



NEW ZEALAND QUALIFICATIONS AUTHORITY
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Consultation on changes to NZQA Rules

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Introduction

Proposed changes to Rule 18 of the NZQF Programme Approval and Accreditation Rules 2018

<https://www.nzqa.govt.nz/about-us/our-role/legislation/nzqa-rules/nzqf-related-rules/programme-approval-and-accreditation/>

NZQA is consulting you on proposed changes to the Rule 18 of the *NZQF Programme Approval and Accreditation Rules 2018* (English language requirements for international students). The proposed changes respond to risks identified by NZQA and Immigration New Zealand (INZ) in the tertiary education sector.

Rule 18 background

Rule 18 of the *NZQF Programme Approval and Accreditation Rules* was introduced in 2013 to set the minimum English language proficiency criteria for international students enrolling in programmes at Level 3 or above on the New Zealand Qualifications Framework (NZQF).

NZQA is proposing to strengthen the evidence requirements for international students seeking to use prior schooling with English as the language of instruction (Rule 18.5) to meet the English language entry requirements for study at non-university tertiary education organisations (TEOs).

English-medium education is increasing in a growing number of countries. However, the quality of this education, the amount of English actually used in the classroom and the resulting level of English language proficiency can vary considerably. It is therefore increasingly important to ensure that the evidence requirements for using this provision are robust.

Currently, to use prior schooling where English was the language of instruction as evidence of English proficiency, a student must hold a passport from a country with a student visa decline rate (SVDR) of less than 20 per cent (Rule 18.2). This measure was introduced in 2015 in response to a significant rise in cases of fraud and poor English language proficiency detected by INZ.

While the SVDR measure has been successful in reducing English evidence-related fraud, the SVDR can change from year to year based on factors other than English language proficiency. An improved SVDR is not indicative of reduced risk or improved overall English language proficiency. Fluctuations in SVDRs can also cause uncertainty in the international education market.

NZQA continues to identify situations where international students have been enrolled in programmes for which their English language proficiency is insufficient. Together with the other changes that have taken place in relation to international students, both in terms of visa policy and Rule 18 amendments, NZQA and INZ agree that the SVDR is no longer an appropriate measure for determining which evidence may be accepted for assuring English language proficiency.

Our proposed changes

- Remove the SVDR from Rule 18 (Rule 18.2 and 18.6). The SVDR would no longer be a measure for determining which evidence may be accepted for assuring English language proficiency.
- Evidence of prior primary and secondary schooling where English was the language of instruction will be accepted for meeting the English language proficiency entry requirements only for international students who have either:
 - a) completed the stated duration of schooling in New Zealand, Australia, Canada, the Republic of Ireland, South Africa, the United Kingdom or the United States (consistent with countries already listed in Rule 18 from which degree qualifications may be accepted as evidence of English language proficiency); or

- b) been awarded an internationally recognised secondary school leavers qualification taught and assessed in English, such as an International Baccalaureate Diploma or Cambridge 'A' Level.

The proposal responds to the risks identified in using the SVDR as a threshold and increases the level of assurance that international students using prior schooling to enrol will have the required English language proficiency. It also removes a barrier to enrolment for international students with internationally recognised English-medium secondary school qualifications who are from a country with a high SVDR (and cannot currently use this as evidence of English language proficiency).

NZQA is also proposing to simplify the structure of Rule 18 for clarity and consistency. A draft Rule incorporating the proposed changes is included at page six of this document.

We want to hear about potential impacts on TEOs and international students

NZQA is aware that any changes to Rule 18 have the potential to impact non-university TEOs that enrol international students. One of the main purposes of this consultation is to understand the level of that impact on the non-university tertiary education sector.

This proposal is intended to assure the English language proficiency of international students using Rule 18.5 with the least possible adverse consequences for the sector. NZQA understands that the proportion of international students who would use this provision is likely to be very small.

Anecdotal evidence suggests that:

- some non-university TEOs have already ceased using Rule 18.5 in its current form as, in their experience, it does not offer adequate assurance of English proficiency.
- students with English-medium education or qualifications from the countries with high numbers of international students and SVDRs of less than 20 per cent (such as China, Thailand and Japan) are more likely to enrol at universities (which set their own English language entry criteria).
- students from European countries with traditionally high English language proficiency (such as Germany, Belgium, the Netherlands and Sweden) are unlikely to have been taught with English as the language of instruction or hold secondary school leavers qualifications that were taught and assessed in English.

Transition period

If the proposed Rule change is enacted, non-university TEOs that enrol international students will need to ensure their enrolment processes are updated to reflect the new settings. Prospective international students not covered by the new settings for using prior schooling as evidence of English language proficiency would need to use one of the other options listed in Rule 18.

NZQA proposes to allow a transition period for TEOs to make the necessary operational changes should this Rule change be made. In agreement with INZ, the 2017 SVDRs will be retained during the consultation period and any transition period to ensure minimal disruption. INZ will not publish an updated SVDR for Rule 18 purposes during the consultation or transition period.

Request for feedback

NZQA is seeking your comments on the proposed changes to Rule 18 by **11 February 2019**. You can complete the survey on our website or email qadconsultation@nzqa.govt.nz

We invite comment about any other internationally recognised secondary qualifications taught and assessed in English that may be considered for inclusion in Rule 18. Please note that any qualifications suggested should be able to be verified by the awarding body as additional assurance against fraud.

If you are representing an organisation, we also ask for your comments on what steps would be involved to adapt your business processes for these changes and how long you would need. This will help us establish an appropriate transition period.

NZQA hopes to report consultation feedback to the NZQA Board and the Minister of Education in early March 2019. A consultation summary will be published on our website.

Draft Rule 18, incorporating changes proposed in this consultation

18. English language requirements for international students

- 18.1 An institution (other than a university) must:
- (a) verify, prior to enrolling an international student in a programme (other than an English language programme) at level 3 or above, that the student has the necessary English language proficiency as demonstrated through the use of evidence of one of the kinds described in Rules 18.2; and
 - (b) retain a copy of that evidence for at least two years from the date of enrolment of the student.
- 18.2 English language proficiency must be demonstrated through evidence that the student has:
- (a) achieved NCEA level 3 and has met New Zealand university entrance requirements; or
 - (b) completed all primary education (*being the equivalent of New Zealand primary school years 1 to 8*) and at least three years of secondary education (*being the equivalent of three years from New Zealand secondary school years 9 to 13*) at schools in one of the countries listed in Rule 18.3 where the student was taught using English as the language of instruction;
or
 - (c) completed at least five years of secondary education (*being the equivalent of New Zealand secondary school years 9 to 13*) at schools in one of the countries listed in Rule 18.3 where the student was taught using English as the language of instruction; or
 - (d) been awarded an International Baccalaureate Diploma or Cambridge A-level qualification for which the teaching and assessment was conducted in English;
or
 - (e) been awarded a Bachelor's degree, Graduate Certificate, Graduate Diploma, Bachelor Honours Degree, Postgraduate Certificate, Postgraduate Diploma, Master's Degree or Doctoral Degree with English as the language of instruction, from tertiary education providers from one of the countries listed in Rule 18.3;
or
 - (f) been awarded the Cambridge Certificate in Teaching English to Speakers of Other Languages (CELTA) or the Trinity College London Certificate in Teaching English to Speakers of Other Languages (CertTESOL);
or
 - (g) achieved, within the two years preceding the proposed date of enrolment, one of the internationally recognised proficiency test outcomes specified in the Table in the Appendix for the level of the programme in which the student is enrolling.
- 18.3 The countries for the purpose of Rules 18.2(b), (c) and (e) are: New Zealand, Australia, Canada, the Republic of Ireland, South Africa, the United Kingdom and the United States.