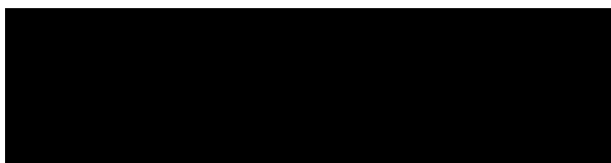




03 DEC 2018



Dear 

Thank you for your letter of 29 October 2018 to the Ministry of Education requesting the following information:

- 1. I was wanting to know how many sexual assaults, attacks or sexualised behaviours have been reported to the Ministry of Education in 2016, 2017 and 2018 and what the nature of these were.*
- 2. Could I have this broken down into the regions they occurred and if possible, the schools.*
- 3. Could I also request how many times the Ministry of Education have been contacted in 2016, 2017 and 2018 to date to assist schools who have transgender students?*
- 4. Could this please be broken down into regions and if possible, the school, and if they are a primary, intermediate or high school.*

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

Question one and two

We do not collect data on the number of incidents of inappropriate sexual behaviour in schools, or requests from schools on dealing with issues of this nature. As such, your request for this information has been refused under 18(g) of the Act as this information is not held by the Ministry.

We do, however, collect data on the number of stand-downs, exclusions and expulsions for the behaviour category 'sexual harassment or sexual misconduct'. Please find this information attached as **Appendix one**.

Definitions of measures used

A **stand-down** is the removal of a student for a period of up to five days in a school term, where the decision is made by the Principal. A student may only be stood-down for a total of 10 school days in a year.

A **suspension** is the formal removal of a student from a state or state-integrated school on a temporary basis until the school board of trustees (the board) decides the final outcome at a meeting. The board can then either:

- lift the suspension (with or without conditions),
- extend the suspension, or

- exclude the student (if under 16) or expel the student (if aged 16 years or over).

Exclusions and expulsions are subsets of suspension where an enrolment is terminated. If the student is aged under 16, the board may decide to exclude the student from the school, with the requirement that the student enrolls elsewhere.

Considerations when interpreting the data

It's important to note that stand-downs, suspensions, exclusions and expulsions are measures of a school's reaction to the behaviour. While one school may opt to suspend a student over a particular incident, another school may not. The number of these incidents should not be used as a proxy measure for total student behaviour.

You can find further information about stand-downs, suspensions, exclusions and expulsions in our '*Guidelines for principals and boards of trustees on stand-downs, suspensions, exclusions and expulsions*' available from our website, at:

<https://www.education.govt.nz/stand-downs-suspensions-exclusions-and-expulsions-guidelines>

Age-standardised data on stand-downs, suspensions, exclusions and expulsions is also available on the Ministry's Education Counts website at the following link:

www.educationcounts.govt.nz/statistics/indicators/main/student-engagement-participation/stand-downs-suspensions-exclusions-expulsions

Support for schools

Schools develop comprehensive, local approaches to promoting pro-social behaviour and wellbeing within their setting. We support these efforts, and the development of whole school capability, with programmes such as Positive Behaviour for Learning (PB4L). You can read about this service in more detail at: <http://pb4l.tki.org.nz/PB4L-School-Wide/Support-material>.

We also provide bullying prevention guidance for schools, which you can find here: <https://www.education.govt.nz/assets/Documents/School/Bullying-prevention/MOEBullyingGuide2015Web.pdf>

The '*Teaching for Positive Behaviour*' resource supports teachers to understand and use effective practices that enhance students' behaviour, engagement, participation, and learning.

The school-based Resource Teacher: Learning and Behaviour (RTLb) service supports clusters of schools to develop whole school behaviour management strategies to help manage the additional learning needs of students and help enhance students' learning, participation and wellbeing.

Questions three and four

We do not collect data on the number of times the Ministry has been contacted to assist schools who have transgender students. As such your request for this information has been refused under 18(g) of the Act as this information is not held by the Ministry.

It is important to note that we work with schools to develop positive school cultures that are inclusive for all students. State and state-integrated schools are required to provide a safe physical and emotional environment for their students.

We have produced a guide that is available to all schools that provides strategies and

suggestions for supporting the inclusion and wellbeing of students who identify as sex, gender, or sexuality diverse. The guide 'Supporting LGBTIQ+ students' is available here:

<http://inclusive.tki.org.nz/guides/lgbtqa/>

In 2015, we also updated '*Sexuality Education: a guide for principals, boards of trustees, and teachers.*' The update has more information about the needs of gay, lesbian, bisexual, transgender and intersex students, and gives schools greater clarity on issues such as sexual violence, bullying and safety in intimate relationships.

Schools are governed through their boards of trustees. School boards are responsible for setting policies for their schools. As each school is different in character, culture, philosophy and community, each board will decide its policies. School boards have discretion to control the management of their schools in accordance with legislation, including Human Rights and Health and Safety legislation.

If you are unsatisfied with my response, you have the right to ask an Ombudsman to review it. You can do this by writing to info@ombudsman.parliament.nz or Office of the Ombudsman, PO Box 10152, Wellington 6143.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Katrina Casey', written over a horizontal line.

Katrina Casey
Deputy Secretary
Sector Enablement and Support

Number of stand-downs, suspensions, exclusions and expulsions for Behaviour Sexual harassment or Sexual Misconduct by Regional Council, from 2016 to date.

Regional Council	Year	Stand-downs	Suspensions	Exclusions	Expulsions
Auckland Region	2016	77	24	11	3
	2017	75	22	7	2
	2018 to date	63	9	4	
Bay of Plenty Region	2016	14	1		
	2017	6	3	1	
	2018 to date	10	2	1	1
Canterbury Region	2016	28	7	2	
	2017	36	6		
	2018 to date	24	5	2	
Gisborne Region	2016		1		
	2017	3	1		
Hawke's Bay Region	2016	4	1		
	2017	7	1		
	2018 to date	7			
Marlborough Region	2017	2			
	2018 to date	5			
Manawatu-Wanganui Region	2016	16	6	1	1
	2017	19	8	3	
	2018 to date	10	4	2	
Nelson Region	2016	1			
	2017	1	1		
	2018 to date	2			
Northland Region	2016	14			
	2017	5	3	2	
	2018 to date	15	4	3	
Otago Region	2016	12	1		
	2017	10			
	2018 to date	8	3	2	
Southland Region	2016	9	4	1	
	2017	9			
	2018 to date	5			
Taranaki Region	2016	3	1		
	2017	5	1	1	
	2018 to date	12	1		
Tasman Region	2016	1			
	2017	2			
	2018 to date		1	1	
Waikato Region	2016	35	5	1	
	2017	41	10	6	
	2018 to date	29	6	5	
Wellington Region	2016	21	1	1	
	2017	16	7		
	2018 to date	24	4	1	
West Coast Region	2016	4			
	2017	1			
Chatham Islands	2016		1		

School breakdown is not provided as the list would be severely censored to protect the privacy of natural persons and to avoid identifying individual students.

- Data was extracted on 16th of November 2018 and includes incidences recorded up to this date.