

Charter Schools - Considerations for School Boards

What are charter schools

Charter schools are schools that are funded by the government but they can set their own curriculum, teaching hours, and staff requirements.

Legislation has been released which provides the framework for charter schools. Submissions close on 17 July 2023. There is more information available on the [Ministry of Education Website](#).

Considerations for boards – the community representation and voice

- Any individual from a school community, with a sponsor can initiate an application for a charter school. There is no need for board agreement.
- The board would cease to be the governing body of the school.
- There is no guaranteed right of community involvement in the governance and direction of the school unless agreed with the sponsor.
- The short consultation times proposed for charter school establishment expose boards to the risk of challenge over process. There may be strong opposition to this from parts of the community.

Considerations for boards – the contract model

- Much of the detail for how a charter school operates will be in individual school contracts including negotiating performance measures and property agreements including maintenance.
- Essential elements of the operation, funding, accountability requirements on the charter school would not be known until the contract is negotiated.
- Although it is not in the legislation the cabinet paper says that contracts are for ten years with two rights of renewal. It is unlikely contracts will be able to anticipate or provide for external events such as extreme weather and pandemics as well as be fit for purpose for the changing education environment or changing demographics of enrolment at the school.
- Previous charter school contracts were cancelled after a change in government. All governments have the power to legislate.

Considerations for boards – performance targets

- The schools will be subject to NZQA requirements and if performance targets are not met ERO assessment or other more extreme interventions.
- If performance targets are not met the sponsors can be replaced. There is no requirement for a 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, hauora, whanaungatanga, and relationships will not be valued in the performance targets that have been signalled to date (e.g. attendance figures, hours of maths per week, academic outcomes).

Considerations for boards- funding

- The funding model is not public. It has been stated it will be at a similar level to state schools, but it will bring greater responsibility that will require increased cost and expertise.
- As charter schools will be bulk funded any increases to teacher salaries in state schools are not guaranteed to be passed onto charter schools, in the same way that increases to support staff salaries are not guaranteed to be passed on currently.
- As charter schools are not required to employ 100% qualified and registered teachers, the funding model may not cover paying 100% qualified and registered teachers. Over time this will make recruitment and retention of teachers difficult.
- There is unlikely to be additional funding provided for 'at need' situations (e.g. additional relief day funding for extended illnesses beyond 8 days, additional staffing for beginning teachers' induction and mentoring etc). Those irregular costs will have to be budgeted from the fixed grant.
- Boards will be required to meet all costs of the students eg ESOL, learning support, technology needs, attendance supports.

Considerations for boards - support from the Ministry of Education

- The model for charter schools is based on bulk funding, therefore charter schools will not be eligible for Ministry of Education support for example crisis response, learning support specialists, property, resourcing, school lunches, curriculum & assessment resources, attendance services, activity centres or pandemic response.
- It is unclear how, or if, charter schools will be able to access cross school initiatives such as PB4L or be part of kāhui ako or any future initiative in the state school sector.
- There will be a support agency contracted to provide ongoing support services for established charter schools such as support for school governance, finance or human resources and employment relations. Because schooling is so dominated by the public sector can be hard to "buy in" expertise, particularly in employment relations and finance.

Considerations for boards - teachers

- Charter schools are not required to employ 100% qualified and registered teachers.
- Unions may choose to cover teachers in the charter schools and to initiate collective bargaining for site agreements with individual charter schools which the sponsor will be required to participate in. This will change the dynamics of industrial relations within the charter schools.
- Charter schools are not widely supported by teachers. Many teachers have a commitment to public education, and state schools will likely lose teachers if they convert to a charter school.
- Attracting teachers to teach in a charter school may not be easy, especially if the curriculum that is taught is different or if terms and conditions differ from those in the state sector.
- Teachers who are in converted charter schools will begin their employment in the charter on an IEA with terms and conditions of employment (salary, hours of work, leave provisions etc) that are "overall no less favourable", agreeing this will be open to challenge, IEA can only change by agreement.