



Report: Options for change to the curriculum regulatory system

To:	Hon Erica Stanford, Minister of Education		
Date:	6/12/2024	Deadline:	16/12/2024
Security Level:	In-Confidence	Priority:	Medium
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Why are we sending this to you?

- You are receiving this because you agreed to a work programme to strengthen the curriculum regulatory system (METIS 1332270 refers), and we now need your direction.

What action do we need, by when?

- We are seeking your decisions on which options you want to progress for the curriculum regulatory review.
- Please return the signed paper by 16 December 2024, so that we can prepare a draft Cabinet paper and discussion document on your preferred options.

Key facts, issues and questions

- We recommend six potential options for legislative change, and one non-legislative option.
- Together, they could help make the curriculum regulatory system more effective, flexible and future proof. Though the options would not have an immediate impact, they are potential safeguards for the future to help the national curriculum continue to be evidence-based and effective for all ākonga.
- We have had early conversations with key stakeholders about the review, and think they are likely to broadly support the options though may want changes to go further.

Alignment with Government priorities

1. Your curriculum-related priorities are seeking to strengthen the quality and consistency of teaching and learning in schools and kura through changes to the national curriculum, in order to lift all students' achievement. The curriculum regulatory system can support these, including making sure the national curriculum is kept up to date over time and that your curriculum powers are fit for purpose.

We are reporting back on options to strengthen the curriculum regulatory system

2. Following your agreement to progress a review of the curriculum regulatory system (METIS 1332270 refers), we are now reporting back with options. **Annex 1** provides more detailed advice and seeks your decision on our six proposals for legislative change along with one non-legislative option.
3. As a package, we think the changes could:
 - 3.1. improve how the curriculum regulatory system supports the quality and effectiveness of the national curriculum
 - 3.2. make the curriculum regulatory system more flexible and future proof, so that the national curriculum will respond to changing needs and evidence over time, and
 - 3.3. strengthen how the curriculum regulatory system supports equitable outcomes for all students, including disabled students, Pacific students, and ākonga Māori through giving better effect to the Treaty of Waitangi/Te Tiriti o Waitangi.¹
4. We will develop a public consultation document that seeks feedback on the legislative options you select, for Cabinet to consider in early March 2025. Separately, we will provide you with advice soon about the requirement for schools and kura to consult with their communities about delivery of health curriculum – as this is a standalone issue with specific considerations.

Summary of the options

5. Below is a summary of the options we recommend:
 - 5.1. **Statement type** – streamlining the two types of statements (foundation curriculum policy statements and national curriculum statements) into a single new type of curriculum statement
 - 5.2. **Flexibility for groups** – create flexibility for you to set or vary curriculum requirements for different groups (e.g. types of kura/schools), for situations where there is evidence that this would better support students and implementation
 - 5.3. **Curriculum reviews** –
 - 5.3.1. require the Ministry to review the operation and effectiveness of the curriculum and report on this to the Minister at least every 8 years
 - 5.3.2. set a cycle of reviews for learning areas, wāhanga ako and the overall curriculum frameworks, to make sure these stay current, coherent, evidence-based, and responsive to students' needs

¹ These replace the previous objectives we provided you as the goals for the review of the curriculum regulatory system.

- 5.4. **Public consultation** – require consultation on all draft curriculum statements, to support better implementation and curriculum quality
 - 5.5. **Early engagement with key stakeholders and Māori** – require engagement with national representative groups for education and Māori during the development of curriculum statements, to support effectiveness for ākonga
 - 5.6. **Minimum considerations** – set minimum considerations for any future curriculum changes, as quality assurance.
6. The above changes generally would not have an immediate impact on the national curriculum or students. But they are safeguards for the future to help the national curriculum continue to be evidence-based and effective for all ākonga, and address issues and opportunities set out in our previous advice (METIS 1332270 refers). Progressing them as part of Education and Training Amendment Bill No. 3 (ETAB 3) would mean that they can be in place before the curriculum refresh is finalised.

Stakeholders are likely to support many of the options, particularly reviews and consultation

- 7. So far, we have engaged with several key stakeholders on the review.² These were early conversations where we heard about their recent experience and thoughts on curriculum change.
- 8. Some key points raised in many of these early conversations were:
 - 8.1. the importance of **consultation and early engagement** on curriculum changes – with many seeing this as a minimum.
 - 8.2. support for **regular curriculum reviews**, particularly with technology changes - provided change is evidence-based and balances the time and resources it takes to implement.
 - 8.3. a desire for **more lead-in time and tailored support** before changes are introduced.
- 9. Given this, we expect that stakeholders are likely to support many of the options, though may want them to go further (for example, having longer notice periods for implementing curriculum changes).

Risks

- 10. There are no major risks associated with this work programme, though we will need to actively manage the:
 - 10.1. **Timeframes** – these are relatively tight to consult publicly and get policy decisions in time for any changes to be included in ETAB 3.
 - 10.2. **Responses to stakeholder reactions** – while we expect stakeholders will generally be supportive of the options, consulting on these changes will also be an opportunity for them to voice concerns with the wider level, pace, and direction of curriculum change.

² This has so far included meeting representatives from NZEI Te Riu Roa, Mātauranga Iwi Leaders Group, New Zealand Principals' Federation, New Zealand Post Primary Teachers' Association, SPANZ, NZCER, NZAIMs, New Zealand Pasifika Principals Association, NZ Rural Schools Leadership Association, Special Education Principals' Association and Te Poutāhū Disability Voices Group. There has also been ongoing engagement with Te Rūnanga Nui focused on their priorities around Te Marautanga o Te Aho Matua.

Next Steps

11. The table outlines the immediate next steps to progress the options:

What	When
Develop material for Cabinet to consider	Now – end of January 2025
Socialise options with key stakeholders for any early feedback (where they have capacity)	January – February
Draft Cabinet paper and discussion document to you	By 12 February
Ministerial consultation	17 - 26 February
SOU consideration	12 March
Cabinet consideration	17 March
Public consultation	Late March – early May

12. Our previous advice outlines the full timeline for this review (METIS 1332270 refers).

Annexes

The following are annexed to this paper:

- Annex 1: Proposals for change
Annex 2: Potential sequence for curriculum reviews

Recommended Actions

The Ministry of Education recommends you:

- a. **note** that we have now developed options for strengthening the curriculum regulatory system, and recommend progressing six legislative changes along with one non-legislative change
- b. **indicate** on the table in Annex 1 which options you want to progress for public consultation
- c. **note** that we will report back with a draft discussion document with your preferred options, and draft Cabinet paper, by 12 February 2025
- d. **agree** that we may share any options you agree to progress in conversations with key stakeholders, for early feedback.

Noted

Noted

Agree Disagree

Proactive Release:

- e. **agree** that this paper is released once Cabinet has considered advice on this issue, subject to any redactions under the Official Information Act 1982.

Agree / Disagree



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Te Pou Kaupapahere

06/12/2024



Hon Erica Stanford
Minister of Education

15/12/2024

Annex 1: Proposals for change

Direction needed: whether you agree to progress these options for public consultation or want any changes to their design. Key for the goals:



Improve how the curriculum regulatory system supports the quality and effectiveness of the national curriculum













Make the curriculum regulatory system more flexible and future proof, so that the national curriculum will respond to changing needs and evidence over time



Strengthen how the curriculum regulatory system supports equitable outcomes for all ākonga, including ākonga Māori through giving better effect to the Treaty of Waitangi / Te Tiriti o Waitangi

Making your curriculum powers clearer and more flexible					
Overview	There are opportunities to make your curriculum powers under section 90 of the Education and Training Act 2020 (the Act) clearer, easier to use, and more flexible.				
Option	Rationale for change	Proposal	Summary of analysis	Goals	Agree to progress
Statement type	<p>Having two separate types of statements – foundation curriculum policy statements and national curriculum statements – creates unnecessary complexity and does not reflect your priority of integrating both the ‘what’ and the ‘how’ of teaching into the national curriculum.</p> <p>Combining them and streamlining their scope will be clearer and easier to use.</p>	<p>In the Act, replace these with a single type of curriculum statements with a new, clearer scope:</p> <p><i>Curriculum statements provide direction to shape kura and school's teaching and learning programmes for students. This can include:</i></p> <ul style="list-style-type: none"> <i>what students are expected to learn and be taught</i> <i>how the curriculum is to be taught and learnt (for example, through assessment and aromatawai)</i> <i>curriculum expectations and priorities, including for the design and implementation of teaching and learning programmes.</i> 	<p>No drawbacks have been identified – this is a technical change to streamline the current provisions in the Act to make them simpler to understand and use.</p> <p>It does not change your curriculum powers under the Act and would not have a direct impact on boards, kura and schools' responsibilities.</p>		<div>Yes No / Discuss</div>
Flexibility for groups	<p>A single approach will not always meet all ākonga needs – but currently you do not have the ability to set different curriculum expectations for different types of schools or kura (other than for commencement dates).</p> <p>Being able to tailor curriculum expectations for a particular type of school or kura could be useful where there is evidence this would best support their students and implementation. This may be more likely to happen in the future with a knowledge-rich, more detailed curriculum.</p>	<p>Amend the Act to give you the flexibility to make curriculum statements that set different expectations for different groups of schools, kura or students.</p> <p>This could be used for either a full curriculum statement or for part of a statement. For example, there could be a pedagogy that only schools and kura with technology hubs must use, or a curriculum statement that applies specifically for kura kaupapa Māori.</p>	<p>This would align with the flexibility you have for similar regulation-making powers in the Act. It would ensure you could choose to adapt the curriculum if there is evidence supporting this approach.</p> <p>The intent is not to encourage schools and kura to seek alternative curriculum arrangements, and the coherency of the overall national curriculum would continue to be important. The other options outlined below around minimum considerations and consultation could also help make sure any decisions about its use are well considered.</p>	 	<div>Yes / No / Discuss</div>
Minister comments					


Keeping the curriculum evidence-informed and world-leading over time					
Overview	Having a regular cycle of reviews can make sure the national curricula stay up to date – so it is world leading, informed by the latest evidence and reflective of emerging trends and technology.				
Option	Rationale for change	Proposal	Summary of analysis	Goals	Agree to progress
Review report requirement	<p>A review requirement could help make sure we have a strong mandate for reviews to continue to be prioritised in the future.</p> <p>Curriculum changes have previously been ad hoc (e.g. much of the curriculum has been in place for over 15 years), meaning it has at times lagged behind changes in evidence or students' needs. So, a hard trigger for reviews would be beneficial.</p>	<p>Amend the Act to require the Ministry to review the operation and effectiveness of the curriculum and report on this to the Minister at least every 8 years (starting from 2030).</p> <p>The report would have to be presented to the House, so would be public.</p> <p>Note while the report should inform changes to the curriculum, the actual updates to curriculum content can progress through the non-legislative process outlined below.</p>	<p>We expect this change could help safeguard the quality of the curriculum in the future. It is based on similar review provisions that exist in other (non-education) Acts.</p> <p>Timeframes: 8 years would sync up to the potential review process (see below/Annex 2 – the timeframes are based on the Curriculum Insights/Tirewa Matai cycle of studies). It is also a minimum, so there is nothing to stop the curriculum being reviewed and updated more frequently.</p> <p>You could also choose to set a shorter timeframe, such as 4 years, but there would be a risk that this does not provide enough time for any changes to embed and be evaluated before the next review cycle begins.</p>	 	Yes / No / Discuss
Review process (non-legislative option)	<p>A non-legislative process with an agreed cycle of content reviews for each learning area/wāhanga ako and the overall curriculum frameworks within the New Zealand Curriculum and Te Marautanga o Aotearoa can make sure:</p> <ul style="list-style-type: none">there is a clear, ongoing focus on review and improvement; andthe potential for change is signalled to schools and kura in advance. <p>It could also help with planning changes to curriculum-aligned qualifications (i.e. NCEA) and assessment.</p>	<p>Continue to develop an operational process for curriculum reviews that:</p> <ul style="list-style-type: none">sequences the learning areas/wāhanga ako being reviewed on a regular cycleincludes a cycle for the review of the overall curriculum frameworksprovides time for any changes to be embedded by schools and kura before the next review starts. <p>Annex 2 provides an illustration of what this could look like. We can discuss with you and provide more detail about how this process could work.</p>	<p>A clear process like this can make sure that Te Marautanga o Aotearoa and the New Zealand curriculum both remain relevant over time, while sequencing the changes. We would need to work through how this flows through to NCEA reviews.</p> <p>Developing an operational process will provide flexibility. We do not recommend putting a detailed process for review in legislation – as this would be rigid and could create inefficiencies over time (for example, if there were changes to the number of learning areas/wāhanga ako).</p> <p>Making the final review process public will also help schools and kura to plan ahead for when changes may be coming.</p>	 	Yes / No / Discuss
Minister comments					
Introducing safeguards for making changes to the curriculum effective					
Overview	Currently the process for making changes to the curriculum is flexible – with no rules around set steps like consultation. Adding some minimum standards around the process could support future changes being effective for all ākonga, including making sure that the national curriculum is implemented effectively by schools and kura.				
Option	Rationale for change	Proposal	Summary of analysis	Goals	Agree to progress
Public consultation	<p>Public consultation is an opportunity to build understanding and buy-in (especially with kura and schools), helps us identify potential improvements to the draft curriculum content and gather new insights from different perspectives.</p> <p>Requiring consultation is a safeguard to make sure this is consistently done and makes this transparent to the sector – helping to build trust and understanding for implementation. Otherwise, there is always a risk it can be skipped in the future.</p>	<p>Amend the Act to require public consultation on all draft curriculum statements, unless the changes are minor or technical.</p>	<p>Consultation generally happens well for curriculum, but making it a requirement would be a safeguard and is consistent with other legislation (particularly for secondary legislation where power is delegated to the Minister).</p> <p>Likely to be strongly supported by stakeholders.</p> <p>There would still be flexibility with the process – for example how long consultation runs for.</p>	 	Yes / No / Discuss

Early engagement with national representative groups and Māori	<p>Early engagement during the development of any changes can help us to identify and respond to the diverse needs of ākonga within the curriculum. It can also help us:</p> <ul style="list-style-type: none"> anticipate and plan for what support schools and kura might need to implement any changes (e.g. PLD, teaching resources, assessment tools); and appropriately integrate te reo Māori, tikanga Māori, mātauranga Māori, and te ao Māori within the curriculum. <p>As above – a minimum requirement is a safeguard.</p>	Amend the Act to require the Ministry to engage with Māori and national representative groups for education ³ during the development of curriculum statements, unless the changes are minor or technical.	<p>As above.</p> <p>Would be supported by comprehensive operational processes for who and how to engage for both the New Zealand Curriculum and Te Marautanga o Aotearoa.</p>	 	Yes / No / Discuss
Minimum considerations for curriculum change	<p>At the moment there is nothing specific about what must be considered for any changes to the national curriculum.</p> <p>Given how crucial the national curriculum is, a useful safeguard for future changes (after the refresh) would be identifying what minimum factors Ministers should consider when making changes.</p> <p>This could support more consistent, high-quality advice from the Ministry over time, and also more transparency with the sector about what informs decisions.</p>	<p>Amend the Act to set out what a Minister must consider at a minimum when making changes to the national curriculum. This could include an assessment of:</p> <ol style="list-style-type: none"> the likely effectiveness at supporting progress and achievement for students, including based on the available evidence how it supports equitable outcomes for all students how practical it is to be effectively implemented, including what support (for example, PLD or teaching resources) could assist implementation how it honours Te Tiriti o Waitangi how it supports students to be successful post-school, including for further learning and employment. 	<p>Minimum considerations can serve as quality assurance – to make sure there is consistent, good quality advice on any changes to the curriculum. By supporting transparency with the sector it may also increase trust and understanding of any changes.</p> <p>Only criteria that are likely to be durable over time, and critical to effectiveness across the curriculum, have been selected. Similar provisions exist in other Acts.</p> <p>Alternatively, we could develop this into guidance for your approval to use – but this approach may not be sustained over time.</p>	 	Yes / No / Discuss
Minister comments					


³ This could include both peak bodies, unions as well as advisory groups representing different interests such as the disability community.

Annex 2: Potential sequence for curriculum reviews


Goals – to support all ākonga to achieve, we want our curriculum to continue to be:




World leading & internationally comparable



Evidence-informed



Reflecting emerging technology & insights



Implemented with efficacy

Potential cycle of reviews each year up to year 25

