



Foundation for Marist Solidarity International

Promoting the Rights of Children

www.fmsi-onlus.org

Alternative Periodic Report

to the

United Nations Committee on the Rights of the Child

56th Session of the CRC

Review of New Zealand

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EDUCATION, LEISURE AND CULTURAL ACTIVITIES (Articles 28, 29 and 31)

Overview

1. The Alternative Report June 2010 on New Zealand by the organization 'Action for Children and Youth Aotearoa Incorporated' comments that New Zealand's primary and secondary educational outcomes compare relatively well with other OECD countries but notes that a "long tail" exists of children who suffer from marked inequities in educational opportunities, participation and outcomes.¹

Area of Concern: *Alternative Education*

2. The concern of this *alternative report* by FMSI² relates to one of those groups which comprise this "long tail", namely those children who, for one reason or another, exit mainstream education and continue their education through "Alternative Education" (AE). A media release to announce extra funding of \$1.5 million to AE on 1 September 2010 by the Minister of Education, Hon. Anne Tolley and Associate Minister of Education, Hon Dr Pita Sharples, reported that more than 3000 young people access Alternative Education every year. Minister Tolley commented that the needs of these children have been ignored for years, and they deserve the opportunity to succeed. The extra funding is the first since the scheme was introduced in 2000. This extra money is to cover the cost of each AE provider/lead school having to provide a registered teacher, which has not been a requirement until now.³
3. Our concern is that Alternative Education is still grossly underfunded, in spite of the marginal increase of \$1.5 million, only an 8.4 percent increase dating back ten years to 2000.⁴ As a consequence, the children attending AE do not get the same quality access to educational resources, qualified teachers, health and social services as do children in mainstream education. A significant boost to the per capita funding is necessary and it

¹ "Children and Youth in Aotearoa 2010, New Zealand Non-governmental Organisations alternative Periodic Report to the United Nations Committee on the Rights of the Child, June 2010, p. 28

² FMSI (Foundation for Marist Solidarity International) is an NGO established in Italy in 2007. Its focus is promoting and defending the rights of children, with special attention to issues of education.

³ An AE provider/lead school, can oversee one AE centre or several. For example, there can be a consortium of four AE centres overseen by one provider. To fulfil the letter of the law related to the extra funding for AE, the lead school only has to provide one teacher to the consortium, i.e. not one teacher for each centre.

⁴ Alternative Education is the 'poor relative' in education, since dating back to 1994, education spending in New Zealand has grown at an average rate of 7.2% per year. [See Treasury (2009). Challenges and Choices: New Zealand's long term fiscal position. Education. <http://www.treasury.govt.nz/government/longterm/fiscalposition/2009/16.htm>]

needs to be incremented annually, as well as improved access to basic services for their health and educational wellbeing.

Access to education

4. In the Minister's Forward to New Zealand's third (and fourth consolidated)report, there is mention of initiatives to improve secondary school retention with a focus on improved education outcomes for Maori and Pacific Island children.⁵ The concern of this report is that there is still not equity of access to education for those children who attend compulsory schooling through *Alternative Education*. Also, there is a disproportionately high number of Maori and Pacific Island children who attend AE. The report speaks of free education for all children from a person's fifth birthday through to their nineteenth birthday in a state-run primary or secondary school. This includes alternative education.⁶ Unfortunately Alternative Education is not mentioned elsewhere in the report other than in this paragraph, yet the government expresses concern over the existence of high numbers of students disengaging from school early, either through stand down, suspension, exclusion, expulsion, truancy, or non-enrolment.⁷ Many of these children are better schooled through Alternative Education. More must be done to provide equal access and opportunity for them.⁸

Naming the Source

5. Most of the information provided in this submission comes from a research report carried out in 2009.⁹ The report examined the needs of Alternative Education students in Auckland and Northland, and was published in August 2010.¹⁰ There were 50 Alternative Education facilities in Auckland and Northland, of which two were excluded from the study as their students did not fit the Ministry of Education criteria. Of the remaining 48 facilities, all but one agreed to participate in the survey – a school response rate of 98%. In term 4 of 2009, there were 541 students enrolled in these 47 Alternative Education facilities in Auckland and Northland. There was a student response rate of 62% to a health and wellbeing survey conducted by this group.

⁵ CRC/C/NZL/3-4, p 2

⁶ Ibid; p 66, para 333

⁷ Ibid; page 67, para 340

⁸ Whilst there has been a change of government since the submission of the New Zealand Government's 3rd and 4th Periodic Report for the UN Committee on the Rights of the Child, the issues around Alternative Education remain a major concern for people who work in these centres.

⁹ Clark, T.C., Smith, J.M., Raphael, D., Jackson, C., Fleming, T., Denny, S., Ameratunga, S., & Robinson, E. (2010). *Youth'09: The health and wellbeing of young people in Alternative Education. A report on the needs of Alternative Education students in Auckland and Northland*. Auckland: The University of Auckland.

¹⁰ ISBN (paperback) 978-0-473-17878-9; ISBN (electronic) 978-0-473-17879-6

6. The ethnic groups identified in the survey, and their composition, are provided in the accompanying table.¹¹

Table 1: Demographics of Alternative Education students 2009

Auckland & Northland		2009	
		n	%
Gender	Male	232	69.5
	Female	102	30.5
	Total	334	100.0
Age	13 or less	20	6.0
	14	101	30.1
	15	166	49.6
	16 or older	48	14.3
	Total	335	100.0
Ethnicity (prioritized)	NZ European/ Pūkehū	61	18.4
	Māori	167	50.3
	Pacific	96	28.9
	Asian	2	0.6
	Other	6	1.8
	Total	332	100.0

7. A cursory glance at this table will show that there is a disproportionately high number of Maori and Pacific Island children excluded from mainstream education and placed in Alternative Education.

What is Alternative Education?

8. Alternative Education (AE) endeavours to provide a safe and positive environment for those students whom mainstream education has failed. *Alternative Education* is the term used in New Zealand for the system of educational provision established in 2000 for those students aged 13-15 years who have become alienated from the mainstream education system. Often issues for exclusion can be behavioural, drugs, truancy, but there are children who are bullied at school and are fearful of attending and there are other children who do not fit into the mainstream system for one reason or another. Under the Education Act (1989) all young people are required to attend a registered school from the age of 6 years to their 16th birthday. For those who drop out or are excluded from mainstream schools, Alternative Education is provided to ensure that they can be taught in a safe environment with an appropriate education curriculum.
9. AE programmes are funded through mainstream schools, which either establish AE facilities themselves or more frequently contract community partners to deliver the education programmes. Students are enrolled and oversight is maintained by the lead school. Community providers meet the needs of students by engaging with them in a 'non-traditional' way - with a focus on attendance, engagement and addressing behavioural issues as a foundation for educational achievement.

¹¹ Clark, T.C. et al; *Youth'09: The health and wellbeing of young people in Alternative Education*. p 11

10. The criteria for a student to be admitted into Alternative Education are that: the student must have been out of schools for two terms or more, and/or have a history of multiple exclusions, and/or have been absent for at least half of the last 20 weeks for reasons other than illness, and/or have been suspended or excluded and at risk of further suspensions or exclusions.
11. **Children at risk:** Compared to students in mainstream education, young people who attend Alternative Education are significantly more likely to experience high levels of socioeconomic deprivation, to be exposed to environments that are harmful, and to engage in risk-taking behaviours.¹² All these factors impact on their health and wellbeing now and in their future. Compared to their mainstream peers, students who attend Alternative Education are significantly more likely to report a whole range of health and social issues that are of concern.

The Value of Alternative Education Places

12. The survey conducted by T C Clark et al, showed that AE's provide a valuable place of learning for children who cannot cope in mainstream education. Compared with their previous mainstream school, many AE students who participated in the survey reported a more positive experience at AE. Most AE students agreed that:
- the tutors at AE cared about them more than teachers at their previous mainstream school (reported by 73% of AE students);
 - tutors at AE expected them to do better (reported by 64%);
 - they can contributed more in class discussions (74%);
 - AE tutors have more time to help them (75%);
 - AE tutors wanted to help them more (77%);
 - AE tutors listened more than the teachers at their previous mainstream school (74%).
 - they can learn more at AE than at their previous school (75%);
 - the work at AE was easier (75%);
 - students in their AE tried to get the best grades they could (63%);
 - they were doing better academically at AE than they had done in mainstream education (72%);
 - they were feeling more hopeful that they will be able to get a job or attend a course since attending AE (79%).¹³
13. The survey also found that most students at AE centres intended either to return to mainstream education or to at least get more training, or to start work or plan to look for a job after leaving AE.

¹² Ibid, p 5

¹³ Ibid, p 17

Per Capita Recurrent Funding Comparison.

14. Below we provide information on government grants to three mainstream secondary schools in 2010.

School A: Student roll: **150.**

Small low socio-economic (2 on a scale of 1 – 10)

Total Grants: \$630,768.10

Total Teachers' Salaries: \$1,154,887.50

Total Government Funding: **\$1,785,655.60**

Government Funding per Student: **\$11,905.00**

School B: Student roll: **678** (this roll includes ~120 Year 7 & 8 students for which the funding is lower.)

Medium mid/low socio-economic (4 on a scale of 1 – 10)

Total Grants \$2,592,273.00

Total Teachers' Salaries: \$4,096,300.00

Total Government Funding: **\$5,625,973.00**

Government Funding per Student: **\$9,865.90**

School C: Student roll: **1,220**

Large high socio-economic (9 on a scale of 1 – 10)

Total Grants: \$7,396,998.00

Total Teachers' salaries: \$5,547,805.85

Total Government Funding: **\$12,944,804.00**

Government Funding per Student: **\$10,610.50**

15. The average per capita funding derived from these three schools comes to **\$10,793.30**. This figure would be quite close to the average per capita cost for all secondary students in mainstream education.

16. According to a report conducted by the Ministry of Education¹⁴, released on 29th May 2009, the current AE policy funds 1,820 Alternative Education places in 163 centres throughout New Zealand at \$11,100 per place.¹⁵ However, not all this money is passed on to the AE centre for the recurrent education costs of the child. The lead/managing school, which oversees the AE Centre, usually retains \$3,000 for its own operational costs for supervising the AE Centre. This is permissible and is the norm. Thus, on average, the per capita cost for a child in an AE centre is considerably less than that in a mainstream school.

¹⁴ **Education Report:** Findings of Review of Alternative Education and Future Directions, 29 May 2009; p 4

¹⁵ Between 3,000 and 3,500 students access Alternative Education each year, remaining in AE on average for at least 6 months if not longer.

17. It is worth noting that AE providers, contracted by schools, do not require their staff to have formal teaching qualifications - most are not registered teachers, hence the name 'tutors'. This is a major concern since students at AE centres should have the same quality and professionally trained teachers as in mainstream education. We say this without detracting from the excellent work carried out by tutors.

Equity

18. Education is a basic right for all children, but for students in Alternative Education, their access to a quality education that will assist them reaching their fullest potential is limited in its current form.
19. The survey of the Auckland and Northland regions found that tutors consistently voiced their concern at a lack of resources to teach and manage the learning of behaviourally challenged students. Nonetheless, they did not want disproportionate resources: they just requested the same resources that mainstream schools are entitled to. Tutors must have Special Education support and training programmes that enable them to address these issues. Many tutors in AE reported that the pastoral role in working with AE students can be overwhelming, and they need health and social services to take on more of these responsibilities so that they can concentrate on teaching and learning outcomes.
20. Arguably, such centres should receive even more than the per capita cost of a mainstream school because of the extra resources needed to help the child succeed. These children are disadvantaged and by no means do they receive equity when it comes to available resources and qualified teaching staff for their education. Young people in AE should not be disadvantaged because they are no longer attending mainstream schools.
21. According to the findings of the survey by T C Clark et al., a long-term approach based on good relationships with young people and their whānau (extended family), and involving multiple collaborating agencies is recommended to improve the health and wellbeing of students in Alternative Education. Given the many challenges involved in this sector, and the relative isolation from other services, their report suggests that one cannot expect Alternative Education tutors to change the trajectory of these young people's lives without attention to its resources and workforce capacity.¹⁶ Once again, adult participants in the survey expressed their frustration at learning and behaviourally challenged students being taught by tutors who have few resources, and less access to Special Education support.
22. With regards health and social services in Alternative Education, they must be *high quality, consistent, confidential*, with *well-trained* youth health staff. We recommend

¹⁶ Ibid, p 3

free onsite primary care in the Alternative Education environment provided by health professionals who have good relationships and communication with Alternative Education staff and students. Consistent policies and processes for referral to specialist services, whānau collaboration and clinical supervision are required.

23. The 'Health and wellbeing of young people in Alternative Education' Report by T C Clark et al. has also revealed that considerable health, education and social disparities are evident among young people in Alternative Education, demonstrating a broader failure of services to meet the needs of this group. Alternative Education students and their tutors do not have access to the same resources that are available to students and teachers in mainstream schools, and they do not have adequate healthcare or social services. We hope that this report serves to highlight and advocate for young people in Alternative Education, who deserve quality education and health services with improved resources and coordination, to reduce their risks and increase their chances of growing up healthy and successful.¹⁷

24. **Equity to training and resources:** AE tutors with the ability to connect with and educate 'hard to reach' students, do not have access to professional development and wages consistent with that enjoyed by teachers in mainstream education, yet their students are often more complex and challenging. There must be financial incentives to assist and maintain tutors/educators in the AE setting to improve educational outcomes. The Minister of Education has recently announced moves in this direction, with new funding to provide for a qualified teacher to be employed by each AE facility or consortium, and improved training opportunities for tutors.¹⁸ However, this does not go far enough. There should be a move towards having more than one trained teacher in AE centres so as to provide fully trained teachers for the education needs of the students.

Questions

25. We offer some questions that the Committee may wish to ask the government.
1. Does the government know if there are enough places offered in Alternative Education for those young people in need of it?
 2. Why has funding to mainstream schools increased annually over the last 10 years and not for Alternative Education places?
 3. With the funding increase of \$1.5 million to AE centres in 2011, is this money designated for a specific purpose (i.e. to help pay the salary of a registered teacher)? Is it a 'one off' increase just for 2011, or will it be ongoing on an annual basis?

¹⁷ Ibid, p 3

¹⁸ Ibid, p 54

4. If this extra funding for 2011 has no specific designation, is there going to be further financial support for salaries of registered teachers?
5. Children in AE centres need special care. How will the government make provision for the proper health care and education support structures, similar to those available to children in mainstream schools, but currently not available on an equal access to children in AE centres?
6. If the government believes in the provision of Alternative Education, why are contracts to providers of AE centres only for two years? What job security does that give to the staff of such centres who are endeavouring to make a difference in these young peoples' lives?

Recommendations

26. We recommend to the New Zealand government:

1. To ensure that there are sufficient Alternative Education places funded for children who are not receiving their education in mainstream schools.
2. To provide free onsite primary healthcare and social services for children in Alternative Education centres or consortiums.
3. To provide Alternative Education students, their tutors and teachers access to the same educational resources that are available to students and teachers in mainstream schools.
4. To provide financial incentives to assist and maintain tutors and teachers in the AE setting to improve educational outcomes.
5. To phase in more qualified and properly trained teachers to work in each Alternative Education centre, and provides the appropriate funding for this.
6. To support the capital infrastructure and rental of buildings used by registered AE centres.
7. To provide establishment grants where library and computer technology facilities are not provided.