

23 APR 2014

Dylan Reeve
<mailto:fyi-request-1505-354697b9@requests.fyi.org.nz>

Dear Dylan

Thank you for your email of 3 March, requesting under the Official Information Act 1982 (the Act):

"Briefing papers, internal discussions or communications around the current Religious Education (RE) programmes offered in New Zealand state schools.

Feedback or discussions the Ministry may have been party to around the impacts of RE on normal school or class activities.

Any discussions around any changes in policy within the Ministry in regards to Religious Education."

New Zealand schools are self-governing through Boards of Trustees which set policies and procedures for the management of the school, including those around religious education, instruction and observation.

Boards are required to work with certain conditions in relation to religion in schools. Section 77 of the Education Act 1964 states that all teaching in state primary schools must be entirely secular in character. This prevents primary schools from the teaching *of* religion but does not preclude teaching *about* religion. An example of this is that many secondary schools offer British sixteenth and seventeenth century reformation history or nineteenth century New Zealand history at year 13, neither of which could be taught without teaching about religion.

Section 78 of the Act allows schools to close for religious instruction under the condition that this does not exceed sixty minutes in any week and twenty hours in any school year. Section 79 of the Act also states that student participation in religious instruction must be voluntary.

As you are aware, schools have a duty of care for students during normal school hours and must ensure appropriate supervision and instruction is provided for those children who opt out of the programme. If you feel that this is not the case in your circumstances, I encourage you to discuss this with your Board of Trustees.

I understand that you have previously been advised of the the Human Rights Commission booklet *Religion in New Zealand Schools: Questions and Concerns*, which is available at the following address:

http://www.hrc.co.nz/hrc_new/hrc/cms/files/documents/20-Jan-2010_09-32-15_WebUpdatedJan2010_HRC_Rel_in_NZ_Schls.pdf.

In regards to the specifics of your request, there have been no briefing documents, reports to Ministers or internal discussions or communications around RE programmes offered in New Zealand schools. As such your request is refused under section 18 (g) of the Act as the information you have requested is not held by the Ministry of Education. We have no reason to believe the information you are seeking is held by another Department of Minister of the Crown.

I trust that my response clarifies the Ministry of Education's position on RE in schools. You have the right to seek an investigation and review of my response by the Ombudsman, whose address for contact purposes is:

The Ombudsman
Office of the Ombudsman
PO Box 10-152
WELLINGTON 6143.

Yours sincerely



Rowena Phair
Deputy Secretary, Student Achievement