

08 August 2022



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Comment on the wording of a question proposed to be put to voters in an indicative referendum - proposal from Helen Houghton

Kia ora Mr Wilson

The Teaching Council of Aotearoa (the Council) received your invitation to comment on the wording of a question proposed to be put to voters in an indicative referendum, following your receipt of the proposal to promote an indicative referendum petition from Helen Houghton.

The wording of the question is:

“Should New Zealand ban harmful unscientific gender theory education in all schools?”

It is important to note that guidance is already in place which may help to address the concerns behind this question, and also that a breach of this guidance may result in disciplinary action against a teacher.

The guidance is contained in two essential Teaching Council resources which have been developed with our profession for our profession:

First, [‘Our Code, Our Standards | Ngā Tikanga Matatika, Ngā Paerewa’](#). The Code sets out four commitments: to Society, to the Teaching Profession, to Learners, and to Families and Whānau, and outlines commitment statements. The Standards are made up of six standards that provide holistic descriptions of what high-quality teaching practice looks like and what it means to be a teacher in Aotearoa New Zealand.

Second, [‘The Code of Professional Responsibilities – Examples in Practice’](#) (Examples in Practice) that provides positive examples of what the principles of the commitment statements might look like in practice. It also gives examples of behaviour that is unacceptable and would be in breach of these expectations.

The values that underpin Our Code, our Standards are:

Whakamana: empowering all learners to reach their highest potential by providing high-quality teaching and leadership.

Manaakitanga: creating a welcoming, caring and creative learning environment that treats everyone with respect and dignity.

Pono: showing integrity by acting in ways that are fair, honest, ethical and just.

Whanaungatanga: engaging in positive and collaborative relationships with our learners, their families and whānau, our colleagues and the wider community.

Respecting the identity of learners, family and whānau means respecting gender diversity

Respecting the identity of learners, family and whānau is one highly important expectation and aspiration of the teaching profession. Gender is one part of an individual's identity. Therefore, respecting identity means respecting gender and gender diversity.

The 'Commitment to Learners' in the Code includes that

"I will work in the best interest of learners by respecting the diversity of the heritage, language, identity and culture of all learners." (Our Code, our Standards, p. 10).

The Examples in Practice outline that we understand the importance of identity, language and culture - knowing where our learners come from and building on all that they bring with them to their learning.

Example behaviours that promote respect for diversity include

- "fostering a learning culture that celebrates diversity and inclusion and protects against discrimination"
- "using the correct pronoun for a learner's preferred gender identity"
- "learning about the histories, heritage, language, identity, beliefs and culture of my learners and what is important to them".

An example behaviour of not promoting respect for diversity is

- "making discriminatory or derogatory comments about a learner's heritage, language, identity, beliefs or culture". (Examples in Practice, p. 13).

Similarly, the 'Commitment to families and whānau' in the Code includes that

"I will respect the vital role my learners' families and whānau play in supporting their children's learning by respecting the diversity of the heritage, language, identity and culture of families and whānau." (Our Code, our Standards, p. 12).

The Examples in Practice acknowledge that to know our learners, we need to know their families and whānau.

Example behaviours that respect diversity include

- "recognising the diversity between cultures and within a culture, including diversity of ethnicity, ability, economic status, age, sexual orientation, gender identity, faith and belief"
- "taking active steps to learn about the heritage, identity, language, beliefs, abilities and culture of my learners' families and whānau and to recognise their significance"
- "fostering an inclusive and respectful learning culture that affirms and celebrates diversity"

Negative examples in practice include

- "making discriminatory comments about the heritage, language, identity or culture of my learners' families and whānau". (Examples in Practice, p. 20).

Gender equality is a fundamental human right and means ensuring that everybody has an equal opportunity and is not discriminated against because of their characteristics. We believe that gender diversity, the knowledge/education about it and the appreciation of it should be treated in the same way to promote human rights.

The 'Commitment to Society' includes that

"I will respect my trusted role in society and the influence I have in shaping futures by promoting and protecting the principles of human rights, sustainability and social justice." (Our Code, our Standards, p. 12).

The Examples in Practice note that we understand the influence teachers have to support learners to make a positive contribution to build a just and sustainable future.

Example behaviours that promote and protects the principles of human rights sustainability and justice include

- “modelling and promoting respect for human rights and fundamental freedoms”
- “promoting an understanding of exclusion or discrimination that may be experienced by people marginalised by their personal or social circumstances (that is, by their ethnicity, socioeconomic status, sexual orientation, gender, ability, religion or language)”
- “fostering universal values of human rights and respect for diversity”

Negative examples in practice include

- “discriminating against or excluding people on the basis of their personal or social circumstances (that is, their ethnicity, socioeconomic status, sexual orientation, gender, ability religion, or language)”
- “promoting a climate of exclusion of vulnerable or marginalised people or groups” (Examples in Practice, p. 22).

Effectively managing assumptions and personal beliefs

We recognise that teachers are in a unique position of trust, care, authority, and influence over learners. They have the responsibility to ensure that their behaviour is professionally appropriate which includes managing personal assumptions and beliefs.

The ‘Commitment to Learners’ includes that

“I will work in the best interest of learners by being fair and effectively managing my assumptions and personal beliefs.” (Our Code, our Standards, p. 10).

We recognise that teachers have a strong influence on learners and their understanding of the world. As such, they have to be careful that their own bias and personal beliefs do not negatively interfere with the quality and effectiveness of teaching.

Example behaviour demonstrating being fair and effectively managing assumptions and personal beliefs include

- “critically reflecting on how my own beliefs or bias may impact on my teaching practice and the achievement of learners with different abilities and needs, backgrounds, genders, identities and cultures”
- “maintaining professional objectivity and, when this is not possible, discussing it with my professional leader”
- “treating learners equitably—recognising that treating learners fairly does not always mean treating them equally”

Example behaviour that does not demonstrate the effective management of assumptions and personal beliefs include

- “using my authority as a teacher to undermine the personal beliefs of my learners or to inappropriately influence them to take a course of action”
- “expressing or promoting discriminatory beliefs and practices” (Examples in Practice, p. 16).

To improve professional capability that impacts on the learning and achievement of all learners, inquiry, collaborative problem solving, and professional learning are essential.

The Standard ‘Professional Learning’ includes the elaborations

- “be informed by research and innovations related to: content disciplines; pedagogy; teaching for diverse learners, including learners with disabilities and learning support needs; and wider education matters.”
- “critically examine how my own assumptions and beliefs, including cultural beliefs, impact on practice and the achievement of learners with different abilities and needs, backgrounds, genders, identities, languages and cultures.”
- “be informed by research and innovations related to: content disciplines; pedagogy; teaching for diverse learners, including learners with disabilities and learning support needs; and wider education matters.” (Our Code, our Standards, p. 18).

The Standard 'Learning-focused culture' includes the elaborations

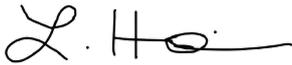
- “develop an environment where the diversity and uniqueness of all learners are accepted and valued”
- “create an environment where learners can be confident in their identities, languages, cultures and abilities” (Our Code, our Standards, p. 20).

The standards outlined in the Code are binding and may be used in assessing a complaint about a teacher's conduct, including by the Disciplinary Tribunal. On overview of how concerns about a teacher's conduct are dealt with can be found here: <https://teachingcouncil.nz/professional-practice/conduct-concerns/overview/>.

Finally, we would like to note that the Council is not responsible for the curriculum being taught in New Zealand. Teaching in New Zealand state and integrated schools is guided by a National Curriculum which means that schools and communities use the New Zealand Curriculum as a guide when designing a curriculum to meet local needs and interests.

We appreciate the opportunity to share our comments with you. They reflect the expectations of conduct and integrity that we all share; what we expect of each other and what our learners, their families and whānau, their communities and the public can expect of us.

Ngā mihi



Lesley Hoskin

Chief Executive

Teaching Council | Matatū Aotearoa