



Education (2012 School Staffing) Amendment Order 2011

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 14th day of November 2011

Present:

His Excellency the Governor-General in Council

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

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Order

1 Title

This order is the Education (2012 School Staffing) Amendment Order 2011.

2 Commencement

This order comes into force on 2 December 2011.

3 Principal order amended

This order amends the Education (2012 School Staffing) Order 2011.

4 New clause 18A inserted

The following clause is inserted after clause 18:

“18A Employment of specified resource teachers and involving leadership payments

“(1) A board must not employ specified resource teachers to whom leadership payments have been allocated (whether permanently or otherwise) if the total of those leadership payments would exceed the number of leadership payments calculated for the school under subclause (2).

“(2) The number of leadership payments referred to in subclause (1) is calculated for a school by—

“(a) multiplying the number of resource teachers: learning and behaviour allocated to the school for the 2012 school year by the Secretary by 0.4; and

“(b) adding 6 to the resulting product; and

“(c) if the resulting sum is not a whole number,—

“(i) decreasing it to the nearest lower whole number, if it ends in less than 0.5; or

“(ii) increasing it to the nearest higher whole number, if it ends in 0.5 or greater.

“(3) **Specified resource teachers**, in this clause, means regular teachers who are either—

“(a) resource teachers: learning and behaviour; or

“(b) resource teacher managers: learning and behaviour.

“(4) **Leadership payment**, in this clause and for a specified resource teacher and a board (being a board that employs 1 or

more resource teacher managers: learning and behaviour), means an entitlement—

- “(a) to a salary element that is additional to the salary that is otherwise payable to the specified resource teacher; and
- “(b) that is allocated (whether permanently or otherwise) to the specified resource teacher by the board.”

Rebecca Kitteridge,
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 on 2 December 2011, is made under the Education Act 1989 (the **Act**). It amends the Education (2012 School Staffing) Order 2011. That order’s purpose is, in accordance with section 91H of the Act, to limit the financial liability of the Crown arising out of its obligation under section 91C of the Act to pay the salaries of all regular teachers employed at payrolled schools. To that end that order prescribes limitations on the number of regular teachers (that is, teachers who are not relieving teachers) who may be employed at payrolled schools during the 2012 school year.

Clause 4 inserts a *new clause 18A*, which prescribes a new limitation. The new limitation prevents a school’s board (being a board that employs 1 or more resource teacher managers: learning and behaviour) from employing specified resource teachers to whom leadership payments have been allocated if the total of those payments would exceed a number, calculated in a prescribed way, of those payments for the school.

**Education (2012 School Staffing)
Amendment Order 2011**

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This order is administered by the Ministry of Education.
