



State-integrated schools

The Private Schools Conditional Integration Act 1975 (known as the PSCI Act), was developed more than 40 years ago. Many of the Act's provisions have not been modernised or updated since 1975.

As a part of updating the Education Act, the PSCI Act has now been incorporated into the Education Act 1989 (the Act). All relevant provisions in the PSCI Act have been transferred and updated, with the aim of maintaining the status quo. This creates a more streamlined, flexible and modern regulatory framework for state-integrated schools.

There are three other changes to improve the management of the state-integrated sector:

- » requiring proprietors to provide financial and other information to the Crown to improve decision-making when issues arise
- » introducing new criteria to guide decision-making by proprietors
- » creating a bespoke merger process for state-integrated schools.

When will the information-seeking power be used?

The Minister can now require proprietors to provide the information needed to assess their financial position and managerial capacity.

The Minister will only be able to require this information:

- » when a proprietor or potential proprietor has applied to integrate a school
- » where there are reasonable concerns about a proprietor's or potential proprietor's ability to meet their obligations under an integration agreement
- » when a proprietor or potential proprietor has submitted a request for funding.

How will the criteria guide decision-making by proprietors?

The criteria encourage proprietors to manage their school or network of schools in a way that takes into account issues that are important to the Crown, such as the long-term viability of a state-integrated school in an area with a declining population.

How does the new merger process work?

The new merger process means that state-integrated schools will no longer need to close before opening as a new school. This will reduce both the administrative burden and compliance costs on state-integrated schools.

Information for proprietors

The Ministry of Education is developing guidance to help proprietors understand their responsibilities under these three new provisions.

For any queries contact Education Network@Education.govt.nz

When do the changes take effect?

The provisions for state-integrated schools took effect from 19 May 2017.

Links to key provisions

Part 33, "State integrated schools": <http://www.legislation.govt.nz/act/public/1989/0080/latest/DLM175959.html>

For the Minister's power to require proprietors to provide information, see section 426: <http://www.legislation.govt.nz/act/public/1989/0080/latest/DLM7270049.html>

For the new merger process, see section 431: <http://www.legislation.govt.nz/act/public/1989/0080/latest/DLM7270054.html>

For the decision-making criteria for proprietors, see section 457: <http://www.legislation.govt.nz/act/public/1989/0080/latest/DLM7270085.html>