



Regulatory framework for Communities of Online Learning

To reflect the impact of digital technology on the delivery of education, a new regulatory framework for online learning has been created. This will enable any school, tertiary education provider or body corporate to be accredited as a Community of Online Learning (COOL).

The widespread availability of digital technologies is changing the way our students learn. More and more of our children and young people are learning anywhere, any time and from a variety of sources.

This new framework will bring online learning into the mainstream. It recognises the convergence between online, face-to-face and correspondence education, and will help to future-proof the Education Act 1989 (the Act) by providing increased flexibility for students and our education system.

The COOL framework will give students more flexibility and choice in how and what they learn, and will future-proof for the impact technological changes have made, and will make, to society and to education.

When will COOL be operational?

The COOL regulatory framework will take effect no later than 31 December 2019.

Before COOL become operational, regulations will be developed to provide more detail about how they will work, including the accreditation process, enrolment criteria and attendance requirements. The Ministry will consult on these regulations in 2018.

What types of COOL will there be?

Students will be able to learn online through two types of COOL:

- » **Enrolling COOL** – where they can enrol in full-time online learning as an alternative to a face-to-face school. An enrolling COOL will have overall accountability for students' full-time learning programmes regardless of where aspects of the learning are sourced.
- » **Supplementary COOL** – where they can receive supplementary tuition (such as in a specific subject) while enrolled in and attending a face-to-face school or other COOL.

Will students have to attend a COOL?

No. These changes will increase the education options for young New Zealanders. Students will be able to choose from a greater number of education providers and have increased access to more subjects. All students will be able to access the benefits of online learning, such as increased flexibility and opportunity for personalisation, if they and their parents think it is right for them.

How will COOL be accredited?

In order to be accredited as a COOL, education providers need to satisfy criteria in the Act and be approved by the Minister. There will be two stages of accreditation – provisional (for 12 months) and full. Before the Minister can grant full accreditation, COOL must be reviewed by the Education Review Office (ERO).

The Minister may also set conditions on the accreditation of COOL (such as a maximum roll), and prescribe additional regulations that may apply to all COOL, types of COOL, or individual COOL (such as attendance requirements).



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How will COOL ensure student wellbeing?

It is a requirement that enrolling and supplementary COOL have the capacity to meet their student wellbeing and pastoral care responsibilities in order to achieve accreditation. The Minister can further set conditions on individual COOL, where appropriate.

Once operating, an enrolling COOL has a duty to take all reasonable steps to ensure there is a safe emotional learning environment for students. The Minister can intervene in a COOL if they believe there is a risk to the welfare or educational performance of its students.

Is online learning already happening in New Zealand?

Online learning is already happening in New Zealand through the correspondence school, Te Aho o Te Kura Pounamu, some tertiary providers and other unregulated providers. Establishing a regulatory framework for online learning ensures that the education sector can continue to grow and innovate in a sustainable, accountable and managed way.

Online learning has failed overseas, why are we doing it here?

The COOL model is significantly different from online learning models used overseas. Overseas experience demonstrates that the lack of an appropriate regulatory framework for online learning results in unrestricted growth, low accountability and poor student outcomes.

The COOL model provides a regulatory framework which will protect the education, safety and wellbeing of students, while managing the growth of the sector and encouraging innovation in educational provision.

Where issues arise, a range of interventions have been provided for. For example, the Minister may require that the COOL prepare and carry out an action plan. COOL are also subject to review by the Education Review Office.

What happens to Te Kura?

Te Kura is currently New Zealand's only provider of correspondence education. When the new framework comes into effect, Te Kura will be transitioned into the first fully-accredited enrolling COOL. The Ministry will work with Te Kura to ensure that current Te Kura students continue to be enrolled and receive tuition through the transition.

Where are the COOL provisions located in the Act?

The COOL provisions are set out in a new Part 3A.

When do the changes take effect?

These changes take effect from 31 December 2019 at the latest. Prior to this, the Ministry will develop regulations and guidance for the sector, after consultation with the education sector.

Links to key provisions

Clause 38 of the Education (Update) Amendment Act 2017, which contains new Part 3A, "Communities of online learning": <http://www.legislation.govt.nz/act/public/2017/0020/latest/DLM6928687.html>