



28/11/2023

Raymond

fyi-request-24806-1781de4c@requests.fyi.org.nz

Tēnā koe Raymond

OIA: 1319390 – Kiwi Stand-downs

Thank you for your email of 20 November 2023 to the Ministry of Education (the Ministry) requesting the following information:

I understand that at a school's discretion they can impose a kiwi stand down - a child sent home for the rest of the day due to non-compliant behavior. The child is able to return the next day.

1. *What policies, regulations and rules does the MOE have in place about Kiwi Stand Downs?*
2. *What data is recorded by schools about kiwi stand downs?*

Your request has been considered under the Official Information Act 1982 (the Act).

The Ministry does not have any policies, regulations and/or rules, nor do we record any data, regarding kiwi stand-downs. Therefore, we are refusing your request under section 18(e) of the Act, as the information requested does not exist.

You may be interested to know that the use of stand-downs, suspensions, exclusions or expulsions of students from state and state integrated schools are regulated in sections 78 to 89 of the Education and Training Act 2020 (the Education Act), as well as the Education (Stand-down, Suspension, Exclusion, and Expulsion) Rules 1999 (the Rules). Schools must adhere to these provisions when removing a student from school for disciplinary reasons. Under the Education Act, and rule 8 of the Rules, a student can only be sent home if they are stood down or suspended for one of the specific reasons in Section 80(1) of the Education Act, or for health reasons. It is illegal to send a student home on any other grounds.

You can find the Education Act and Rules at legislation.govt.nz/act/public/2020/0038/latest/LMS170676.html and legislation.govt.nz/regulation/public/1999/0202/latest/DLM288425.html.

You can also read the Ministry's Stand-downs, suspensions, exclusions and expulsions guidelines at education.govt.nz/school/managing-and-supporting-students/student-behaviour-help-and-guidance/stand-downs-suspensions-exclusions-and-expulsions-guidelines/. Information is also available on our parents and whānau website at parents.education.govt.nz/secondary-school/your-child-at-school/standdowns-suspensions-exclusions-expulsions/



Thank you again for your email. You have the right to ask an Ombudsman to review my decision on your request, in accordance with section 28 of the Act. You can do this by writing to info@ombudsman.parliament.nz or to Office of the Ombudsman, PO Box 10152, Wellington 6143.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'Helen Walton', with a long horizontal flourish extending to the right.

Helen Walton
Principal Advisor, Official and Parliamentary Information
Te Pou Rangatōpū | Corporate