



Primary Circular 11/04

DEPARTMENT OF EDUCATION AND SCIENCE

PRIMARY BRANCH

TO BOARDS OF MANAGEMENT, PRINCIPAL TEACHERS AND ALL TEACHING STAFF IN PRIMARY SCHOOLS

Standardisation of School Year – Contracts/Payment of teachers for 2004/05 School Year

Introduction:

Under the terms of [Circular M21/04](#), agreement was reached with the education partners on the Standardisation of the School Year, which is effective from the 2004/2005 school year and requires schools to standardise Christmas, Easter and mid-term breaks. It also allows schools limited discretion as to precise dates for the commencement and ending of the school year. The expectation is that in order to meet the overall requirement of a minimum of 183 days the school year will normally commence in the week that 1 September falls.

For the coming school year, 1 September falls on a Wednesday, which allows schools the option to open on Monday, 30 August or Tuesday, 31 August, 2004. It is important to note that the length of the school year remains the same (183 days) and teachers are obliged to work 183 days regardless of the date the school opens for the school year.

This discretion may give rise to queries from teachers with regard to their contracts with schools and this circular is issued to provide clarity on these matters.

Qualified permanent and temporary teachers

Historically all teacher contracts (permanent and temporary) commenced on 1 September, teachers' salaries were paid as of 1 September, pension was reckoned from 1 September, the school year ran from 1 September to 31 August and the teacher's annual contract covered this period. There are no plans to alter this arrangement for the 2004/05 school year.

The arrangements for the 2004/05 school year is based on preserving 1 September to 31 August as the contractual year (though this may vary slightly from the operational year) in order to allow for ease of administration, to ensure parity with all primary teachers (all of whom technically will work 183 days) and to minimise a risk of a break in service, particularly for temporary teachers.

Essentially, the primary school year lasts 183 days and it is within the discretion of the school management (subject to the agreement on standardisation) to decide which days a school will open and thus when the teachers will be called upon to perform their employment duties. For the 2004/05 school year, teachers will continue to be required to work 183 days and the fact that a particular

school opens in advance of 1 September will not affect this. Therefore if a school opens on the 30/31 August, 2004, this will be regarded as forming part of the 2004/05 school year, working on the 30/31 August does not constitute an additional 1/2 day(s) service and no additional payment will be granted in respect thereof.

Redeployment Panel, Teacher Exchange and Job Sharing

For the coming school year a teacher redeployed via the panel will commence on the starting day for the school year as decided by the management of the school to which the teacher is re-deployed.

This will also apply in the case of a teacher going on a teacher exchange or commencing a job sharing arrangement.

Retirement

A teacher retiring at the end of the 2003/04 school year whose school re-opens on the 30/31 August, 2004 is considered to have completed service to retirement, having worked 183 days in that school year. This teacher will be paid to 31 August, 2004 and will not have to return for the 1/2 day(s) in August, 2004.

However, if the replacement teacher begins on the 30/31 August, 2004 this teacher's contract commences from 1 September and salary is paid from this date - on the basis that the teacher will work 183 days and be paid for the full school year.

Teacher commencing Career Break/ Secondment Arrangement

If a teacher is commencing a career break or taking up a secondment arrangement for the 2004/05 school year and where the school opens on the 30/31 August, the teacher will not have to undertake 1/2 day(s) service on the 30/31 August. The temporary replacement teacher will commence on the 30/31 August with contract and payment date effective from the 1 September – on the basis that the teacher will work 183 days and receive salary for the full school year.

Teacher returning from Career Break/Secondment Arrangement

Where a teacher is returning from a career break/secondment arrangement and the Board of Management has decided to open on the 30/31 August, the teacher should be requested to commence duty on this date. A teacher returning to school in such circumstances should make every effort to comply with the school's request having regard to the organisational and timetable arrangements of the school management and to the educational needs of the pupils.

Teachers commencing short-term leave e.g. parental leave, unpaid maternity leave

If a teacher is commencing a short-term leave at the beginning of the 2004/05 school year and the school opens on the 30/31 August, the teacher will not have to undertake 1/2 day(s) service on the 30/31 August. The temporary replacement teacher will commence on the 30/31 August and will receive payment for the duration of the short term leave.

New Permanent Appointment

The seniority of permanent teachers appointed to a school at the start of the 2004/05 school year will commence as of 1 September 2004 irrespective of the day that the school opens.

The provisions of this circular will be reviewed at the end of the 2004/05 school year.

This Circular may also be accessed on the Department of Education & Science website at www.education.ie under **Education Personnel/ Primary/ Appointments and Redeployment.**

Please note that queries regarding the Circular may be E-Mailed to primary_payments@education.gov.ie"

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Principal Officer

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