled and rural students.</p>	<p>-</p> <p>Option three retains some flexibility and will also encourage schools to tailor their plans to suit their specific needs. While schools will be required to have an AMP with certain specifications around content and processes, the school will have some discretion regarding the contents of their AMPs and what the process steps would look like.</p>
<b>Costs</b>	<p>0</p> <p>Compliance costs for schools who wish to follow the guidance would be able to be met within baseline, which includes funding for schools to meet their legal obligations. There will be minor costs for the Ministry in developing and publishing STAR guidance and updating attendance management templates, and in supporting implementation, under the status quo.</p>	<p>-</p> <p>Costs for the Ministry would be higher than the status quo as the Ministry would need to support the implementation of the STAR for more schools.</p> <p>While we don't expect costs would necessarily be significantly higher than for option three, an effective regulatory system for the level of prescription under this option would require higher resourcing for guidance, support, monitoring compliance and enforcement.</p>	<p>-</p> <p>Costs for the Ministry would be higher than the status quo as the Ministry would need to support the implementation of the AMP and STAR for more schools.</p> <p>We don't expect the creation of a plan to be costly and will be able to be met within baseline funding, which is already intended to cover attendance responses, however we haven't tested this with schools.</p> <p>Takiwā have indicated that this requirement will involve a minor change for some schools, but a bigger change for others.</p>
<b>Te Tiriti</b>	<p>0</p> <p>Kaupapa Māori and Māori medium kura would continue to have a high degree of rangatiratanga as it relates to Article 2 of te Tiriti, in how they respond to absence. Autonomy for these kura is important as attendance appears to be</p>	<p>-</p> <p>While the overall effectiveness of option two is high, it could be ineffective in kaupapa Māori and Māori Medium settings and for ākonga Māori in other schools. This is because the prescriptiveness will mean kura Māori have less flexibility to design processes that work for</p>	<p>-</p> <p>While the overall effectiveness of option three is high, similarly to option two it could be ineffective in kaupapa Māori and Māori Medium settings and for ākonga Māori in other schools. However, a degree of rangatiratanga may be retained as they would be able to design AMPs</p>

	<p>a less significant factor for achievement in these settings than it is for ākonga Māori in English medium schools.</p> <p>However, some English medium schools do not effectively or consistently respond to address the diverse causes of absence, of which ākonga Māori are overrepresented. This issue will not be addressed by option one.</p>	<p>them, and English medium schools will have less flexibility to design processes that work for ākonga Māori. This is mitigated by the increased focus on encouraging attendance.</p>	<p>in a way that meets their priorities. This will also be mitigated by the increased focus on encouraging attendance.</p>
	0	-	+

Proactively Released

## What option is likely to best address the problem, meet the policy objectives, and deliver the highest net benefits?

*We recommend option three*

24. After assessing the options against the above criteria, we consider that Option three would result in the highest net-benefit.
25. While Option one and Option three both scored the same on the options analysis table, we consider that the disadvantages associated with minor fiscal and administrative costs, reduced flexibility for schools, and a lower treaty/Tiriti scoring, are outweighed by the benefits of increased effectiveness and consistency. Requiring schools to have an AMP in legislation will elevate the expectations on schools regarding how they are to meet their obligations under section 36 of the Act. This will mean that more schools will be systematically considering their responses, and monitoring and responding to student absences. Setting threshold triggers for school responses in primary legislation will also clarify expectations for schools and when the Ministry should intervene.
26. While Option two will also increase clarity for schools and consistency in how they respond to absences, because the requirement is more detailed and prescriptive, there would be a higher compliance cost for schools, and reduced flexibility in how they manage attendance and respond to absences. This could reduce their ability to address the diverse causes of absence which would impact on Māori expression of rangatiratanga and could reduce effectiveness of approaches for students with potentially varying needs such as Māori, Pacific, disabled, and rural students. The Ministry wants to ensure the STAR works as intended and is fit for purpose before placing any legal requirement to give effect to the detailed contents.

## What are the marginal costs and benefits of the option?

27. The table below sets out the costs and benefits of Option 2 against the status quo. We expect to have more certainty around the potential costs and benefits following consultation and engagement with the sector in Term 3 2024.

Affected groups	Comment	Impact	Evidence Certainty
<b>Additional costs of the preferred option compared to taking no action</b>			
Regulated groups (State school boards and school principals)	<p>Schools and kura that do not have an AMP will need to develop one. Where the school's AMP does not currently contain the content specified in regulation, they will need to update their AMP to meet the requirements. There will also be a cost on schools to periodically review and potentially redevelop their AMP.</p> <p>We expect these costs to be minimal and to be met within baseline operational funding. Because schools and kura are already required under section 36 of the Act to take all reasonable steps to ensure their students attend, we expect operational funding to already be covering these activities. However, for some schools with bigger pressures, or very small rolls, there is a risk that this expectation will focus their resources away from operationalising attendance issues. This will be mitigated by the development of guidance and templates to support schools.</p>	Low	Low.
Regulators (Ministry of Education)	<p>The Ministry will develop guidelines and templates to support schools and Ministry frontline staff will support, monitor and manage the implementation process where required. It is anticipated that this will be met through baseline departmental spend.</p> <p>The Minister may put forward a bid for Budget 25/26 following results from reviews of services and further work by the Ministry to identify costs involved with implementation of guidance by the Ministry.</p>	Low	Medium

Parents, students and whānau	No cost	No cost	Medium
Others (e.g., agencies such as ERO)	ERO may have additional compliance and monitoring costs.	Low	Low
<b>Total costs</b>		Low	
<b>Additional benefits of the preferred option compared to taking no action</b>			
Regulated groups (State school boards and school principals)	Schools can get greater clarity around what is expected of them.	Low	Medium
Regulators (Ministry of Education)	There may be increased transparency from the requirement on schools to publish their AMPs. However, the extent to which the Ministry will be able to monitor this is unclear.	Low	Medium
Others (e.g., parents, students, whānau)	Schools are likely to be clearer about their expectations and therefore be likely to take better measures to prevent attendance rates from slipping and provide the help that students and families/whānau may need. There will be increased transparency as AMPs will be published for students and families/whānau to view.	Low	Low
<b>Total benefits</b>		Low	Medium

## Te Tiriti o Waitangi/Treaty of Waitangi Analysis

27. The Crown has a duty to actively promote and protect Tiriti/Treaty rights and interests and to develop education settings in a way that supports Māori-Crown relationships. The following summary of Te Tiriti/The Treaty implications considers the ways in which this policy may intentionally or unintentionally impact Māori and assesses each option against articles 1-3 of Te Tiriti/The Treaty. While separate columns have not been included for the preamble and Article 4 of Te Tiriti/The Treaty, provisions relating to these, such as the extent to which options protect from harm, enable cultural customs, or recognise wairua, mauri, rongoā and tikanga, have been considered where relevant.

Key: Each option is ranked based on the following criteria.	Poor	Limited	Fair	Excellent
	<p><b>Little or no</b> consideration of the article, principle, or outcome domain.  <b>Little or no</b> evidence can be provided to answer questions.  <b>Significantly more</b> consideration of the article, principle, or outcome domain <b>is needed</b>.</p>	<p><b>Limited</b> consideration of the article, principle, or outcome domain.  <b>Limited</b> evidence can be provided to answer questions.  <b>More</b> consideration of the article, principle or outcome domain <b>is needed</b>.</p>	<p>A <b>fair amount</b> of consideration of the article, principle, or outcome domain.  <b>Sufficient</b> evidence can be provided to answer questions but <b>there are gaps</b>.  <b>More could</b> be done to ensure consideration is excellent.</p>	<p><b>In depth</b> consideration of the article, principle, or outcome domain.  <b>Sufficient</b> evidence is provided to answer all questions with <b>no gaps</b>.  <b>Still potential</b> for more development.</p>
	Article 1: Kāwanatanga	Article 2: Tino Rangatiratanga	Article 3: Ōritetanga	
<b>Interpretation</b>	The Crown has the right to govern (kāwanatanga). Good governance must protect Māori interests and ensure equitable Māori engagement and/or leadership in priorities and decisions.	Provides Māori with tino rangatiratanga or absolute sovereignty over all their whenua, kāinga and taonga.	Promises to Māori the benefits of royal protection and full citizenship. This Article emphasises the rights of Māori to live as Māori in a manner consistent with whānau, hapū and/or iwi values and traditions.	
<b>Relevance to problem definition</b>	The Crown's Kāwanatanga commitments include engaging with Māori when making decisions that will affect them. Genuine engagement with Māori representatives on any new requirement is critical to supporting Māori-Crown relationships and meeting our partnership responsibilities. This is explicitly referenced in section 4 of the Act.	<p>Māori have rights and interests in relation to how they manage their own affairs including matters relating to attendance and achievement of their tamariki Māori in schools.</p> <p>For an option to uphold Article 2, Māori should be given flexibility to address the diverse causes of non-attendance in a way that works for them. This is particularly relevant as there is some evidence that Māori view the issue of attendance in a unique way and therefore may want to tailor their responses differently.</p>	<p>The Government has an obligation to actively protect Māori students to ensure that they have equitable learning outcomes, in this instance achievement, in the education system. Evidence shows a strong correlation between attendance and academic achievement for Māori in English medium education. While this may not be a significant factor for achievement in kaupapa Māori education settings and Māori medium schools, there is still a correlation. Effective and consistent responses to address the diverse causes of non-attendance are central to lifting attendance rates and, to varying degrees, achievement rates, for Māori.</p> <p>Māori in English medium schools may also have differing needs from other students which will need to be acknowledged, understood and taken into account by schools when dealing with their attendance.</p>	

<b>Option 1: Status quo</b>	<b>Limited</b> There will be some engagement with kura peak bodies to inform the development of the STAR guidance. However, this will likely be limited due to timeframe constraints.	<b>Fair</b> Currently kaupapa Māori and Māori medium education settings have a high degree of flexibility and autonomy in how they respond to attendance.  There may be instances where English medium schools are not responding to the specific needs of ākonga Māori effectively.	<b>Limited</b> Ākonga Māori are overrepresented in low rates of attendance. This likely reflects a lack of consideration in the ways in which schools respond to the barriers to attendance for ākonga Māori. Not responding to this gap would mean the Crown is not actively protecting ākonga Māori and ensuring they have equitable achievement rates in the education system.
<b>Option 2: Requirement to implement STAR</b>	<b>Limited</b> Timeframes for meeting implementation by 2026 mean we would not be able to engage with Māori to inform the development of this requirement. This risk would be partially mitigated by some engagement through Select Committee processes and detailed implementation planning.  Option 2 enables more consistency than option 1 in school responses so that all students and whānau can expect a minimum response.	<b>Poor</b> Under option three, there will be more specific requirements and therefore less flexibility around the ways in which schools respond to attendance issues. This will mean that kaupapa Māori and Māori medium settings will have less flexibility to manage attendance in a way that works for them.	<b>Poor</b> Because the STAR is more prescriptive and therefore less flexible than the AMP, Schools will have less flexibility to respond to the specific needs of their ākonga Māori. This could mean that this approach is less effective and could exacerbate existing inequities. However, this will be mitigated by the increased focus on encouraging attendance.
<b>Option 3: Requirement to have an AMP</b>	<b>Limited</b> Timeframes for meeting implementation by 2026 mean we will not be able to engage with Māori to inform the development of the amendments to the Act. This risk will be partially mitigated by some engagement through Select Committee processes and detailed implementation planning.  Option 3 enables more consistency than option 1 in school responses so that all students and whānau can expect a minimum response.	<b>Limited</b> Under option two, kaupapa Māori and Māori medium education settings will have reduced flexibility in how they choose to manage attendance. However, there will still be some discretion regarding the contents of AMPs and what the process steps would look like.	<b>Limited</b> Requiring schools to develop and use an AMP could address the variation in school responses and therefore be a step towards addressing the inequities that exist in attendance and educational achievement for ākonga Māori.  However, the extent to which the approach embodied in the mandatory components of the attendance management plans would be appropriate or effective for diverse learners or school contexts is not clear. We anticipate this may be an issue in kaupapa Māori and Māori medium learning settings, and for ākonga Māori in English medium learning settings. However, this will be mitigated by the increased focus on encouraging attendance.

## Section 3: Delivering an option

### How will the new arrangements be implemented?

28. The Ministry is in the process of developing STAR guidance and templates to support schools in their attendance management. These will be piloted in term one 2025.
29. While some schools already have attendance management plans, all schools will have work to do to ensure that theirs meet the legislative and regulatory requirements. The Ministry intends to provide example AMPs and templates to make implementation easier for schools. Takiwā staff will also work with schools during their regular visits to ensure schools have sufficient support to be successful in developing their plans.
30. The Ministry will ask schools to voluntarily develop AMPs ahead of amending the legislative framework. This will speed up the impact of the new approach and mean that many schools should have AMPs in place by the time the regulatory requirements come into effect in 2026.
31. The Ministry is also exploring possible changes to the technology schools use to monitor the implementation of the STAR and AMPs.

### How will the new arrangements be monitored, evaluated, and reviewed?

32. The extent to which schools comply with the requirement could be monitored through ERO's Board Assurance Statement, which collects information on how schools are meeting their legal obligations as well as during EROs regular review visits to schools. Timing constraints for this analysis have prevented the Ministry and ERO making a final decision on the desired approach.
33. The Ministry is currently developing a multi-year evaluation work programme to measure impacts of new initiatives across all attendance action plan initiatives. Once the framework for measuring impacts has been developed, the Ministry will begin implementation planning.