



Circular 18/00

DEPARTMENT OF EDUCATION AND SCIENCE PRIMARY BRANCH

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

Brief Absences

Introduction

The Minister for Education & Science is pleased to advise the Boards of Management of schools that, following discussion at the Conciliation Council for teachers, new arrangements have been made in relation to substitution for brief absences of permanent and temporary teachers. With effect from 1st September, 2000, the Department will pay the cost of the substitute replacement teacher arising out of absences as per Section 1 of this circular i.e. in the case of illness or bereavement.

The Department also takes the opportunity to set out clearly the provisions governing other brief absences. These are set out in Section 2 of this Circular.

SECTION 1 – Substitution for Illness of a Family Member/ Bereavement of a Family Member

2. Payment of a Substitute Teacher

2.1 Illness of a family member

- (a) This leave is granted for urgent family reasons where owing to a serious injury or illness the immediate presence of a teacher is indispensably required at the place where the family member is - this leave also includes accompanying a member of ones immediate family or near relative to hospital where alternative domestic arrangements cannot be made.

A substitute teacher may be employed for the school days during the absences as specified in 2.1(c) below. Confirmation of approval for the absence on the standard form (ILL 1) signed by the teacher, Principal and Chairperson of the Board of Management must be submitted with the Substitute Teacher's Salary Claim Form. It is essential that this form be returned to ensure payment of the substitute teacher.

- (b) For the purposes of this sub-section, family relationships are defined as follows:

- Immediate family – spouse (spouse also includes a person with whom the teacher is living as husband or wife) father, mother, step-father, step-mother, son, daughter, step-son and step-daughter.
- Near relative – brother, sister, grandparent, uncle, aunt, niece, nephew, grandchild.
- Three days leave of absence is also available to teachers who are members of religious communities in respect of the serious illness of a member of the teacher's immediate community.

- (c) The maximum, period of absence that shall be granted is:
- 5 school days in a school year in the case of a member of the immediate family.
 - 3 school days in a school year in the case of a near relative and to teachers who are members of religious communities.

These maximum periods of leave include a teacher's statutory entitlement under "Force Majeure" leave.

2.2 Bereavement involving a family member

- (a) Special leave with pay is allowed to a teacher in the event of bereavement.

For the purposes of this sub-section, family relationships are defined as follows:

- Immediate family – spouse (spouse also includes a person with whom the teacher is living as husband or wife) father, mother, step-father, step-mother, son, daughter, brother, sister, step-son and step-daughter.
- Near relative – grandparent, uncle, aunt, niece, nephew, grandchild, first cousin.
- In law – father-in-law, mother-in-law, brother in law, sister in law and son or daughter in-law.
- Three days leave of absence is also available to teachers who are members of religious communities in respect of the death of a member of the teacher' immediate community.

- (b) The maximum, period of absence that shall be granted is:

- 5 consecutive days in the case of a member of the immediate family.
- Absence for the minimum period necessary to attend the funeral subject to a maximum of 3 consecutive days in the case of a near relative or in-law.

If the death occurs in the evening (after school hours) five or three consecutive days are allowed, as appropriate, starting from the following day.

If the death occurs at the weekend (Saturday/Sunday) five or three consecutive days are allowed, starting from the following day.

- (c) In the case of immediate family a substitute teacher may be employed for up to five days. In the case of near relative, in-law or members of Religious Communities a substitute teacher may be employed for the minimum period necessary to attend the funeral subject to a maximum of three days, except in the case of the death of a first cousin where a substitute teacher may only be employed for one school day.

When completing the Substitute Teacher's Salary Claim Form the reason for the absence should be recorded as "Bereavement Leave".

Section 2 – Brief Absences – General

- 2.1 The term “brief absences” is used to describe short-term occasional absences sanctioned for teachers during the school year. These include compassionate leave in respect of illness and bereavement, leave for specified special family occasions and other specified provisions.
- 2.2 The prior approval of the Chairperson of the Board of Management must be granted for all brief absences.
- The Substitute Teacher Salary Claim Form should be completed by the Chairperson of the Board or the school Principal unless the substitute teacher was appointed as a consequence of the absence of the Principal, in which case the Chairperson must sign the form.
- 2.3 Teachers are not allowed to absent themselves from school for the purpose of transacting private or personal business such as consultation with a solicitor or bank manager, signing of contracts, attending for interviews etc.
- 2.4 Absence for part of a school day constitutes an absence for a full school day. Any absence without reasonable cause and the approval of the Board of Management will involve loss of salary.
- 2.5 Teachers who require absences in excess of the provisions as outlined in the following Table must obtain the prior approval of the Board of Management and the Department of Education and Science and such absences are unpaid. Where unpaid leave is sanctioned the Board of Management may employ a temporary teacher paid by the Department of Education and Science.
- 2.6 The Department will meet the cost of supplying a substitute teacher replacing Principal teachers in one teacher schools who are absent for any reason as set out in the following Table and with the permission of the Board of Management. Substitute cover will also be provided for Principals in one teacher schools in respect of course days.

The following table outlines the instances where approval for brief absences may be granted, the maximum number of days allowed in respect of each absence and the position regarding substitution. Please note that *denotes that the definition of immediate family set out in paragraph 2.2 (a) of Section 1 refers.

Reason for Absence	Maximum Number of Days with pay (unless otherwise stated)	Substitute cover
Tending to an immediate family member who is ill including accompaniment to hospital (see Section 1, Paragraph 2.1)	5 school days in total	The Department pays substitute cover in respect of school days during the absence. Confirmation of the absence authorised by the Chairperson (form ILL 1) must be submitted with the Substitute Teacher Salary Claim form
Tending to a near relative /member of religious community who is ill including accompaniment to hospital (see Section 1, Paragraph 2.1)	3 schools days in total	The Department pays substitute cover in respect of school days during the absence. Confirmation of the absence authorised by the Principal and Chairperson (Form ILL 1) must be submitted with the Substitute Teacher Salary Claim form.
Bereavement of member of immediate family (see Section 1, Paragraph 2.2)	Five consecutive days including a weekend	Substitute cover in respect of school days during the absence is paid by the Department.
Bereavement of near Relative/In-law/ member	Absence for the minimum period necessary to attend the funeral	Substitute cover in respect of school days during the absence is paid by the

of religious community (see Section 1, Paragraph 2.2)	subject to a maximum of 3 consecutive days including a weekend	Department except in the case of the death of a first cousin where a substitute teacher may be employed for one school day only.
Teachers' own wedding – this applies only when the wedding takes place on a day when the school is due to be open	7 consecutive days from the date of marriage. These days include weekends and any school closures e.g. bank holiday, vacation days etc	Substitute cover is not paid by the Department of Education and Science
Wedding of immediate family/near relative/ in-law	1 school day if the wedding is held on a day when the school is open	The Department of Education and Science do not pay substitute cover.
Ordination/religious reception/profession of *immediate family	1 school day if the ordination / religious reception / profession is held on a day when the school is open	Substitute cover is not paid by the Department of Education and Science
Graduation of teacher or *immediate family member	1 school day if the graduation is held on a day when the school is open.	Substitute cover is not paid by the Department of Education and Science
Army commissioning ceremony/garda passing out parade of *immediate family member	1 school day if the ceremony/parade is held when the school is open	Substitute cover is not paid by the Department of Education and Science
Study Leave prior to examinations	5 days in respect of recognised third level educational courses. Verification in respect of the exam must be submitted to the Department	Substitute cover is paid by the teacher
Exam Leave	The actual days on which examinations are held, provided it is a recognised third level educational course. Verification in respect of the exam and the number of days necessary must be submitted to the Department	Substitute cover is not paid by the Department of Education and Science
Representing Ireland at Sporting Event including GAA tours	Documentary evidence of the participation in the international sporting event and the number of days required must be submitted to the Department via the Board of Management for consideration	The teacher must provide substitute cover.
Membership of public bodies e.g. county councils or statutory local bodies	Up to ten school days in a school year. Absence applies only where meetings are held during school opening hours	Substitute cover is not paid by the Department of Education and Science
Teacher is a candidate in a Local Election	1 day on day of election	Substitute cover is not paid by the Department of Education and Science
Teacher is a candidate in a General Election	All days from the date of the candidate's lodgement of his/her nomination papers up to and including the day(s) of the count	Substitute cover is paid by the teacher
Court proceedings in relation to a legal separation involving the teacher	1 school day if the proceedings take place on a day when the school is open	Substitute cover is not paid by the Department of Education and Science

Attending court as defendant in which the school is directly involved	The number of days as deemed necessary by the court. Confirmation of the absence must be provided to the Board of Management	Substitute cover is paid by the Department of Education and Science
Attending court as a witness under subpoena or summons	The number of days required to be in attendance under subpoena or summons	The Board of Management/teacher may claim payment for substitute cover from the relevant party.
Attending court where a teacher is defendant or plaintiff in a personal case	Unpaid leave	Temporary teacher may be employed by the Board of Management and paid by the Department of Education and Science
Jury Service	The number of days deemed necessary by the court.	The Department of Education and Science pay substitute cover. A copy of the jury service summons must be submitted with the Substitute Teacher Salary Claim Form.

*The definition of immediate family as at Paragraph 2.2(a), Section 1 applies.

This circular should be retained for future reference in the school. It may also be accessed on the Department of Education & Science website at www.irigov.ie/educ

D O'Riain,
Principal Officer

November, 2000