



*This policy prompt relates to Permanent teachers only.*

## ***Teacher Exchange***

## Teacher Exchange

**Notice:** This resource is intended to assist schools in devising their own policy statement for Teacher Exchange, in the context of other non statutory leave (Career Break, Job Sharing and Secondment) and statutory leave (Maternity/Adoptive Leave, Parental Leave and Carer's Leave). While every effort has been made to ensure the accuracy of the information provided, schools are advised to consult relevant circulars, legislation and/or guidelines, if they have specific queries regarding this topic.

***This note is for guidance only and does not purport to be a legal interpretation.***

**Background:** While maternity, adoptive, carer's and parental leave are statutory entitlements with clearly defined rights and obligations, other types of leave (e.g. *Teacher Exchange*) are non-statutory, and are available to teachers at the discretion of the Board of Management.

### **This guide should be read in conjunction with Circular 12/03 or any update thereof**

It is advisable that Boards of Management develop and maintain a policy statement specific to the needs of the school in relation to the approval of all non-statutory leave (career breaks, job sharing, secondment and teacher exchange). In drawing up this policy, the welfare and educational needs of the pupils shall take precedence over all other considerations.

### **Issues the school should address may include the following:**

- Has the Board of Management set an annual limit on the number of teachers who may avail of discretionary leave at any one time?
- Will the limit be affected by the number of teachers on approved statutory leave of absence, such as Maternity, Adoptive, Carer's and Parental Leave in the school year for which an application is received?
- In considering the annual limit, has the Board of Management clarified that all decisions of the Board in respect of non statutory leave will be decided on the basis of what is in the best interests of the pupils' education and welfare and the teaching resources available to the Board at any given time?
- Is it understood that it is the responsibility of the teacher seeking the exchange to find a colleague with whom he/she may wish to enter into such an arrangement?
- Is it understood that it shall be open to a Board of Management to interview a teacher who proposes to participate in an exchange arrangement?
- CPSMA recommends that a Board of Management stipulates that the approval of a Teacher Exchange arrangement is subject to:
  - The approval of the Department of Education and Skills
  - Continued registration with the Teaching Council
  - Compliance with Garda Vetting requirements
  - Pre-employment medical screening with the OHS

Approval of a Teacher Exchange is at the sole discretion of the Board of Management, pending satisfactory interview and recruitment process listed above.

- Has a written agreement been signed between the exchange teacher and the Board of Management of the host school (i.e. the school in which that teacher is serving for the duration of the exchange)?
- Does the written agreement make provision for the early termination of a Teacher Exchange arrangement in the event that the Board of Management determines that the arrangement is not operating in the best interests of the children, or in the event of a retirement etc.?

**CPSMA recommends that the provision to terminate the Teacher Exchange arrangement should be included in the respective agreements with both schools.**

- Is it understood that the teacher cannot terminate the arrangement, unless he/she resigns?
- In considering the annual limit, has the Board of Management clarified that all decisions of the Board in respect of non statutory leave will be decided on the basis of what is in the best interests of the pupils' education and welfare and the teaching resources available to the Board at any given time?
- The following factors could also be considered:
  - The availability of appropriately experienced personnel for specific class levels
  - Weighted in favour of those applying to continue existing leave
  - Weighted in favour of those who had previously applied but were refused
  - Impact on middle management
  - Other ...
- While on approved leave, the teacher remains a member of staff and should be informed about vacancies for Posts of Responsibility.

Type of Leave	Description	Who is eligible?	Time Allowed	Type of cover	Period Covered	Application
Teacher Exchange  <u>Circular 12/03</u>	The teacher exchange scheme is designed to facilitate permanent teachers to temporarily exchange their posts for educational purposes.	The scheme is open to permanent teachers who have completed probation and who wish to exchange their posts.	Minimum of one school year but must be reapplied for annually to the Board of Management.  Maximum: 5 years	Permanent Teacher Exchange – Written contract required between teacher & the employing Board of Management.	First day of school year in the year of the teacher exchange arrangement, up to date preceding opening of school in the following year.	Application to the Board of Management by <b>March 1<sup>st</sup></b> response from B.O.M. issued by <b>April 1<sup>st</sup></b> ; the B.O.M. must submit approved applications to the Department of Education & Skills before <b>April 10<sup>th</sup></b> in the year in which the Teacher Exchange arrangement is requested.

**Reminder:**

**This guide should be read in conjunction with Circular 12/03 or any update thereof**