



11/07/2024

Tessa

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Tēnā koe Tessa

### **OIA: 1330402 – Summary of pupil exclusions in the last 5 years**

Thank you for your email of 9 June 2024 to the Ministry of Education (the Ministry) requesting the following information:

- 1. The number of Year 1-8 pupils excluded from New Zealand schools in the last 5 years, broken down by the length of time between their exclusion and placement by the Ministry into a school.*
- 2. The total FTE (not including vacant positions) at the Ministry of Education who have as part of their role, the responsibility of finding placements for excluded students, as at the end of each of the last 4 calendar years, and a monthly figure since the beginning of 2024 to present.*
- 3. The total number of Year 1-8 students who have been excluded and are presently (at 1 June 2024) awaiting placement into another school. I also request this same number as at 1 June 2023.*

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

It is important to note that stand-downs, suspensions, exclusions, and expulsions are not measures of student behaviour but measures of a school's reaction to such behaviours. What one school may choose to suspend for, another may not. The number of these events should not be used as a proxy measure for total student behaviour.

Schools are required to find a new school for excluded students under 16 years as soon as possible (by the 10th school day after the day of the board's decision to exclude, as per Section 81(7) of the Education and Training Act 2020). The principal must inform the Ministry of Education if a student is not enrolled at another school after 10 school days. If the principal cannot arrange for a student to be enrolled at another school, the Ministry will help to find another school for the student to attend and, if necessary, direct a student to be enrolled in a school.

The Education and Training Act 2020 Section 82 details the Ministry's legal obligations to arrange for the placement when the schools did not succeed finding an appropriate placement <https://www.legislation.govt.nz/act/public/2020/0038/latest/LMS177665.html>.

I am setting out the number of Year 1-8 students excluded from New Zealand state and state integrated schools in 2019 to 2023, broken down by the length of time between their exclusion and placement into a school in response to **part one** of your request in **Table One** below. Please note that values less than five have been withheld under section 9(2)(a) of the Act, to protect the privacy of individual students. Where this is the case, these figures have been replaced with letter x.

Please note 'placement into a school' includes students returning to the suspending school, re-enrolled in a new school, approved home-schooling exemption or accessing correspondence schooling through Te Aho o Te Kura Pounamu.

Regarding **part two** of your request, the Ministry has published Guidelines in 2009 for principals and boards on stand-downs, suspensions, exclusions and expulsions

<https://assets.education.govt.nz/public/Documents/School/Managing-and-supporting-students/Stand-downs-suspensions-exclusions-and-expulsions-guidelines/17-5-18-SuspensionLegalGuideWEB-1.pdf>

Page 29 details the Ministry's role in re-enrolling an excluded student. Before placing an excluded student, the Ministry must first consult all relevant parties, the parents, the board and other interested parties. Page 39 talks about sections 16, 17C, 17D of the Education Act 1989, and describe powers of the Secretary while placing an excluded student younger than 16 years.

Finding a placement for an excluded student is done on a case-by-case basis, as every child has different needs. We are unable to quantify how many FTEs are involved in replacing an excluded child, as this could include a number of roles dependent on the circumstances of the exclusion. I am therefore refusing **part two** of your request under section 18(g) of the Act, as the information requested is not held by the Ministry, and I have no grounds for believing that it is either held by, or more closely related to the functions of, another department or organisation subject to the Act.

Regarding **part three** I can advise that as of 26 June 2024, there were 110 excluded students awaiting placement into another school. 'Placement in another school' refers to students returning to the suspended school, re-enrolled in a new school, approved home -schooling exemption or accessed correspondence schooling through Te Aho o Te Kura Pounamu. Please note that this data is live and subject to change.

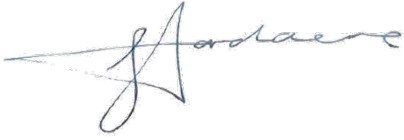
As this data is live and changing, and only exists at the present time, we are unable to provide you with the same figures from 2023. Therefore, I need to refuse the aspect of your request under section 18(e) of the Act as this information does not exist.

As required under section 9(1) of the Act, I have considered the public interest in releasing the information withheld. I do not consider the public interest considerations favouring the release of this information are sufficient to outweigh the need to withhold it at this time.

Please note, we may publish this response on our website after five working days. Your name and contact details will be removed.

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](mailto: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 'Hardacre', with a long horizontal stroke extending to the left.

Julia Hardacre

**Group Manager System Delivery**

**Te Mahau | Te Pae Aronui (Operations and Integration)**

**Table One: The number of Year 1-8 students excluded from state and state integrated schools in the last 5 years, broken down by the length of time between their exclusion and placement into a school.**

| <b>Length of Time Excluded</b>  | <b>2019</b> | <b>2020</b> | <b>2021</b> | <b>2022</b> | <b>2023</b> |
|---------------------------------|-------------|-------------|-------------|-------------|-------------|
| 0-30 days                       | 40          | 25          | 21          | 43          | 39          |
| 31-90 days                      | 163         | 124         | 110         | 141         | 206         |
| 91-180 days                     | 123         | 75          | 66          | 75          | 133         |
| 181-365 days                    | 44          | 23          | 29          | 41          | 28          |
| 365+ days                       | 6           | x           | x           | 5           | 0           |
| <b>Total number of students</b> | <b>371</b>  | <b>250</b>  | <b>229</b>  | <b>303</b>  | <b>405</b>  |

Please note the Ministry has been involved in the placement of all excluded students in the data represented.

#### Caveats

- Data extracted as at 26/06/2024.
- Days: Calendar days.
- The year represents the year as at the date of exclusion, and students may have been placed in a subsequent year.
- The table shows the number of students returning to the suspended school, re-enrolled in a new school, approved home -schooling exemption or accessed correspondence schooling through Te Aho o Te Kura Pounamu.
- Students excluded more than once during a year with different length of times are counted once in each length of time grouping, they were excluded for that year.
- Students are only counted once in 'total number of students' excluded in each year.
- It is important to note that stand-downs, suspensions, exclusions, and expulsions are not measures of student behaviour but measures of a school's reaction to such behaviours. What one school may choose to suspend for, another may not. The number of these events should not be used as a proxy measure for total student behaviour.
- Exclusions are subsets of suspensions and should not be added to suspensions.
- An exclusion follows the termination of a student's enrolment at a suspension meeting. Exclusions are given to students under the age of sixteen, with the requirement that the student enrolls elsewhere.