



EDUCATION COUNCIL SUBMISSION ON THE REVIEW OF THE EDUCATION ACT 1989

14 DECEMBER 2015

INTRODUCTION

The Education Council of Aotearoa New Zealand is the independent professional body for teachers, representing all teachers from early childhood education through to primary and secondary schooling in English and Māori medium schools. We aim to maximise the success of every learner through supporting and developing highly effective leadership and teaching.

Our professional work programme builds on the work of the previous professional organisation, the New Zealand Teachers Council (NZTC). The NZTC supported professional learning and development through its investment in areas such as induction, mentoring and appraisal of teachers. We are expanding this work into leadership for teachers and school/kura/early childhood education (ECE). We are interested in working with the teaching profession to build capability at all levels. We will develop a virtual Centre of Leadership Excellence and plan to collaborate with the profession to collectively build leadership capability and capacity, not just for Communities of Learning (CoL) leaders, but for all leaders in ECE, kura and school contexts.¹

This submission focuses on the changes needed in the Education Act 1989 (the Act) that we believe will provide greater support to the teaching profession as its members establish and sustain the conditions known to support student learning. We believe the changes need to support the profession to share effective teaching practices, as well to take dynamic and innovative approaches to developing practices with potential to make a positive difference to learning.²

UPDATING THE EDUCATION ACT 1989

We support the current review of the Act and its intention to provide an enabling framework for the educational provision for our young people as they enter ECE, move to school and kura, and later to tertiary study. We see the review as an opportunity for public discourse about the purpose of education. It is also a mechanism to capture the agreed valued aspects in the Act. While there have been many amendments since 1989, there has not been the opportunity for the sector, and the community, to think together about the purpose of education, what must be enshrined in legislation to achieve the agreed purpose, and what is best captured in policy and guidelines.

¹ Education Council, 17 November 2015. *Leadership for Communities of Learning: Discussion paper.*

² The Education Council acknowledges the input and reflections of teachers and principals who responded to an invitation to comment on a draft. The views expressed have been considered in the preparation of this final version. The time frame allocated for the consultation process did not give the Council the opportunity for the kind of sector-wide engagement it plans to adopt as it develops and implements its work programme.

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The legislation must provide a robust framework that enables the profession to undertake its work in ways known to support and enhance student learning. In times that are dynamic, where our knowledge of effective teaching and learning continues to grow, it is most important the legislation enables change.

We endorse the rationale given in the discussion document for two key changes that are needed.³

1. The Act needs to ensure children, young people and their learning are the first priority for the education system and the legislative requirements are designed with this as the central mission. The central role of teachers and teaching with respect to this mission is fundamental.
2. The Act should make it easier for schools, kura, and ECE to work together to deliver the best education for every child and young person.

The introduction of self-managing schools in 1989 established schools and kura as independent entities, each governed by a Board of Trustees. This structure placed decision-making at the school level and enabled schools, and the local community, to develop and implement school-based curricula designed to meet the needs and interests of their students.

However, the self-managing school model has not led to significant improvements in achievement for all. There are still many students who are not achieving at expected levels and high numbers of these students are Māori, Pasifika, those with special education needs and students from low socio-economic backgrounds. More systemic approaches are needed, where there are opportunities to share and build knowledge between schools/kura, clusters and communities of schools/kura, and regional and national agencies.⁴ There is a great deal of knowledge held in schools/kura about effective leadership and teaching known to have a positive influence on learning. The revision of the Act provides an opportunity to enable this expertise to be more easily shared, and for teachers and leaders across the system to be supported to try out new ideas as they seek solutions to the complex problem of improving learning.

It is also clear more innovative approaches are needed if we are to be responsive to the changing world, the development of new knowledge about teaching and learning, and the new and emerging needs of students. This approach aligns with the intent of Te Marautanga and the New Zealand Curriculum that advocates for dynamic and future-orientated approaches so the curriculum experienced by learners is relevant to them today, and in the future.

³ Ministry of Education, (2015). *Have your say about updating the Education Act 1989: A public Discussion document*. P.4, "What changes are needed".

⁴ Refer Wylie, C. (2012). *Vital Connections, Why we need more than self-managing schools*. Wellington: NZCER Press.

“The revision of the Act is also an opportunity for the profession and community to think about what they want from their education system. We see the revision, and the associated consultation process, as a way to assist parents, and the wider community, develop their understanding of the contribution teachers and leaders make to the nation, and to building a fairer society.”

However, the provision of a quality learning experience does not just rely on schools, kura and ECE and the ways they collaborate. The revision of the Act provides an opportunity to strengthen the way all elements of the education system work together—for example, the way educative agencies engage nationally and regionally with schools/kura/ECE.

The current Act was drafted in the context of the 1989 public sector market forms. During the 1990s, some aspects of this approach were modified—zoning, for example was introduced—but nonetheless the current system is not structurally geared for collaboration. The Education Council sees the revision of the Act as an opportunity to structurally re-gear the system from a competitive approach to one that is based on collaboration, while keeping the best of the community-led approach to schools/kura/ECE.

3. A third reason for change proposed in the consultation document is the Act should help schools/kura/ECE by being clear about strategy, planning and reporting requirements. While these requirements are not new, they need updating in light of the experience gained from more than 20 years of a self-management approach. We agree the Act should provide a robust framework for strategy, planning and reporting requirements, and roles and responsibilities of principals and teachers. It needs to retain and strengthen requirements that ensure professional working conditions and that enable teachers to uphold high professional standards, but it needs to enable, not constrain, the professional work.
4. Similarly, we agree it is important for parents, whānau and communities to know how ECE, schools and kura are helping their children and young people learn. Just as important, however, is that principals and teachers use the knowledge of parents and whānau about their child/children and culture. Learning must be viewed as a partnership between parents, whānau, principals and teachers. Teachers play a crucial role in facilitating this partnership and keeping the child/young person and their learning as a central focus as their learning programme is negotiated and their journey through the education system supported.

The revision of the Act is also an opportunity for the profession and community to think about what they want from their education system. We see the revision, and the associated consultation process, as a way to assist parents, and the wider community, develop their understanding of the contribution teachers and principals make to the nation, and to building a fairer society. This will require a timeframe that allows for comprehensive consultation and a process that provides working people—including teachers—the opportunity to attend community-based discussions.

EDUCATION COUNCIL RECOMMENDATIONS

We believe the reframing of the Education Act must give priority to:

- 1. Learners, children and young people.** It should provide enabling conditions for the effective implementation of Te Whariki, Te Marautanga and the New Zealand curriculum in ways that lead to greater equity of learning outcomes and increased achievement for those students who are not making the expected progress with current provisions.
- 2. Empowering principals and teachers to focus on their students and learning.** It should provide the enabling conditions for teachers and leaders to use their professional expertise to support the learning of their students. At the same time, the contribution teachers and leaders play in creating and sustaining the kind of society New Zealanders value needs to be explicit.
- 3. Valuing a partnership approach between the profession—teachers and principals—parents, whānau and the community.** It should provide enabling conditions for teachers and leaders to work collaboratively with parents and whānau to provide rich and meaningful learning experiences, ones that take account of, and build upon, the diverse cultural backgrounds of children and young people.
- 4. Valuing a self-managing model while supporting collaboration between principals and teachers, schools and kura and across the education system.** It should provide the enabling conditions so leaders and teachers can share and build practice, and are supported to try new ideas. It needs to ensure knowledge of effective practices is widely spread, as well as allowing for dynamic and innovative approaches to the development of new practices.