



# Education (2003 Primary School Staffing) Order 2002

Silvia Cartwright, Governor-General

## Order in Council

At Wellington this 16th day of September 2002

Present:

Her Excellency the Governor-General in Council

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

### Contents

|   |   |    |   |
|---|---|----|---|
| 1 | Title   | 10 | Certain students not counted                  |
| 2 | Commencement  |    |   |
| 3 | Application   |    |   |
|   | <b>Part 1</b>   |    | <b>Part 3</b>                                 |
|   | <b>Preliminary</b>  |    | <b>Allowances and quotients</b>               |
|   |   |    | <i>Allowances</i>                             |
| 4 | Interpretation  | 11 | Specialist instruction roll                   |
| 5 | Years of schooling  | 12 | Curriculum delivery allowance                 |
|   | <b>Part 2</b>   | 13 | Weighted roll                                 |
|   | <b>Rolls</b>  | 14 | Management time allowance                     |
| 6 | Boards must ascertain July 2002 rolls and estimate July 2003 rolls        | 15 | Special education staffing allowance          |
| 7 | Secretary must estimate initial staffing roll and special education list  | 16 | Beginning teacher allowance                   |
| 8 | Board must ascertain and notify actual March roll                         | 17 | Resource teacher support allowance            |
| 9 | Secretary must estimate adjusted staffing roll and special education list | 18 | Rural staffing allowance                      |
|   |   | 19 | Transfer of staffing entitlements             |
|   |   | 20 | Application of clause 19 to special education |
|   |   |    | <i>Staffing quotients</i>                     |
|   |   | 21 | Basic staffing quotient                       |

|   |  |   |
|---|--|---|
| <p>22 Total staffing quotient</p> <p style="text-align: center;"><b>Part 4</b></p> <p><b>Limitations on employment</b></p> <p>23 Limitation on employment of regular teachers</p> <p>24 No entitlement to carry over surplus</p> <p>25 Suspension of clause 23(4) if 10% limit exceeded</p> <p>26 Limitation on employment of principals</p> <p>27 Limitation on employment of deputy or assistant principals</p> <p>28 Limitation on employment involving salary units</p> <p>29 Limitation on grades for principals</p> <p style="text-align: center;"><b>Part 5</b></p> <p style="text-align: center;"><b>Exemptions</b></p> <p>30 Guaranteed staffing component</p> |  | <p>31 Resource teachers</p> <p>32 Reading recovery</p> <p>33 Board-funded teachers</p> <p>34 Protection of supernumerary teachers</p> <p>35 Roll increases</p> <p>36 Normal and model schools</p> <p>37 Community education co-ordination</p> <p>38 Special reason</p> <p>39 Revocation</p> <p style="text-align: center;">—————</p> <p style="text-align: center;"><b>Schedule 1</b></p> <p style="text-align: center;"><b>Rural staffing allowance for primary schools that received targeted rural funding in 2001</b></p> <p style="text-align: center;"><b>Schedule 2</b></p> <p style="text-align: center;"><b>Grades for principals' positions</b></p> |
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## Order

- 1 Title**  
This order is the Education (2003 Primary School Staffing) Order 2002.
- 2 Commencement**  
This order comes into force on the day after the date of its notification in the *Gazette*.
- 3 Application**  
This order applies only to state primary schools, and only to the 2003 school year.

## Part 1 Preliminary

- 4 Interpretation**
  - (1) In this order, unless the context otherwise requires,—
 

**Act** means the Education Act 1989

**adjusted staffing notice**, in relation to a school, means a written notice, received by the school's Board from the Secretary, of—

    - (a) the school's adjusted staffing roll and special education list for 2003; 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 a school, means the roll estimated for it by the Secretary under clause 9

**adjusted total staffing quotient**, in relation to a school, means its total staffing quotient calculated by reference to its adjusted staffing roll and special education list

**basic staffing quotient**, in relation to a school, means the quotient calculated for it under clause 21

**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

**Board**, in relation to a school, means the school's Board

**FTTE** means full-time teacher equivalent

**initial staffing roll**, in relation to a school, means the roll estimated for it by the Secretary under clause 7

**initial total staffing quotient**, in relation to a school, means its total staffing quotient calculated by reference to its initial staffing roll and special education list

**notified day**, in relation to an adjusted staffing notice received by a school, means the day notified in that notice as the day on which the staffing of the school to which that notice relates will begin to be limited by reference to the adjusted staffing roll and special education list

**primary institution** means an institution that is a primary school or an intermediate school (within the meanings in section 145(1) of the Act)

**primary school** has the same meaning as 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)

**resource teacher** means a teacher who provides specialist advice, guidance, and support to students, teachers, or both, whether at the teacher's school or other schools

**salary unit**, in relation to the holder of a teaching position at a primary 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 management, reward, responsibility, recruitment, or retention

**special education list** means a list of special education students approved by the Secretary under the ongoing and reviewable resourcing schemes administered by the Ministry

**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 assistant principal (however described)

**total staffing quotient**, in relation to a school, means the quotient calculated or specified for it under clause 22.

- (2) In this order, unless the context otherwise requires, terms defined by section 91A(1) of the Act have the meanings given to them by that section.
- (3) A school's roll comprises all the students enrolled at the school, including its special education students.
- (4) 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;
  - (b) the employment of a teacher on the basis of employment for a specified number (smaller than 10) of half-days every full week is the employment of one-tenth of that number of FTTEs;
  - (c) the employment of a teacher on the basis of employment for a specified number (smaller than 20) of half-days every full fortnight is the employment of one-twentieth of that number of FTTEs;

- (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.

## **5 Years of schooling**

- (1) A student who first enrolls at a primary school before the age of 7 and who is subsequently educated at primary institutions without substantial interruption—
  - (a) is—
    - (i) a year 1 student in the year of first enrolment if enrolment was on or before 30 June;
    - (ii) a year 0 student in the year of first enrolment if enrolment was on or after 1 July; and
  - (b) in every subsequent year, is a student of a year 1 greater than the year before.
- (2) A student to whom subclause (1) does not apply is a student of the year that, in the principal's opinion, is—
  - (a) most appropriate for a student of that student's maturity, and educational and intellectual achievements; and
  - (b) in every subsequent year, a student of a year 1 greater than the year before.

## **Part 2 Rolls**

### **6 Boards must ascertain July 2002 rolls and estimate July 2003 rolls**

As soon as practicable after the commencement of this order, the Board of every school must give the Secretary, on a form provided by the Secretary for the purpose, written notice of—

- (a) the school's actual roll (in the Board's opinion) as at 1 July 2002; and
- (b) the school's likely roll (in the Board's opinion) as at 1 July 2003.

### **7 Secretary must estimate initial staffing roll and special education list**

- (1) As soon as practicable after the commencement of this order, the Secretary must—

- (a) estimate the initial staffing roll as at 30 September 2003 of every school; and
  - (b) estimate the special education list as at 30 September 2003 of every school; and
  - (c) give the Board of every school written notice of the roll and list estimated for that school.
- (2) The Secretary must not estimate the school's roll or list under subclause (1) without considering—
- (a) the notice given by the school under clause 6; and
  - (b) all written evidence and argument the Board supplied with that notice.
- (3) The Secretary's estimate must be not less than the lower of the Secretary's calculation (as referred to in subclause (4)) and the Board's estimate (as referred to in subclause (5)).
- (4) The Secretary's calculation is the number obtained by—
- (a) adding—
    - (i) the school's actual roll (in the Secretary's opinion) as at 1 July 2002; and
    - (ii) the number of students included on that actual roll who had not been enrolled (in the Secretary's opinion) at schools for more than 12 months; and
    - (iii) 25% of the number referred to in subparagraph (ii) (a result that is not a whole number being increased to the next whole number); and
  - (b) subtracting, from the resulting total, the number of students included on that actual roll who are or were in their final year at school in 2002 (in the Secretary's opinion).
- (5) The Board's estimate is the number obtained by adding—
- (a) the school's likely roll (as notified by the Board under clause 6) as at 1 July 2003; and
  - (b) 25% of the number of students included on that likely roll who will not on that day have been enrolled at schools for more than 12 months (a result that is not a whole number being increased to the next whole number).

## **8 Board must ascertain and notify actual March roll**

As soon as practicable after 1 March 2003, the Board of every school must—

- (a) ascertain the school's roll as at that day; and
- (b) give the Secretary written notice of that roll on a form provided by the Secretary for that purpose.

**9 Secretary must estimate adjusted staffing roll and special education list**

- (1) Subject to subclauses (2) and (3), as soon as practicable after 10 March 2003, the Secretary must—
  - (a) estimate the adjusted staffing roll and special education list as at 30 September 2003 of every school; and
  - (b) give the Board of every school written notice of the adjusted staffing roll and list estimated for that school.
- (2) If a notice under clause 8 from the Board of a school reaches the Secretary before 11 March 2003, the Secretary must not estimate the school's adjusted staffing roll or list without taking into account—
  - (a) that notice; and
  - (b) all written evidence and argument the Board supplied with that notice.
- (3) The Secretary's estimate must not be less than the number obtained by adding the following (a result that is not a whole number being increased to the next whole number):
  - (a) the school's actual roll (in the Secretary's opinion) as at 1 March 2003; and
  - (b) seven-eighths of the number of students included on that actual roll who are year 1 students (in the Secretary's opinion).

**10 Certain students not counted**

In determining any roll or special education list, no account may be taken of any foreign student (within the meaning of section 2(1) of the Act)—

- (a) who is not a student of a kind or description exempted (under a notice under section 4C of the Act having effect in 2002) from the payment of all the amount required by section 4B of the Act to be paid; or
- (b) 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.

## Part 3

### Allowances and quotients

#### *Allowances*

#### 11 Specialist instruction roll

- (1) In this clause,—

**base school** is a primary school

**base students** are students of years 7 or 8 who are enrolled at the base school but usually attend a different school for instruction in technology or some other specialist subject

**visiting students** are students of years 7 or 8 who are enrolled at a different school but usually attend a centre attached to the base school for instruction in technology or some other specialist subject.

- (2) A base school's specialist instruction roll is the number obtained by—
- (a) adding the number of students of years 7 and 8 included in the base school's initial or adjusted staffing roll (as appropriate) to the number of visiting students; and
  - (b) subtracting from the resulting sum the number of base students.

#### 12 Curriculum delivery allowance

- (1) A school's curriculum delivery allowance (in FTTEs) is—

$$p + q$$

where—

p is the sum of—

- (a) the number of year 0, year 1, year 2, and year 3 students on its staffing roll divided by 23; and
- (b) the number of students of a year greater than 3 on its staffing roll divided by 29

q is the quotient obtained by dividing the school's specialist instruction roll by 120.

- (2) If the sum referred to in subclause (1) as p is less than 1, it must be rounded up to 1.
- (3) If the result of the calculation under subclause (1) is not exactly divisible by 0.1, the figure must be rounded up to 1 decimal place.

- (4) If a school's roll is less than 160, and if the quotient obtained by dividing the school's roll by the integer of the sum referred to in subclause (1) as  $p$  is over 27,  $p$  must be increased to the first whole number that will ensure the quotient obtained by dividing the school's roll by the integer value of that sum is equal to or less than 27.
- (5) If a school's roll is 160 or more, and if the value of  $p$  is less than 6, then  $p$  must be given the value of 6.

### 13 Weighted roll

A school's weighted roll at any time is the sum of—

- (a) the product of 4 and the number of year 0, year 1, year 2, and year 3 students then included on its staffing roll; and
- (b) the product of 3.5 and the number of students of years greater than 3 then included on its staffing roll; and
- (c) the product of 0.5 and the number of state students of years 7 and 8 who attend the school for instruction in technology or some other specialist subject.

### 14 Management time allowance

A school's management time allowance (in FTTEs) is the number obtained by—

- (a) adding—
  - (i) the product of 0.0003 and its weighted roll; and
  - (ii) the product of 0.017 and the square root of its weighted roll; and
  - (iii) the product of 0.05 and its special education staffing allowance; and
  - (iv) the product of 0.05 and the number of FTTEs for the time being represented by resource teachers: Māori employed at the school by virtue of an exemption granted under clause 31(1)(c); and
  - (v) either,—
    - (A) if the school's roll is 28 or less, 0.2; or
    - (B) if the school's roll is 29 or more, 0.3; and
- (b) if the resulting sum is not exactly divisible by 0.1, rounding it down to 1 decimal place.

**15 Special education staffing allowance**

A school's special education staffing allowance, if any, 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.

**16 Beginning teacher allowance**

(1) In this clause, a **qualifying beginning teacher** is a beginning teacher who is employed for 0.5 of an FTTE or more.

(2) If a school employs a qualifying beginning teacher, the school has a beginning teacher allowance (in FTTEs) calculated by adding—

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

**17 Resource teacher support allowance**

A school has a resource teacher support allowance of 0.05 FTTE for each full-time teacher of the following kinds whom it employs:

- (a) resource teacher: learning and behaviour; or
- (b) resource teacher: literacy; or
- (c) resource teacher: literacy (Māori).

**18 Rural staffing allowance**

A school that received targeted rural funding in 2001 as part of its grant under section 79 of the Act is entitled to a rural staffing allowance of the number of FTTEs shown in the second column of Schedule 1 opposite the number in the first column of that schedule that accords with the roll of the school.

## **19 Transfer of staffing entitlements**

- (1) The Boards of 2 schools (**school A** and **school B**) may enter into an **entitlement transfer agreement**, which is a written agreement to the effect that—
  - (a) school A will relinquish to school B a specified number of FTTEs, salary units, or both, of teacher entitlements (the **entitlements**); and
  - (b) school B will use the entitlements to sustain the employment at school B of 1 or more teachers to teach a specified subject to students enrolled at school A.
- (2) Subject to subclauses (3) and (4), if an entitlement transfer agreement is given to the Secretary before 1 January,—
  - (a) the Secretary must deduct from the total staffing quotient of school A (the school relinquishing the entitlements) the number of FTTEs or salary units specified in the agreement; and
  - (b) the Secretary must add to the total staffing quotient of school B (the school receiving the entitlements) the number of FTTEs or salary units specified in the agreement.
- (3) No school may enter into an entitlement transfer agreement relating to tuition in technology or another specialist subject.
- (4) A school may enter into an entitlement transfer agreement relating to tuition in instrumental or vocal music only with one of the secondary schools listed in the first column of Schedule 5 of the Education (2003 Secondary and Form 1 to 7 School Staffing) Order 2002.
- (5) An agreement between 3 or more schools about the relinquishment and use of entitlements must be treated as a number of entitlement transfer agreements between various pairs of those schools.

## **20 Application of clause 19 to special education**

Clause 19 applies to entitlements in relation to special education teachers in the same way as it applies to entitlements in relation to other teachers.

*Staffing quotients***21 Basic staffing quotient**

A school's basic staffing quotient (in FTTEs) is the number obtained by adding—

- (a) its curriculum delivery allowance, ascertained in accordance with clause 12 and by reference to its initial staffing roll; and
- (b) its management time allowance, ascertained in accordance with clause 14 and by reference to its initial staffing roll; and
- (c) its special education staffing allowance, ascertained in accordance with clause 15 and by reference to its initial staffing roll.

**22 Total staffing quotient**

A school's total staffing quotient (in FTTEs) is the number obtained by—

- (a) adding—
  - (i) its basic staffing quotient; and
  - (ii) its beginning teacher allowance; and
  - (iii) its resource teacher support allowance, if any; and
  - (iv) its rural staffing allowance, if any; and
  - (v) the sum of any additional entitlements arising under clause 19 from an entitlement transfer agreement; and
  - (vi) the number of FTTEs for the time being represented by teachers employed at the school by virtue of a guaranteed staffing component granted under clause 30; and
  - (vii) the number of FTTEs for the time being represented by resource teachers: Māori employed at the school by virtue of an exemption granted under clause 31(1)(c); and
- (b) subtracting from the resulting sum any entitlements that must be deducted under clause 19 as a result of an entitlement transfer agreement.

## Part 4

### Limitations on employment

#### 23 Limitation on employment of regular teachers

- (1) Before the notified day, the total number of regular teachers that the Board of a school may employ is the number of FTTEs on the school's initial total staffing quotient.
- (2) On and after the notified day, the total number of regular teachers that the Board of a school may employ is the number of FTTEs on the school's adjusted total staffing quotient.
- (3) Despite subclause (2), the Board of a school may continue to employ any permanently appointed regular teacher who, following receipt of the adjusted staffing notice, has become supernumerary.
- (4) Despite subclauses (1) and (2), the Board of a school may employ more regular teachers before the notified day than is permitted under subclause (1), and may employ more regular teachers on and after the notified day than is permitted by subclause (2), if,—
  - (a) at some other time during the 2003 school year, the Board has employed, or will employ, fewer regular teachers than the prescribed number; and
  - (b) the employment of those teachers does not, at any time, cause the number of regular teachers employed by the Board at the school to exceed by more than 10% the number of FTTEs that the Board is entitled to employ at that school under subclause (1) or subclause (2); and
  - (c) the net effect during the 2003 school year of employing the additional teachers does not result in the school's Board employing regular teachers representing more FTTEs than it is entitled to employ over that school year.

#### 24 No entitlement to carry over surplus

If, during a school year, a Board employs fewer regular teachers at a school than equate to the number of FTTEs that the Board is entitled to employ at that school under clause 23, there is no entitlement to carry the net surplus over to the next school year.

**25 Suspension of clause 23(4) if 10% limit exceeded**

- (1) If, contrary to clause 23(4)(b), a Board employs a regular teacher whose employment causes the number of regular teachers employed at a school to exceed by more than 10% the number of FTTEs that the Board is entitled to employ at that school, the Secretary may notify the Board, in writing, that clause 23(4) does not apply to it.
- (2) A notice under subclause (1) applies from the date on which it is received by the Board until the date on which the number of regular teachers employed by the Board at the school during the year up to that date equals the number of FTTEs that the Board was entitled to employ at that school under clause 23(1) and (2) during that period.
- (3) If a Board receives a notice under subclause (2), clause 23(4) does not apply to that Board from the date of receipt of that notice until the date on which that notice ceases to apply in accordance with subclause (2).

**26 Limitation on employment of principals**

- (1) The Board of a school may not employ more than 1 principal for the school at any time.
- (2) A combined Board established under section 110 of the Act may not employ more than 1 principal for each school that the combined Board administers at any time.
- (3) Subsections (1) and (2) do not prevent the appointment of a principal during the term of his or her predecessor in office.

**27 Limitation on employment of deputy or assistant principals**

The maximum number of deputy or assistant principals (however described) that may be employed at a school is,—

- (a) if the school has 21 or fewer FTTEs, 2;
- (b) if the school has more than 21 FTTEs, 3.

**28 Limitation on employment involving salary units**

- (1) The Board of a school may not employ regular teachers to whom salary units have been allocated (whether permanently or otherwise) 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 basic staffing quotient; and
    - (ii) any guaranteed staffing component granted by the Secretary under clause 30; and
    - (iii) any resource teacher: Māori exemption granted by the Secretary under clause 31(1)(c); 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.

### **29 Limitation on grades for principals**

- (1) The Board of a school may not employ a principal at a grade higher than the grade specified in the first column of Schedule 2 opposite the roll range that applies to the school.
- (2) For the purposes of determining the roll range for 2003, the special education list is determined as at 1 July 2002 and the following weightings apply:
  - (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.

## **Part 5 Exemptions**

### **30 Guaranteed staffing component**

- (1) The Secretary may exempt a Board, in respect of any school it administers, from the limitations imposed by this order if—
  - (a) the school's staffing has been (or, but for the exemption, would be) affected by a fall in its roll since 2002; and
  - (b) it is desirable to reduce the impact in 2003 of any resulting decrease in the school's entitlement to staff.

- (2) The Secretary may give the Board of a school an exemption under this clause in respect of no more than 1 FTTE, and the exemption applies for 1 year only.

### **31 Resource teachers**

- (1) The Secretary may exempt a Board, in respect of any school it administers, from the limitations imposed by this order in any 1 or more of the following circumstances:
- (a) the students enrolled at the school have particular educational needs that can and should be met by the employment of 1 or more resource teachers: learning and behaviour;
  - (b) the students enrolled at the school have particular educational needs that can and should be met by the employment of 1 or more resource teachers: literacy or resource teachers: literacy (Māori);
  - (c) the students enrolled at the school have particular educational needs that can and should be met by the employment of 1 or more resource teachers: Māori.
- (2) The maximum number of FTTEs in respect of whom the Secretary may grant an exemption under subclause (1) (on a national basis and across all state schools of any type) is,—
- (a) in respect of resource teachers: learning and behaviour, the number obtained by dividing the total number of year 0 to year 10 students enrolled at schools by 750;
  - (b) in respect of resource teachers: literacy (which includes resource teachers: literacy (Māori)), 121;
  - (c) in respect of resource teachers: Māori, 53.

### **32 Reading recovery**

- (1) The Secretary may exempt a Board, in respect of any school it administers, from the limitations imposed by this order if—
- (a) the school participates in the training of reading recovery teachers; or
  - (b) because of the size or location of the school, the students of the school need to have a reading recovery teacher based at the school; or
  - (c) the school provides a base from which its reading recovery teacher can serve both that school and other schools in the area.

- (2) The maximum number of FTTEs in respect of whom an exemption under subclause (1) may be granted is 260.

**33 Board-funded teachers**

The Secretary may exempt a Board, in respect of any school it administers, from the limitations imposed by this order if the Minister has given consent to the Board under section 91F(b) of the Act.

**34 Protection of supernumerary teachers**

The Secretary may exempt a Board, in respect of any school it administers, from the limitations imposed by this order if the exemption is necessary to preserve the continued employment of any permanently appointed regular teacher employed by the Board immediately before 1 January 2003 who is for the time being supernumerary, having been declared surplus by virtue of amalgamation, merger, change of status, closure, or a fall in the roll of the school.

**35 Roll increases**

The Secretary may exempt a Board, in respect of any school it administers, from the limitations imposed by this order if there has been any unusual increase in the number of students enrolled at the school.

**36 Normal and model schools**

The Secretary may exempt a Board, in respect of any normal or model school it administers, from the limitations imposed by this order in order to ensure that the school is able—

- (a) to recruit and retain sufficient skilled and experienced teachers to carry out the special functions of normal and model schools; and
- (b) to carry out the extra work required by the performance of those functions.

**37 Community education co-ordination**

- (1) The Secretary may exempt a Board, in respect of any school it administers, from the limitations imposed by this order if the school offers a continuing education programme approved by the Secretary.

- (2) The exemption must relate to the number of tutor-hours that the programme comprises.

### 38 Special reason

The Secretary may exempt a Board, in respect of any school it administers, from the limitations imposed by this order if there is a special reason for an exemption for that school, being a reason that applies only to that school or to some other primary schools, but not being a reason that applies to all other primary schools.

### 39 Revocation

The Education (2001 Primary School Staffing) Order 2000 (SR 2000/144) is revoked.

cl 18

## Schedule 1

### Rural staffing allowance for primary schools that received targeted rural funding in 2001

| Roll range | Staffing allowance<br>in FTTEs |
|------------|--------------------------------|
| Up to 112  | 0.0                            |
| 113 to 159 | 0.1                            |

cl 29

## Schedule 2

### Grades for principals' positions

| Principal's<br>grade | Roll range      |
|----------------------|-----------------|
| U1                   | 1-50            |
| U2                   | 51-100          |
| U3                   | 101-150         |
| U4                   | 151-300         |
| U5                   | 301-500         |
| U6                   | 501-675         |
| U7                   | 676-850         |
| U8                   | 851-1 025       |
| U9                   | 1 026-1 200     |
| U10                  | 1 201-1 400     |
| U11                  | 1 401-1 600     |
| U12                  | 1 601-1 800     |
| U13                  | 1 801-2 000     |
| U14                  | 2 001 and above |

Marie Shroff,  
Clerk of the Executive Council.

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### 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 the day after the date of its notification in the *Gazette*, prescribes limitations on the numbers of regular (ie, non-relieving) teachers that may be employed at primary schools in 2003. It sets out how the limitations are calculated, and the circumstances in which, and conditions on which, the Secretary may grant exemptions from the limitations.

The order largely repeats the equivalent order for last year. The substantive changes are as follows:

- under *clause 8*, it is now the responsibility of the Board to ascertain the school roll and notify the Secretary, rather than the responsibility of the principal:
- the management time allowance for all schools has been increased by raising the universal base management staffing level in *clause 14(a)(v)*. This has been increased from 0.1 FTTE to—
  - 0.2 FTTE for schools with a roll of 28 or less; and
  - 0.3 FTTE for schools with a roll of 29 or more:
- *clause 18*, which provides for certain schools to receive targeted rural funding, has been amended so that only some schools that received targeted rural funding in 2001 will qualify to receive targeted rural funding in 2003:
- a *new clause 23(4)(b)* has been added, which changes a school's right to employ staff in excess of its entitlement at times during the year. Currently, a school may employ staff in excess of its entitlement if the net effect at the end of the year is that the school's FTTE entitlement is not exceeded. *New clause 23(4)(b)* limits the extent to which a school's staffing

level may exceed its entitlement, at any one time, to a maximum of 10% above the level of the school's FTTE entitlement:

- a *new clause 24* has been added, which provides that a school may not carry forward to the next school year any net surplus if it does not employ the number of teachers to which it is entitled during a school year:
- a *new clause 25* has been added, which allows the Secretary to suspend the application of *clause 23(4)* if a Board exceeds the 10% limit imposed in *new clause 23(4)(b)*. Suspension of *clause 23(4)* will mean that the Board cannot employ any more teachers than its FTTE entitlements allow until the payments that it has received for the year to date and its FTTE entitlements over that period balance:
- a *new clause 26* has been added, which limits the number of principals that a school may have to 1:
- *clause 31* of last year's order has been omitted from this order. That clause enabled the Secretary to exempt a Board from the limitations imposed in the order so as to protect teachers' allocated salary units in certain circumstances. This is a matter that relates to salary protection only and is covered in teachers' employment agreements:
- *Schedule 2*, which sets out grades for principals' positions, has been amended to extend principals' U grades.

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This order is administered in the Ministry of Education.

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