



Report: Approach to legislating for curriculum, assessment, and reporting to parents

To:	Hon Erica Stanford, Minister of Education		
Date:	15/04/2025	Deadline:	22/04/2025
Security Level:	In-Confidence	Priority:	Medium
From:	Clare Old Senior Policy Manager Curriculum and Digital Policy	Phone:	9(2)(a)
Drafter:	Colleen Slagter	METIS No:	1345871

Why are we sending this to you?

- You are receiving this report because you want to strengthen the curriculum regulatory system, including the health curriculum and reporting to parents (METIS 1339830, 1340862, and 1328931 refer).

What action do we need, by when?

- We are seeking your direction about possible regulatory changes to support curriculum, assessment, and reporting to parents. Legislation changes could be included in the next Education and Training (System Reform 9(2)(f)) Amendment Bill (System Reform Bill).
- Please return the signed paper by 24 April 2025.

Key facts, issues and questions

- We recommend progressing curriculum-related legislation changes through the Education and Training (System Reform 9(2)(f)) Amendment Bill.
- Changes to curriculum statement types and health curriculum information will make the curriculum regulatory settings more effective and future proof.
- If you agree, we will provide advice about other possible changes, including curriculum reviews, flexibility for groups, and reporting to parents.

Alignment with Government priorities

1. This work supports your education priorities, including:
 - priority one: 'clearer curriculum: establishing a knowledge-rich curriculum grounded in the science of learning'; and
 - priority three of your education priorities 'smarter assessment and reporting: Implementing consistent modes of monitoring student progress and achievement.'

To lift student achievement, you are establishing a knowledge-rich curriculum, smarter assessment and aromatawai, and consistent quality reports to parents

2. You want to lift student achievement through a knowledge-rich curriculum, smarter assessment, and better reporting to parents. Through the curriculum refresh, you are strengthening the national curricula so they are knowledge-rich and grounded in the science of learning. You are making sure that standardised assessment informs judgements about progress and achievement. We understand that you want to improve the quality and consistency of reporting to parents.
3. You have existing powers to set curriculum, assessment and reporting expectations for schools and kura. You can use foundation curriculum policy statements and/or national curriculum statements to set your expectations for teaching, learning, and assessment. You want to issue a foundation curriculum policy statement to make twice-yearly standardised assessments and phonics checks mandatory for all state schools and kura (METIS 1327456 refers).
4. You can use regulations to set expectations for assessment and reporting to parents. The existing reporting to parent regulations, enabled by section 639 of the Act, require schools and kura to include information about student progress and achievement across any relevant curriculum statements issued under section 90 of the Act.

Alongside your curriculum, assessment, and reporting changes, we have been checking that the related regulatory settings¹ are fit for purpose

Changes are needed so curriculum and reporting regulatory settings are more effective and future proof

5. Curriculum regulatory settings can support your priorities including making sure that the national curriculum is kept up to date and your curriculum powers are fit for purpose. While you have powers to deliver your curriculum priorities, there are opportunities to streamline and improve the curriculum regulatory system. We have already provided you some advice about possible changes (METIS 1339830 refers) and are preparing a suite of legislative proposals for your consideration.

¹ Regulatory settings include legislation (the Act) and secondary legislation, including regulations and statements made under section 90 of the Act.

Regulatory settings should be effective and future-proof

6. We understand that you want regulatory settings that:
 - 6.1. support the **quality and effectiveness** of the national curriculum, including high-quality delivery;
 - 6.2. are **more predictable and future proof**, with regular cycles of reviews to respond to evidence and other advancements while avoiding complete overhauls;
 - 6.3. strengthen the focus on consistent provision of high-quality teaching and learning to **lift student achievement and close the equity gap**;
 - 6.4. **improve the consistency and quality of regular reporting to parents**.

You have agreed to combine curriculum statement types

7. The use of two statement types (foundation curriculum policy statements and national curriculum statements) creates unnecessary complexity and does not reflect your priority of integrating the 'what' and 'how' of teaching into the national curriculum. You have agreed that you want one type of curriculum statement (METIS 1339830 refers). Combining the two statement types will be clearer and easier to use.

You want to improve health curriculum-related information to parents

8. We have provided advice about school consultation on health curriculum delivery (METIS 1340862 refers). ERO found that some schools find consultation about health curriculum delivery challenging.² With the move to a knowledge-rich curriculum, schools and kura will have less discretion about what and how to teach – therefore there will be fewer matters that parents and whānau can influence through school-based consultation. Parents and whānau can have a say about the draft curriculum through public consultation later this year.
9. We understand that you want to replace the requirement for schools to consult, at least every two years, about the delivery of the health curriculum. You want schools to regularly inform parents about:
 - 9.1. the health curriculum;
 - 9.2. the use of external providers; and
 - 9.3. their ability to ask for their child to be removed from all or part of sexuality education in the health curriculum³ (METIS: 1340862 refers).
10. We propose amending the legislation in line with your preferred change. Rather than requiring schools to inform parents about the use of external providers, we propose broadening the information provided to cover 'how the health curriculum will be delivered' so that it includes information about whether:
 - 10.1. the teacher or a provider delivers the health curriculum; and/or
 - 10.2. an 'off the shelf' programme will be used.

² Education Review Office (2024) *Let's talk about it: review of relationships and sexuality education*.

³ Parents would retain the right to ask, in writing, for their child to be removed from tuition in specified parts of the health curriculum related to sexuality education (see section 51 of the Act). The student would be supervised during the period of release.

11. To support school decision-making, we will provide guidance about the requirements, including providing for students who are released from tuition under section 51 of the Act.

You have asked for further advice about some of the proposed changes to the curriculum regulatory system.

12. You have asked for further information about the options in the table below. If you agree to progress these work areas, we will provide separate advice about the issues and your choices.

Table 2: Potential regulatory changes

Areas of potential change	Description	Reason
Curriculum reviews	<p>Amend the Act so the Ministry must review the operation and effectiveness of the curriculum through a phased cycle of reviews, for example of learning areas, wāhanga ako, subjects.</p> <p>The focus will be on 'learn and adapt' – rather than wholesale change every few years.</p>	<p>We understand that you want a cycle of reviews for learning areas and wāhanga ako to make sure these stay current, coherent, evidence-based, and responsive to student needs (METIS 1339830 refers). You wanted more detail about what this might look like.</p> <p>A curriculum review requirement could help make sure we have a strong mandate for reviews in the future.</p> <p>Curriculum changes have previously been ad hoc meaning that the curriculum has not been kept up to date.</p>
Flexibility for groups	<p>Amend the Act so you could tailor curriculum expectations for a particular type of school or kura where there is evidence this would best support their students and implementation.</p>	<p>A single approach will not always meet all student 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). To make the regulatory settings more future proof, we are considering whether a legislation change is needed.</p> <p>With a knowledge-rich, detailed curriculum, there may be a greater need to tailor expectations for a particular type of school or kura in the future.</p>

Areas of potential change	Description	Reason
Reporting to parents	<p>Amend the Act and/or regulations to improve the quality and consistency of information reported to parents.</p> <p>We will provide advice about any legislation or regulation changes needed</p>	<p>Alongside guidance and templates, there may be a need to amend regulatory settings to improve the quality and consistency of reporting to parents.</p> <p>Home/school partnerships can support learner progress and achievement.</p> <p>ERO reports that some parents and whānau do not always find reports easy to understand or detailed enough. This limits how parents and whānau can support their child's learning.</p>

We do not think that you need to progress minimum considerations, public consultation, or targeted engagement at this time

13. In previous advice, we suggested other possible options, including minimum criteria, public consultation, and targeted engagement (METIS 1339830 refers). We understand that you do not want to progress these changes at this time.
14. You are making sure that new statements are knowledge-rich and informed by the science of learning. There is no immediate need for minimum considerations for any future curriculum changes, as quality assurance.
15. In line with good regulatory practices, the Ministry uses insights and feedback from the sector to support the development of curriculum statements and there is no urgent need to require engagement or public consultation in the legislation. Through early engagement about the curriculum regulatory work, we heard that stakeholders value engagement and consultation opportunities about curriculum changes. We have established processes for consultation and engagement, which we will continue to monitor and adjust to keep them fit for purpose.

We have developed a plan for the work – based on your direction

You can make changes through the System Reform Bill, regulations, and curriculum statements

16. We propose to include your legislative proposals in the Education and Training (System Reform ^{9(2)(f)(iv)}) Amendment Bill (ERB ¹), which may be introduced to the House in December 2025.

Potential timeline and sequence

17. If you want to progress legislation changes as part of the System Reform Bill, the timeframes are tight, and we need quick decisions about what to progress to Cabinet.

Table 3: Indicative timeline for subsequent advice

What	When
Report: Legislating for curriculum, assessment, and reporting to parents	Mid-May 2025
Draft Cabinet paper and Regulatory Impact Statement to Minister	Early June 2025
Cabinet approval to draft legislation	
• SOU Cabinet Committee	26 June 2025
• Cabinet	30 June 2025
Parliamentary Counsel drafts the System Reform Bill	July - September
Cabinet: approval to introduce Bill	23 and/or 28 October 2025
Bill ready for introduction	From 29 October 2025

18. We do not consider that there is a need for public consultation about the changes before the Bill is introduced because:

- 18.1. the changes are relatively minor,
- 18.2. targeted engagement showed stakeholder support for the proposals to combine statement types, flexibility for groups, and curriculum reviews, and
- 18.3. there will be an opportunity for public input during the Select Committee stage of the Bill.

Financial implications

19. There are no financial implications from the recommended proposals.

Next steps

20. We ask you return the signed paper by 24 April 2025 indicating your direction about which potential areas of change are in scope of this work.

21. If you agree, we will then provide further advice about possible changes in May 2025.

Risks

22. There are no major risks associated with this work programme though we will need to manage:

- 22.1. timeframes: to include the changes in ERE [REDACTED], the timeframes are tight;

- 22.2. responses to stakeholder reactions: we expect that stakeholders will support the change proposals; some stakeholders may want more legislative change now, for example, the inclusion of public consultation in the legislation; some stakeholders may express concerns about the wider level, pace, and direction of curriculum change;
- 22.3. the opportunity for the public to have a say about the proposed changes: we will not consult widely before the Bill is introduced; there will be an opportunity for the public to have a say about the proposed changes during the Select Committee process
- 22.4. diverse views about health curriculum, including sexuality education, expectations: sexuality education has always been contentious throughout its history in the curriculum, and this is reflected in regular correspondence that the Ministry receives, including about the role that schools and teachers play in RSE and the age appropriateness of the topics being taught [METIS 1320961 refers.]

23. We will mitigate these risks by using insights from other Ministry work and ERO to inform our advice to you.

Recommended Actions

The Ministry of Education recommends you:

a. note that regulatory changes could strengthen curriculum, assessment, and reporting to parents settings so they are more effective and future proof

Noted

A suite of proposals

b. note we recommend progressing, through the Education and Training (System Reform 9(2)) Amendment Bill (ERB), a tighter set of proposals that will have the biggest impact to support your priorities

Noted

c. note that you have already agreed to combine statement types

Noted

Health curriculum delivery consultation

d. note that you have indicated that you want to improve health curriculum-related information for parents and replace the current requirement for schools to consult about the delivery of the health curriculum

Noted

e. note that the move to a knowledge-rich curriculum means that schools and kura will have less discretion about what and how to teach and there will be less ability for parents to have a say about delivery of the health curriculum

Noted

f. agree to replace the need for schools to consult, at least every two years, about the delivery of the health curriculum with schools regularly informing parents about:

- the health curriculum and how it will be delivered; and
- their ability to ask for their child to be removed from all or part of sexuality education in the health curriculum

Agree / Disagree

Other possible regulatory changes

g. agree that the Ministry will provide further advice about possible regulatory changes for:

i. curriculum reviews

Agree / Disagree

ii. flexibility for groups, if needed

Agree / Disagree

iii. reporting to parents

Agree / Disagree

h. agree that, at this time, legislation changes about minimum criteria for curriculum statements, targeted engagement, and public consultation will not be progressed in the next Bill

Agree / Disagree

i. **agree** that officials will provide further advice about the suite of proposals in mid-May

Noted

Proactive Release:

j. **agree** that the Ministry of Education release this paper once Cabinet decisions are made with any information needing to be withheld done so in line with the provisions of the Official Information Act 1982.

Agree / Disagree

lolo

Clare Old

Senior Policy Manager

Te Pou Kaupapahere

15 / 04 / 2025

Erica

Hon Erica Stanford

Minister of Education

S / S / 25

*for MoE to provide more advice on
schools re-opening to consist on
West Auckland
"norm" rather than consist.*