



**EDUCATION (1999 INTERMEDIATE SCHOOL STAFFING)
ORDER 1998**

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 20th day of July 1998

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 91H (1) of the Education Act 1989, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following order.

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ORDER

1. Title and commencement—(1) This order may be cited as the Education (1999 Intermediate School Staffing) Order 1998.

(2) This order comes into force on the 28th day after the date of its notification in the *Gazette*.

PART 1

PRELIMINARY

2. Interpretation—(1) In this order, unless the context otherwise requires,—

“The Act” means the Education Act 1989:

“Adjusted staffing list”, in relation to an intermediate institution, means the list re-estimated for it by the Secretary under clause 7:

“Adjusted staffing notice”, in relation to an intermediate institution, means a written notice, received by the institution's Board from the Secretary, of—

(a) The institution's adjusted staffing roll and adjusted staffing list for 1999; and

(b) The day on which its staffing will begin to be limited by reference to that roll and list:

“Adjusted staffing roll”, in relation to an intermediate institution, means the roll re-estimated for it by the Secretary under clause 7:

“Adjusted total staffing quotient”, in relation to an intermediate institution, means its total staffing quotient calculated by reference to its adjusted staffing roll and adjusted staffing list:

- “Basic staffing quotient”, in relation to an intermediate institution, means the quotient calculated for it under clause 18:
- “Beginning teacher”, at any time, means a teacher who—
- (a) At that time has completed less than 12 months teaching; and
 - (b) At that time holds a teaching position to which the teacher was appointed for a period of at least 10 weeks; and
 - (c) Before taking up that position, had completed a course of teacher training recognised by the Secretary for the purposes of this order:
- “The Board”, in relation to an intermediate institution, means the institution’s Board:
- “FTTE” means full-time teacher equivalent:
- “Initial staffing list”, in relation to an intermediate institution, means the list estimated for it by the Secretary under clause 5:
- “Initial staffing roll”, in relation to an intermediate institution, means the roll estimated for it by the Secretary under clause 5:
- “Initial total staffing quotient”, in relation to an intermediate institution, means its total staffing quotient calculated by reference to its initial staffing roll and initial staffing list:
- “Intermediate institution” means an intermediate school:
- “Intermediate school” has the same meaning as in section 145 (1) of the Act:
- “Notified day”, in relation to an adjusted staffing notice and adjusted staffing list, means the day notified in that notice as the day on which the staffing of the intermediate institution to which it relates will begin to be limited by reference to the adjusted staffing roll and adjusted staffing list for 1999 notified in that notice:
- “Other regular teacher” means a regular teacher who is not a permanently appointed regular teacher:
- “Primary institution” means an institution that is a primary school or an intermediate school (within the meanings in section 145 (1) of the Act):
- “Principal”, in relation to a primary institution, means the institution’s principal; and, in relation to a student who enrolls at a primary institution at any time, means the institution’s principal at that time:
- “Regular teacher” means a teacher who is not a relieving teacher (within the meaning of section 91A (1) of the Act):
- “Roll” includes a special education list:
- “Salary unit”, in relation to the holder of a teaching position at an intermediate school, means an entitlement to a salary element in addition to the salary otherwise payable to the holder, allocated to the holder by the Board for the purpose of reward, responsibility, recruitment, or retention:
- “Secretary” means the chief executive of the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of Part VIIIA of the Act:
- “Special education list”, or “list”, means a list of special education students approved by the Secretary under the ongoing resourcing scheme administered by the department of which the Secretary is the chief executive:

“Special education student with high needs” means a student who has been classified by the Secretary as having high needs:

“Special education student with very high needs” means a student who has been classified by the Secretary as having very high needs:

“Teacher” includes a principal and any deputy or second deputy principal (however described):

“Total staffing quotient”, in relation to an intermediate institution, means the quotient calculated or specified for it under clause 19:

“Unaugmented”, in relation to the initial total staffing quotient or adjusted total staffing quotient of an intermediate institution, means minus its beginning teacher time allowance, if any, calculated under clause 13.

(2) In this order, unless the context otherwise requires, terms defined by section 91A of the Act have the meanings given to them by that section.

(3) For the purposes of this order,—

(a) The employment of a teacher on the basis of employment for 10 half-days every full week is the employment of 1 FTTE; and

(b) The employment of a teacher on the basis of employment for a specified number (fewer than 10) of half-days every full week is the employment of one-tenth of that number of FTTEs; and

(c) The employment of a teacher on the basis of employment for a specified number (fewer than 20) of half-days every full fortnight is the employment of one-twentieth of that number of FTTEs; and

(d) The employment of a teacher on the basis of employment for a specified number of teaching hours (or an average of that number of teaching hours) every full week is the employment of one twenty-fifth of that number of FTTEs.

3. Years of schooling—(1) This subclause applies to a student enrolled at an intermediate institution who—

(a) First enrolls at a primary school before turning 7; and

(b) Is subsequently educated at primary institutions without any substantial interruption (other than normal holidays).

(2) For the purposes of this order, a student to whom subclause (1) applies—

(a) Is a year 7 student in the year in which the student first enrolls at an intermediate institution:

(b) In every subsequent year, is a student of a year 1 greater than the year before.

(3) This subclause applies to a student enrolled at an intermediate institution (but not a student to whom subclause (1) applies) between the time the student first enrolls at an intermediate institution and the earlier of—

(a) Ceasing permanently to be enrolled at any intermediate institution:

(b) Any substantial interruption (other than normal holidays) in the student’s education at intermediate institutions.

(4) For the purposes of this order, a student to whom subclause (3) applies,—

(a) In the year in which the student first enrolls at an intermediate institution, is a student of the year that, in the principal’s

opinion, is most appropriate for a student of that student's maturity, and educational and intellectual achievements:

(b) In every subsequent year, is a student of a year 1 greater than the year before.

(5) This subclause applies to a student enrolled at an intermediate institution (but not a student to whom subclause (1) applies) between the time the student again enrolls at an intermediate institution after any substantial interruption (other than normal holidays) in the student's education at intermediate institutions and the earlier of—

(a) Ceasing permanently to be enrolled at any intermediate institution:

(b) Any further such interruption.

(6) For the purposes of this order, a student to whom subclause (5) applies,—

(a) In the year in which the student again enrolls at an intermediate institution, is a student of the year that, in the principal's opinion, is most appropriate for a student of that student's maturity, and educational and intellectual achievements:

(b) In every subsequent year, is a student of a year 1 greater than the year before.

PART 2

ROLLS

4. Boards to estimate July 1999 rolls—As soon as may be after the commencement of this order, the Board of every intermediate institution must give the Secretary, on a form provided by the Secretary for the purpose, written notice of the institution's likely roll (in the Board's opinion) as at 1 July 1999.

5. Secretary to estimate 1999 rolls and lists—(1) As soon as may be after the commencement of this order, the Secretary must—

(a) Estimate the roll as at 1 March 1999 of every intermediate institution; and

(b) Estimate the special education list as at 1 March 1999 of every intermediate institution; and

(c) Give the Board of every intermediate institution written notice of the roll and list estimated for it.

(2) If, before the commencement of this order, an intermediate institution's Board has given the Secretary notice under clause 4, the Secretary must not estimate the institution's roll or list under subclause (1) without considering—

(a) That notice; and

(b) All written evidence and argument the Board supplied with it.

6. Principals to ascertain and notify actual March 1999 rolls—As soon as may be after 1 March 1999, the principal of every intermediate institution must—

(a) Ascertain the institution's roll as at that day; and

(b) On a form provided by the Secretary for the purpose, give the Secretary written notice of that roll.

7. Re-estimation of March 1999 rolls and lists—(1) Subject to subclause (2), as soon as may be after 10 March 1999, the Secretary must—

- (a) Re-estimate the roll and list as at 1 March 1999 of every intermediate institution; and
 - (b) Give the Board of every intermediate institution written notice of the roll and list re-estimated for it.
- (2) If a notice under clause 6 from the principal of an intermediate institution reaches the Secretary before 11 March 1999, the Secretary must not re-estimate the institution's roll or list without taking into account—
- (a) That notice; and
 - (b) All written evidence and argument the Board supplied with it.

8. Certain students not to be counted—In the determination of any roll or list for the purposes of this order, no account may be taken of—

- (a) Any foreign student (within the meaning of section 2 (1) of the Act)—
 - (i) Who is not a student of a kind or description exempted (under a notice under section 4C of the Act having effect in 1998) from the payment of all the amount required by section 4B of the Act to be paid; or
 - (ii) In respect of whom all the amount required by section 4B of the Act to be paid has been or is to be paid by the Ministry of Foreign Affairs and Trade;
- (b) Any person enrolled at a side school.

PART 3

ALLOWANCES AND QUOTIENTS

Allowances

9. Senior student time allowances—(1) In this clause,—

“Students instructed elsewhere”, in relation to an intermediate institution at any time, means the number of students of year 7 or above enrolled there who at that time usually attend some other primary institution for instruction in home economics or technology or some other specialist subject:

“Students instructed internally”, in relation to an intermediate institution at any time, means the sum of—

- (a) The number of students of year 7 or above included on its initial or adjusted staffing roll (as the case requires); and
- (b) The number of students of year 7 or above enrolled at some other primary institution who at that time usually attend a centre attached to the intermediate institution for instruction in home economics or technology or some other specialist subject.

(2) When the number of students instructed internally at an intermediate institution is greater than the number of students instructed elsewhere, its senior student time allowance is the quotient obtained by dividing the difference by 120.

(3) When the number of students instructed internally at an intermediate institution is not greater than the number of students instructed elsewhere, its senior student time allowance is 0.

10. Curriculum delivery time allowances—(1) Subject to subclause (2), an intermediate institution's curriculum delivery time allowance (in FTTEs) is the sum obtained by adding—

- (a) The number of students on its staffing roll, divided by 29; and
- (b) If—

- (i) The institution has a roll under 160; and
 - (ii) The quotient obtained by dividing that roll by the integer of the sum referred to in paragraph (a) is over 28,—
the difference between that sum and the next whole number;
and
 - (c) Its senior student time allowance, ascertained in accordance with clause 9,—
- and, if the resulting sum is not exactly divisible by 0.1, rounding it up to 1 decimal place.

(2) The curriculum delivery time allowance of an intermediate institution that comprises a main school and 1 or more side schools is the higher of—

- (a) The allowance calculated for it under subclause (1); and
- (b) The sum of the allowances calculated for each of those schools separately under that subclause.

11. Weighted rolls—An intermediate institution's weighted roll at any time is the sum of—

- (a) The product of 3.5 and the number of students then included on its staffing roll; and
- (b) The product of 0.5 and the number of students of year 7 and above then enrolled at the institution who do not usually attend a centre attached to some other primary institution for instruction in home economics or technology or some other specialist subject.

12. Management teacher time allowances—An intermediate institution's management teacher time allowance (in FTTEs) is the number obtained by—

- (a) Adding—
 - (i) The product of 0.0003 and its weighted roll, ascertained in accordance with clause 11; and
 - (ii) The product of 0.017 and the square root of that weighted roll; and
 - (iii) The product of 0.05 and its special education teacher time allowance, ascertained in accordance with clause 14; and
- (b) If the resulting sum is not exactly divisible by 0.1, rounding it down to 1 decimal place.

13. Beginning teacher time allowances—At any time when there is employed at an intermediate institution any beginning teacher whose employment is, by virtue of clause 2 (3), the employment of 0.5 of an FTTE or more (in this clause referred to as a qualifying beginning teacher), it has a beginning teacher time allowance (in FTTEs) calculated by adding—

- (a) The product of—
 - (i) The number of qualifying beginning teachers then employed at the institution full-time; and
 - (ii) 0.2; and
- (b) The product of—
 - (i) The number of other qualifying beginning teachers then employed at the institution; and
 - (ii) 0.1.

14. Special education teacher time allowances—An intermediate institution's special education teacher time allowance, if any, in 1999 is the number of special education students on the school's special education list multiplied by the following FTTEs:

- (a) 0.1 for each special education student with high needs:
- (b) 0.2 for each special education student with very high needs.

Transfer of Staffing Entitlement and Salary Units

15. Agreements between Boards to transfer staffing entitlement and salary units—(1) In this clause and clause 16,—

“Entitlement transfer agreement” means a written agreement between the Boards of 2 payrolled schools to the effect that in 1999—

- (a) 1 of the schools will relinquish to the other a specified number of FTTEs or salary units or both of teacher entitlement; and

- (b) Either—

- (i) The entitlement will be used to sustain the employment at the other of 1 or more teachers whose duties will include the tuition in a specified subject of students enrolled at the school relinquishing the entitlement; or

- (ii) Each of 2 or more specified portions of the entitlement will be used to sustain the employment at the other of 1 or more teachers whose duties will include the tuition in a specified subject of students enrolled at the school relinquishing the entitlement:

“Lender institution”, in relation to an entitlement transfer agreement, means the school that is to relinquish entitlement under the agreement:

“Recipient institution”, in relation to an entitlement transfer agreement, means the school at which the teachers whose employment is to be sustained by the use of the entitlement to be relinquished under the agreement are to be employed.

(2) Subject to clause 16, if an entitlement transfer agreement (or a duplicate of it) has been given to the Secretary before 1 January 1999,—

- (a) If the lender institution is an intermediate institution, it has an entitlement deduction of the number of FTTEs or salary units specified in the agreement; and
- (b) If the recipient institution is an intermediate institution, it has an entitlement addition of the number of FTTEs or salary units specified in the agreement.

(3) For the purposes of the definition in subclause (1) of the term “entitlement transfer agreement”, an agreement between the Boards of 3 or more schools relating to the relinquishment and use of teacher entitlement must be treated as a number of agreements between various pairs of them.

16. Restrictions on transfer of staffing entitlement and salary units—(1) In this clause,—

“Music tuition provision” means a provision (or provisions) in an entitlement transfer agreement to the effect that that entitlement will be used to sustain the employment of 1 or more

teachers whose duties will include tuition in instrumental or vocal music:

“Specialist tuition provision” means a provision (or provisions) in an entitlement transfer agreement to the effect that that entitlement will be used to sustain the employment of 1 or more teachers whose duties will include tuition in home economics or technology or some other specialist subject.

(2) No intermediate institution has an entitlement deduction under clause 15 (2) (a) arising out of a music tuition provision unless—

(a) The recipient institution’s name appears in the first column of Schedule 1 of the Education (1999 Secondary and Form I to VII School Staffing) Order 1998; and

(b) The sum of—

(i) The number of FTTEs or salary units to be relinquished under the provision; and

(ii) The number, if any, of FTTEs or salary units of entitlement to be relinquished to the recipient institution in 1999 under music tuition provisions contained in entitlement transfer agreements already entered into, or entered into at the same time as the agreement containing the provision,—
does not exceed the number specified in the second column of that schedule opposite its name.

(3) No intermediate institution has an entitlement addition under clause 15 (2) (b) arising out of a music tuition provision.

(4) No intermediate institution has an entitlement addition or entitlement deduction under clause 15 (2) arising out of a specialist tuition provision.

17. Application of clauses 15 and 16 in relation to special education—Clauses 15 and 16 apply to entitlement in relation to special education teachers in the same way as they apply to entitlement in relation to other teachers.

Quotients

18. Basic staffing quotients—An intermediate institution’s basic staffing quotient (in FTTEs) is the number obtained by adding—

(a) Its curriculum delivery time allowance, ascertained in accordance with clause 10 and by reference to its initial staffing roll; and

(b) Its management teacher time allowance, ascertained in accordance with clause 12 and by reference to its initial staffing roll; and

(c) Its special education teacher time allowance, ascertained in accordance with clause 14 and by reference to its initial staffing roll.

19. Total staffing quotients—(1) Subject to subclause (2), an intermediate institution’s total staffing quotient (in FTTEs) is the number obtained by—

(a) Adding—

(i) Its curriculum delivery time allowance, ascertained in accordance with clause 10 and by reference to its initial staffing roll; and

- (ii) Its management teacher time allowance, ascertained in accordance with clause 12 and by reference to its initial staffing roll; and
 - (iii) Its beginning teacher time allowance, ascertained in accordance with clause 13; and
 - (iv) Its special education teacher time allowance, ascertained in accordance with clause 14 and by reference to its initial staffing roll; and
 - (v) The sum of its entitlement additions, if any, under clause 15 (2) (b); and
 - (vi) The number of FTTEs for the time being represented by teachers employed at the school by virtue of an exemption granted under clause 27; and
 - (vii) The number of FTTEs for the time being represented by teachers of a kind specified in Schedule 1 employed at the school by virtue of an exemption granted under clause 28; and
- (b) Subtracting from the resulting sum the sum of its entitlement deductions, if any, under clause 15 (2) (a).
- (2) The total staffing quotient of an intermediate school that comprises a main school and 1 or more side schools is the higher of—
- (a) The quotient calculated for that school under subclause (1); and
 - (b) The sum of the quotients calculated for each of those schools separately under that subclause.

PART 4

LIMITATIONS ON APPOINTMENT AND EMPLOYMENT OF TEACHERS

20. Limitations on employment of permanently appointed regular teachers—(1) At any time in 1999 before the Board of an intermediate institution receives an adjusted staffing notice for it, there must not be employed at the institution permanently appointed regular teachers whose employment generates a number of FTTEs greater than its initial total staffing quotient.

(2) If the Board of an intermediate institution has received an adjusted staffing notice for it,—

- (a) There must not, at any time in 1999 before the notified day, be employed at the institution permanently appointed regular teachers whose employment generates a number of FTTEs greater than its initial total staffing quotient;
- (b) There must not, at any time in 1999 on or after the notified day, be employed at the institution permanently appointed regular teachers whose employment generates a number of FTTEs greater than the higher of its initial total staffing quotient and its adjusted total staffing quotient.

21. Limitation on employment of permanently appointed regular teachers who have not become supernumerary—If—

- (a) An intermediate institution's Board has received an adjusted staffing notice for it; and
- (b) Its adjusted total staffing quotient is less than its initial total staffing quotient,—

there must not, at any time in 1999 on or after the notified day, be employed at the institution permanently appointed regular teachers (not being teachers who have become supernumerary) whose employment

generates a number of FTTEs greater than its adjusted total staffing quotient.

22. Limitations on appointment of regular teachers—(1) At any time in 1999, no regular teacher may be appointed to any position at an intermediate institution, if the employment of—

- (a) That teacher; and
- (b) The other regular teachers already employed at the institution; and
- (c) The regular teachers, if any, appointed to positions at the institution at the same time as that teacher—

generates a number of FTTEs greater than its initial total staffing quotient.

(2) At any time in 1999, no regular teacher, designated as either a deputy principal or an assistant principal, may be appointed at an intermediate institution where the number of FTTEs does not exceed 21, if the employment of that teacher with that designation would result in the institution employing more than 2 such teachers.

(3) At any time in 1999, no regular teacher, designated as either a deputy principal or an assistant principal, may be appointed at an intermediate institution where the number of FTTEs exceeds 21, if the employment of that teacher with that designation would result in the institution employing more than 3 such teachers.

23. Limitations on employment of other regular teachers—(1) At any time in 1999 before the Board of an intermediate institution receives an adjusted staffing notice for it, there must not be employed at the institution other regular teachers whose employment generates a number of FTTEs greater than the number of FTTEs by which—

(a) The number of FTTEs generated by the employment at that time of permanently appointed regular teachers,—
is less than—

- (b) Its initial total staffing quotient.

(2) If the Board of an intermediate institution has received an adjusted staffing notice for it,—

- (a) There must not, at any time in 1999 before the notified day, be employed at the institution other regular teachers whose employment generates a number of FTTEs greater than the number of FTTEs by which—

- (i) The number of FTTEs generated by the employment at that time of permanently appointed regular teachers,—
is less than—

- (ii) Its initial total staffing quotient:

- (b) There must not, at any time in 1999 on or after the notified day, be employed at the institution other regular teachers whose employment generates a number of FTTEs greater than the number of FTTEs by which—

- (i) The number of FTTEs generated by the employment at that time of permanently appointed regular teachers,—
is less than—

- (ii) Its adjusted total staffing quotient.

24. Limitation on employment involving salary units—(1) There must not be employed at an intermediate institution, at any time in 1999, regular teachers to whom salary units have been allocated (whether

permanently or for an indefinite or fixed period that includes that time) whose employment taken together is equivalent to the employment of teachers to whom there have been allocated a total number of salary units greater than a number calculated for the school under subclause (2).

(2) The number referred to in subclause (1) is calculated by—

(a) Adding, to get the first result,—

(i) Its management teacher time allowance, ascertained in accordance with clause 12; and

(ii) Its basic staffing quotient, ascertained in accordance with clause 18; and

(iii) Any exemption granted by the Secretary for the guaranteed staffing component under clause 27; and

(iv) Any exemption granted by the Secretary for resource teachers under clause 28; and

(b) Subtracting 1 from the first result to get the second result; and

(c) Multiplying the second result by 0.72 to get the third result; and

(d) Subtracting 0.77 from the third result to get the fourth result; and

(e) If the fourth result is not a whole number, correcting it to the nearest whole number.

25. Limitation on grades for principals in relation to roll range (including special education students)—(1) There must not be employed at an intermediate institution, at any time in 1999, a principal at a grade higher than the grade specified in the first column of Schedule 2 opposite the roll range that applies to that school.

(2) For the purposes of determining the roll range as at 1 July 1998,—

(a) 1 special education student with high needs is the equivalent of 3 students;

(b) 1 special education student with very high needs is the equivalent of 6 students.

26. Limitation on employment of Resource Teachers: Learning and Behaviour—(1) At any time in 1999, the number of Resource Teachers: Learning and Behaviour employed in payrolled schools must not exceed the number obtained using a ratio of 1 teacher for every 750 students.

(2) In subclause (1), “students” means students in years 1 to 10 inclusive.

PART 5

EXEMPTIONS

27. Guaranteed staffing component—The Secretary must, in exempting an intermediate institution’s Board from the limitations imposed by this order, have regard to both the following matters:

(a) Whether the institution’s staffing in 1999 has been (or but for the exemption would be) affected by a fall in its roll in comparison with 1998;

(b) Whether it is desirable to grant an exemption in order to reduce (in whole or in part) the impact (in 1999) of the reduced staffing entitlement resulting from the fall in classroom programmes in comparison with 1998.

28. Resource teachers—The Secretary must, in exempting an intermediate institution’s Board from the limitations imposed by this

order, have regard to the extent, if any, to which the students enrolled at the institution have particular educational needs that can and should be met by the appointment of 1 or more teachers of a kind specified in Schedule 1.

29. Hospital class teachers—The Secretary must, in exempting an intermediate institution's Board from the limitations imposed by this order, have regard to the extent, if any, to which the students enrolled at the institution have particular educational needs that can and should be met by the appointment of 1 or more Hospital Class Teachers.

30. Board-funded teachers—The Secretary must, in exempting an intermediate institution's Board from the limitations imposed by this order, have regard to—

- (a) Consents given to the Board under section 91F (b) of the Act; and
- (b) The need to ensure that payment of the salaries, or parts of salaries, to which the consents relate are met from an appropriation by Parliament for that purpose.

31. Protection of teachers' allocated salary units—The Secretary must, in exempting an intermediate institution's Board from the limitations imposed by this order, have regard to—

- (a) Whether the calculation for the school under clause 24(2) of a number of salary units has been (or but for the exemption would be) affected by a re-organisation, change in attendance, closure, amalgamation, or change in class of the school; and
- (b) Whether it is desirable to exempt the Board from the limitation in order to preserve the continued allocation of a salary unit or salary units to the holder of a teaching position at the school.

32. Protection of supernumerary teachers—The Secretary must, in exempting an intermediate institution's Board from the limitations imposed by this order, have regard to whether it is necessary to do so in order to preserve the continued employment in 1999 of any permanently appointed teachers employed by the Board immediately before 1 January 1999 who are for the time being supernumerary, having been declared surplus by virtue of the amalgamation, merger, change of status, closure, or a fall in the roll of the schools at which the teachers were employed (whether the school at which they are now employed or any other school).

33. Roll increases—The Secretary must, in exempting an intermediate institution's Board from the limitations imposed by this order, have regard to the extent, if any, to which there has been any unusual increase in the number of students enrolled at the institution.

34. Normal and model schools—The Secretary must, in exempting a normal or model school's Board from the limitations imposed by this order, have regard to the desirability of enabling the Boards of normal and model schools to recruit and retain—

- (a) Sufficient skilled and experienced teachers to carry out the special functions of such schools:
- (b) Sufficient teachers to carry out the extra work required by the performance of those functions.

35. Community education co-ordination—The Secretary must, in exempting an intermediate institution's Board from the limitations imposed by this order, have regard to—

- (a) Whether the institution offers a continuing education programme approved by the Secretary in relation to 1999; and
- (b) The number of tutor-hours the programme comprises.

36. Special reason—The Secretary must, in exempting an intermediate institution's Board from the limitations imposed by this order, have regard to the extent, if any, to which, in the Secretary's opinion, there is a special reason for an exemption for that institution, being a reason that applies only to that institution or to some other intermediate institutions, but not being a reason that applies to all other intermediate institutions.

37. Revocation—The Education (1997 Intermediate School Staffing) Order 1996* is revoked.

*S.R. 1996/170

SCHEDULES

 SCHEDULE 1
 RESOURCE TEACHERS

Cls. 19 (1) (a) (vii) and 28

Resource Teacher: Māori
 Resource Teacher: Reading

 SCHEDULE 2

Cl. 25

 GRADES FOR PRINCIPALS' POSITIONS IN RELATION TO ROLL RANGE
 (INCLUDING SPECIAL EDUCATION STUDENTS)

Principal's Grade	Roll Range
U1	1-50
U2	51-100
U3	101-150
U4	151-300
U5	301-500
U6	501-850
U7	851-1200
U8	1201-1600
U9	1601 and above

MARIE SHROFF,
 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 28 days after its notification in the *Gazette*, prescribes limitations on the numbers, and kinds and descriptions, of regular (that is to say non-relieving) teachers to be employed at intermediate schools in 1999, and criteria to which the Secretary of Education is to have regard in exempting Boards of intermediate schools from those limitations.

Issued under the authority of the Acts and Regulations Publication Act 1989.
 Date of notification in *Gazette*: 23 July 1998.
 This order is administered in the Ministry of Education.