



# FAKAMATALA MA‘Á E MĀTU‘A TAUHI FĀNAÚ

## Fakamavahe‘i fakataimi (stand-down) ‘o ha tokotaha ako meí he ‘apiako pule‘angá mo e ‘apiako taaautaha kuo hoko ko e konga ‘o e ako pule‘angá (state integrated school)

Kuo fakahā atu ‘e he ‘apiakó kuo fakamavahe‘i fakataimi ‘a ho‘o tamá. ‘Oku ‘oatu ‘e he lau‘i pepa fakamatala ko ‘ení ha ngaahi fakamatala. Te ke toe fie ala vakai foki ki he lao mo e ngaahi tu‘utu‘uni fekau‘aki mo e ngaahi fakamavahe‘i fakataimí, fakamālōloo‘i ‘o fakatatali ki he Poate Akó (suspensions), fakamālōloo‘i ka e fakahū ki ha ‘apiako kehé (exclusions), mo e tuli meí he akó (expulsions), ‘a ia ‘e ala ma‘u atu meí he puleakó.

Kapau ‘oku tautea‘i ‘a ho‘o tamá meí he ‘apiakó, ‘e malava ke ke ongo‘i loto mamahi ai pe ‘ita ki he ‘apiakó pe ki ho‘o tamá. Te ke ala fie poupou‘i ho‘o tamá ‘o tatau ai pē pe ko e hā, pe te ke fiema‘u ke tautea‘i ‘e he ‘apiakó ‘a ho‘o tamá.

‘Oku mahu‘inga ma‘u pē ke fanongo ki he ongo tafa‘akí fakatou‘osi pea ngāue mo e ‘apiakó pea mo ho‘o tamá ke toe fakafoki ‘a ho‘o tamá ki he akó.

Tauhi ‘a ho‘o Loto Mokomokó

Talanoa mo ho‘o tamá fekau‘aki mo e me‘a na‘e hokó

Fakakaukau ki he ‘ulungaanga ‘a ho‘o tamá peá ke toki ‘alu ‘o talanoa ki he puleakó

### Ngaahi fehu‘i ‘oku fa‘a ‘eké

#### Ko e hā ‘a e fakamavahe‘i fakataimi?

Ko e fakamavahe‘i fakataimí ko hono fakamālōloo‘i ia ‘o ha tokotaha ako meí he ‘apiakó ‘e he puleakó ‘i ha vaha‘a taimi pau. ‘E ‘ikai lava ke laka hake ‘a e fakamavahe‘i fakataimí ‘i ha ‘aho ako ‘e nima ki he teemi ako pe ‘aho ‘e hongofulu ‘i he ta‘u.

#### Ko e hā ‘a e ngaahi ‘uhinga ki ha fakamavahe‘i fakataimi?

Kuo pau ke fiemālie ‘a e puleakó ‘i he ngaahi makatu‘unga pau ko e:

- » ‘ulungaanga kovi ‘aupito (serious misbehaviour) ‘a e tokotaha akó ko ha sīpinga ke uesia kovi (harmful) pe fakatu‘utāmaki ki he fānau ako kehe ‘i he ‘apiakó (**Kupu 80(1)(a) ‘o e Education and Training Act 2020**), pe
- » hohohoko atu ko ia ‘a e talangata‘a ‘a e tokotaha akó ko ha sīpinga ke uesia kovi mo fakatu‘utāmaki ia ki he fānau ako kehe ‘i he ‘apiakó (**Kupu 80(1)(a) ‘o e Education and Training Act 2020**), pe
- » ‘ulungaanga ko ia ‘o e tokotaha akó, ‘e lava ke ne uesia kovi lahi ai ‘a e tokotaha akó, pe fānau ako kehe ‘i he ‘apiakó kapau ‘e ‘ikai ke fakamavahe‘i fakataimí ‘a e tokotaha akó (**Kupu 80(1)(b) ‘o e Education and Training Act 2020**).

#### E lava nai ke fakamavahe‘i fakataimi ha tokotaha ako ‘i ha‘á ne maumau‘i pē ‘a e tu‘utu‘uni ‘a e ako?

‘E ‘ikai lava ‘e he puleakó ‘o fakamavahe‘i fakataimi leva ha tokotaha ako koe‘uhí pē ko hano maumau‘i ‘e he tokotaha ko iá ha tu‘utu‘uni ‘a e ‘apiakó pe fakahoko ‘o ha ‘ulungaanga kovi. Kuo pau ke fakakaukau‘i ‘e he puleakó ‘a e ngaahi tükunga ki he me‘a takitha pea fiemālie ‘oku fiema‘u ‘i he tükunga ko iá hano fakamavahe‘i fakataimí ‘o e tokotaha akó.

Kuo pau ke fakahoko ‘e he puleakó ‘a e ngāue ‘oku tuha mo taau.

#### Kapau kuo fakamavahe‘i fakataimi ‘a ‘eku tamá, ko e hā leva ‘a e me‘a hoko ‘e hoko atu ki ai?

1. ‘E lava ho‘o tamá ‘o foki ki he akó ‘i he ‘aho ‘oku ‘oatu ‘i he tohi ‘a e puleakó (**Kupu 80(3) ‘o e Education and Training Act 2020**).
2. ‘E lava ke kole ‘e koe mo/pe ho‘o tamá ha fakataha mo ho‘o puleakó (pe ko e kole ‘e he puleakó ke mo fakataha) ke alea‘i ‘a e fakamavahe‘i fakataimí ‘o ho‘o tamá. Te ke lava ‘o ‘alu atu mo ha tokotaha kehe ke tokoni atu.
3. ‘E ala fiema‘u ‘a ho‘o tamá ke ‘alu ki he ‘apiakó ke fakahoko ki ai ha fakahinohino mo ha fale‘i lolotonga ‘a e vaha‘a taimi ‘oku fakamavahe‘i fakataimí ai (**Kupu 80(3) ‘o e Education and Training Act 2020**).
4. ‘E ala lava ‘a ho‘o tamá ‘o ‘alu ki he akó lolotonga ‘a e taimi ‘oku fakamavahe‘i fakataimí ai ki ha ngaahi polokalama pe kalasi pau, kapau te ke kole ki he puleakó peá ne fakakaukau‘i ‘oku ‘uhinga lelei ‘a ho‘o kolé (**Kupu 80(3) ‘o e Education and Training Act 2020**).
5. ‘E lava ke ke kole ki he ‘apiakó pe ko e Potungāue Akó ki ha tatau ‘o e Education (Fakamavahe‘i Fakataimí, Fakamālōloo‘i ‘o Fakatatali ki he Poate Akó, Fakamālōloo‘i ka e Fakahū ki ha ‘Apiako Kehe, Tuli Meí he Akó) Rules 1999. ‘Oku ‘i he uepisaiti ‘a e Potungaué ‘a e ngaahi tu‘utu‘uni [www.minedu.govt.nz/goto/sdsrules](http://www.minedu.govt.nz/goto/sdsrules). ‘Oku ‘i he ngaahi tu‘utu‘uni ko ‘eni ha fakamatala fakaikiiki fekau‘aki mo e fakamavahe‘i fakataimí mo e fakamālōloo‘i ‘o fakatatali ki he poate akó (vakai ki he peesi ‘i mui‘ ki he ngaahi fika telefoni ‘a e Potungaué).

*‘Oku ‘ikai ko ha fahia ‘a e fakamavahe‘i fakataimí pea ‘oku ‘ikai ‘así ia ‘i ha lekooti ‘a e Polisí.*

*‘Oku ‘ikai fiema‘u ia ke liliu ‘e ho‘o tamá ‘a ‘ene ‘apiakó makatu‘unga ‘i he fakamavahe‘i fakataimí.*

### 'I ha fakataha ki he fakamavahe'i fakataimí, fehu'i ange ki he puleakó:

- » 'a e me'a na'e hokó 'i he anga 'o 'enau vakaí, pea kapau na'a nau talanoa mo ho'o tamá fekau'aki mo 'ene ngaahi hoha'á mo fakafanongo ki he fakakaukau 'a ho'o tamá
- » 'a e founa na'a nau tokoni'i ai ho'o tamá ke ne mahino'i 'a e ngaahi nunu'a 'o honau 'ulungaangá pea mo ako mei ai
- » 'a e founa 'oku ngāue ai 'a e tauteá mo e founa te ke lava ai 'o tokoni'i 'a ho'o tamá
- » pe ko e me'a na'e hokó ko ha konga ia 'o ha palopalema lahi ange
- » pe ko e hā ha toe tokoni mo ha fakahinohino kehe 'e lava ke ma'u atu
- » 'a e founa 'e lava ke foki lelei mai ai ho'o tamá ki he akó.

**Fakatokanga'i ange:** 'E lava ke fakafehokotaki koe 'e he ngaahi 'apiako mo e ngaahi potungāue totonu kehe mo fokotu'u atu ha ngaahi founa kehe ki he fale'i mo e tokoní.

'Oku lahi ha ngaahi 'apiako 'oku 'i ai ha'anau palani ke fakafoki 'a e fānau akó 'o ako angamaheni. 'E lava ke ke tokoni 'aki ha'o:

- » ngāue mo e 'apiakó
- » loto ki ha palani 'oku mou fevahevahe'aki
- » vakai'i 'oku ngāue 'a e palaní
- » hokohoko talanoa mo e 'apiakó.

## Te ke 'alu ki fē kapau 'okú ke fiema'u ha fakahinohino mo ha fale'i?

### Student Rights Service

This service is run by Wellington Community Law Centre (wclc)

**PO Box** 24005, Wellington 6142

**Telefoni:** 04 499 2928

**‘imeili:** [info@wclc.org.nz](mailto:info@wclc.org.nz)

**Uepisaiti:** [www.wclc.org.nz/our-services/the-student-rights-service/](http://www.wclc.org.nz/our-services/the-student-rights-service/)

#### Address:

Level 2, 15 Dixon St  
Wellington

Te Awa Kairangi  
Level 2, 59 Queens Drive  
Hutt Valley

### YouthLaw Aotearoa (fonuá kotoa)

**Telefoni:** 0800 884 529

**‘imeili:** [nzyouthlaw@gmail.com](mailto:nzyouthlaw@gmail.com)

**Uepisaiti:** [www.youthlaw.co.nz](http://www.youthlaw.co.nz)

### Commissioner for Children (Komisiona ma'a e Fānaú)

**PO Box** 5610, Wellington 6145

**Telefoni:** 0800 2244 53

**‘imeili:** [advice@occ.org.nz](mailto:advice@occ.org.nz)

**Uepisaiti:** [www.occ.org.nz](http://www.occ.org.nz)

### Community Law Centres (Ngaahi Senitā Lao ma'a e Komiuniti)

**Uepisaiti:** [www.communitylaw.org.nz](http://www.communitylaw.org.nz)

### Citizens Advice Bureau

**Telefoni:** 0800 367 222

**Uepisaiti:** [www.cab.org.nz](http://www.cab.org.nz)

Toe fakakaukau foki ki he kakai 'oku nau 'ilo'i lelei 'a ho'o tamá pea lava ke nau lea 'o fakaofonga'i kinautolu, hangē ko ha faiako sipoti, tokotaha tokoni faiako pe tokotaha fale'i.

**Kātaki 'o fakatokanga'i ange:** 'e ala lelei ange ke 'oua te ke kole ki ha mēmipa 'o e kau ngāue 'i he 'apiakó pe mēmipa 'o e poate talāsiti 'a e 'apiakó, he 'e 'ikai ke nau ala lava 'o lea 'o fakaofonga'i ho'o tamá.

### POTUNGĀUE AKO

[www.education.govt.nz](http://www.education.govt.nz)

Tai Tokerau	<b>Telefoni:</b> 09 436 8900	<b>‘imeili:</b> <a href="mailto:enquiries.whangarei@education.govt.nz">enquiries.whangarei@education.govt.nz</a>
‘Okalani	<b>Telefoni:</b> 09 632 9400	<b>‘imeili:</b> <a href="mailto:enquiries.auckland@education.govt.nz">enquiries.auckland@education.govt.nz</a>
Waikato	<b>Telefoni:</b> 07 850 8880	<b>‘imeili:</b> <a href="mailto:enquiries.hamilton@education.govt.nz">enquiries.hamilton@education.govt.nz</a>
Bay of Plenty/Waiariki	<b>Telefoni:</b> 07 349 7399	<b>‘imeili:</b> <a href="mailto:enquiries.BoP-Waiariki@education.govt.nz">enquiries.BoP-Waiariki@education.govt.nz</a>
Hawke's Bay/Tairāwhiti	<b>Telefoni:</b> 06 833 6730	<b>‘imeili:</b> <a href="mailto:enquiries.napier@education.govt.nz">enquiries.napier@education.govt.nz</a>
Taranaki, Whanganui, Manawatu	<b>Telefoni:</b> 06 349 6300	<b>‘imeili:</b> <a href="mailto:enquiries.whanganui@education.govt.nz">enquiries.whanganui@education.govt.nz</a>
‘Elia Uelingatoní	<b>Telefoni:</b> 04 463 8699	<b>‘imeili:</b> <a href="mailto:enquiries.lowerhutt@education.govt.nz">enquiries.lowerhutt@education.govt.nz</a>
‘Elia Nelson, Marlborough, West Coast	<b>Telefoni:</b> 03 546 3470	<b>‘imeili:</b> <a href="mailto:enquiries.nelson@education.govt.nz">enquiries.nelson@education.govt.nz</a>
Canterbury	<b>Telefoni:</b> 03 378 7300	<b>‘imeili:</b> <a href="mailto:enquiries.christchurch@education.govt.nz">enquiries.christchurch@education.govt.nz</a>
Otago/Southland	<b>Telefoni:</b> 03 471 5200	<b>‘imeili:</b> <a href="mailto:enquiries.dunedin@education.govt.nz">enquiries.dunedin@education.govt.nz</a>

## Te ke toe lava foki 'o fetu'utaki ki he:

### Human Rights Commission (Komisiona ki he Ngaahi Totonu 'a e Tangatá)

**Infoline:** 0800 496 877

**‘imeili:** [infoline@hrc.co.nz](mailto:infoline@hrc.co.nz)

**Text:** 0210 236 4253

**Uepisaiti:** [www.hrc.co.nz](http://www.hrc.co.nz)

### Office of the Ombudsman ('Ofisi 'o e 'Omipatimeni)

**PO Box** 10152, Wellington 6143

**Telefoni** 'oku tali atu ki he kotoa 'o

**Nu'u Silá Telefoni:** 0800 802 602

### Ngaahi Lāungá

**‘imeili:** [info@ombudsmen.parliament.nz](mailto:info@ombudsmen.parliament.nz)

**Uepisaiti:** [www.ombudsmen.parliament.nz](http://www.ombudsmen.parliament.nz)