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23<sup>rd</sup> September 2020

Ms Norma Foley, T.D.  
Minister for Education & Skills  
Department of Education & Skills  
Marlborough Street  
Dublin 1

Dear Minister,

We write to you on behalf of the 20,000 members of the TUI to request that you meet with us as a matter of extreme urgency in relation to the proposed manner of release of data relating to a student's placement in the rank ordering provided by schools under the calculated grades process.

As you know, the clear preference of the Teachers' Union of Ireland (TUI) was always that the written Leaving Certificate examinations would proceed. However, the Union, recognising that this was not possible due to the public health emergency, engaged fully, positively and collaboratively with your Department and the other relevant agencies and partners in the common effort to devise and implement a credible and reliable process to replace the 2020 Leaving Certificate examinations.

We did so on a good faith basis and, in that context, sought and received from your Department and your predecessor as Minister certain assurances and understandings. One such assurance was that the student ranking provided by a school would be available to a student only in response to a data access request.

That assurance provided a very modest level of protection for our members - and, more importantly, for their students - against the inappropriate dissemination of data. Without it, we would not have been able to participate in and/or endorse the calculated grades process.

In this regard, it is worth noting that FAQs outlining this assurance were formally sent to and endorsed by your Department before they were posted on the TUI website.

As you are doubtless aware, ranking students in the manner required under the Calculated Grades process runs completely counter to the values of inclusive education and would not have been countenanced by our members in normal circumstances. It was only agreed to by our members, on an exceptional basis, on the understanding that it was a technical requirement to improve the accuracy of the data collected and would not be released in the manner now proposed by your Department.

Your Department has now signalled its intention to break the agreement that it entered into with this Union and the other partners. This fundamental breach of trust by the Department - and by you as Minister - is perceived by teachers as a cynical betrayal. Moreover, it is a betrayal that shows a disregard for vulnerable students and will severely damage the relationships that are central to our school communities - those between teachers and students and between teachers and parents/guardians.

We can see very serious issues arising for vulnerable students and their families if the class ranking information is released (on Monday 28<sup>th</sup> September) in the manner now proposed.

It will reinforce stereotyping and stigmatisation, embedding disadvantage. It will expose as a hypocrisy the Department's claim to cherish and foster inclusion. It will serve no useful, practical or moral purpose. (The administrative convenience of the Department is not a moral purpose.)

The proposed manner of release will inevitably result in the personal data of many students being inferred or deduced by others and being circulated without their knowledge. Imagine, if you will, Minister the distress that this will cause to the most marginalized and vulnerable.

Your Department, whether intentionally or not, will be facilitating cyber-shaming and trolling.

Moreover, it will inevitably give rise to the belief among our members that your Department is not to be trusted in any of its dealings with TUI and this will make future trust-based collaboration extremely difficult.

You, Minister, still have an opportunity - and the authority - to avert the present danger by addressing our concerns. We would ask you to honour the agreement made by your Department that the student ranking provided by a school would be available to a student only in response to a data access request. This would both protect our students and help to restore the relationship of trust between your Department and our members, the teachers.

We look forward to your response.

Yours sincerely,



Martin Marjoram  
President



Michael Gillespie  
General Secretary