

# Technology Access Fund

## Conditions on Funding

### Purpose of Fund

The purpose of the Technology Access Fund for Learners (TAFL) Funding is to help tertiary education organisations (TEOs) and transitional industry training organisations (TITOs) support learners to continue to access tertiary education and training that has been disrupted due to COVID-19.

The power to allocate and distribute this Funding to relevant TEOs and TITOs has been delegated by the Minister, and does not fall within the statutory framework for funding received under sections 159YA or 159ZC.

In consideration for receiving this Funding, you agree to the conditions set out below.

### Technology Access Fund for Learners Funding Conditions

The following Conditions apply to any TAFL Funding you receive from 5 May 2020 to 31 December 2020 (Funding Period):

- (a) the conditions set out below;
- (b) Base Funding Conditions set out in the [Funding Conditions Catalogue](#);
- (c) the specific Conditions of any Funding you receive from any other Fund or the conditions of any grant you receive under section 321 of the Education Act, whichever is relevant; and
- (d) the Conditions in the Education Act (unless otherwise stated in the following Conditions).

### 1. Organisation eligibility

1.1 You must be a TEO or TITO that:

- (a) for the duration of the Funding Period, continues to receive Funding from at least one of the following Funds:
  - i. Employer-led Workplace Literacy and Numeracy;
  - ii. Industry Training Fund;
  - iii. Intensive Literacy and Numeracy Fund;
  - iv. Intensive Literacy and Numeracy – English for Speakers of Other Languages;
  - v. Intensive Literacy and Numeracy – Refugee English;
  - vi. Student Achievement Component – Qualification at Level 3 and above on the NZQF;
  - vii. Student Achievement Component – Qualification at Levels 1 and 2 on the NZQF;
  - viii. TEO-led Workplace Literacy and Numeracy
  - ix. Youth Guarantee; or
- (b) have received a grant under section 321 of the Education Act in the 2019 or 2020 calendar years.

1.2 If you are eligible for TAFL Funding under Condition 1.1(a), you must, for the duration of the Funding Period, continue to meet the organisation eligibility conditions of the Relevant Fund(s).

1.3 You are not precluded from applying for additional TAFL Funding if you have already received TAFL Funding.

## **2. Learner eligibility**

2.1 If you are eligible for TAFL Funding under Condition 1.1(a), you must ensure that TAFL Funding is only used in respect of a learner who, for the length of the Funding Period, is, and continues to be:

- (a) a learner for which you receive funding under the Relevant Funds(s);
- (b) an eligible learner in accordance with the learner eligibility conditions of the Relevant Fund(s); and
- (c) enrolled in a technology-enabled programme that is being delivered wholly or partially online by you.

2.2 If you are eligible for TAFL Funding under Condition 1.1(b), you must ensure that TAFL Funding is only used in respect of a learner who, for the length of the Funding Period, is, and continues to be:

- (a) a learner for which the TEO or TITO uses money it received under the grant under section 321 of the Education Act;
- (b) an eligible learner in accordance with any learner eligibility requirements imposed as part of your conditions under section 321(3) of the Education Act; and
- (c) enrolled in a technology-enabled programme that is being delivered wholly or partially online by you.

## **3. Programme eligibility**

3.1 If you are eligible for TAFL Funding under Condition 1.1(a), you must ensure that you only use TAFL Funding for a programme of study or training that, for the length of the Funding Period:

- (a) meets the programme eligibility requirements of the Relevant Fund(s); and
- (b) is a technology-enabled programme that is being delivered wholly or partially online.

3.2 If you are eligible for TAFL Funding under Condition 1.1(b), you must ensure that you only use TAFL Funding for a programme of study or training that, for the duration of the Funding Period:

- (a) meets any programme eligibility requirements imposed on you as part of your conditions under section 321(3); and
- (b) is a technology-enabled programme that is being delivered wholly or partially online.

## **4. Use of Funding**

4.1 You must only use the TAFL Funding:

- (a) for costs incurred from 23 March, and during the Funding Period; and
- (b) to enable learners to continue accessing tertiary education and training that has been disrupted due to COVID-19 by supporting access to:
  - i. suitable devices and related support;

- ii. adequate internet connections and related support; and/or
- iii. other support that builds learners' capacity to access technology-enabled tertiary education and training.<sup>1</sup>

4.2 Except where you have our prior written consent, you must not use TAFL Funding for

- (a) developing a technology-enabled delivery platform or capability; or
- (b) developing technology-enabled course materials.

4.3 You must use all reasonable efforts to ensure that TAFL Funding is not used for any internet connections or related support provided after the relevant programme of study or training has ended.

## **5. Funding Priorities**

5.1 In applying TAFL Funding, you must develop an effective and efficient prioritisation strategy to enable learners to continue accessing tertiary education and training that has been disrupted due to COVID-19. In developing this strategy you must prioritise:

- (a) vulnerable learners;
- (b) learners most in need of additional support to access technology-enabled tertiary education; and
- (c) learners who face technological and skill barriers to accessing technology-enabled tertiary education.

## **6. Your responsibilities**

### **6.1 Learner Technology Support Strategy**

- (a) You must prepare a Learner Technology Support Strategy (LTSS) in the manner and form prescribed by us that sets out your planned approach to using the TAFL Funding. The LTSS must include information on:
  - i. how you will identify which learners need assistance with accessing technology-enabled learning;
  - ii. how you will prioritise which learners receive assistance with accessing technology-enabled learning;
  - iii. how you plan to use your TAFL Funding allocation; and
  - iv. how you will ensure that TAFL Funding is used in compliance with these Funding Conditions.

(b) Condition 6.1(a) will be met if you have submitted a complete Application Form to us.

### **6.2 Devices**

- (a) We acknowledge and agree that you will retain ownership of devices purchased with the Funding pursuant to Condition 4.1(b)(i).

---

<sup>1</sup> The terms 'related support' and 'other support' include supporting TEO and TITO capability to deliver quality online provision provided that it relates to supporting learners to continue to access tertiary education...

- (b) You must ensure that devices purchased with the Funding pursuant to Condition 4.1(b)(i) are:
  - i. provided to learners as soon as reasonably practicable;
  - ii. recovered from learners upon the completion of their programme of study or training; and
  - iii. redistributed to other learners as soon as reasonably practicable.
- (c) You must make clear to all learners receiving devices purchased with TAFL Funding that such devices must be returned to you as soon as reasonably practicable upon the completion of the learner's programme of study or training.

### **6.3 Learners' costs**

You must not create any liability for any ongoing costs for learners.

### **6.4 Access to and supply of information**

- (a) You must provide us with access to your premises, employees and information for the purposes of:
  - i. inspecting the records that you keep; and
  - ii. auditing your compliance with these Funding Conditions.
- (b) You must supply to us, from time to time as required by us, and in a form specified by us, any financial, statistical, or other information that we require you to supply.

### **7. TEC's responsibilities**

- (a) We are responsible for publishing and regularly updating a list of all TEOs and TITOs that have received TAFL Funding. By receiving TAFL Funding, you consent to the following information being published:
  - i. the total amount of TAFL Funding that you have received;
  - ii. the amount of TAFL Funding that you have spent;
  - iii. the nature of support that has been provided by you; and
  - iv. the number of learners that have been supported by you and the extent to which those learners have remained engaged in tertiary education.

### **8. Inducement**

- (a) Notwithstanding any other condition of the Relevant Fund(s), devices provided to learners pursuant to Condition 4.1(b)(i) and internet connections provided to learners pursuant to Condition 4.1(b)(ii) are not inducement.
- (b) You must ensure that any marketing, advertising, or other such communications do not mention, imply, or otherwise convey that you can provide services other than those permitted by these Funding Conditions.

## **9. Collaboration**

You are encouraged to collaborate with other TEOs and TITOs as well as with us and the Ministry of Education wherever possible to enter into agreements for bulk purchases with internet providers and hardware suppliers.

## **10. Reports**

### **10.1 LTSS**

- (a) You must provide us with your LTSS within 15 Working Days of receiving TAFL Funding.
- (b) Condition 10.1(a) does not apply if you have submitted a complete Application Form to us.

### **10.2 Progress Reports**

- (a) You must submit your first Progress Report to us:
  - i. on the first date in the Progress Reports Dates List that occurs after you first receive TAFL Funding; or
  - ii. if the date in Condition 10.2(a)i. is less than 5 Working Days from when you first receive TAFL Funding, on the next date in the Progress Reports Dates List.
- (b) You must submit subsequent Progress Reports on all dates in the Progress Reports Dates List that occur after you submit your first Progress Report to us.
- (c) For the purposes of this Condition 10.2, the Progress Reports Dates List is:
  - i. 19 May 2020;
  - ii. 2 June 2020;
  - iii. 16 June 2020;
  - iv. 30 June 2020;
  - v. 31 August 2020; and
  - vi. 31 October 2020.

### **10.3 Final Report**

You must submit a Final Report to us no later than 31 January 2021.

## **11. Records**

11.1 You must keep accurate and up-to-date records:

- (a) that demonstrate compliance with these Funding Conditions (including invoices); and
- (b) of the following information:
  - i. the total amount of your TAFL allocation that has been spent;
  - ii. what your TAFL Funding allocation has been used for (eg, internet access / connections, hardware);

- iii. the NSNs of each learner you have supported using TAFL Funding, including information on ethnicity, gender, and disability status;
- iv. any significant amendments to your LTSS.

11.2 You must assign a unique serial number to each device distributed to a learner. Using these serial numbers, you must maintain a fixed-asset register to record the devices distributed to each learner.

11.3 You must retain all records of your use of TAFL Funding for a minimum of seven years.

## **12. Repayment of Technology Access Fund for Learners Funding**

If you receive TAFL Funding that was greater than it should have been, that you were not entitled to receive, or that remains unspent at the end of the Funding Period, you must treat the amount of the over-funding as a debt due to the Crown that:

- (a) is repayable on demand; and
- (b) may be set-off against all or any funding, or any sum of money payable by us to you.

## **13. Suspension and revocation of Technology Access Fund for Learners Funding**

We may suspend or revoke some or all TAFL Funding given to you if we are satisfied on reasonable grounds that you have not complied, or are not complying, with these Funding Conditions.

### **Definitions**

Unless otherwise defined in these Funding Conditions, capitalised terms used in these Funding Conditions have the meaning given to them in the [Funding Conditions Catalogue](#).

- (a) “Application Form” means an application for TAFL Funding, in the manner and form prescribed by us, which can be found [on our website](#);
- (b) “Final Report” means a report, in the manner and form prescribed by us that includes information to be advised by us;
- (c) “Progress Report” means a report, in the manner and form prescribed by us, that includes the following information:
  - i. the total amount of your TAFL allocation that has been spent to date;
  - ii. a summary of what your TAFL Funding allocation has been used for;
  - iii. the NSNs of each learner you have supported using TAFL Funding, including information on ethnicity, gender, and disability status;
  - iv. the time period for which the support is or has been provided; and
  - v. whether there have been any significant amendments to your LTSS.

This information will be required in all Progress Reports.

- (d) “Relevant Fund(s)” means the Fund(s) listed in Condition 1.1(a)(i) to (vii) under which the TEO or TITO is receiving Funding.