Final version for signatures for the purposes of section 452 of the Education and Training Act 2020		
NZQA Board:	Date:	28 Nov 2022
Minister of Education: .... *C.H.*	Date:	15/12/22

PTE Enrolment and Academic Records Rules 2022

1. Authority

1.1 These Rules are made under the following provisions of the Education and Training Act 2020:

(a) section 452(1)(q), for the purposes of section 361 of the Act, and relating to students enrolled in programmes and micro-credentials at PTEs; and

(b) section 452(1)(r), as part the reporting requirements for a student's record of achievement in relation to assessment against standards; and

(c) section 452(1)(v) to ensure there are no gaps in the PTEs enrolment and academic record-keeping systems for students enrolled in standards education or training that does not involve a programme or micro-credential.

2. Commencement

2.1 These Rules commence on the 28th day after the date of approval by the Minister under section 452(5) of the Act.

3. Interpretation

3.1 In these Rules, unless the context otherwise requires:

Act means the Education and Training Act 2020

assessment materials means the assessment tasks, instructions and guidance given to students, the assessed student evidence, and the resources used by the assessor to make judgements about student performance

education or training, in relation to a student, means education or training provided to the student through:

(a) a programme, or part of a programme:

(b) a micro-credential, or part of a micro-credential:

(c) assessment against standards

micro-credential has the same meaning as in section 10(1) of the Act

NZQA means the New Zealand Qualifications Authority

NZQCF means the Qualifications and Credentials Framework described in section 436 of the Act

programme has the same meaning as in section 10(1) of the Act

PTE means a private training establishment, as that term is defined in section 10(1) of the Act

standards means assessment and skill standards that are listed on the Directory of Assessment and Skill Standards maintained by NZQA pursuant to section 433(1)(d) of the Act.

Part 1

PTE Enrolment records

4. Enrolment records that must be kept by PTEs and for how long

4.1 The accurate enrolment records for each student that must be kept, and kept up to date, by PTEs are:

(a) full name and address of the student:

(b) contact details for the student:

(c) the student's national student number (where the student has a national student number):

(d) nationality and whether a domestic or international student:

(e) the education or training in which the student is enrolled:

(f) the start and finish dates of the education or training:

(g) details of the student meeting the entry requirements of the education or training including, where applicable, scores for English language entry requirements:

(h) invoices and receipts for fees paid to the PTE and the dates of payment, with course fees, commissions, accommodation fees, living expenses, and other fees separately identified:

(i) for international students, their visa (if any) and other immigration details, the contact details of any agent through whom the student enrolled at the PTE, a copy of the student health and travel insurances, student fee protection trustee records, and passport numbers.

4.2. The records listed in rule 4.1 for each student must be kept until at least two years after the completion of the education or training in which the student is enrolled.

5. The manner in which enrolment records must be kept

5.1 The enrolment records must be kept in a manner that ensures they are easily recovered and printed from, and readily available on, the PTE's electronic data storage system.

Part 2

Academic records

6. Student academic records that must be kept by PTEs and for how long

6.1 The accurate academic records that must be kept, and kept up to date, by PTEs for students enrolled in education or training at the PTE are:

(a) records of individual student assessment and examination results (*for example, for prescriptions, papers, or assessment standards*) that include the name of the student, the date of achievement and the relevant grade, which are to be kept as a permanent record:

(b) any cross credits, credit transfer, and recognition of prior learning arrangements for individual students, and the evidential basis for them, which are to be kept as a permanent record:

(c) records of student attendance, which are to be kept for at least the duration of the student's enrolment:

(d) records of the achievement of awards or qualifications by the students, which are to be kept as a permanent record.

6.2 PTEs must keep all student assessment materials generated from education or training in which students are enrolled, or full copies of them, for at least 12 months from the date of completion of that education or training (*for the avoidance of doubt, this includes assessment materials of education or training provided by sub-contractors of the PTE*).

6.3 The keeping of academic records under rule 6.1 or student assessment materials under rule 6.2 does not limit requirements to keep records of student work under other rules made under section 452 of the Act.

7. **The manner in which the academic records must be kept**

7.1 The following is the manner in which the academic records must be kept:

    (a) for all student records required to be kept under rule 6.1, the records must be kept in a manner that ensures they are easily recovered and printed from, and readily available on, the PTE's electronic data storage system:

    (b) for all student records required to be kept under rule 6.2, they must be readily available upon request:

    (c) a back-up copy for all records referred to in paragraph (a) of this rule 7.1 must also be kept in a manner that is accessible in the event of PTE closure, natural disaster, or emergency, and for at least the period of time the particular records themselves are required to be kept.

Part 4

Revocation

8. **Revocation**

8.1 The PTE Enrolment and Academic Records Rules 2021 are revoked.