

# Consultation on teacher refresh requirements for renewing practising certificates

August 2021



**Teaching  
Council of  
Aotearoa  
New Zealand**

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## How to provide feedback

The deadline for feedback on this consultation is **Friday 3 September 2021**

You can provide feedback to [teacherrefreshconsult@teachingcouncil.nz](mailto:teacherrefreshconsult@teachingcouncil.nz)

# What are we seeking feedback on?

The Teaching Council (“the Council”) would like your feedback on proposed new rules for teacher refresh processes when renewing practising certificates, the policy changes that will be needed for the proposed new rules, and policy changes for other circumstances where teacher refresh processes may be required.

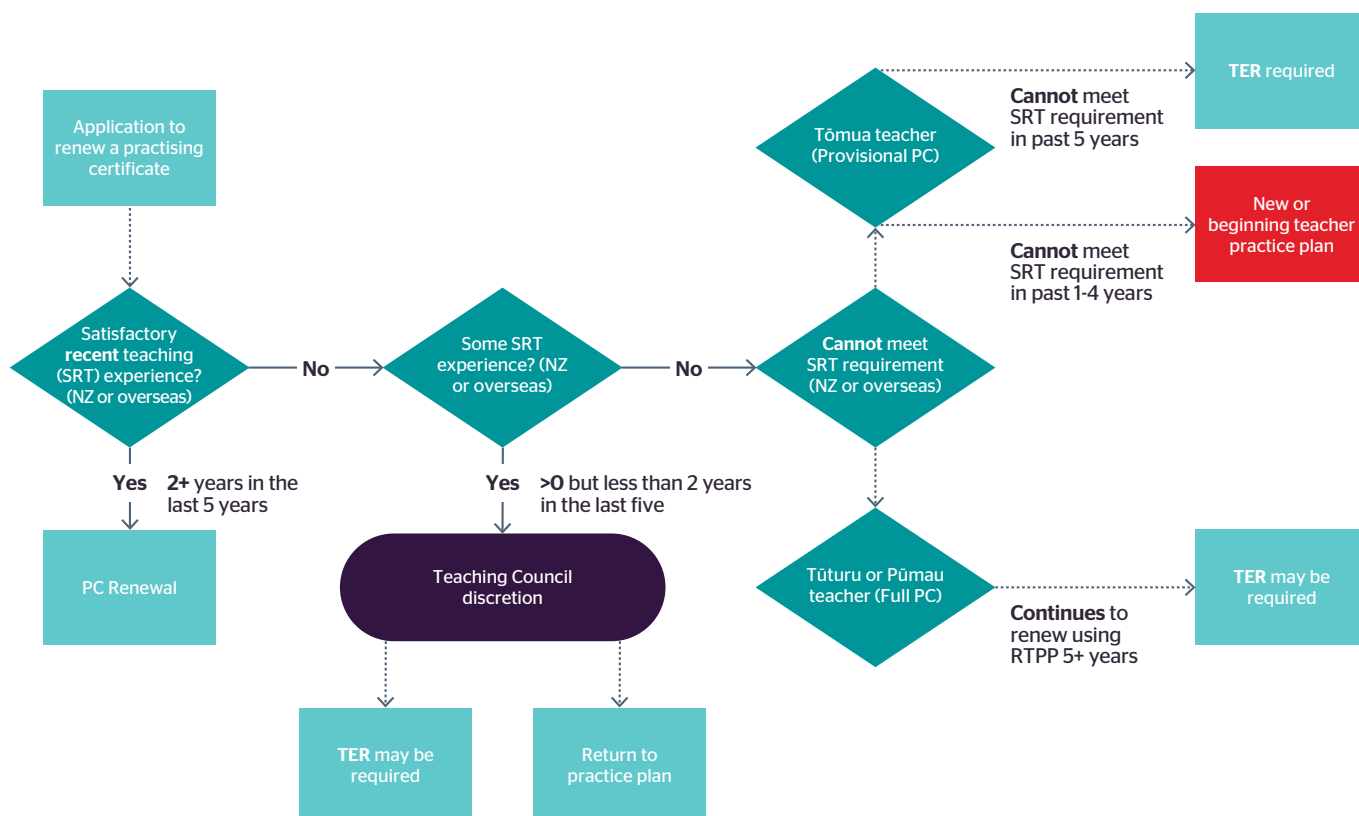
The proposed new rules are required to be made under the Education and Training Act 2020 (“the ETA”) – see “*The legislative background*” below. However, it is proposed that they will largely reflect existing policy and practice, building on current teacher refresh processes, rather than introducing a whole new process.

The Council welcomes feedback from all teachers, professional leaders, peak bodies, and other stakeholders who may be affected by the proposed new Rules and policy changes.

## Overview of proposed changes

The Council’s *Requirements for Teacher Registration, Practising Certificates and Limited Authority to Teach* policy (the policy) already provides for two refresh processes – a Return to Practice Plan (RTPP) for experienced teachers and Teacher Education Refresh (TER) programmes. The diagram highlights the addition proposed to these processes for Tōmua | Provisional teachers seeking to renew this practising certificate type as well as showing the other processes currently in place. The proposed rule and policy changes outlined later in the document provide more detail about this addition and other proposed changes.

## What’s proposed?



# The legislative background

Previously, the Council could only renew a practising certificate if it was satisfied that the teacher had “satisfactory recent teaching experience”<sup>1</sup>

“Satisfactory recent teaching experience” means an uninterrupted period of employment in a teaching position of two years (or a shorter period approved by the Teaching Council at its discretion) within the last five years.<sup>2</sup>

A new provision in the ETA allows the Council to renew a teacher’s practising certificate without “satisfactory recent teaching experience”, if it is satisfied that the teacher:<sup>3</sup>

- a. Has met the teacher refresh requirements specified under rules made under section 486 of the ETA; and
- b. Has had a satisfactory Police vet in the last three years; and
- c. Meets the standards and criteria maintained under section 479(1)(j) of the ETA.

The purpose of this new provision is to allow the Council discretion to issue a renewed practising certificate for teachers in particular circumstances where they are otherwise unable to meet the requirement that they have satisfactory recent teaching experience as defined in the ETA. In these situations, teacher refresh processes established by the Council may provide an appropriate alternative to the satisfactory recent teaching experience requirement.

However, in order to exercise this discretion under the ETA, the Council needs to make rules providing for the requirements teachers must meet to satisfy the refresh process where that is necessary for renewal of practising certificates.<sup>4</sup> This ensures that the alternative pathway for teachers to apply to renew their practising certificates in particular situations is both transparent and consistent.

When preparing these rules, the Council must take all reasonable steps to consult those affected by the rules.<sup>5</sup>

The purpose of this consultation document is to inform those who may be affected by the proposed new rules specifying the requirements to satisfy the refresh process for renewal of practising certificates, to inform the Council’s decision on the proposed rules and any policy changes.

## What do we want to achieve with the proposed new rules?

The proposed new rules need to set out the requirements that teachers must meet to satisfy the refresh process necessary for **renewing** practising certificates. They will reflect existing policy and practice, in that a teacher without satisfactory recent teaching experience will be required to complete either a practice plan or a TER programme, before the Council exercises its discretion as to whether to renew their practising certificate.

The intended outcome of these proposals is to provide a clear pathway for renewal for any teacher, regardless of what stage they are at in their teaching career.

<sup>1</sup> Section 361(6) Education Act 1989.

<sup>2</sup> Was s 248 Education Act 1989; now Schedule 3 [clause 10\(9\)](#) ETA.

<sup>3</sup> Schedule 3 [clause 10\(6\)\(b\)](#) ETA.

<sup>4</sup> Section 486(1)(h) ETA.

<sup>5</sup> Section 486(3) ETA.

## What do we want to achieve with the proposed changes to policy?

The policy will continue to address the other circumstances where teacher refresh processes may be required (where a teacher is applying for a new practising certificate, rather than renewing an existing one). Rules under section 486(1)(h) of the ETA are only necessary to specify the refresh process requirements for practising certificate renewal, but we intend to amend the policy to reflect these other circumstances to ensure consistency and transparency.

## Current requirements for teacher refresh processes

Teacher refresh processes are designed to make sure the curriculum, pedagogy and system knowledge of all teachers is current. It's a way for new graduates who have yet to obtain a teaching position, along with experienced teachers who haven't taught for some time, to update their knowledge and practice in readiness for beginning or returning to teaching.

Along with the teacher refresh processes outlined in the *Requirements for Teacher Registration, Practising Certificates and Limited Authority to Teach* policy, the Council can also issue a Returning to Teaching In Aotearoa New Zealand (RTTANZ) practising certificate for teachers who have been away from teaching for five or more years. In these circumstances, the teacher would also undertake one of the refresh processes as outlined below:

**Return to Practice Plans (RTTP)** Experienced teachers returning to teaching who have not completed any teaching in the last five years can complete a self-assessment of their learning needs and identify professional development they intend to undertake in the first 12 months of returning to teaching.

**Teacher Education Refresh (TER) programmes** TER programmes are a more structured approach to teacher refresh, where the teacher enrolls in a programme with a TER provider and completes the programme over a period of time (with programmes starting from 12 weeks duration).

TER may be required for:

- Teachers applying for their first practising certificate when their Initial Teacher Education (ITE) qualification was completed more than five years ago.
- Tōmua | Provisional teachers who haven't taught in the last five years.
- Tōmua | Provisional teachers seeking to renew after already holding this practising certificate type for five years.
- Overseas-trained teachers whose teaching qualification was completed more than five years ago and who haven't taught in the last five years.
- If a Tūturu | Full (Category One) or Pūmau | Full (Category Two) teacher has not taught beyond the five-year period where a RTTP is required, they may also be required to undertake all or some of a TER programme.

## Teacher Education Refresh (TER) Programme fees

The Council currently has contracts with four approved education [providers](#) for the provision of TER programmes that meet Council's requirements. Teachers who needed to undertake TER were initially required to pay the applicable programme fees themselves, until in January 2018 when the government announced that TER programme fees would be funded by the Ministry of Education. Fees currently range between \$1,690 and \$2,490 depending on the provider chosen.

Note that the Ministry of Education has committed to funding the programme fees for teachers required to undertake TER until the end of June 2022, in line with the government funding appropriation.

There is no indication at this time about whether the Government will make additional funding available for TER programme fees beyond the end of June 2022. If government funding was to cease, any teacher required by the Council to undertake TER would be responsible for payment of the applicable programme fees direct to the provider.

### What is proposed to be included in the rules?

The proposed new rules need to specify the requirements for a refresh process which a teacher must meet in applying to renew their practising certificate, where that teacher is otherwise not able to meet the satisfactory recent teaching experience requirement necessary for the issue of a renewed practising certificate under clause 10(6)(a) of Schedule 3 of the ETA.

Therefore, we would seek to specify the following requirements in the proposed new rules:

- A new requirement that means a Tōmua | Provisional teacher who cannot meet the satisfactory recent teaching experience requirement can complete a practice plan to satisfy the Teaching Council that their application to renew their practising certificate should be approved. The teacher could hold and renew a Tōmua | Provisional practising certificate for five years, after which point a TER programme would be required.
- The current requirements for teacher refresh processes for experienced teachers seeking to renew full certification using a RTPP would be retained.
- That unless an exemption is obtained, a TER programme would be required for Tōmua | Provisional teachers seeking to renew a practising certificate:
  - after five years when they cannot meet the satisfactory recent teaching requirement
  - when they have held a Tōmua | Provisional practising certificate for five or more years
- That a TER programme may be required for teachers holding full certification if they continue to apply to renew their practising certificate using a RTPP for longer than the five-year period when a RTPP is required.
- That unless an exemption is obtained, a TER programme would be required when an applicant's overseas teaching is not equivalent to the definition of a teaching position in New Zealand, and they are otherwise not able to meet satisfactory recent teaching experience requirement for renewal.

Please refer to the proposed rules included as Appendix 1.

### What is proposed to be included in the policy?

The rules required under section 486 of the ETA are only necessary to specify the refresh process requirements for practising certificate renewal.

However, we also want our policy to address the other circumstances where teacher refresh processes may be required (where a teacher is being issued with a new practising certificate). The policy amendments will therefore include both the teacher refresh requirements for renewal of practising certificates that must be in the rules (outlined above) and teacher refresh requirements generally that apply in other circumstances.

So that refresh options for renewing practising certificates are available to all teachers at any time during their teaching career, we are proposing two types of practice plan:

- **Introducing** a New/Beginning Teacher Practice Plan (for new or beginning teachers seeking to renew Tōmua | Provisional) in the five years before being required to complete a TER programme.
- **Retaining** the current RTPP (for experienced teachers seeking to renew Tūturu | Full (Category One) or Pūmau | Full (Category Two)).

We are also proposing that unless an exemption is obtained, a TER programme would be required for teachers who have spent time teaching overseas but the role was not equivalent to a teaching position in an educational institution in New Zealand.

This provision could apply to an overseas-trained teacher seeking New Zealand registration and issue of a first practising certificate or a New Zealand registered teacher seeking to renew a practising certificate, who cannot otherwise meet satisfactory recent teaching experience requirements.

In addition, we are proposing that if the proposed new rules for teacher refresh processes are adopted, the RTTANZ practising certificate should only be issued in circumstances where a teacher's full practising certificate has expired, and they have no satisfactory recent teaching experience, and cannot otherwise preserve their certification using the extension to teach provisions. This would ensure that a clear pathway to re-enter the teaching profession remains available to these teachers.

## Proposed policy changes for teacher refresh processes

**New/Beginning Teacher Practice Plan (NEW) Tōmua |** Provisional teachers who are not able to meet the satisfactory recent teaching requirements when first seeking to renew this practising certificate type can complete a self-assessment of their learning needs and identify professional development they intend to undertake in preparation for beginning their teaching career. This self-assessment should focus on how the teacher will ensure they meet the Standards | Ngā Paerewa (with support) and the other requirements for renewing a Tōmua | Provisional practising certificate.

When completing their self-assessment, a Tōmua | Provisional teacher will be expected to be able to show a range of professional learning and development they will engage with, such as reading journals and articles and education sector strategies and updates, webinars or other online PLD, participation in professional networks and any other learning and development activities that may assist with being able to meet the Standards | Ngā Paerewa (with support).

If the teacher is not able to meet the satisfactory recent teaching experience requirement at the time of a subsequent renewal, the Council may also require an additional focus for professional learning and development that demonstrates they are maintaining currency in developments in teaching and learning (such as curriculum changes).

*Rationale: This practice plan recognises that teachers on Tōmua | Provisional practising certificates are at an early stage of their teaching career in Aotearoa New Zealand and may need more immediate opportunities to remain connected to teaching and learning theory and practice while waiting to establish their teaching career. Including an ability to increase expectations for what is covered in the practice plan, if the teacher continues to renew using the refresh option, is intended to ensure the teacher keeps their knowledge and skills refreshed as well as staying current with professional issues.*

**Return to Practice Plan (Intent UNCHANGED and with updated wording for consistency)** Experienced teachers returning to teaching who **are not able to meet the satisfactory recent teaching experience requirements** can complete a self-assessment of their learning needs and identify professional development they intend to undertake in the first 12 months of returning to teaching.

*Rationale: The time expectation for a RTPP remains unchanged. Updating the wording to refer to satisfactory recent teaching experience requirements means it will be clearer that the refresh option could be applied when a teacher has insufficient teaching service as well as when they have not completed any teaching.*

**Teacher Education Refresh programmes: (CHANGED and with updated wording for consistency)** TER programmes are a more structured approach to teacher refresh, where the teacher enrolls in a programme with a TER provider and completes the programme over a period of time (with programmes starting from 12 weeks duration).

**TER may be relevant to:**

- Teachers applying for their first practising certificate when their ITE qualification was completed more than five years ago.
- **(UPDATED WORDING)** Tōmua | Provisional teachers **who cannot meet the satisfactory recent teaching experience requirement** and the Council has not exercised its discretion to approve a shorter period.  
*Rationale: Links this more clearly to the satisfactory recent teaching experience requirement and the Council's discretion to consider shorter periods of time than the time requirements specified in clause 10(9) of Schedule 3 ETA.*
- Tōmua | Provisional teachers seeking to renew Tōmua | Provisional practising certificates after already holding this practising certificate type for five years.
- Overseas-trained teachers whose teaching qualification was completed more than five years ago and who haven't taught in the last five years.
- **(NEW)** Teachers who have spent time teaching overseas but the role was not equivalent to a teaching position in an educational institution in New Zealand. This provision could apply to an overseas-trained teacher seeking New Zealand registration and a first practising certificate or a New Zealand registered teacher seeking to renew a practising certificate, who is not otherwise able to meet the satisfactory recent teaching experience requirement.  
*Rationale: Aligns to legislative requirements for the definition of a teaching position and satisfactory recent teaching experience.*
- **(UPDATED WORDING)** A Tūturu | Full (Category One) or Pūmau | Full (Category Two) teacher who has continued to renew their practising certificate using a RTPP **longer than the five-year period where a RTPP is required.**  
*Rationale: Intent unchanged but clarifies a TER programme may be required if a teacher continues to renew using RTPP and so cannot meet the satisfactory recent teaching experience requirement for subsequent renewals.*

**(UNCHANGED)** Provisions for applications for exemptions from completing a TER programme.

**Returning to Teaching in Aotearoa New Zealand (RTTANZ) practising certificate (CHANGED)** We are proposing that this practising certificate type is only issued in circumstances where a teacher previously holding full certification (now known as Tūturu | Full (Category One) or Pūmau | Full (Category Two) has an expired practising certificate, no satisfactory recent teaching experience and is not able to renew using the extension to teach provision. .

*Rationale: This practising certificate type was intended to be an interim measure while the new rules for teacher refresh processes were developed; the refresh process provision included in the ETA 2020 now addresses how a teacher can renew their practising certificate when they cannot meet the requirements for satisfactory recent teaching experience. However, retaining this practising certificate for teachers who were fully certificated, but whose practising certificates have expired, and therefore need to have a new practising certificate issued, ensures a clear pathway to re-enter the teaching profession remains for these teachers. This practising certificate type would not apply to Tōmua | Provisional teachers, who would be covered by the TER requirements.*



## Questions

The following questions may help you to formulate your feedback. However, you don't have to answer these questions, and you can choose to structure your feedback, and comment on any aspect of this consultation document, in the way that you prefer.

1. Do you have any comments/feedback on the proposal to introduce a New/Beginning Teacher Practice Plan?
2. Do you have any comments/feedback on the proposal that unless an exemption is obtained, a TER programme will be required when a teacher has spent time teaching overseas but the role was not equivalent to a teaching position in an educational institution in New Zealand?
3. Do you have any comments/feedback on the proposal to only issue the RTTANZ practising certificates in specific limited circumstances?
4. Do you have any other comments/feedback on what you believe the Teaching Council should consider before making decisions on the proposed new Rules and policy changes?
5. Do you have any other comments on the proposed changes overall, or any other related matter?

## How to provide feedback

The deadline for feedback on this consultation is **Friday 3 September 2021**

You can provide feedback to [teacherrefreshconsult@teachingcouncil.nz](mailto:teacherrefreshconsult@teachingcouncil.nz)

## What we will do with your feedback

The Council will consider your feedback before making decisions on the proposed new rules and policy changes and publish an analysis of the submissions that are received.

The Council will be required to consider any request to release the submissions under the Official Information Act (OIA). You cannot veto the release of your submission under the OIA, but you can let us know if there are specific reasons why you would like your feedback to remain anonymous or confidential, and we will consider those reasons before making a decision on any OIA request that is received.

# Appendix 1:

## Proposed rules for teacher refresh processes to be included as new Part 9A

### DRAFT FOR CONSULTATION

## Teaching Council Amendment Rules 2021

Pursuant to section 486(1)(h) of the Education and Training Act 2020, the Teaching Council of Aotearoa New Zealand, after consultation in accordance with section 486(3) of that Act, makes the following rules.

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### Rules

- 1 Title**  
These rules are the Teaching Council Amendment Rules 2021.
- 2 Commencement**  
These rules come into force on 15 September 2021.
- 3 Principal rules**  
These rules amend the Teaching Council Rules 2016.

#### 4 New Part 9A inserted

After rule 66, insert:

### Part 9A Refresh process

#### 66A Application of this Part

This Part applies if—

- (a) a teacher submits an application to renew a relevant practising certificate; and
- (b) the teacher is unable to satisfy the requirements of clause 10(6)(a) of Schedule 3 of the Act; and
- (c) the Teaching Council must consider whether it is satisfied that the teacher meets the requirements of clause 10(6)(b) of Schedule 3 of the Act, including the applicable refresh process specified in this Part.

#### 66B Interpretation

In this Part, unless the context otherwise requires,—

**refresh process**, in relation to a relevant practising certificate, means the requirements specified in clause 66C, 66D, or 66E for renewing the relevant practising certificate

**relevant practising certificate** means—

- (a) a provisional practising certificate;
- (b) a full category 1 practising certificate;
- (c) a full category 2 practising certificate.

#### 66C Refresh process for renewal of provisional practising certificates

- (1) A teacher must complete a new or beginning teacher practice plan before the Teaching Council may issue a renewed provisional practising certificate if the teacher—
  - (a) applies to renew their provisional practising certificate; and
  - (b) lacks satisfactory recent teaching experience; and
  - (c) has completed their teaching qualification less than 5 years before their application.
- (2) However, unless the Teaching Council grants an exemption, a teacher must complete a teacher education refresh programme before the Teaching Council may issue a renewed provisional practising certificate if the teacher—
  - (a) has been unable to gain satisfactory recent teaching experience for a period of 5 years or more; or

(b) has held a provisional practising certificate for a period 5 years or more.

**66D Refresh process for renewal of full category 1 practising certificates or full category 2 practising certificates**

- (1) A teacher must complete a return to practice plan before the Teaching Council may issue a renewed full category 1 practising certificate or a renewed full category 2 practising certificate if the teacher—
- (a) applies to renew their full category 1 practising certificate or full category 2 practising certificate; and
  - (b) lacks satisfactory recent teaching experience.
- (2) However, a teacher may be required to complete a teacher education refresh programme before the Teaching Council may issue a renewed full category 1 practising certificate or a renewed full category 2 practising certificate if the teacher has, over a period of 5 years or more, renewed their full category 1 practising certificate or full category 2 practising certificate by means of completing a return to practice plan.

**66E Refresh process for renewal of relevant practising certificates for teachers who taught overseas and lack satisfactory recent teaching experience**

Despite anything in clauses 66C and 66D, unless the Teaching Council grants an exemption, a teacher must complete a teacher education refresh programme before the Teaching Council may issue a relevant practising certificate if the teacher—

- (a) applies to renew a relevant practising certificate; and
- (b) has taught overseas in a role that is not equivalent to a teaching position in New Zealand; and
- (c) lacks satisfactory recent teaching experience.

Dated at Wellington this                      day of                      2021.

Chairperson of the Teaching Council of Aotearoa New Zealand.

## Explanatory note

*This note is not part of the rules, but is intended to indicate their general effect.*

This instrument, which comes into force on 15 September 2021, amends the Teaching Council Rules 2016 to specify, for the purposes of clause 10(6)(b)(i) of Schedule 3 of the Education and Training Act 2020, the requirements for the renewal of certain practising certificates.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*:

These rules are administered by the Teaching Council of Aotearoa New Zealand.



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