



**THE EDUCATION (1993 AREA SCHOOL STAFFING) ORDER 1992**

CATHERINE A. TIZARD, Governor-General

**ORDER IN COUNCIL**

At Wellington this 23rd day of December 1992

Present:

THE HON. DOUG KIDD PRESIDING IN COUNCIL

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

**ANALYSIS**

- 1. Title and commencement
- 2. Interpretation

**PART I  
ROLLS**

- 3. Roll for 1993 to be determined in 1992
- 4. Secretary to take certain estimates into account
- 5. Earlier determinations to have effect
- 6. Certain students not to be counted

**PART II  
LIMITATIONS ON EMPLOYMENT OF  
PERMANENTLY APPOINTED REGULAR  
TEACHERS**

- 7. Limitation on appointment and employment of permanently

appointed regular teachers at area schools

**PART III  
LIMITATIONS ON EMPLOYMENT OF OTHER  
REGULAR TEACHERS**

- 8. Limitation on appointment and employment of other regular teachers at area schools
- 9. Limitation on appointment and employment of regular teachers in positions of responsibility at area schools
- 10. Limitation on appointment and employment of regular teachers as deputy principals at area schools

## PART IV

## EXEMPTIONS

11. Special education classes
12. Full-time teacher librarians
13. Manual training for students from other schools

14. Protection of programmes
15. Protection of positions of responsibility
16. Protection of supernumerary teachers
17. Roll increases
18. Special problems Schedules

## ORDER

**1. Title and commencement**—(1) This order may be cited as the Education (1993 Area School Staffing) Order 1992.

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

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

“The Act” means the Education Act 1989:

“Area school” means a school, established under section 146 of the Act as a composite school, that offers education at a level below Form I:

“Form I to Form VII grading roll”, in relation to an area school, means the roll determined for the school under clause 3 (1) (a) (ii) of this order:

“New entrant”, in relation to an area school at any time, means a student who at that time is enrolled at the school, and has not been enrolled at any registered school (within the meaning of section 2 (1) of the Act) or registered schools for a total of more than 12 months:

“New entrants to standard 4 grading roll”, in relation to an area school, means the roll determined for the school under clause 3 (1) (a) (i) of this order:

“Other regular teacher” means a regular teacher who is not a permanently appointed regular teacher:

“Regular teacher” means a teacher who is not a relieving teacher (within the meaning of section 91A (1) of the Act):

“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 grading roll”, in relation to an area school, means the roll determined for the school under clause 3 (1) (a) (iii) of this order:

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

“Total grading roll”, in relation to an area school, means the sum of the school’s new entrants to standard 4 grading roll, Form I to Form VII grading roll, and special education grading roll (if any).

(2) Subject to subclause (3) of this clause, 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 teacher equivalent; 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 teacher equivalents; and

- (c) The employment of a teacher on the basis of employment for a specified number of half-days every full fortnight is the employment of one twentieth of that number of teacher equivalents; 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 teacher equivalents.
- (3) For the purposes of this order, in a teacher's first year of teaching, this order shall have effect as if the teacher's employment is the employment of eight tenths of the number of teacher equivalents it would be in any later year.

## PART I

### ROLLS

**3. Roll for 1993 to be determined in 1992**—(1) Subject to clauses 3 and 4 of this order, the Secretary shall, as soon as may be after the commencement of this order,—

- (a) Determine, in accordance with this clause,—
    - (i) A grading roll for students below Form I (other than students receiving special education); and
    - (ii) A grading roll for students above standard 4 (other than students receiving special education); and
    - (iii) In the case only of Harwarden Area School and Tolaga Bay Area School, a grading roll for students receiving special education,—
      - for each area school as at the 1st day of March 1993; and
  - (b) Notify the Board of each area school in writing of each roll determined.
- (2) The Secretary shall determine an area school's new entrant to standard 4 grading roll as at the 1st day of March 1993 by—
- (a) Adding—
    - (i) The Secretary's best estimate of the number of students below Form I (other than new entrants) likely to be enrolled at the school on that day; and
    - (ii) The Secretary's best estimate of the number of new entrants likely to be enrolled at the school on that day; and
    - (iii) Two thirds of the number estimated under subparagraph (ii) of this paragraph; and
  - (b) If the sum is not a whole number, increasing it to the next whole number.
- (3) The Secretary shall determine an area school's Form I to VII or special education grading roll as at the 1st day of March 1993 by estimating the number of Form I to VII student or students enrolled in special education classes (as the case may be) likely to be enrolled at the school on that day.

**4. Secretary to take certain estimates into account**—Where before the 15th day of July 1992 the Board of an area school gave the Secretary its written estimate of the school's roll, or any part of the school's roll, as at the 1st day of March 1993, the Secretary shall not determine any roll for the school as at that day without considering—

- (a) The Board's estimate; and
- (b) All supporting written evidence and argument that the Board gave to the Secretary with its estimate.

**5. Earlier determinations to have effect**—Notwithstanding clauses 3 (1) and 4 of this order, if—

- (a) Before the commencement of this order, the Secretary determined for an area school—
  - (i) A grading roll as at the 1st day of March 1993 for students below Form I (other than students receiving special education); or
  - (ii) A grading roll as at the 1st day of March 1993 for students above standard 4 (other than students receiving special education); or
  - (iii) A grading roll as at the 1st day of March 1993 for students receiving special education; and
- (b) The determination of those rolls would have been in accordance with clause 3 of this order if this order had been in force at the time; and
- (c) In the case of a school whose Board had before the 15th day of July 1992 given the Secretary its written estimate of the school's roll as at the 1st day of March 1993, in determining that grading roll as at the 1st day of March 1993, the Secretary considered—
  - (i) The Board's estimate; and
  - (ii) All supporting written evidence and argument that the Board gave to the Secretary with its estimate; and
- (d) The Secretary has, whether before or after the commencement of this order, notified the school's Board in writing of the roll determined,—

the Secretary's determination shall, for the purposes of this order, have effect as if it is a determination under clause 3 (1) of this order; and the Secretary shall not be required to make another.

**6. Certain students not to be counted**—In determination of an area school's roll for the purposes of this order, no account shall 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 (pursuant to a notice under section 4c of the Act having effect in 1993) from 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 External Relations and Trade;
- (b) Any person enrolled at a side school, satellite class, attached special education unit or class, model class, or hospital class.

## PART II

### LIMITATIONS ON EMPLOYMENT OF PERMANENTLY APPOINTED REGULAR TEACHERS

**7. Limitation on appointment and employment of permanently appointed regular teachers at area schools**—There shall not be employed at any area school at any time in 1993 permanently appointed regular teachers whose employment generates a number of teacher equivalents greater than a number calculated by adding—

- (a) A principal's release allowance of 1.0; and
- (b) A new entrants to standard 4 staffing allowance, being the sum of—
  - (i) 0.9; and
  - (ii) The quotient obtained by dividing the school's new entrants to standard 4 grading roll by 25; and
- (c) A Form I to Form VII staffing allowance, being the sum of—
  - (i) 0.9; and
  - (ii) The quotient obtained by dividing the school's Form I to Form VII grading roll by 20; and
- (d) A middle management time allowance, being the product obtained by multiplying 0.06 and the number of position of responsibility units represented by the number of teacher equivalents (of each grade) to which the school is limited by virtue of clause 8 (1) of this order in its employment of permanently appointed regular teachers in positions of responsibility; and
- (e) A deputy principal time allowance of—
  - (i) 0.06, in the case of a school whose total grading roll is less than 126;
  - (ii) 0.12, in the case of a school whose total grading roll is more than 125 but less than 226;
  - (iii) 0.18, in the case of a school whose total grading roll is more than 225.
- (f) A careers and guidance network time allowance, being 0.2 or the number obtained by—
  - (i) Multiplying the school's total grading roll by 0.03; and
  - (ii) Where the product is not a whole number, increasing it to the nearest higher whole number; and
  - (iii) Dividing that product by 25,—  
whichever is the greater; and
- (g) A Te Atakura time allowance, being a number calculated by adding—
  - (i) The product of 0.3 and the number of permanently appointed teachers employed at the school (being teachers in their first year of teaching) who have successfully completed training at a College of Education under the Te Atakura scheme; and
  - (ii) The product of 0.5 and the number of permanently appointed teachers employed at the school (other than teachers in their first year of teaching) who have successfully completed training at a College of Education under the Te Atakura scheme.

### PART III

#### LIMITATIONS ON EMPLOYMENT OF OTHER REGULAR TEACHERS

**8. Limitation on appointment and employment of other regular teachers at area schools**—(1) There shall not be employed at any area school at any time in 1993 other regular teachers whose employment generates a number of teacher equivalents greater than the number of teacher equivalents by which—

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

(b) The total staffing entitlement referred to in subclause (2) of this clause.

(2) An area school's total staffing entitlement is a number calculated by adding—

(a) The figures described in paragraphs (a) to (g) of clause 7 of this order; and

(b) A community education co-ordination time allowance if the school offers a continuing education programme, being—

(i) The quotient (correct to 2 decimal places) obtained by dividing the number of tutor hours in the 1993 programme by 3800, if there are no more than 200 tutor hours in the programme in 1993; and

(ii) 0.1, if there are more than 200 but no more than 1000 tutor hours in the programme in 1993; and

(iii) 0.2, if there are more than 1000 but no more than 1500 tutor hours in the programme in 1993; and

(iv) 0.3, if there are more than 1500 but no more than 4000 tutor hours in the programme in 1993; and

(v) 0.4, if there are more than 4000 but no more than 5000 tutor hours in the programme in 1993; and

(vi) 0.5, if there are more than 5000 tutor hours in the programme in 1993; and

(c) An instrumental and vocal tuition allowance, if in 1992 the Secretary has approved an allowance for instrumental, vocal, or instrumental and vocal, tuition at the school, being the product (correct to 2 decimal places) of the school's Form I to Form VII grading roll and 0.001; and

(d) A transition education allowance, if the school's name is specified in the first column of the Second Schedule to this Order, being the amount specified in the second column of that schedule opposite the school's name; and

(e) A link co-ordination allowance, if the school's name is specified in the first column of the Second Schedule to this order, being the amount specified in the third column of that schedule opposite the school's name.

**9. Limitation on appointment and employment of regular teachers in positions of responsibility at area schools—**(1) There shall not be employed at any area school at any time in 1993—

(a) Regular teachers holding F4 positions whose employment generates a number of teacher equivalents greater than the number specified in the second column of the First Schedule to this Order opposite the specification in the first column of the schedule of the school's total grading roll; or

(b) Regular teachers holding F3 positions whose employment generates a number of teacher equivalents greater than the number specified in the third column of the First Schedule to this Order opposite the specification in the first column of the schedule of the school's total grading roll; or

(c) Regular teachers holding F2 positions whose employment generates a number of teacher equivalents greater than the number specified in the fourth column of the First Schedule to this Order opposite the specification in the first column of the schedule of the school's total grading roll.

(2) For the purposes of clause 7 (d) of this Order,—

- (a) One F2 teacher equivalent represents 1 position of responsibility unit;
- (b) One F3 teacher equivalent represents 2 position of responsibility units;
- (c) One F4 teacher equivalent represents 3 position of responsibility units.

**10. Limitation on appointment and employment of regular teachers as deputy principals at area schools**—At any time in 1993—

- (a) There shall not be employed as deputy principal at any area school with a total grading roll of less than 126 a regular teacher of a grade above grade A;
- (b) There shall not be employed as deputy principal at any area school with a total grading roll of less than 226 but more than 125 a regular teacher of a grade above grade B;
- (c) There shall not be employed as deputy principal at any area school with a total grading roll of less than 326 but more than 225 a regular teacher of a grade above grade C.

#### PART IV

##### EXEMPTIONS

**11. Special education classes**—The Secretary shall, in exempting the Board of an area school from the limitation prescribed by clause 8 of this Order, have regard to—

- (a) The number and size of any special education classes at the school; and
- (b) The extent to which the education of the students in those classes requires—
  - (i) More teachers; or
  - (ii) Teachers of higher grades,—
 than the inclusion of those students in the school's total grading roll generates.

**12. Full-time teacher librarians**—The Secretary shall, in exempting the Board of an area school from the limitations prescribed by clauses 7 to 9 of this Order, have regard to whether it is necessary to grant an exemption in order to preserve the continued employment in 1993 of a regular teacher (employed full-time)—

- (a) Who was permanently appointed, before the 1st day of August 1991, to a teacher-librarian position established at the school with the Secretary's approval; and
- (b) Who—
  - (i) When appointed had satisfactorily completed at a College of Education a course of training approved by the Secretary for the training of teacher-librarians; or
  - (ii) When appointed was undertaking such a course.

**13. Manual training for students from other schools**—The Secretary shall, in exempting the Board of an area school from the limitation prescribed by clause 8 of this Order, have regard to—

- (a) Whether the school has been approved by the Secretary for the provision of instruction in workshop craft and home economics for students enrolled at other schools; and
- (b) Whether it is desirable to exempt the Board from the limitation in order to enable the employment at the school in 1993 of teachers to provide that instruction.

**14. Protection of programmes**—The Secretary shall, in exempting the Board of an area school from the limitation prescribed by clause 8 of this Order, have regard to—

- (a) Whether the school's staffing has been (or but for the exemption would be) affected by a fall in its roll; and
- (b) Whether it is desirable to exempt the Board from the limitation (sufficiently to restore the school's staffing to its 1992 level or some lower level) in order to protect a specified programme of instruction whose continued provision would otherwise be at risk.

**15. Protection of positions of responsibility**—The Secretary shall, in exempting the Board of an area school from the limitation prescribed by clause 9 of this order, have regard to—

- (a) Whether the school's staffing has been (or but for the exemption would be) affected by amalgamation, merger, or change of status, or by a fall in its roll; and
- (b) Whether it is desirable to exempt the Board from the limitation in order to preserve a position of responsibility that would otherwise be at risk.

**16. Protection of supernumerary teachers**—The Secretary shall, in exempting the Board of an area school from the limitations prescribed by clauses 7 and 8 of this order, have regard to whether it is necessary to do so in order to preserve the continued employment in 1993 of any permanently appointed teachers employed at the school immediately before the 1st day of January 1993 who are for the time being supernumerary, having been declared surplus by virtue of the amalgamation, merger, change of status, or closure of, or a fall in the roll of schools at which the teachers were employed (whether the school at which they are now employed or other schools).

**17. Roll increases**—The Secretary shall, in exempting the Board of an area school from a limitation prescribed by clause 7, clause 8, or clause 9 of this Order, have regard to the extent (if any) to which the school's total grading roll is less than it would be if calculated as at the day on which the Secretary is considering whether or not to do so.

**18. Special problems**—The Secretary shall, in exempting the Board of an area school from a limitation prescribed by clause 7, clause 8, or clause 9 of this Order, have regard to the extent (if any) to which there are special teaching problems at the school (being problems not common at area schools, or problems more acute or widespread at the school than is common at area schools).

---



SCHEDULES

---

Clause 9

FIRST SCHEDULE

POSITIONS OF RESPONSIBILITY

Total Grading Roll	Number of Positions		
	F4	F3	F2
001-125	..	..	1
126-175	..	..	2
176-225	..	..	3
226-275	..	..	1 3
276-325	..	..	2 3
326-375	..	..	2 4
376-425	..	..	3 4
426-475	..	..	3 5
476-525	..	..	4 5
526-575	..	..	4 6
576-625	..	..	1 4 6
626-675	..	..	1 5 6
Over 675	..	..	1 5 7

---

Clause 8

SECOND SCHEDULE

TRANSITION EDUCATION AND LINK CO-ORDINATION ALLOWANCES

Name of School	Transition Allowance	Link Allowance
Akaroa Area School	.. .. . 0.34	0.03
Amuri Area School	.. .. . 0.34	0.03
Benneydale Area School	.. .. . 0.26	0.04
Broadwood Area School	.. .. . 0.26	0.07
Cheviot Area School	.. .. . 0.34	0.03
Collingwood Area School	.. .. . 0.34	0.03
Coromandel Area School	.. .. . 0.43	0.04
Harwarden Area School	.. .. . 0.34	0.03
Karamea Area School	.. .. . 0.34	0.03
Kurow Area School	.. .. . 0.34	0.03
Lawrence Area School	.. .. . 0.34	0.03
Mangakahia Area School	.. .. . 0.26	0.07
Maniatoto Area School	.. .. . 0.34	0.03
Mercury Bay Area School	.. .. . 0.34	0.04
Murchison Area School	.. .. . 0.34	0.03
Ohura Area School	.. .. . 0.28	0.04
Onewhero Area School	.. .. . 0.17	0.05
Oxford Area School	.. .. . 0.34	0.03
Panguru Area School	.. .. . 0.26	0.05
Raglan Area School	.. .. . 0.26	0.04
Rai Valley Area School	.. .. . 0.34	0.03
Roxburgh Area School	.. .. . 0.34	0.03
Rudolf Steiner Area School (Christchurch)		0.03
South Westland Area School	.. .. . 0.34	0.03

SECOND SCHEDULE—*continued*TRANSITION EDUCATION AND LINK CO-ORDINATION ALLOWANCES—  
*continued*

Name of School	Transition Allowance	Link Allowance
Taipa Area School .. .. .	0.26	0.05
Takitimu Area School .. .. .	0.34	0.03
Tapawera Area School .. .. .	0.34	0.03
Tauraroa Area School .. .. .	0.26	0.07
Te Kao Area School .. .. .	0.09	0.05
Te Waha-O-Rerekohu Area School .. .. .	0.17	0.04
Te Whanau-A-Apanui Area School .. .. .	0.09	0.04
The Catlins Area School .. .. .	0.34	0.03
Tolaga Bay Area School .. .. .	0.17	0.04
Twizel Area School .. .. .	0.34	0.03
Whangamata Area School .. .. .	0.34	0.04

MARTIN BELL,  
Acting 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 the day after 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 area schools in 1993, and criteria to which the Secretary of Education is to have regard in exempting Boards of area schools from those limitations.

Issued under the authority of the Acts and Regulations Publication Act 1989.  
Date of notification in *Gazette*: 24 December 1992.  
This order is administered in the Ministry of Education.