1054 1**999 / 190**



EDUCATION (2000 AREA SCHOOL STAFFING) ORDER 1999

SIAN ELIAS, Administrator of the Government

ORDER IN COUNCIL

At Wellington this 14th day of June 1999

Present:

HER EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT IN COUNCIL

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

ANALYSIS

1. Title and commencement

PART 1

PRELIMINARY

- 2. Interpretation
- 3. Years of schooling

PART 2

Rolls

- 4. Boards to estimate March 2000 rolls
- 5. Secretary to estimate March 2000 junior staffing rolls
- 6. Secretary to estimate March 2000 senior staffing rolls
- 7. Secretary to estimate March 2000 special education rolls
- 8. Certain students not to be counted
- 9. Part-time students

PART 3

ALLOWANCES

- 10. Junior student specialist instruction rolls
- 11. Curriculum delivery time allowances
- 12. Weighted rolls
- 13. Management teacher time allowances
- 14. Te Atakura time allowances
- 15. Beginning teacher time allowances
- 16. Additional staffing allowances
- 17. Special education teacher time allowances

Transfer of Staffing Entitlement and Salary Units

- 18. Agreements between Boards to transfer staffing entitlement and salary units
- 19. Restrictions on transfer of staffing entitlement and salary units

- 20. Application of clauses 18 and 19 in relation to special education
- 21. Total staffing entitlements

PART 4

LIMITATIONS ON APPOINTMENT AND EMPLOYMENT OF TEACHERS

- 22. Limitation on employment of permanently appointed regular teachers
- 23. Limitation on employment of other regular teachers
- 24. Limitation on employment involving salary units
- 25. Limitation on grades for principals in relation to roll range (including special education students)
- 26. Limitation on employment of Resource Teachers: Learning and Behaviour

PART 5

EXEMPTIONS

- 27. Resource teachers
- 28. Board-funded teachers
- 29. Protection of programmes 30. Protection of teachers' allocated salary units
- 31. Protection of supernumerary teachers
- 32. Roll increases
- 33. Special reason 34. Revocation

SCHEDULE

Grades for Principals' Positions in Relation to Roll Range (Including Special Education Students)

ORDER

1. Title and commencement-(1) This order may be cited as the Education (2000 Area School Staffing) Order 1999.

(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:

"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:

"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 area school, means the school's Board: "FTTE" means full-time teacher equivalent:

"Junior staffing roll", in relation to an area school, means the roll estimated for it under clause 5 (1):

"Level of full-time senior students", in relation to an area school, means any of the following:

(a) 1 or more full-time students of year 9 enrolled at the school:

(b) 1 or more full-time students of year 10 enrolled at the school:

(c) 1 or more full-time students of year 11 enrolled at the school:

(d) 1 or more full-time students of year 12 enrolled at the school:

(e) 1 or more full-time students of year 13 or above enrolled at the school:

"Other regular teacher" means a regular teacher who is not a permanently appointed regular teacher:

- "Principal", in relation to an area school, means the school's principal; and, in relation to a student who enrols at an area school at any time, means the school'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"-

 $(a) \ Means \ the junior \ staffing \ roll \ and \ the \ senior \ staffing \ roll; and$

(b) Includes the special education roll:

- "Salary unit", in relation to the holder of a teaching position at an area 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:
- "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:
- "Senior staffing roll", in relation to an area school, means the roll estimated for it under clause 6 (1):
- "Special education roll", in relation to an area school, means the roll, if any, estimated for it under clause 7 (1):
- "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 principal (however described):
- "Total grading roll", in relation to an area school, means the sum of the school's junior staffing roll, senior staffing roll, and special education roll, if any.

(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:
 - (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:
 - (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:
 - (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.

(4) This order has effect as if every student enrolled at an area school who turns or turned 19 before 2000 were a full-time student.

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

(a) First enrols at an area school before turning 7; and

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

(2) For the purposes of this order, a student to whom subclause (1) applies who first enrols at an area school before 1 July in any year (whether before or after the commencement of this order)—

(a) Is a year 1 student in that year:

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

(3) For the purposes of this order, a student to whom subclause (1) applies who first enrols at an area school after 30 June in any year (whether before or after the commencement of this order)—

- (a) Is a year 0 student in that year:
- (b) Is a year 1 student in the next year:
- (c) In every subsequent year, is a student of a year 1 greater than the year before.

(4) This subclause applies to a student enrolled at an area school (but not a student to whom subclause (1) applies) between the time the student first enrols at an area school and the earlier of—

(a) Ceasing permanently to be enrolled at any area school:

(b) Any substantial interruption (other than normal holidays) in the student's education at area schools.

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

- (a) In the year in which the student first enrols at an area school, 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.

(6) This subclause applies to a student enrolled at an area school (but not a student to whom subclause (1) applies) between the time the student again enrols at an area school after any substantial interruption (other than normal holidays) in the student's education at area schools and the earlier of—

(a) Ceasing permanently to be enrolled at any area school:

(b) Any further such interruption.

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

- (a) In the year in which the student again enrols at an area school, 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 March 2000 rolls—As soon as may be after the commencement of this order, the Board of every area school must give the

Secretary, on a form provided by the Secretary for the purpose, written notice of the school's likely roll (in the Board's opinion) on 1 March 2000.

5. Secretary to estimate March 2000 junior staffing rolls—(1) As soon as may be after the commencement of this order, the Secretary must estimate for every area school a roll of junior students for 2000 by—

(a) Adding—

(i) The Secretary's best estimate of the number of students of year 1 likely to be enrolled at the school on 1 March 2000; and (ii) Seven-eighths of that number; and

(iii) The Secretary's best estimate of the number of students of year 2, year 3, year 4, year 5, year 6, year 7, and year 8 likely to be enrolled at the school on 1 March 2000; and

(b) If the resulting sum is not a whole number, increasing it to the next whole number.

(2) If, before the commencement of this order, an area school's Board has given the Secretary notice under clause 4, the Secretary must not estimate the school's junior staffing roll without considering—

(a) That notice; and

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

(3) As soon as may be after estimating an area school's junior staffing roll, the Secretary must give the Board written notice of it.

6. Secretary to estimate March 2000 senior staffing rolls—(1) As soon as may be after the commencement of this order, the Secretary must estimate for every area school a roll of senior students for 2000 by estimating the number of students of year 9 and above likely to be enrolled at the school on 1 March 2000.

(2) If, before the commencement of this order, an area school's Board has given the Secretary notice under clause 4, the Secretary must not estimate the school's senior staffing roll without considering—

(a) That notice; and

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

(3) As soon as may be after estimating an area school's senior staffing roll, the Secretary must give the Board written notice of it.

7. Secretary to estimate March 2000 special education rolls—(1) As soon as may be after the commencement of this order, the Secretary must estimate for every area school a roll of special education students as at 1 March 2000, basing the estimate on the list of special education students who have been approved by the Secretary under the ongoing and transitional resourcing schemes administered by the department of which the Secretary is the chief executive.

(2) If, before the commencement of this order, an area school's Board has given the Secretary notice under clause 4, the Secretary must not estimate the school's special education roll without considering—

(a) That notice; and

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

(3) As soon as may be after estimating an area school's special education roll, the Secretary must give the Board written notice of it.

8. Certain students not to be counted—In the determination of any roll for the purposes of this order, 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 1999) 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.

9. Part-time students—For the purposes of this order, every part-time student enrolled or to be enrolled at an area school must be treated as a fraction of a full-time student calculated by dividing by 20 the number of hours of tuition the student receives or is to receive in a normal week. This rule applies despite clause 2 (4), but is subject to clause 8.

PART 3

ALLOWANCES

- 10. Junior student specialist instruction rolls—(1) In this clause,—
 "Junior students instructed elsewhere", in relation to an area school at any time, means the number of students enrolled there who at that time usually attend some other school for instruction in technology or some other specialist subject:
 - "Junior students instructed internally", in relation to an area school at any time, means the sum of—

(a) The number of students below year 9 enrolled there; and

(b) The number of students below year 9 enrolled at a primary school who at that time usually attend a centre attached to the area school for instruction in technology or some other specialist subject.

(2) When the number of junior students instructed internally at an area school is greater than the number of junior students instructed elsewhere, its junior student specialist instruction roll is the difference between them.

(3) When the number of junior students instructed internally at an area school is not greater than the number of junior students instructed elsewhere, its junior student specialist instruction roll is 0.

11. Curriculum delivery time allowances—(1) An area school's curriculum delivery time allowance (in FTTEs) is the sum obtained by adding the items in subclause (2) and, if the resulting sum is not exactly divisible by 0.1, rounding it up to 1 decimal place.

(2) The items are—

(a) The greater of 1 and the sum of—

(i) The number of year 0, year 1, year 2, and year 3 students on its junior staffing roll, divided by 23; and

(ii) The number of year 4, year 5, year 6, year 7, and year 8 students on its junior staffing roll, divided by 29; and

(b) The difference between the sum referred to in paragraph (a) and the next whole number, if—

(i) The school has a junior staffing roll under 160; and

(ii) The quotient obtained by dividing that roll by the integer of that sum is over 28; and

(c) The quotient obtained by dividing by 120 its junior student specialist instruction roll, ascertained in accordance with clause 10; and

(d) The sum of—

(i) The number of year 9 and year 10 students on its senior staffing roll, divided by 25; and

(ii) The number of year 11 students on its senior staffing roll, divided by 23; and

(iii) The number of year 12 students on its senior staffing roll, divided by 18; and

(iv) The number of students of year 13 or above on its senior staffing roll, divided by 17; and

- (e) If there are 200 or fewer students on its senior staffing roll, the number obtained by—
 - (i) Dividing that roll by 200; and
 - (ii) Multiplying the resulting quotient by 0.6; and
 - (iii) Adding 0.4 to the resulting product; and

(iv) Multiplying the resulting sum by the number of levels of full-time senior students (to a maximum of 5) on its senior staffing roll; and

(f) If there are more than 200 students on its senior staffing roll, the number of levels of full-time senior students (to a maximum of 5) on its senior staffing roll.

12. Weighted rolls—An area 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 year 4, year 5, year 6, year 7, and year 8 students then included on its staffing roll; and
- (c) The product of 7 and the number of year 9 and year 10 students then included on its staffing roll; and
- (d) The product of 9 and the number of year 11 students then included on its staffing roll; and
- (e) The product of 15 and the number of year 12 students then included on its staffing roll; and
- (f) The product of 16 and the number of students of year 13 or above then included on its staffing roll; and
- (g) Half its junior student specialist instruction roll, ascertained in accordance with clause 10.

13. Management teacher time allowances—An area school'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 12; 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 17; and

(b) If the resulting sum is not exactly divisible by 0.1, rounding it down to 1 decimal place.

14. Te Atakura time allowances—The Te Atakura time allowance, if any, of an area school in 2000 (in FTTEs) is calculated by adding—

- (a) The product of 0.3 and the number of permanently employed beginning teachers then employed at the school in the teaching of Te Reo Māori who, before 1993, successfully completed training at a College of Education under the Te Atakura scheme; and
- (b) The product of 0.5 and the number of permanently employed teachers (other than beginning teachers) then employed at the school in the teaching of Te Reo Māori who, before 1993, successfully completed training at a College of Education under the Te Atakura scheme.

15. Beginning teacher time allowances—At any time when there is employed at an area school 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 school full-time; and

- (ii) 0.2; and (1) The product of
- (b) The product of—
 - (i) The number of other qualifying beginning teachers then employed at the school; and
 - (ii) 0.1.

16. Additional staffing allowances—In 2000 the additional staffing allowance, if any, of an area school is calculated by adding—

- (a) Its Te Atakura time allowance, if any, ascertained in accordance with clause 14; and
- (b) Its beginning teacher time allowance, if any, ascertained in accordance with clause 15.

17. Special education teacher time allowances—An area school's special education teacher time allowance, if any, in 2000 is the number of special education students on the school's special education roll 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

18. Agreements between Boards to transfer staffing entitlement and salary units—(1) In this clause and clause 19,— "Entitlement transfer agreement" means a written agreement

ntitlement transfer agreement" means a written agreement between the Boards of 2 payrolled schools to the effect that in 2000—

(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 19, if an entitlement transfer agreement (or a duplicate of it) has been given to the Secretary before 1 January 2000,-

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

19. 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 technology or some other specialist subject.

(2) No area school has an entitlement deduction under clause 18 (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 (2000 Secondary and Form I to VII School Staffing) Order 1999; and
- (b) The sum of the following does not exceed the number specified in the second column of that schedule opposite its name:

(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 2000 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.

(3) No area school has an entitlement addition under clause 18 (2) (b) arising out of a music tuition provision.

(4) No area school has an entitlement addition or entitlement deduction under clause 18 (2) arising out of a specialist tuition provision.

20. Application of clauses 18 and 19 in relation to special education—Clauses 18 and 19 apply to entitlement in relation to special education teachers in the same way as they apply to entitlement in relation to other teachers.

21. Total staffing entitlements—(1) An area school's total staffing entitlement (in FTTEs) is the number obtained by—

(a) Adding-

(i) Its curriculum delivery time allowance, ascertained in accordance with clause 11; and

(ii) Its management teacher time allowance, ascertained in accordance with clause 13; and

(iii) Its additional staffing allowance, if any, ascertained in accordance with clause 16; and

(iv) Its special education teacher time allowance, ascertained in accordance with clause 17; and

(v) Its community education co-ordination time allowance, if any, ascertained in accordance with subclause (2); and

(vi) If in 1999 the Secretary has approved an allowance for instrumental, vocal, or instrumental and vocal tuition at the school, an instrumental and vocal tuition allowance that is the product (correct to 2 decimal places) of 0.001 and the sum of the school's senior staffing roll and the number of year 7 and year 8 students on its junior staffing roll; and

(vii) The sum of its entitlement additions, if any, under clause 18 (2) (b); and

(b) Subtracting from the resulting sum the sum of its entitlement deductions, if any, under clause 18 (2) (a).

(2) An area school that offers a continuing education programme has a community education co-ordination time allowance (in FTTEs) calculated by adding—

- (a) The quotient (correct to 2 decimal places) obtained by dividing the number of tutor-hours in the 2000 programme by 3800, if there are no more than 200 tutor-hours in the programme in 2000; and
- (b) 0.1, if there are more than 200 but no more than 1000 tutor-hours in the programme in 2000; and
- (c) 0.2, if there are more than 1000 but no more than 1500 tutor-hours in the programme in 2000; and
- (d) 0.3, if there are more than 1500 but no more than 4000 tutor-hours in the programme in 2000; and
- (e) 0.4, if there are more than 4000 but no more than 5000 tutor-hours in the programme in 2000; and
- (f) 0.5, if there are more than 5000 tutor-hours in the programme in 2000.

PART 4

LIMITATIONS ON APPOINTMENT AND EMPLOYMENT OF TEACHERS

22. Limitation on employment of permanently appointed regular teachers—There must not be employed, at any area school at any time in

2000, permanently appointed regular teachers whose employment generates a number of FTTEs greater than the number obtained by—
(a) Adding—

(i) Its curriculum delivery time allowance, ascertained in accordance with clause 11; and

(ii) Its management teacher time allowance, ascertained in accordance with clause 13; and

(iii) Its special education teacher time allowance, ascertained in accordance with clause 17; and

(iv) The sum of its entitlement additions, if any, under clause 18 (2) (b); and

(b) Subtracting from the resulting sum the sum of its entitlement deductions, if any, under clause 18 (2) (a).

23. Limitation on employment of other regular teachers—There must not be employed at any area school, at any time in 2000, 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 the school at that time of permanently appointed regular teachers—

is less than—

(b) Its total staffing entitlement.

24. Limitation on employment involving salary units—(1) There must not be employed at an area school, at any time in 2000, 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) Subtracting 1 from the sum of-

(i) Its curriculum delivery time allowance, ascertained in accordance with clause 11; and

(ii) Its management teacher time allowance, ascertained in accordance with clause 13; and

(iii) Its special education teacher time allowance, ascertained in accordance with clause 17; and

- (b) Multiplying the resulting remainder by 0.96; and
- (c) Adding 2 to the resulting product; and
- (d) If the resulting sum 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 area school, at any time in 2000, a principal at a grade higher than the grade specified in the first column of the Schedule opposite the roll range that applies to that school.

- (2) For the purposes of determining the roll range as at 1 July 1999,—
- (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.

1064

1999/190 Education (2000 Area School Staffing) Order 1999

26. Limitation on employment of Resource Teachers: Learning and Behaviour—(1) At any time in 2000, 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. Resource teachers—The Secretary must, in exempting an area school's Board from the limitations imposed by this order, have regard to the extent, if any, to which the students enrolled at the school have particular educational needs that can and should be met by the appointment of 1 or more Resource Teachers: Learning and Behaviour.

28. Board-funded teachers—The Secretary must, in exempting an area school'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.

29. Protection of programmes—The Secretary must, in exempting an area school's Board from the limitations imposed by 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 grant an exemption (sufficient to restore the school's staffing to its 1999 level or some lower level) in order to protect a specified programme of instruction whose continued provision would otherwise be at risk.

30. Protection of teachers' allocated salary units—The Secretary must, in exempting an area school'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.

31. Protection of supernumerary teachers—The Secretary must, in exempting an area school'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 2000 of any permanently appointed teachers employed by the Board immediately before 1 January 2000 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).

32. Roll increases—The Secretary must, in exempting an area school's Board from the limitations imposed by this order, have regard to the extent, if any, to which the school's total roll is less than it would be if calculated as at the day on which the Secretary is considering whether or not to grant the exemption.

33. Special reason—The Secretary must, in exempting an area school'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 school, being a reason that applies only to that school or to some other area schools, but not being a reason that applies to all other area schools.

34. Revocation—The Education (1998 Area School Staffing) Order 1997* is revoked:

*S.R. 1997/91

SCHEDULE

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

Principal's Grade	Roll Range
Ul	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 (ie, non-relieving) teachers to be employed at area schools in 2000, 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:* 17 June 1999. This order is administered in the Ministry of Education.