

Education and Training Amendment Bill (No 2)

Government Bill

As reported from the Education and Workforce Committee

Commentary

Recommendation

The Education and Workforce Committee has examined the Education and Training Amendment Bill (No 2) and recommends by majority that it be passed. We recommend all amendments unanimously.

Introduction

The Education and Training Amendment Bill (No 2) proposes a number of amendments to the Education and Training Act 2020 and related regulations. These are intended to give effect to new policy decisions and make other minor and technical changes.

The bill would amend the Act and related regulations by:

- changing the objectives for school boards in governing schools
- removing the ability of the Minister of Education to issue a statement of national education and learning priorities for early childhood education, primary education, and secondary education
- amending the Teaching Council's initial teacher education, disciplinary, and competence processes
- requiring universities to develop and adopt a statement on freedom of expression, and report on freedom of expression and academic freedom in their annual reports
- requiring school boards to have attendance management plans to respond to student absences
- extending the notification period for strikes by school employees from three days to no less than seven days

- amending the power for the Minister to set international student fees
- changing the duty for the Minister of Education to issue principal eligibility criteria
- enabling the use of national student numbers for the Performance-Based Research Fund or similar research initiatives.

Legislative scrutiny

As part of our consideration of the bill, we have examined its consistency with principles of legislative quality. We have no issues regarding the legislation's design to bring to the attention of the House.

Proposed amendments

This commentary covers the main amendments we recommend to the bill as introduced. We do not discuss minor or technical amendments.

School board objectives

Section 138 of the Act requires school boards to produce a strategic plan that sets out the board's strategy for achieving (or making progress towards achieving) its objectives as stated in section 127. To support the changes proposed in clause 8 to section 127, and allow sufficient time for boards to reflect the new objectives in their strategic planning, we recommend amending the date for when the next strategic plans come into effect from 1 January 2026 to 1 January 2027.

Attendance management plans

Clause 9 proposes new sections 137A to 137D, related to attendance management. Section 137A would require a school board to have an attendance management plan for its school. The plan would have to set out a strategy and a process for the school to identify and respond to student absences. Section 638 of the Act empowers regulations to be made relating to how schools must be run.

Clause 23 would insert new paragraph (g) into section 638(2) to provide for regulations to be made relating to attendance management plans. We consider that clause 23 may be too prescriptive, and that it could limit a school's ability to respond to its own individual circumstances. Some submitters also commented that the bill does not focus on using attendance management plans to understand or address underlying causes for student absences. We think it should be amended.

We recommend that proposed sections 638(2)(g)(ii)(A) and (B) be amended to clarify that regulations can require attendance management plans to include information about how a school intends to respond to student absences, but cannot require schools to include prescribed responses to student absences. We also recommend amending subparagraph (B) to clarify that the plans must include how the school will respond to underlying causes of student absence.

Distance schools

Section 196 of the Act allows the Minister to designate schools as distance schools. The only school currently designated as such is Te Kura Aho o Te Kura Pounamu | the Correspondence School (Te Kura). Students of Te Kura complete their course work without being present at a physical school during set opening hours. Because of Te Kura's unique circumstances, parts of the bill about attendance management plans will be hard to comply with because distance schools do not gather data on daily student attendance. We recommend two minor amendments to the bill to ensure that Te Kura, and other potential distance schools, can comply with the legislation. We recommend amending clause 23, section 638(2)(g)(i), and inserting new subparagraph (g)(ia), to enable attendance thresholds for distance schools to be based on different grounds than other types of state schools.

We also recommend amending new clause 127 of new part 7 of Schedule 1 of the Act, to provide that a distance school would not have to have an attendance management plan until 20 July 2026 (as opposed to 25 January 2026). This would allow extra time to design appropriate attendance thresholds for distance schools.

Statements on freedom of expression

Clause 12, proposed new sections 281A and 281B, would require university councils to adopt a statement on freedom of expression and establish a complaints procedure for academic freedom and freedom of expression.

Universities are subject to the New Zealand Bill of Rights Act 1990, which protects freedom of expression and freedom from discrimination. Universities are also subject to the Human Rights Act 1993 which prohibits discrimination based on political opinion in employment and provision of services. This bill seeks to strengthen these protections, by requiring universities to develop and commit to a freedom of expression policy. The policy behind clause 12 was in the coalition agreement between the National Party and ACT New Zealand.

Requirements in freedom of expression statements

Proposed section 281A(2) lists several matters that a university's statement on freedom of expression must be consistent with.

Paragraph (b) would require a university's freedom of speech statement to reflect that a university should "actively foster an environment where ideas can be challenged, controversial issues can be discussed, and diverse opinions can be expressed, in a respectful manner consistent with any statute made by the university".

We consider that a "respectful manner" could be a subjective assessment, and that this could limit contentious but legitimate discourse. We therefore recommend amending paragraph (b) to remove references to matters being discussed "in a respectful manner consistent with any statute made by the university". This amendment would not substantially alter the intent of the provision, and would not prevent universities from setting expectations about conduct.

Proposed paragraph (d) states that universities should not take positions on matters that do not directly concern their role or functions. Some submitters raised concerns that this subsection could apply to individual staff members or students, rather than the university as a whole. We therefore recommend amending paragraph (d) to clarify that the expectation relates to public statements made by the university as an institution.

Paragraphs (f) and (g) refer to expectations regarding invited speakers. We recommend simplifying new section 281A(2) by merging paragraphs (f) and (g) so that expectations about invited speakers are clearly laid out, in one place. We also recommend removing the reference in paragraph (f) to universities acting as “critic and conscience of society” as it could imply that the role is only limited to invited speakers, rather than the university functions more broadly.

Green Party of Aotearoa New Zealand and New Zealand Labour Party differing view

The Green Party does not support the Education and Training Amendment Bill (No 2). 64.2 percent, i.e. a clear majority, of the public submissions also do not support this bill.

Changes to school board objectives

It is disappointing that despite the responses from the public consultation on the proposed changes to section 127 and the National Education and Learning Priorities (NELP) provisions, where 80.5 percent of the submissions disagreed with the proposal to make educational achievement the primary objective, the Government has proceeded with the changes with no evidence other than “the proposal is a commitment in the National Party and Act Party coalition agreement.” The baseless politicisation of education in Aotearoa is a troubling trend with this Government.

The changes take a very narrow and antiquated view of education, fitting of a Government that has little interest in meaningful engagement and collaboration with the sector. Together with educational achievement, boards must ensure schools are emotionally and physically safe, give effect to rights-based legislation, protect children from all forms of discrimination at school, and give effect to Te Tiriti o Waitangi. Having four separate objectives gives weighting and mana, and recognises the interconnections and interdependencies of each objective. The idea that kura and schools should focus on a single paramount objective is both simplistic and not evidence based. While the Ministry of Education and the Minister of Education portrayed a view that nothing will change under the new drafting, there is a reason that statutory interpretation exists in law, and changes to section 127 will ostensibly have interpretive repercussions. The de-prioritisation of Te Tiriti o Waitangi is also a deliberate and inappropriate weakening of Te Tiriti rights and will make it even more difficult to achieve equitable outcomes for Māori students. This amendment would send a clear message to Māori students and their whānau that the Government does not care about their rights, and instead the Government is deliberately choosing to ensure that the

education system continues to fail Māori. We are seeing more and more evidence of this, most recently with the removal of kupu Māori from children's books.

While the bill is intending to provide clarity for school boards, it contradictorily introduces another layer of requirement for the board to have an attendance management plan under new section 137A. School boards are already required by section 36(2) of the Act "to take all reasonable steps to ensure all the school's students attend the school when it is open". The duplication of section 137A is nothing short of virtue signalling. To make matters more confusing, to address the drivers of poor attendance, schools and kura should be supported by the Government and responsible ministry to give full effect to the current objectives in 2(c)(i) to (iii) of section 127, which is being deprioritised in this bill. This means resourcing people and systems to ensure no child faces barriers to attendance arising from physical limitations placed on them by the school environment, a lack of learning support, experiencing discrimination, racism, stigma, bullying, or any other breach of rights set out in the Human Rights Act 1993 or New Zealand Bill of Rights Act 1990. This includes resourcing initiatives such as quality school lunches, shown to have a positive impact on engagement and attendance—the very tangible solutions that this Government is undermining.

Removal of the National Education and Learning Priorities (NELP)

In the public consultation prior to the introduction of the bill, 78.2 percent of submitters disagreed with the removal of the NELP. Yet the Government decided to remove it anyway. The purpose of the NELP was to guide the decision making of school boards. Boards were to have particular regard to the NELP, including when developing or renewing their charters. The NELP guided the strategic direction of the sector and was formed in consultation with educational experts. The proposed change would leave the strategic direction of schools in the hands of individual boards who may not necessarily be guided by educational knowledge and expertise in their decision making. If the concern is the content of NELP or the lack of accountability for a board to comply with it, then that should have been the focus of the consultation and the bill, but alas, that was outside the scope of the consultation. Submitters in both the consultation process and the committee's consideration of the bill have raised concerns on the lack of clarity this would have for boards with no replacement in the pipeline for NELP.

Freedom of expression

All universities in New Zealand regard the protection of freedom of speech, academic freedom, and the encouragement of robust and respectful debate to be essential to their work and critical to their purpose. Given this enduring focus delivered via the current institutional policies, there is no reason to require legislative change with respect to freedom of expression at our universities. This view is confirmed by Universities New Zealand | Te Pōkai Tara, Massey University, and Auckland University of Technology. This is purely a political stunt by a Party who has very little understanding and experience in the tertiary environment.

Furthermore, there is little reassurance that the legislative and regulatory requirements are workable. This could create undue compliance costs, as the submission from the University of Otago makes clear. Overprescription of legislative requirements may also result in unforeseeable legal consequences through opaque and contradictory legislative obligations, as seen in the United Kingdom. This is the ultimate irony where the very political party that wants to reduce regulatory burden has introduced further yellow tape in this scenario.

Appendix

Committee process

The Education and Training Amendment Bill (No 2) was referred to this committee on 14 May 2025. The House instructed us to report the bill back no later than 16 September 2025. We invited the Minister of Education to provide an oral submission on the bill. She did so on 18 June 2025.

We called for submissions on the bill with a closing date of 12 June 2025. We received and considered submissions from 749 interested groups and individuals. We heard oral evidence from 42 submitters at hearings in Wellington and via videoconference.

Advice on the bill was provided by the Ministry of Education. The Office of the Clerk provided advice on the bill's legislative quality. The Parliamentary Counsel Office assisted with legal drafting.

Committee membership

Katie Nimon (Chairperson)

Carl Bates (Deputy Chairperson)

Dr Vanessa Weenink (Acting Chairperson from 16 July to 8 August 2025)

Shanan Halbert

Francisco Hernandez

Grant McCallum

Dr Parmjeet Parmar

Hon Willow-Jean Prime

Hon Phil Twyford

Mike Butterick and Dr Lawrence Xu-Nan participated in our consideration of this bill.

Related resources

The documents we received as advice and evidence are available on the Parliament website.

Key to symbols used in reprinted bill

As reported from a select committee

text inserted unanimously

~~text deleted unanimously~~

Hon Erica Stanford

Education and Training Amendment Bill (No 2)

Government Bill

Contents

	Page
1 Title	3
2 Commencement	3
3 Principal Act	3

Part 1

Amendments to principal Act

Amendments to Part 1 (preliminary provisions)

4	Section 3 amended (Outline of Act)	3
5	Section 5 repealed (Minister may issue statement of national education and learning priorities)	3
6	Section 9 amended (Te Tiriti o Waitangi)	3
7	Section 10 amended (Interpretation)	4

Amendments to Part 3 (primary and secondary education)

8	Section 127 replaced (Objectives of boards in governing schools)	4
	127 Paramount objective of boards in governing schools	4
9	New sections 137A to 137D and cross-heading inserted	5

Attendance management

	137A Attendance management plan	5
	137B Preparing attendance management plan	5
	137C Review of attendance management plan	5
	137D Attendance management plan to be on Internet site	6
10	Section 212O amended (Duties of sponsors)	6

Amendments to Part 4 (tertiary education and vocational education and training)

11	Section 281 amended (Duties of councils)	6
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Education and Training Amendment Bill (No 2)

12	New sections 281A and 281B inserted	6
	281A Requirement for university council to adopt statement on freedom of expression	6
	281B Requirement for university council to establish complaints procedure relating to academic freedom and freedom of expression	7
13	Section 306 amended (Annual report)	7
	<i>Amendments to Part 4A (wānanga)</i>	
14	Section 398A amended (Outline of Part 4A)	7
	<i>Amendments to Part 5 (performance, funding, and support)</i>	
15	Section 479 amended (Functions and powers of Teaching Council)	8
16	Section 483 amended (Reports)	8
17	Section 497 amended (Powers of Complaints Assessment Committee)	8
18	Section 500 amended (Powers of Disciplinary Tribunal)	8
19	Section 508 amended (Powers of Competence Authority after finding required level of competence not attained)	9
20	Section 523 amended (Board or sponsor must reimburse the Crown for expenditure relating to international students)	9
	<i>Amendments to Part 6 (administration of education system)</i>	
21	Section 589 amended (Strikes in schools to be notified)	9
22	Section 617 amended (Minister must issue eligibility criteria relating to appointment of principals)	9
23	Section 638 amended (Regulations relating to how schools must be run)	9
24	New section 651B inserted (Regulations relating to annual reporting requirements for university council)	10
	651B Regulations relating to annual reporting requirements for university council	10
25	Schedule 1 amended	10
26	Schedule 3 amended	10
27	Schedule 5 amended	11
28	Schedule 7 amended	11
29	Schedule 24 amended	11

Part 2

Consequential amendments—Amendments to other legislation

Amendment to Education (School Planning and Reporting) Regulations 2023

<u>29A</u>	<u>Principal regulations</u>	<u>12</u>
<u>29B</u>	<u>Regulation 5 amended (Timing: preparation of first and subsequent strategic plans)</u>	<u>12</u>

	<i>Consequential amendments to secondary legislation</i>	
30	Consequential amendments to secondary legislation	12
	Schedule 1	13
	New Part 7 inserted into Schedule 1	
	Schedule 2	14
	Consequential amendments to secondary legislation	

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Education and Training Amendment Act **(No 2) 2025**.

2 Commencement

This Act comes into force on the day after Royal assent. 5

3 Principal Act

This Act amends the Education and Training Act 2020.

Part 1

Amendments to principal Act

Amendments to Part 1 (preliminary provisions) 10

4 Section 3 amended (Outline of Act)

Repeal section 3(2)(b).

5 Section 5 repealed (Minister may issue statement of national education and learning priorities)

Repeal section 5. 15

6 Section 9 amended (Te Tiriti o Waitangi)

(1) Repeal section 9(1)(b).

(2) Replace section 9(1)(d) with:

(d) **section 127(2)(e)**, which provides that, in meeting its paramount objective in governing a school, a board must ensure that the school gives effect to Te Tiriti o Waitangi, including by— 20

- (i) achieving equitable outcomes for Māori students; and
- (ii) working to ensure that its plans, policies, and teaching and learning programmes reflect local tikanga Māori, mātauranga Māori, and te ao Māori; and 25

- (iii) taking all reasonable steps to make instruction available in tikanga Māori and te reo Māori; and

7 Section 10 amended (Interpretation)

In section 10(1), insert in its appropriate alphabetical order:

academic freedom has the meaning given in section 267(4)

5

Amendments to Part 3 (primary and secondary education)

8 Section 127 replaced (Objectives of boards in governing schools)

Replace section 127 with:

127 Paramount objective of boards in governing schools

- (1) A board's paramount objective in governing a school is to ensure that every student at the school is able to attain their highest possible standard in educational achievement. 10
- (2) To meet the paramount objective, the board must meet the following supporting objectives:
 - (a) to give effect to its obligation ~~under section 36(2)~~ to take all reasonable steps to ensure that the school's students attend the school when it is open: 15
 - (b) to ensure that the school uses good quality assessment and aromatawai information to monitor and evaluate students' progress and achievement, including any assessment or aromatawai specified in a foundation curriculum policy statement: 20
 - (c) to ensure that the school—
 - (i) is a physically and emotionally safe place for all students and staff; and
 - (ii) gives effect to relevant student rights set out in this Act, the New Zealand Bill of Rights Act 1990, and the Human Rights Act 1993; and 25
 - (iii) takes all reasonable steps to eliminate racism, stigma, bullying, and any other forms of discrimination within the school:
 - (d) to ensure that the school is inclusive of, and caters for, students with differing needs: 30
 - (e) to ensure that the school gives effect to Te Tiriti o Waitangi, including by—
 - (i) achieving equitable outcomes for Māori students; and
 - (ii) working to ensure that its plans, policies, and teaching and learning programmes reflect local tikanga Māori, mātauranga Māori, and te ao Māori; and 35

(iii)	taking all reasonable steps to make instruction available in tikanga Māori and te reo Māori:	
(f)	to give effect to its obligations in relation to—	
(i)	any foundation curriculum statements, national curriculum statements, and national performance measures; and	5
(ii)	teaching and learning programmes; and	
(iii)	monitoring and reporting students' progress:	
(g)	to perform its functions and exercise its powers in a way that is financially responsible:	
(h)	if the school is a member of a community of learning that has a community of learning agreement under clause 2 of Schedule 5, to comply with its obligations under the agreement:	10
(i)	to comply with all of its other obligations under this or any other legislation.	
(3)	In this section,—	15
	paramount objective means the highest-priority objective	
	supporting objective means an objective that is essential and supports the paramount objective.	
9	New sections 137A to 137D and cross-heading inserted	
	After section 137, insert:	20
	<i>Attendance management</i>	
	137A Attendance management plan	
(1)	A board must have an attendance management plan for its school.	
(2)	The attendance management plan must—	
(a)	set out a strategy and a process for the school to identify and respond to student absences, for the purpose of returning students to attendance (as required under section 36); and	25
(b)	comply with any regulations made under section 638 relating to the content of attendance management plans.	
	137B Preparing attendance management plan	30
	In preparing an attendance management plan, a board must have regard to any guidelines on the management of school attendance issued by the Secretary.	
	137C Review of attendance management plan	
(1)	A board must review its attendance management plan in accordance with regulations made under section 638.	35
(2)	Following the review, the board must—	

(a)	readopt the plan; or	
(b)	adopt a new or amended plan.	
137D	Attendance management plan to be on Internet site	
	A board must ensure that its attendance management plan is available to the public on an Internet site maintained by or on behalf of the board.	5
10	Section 212O amended (Duties of sponsors)	
(1)	Replace section 212O(f) with:	
(f)	ensure that the school's chief executive and staff develop and deliver a curriculum for teaching, learning, and assessment that meets tuition standards at least equivalent to those at State schools of the same year levels; and	10
(2)	Repeal section 212O(g).	
	<i>Amendments to Part 4 (tertiary education and vocational education and training)</i>	
11	Section 281 amended (Duties of councils)	15
	After section 281(1)(f), insert:	
(g)	if the institution is a university, to protect and promote—	
(i)	academic freedom, in accordance with section 267; and	
(ii)	freedom of expression, in accordance with the university's statement adopted under section 281A .	20
12	New sections 281A and 281B inserted	
	After section 281, insert:	
281A	Requirement for university council to adopt statement on freedom of expression	
(1)	The council of a university must develop and adopt a statement that sets out the university's approach to freedom of expression.	25
(2)	The statement must be consistent with the following:	
(a)	universities should recognise that freedom of expression is critical to maintaining academic freedom:	
(b)	universities should actively foster an environment where ideas can be challenged, controversial issues can be discussed, and diverse opinions can be expressed, in a respectful manner consistent with any statute made by the university:	30
(c)	universities' policies and procedures relating to freedom of expression should be clear, consistently applied, and focused on fostering genuine debate rather than restricting it:	35

- (d) universities, as institutions, should not take public positions on matters that do not directly concern their role or functions:
- (e) universities should not limit the freedom of expression of staff or students, except where the exercise of free expression is likely to be unlawful or to disrupt the ordinary activities of the university: 5
- (f) universities ~~should seek to uphold their role as critic and conscience of society by providing~~ provide a platform for invited speakers of diverse viewpoints, and should not deny the use of university premises by an invited speaker because of that speaker's ideas or opinions.:
- (g) ~~universities should not deny the use of university premises by an invited speaker because of that speaker's ideas or opinions.~~ 10
- (3) In ~~subsection (2)(g)~~ **subsection (2)(f)**, **invited speaker** means a speaker invited by staff or any student association or student club of the university.
- 281B Requirement for university council to establish complaints procedure relating to academic freedom and freedom of expression** 15
- (1) The council of a university must establish and maintain a complaints procedure relating to academic freedom and freedom of expression.
- (2) *See also* **section 306(4)(h)**, which requires the nature and number of complaints relating to academic freedom and freedom of expression to be included in the council's annual report. 20

13 Section 306 amended (Annual report)

After section 306(4)(g), insert:

- (h) in the case of an institution that is a university,—
- (i) a report on how the council of the university has complied with its duties to protect and promote academic freedom and freedom of expression set out in **section 281(1)(g)**; and 25
- (ii) a report on the number and nature of complaints made under the complaints procedure established under **section 281B** for the year to which the annual report relates; and
- (iii) a report on any other matters prescribed by regulations made under **section 651B**. 30

Amendments to Part 4A (wānanga)

14 Section 398A amended (Outline of Part 4A)

- (1) In section 398A(1), replace “4” with “5”.
- (2) After section 398A(4), insert: 35
- (4A) Subpart 4 concerns the conversion of category A wānanga or category C wānanga to category B wānanga.

*Amendments to Part 5 (performance, funding, and support)***15 Section 479 amended (Functions and powers of Teaching Council)**

(1) After section 479(1)(j), insert:

(ja) to review, at any time, the standards for ongoing practice or criteria for the issue of practising certificates established under paragraph (j), and, after consulting the Minister,—

- (i) vary, delete, or replace 1 or more of the standards or criteria; or
- (ii) add 1 or more standards or criteria; or
- (iii) delete all the standards or criteria and substitute new standards or criteria:

(2) In section 479(1)(pa), after “relating to”, insert “mandatory reports to the Teaching Council,”.

(3) After section 479(6), insert:

(7) When performing its functions under subsection (1)(g), (h), or (i), the Teaching Council must—

- (a) consult the Secretary; and
- (b) have regard to any advice given by the Secretary.

16 Section 483 amended (Reports)

Replace section 483(2) with:

(2) The Teaching Council must present to the House of Representatives an annual report on its operations.

(3) The annual report must include (without limitation)—

- (a) the audited financial statements of the Teaching Council; and
- (b) a report on how the Teaching Council has complied with the requirement under section 482(5) to have regard to any relevant statement of Government policy.

17 Section 497 amended (Powers of Complaints Assessment Committee)

(1) After section 497(2)(c), insert:

(d) refer the matter back to the Teaching Council.

(2) In section 497(3)(b), after “authority”, insert “for a specified period”.

(3) In section 497(3)(e), after “certificate”, insert “or authority”.

18 Section 500 amended (Powers of Disciplinary Tribunal)

In section 500(1)(j), after “certificate”, insert “or authority”.

- 19 Section 508 amended (Powers of Competence Authority after finding required level of competence not attained)**
- (1) In section 508(a)(i), after “authority”, insert “for a specified period”.
- (2) Replace section 508(b) with:
- (b) order that the teacher’s registration, practising certificate, or authority be cancelled. 5
- 20 Section 523 amended (Board or sponsor must reimburse the Crown for expenditure relating to international students)**
- In section 523(1), replace “must” with “may”.
- Amendments to Part 6 (administration of education system)* 10
- 21 Section 589 amended (Strikes in schools to be notified)**
- In section 589(1), replace “3 days” with “not less than 7 days”.
- 22 Section 617 amended (Minister must issue eligibility criteria relating to appointment of principals)**
- (1) In the heading to section 617, replace “**must**” with “**may**”. 15
- (2) In section 617(1), replace “must issue” with “may issue”.
- 23 Section 638 amended (Regulations relating to how schools must be run)**
- After section 638(2)(f), insert:
- (g) provide for matters relating to attendance management plans under **sections 137A to 137D**, including (without limitation)— 20
- (i) specifying thresholds (applying to schools other than distance schools), based on the number of days a student is absent within a school term, to trigger schools’ actions and responses to student a school’s actions and responses to a student’s absence:
- (ia) specifying thresholds applying to distance schools to trigger a distance school’s actions and responses to a student’s absence: 25
- (ii) prescribing required content of attendance management plans, including (without limitation) requiring information about how the school intends to—
- (A) how the school will identify issues that make attendance 30
challenging for a student:
- (B) how the school will respond to student absences at the specified thresholds and to underlying causes of student absence:

	(iii) specifying the period in which a board must review its attendance management plan and readopt the plan or adopt a new or amended plan.	
24	New section 651B inserted (Regulations relating to annual reporting requirements for university council)	5
	After section 651A, insert:	
	651B Regulations relating to annual reporting requirements for university council	
(1)	The Governor-General may, by Order in Council, make regulations prescribing information relating to academic freedom and freedom of expression that must be included in the annual report of the council of a university, for the purpose of measuring performance and establishing benchmarks.	10
(2)	Regulations made under this section are secondary legislation (<i>see</i> Part 3 of the Legislation Act 2019 for publication requirements).	
25	Schedule 1 amended	15
	In Schedule 1,—	
(a)	insert the Part set out in Schedule 1 of this Act as the last Part; and	
(b)	make all necessary consequential amendments.	
26	Schedule 3 amended	
(1)	In Schedule 3, replace clause 7(b) with:	20
(b)	the Teaching Council is satisfied that the person is not the subject of any of the following:	
(i)	a mandatory report under any of sections 489 to 493:	
(ii)	a complaint made under section 495(2) or section 506(2):	
(iii)	a matter referred to the Complaints Assessment Committee under section 496(2):	25
(iv)	a matter referred to the Disciplinary Tribunal under section 497(5).	
(2)	In Schedule 3, after clause 8(3)(c), insert:	
(d)	a cancellation of a person's registration under clause 6(1)(a) or (b); or	30
(e)	a voluntary deregistration under clause 7; or	
(f)	a conviction of a teacher in the circumstances described in subclause (5) ; or	
(g)	an agreement between a teacher and the Teaching Council (due to a report or complaint that is about or involves the teacher's possible serious misconduct) that the teacher will not teach until the agreement is ended.	35

- (3) In Schedule 3, replace clause 8(4) with:
- (4) If the register is annotated following an agreement not to teach in accordance with **subclause (3)(g)** or an interim suspension, the annotation must be removed or corrected as soon as practicable after the agreement is ended or the matter is concluded (as specified in section 499(6)). 5
- (5) For the purposes of **subclause (3)(f)**, the circumstances are that the teacher—
- (a) has been convicted of a specified offence as defined in section 23(1) of the Children’s Act 2014; and
 - (b) has not been granted an exemption under section 35 of that Act in respect of that conviction. 10
- (4) In Schedule 3, after clause 21(3)(c), insert:
- (d) a cancellation of a person’s limited authority to teach under clause 17(1)(a) or (b); or
 - (e) a conviction of a holder of a limited authority to teach in the circumstances described in **subclause (5)**; or 15
 - (f) an agreement between a holder of a limited authority to teach and the Teaching Council (due to a report or complaint that is about or involves the person’s possible serious misconduct) that the person will not teach until the agreement is ended.
- (5) In Schedule 3, replace clause 21(4) with: 20
- (4) If the list is annotated following an agreement not to teach in accordance with **subclause (3)(f)** or an interim suspension, the annotation must be removed or corrected as soon as practicable after the agreement is ended or the matter is concluded (as specified in section 499(6)).
- (5) For the purposes of **subclause (3)(e)**, the circumstances are that the person— 25
- (a) has been convicted of a specified offence as defined in section 23(1) of the Children’s Act 2014; and
 - (b) has not been granted an exemption under section 35 of that Act in respect of that conviction.
- 27 Schedule 5 amended** 30
- (1) In the Schedule 5 heading, replace “127(2)(d)” with “**127(2)(h)**”.
- (2) In Schedule 5, repeal clause 3(2).
- 28 Schedule 7 amended**
- In Schedule 7, repeal clause 7.
- 29 Schedule 24 amended** 35
- (1) In Schedule 24, clause 1, insert in its appropriate alphabetical order:

researcher means any individual employed or engaged by a tertiary education organisation who carries out research or research-led teaching

- (2) In Schedule 24, replace clause 2 with:

2 Purpose

The purpose of this schedule is to authorise the use of national student numbers by specified users for specific purposes in order to facilitate the accurate use and transfer, by specified users, of information relating to—

- (a) individual students:
- (b) the research performance of researchers and the associated funding of tertiary education organisations.

- (3) In Schedule 24, after clause 3(1)(b), insert:

(c) a researcher.

- (4) In Schedule 24, clause 4(1)(c)(iii), replace “providers” with “providers, researchers,”.

Part 2

~~Consequential amendments~~ Amendments to other legislation

Amendment to Education (School Planning and Reporting) Regulations 2023

29A Principal regulations

Section 29B amends the Education (School Planning and Reporting) Regulations 2023.

29B Regulation 5 amended (Timing: preparation of first and subsequent strategic plans)

In regulation 5(1)(b) and (2)(b), replace “1 January 2026” with “1 January 2027”.

Consequential amendments to secondary legislation

30 Consequential amendments to secondary legislation

Amend the secondary legislation specified in **Schedule 2** as set out in that schedule.

Schedule 1

New Part 7 inserted into Schedule 1

s 25

Part 7	
Provisions relating to Education and Training Amendment Act (No 2) 2025	5
126 Interpretation	
In this Part,—	
amendment Act means the Education and Training Amendment Act (No 2) 2025	10
commencement date means the date on which the amendment Act comes into force.	
<i>Attendance management plans</i>	
127 Requirement to have attendance management plan	
(1) A board <u>(other than the board of a distance school)</u> is not required to have an attendance management plan under section 137A for its school until the first day after 25 January 2026 on which the school is open for instruction.	15
(2) <u>The board of a distance school is not required to have an attendance management plan until 20 July 2026.</u>	
<i>Statement on freedom of expression</i>	20
128 Requirement to adopt statement on freedom of expression	
The council of a university is not required to adopt a statement on freedom of expression under section 281A for the university until 6 months after the commencement date.	
<i>National student numbers</i>	25
129 Validation of national student numbers assigned to or used in relation to researchers	
(1) This clause applies to a national student number assigned to, or used in relation to, a researcher before the commencement date.	
(2) The assignment or use of the national student number is valid and declared to be, and to always have been, lawful.	30
(3) In this clause, researcher means an individual who is, or was, employed or engaged by a tertiary education organisation and carries out, or carried out, research or research-led teaching.	

Schedule 2
Consequential amendments to secondary legislation

s 30

Education (Early Childhood Services) Regulations 2008 (SR 2008/204)

Revoke regulation 47(1)(aa). 5

Education (School Planning and Reporting) Regulations 2023 (SL 2023/155)

In regulation 7(1)(b), delete “primary”.

Revoke regulation 7(1)(d)(i).

In regulation 7(1)(d)(ii), delete “other”.

Replace regulation 7(1)(f) with: 10

- (f) the board’s strategies for giving effect to Te Tiriti o Waitangi, including strategies for—

 - (i) achieving equitable outcomes for Māori students; and
 - (ii) working to ensure that its plans, policies, and ~~local curriculum~~ teaching and learning programmes reflect local tikanga Māori, mātauranga Māori, and te ao Māori; and
 - (iii) taking all reasonable steps to make instruction available in tikanga Māori and te reo Māori:
- 15

Legislative history

7 April 2025
14 May 2025

Introduction (Bill 140–1)
First reading and referral to Education and Workforce
Committee