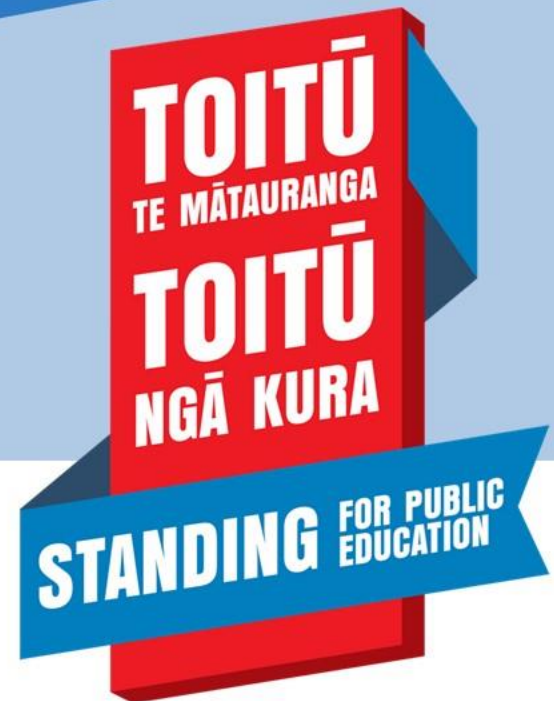


STANDING FOR PUBLIC EDUCATION



Outline

- The basics
- Application process
- Directed conversions
- Funding
- The contract model and performance targets
- Management and leadership functions
- Employment issues
- Making a submission

The Basics

- Charter schools will be another type of publically funded school under the *Education and Training Act*.
- They are state funded but operated by a 'sponsor' that has a contract with the crown.
- The sponsor can be any type of entity including a private corporation.
- Some requirements under the *Education and Training Act* will still apply to charter schools. Many requirements will be in the contract.
- Charter schools will be bulk funded. The funding model has not been released, the Ministry of Education states it will be broadly equivalent to state school funding.

Application process

- The school board, or **1 or more** members of the school community, with the support of the proposed sponsor, may apply for a state school to be converted to a charter school.
- An Authorisation Board will approve applications for new and converting schools.
- The Authorisation board will be required to consider mandatory factors when making a decision to approve an application.
- The evidence required to support the application, including community consultation will be specified on the application form.
- The Board must also seek the view of the Secretary for Education and the chief review officer.

Directed Conversions

“The Minister may, in the Minister’s absolute discretion and after considering whether it is appropriate in all the circumstances, direct the board of a State school to make an application to the Authorisation Board to convert the State school to a charter school.”

- The Minister must consult with the Authorisation Board before making the direction and specify the proposed sponsor.
- There is no requirement for the Minister to consult with the school community or board before making the direction.
- the Minister cannot direct specialist, state integrated, distance and special character schools or Kura Kaupapa Māori into the conversion process.

Funding

- Charter schools will be bulk funded. The funding model has not been released, the Ministry of Education states it will be broadly equivalent to state school funding. That's a very big call given the complexity of state school funding.
- Increases to teacher salaries in state schools will not necessarily be guaranteed to be passed onto charter schools.
- The funding model may not cover paying 100% qualified and registered teachers.
- Irregular costs will have to be budgeted from the fixed grant (e.g. additional relief day funding for extended illnesses beyond 8 days, additional staffing for beginning teachers' induction and mentoring etc).
- Sponsors will be required to meet all costs of the students eg ESOL, learning support, technology needs, attendance supports.

The contract model and performance targets

- Much of the detail for how a charter school operates will be in individual school contracts.
- Contracts are for ten years with two rights of renewal.
- If performance targets are not met the sponsors can be replaced. There is no requirement for a new sponsor of a charter school to include community representation or to reflect a previous special character of a school.
- Contractual performance targets must by nature be simple to measure. Many of the important outcomes for students cannot be measured in this way. The focus of the school on student wellbeing or relationship with mana whenua is not reflected in the type of performance targets that have been signalled to date (e.g. attendance figures, hours of maths per week, academic outcomes).

Management and leadership functions

- Under the Education and Training Act the Principal of a school has complete discretion to manage the school's day-to-day administration as they think fit as long as they comply with the board's general policy directions.
- In a charter school a sponsor has complete discretion to control the management of the school as the sponsor thinks fit. Delegations can be revoked at will.
- The sponsor must appoint a Chief Executive Officer and a person responsible for teaching and learning at the Charter school. These don't need to be the same person.

Employment Issues

On the conversion date every employee becomes an employee of the sponsor on an individual employment agreement.

The IEA must have terms and conditions that are overall no less favourable than their current ones.

- No less favourable terms and conditions means:
 - Position is substantially the same
 - In the same general locality
 - Treats service, including recognised previous service, as continuous
 - Has the same or better provisions including, but not limited to, the employee's overall remuneration and any service-related, redundancy, or superannuation conditions

However, this is subject to *necessary modifications* to reflect that it is an IEA and **the employer is no longer a state schools for example for the purposes of funding and payment of remuneration and any awards, grants and associated leave.**

Transferred employees are not entitled to any notice, payment, benefit or compensation based on either their employment ceasing to exist or them ceasing to be employed by the board of the converted school. These provisions also override the Employment Relations Act.

The IEA at transfer continues to apply until either a variation is agreed or a new collective agreement is negotiated.

Making a submission

- Submissions unfortunately close on 17th of July.
- If you or your board make even a brief submission it is still valuable.
- For boards we think the ‘one person and a sponsor’ ability to apply, the directed conversions with no consultation and the draining of money from the public education sector are important points.
- There is some great general information on how to make a submission on our website.

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