

# DRAFT FOR CONSULTATION

## Education and Training (Upholding Te Tiriti o Waitangi) Amendment Bill

Member's Bill

### Explanatory note

#### General policy statement

This Member's Bill reinstates the obligation of school boards to give effect to Te Tiriti o Waitangi.

To properly give effect to Te Tiriti o Waitangi schools require clear direction. This Bill provides this direction through requiring boards to give effect to Te Tiriti o Waitangi and providing specifications as to how. This includes ensuring that school plans, policies, and local curriculum reflect local tikanga Māori, mātauranga Māori, and te ao Māori; that reasonable steps are taken to make tikanga Māori and te reo Māori instruction available; and that there is a focus on equitable outcomes for Māori students.

This Bill is based on evidence regarding what contributes to the success of all students, including Māori. The Bill prescribes an approach that would require boards to change their practices to give effect to Te Tiriti o Waitangi, is practicable to implement, and contributes to meeting the Crown's Te Tiriti obligations in education legislation.

#### Clause by clause analysis

*Clause 1* is the Title clause.

*Clause 2* is the commencement clause and provides for the Bill to come into force on the day after Royal assent.

*Clause 3* provides that the Bill amends the Education and Training Act 2020.

*Clause 4* amends section 9 of the Act, which sets out the provisions of the principal Act that relate to Te Tiriti o Waitangi. The amendments insert *new section 9(1)(d)* to reflect changes made to section 127 by *clause 5*.

*Clause 5* amends section 127, which sets out the objectives of boards in governing State schools. The amendment replaces *section 127(2)(e)* to provide that, to meet a school board's paramount objective in governing a school to ensure that every student at the school is able to attain their highest possible standard in educational achievement, the board must meet the supporting objective of ensuring that the school gives effect to Te Tiriti o Waitangi.

*Clause 6* consequentially amends the Education (School Planning and Reporting) Regulations 2023 (SL 2023/155) to reflect the amendment made to section 127 by *clause 5*.

*Hon Willow-Jean Prime*

# **Education and Training (Upholding Te Tiriti o Waitangi) Amendment Bill**

Member's Bill

## **Contents**

|                                                                                         | Page |
|-----------------------------------------------------------------------------------------|------|
| 1 Title                                                                                 | 1    |
| 2 Commencement                                                                          | 1    |
| 3 Principal Act                                                                         | 1    |
| 4 Section 9 amended (Te Tiriti o Waitangi)                                              | 1    |
| 5 Section 127 amended (Paramount objective of boards in governing schools)              | 2    |
| 6 Consequential amendment to Education (School Planning and Reporting) Regulations 2023 | 2    |

## **The Parliament of New Zealand enacts as follows:**

### **1 Title**

This Act is the Education and Training (Upholding Te Tiriti o Waitangi) Amendment Act **2026**.

### **2 Commencement**

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

### **3 Principal Act**

This Act amends the Education and Training Act 2020.

### **4 Section 9 amended (Te Tiriti o Waitangi)**

(1) After section 9(1)(c), insert:

- (d) **section 127(2)(e)**, which provides that, when meeting its paramount objective in governing a school, the board must meet the supporting objective of ensuring that the school gives effect to Te Tiriti o Waitangi, including by—
- (i) working to ensure that its plans, policies, and local curriculum reflect local tikanga Māori, mātauranga Māori, and te ao Māori; and
  - (ii) taking all reasonable steps to make instruction available in tikanga Māori and te reo Māori; and
  - (iii) achieving equitable outcomes for Māori students; and

- (2) Repeal section 9(2)(ba).

**5 Section 127 amended (Paramount objective of boards in governing schools)**

Replace section 127(2)(e) with:

- (e) to ensure that the school gives effect to Te Tiriti o Waitangi, including by—
- (i) working to ensure that its plans, policies, and local curriculum reflect local tikanga Māori, mātauranga Māori, and te ao Māori; and
  - (ii) taking all reasonable steps to make instruction available in tikanga Māori and te reo Māori; and
  - (iii) achieving equitable outcomes for Māori students:

**6 Consequential amendment to Education (School Planning and Reporting) Regulations 2023**

- (1) This section amends the Education (School Planning and Reporting) Regulations 2023 (SL 2023/155).

- (2) Replace regulation 7(1)(f) with:

- (f) the board's strategies for giving effect to Te Tiriti o Waitangi, including strategies for—
- (i) working to ensure that its plans, policies, and local curriculum reflect local tikanga Māori, mātauranga Māori, and te ao Māori; and
  - (ii) achieving equitable outcomes for Māori students; and
  - (iii) taking all reasonable steps to make instruction available in tikanga Māori and te reo Māori: