



**THE EDUCATION (1997 SECONDARY AND FORM I TO VII
SCHOOL STAFFING) ORDER 1996, AMENDMENT NO. 1**

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 2nd day of December 1996

Present:

THE RIGHT HON. J. B. BOLGER PRESIDING 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, hereby makes the following order.

ORDER

1. Title and commencement—(1) This order may be cited as the Education (1997 Secondary and Form I to VII School Staffing) Order 1996, Amendment No. 1, and shall be read together with and deemed part of the Education (1997 Secondary and Form I to VII School Staffing) Order 1996* (referred to as the principal order).

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

2. Interpretation—Clause 2 (1) of the principal order is hereby amended by inserting, before the definition of the term “secondary school”, the following definition:

“‘Salary unit’, in relation to the holder of a teaching position at a high 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.”.

3. Limitations—The principal order is hereby amended by revoking clauses 37 and 38, and substituting the following clauses:

“37. **Limitations on employment of associate principals**—(1) No associate principal shall at any time in 1997 be employed at a high school whose applicable roll at that time is less than 1401.

“(2) Not more than 1 associate principal shall at any time in 1997 be employed at a high school whose applicable roll at that time is more than 1400.

“38. **Limitation on employment involving salary units—**
(1) Subject to subclauses (4) to (8) of this clause, there shall not be employed at a high school at any time in 1997—

“(a) Regular teachers holding PR1, PR2, PR3, PR4, FTPR1 (fixed-term position of responsibility 1), or FTPR2 (fixed-term position of responsibility 2) positions; or

“(b) Regular teachers to whom salary units have been allocated (whether permanently, or for an indefinite or fixed period that includes that time); or

“(c) Regular teachers of both those kinds,—
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 in accordance with subclause (2) of this clause.

“(2) The number referred to in subclause (1) of this clause shall be calculated for a high school by—

“(a) Subtracting 1 from its entitlement staffing (ascertained by reference to clause 22 of this order); and

“(b) Multiplying the resulting remainder by 1.2; and

“(c) Adding 8 to the resulting product; and

“(d) If the resulting sum is not a whole number, correcting it to the nearest whole number.

“(3) For the purposes of subclause (1) of this clause,—

“(a) The employment of 1 teacher holding a PR1 or FTPR1 position is the equivalent of the employment of a teacher to whom there have been allocated a number of salary units greater by 1 than the number of salary units (if any) in fact allocated to the teacher:

“(b) The employment of 1 teacher holding a PR2 or FTPR2 position is the equivalent of the employment of a teacher to whom there have been allocated a number of salary units greater by 2 than the number of salary units (if any) in fact allocated to the teacher:

“(c) The employment of 1 teacher holding a PR3 position is the equivalent of the employment of a teacher to whom there have been allocated a number of salary units greater by 3 than the number of salary units (if any) in fact allocated to the teacher:

“(d) The employment of 1 teacher holding a PR4 position is the equivalent of the employment of a teacher to whom there have been allocated a number of salary units greater by 4 than the number of salary units (if any) in fact allocated to the teacher.

“(4) In relation to any school whose name appears in the first column of the Second Schedule to this order, subclause (2) of this clause shall have effect as if the number calculated by taking the steps specified in that subclause has been increased by the number of salary units specified in the third column of the schedule opposite the name.

“(5) In relation to any school whose name appears in the first column of the Third Schedule to this order, subclause (2) of this clause shall have effect as if the number calculated by taking the steps specified in that

subclause has been increased by the number of salary units specified in the third column of the schedule opposite the name.

“(6) In relation to any school whose name appears in the first column of the Fourth Schedule to this order, subclause (2) of this clause shall have effect as if the number calculated by taking the steps specified in that subclause has been increased by the number of salary units specified in the third column of the schedule opposite the name.

“(7) In relation to any school whose name appears in the first column of the Fifth Schedule to this order, subclause (2) of this clause shall have effect as if the number calculated by taking the steps specified in that subclause has been increased by the number of salary units specified in the second column of the schedule opposite the name.

“(8) The increases provided for in subclauses (3) to (7) of this clause are (in relation to any school to which 2 or more of those subclauses apply) cumulative.”

4. Exemptions—The principal order is hereby amended by revoking clause 44, and substituting the following clauses:

“43A. **Protection of redesignated senior positions**—The Secretary shall, in exempting the Board of a high school that has a redesignated senior master or senior mistress allowance under clause 33 (1) of this order from the limitation imposed by clause 38 of this order, have regard to whether it is desirable to exempt the Board from the limitation in order to preserve the position of the redesignated teacher concerned.

“43B. **Protection of associate principals**—The Secretary shall, in exempting the Board of a high school from the limitation imposed by clause 37 of this order, have regard to—

“(a) Whether the school’s entitlement to an associate principal 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 position.

“44. **Protection of positions of responsibility**—The Secretary shall, in exempting the Board of a high school from the limitation imposed by clause 38 of this order, have regard to—

“(a) Whether the calculation for the school under clause 38 (2) of this order 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 protect the holder of a position of responsibility (that is to say a PR1, PR2, PR3, PR4, FTPR1, or FTPR2 position) at the school.

“44A. **Protection of teachers allocated salary units**—The Secretary shall, in exempting the Board of a high school from the limitation imposed by clause 38 of this order, have regard to—

“(a) Whether the calculation for the school under clause 38 (2) of this order 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.”

5. Consequential amendments—(1) The Second to Fourth Schedules to the principal order are each hereby consequentially amended by omitting the heading of the third column, and substituting the heading “Salary Units”.

(2) The Second and Third Schedules to the principal order are each hereby consequentially amended by omitting from the third column the expression “4”, wherever it occurs, and substituting in each case the expression “3”.

(3) The Fifth Schedule to the principal order is hereby consequentially amended by omitting the heading of the second column, and substituting the heading “Salary Units”.

6. Correction of omission—The Fourth Schedule to the principal order is hereby amended by inserting, after the item relating to Gisborne Girls’ High School, the following item:

“Kaikorai Valley High School 2 2”.

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 notification in the *Gazette*, amends the Education (1997 Secondary and Form I to VII School Staffing) Order 1996. That order prescribes limitations on the numbers, kinds, and descriptions, of regular (that is to say non-relieving) teachers who may be employed at secondary schools and form I to VII schools in 1997.

The amendments have 3 effects.

First, they reflect certain elements of the recently concluded collective employment contract for secondary teachers. In particular, the positions of senior master and senior mistress are no longer recognised (except for the purpose of the continuation of certain additional staffing allowances for schools employing teachers whose former position as senior master or senior mistress was redesignated because of a fall in the school’s roll); and the newly agreed system involving allocating “salary units” to teachers is recognised.

Secondly, all direct limitations on the employment of deputy principals are removed. In future, the employment of deputy principals will be indirectly limited by the limitations imposed on the allocation of salary units.

Thirdly, the Fourth Schedule has been amended by the addition of a school that had been inadvertently omitted.