



**Circular Letter 0061/2021**

**To: The Chief Executives of Education and Training Boards**

**STUDY AND EXAMINATION LEAVE FOR STAFF OTHER THAN  
PERSONS EMPLOYED AS TEACHERS AND SPECIAL NEEDS  
ASSISTANTS EMPLOYED IN EDUCATION AND TRAINING  
BOARDS**

The Minister for Education directs you to implement the regulations and procedures regarding study and examination leave for all eligible staff other than persons employed as teachers/special needs assistants (SNAs) whose posts are wholly funded by monies provided by the Oireachtas.

The regulations and procedures outlined in this circular are to be implemented by each employer with immediate effect and all staff other than persons employed as teachers/SNAs and must adhere to the terms of this circular.

This circular supersedes all previous circulars, memoranda, rules regulations and arrangements in relation to study and examination leave for all staff other than persons employed as teachers/SNAs in ETBs.

Please ensure that copies of this circular are brought to the attention of all grades of staff other than those employed as teachers/SNAs in your employment including those on leave of absence.

Queries should be sent in the first instance to [hr@etbi.ie](mailto:hr@etbi.ie) for collation and forwarded to Department of Education where appropriate.

This Circular can be accessed on the Department's website under [www.gov.ie/education](http://www.gov.ie/education)

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Teresa McNeill  
Principal Officer  
ETB Financial and Administrative Personnel Unit  
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## **Study and Examinations Leave for staff other than persons employed as Teachers/SNAs**

### **Definitions:**

For the purposes of this scheme the following circular shall have the meanings assigned to them here unless the context indicates otherwise:

**The Department** – means the Department of Education.

**Employer** – means an Education and Training Board.

**Employee** – means a member of staff of an ETB other than persons employed as a teacher/SNA, in receipt of salary under a permanent contract, contract of indefinite duration (CID), or fixed-term contract as defined in the Protection of Employees (Fixed Term Work) Act 2003.



## **1. General Information**

- 1.1 The prior approval of the employer must be sought and granted for all absences under this circular.
- 1.2 Each employer shall develop and maintain as part of an overall absence policy on employee absences, a policy statement specific to the needs of the organisation in relation to the approval of study and examination leave and provide that the costs can be accommodated within the ETB's CPD budget.
- 1.3 In drawing up this policy, the operational needs of the employer shall take precedence over all other considerations and absences should be kept to a minimum to avoid disruption to service provision.
- 1.4 Any absence without the approval of the employer will be regarded as unapproved leave, will be dealt with under disciplinary procedures and could lead to the cessation of salary.
- 1.5 Approved absences shall not extend beyond the duration of the employee's contract of employment.
- 1.6 Deductions for a day of unpaid absence should be calculated at a rate of one-fifth of weekly pay.

## **2. Paid Study Leave**

- 2.1 Study leave may be granted to employees who are undertaking further education and development. The granting of paid study leave and paid examination leave will be subject to the regulations of the granting of leave generally.

### **2.2 Eligibility**

Employees pursuing, in their own time, further or higher education courses for qualifications which are accepted by the ETB as being of direct benefit to the employee in the performance of his/her official duties in current and future roles, may be allowed study leave with pay during the course.

### **2.3 Entitlement**

**Further Education or Level 6 Course**



- a) Three days for each year of a further education or Level 6 course (as per the National Qualifications Framework), subject to a maximum of ten days overall.

#### Primary or undergraduate/post graduate degree course

- b) Five days in respect each year of a primary or undergraduate/post graduate degree.
- c) Ten days in respect of the final year only of a third level primary or under-graduate/post graduate degree.
- d) The ETB may also grant an additional 2 days in each year of the course, exclusive of the normal 5 days study leave, in order to facilitate compulsory attendance at residential schools in partial fulfillment of the requirements for the attainment of a degree by distance learning; these additional days may be granted only in respect of days on which the officer is scheduled for duty;
- e) Employees may be allowed carry forward up to five days paid study leave from the second last year to the last year of a course.
- f) Employees not attending/undertaking the whole course (i.e part-time employment) in a given year will have said study leave reduced pro-rata.
- g) Study leave for employees availing of work-sharing arrangements will apply on a pro-rata basis.
- h) Paid study leave will not be allowable for a year when an examination has to be repeated.
- i) The course for which paid study leave is being sought must be for at least one academic year's duration.

The references above to "each year of the course" should be interpreted as covering only the normal length of the course as defined by the appropriate academic institution, which is not necessarily the same as the length of time taken by the person to complete the course. For example, if an officer is following a two-year course but avails of options to spread the modules over a period longer than two years, the maximum amount of paid study leave available to that officer over the period is ten days.

### **3. Paid Examination Leave**

- 3.1 Examination Leave with pay will be allowed for sitting examinations for courses for which paid study leave has been approved.

- 3.2 Entitlement



- a) The period of paid absence should be limited in each case to the day(s)/half-day(s) which are actually and necessarily spent at the examinations.
- b) Paid examination leave will not be granted where an examination has to be repeated.

#### **4. Unpaid Study Leave and Unpaid Examination Leave**

4.1 Unpaid study leave may be granted to employees who are undertaking further education and development. The granting of unpaid study leave and unpaid examination leave will be subject to the regulations of the granting of leave generally.

##### **4.2 Eligibility/Entitlement**

- a) Unpaid study leave may be taken for up to three months for study or other purposes directly relevant to the course being pursued.
- b) The decision to grant unpaid study leave rests with the Chief Executive of the ETB.
- c) Employees who wish to pursue courses which involve regular or continuous absence from official duties may be facilitated under the career break or work-sharing schemes, subject to the terms prevailing at the time.
- d) An eligible employee may be granted up to one academic year to enable them to pursue a postgraduate course or specialised course of study, provided the Chief Executive of the ETB is satisfied that the course will be of direct benefit to the employee in the performance of their official duties, and provided a reasonable period of service has already been given by the officer in their present grade.

#### **5. Further Information**

5.1 In accordance with the introductory paragraph, the regulations and procedures in this circular are to be implemented by the employer. Therefore all queries should be initially brought to the attention of the employee's HR Unit.