

External Evaluation and Review (EER) Amendment Rules 2014

1. Authority

- 1.1 These Rules are made under section 253 of the Education Act 1989 (**the Act**).

2. Commencement

- 2.1 These Rules commence on 1 January 2014.

3. Amendment to the principal Rules

- 3.1 These Rules amend the External Evaluation and Review (EER) Rules 2013 (**the principal Rules**).

4. Rule 5.1 amended

- 4.1 Replace the wording before Rule 5.1(a) with:

“EER is part of NZQA’s integrated framework for evaluative quality assurance described in Appendix 2 and is an independent evaluation of:”

5. Rule 5.3 replaced

- 5.1 Replace Rule 5.3 with:

“5.3. For the purposes of paragraph (a) of Rule 5.1, capability in self-assessment relates to the extent to which the institution uses self-assessment information to understand its educational performance and bring about improvements through applying the requirements for self-assessment set out in **Appendix 1**.”

6. Rule 5.5 amended

- 6.1 In Rule 5.5 delete the words “referred to in Rule 5.1”.

7. Amendments to Rule 7

- 7.1 After Rule 7.1, insert:

“7.1A. When notifying an institution or ITO of a scheduled EER for the purposes of Rules 7.1 or 12.2, or agreeing a shorter timeframe under Rule 7.1(a):

- (a) NZQA will specify the time by which the institution or ITO must provide a fully completed compliance declaration, the form for which is available on the NZQA website; and
- (b) the institution or ITO must supply that fully completed compliance declaration by that specified time.”

7.2 After Rule 7.4, insert:

“7.4A. The content of the compliance declaration provided under Rule 7.1A, and the findings from any validation visit conducted under Rule 7.6(aa), must be included in the scope of the review that is set under Rule 7.4.”

7.3 Before paragraph (a) of Rule 7.6 insert:

“(aa) at a time specified in writing by NZQA to the institution or ITO, being a time that is after NZQA receives the fully completed compliance declaration under Rule 7.1A, participate (with full cooperation) in a validation visit by NZQA (for which fees are not chargeable by NZQA) the purpose of which is to verify some or all of the content of the compliance declaration.”

7.4 In Rule 7.6(c) replace “key features set out in the Appendix” with “requirements set out in Appendix 1”.

8. Appendix replaced

8.1 Replace the **Appendix** with:

“APPENDIX 1

Requirements for self-assessment

- 1 Institutions and ITOs must implement the following requirements for self-assessment:
 - (a) implement self-assessment using the key features of effective self-assessment set out in clause 2 of this Appendix:
 - (b) answer the key evaluation questions to provide a common basis for both the self-assessment and external evaluation and review processes set out in clause 3 of this Appendix:
 - (c) use relevant minimum quantitative and qualitative data on such matters as learner enrolments, retentions and completions, to achieve the objects of clause 4 of this Appendix.
- 2 The key features of effective self-assessment referred to in clause 1(a) of this Appendix are in the following clauses 2.1 to 2.3.
 - 2.1. The institution or ITO uses ongoing processes to gain evidence of its own effectiveness in providing quality education.
 - 2.2. The processes the institution or ITO uses are comprehensive, authentic, transparent, and robust.
 - 2.3. The processes referred to in clauses 2.1 and 2.2 are focussed on:
 - (a) needs assessment, being the extent to which the institution or ITO systematically determines and addresses the needs of the relevant students, employers and the wider community

(including, where EER involves MM EQA criteria, whānau, hapū, iwi, hāpori Māori, and mātauranga Māori as a body of knowledge):

- (b) processes and practices that support successful learning and help achieve outcomes:
 - (c) student achievement, being the impact of educational provision on student progress and the achievement of intended learning outcomes:
 - (d) outcomes for students, including educational achievement and longer term economic, social, and cultural benefits for them, and the value of those achievements for the relevant students, employers and the wider community *(including, where EER involves MM EQA criteria, whānau, hapū, iwi, hāpori Māori, and mātauranga Māori as a body of knowledge):*
 - (e) using what is learned from self-assessment to reach evidence-based conclusions, to inform decision-making on strategic and business planning, and to drive improvements:
 - (f) actual improvements that have occurred, and the extent to which those improvements are relevant and worthwhile.
3. The key evaluation questions referred to in clause 1(b) of this Appendix are:
- (a) How well do students achieve?
 - (b) What is the value of the outcomes for key stakeholders,¹ including students?
 - (c) How well do programmes and activities match the needs of students and other stakeholders?
 - (d) How effective is the teaching?
 - (e) How well are students guided and supported?
 - (f) How effective is the governance and the management in supporting educational achievement?
4. Relevant minimum quantitative and qualitative data referred to in clause 1(c) of this Appendix should meet the following objectives:
- (a) being available to enable the key evaluation questions to be answered consistently:
 - (b) generating comprehensive evidence that an institution needs for the purpose of answering the key evaluation questions, providing

¹ “Stakeholders” for each institution or ITO will be different groups of people, but are likely to include some or all of students, communities, employers, professional bodies, and other relevant local and national groups.

the basis for making valid comparisons, and reaching consistent conclusions about performance and quality.”

9. New Appendix 2 inserted

9.1 After Appendix 1 of the Principal Rules insert the following Appendix:

“APPENDIX 2

The integrated framework for evaluative quality assurance

1. NZQA’s integrated framework for evaluative quality assurance encompasses:
 - (a) self-assessment by institutions and ITOs:
 - (b) front-end quality assurance processes, such as granting applications for:
 - (i) approval of qualifications for listing on the NZQF,
 - (ii) approval of programmes leading to qualifications,
 - (iii) approval of training schemes,
 - (iv) accreditation to provide approved programmes,
 - (v) approval of standards for listing on the Directory of Assessment Standards (Directory),
 - (vi) consent to assess against standards on the Directory, and
 - (vii) registration of PTEs:
 - (c) risk and compliance monitoring and enforcement, including:
 - (i) remedial actions including but not limited to improvement plans which are established for Category 3 and 4 institutions, and for ITOs receiving a statement of confidence that is Not Yet Confident or Not Confident:
 - (ii) issuing compliance notices, imposing conditions, and withdrawal or cancellation in respect of granted applications of the kind described in paragraph (b):
 - (ii) prosecuting certain offences set out in Part 24 of the Act and related criminal offences:
 - (d) EER.
2. The high-level policy expectations for the evaluative quality assurance framework are set out in the NZQA policy “Evaluative Quality Assurance Policy Framework” published on NZQA’s website.
3. In implementing its evaluative quality assurance framework, NZQA uses the evaluation methods, tools, and processes that are published on its website, and revises them from time to time.”

Explanatory note

This note is not part of these Rules, but is intended to indicate their general effect.

This amendment to the principal Rules, which commences on 1 January 2014, provides for NZQA to require completion of compliance declarations prior to a scheduled EER, and where notified by NZQA, participate in a visit by NZQA to validate some or all of the content of the compliance declaration. The amendment also specifies and clarifies important content of self-assessment that has been misunderstood in the past, and provides a description of the framework for evaluative quality assurance.

These Rules are administered by the New Zealand Qualifications Authority

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