



## **Education (2008 School Staffing) Amendment Order (No 2) 2007**

Anand Satyanand, Governor-General

### **Order in Council**

At Wellington this 17th day of December 2007

Present:

His Excellency the Governor-General in Council

Pursuant to section 91H of the Education Act 1989, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following order.

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## Order

- 1 Title**  
This order is the Education (2008 School Staffing) Amendment Order (No 2) 2007.
- 2 Commencement**  
This order comes into force on 1 January 2008.
- 3 Principal order amended**  
This order amends the Education (2008 School Staffing) Order 2007.
- 4 Interpretation: general**  
Clause 6(1) is amended by inserting the following definition in its appropriate alphabetical order:  
“**senior management allowance**, in relation to a high school, means an allowance allocated by the Board to a teacher for undertaking duties in the school recognised by the Board as senior management activities”.
- 5 New clauses 20, 20A, and 20B substituted**  
Clause 20 is revoked and the following clauses are substituted:

**“20 Employment involving senior management allowances at high schools**

- “(1) The Board of a high school must not employ regular teachers to whom senior management allowances have been allocated (whether permanently or otherwise) if the total of these allowances would exceed the number of senior management allowances calculated for the school under subclause (2).
- “(2) The number referred to in subclause (1) is calculated for a high school by—
- “(a) subtracting 1 from the school’s management time allowance (as determined in accordance with clause 47); and
  - “(b) multiplying the resulting difference by 0.18; and
  - “(c) adding 2 to the resulting product; and
  - “(d) if the resulting sum is not a whole number, correcting it to the next whole number.
- “(3) Despite subclause (1), a Board of a high school must not allocate a senior management allowance in respect of any date in the period beginning on the first day of the 2008 school year and ending on 1 July 2008.

**“20A Employment involving middle management allowances in high schools**

- “(1) The Board of a high school must not employ a regular teacher to whom middle management allowances have been allocated (whether permanently or otherwise) if the total of those allowances would exceed the number of middle management allowances calculated for the school under subclause (2) or (3).
- “(2) If the calculation is being made as at a date in the period beginning on the first day of the 2008 school year and ending on 1 July 2008, the number referred to in subclause (1) is calculated by—
- “(a) subtracting 1 from the school’s formula-generated staffing allowance; and
  - “(b) multiplying the resulting difference by 0.5; and
  - “(c) adding 4 to the resulting product; and
  - “(d) if the resulting sum is not a whole number, correcting it to the nearest whole number.

- “(3) If the calculation is being made as at a date in the period beginning on 2 July 2008 and ending at the end of the 2008 school year, the number referred to in subclause (1) is calculated by—
- “(a) subtracting 1 from the school’s formula-generated staffing allowance; and
  - “(b) multiplying the resulting difference by 0.525; and
  - “(c) adding 5 to the resulting product; and
  - “(d) after rounding the sum resulting from the calculation in paragraph (c) to the nearest whole number, adding the integer part of the quotient obtained by dividing the number of special education students on the school’s special education list by 5.

**“20B Employment involving middle management allowances in area schools**

- “(1) The Board of an area school must not employ regular teachers to whom middle management allowances have been allocated (whether permanently or otherwise) if the total of those allowances would exceed the number of middle management allowances calculated for the school under subclause (2).
- “(2) The number referred to in subclause (1) is calculated by—
- “(a) adding in FTTEs,—
    - “(i) the sum that is the item in clause 45(2)(c) (relating to the calculation of the curriculum delivery allowance); and
    - “(ii) the number that is the item obtained by the calculation in whichever of clause 45(2)(d) or (e) applies to the school; and
    - “(iii) the additional guidance allowance calculated in accordance with clause 48; and
  - “(b) multiplying the resulting sum by 0.6; and
  - “(c) if the resulting product is not a whole number, correcting it to the nearest whole number.”

**6 Total regular staffing allowance**

Clause 25(a) is amended by inserting the following subparagraphs after subparagraph (v):

- “(va) any head of department beginning teacher time allowance:

“(vb) any overseas teacher time allowance.”.

**7 Beginning teacher allowance**

Clause 30(1) is amended by inserting “and in clause 30A” after “this clause”.

**8 New clause 30A inserted**

The following clause is inserted after clause 30:

**“30A Head of department beginning teacher time allowance for high schools**

A high school that employs qualifying beginning teachers who have completed less than 12 months’ teaching has a head of department beginning teacher time allowance (in FTTEs) calculated by—

“(a) adding—

“(i) the number of qualifying beginning teachers, if any, then employed at the school full time; and

“(ii) the number of other qualifying beginning teachers, if any, then employed at the school; and

“(b) multiplying the resulting sum by 0.04.”

**9 New clauses 32A and 32B inserted**

The following clauses are inserted after clause 32:

**“32A Overseas teacher time allowance for schools other than high schools**

“(1) In this clause, **qualifying overseas-trained teacher** means a teacher—

“(a) who has—

“(i) qualifications that are recognised for New Zealand teacher registration; and

“(ii) been appointed to his or her first teaching position in a New Zealand state or state integrated school; and

“(iii) completed less than 10 weeks’ teaching in a New Zealand state or state integrated school; and

“(iv) been employed full time from within the school’s total regular staffing allowance; and

“(v) been appointed for a minimum of 10 weeks; and

- “(b) in respect of whom the school employing the teacher has not, in the 2008 school year, been eligible for the beginning teacher time allowance.
- “(2) A school other than a high school that employs a qualifying overseas-trained teacher has an overseas teacher time allowance in respect of that teacher of 0.1 FTTE for a maximum period of 10 weeks.

**“32B Overseas teacher time allowance for high schools**

- “(1) In this clause, **qualifying overseas-trained teacher** means a teacher—
  - “(a) who has—
    - “(i) qualifications that are recognised for New Zealand teacher registration; and
    - “(ii) been appointed to his or her first teaching position in a New Zealand state or state integrated school; and
    - “(iii) completed less than 10 weeks’ teaching in a New Zealand state or state integrated school; and
    - “(iv) been employed full time from within the school’s total regular staffing allowance; and
    - “(v) been appointed for a minimum of 20 weeks; and
  - “(b) in respect of whom the school employing the teacher has not, in the 2008 school year, been eligible for the beginning teacher allowance.
- “(2) A high school that employs a qualifying overseas-trained teacher has an overseas teacher time allowance in respect of that teacher of 0.1 FTTE for a maximum period of 20 weeks.”

**10 New clause 35 substituted**

Clause 35 is revoked and the following clause substituted:

**“35 Specialist classroom teacher time allowance for high schools**

- “(1) For a high school with a provisional roll of 1 200 or fewer students, the high school’s specialist classroom teacher time allowance, if any, is 0.16 of an FTTE.

- “(2) For a high school with a provisional roll of greater than 1 200 students, the high school’s specialist classroom teacher time allowance, if any, is 0.32 of an FTTE.”

## 11 Curriculum delivery allowance

Clause 45 is amended by revoking subclause (2) and substituting the following subclause:

- “(2) The items are, in relation to a school,—
- “(a) if it has a primary roll and the calculation is being made as at a date in the period beginning on the first day of the 2008 school year and ending on 22 April 2008, the greater of 1 and the sum of—
    - “(i) the number of any students in years 1 to 3 on its Māori-medium roll divided by 18; and
    - “(ii) the number of any students in years 1 to 3 on its non-Māori-medium roll divided by 23; and
    - “(iii) the number of any students in years 4 to 8 on its Māori-medium roll divided by 18; and
    - “(iv) the number of any students in years 4 to 8 on its non-Māori-medium roll divided by 29:
  - “(b) if it has a primary roll and the calculation is being made as at a date in the period beginning on 23 April 2008 and ending at the end of the 2008 school year, the greater of 1 and the sum of—
    - “(i) the number of any students in years 0 and 1 on its Māori-medium roll divided by 18; and
    - “(ii) the number of any students in years 0 and 1 on its non-Māori-medium roll divided by 18; and
    - “(iii) the number of any students in years 2 and 3 on its Māori-medium roll divided by 18; and
    - “(iv) the number of any students in years 2 and 3 on its non-Māori-medium roll divided by 23; and
    - “(v) the number of any students in years 4 to 8 on its Māori-medium roll divided by 18; and
    - “(vi) the number of any students in years 4 to 8 on its non-Māori-medium roll divided by 29:
  - “(c) the sum of—
    - “(i) the number of any students in years 9 and 10 on its Māori-medium roll divided by 20; and

- “(ii) the number of any students in years 9 and 10 on its non-Māori-medium roll divided by 23.5; and
- “(iii) the number of any students in year 11 on its Māori-medium roll divided by 20; and
- “(iv) the number of any students in year 11 on its non-Māori-medium roll divided by 23; and
- “(v) the number of any students in year 12 on its Māori-medium roll divided by 18; and
- “(vi) the number of any students in year 12 on its non-Māori-medium roll divided by 18; and
- “(vii) the number of any students in year 13 and above on its Māori-medium roll divided by 17; and
- “(viii) the number of any students in year 13 and above on its non-Māori-medium roll divided by 17:
- “(d) if it has a secondary roll and that roll is 200 or less, the number obtained by—
  - “(i) multiplying that roll by 0.0035; and
  - “(ii) adding 0.5 to the resulting product; and
  - “(iii) multiplying the resulting sum by the number of levels of full-time secondary students (to a maximum of 5) on its secondary roll:
- “(e) if it has a secondary roll and that roll is greater than 200, the product of 1.2 and the number of levels of full-time secondary students (to a maximum of 5) on its secondary roll:
- “(f) the quotient obtained by dividing its specialist instruction roll (if any) by 120.”

## **12 Adjustments to calculation of curriculum delivery allowance for any school with primary roll**

- (1) Clause 46(1) is amended by omitting “clause 45(2)(b), 45(2)(c), or 45(2)(d)” and substituting “clause 45(2)(b)”.
- (2) Clause 46(2) is amended by omitting “clause 45(2)(b), 45(2)(c), or 45(2)(d)” and substituting “clause 45(2)(b)”.

Rebecca Kitteridge,  
for Clerk of the Executive Council.

### Explanatory note

*This note is not part of the order, but is intended to indicate its general effect.*

This order, which comes into force on 1 January 2008, amends the Education (2008 School Staffing) Order 2007. The main changes are as follows:

- *new clause 20* introduces a new senior management allowance for high schools on 2 July 2008.
- *new clauses 20A and 20B* change the way middle management allowances are calculated.
- *new clause 30A* introduces a new head of department beginning teacher time allowance for high schools.
- *new clauses 32A and 32B* introduce a new overseas teacher time allowance for schools that employ a qualifying overseas-trained teacher.
- *new clause 35* increases the specialist teacher time allowance in high schools with a provisional roll of greater than 1 200 students.
- *clause 11* amends clause 45 of the principal order to provide for a teacher to student ratio of 1 teacher per 18 Māori-medium students for all schools with Māori-medium students in years 1 to 8.

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Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 20 December 2007.

This order is administered by the Ministry of Education

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