

# Review legal requirements under NZ law

A suggestion for implementing the strategy  
'Meet legal responsibilities and obligations'  
from the Guide: [The role of school boards](#)

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## **Includes:**

- Understand your legal obligations
- Objectives of boards
- Protect human rights
- Support all national languages
- Useful resources

Inclusive Education

From

Guide: [The role of school boards](#)

Strategy: [Meet legal responsibilities and obligations](#)

Suggestion: [Review legal requirements under NZ law](#)

Date

09 May 2024

Link

[inclusive.tki.org.nz/guides/the-role-of-school-boards/review-legal-requirements-under-nz-law](https://inclusive.tki.org.nz/guides/the-role-of-school-boards/review-legal-requirements-under-nz-law)

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## Understand your legal obligations

It is the legal obligation of school boards to provide inclusive education.

Section 34 of the Education and Training Act 2020 says "people who have special educational needs (whether because of disability or otherwise) have the same rights to enrol and receive education in state schools as people who do not".

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## Objectives of boards

Section 127 of the Education and Training Act 2020 sets the primary objectives of boards.

Boards need to ensure that:

- every student can reach their highest possible educational achievement in a physically and emotionally safe environment
- the school gives effect to Te Tiriti o Waitangi, is inclusive, and caters for students' individual needs.

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## Protect human rights

Section 57 of the Human Rights Act 1993 states:

"It shall be unlawful for an educational establishment, or the authority responsible for the control of an educational establishment, or any person concerned in the management of an educational establishment or in teaching at an educational establishment

- (a) to refuse or fail to admit a person as a pupil or student; or
  - (b) to admit a person as a pupil or a student on less favourable terms and conditions than would otherwise be made available; or
  - (c) to deny or restrict access to any benefits or services provided by the establishment; or
  - (d) to exclude a person as a pupil or a student or subject him or her to any other detriment; –
- by reason of any of the prohibited grounds of discrimination."

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## Support all national languages

Ensure that the  
New Zealand  
Sign Language  
Act 2006 is  
honoured.

Part 2 (6)

New Zealand Sign Language is declared to be an official language of  
New Zealand.

**Source:**

[New Zealand Sign Language Act 2006](#)

<http://www.legislation.govt.nz/act/public/2006/0018/latest/DLM372754.html>

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## Useful resources



### Education and Training Act 2020

Administered by the Ministry of Education

Publisher: New Zealand Legislation

[Visit website](#)



### Human Rights Act 1993

Administered by the Ministry of Justice

Publisher: New Zealand Legislation

[Visit website](#)



### New Zealand Sign Language Act 2006

Administered by the Ministry of Social Development

Publisher: New Zealand Legislation

[Visit website](#)

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