

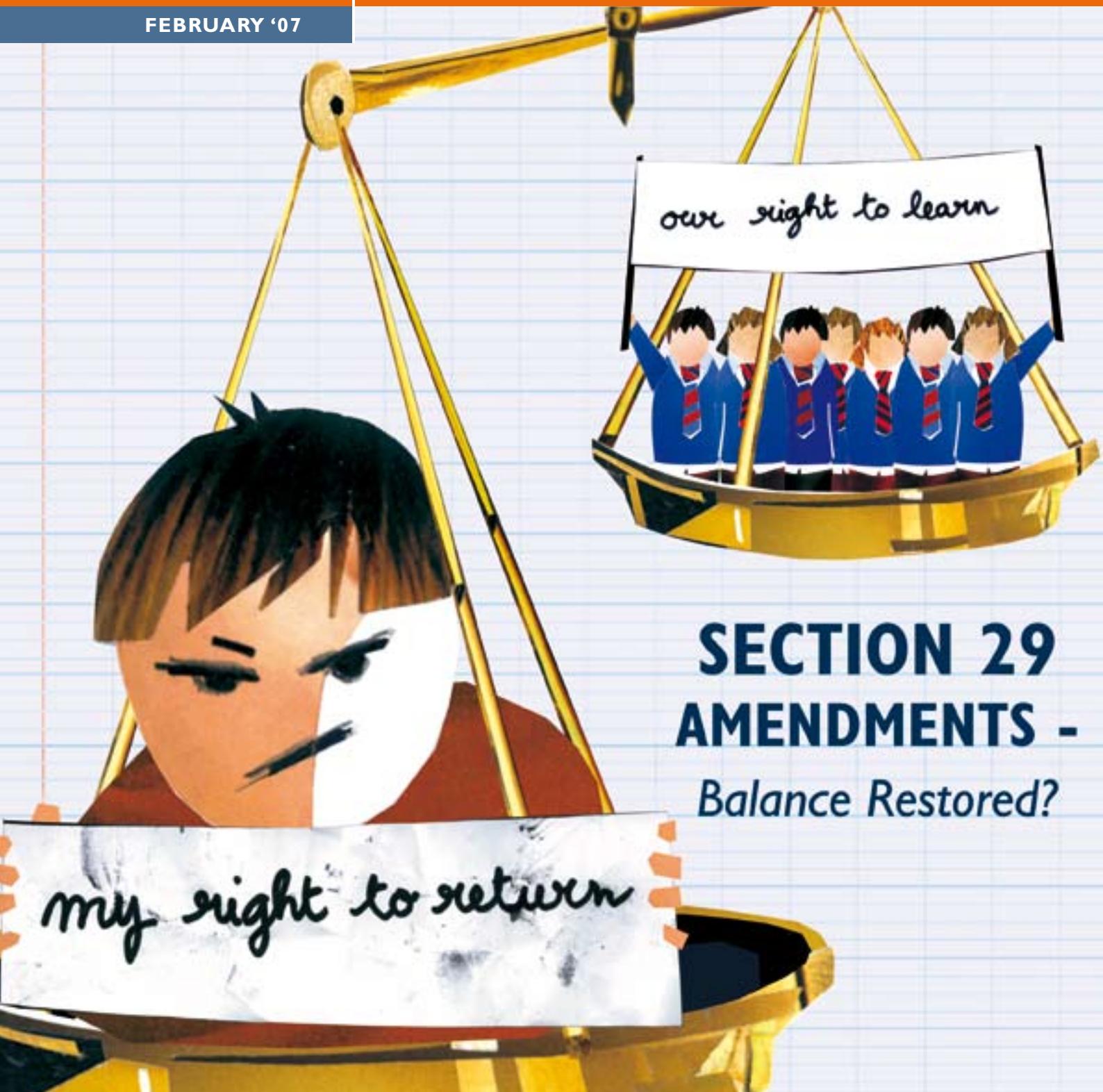


news

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FEBRUARY '07

TEACHERS' UNION OF IRELAND / AONTAS MÚINTEOIRÍ ÉIREANN



SECTION 29 AMENDMENTS -

Balance Restored?

Education Bill 2007 Published
Teaching Council • Employee Assistance Service

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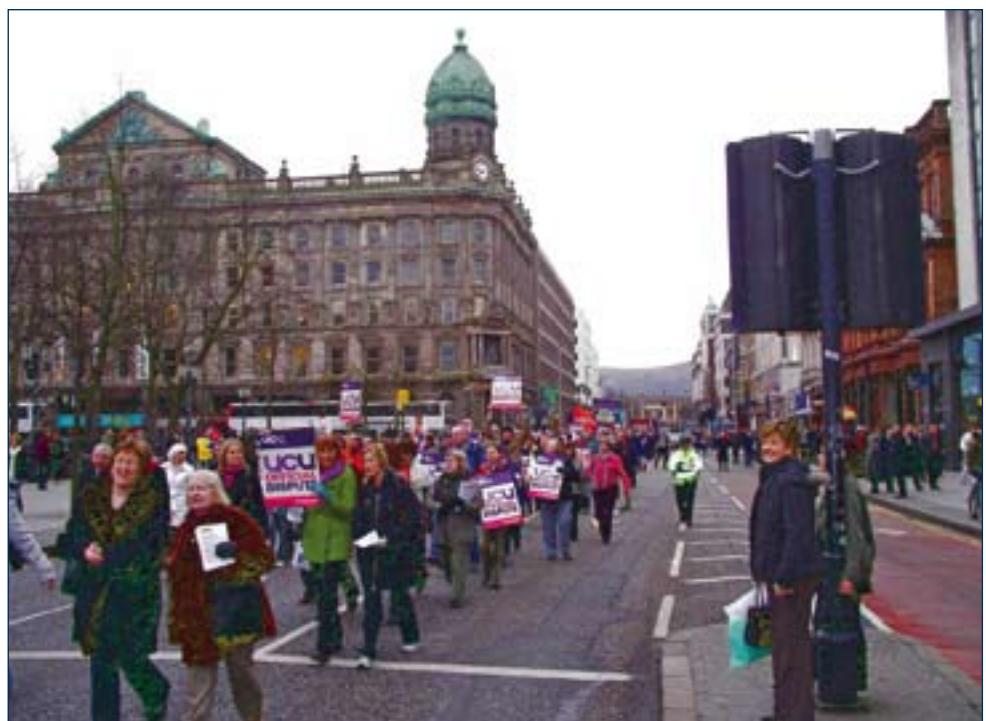
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TUI GENERAL SECRETARY JIM DORNEY RECENTLY VISITED BELFAST TO DEMONSTRATE SOLIDARITY WITH THE UNIVERSITY AND COLLEGE UNION, WHO WERE STAGING A RALLY AND STRIKE IN A CAMPAIGN FOR PAY PARITY WITH SCHOOL TEACHERS. FE LECTURERS ARE PAID £3421 LESS PER ANNUM THAN MOST SCHOOL TEACHERS FOR DOING SIMILAR WORK.



CITY CENTRE MARCH.

A Word From The President

TIM O'MEARA, PRESIDENT



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In this General Election year, public representatives will soon, if they are not already, be engaged in full scale canvassing campaigns across the country in advance of polling day.

There is no better time for voters to remind their public representatives of the deficiencies and problem areas which exist within our education system.

Provision for students with special needs must be increased as a matter of urgency. It is shameful that in 2006 so many schools had to turn to the St. Vincent de Paul society to fund psychological assessments for over 1,000 disadvantaged students, as a shocking Irish Examiner report revealed in January. An increase in the number of psychologists was announced the following day by the Department, but this falls short of what TUI believes is necessary to positively impact on the problem.

A large increase in teachers is needed to deal with the staggering rise in the number of international students in our schools. It is not right or acceptable that a maximum of two additional teachers are available to a school, regardless of the number of international students.

Appropriate structures for PLC colleges are also long overdue. Recommendations from the report carried out by McIver Consultants need to be implemented to allow this sector to develop as similar sectors have in other countries. Talks have taken place and we anxiously await the "concrete proposals" mentioned in the Towards 2016 agreement.

We are pleased to announce that Higher Education and Training Awards Council (HETAC) has been reconstituted and on the reconstituted body two prominent members of the TUI have been nominated. Margaret Duignan, Dublin Colleges Branch and currently member of the Executive Committee and National Honorary Secretary has been nominated by the Irish Congress of Trade Unions. The other member, Marion Palmer, Dun Laoghaire Institute of Art, Design and Technology, is a recent Chair of the Branch in that Institute as well as having held other offices in the Branch. While recognising the ability and the commitment of the persons nominated TUI believes that as major player in both of these sectors we as a body should have nominating rights and not be dependent on others.

Retiring from the Council following its reconstitution is Ed Riordan. Ed, a former President of the Union and currently Assistant Registrar in Cork Institute of Technology. We would like to acknowledge the work done by Ed in this position.

Overall, funding for all of education needs to be increased radically to reflect our status as a forward thinking, socially conscious nation with unprecedented wealth.

We welcome the recent publication of the new Education Bill 2007, particularly the creation of an appeals committee, which we hope will affirm the rights of all students to learn and teachers to teach in a school. This provision is long overdue.

However, we are disappointed that there is no mechanism for the appeals committee to look at the reasonable efforts made by a student who finds himself or herself facing possible suspension or expulsion.

Also, we believe that the issue of appeals being upheld on a technicality should have been addressed. We will continue to closely monitor this vital issue.

With regard to the recent launch of the National Development Plan, we welcome the provision of €5.1b the Government proposes to spend on primary and secondary schools. It is unclear at present exactly how this will be spent, but it is vital that this investment be targeted at those areas which are most badly in need of funding.

The 500,000th FETAC Award was recently presented at a ceremony in Croke Park. Much of the success of this awards programme is a tribute to the providers of such courses in PLC colleges around the country. Long may its success in promoting lifelong education continue.

Discussions have begun in relation to redeployment and procedures for dealing with teacher experiencing professional difficulties. TUI will be taking a strong line in these negotiations to protect the collegiate way that schools have operated very successfully in the past and will resist any attempt to introduce an industrial style management to our schools.

A handwritten signature in blue ink that reads "Tim O'Meara".

Redressing the Balance?

Section 29 Amendments Fall Short of TUI's Expectations

Following extensive lobbying by TUI, Minister for Education and Science Mary Hanafin has published a new Bill which loftily “seeks to provide for a balancing of rights between a pupil who appeals an expulsion or suspension alongside the rights of the majority of students to learn in the classroom and the right of teachers to be able to teach in a learning environment.” The setting of one pupil’s rights within the context of the rights of all the other partners was espoused by the TUI in our April 2004 policy paper.

TUI welcomes the publication of the Education (Miscellaneous Provisions) Bill 2007, but the union has serious concerns that the changes do not go far enough in fully redressing the imbalance of rights between the disruptive pupil and the rest of the whole school community.

A number of procedural changes to section 29 of the Education Act 1998 are contained in the bill. This section of the Act relates directly to the appeals process.

Firstly, it amends **section 29(4)** to allow an appeals committee to consider a range of factors in appeals relating to expulsion and suspension: The factors are: the educational interests of the student taking the appeal; the educational interests of other students in the school, the nature scale and extent of the students behaviour, the reasonableness of efforts made by the school; the safety, health and welfare of the teachers and students; the school’s policies, code of behaviour and extent to which it complies with any issued guidelines; statutory duties of schools and any other relevant matters.

Secondly, it extends **section 29(1)(c)** to encompass situations in which a child has been refused enrolment to an all-Irish division or class of a school.

Thirdly, it makes provision for the Minister to determine procedures under which the Secretary General may request information from the parties to an appeal and require submission of information within stipulated time-frames.

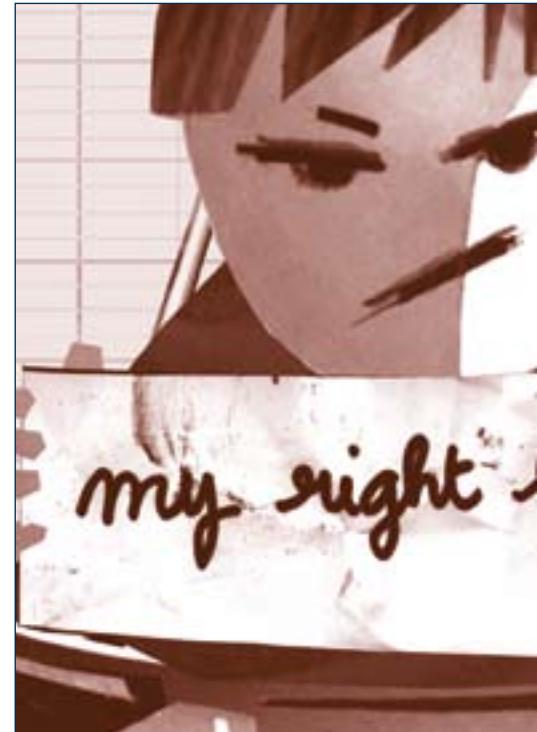
Fourthly, it allows for an appeals committee to refuse to hear appeals which are frivolous, vexatious, an abuse of process and to draw inferences from the failure of parties to an appeal to comply with requirements made of it.

Fifthly, it replaces **section 29(4)(A)** – which was inserted by section 26 of the Education (Welfare) Act 2000 - to instead make provision for both the National Educational Welfare Board (NEWB) and/or the National Council for Special Education (NCSE) to make submissions to an appeals committee.

Section 4 also makes provision to ensure that an appeals committee does not exercise an appellate function from a decision made under section 10 of the Education for Persons with Special Educational Needs Act 2004 and vice versa.

It is important to state from the outset that it has been TUI’s long held view that **Section 29** of the Education Bill has severely inhibited schools in following through with the implementation of their own codes of conduct.

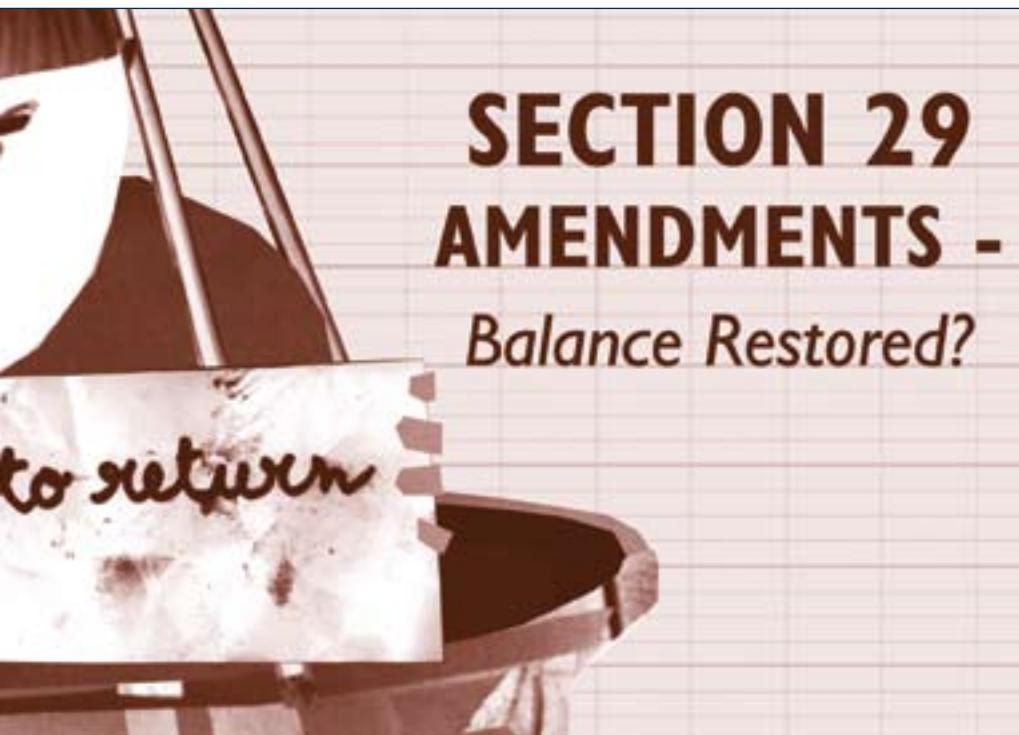
It should also go without saying that TUI does not advocate summary



suspension or expulsion of students. On the contrary, the union holds the view that such sanctions should only be used following the exhaustion of a hierarchy of measures.

Schools are not, and have never been, ‘trigger-happy’ with regard to suspensions and expulsions. However, it is high time that they were provided with the power to act effectively against those students who wilfully and continually ignore repeated entreaties to respect the simple and basic tenets of behaviour set out in their school’s code of behaviour while often risking the health and safety of other pupils and staff in the process.

Decisions to suspend or expel pupils are usually taken in complete exasperation with the pupils’ and parents’ refusals to heed repeated requests for changed behaviour. Every opportunity is offered to pupils who continually rip up the school



SECTION 29 AMENDMENTS - *Balance Restored?*

rule book, to put things right. Pupils are not taught on an individual basis, they are taught in classes of many. Their conduct if continually disruptive, robs the right to learn of other pupils who do not misbehave in any significant way.

The union welcomes the measures announced by the Minister, but we have serious reservations that she has not gone far enough to ensure a level playing field for every member of the school community.

- We are concerned that there is no explicit mention of TUI's demand that an appeals panel should not normally recommend reinstatement of pupils in cases which involve violence or threats of violence against pupils or staff. The Department for Education and Skills in Britain has already introduced such guidelines. It follows that an appeals panels should – as in the UK – include serving teachers.

- Also, there is no insurance in the amendments that pupils should not be reinstated solely on technicalities or procedural grounds. This has been a consistent failing of the appeals process since its introduction. It is as frustrating as it is baffling that this has not been addressed.

At a briefing meeting with the Department, TUI advocated that the charter of rights and responsibilities recommended by the Task Force be established, in a similar vein to education law in Spain and Canada. Such a move would enunciate the responsibilities of pupils in their own learning – a hugely successful development in other jurisdictions.

TUI also believes that, as in Northern Ireland, an appeals board should be required, in their terms of reference, to have regard to the interests of teachers when making

decisions on individual pupils' appeals.

Although a very welcome change, these measures are not as comprehensive as we consider necessary to improve the learning environment in all schools.

Finally, TUI's concern with the appeals process has never been an over-riding concern. In many ways, we see the appeals process as an 'after-the-event' issue. It is only one of a number of responses required to foster positive behaviour, interventions aimed at obviating recourse to suspension and expulsion – interventions designed to help pupils stay in school, learning purposefully.

Such measures should include:

- a Behaviour Support Service capable of providing intensive support to individual children on a case-management basis, through the assignment of a key worker
- a national programme of specialised training for teachers in areas related to student behaviour
- a charter of rights and responsibilities
- the development of a range of alternative educational and training programmes for students not suited to return to mainstream schooling
- an induction module for all first year pupils related to schools' codes of behaviour and in-school processes.

We continue to seek the implementation in full of the Task Force's recommendations and hope, to borrow the terminology of Dr. Maeve Martin, that they do not suffer 'the fate of non-implementation'.

Current Issues

On January 25th 2007 TUI entered into discussions with the Department of Education and Science over difficulties in relation to teacher performance as provided for in Towards 2016. The relevant extract from the agreement is set out below.

Difficulties In Relation To Teacher Performance

31.6 It is recognised that the vast majority of teachers fulfil their teaching function and professional duties adequately and well. The reputation of the Irish Education System, both nationally and internationally, attests to the dedication, skill and competence of Irish teachers generally. The parties acknowledge that there are, as in all professions, a small number of under-performing personnel in schools.

31.7 Section 24(3) of the Education Act, 1998 provides that a board of management of a school may suspend or dismiss teachers in accordance with procedures agreed from time to time between the Minister, the patron of the school, recognised school management organisations and any recognised trade union representing teachers.

31.8 The parties are agreed that it is timely to review and revise existing procedures. Discussions in that regard shall commence under this agreement and new procedures will be agreed in time for implementation with effect from the commencement of the 2007/2008 school year.

31.9 The parties agree that an issue to be considered in the discussions is the provision of assistance where appropriate to teachers who are experiencing professional difficulties.

31.10 The parties further note that the provisions of Section 24 do not apply to teachers of a school established by a vocational education committee. This means that sequential discussions will be required in that sector on revisions to procedures in that sector that will have regard to the discussions and developments in relation to other teachers.

31.11 The procedures to be agreed will be without prejudice to the role and function of the Teaching Council in relation to the issue of fitness to teach.

These discussions are under the auspices of the Teachers' Conciliation Council.

Surplus Teachers

On January 23rd 2007 TUI entered into discussions with the Department of Education regarding the redeployment of surplus teachers, as set out in Section 31 of Towards 2016.

Surplus Teachers

31.13 The parties recognise that the effective use of resources is essential for the provision of high quality public services. The parties are agreed that in relation to how teachers are allocated to schools effective and efficient arrangements for the redeployment of teachers are essential to deal with situations where teachers are surplus to the requirements of individual schools. This can arise where there is a fall in enrolments in general, where changes occur in relation to the provision of particular courses/subjects and/or where schools close.

31.14 In particular the parties note that at present there are no procedures for the redeployment of teachers in community and comprehensive schools.

31.15 The parties have agreed to enter into discussions to agree new arrangements in relation to the redeployment of teachers by 31 December 2006 so that the new arrangements can operate in respect of the 2007/2008 school year.

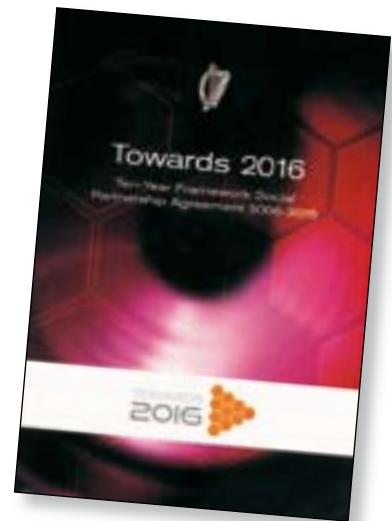
31.16 In the case of primary schools the existing panel arrangements will be reviewed to increase their flexibility and operation.

31.17 In the case of post-primary schools the new arrangements will provide for redeployment of all teachers within an agreed distance on terms to be agreed. The discussions will aim to give teachers the maximum choice and options of alternative employment provided vacancies exist. The operation of the revised arrangements will ensure that all teachers who are surplus because of school closure, changing enrolments in their own school or changed course/subject provision are redeployed to meet the subject/course requirements of other schools.

These discussions are also under the auspices of the Teachers' Conciliation Council.

PLC Sector

On 19th December last discussions



commenced with the Department of Education and Science and the management bodies in relation to the implementation of the new arrangements in the PLC sector as set out below in Towards 2016.

"Having regard to developments in the PLC sector, including the McIver report, concrete prioritised proposals in relation to PLC provision and focused in particular on the larger PLC providers will be prepared and will be the subject of further negotiations between management and unions. The level of resources for the PLC sector will be determined in the light of resources generally and the implications for other areas of education. The union side will engage positively in relation to commitments on future working arrangements and developments in the sector. Student numbers will be subject to audit on an ongoing basis. The scope for rationalisation of provision will also be examined having due regard to ensuring appropriate provision on a geographic basis and the necessary critical mass for delivery of a quality education service."

Discussions are again under the auspices of the Teachers' Conciliation Council and are confidential. It was therefore regrettable that the substance of these discussions should have been repeated in the Irish Times and Irish Independent on 30/1/07. This is a clear breach of the scheme of arbitration and conciliation.

Notice Board

DORMANT ACCOUNTS – GRANTS FOR SCHOOLS

Closing Date: 1 March 2007

The Minister of Education and Science has announced details of the Dormant Accounts (Educational Disadvantage & Rapid Leverage Fund). On a once-off basis this will provide small scale capital grants for the enhancement of existing and provision of new Outdoor Play Areas, School Libraries, Dining Areas and Parent Rooms.

Eligible schools include schools in DEIS, schools located in RAPID areas and Special Schools. The Department issued notice of the scheme to schools in mid January.

Further details are available from the:

**Midland Regional Office, Department of Education and Science,
Friars Mill Road, Mullingar, Co. Westmeath**

Tel: 044 9337018 or 044 9337000

Email: midlandro@education.gov.ie

CAC MANAGEMENT GRADE ELECTIONS

The following two nominations were received in respect of the Lecturer (Structured) grade on CAC:

John Twohig, Cork Colleges

Eddie Nolan, Limerick Colleges

As there are only two valid nominations for two positions both are deemed elected.

The following two nominations were received in respect of the SL2 (Head of Department) grade on CAC:

Michael Casserly, Sligo Colleges

Richard Moody, Waterford Colleges

As there are only two valid nominations for two positions both are deemed elected.

In respect of the representative positions for the SL3 (Head of School) Grade no nominations were received.

The positions are therefore vacant and nominations have been sought from branches. The closing date for nominations is Monday 5th March 2007 at 5 pm. Original nominations must be received; fax or email is not acceptable.

LEONARDO DA VINCI MOBILITY

Leonardo Mobility is specifically aimed at increasing the mobility of trainees and trainers in initial vocational education and training. Funding requests are welcome from organisations involved with:

- **Trainees in Initial Vocational Training**
- **People in the Labour Market, including graduates**
- **Mobility of professional in Vocational Education and Training**

Deadline for Applications is **30 March 2007**

Further Information at www.leonardo-ireland.com

The European Schools



Are you interested in a job in Europe?

Would you like to teach in a European School?

The European Schools are a system of nursery, primary and secondary schools which serve the needs of children whose parents are officials of the EU Commission, European Parliament and other official European Institutions.

The schools are located in Brussels (three schools), Luxembourg (two schools), Bergen (the Netherlands), Alicante (Spain), Culham (United Kingdom), Frankfurt, Karlsruhe and Munich (Germany), Mol (Belgium) and Varese (Italy).

Further details may be found on the website of the European Schools, www.eurss.org

Each year the Department of Education & Science arranges for the secondment of teachers from Ireland to fill positions in the European Schools. Advertisements for positions commencing 1 September 2007 will appear in the national press and on the website of the Department of Education and Science in late February/early March 2007.

If you would like to receive information on vacancies at that time, please e-mail your details to eileen_mcguire@education.gov.ie or write to Eileen McGuire, International Section, Department of Education and Science, Marlborough Street, Dublin 1.



BT Young Scientist & Technology Exhibition 2007



MINISTER FOR EDUCATION & SCIENCE MARY HANAFIN T.D. WITH MIKE MALONEY COO OF BT IRELAND, PRESENTED THE RUNNER UP INDIVIDUAL AWARD TO CIARA MURPHY, FROM BEARA COMMUNITY SCHOOL, CORK, FOR HER PROJECT "HEARING LOSS IN TEENAGERS", AT THE BT YOUNG SCIENTIST & TECHNOLOGY EXHIBITION 2007, WHICH TOOK PLACE AT THE RDS.



MINISTER FOR EDUCATION & SCIENCE MARY HANAFIN T.D. WITH MIKE MALONEY COO OF BT IRELAND, PRESENTING THE BEST GROUP AWARD TO TIMOTHY SEBUS, BEN FINNEGAN AND JUSTIN CULLINAN, FROM MAYNOOTH POST PRIMARY SCHOOL, KILDARE, FOR THEIR PROJECT "HOW TO LAUNCH A RADIO STATION USING WEB TECHNOLOGY", AT THE BT YOUNG SCIENTIST & TECHNOLOGY EXHIBITION 2007, WHICH TOOK PLACE AT THE RDS.



Irish Aid

Department of Foreign Affairs
An Roinn Gnóthaí Eachtracha

CALL FOR TENDERS for the Production of

Development Education Teachers' Booklets

for Senior Cycle Specific Subjects based on the Joint Irish Aid/NCCA 'A Study of the Opportunities for Development Education at Senior Cycle' Report

Irish Aid is the Irish government's programme of assistance to developing countries, which is administered by the Department of Foreign Affairs. Irish Aid provides support for development education which is seen as having a crucial role in enlarging the Irish public's understanding of development issues and the underlying causes of poverty and underdevelopment in the world.

Irish Aid invites tenders from interested parties for the development and production of development education teachers' booklets for the following subjects at senior cycle.

- | | |
|---|---|
| <ul style="list-style-type: none"> ▶ English ▶ Biology ▶ Art | <ul style="list-style-type: none"> ▶ Modern languages ▶ Geography |
|---|---|

The production of these five resources, targeted at second level teachers, trainee teachers, teacher educators and development education practitioners, should be visually attractive, include sample lesson plans based on active learning and learner-centred approaches appropriate to the age group and contain a comprehensive resource list.

It is proposed that the development of the five booklets be based on the relevant subject sections within the Joint Irish Aid/NCCA 'A Study of the Opportunities for Development Education at Senior Cycle' report.

Copies of 'A Study of the Opportunities for Development Education at Senior Cycle' report are available from the Irish Aid website www.irishaid.gov.ie. Hard copies are also available on request.

The Terms of Reference for this tender are available from sean.creaney@dfa.ie

Tenders for the production of individual or a number of subject specific booklets will be considered.

The deadline for receipt of tenders is
5 pm Friday, 23 February 2007.

Congress 2007, Bundoran, Co Donegal

Golf Outing – Congress 2007

The golf outing at this year's TUI Congress will take place at Donegal Golf Club, Murvagh, outside Donegal Town and about a 15 min drive from Bundoran. Lying in the bosom of beautiful Donegal Bay and backed by the magnificent Blue Stack Mountains, Donegal Golf Links (or Murvagh Golf Club as it is also known) was designed by the master of Irish golf course architecture, Eddie Hackett. Following his designs at Connemara and Waterville Golf Links, the links at Donegal was his third such project and it was destined to be on a similarly grand scale as his two previous creations.

Configured in two loops of nine holes, Donegal Golf Links is often described as the Muirfield of Ireland and the course can provide a fearsome challenge when the wind rises, as is reflected in its standard scratch of 75. Isolated from the rest of the mainland by a thick mass of woodland, the site is spectacular by any standards. And as the designer recalled with a crushing simplicity "The greens are on natural sites, only the levels of some were adjusted by hand. All I had to do was to develop the course on what nature provided."

If you wish to participate in the golf outing at Congress please sign on Tuesday morning during registration. Numbers are strictly limited and tee off times will be allocated on a first come first served basis. Green fees of €30 are payable in advance.

Annual Congress 2007 – Bundoran, Co. Donegal

10th – 12th April 2007

CONGRESS CRÈCHE

A crèche under professional supervision will be provided in the Great Northern Hotel. Delegates who wish to avail of the crèche facilities should complete the official crèche form which may be obtained from the TUI website (www.tui.ie) or from:

Anne Shanle, St. Joseph's Traveller Training Centre,
Dublin Road, Carrick-on-Shannon, Co. Leitrim.

Mobile: **086-8538412** Email: annesoh@eircom.net

Completed forms should be returned to Anne **before 23rd February 2007**.

Please note that there is a late booking fee of €60 per child for children booked into the Crèche after the deadline of 23rd February 2007.

If you intend using the Crèche it is important that you let Anne know as soon as possible to ensure that the correct staffing ratio for the crèche can be put in place.

ANNUAL ELECTIONS

Vice-president

Congratulations to **Mr. Don Ryan**, Limerick City Schools Branch who has been elected unopposed for a second term as Vice-President.

Area Representatives

Nominations have been received for candidates in each of the following areas:

Area 2 Roscommon, Longford, Westmeath and Offaly.
Denis Magner, Co. Offaly Branch.

Area 4 Wexford, Co. Waterford, Waterford City, Tipperary S.R. and Kilkenny.
Tom Creedon, Waterford City Branch.

Area 6 Co. Dublin, Borough of Dun Laoghaire, **Michael Stanley**, Co. Dublin Branch.

Area 8 Co. Sligo, Leitrim and Donegal
Joseph O'Donnell, Co. Donegal Branch.

Area 10 Dublin City PP,
John Farrell, Dublin City PP Branch.

Area 12 Comm & Comp Schools in Counties Donegal, Galway, Leitrim, Longford, Mayo, Roscommon, Sligo, Westmeath.
Manus Brennan, Donegal C&C Branch.

Area 14 Comm & Comp Schools in Counties Carlow, Clare, Cork, Kerry, Kilkenny, Laois, Limerick, Offaly, Tipperary, Waterford, Wexford.
Bernie Ruane, Shannon Branch.

Area 16 Third Level Colleges – Dublin City
No nomination received to date.

Area 18 Third Level Colleges –
Donegal, Sligo, Leitrim, Longford, Roscommon, Westmeath.
Marie Hegarty, Donegal Colleges Branch.

As there is only one candidate for each vacancy, no elections will be held.

Congratulations are extended to all on their election!

Institute News



MARTIN DUFFY, RETIRING NATIONAL CO-ORDINATOR, NPF WITH MANAGEMENT CO CHAIR, STEPHEN MCFADDEN, HR MANAGER, DIT AND PETER MACMENAMIN, DEPUTY GENERAL SECRETARY, TUI.

Martin Duffy

The National Partnership Forum lost one of the strongest advocates of workplace partnership when Martin Duffy's contract was terminated at the end of December 2006. Martin had during his three years and eight months of employment with the Forum been continually advocating the need for an organised change management agenda involving full consultation and full information flow between all parties. During his period of employment he had been at least as often telling management that they were behaving in a non partnership manner as he was in telling Unions and in this regard his fairness was respected by all.

Since the Department of Education and Science withdrew funding from NPF at the beginning of 2006, all funding has come from the Institutes for administration by the NPF. This has been one of the weaknesses in the funding mechanism because as we have now seen, once the management want a change they can withdraw funding and then seek the change.

Martin moves on to develop his own career and has established his own consultancy. TUI News wishes him every success.

As the funders of the Partnership Project, IOT management has made a proposal to the Union for a radical restructuring of NPF. The proposal in brief is that the concept of a National Coordinator employed on a whole time basis is no longer proposed. The proposal is to replace this concept with that of "Independent Executive Chairperson" who would be employed on a consultancy basis as needs arise with an estimated level of work or some forty days per year.

This proposal in essence sees the abolition of the concept of the union and management Co Chairs. NPF has to date operated on the basis of there being Co Chairs, one from the Union side and one from the management side who alternately chaired meetings of the Forum, but more important worked as contact points for the Union and management side for the development and progression of work along with the National Coordinator. This triangle of National

Coordinator, Union and management Co Chairs was one which both worked on an operational basis and which was seen to work in that it gave both management and Unions direct involvement on a day to day basis where necessary with the National Coordinator. It further allowed each of the Co Chairs to make direct contact with their own side thus facilitating smooth operation.

Regrettably this new proposal was only presented to the National Forum very late in 2006. It was presented as a management proposal and it is perhaps ironic that there was no consultation and no partnership in the formulation of the very body which is charged with the development of partnership.

At a time when Institutes are facing very significant challenges; very significant changes which lie ahead and which both Union and management have a very strong interest that such changes would take place for the betterment and development of the Institutes that at such a time NPF is left in a relatively powerless situation and with no idea how it will develop over the coming period.

It must be clearly stated that this is a matter which has been discussed at length for in excess of a year at the NPF, however the absence of funding has prevented the significant decisions been taken. One is left to speculate as to why this situation has arisen.

The unions have agreed to participate in a working party of NPF to deal with the future structure and funding of NPF. Meanwhile NPF will continue to meet.

Two TUI Members on HETAC

The Higher Education and Training Awards Council (HETAC) has been reconstituted and on the reconstituted body two prominent members of the TUI have been nominated.

Margaret Duignan, Dublin Colleges Branch and currently member of the Executive Committee and National Honorary Secretary has been nominated by the Irish Congress of Trade Unions.

The other member, Marion Palmer, Dun Laoghaire Institute of Art, Design and Technology, recent Chair of the Branch in that Institute as well as having held other offices in the Branch. Marion has been nominated by the Minister for Education & Science Mary Hanafin TD as representative of employees in recognised institutions.

Retiring from the Council following its reconstitution is Ed Riordan. Ed, a former President of the Union and currently Assistant Registrar in Cork Institute of Technology. Ed served on the Council from its inception in 2000 and played an active role in the early developmental stages of the Council. His work is appreciated by the union.

TUI News wishes to acknowledge the work done by Ed Riordan and to wish every success to the TUI members as well as the entire Council in its forthcoming work.



MARGARET DUGNAN



MARION PALMER

HETAC Council Members

The Council of HETAC consists of a Chairperson and 14 members. The members are:

Professor W.J. (Séamus) Smyth Chairperson, HETAC	President Emeritus, NUI, Maynooth
Séamus Puirséil	Chief Executive, HETAC
Stan McHugh	Chief Executive, FETAC
Diarmuid Hegarty	Griffith College
Mary McGlynn	National Association of Principals and Deputy Principals
Finola Doyle-O'Neill	University College, Cork
Marion Coy	Galway-Mayo Institute of Technology
Michael Carmody	Institute of Technology, Tralee
Diarmuid O'Callaghan	Institute of Technology, Blanchardstown
Bernadette Farrell	Union of Students in Ireland
Marion Palmer	Dún Laoghaire Institute of Art, Design and Technology
Paddy Murray	Irish Business and Employers Confederation (IBEC)
Margaret Duignan	Irish Congress of Trade Unions (ICTU)

(Source – HETAC Website www.hetac.ie)

The HETAC Council members are appointed for a five-year term up to December 7, 2011.

PMDS Agreement

The agreement which was printed in the last edition of TUI News has now been signed off by the Management, both DIT and now finally by the Council of Directors.

This will now be circulated to branches for operation.

New Colleges Branch Established

The newest Branch in the TUI held its inaugural meeting on Tuesday 22nd of January 2007. The Branch which has been established by the Executive Committee in St. Angela's College, Loughgill, Sligo continues the long standing TUI branch structure of having branches specific to

the nature of the employment. For many years the members in St. Angela's were part of the Sligo Colleges Branch however as the college grew in size and diversity and the interests and needs of the members differed from those in the Institute of Technology, the members in St. Angela's requested that they be allowed to establish a branch. This request was supported first by the Sligo Colleges Branch and was readily agreed to by the Executive Committee.

The newly elected Branch Officers are:

Chair: Ursula O'Shea
Secretary: Helen McGloin
Treasurer: Ann Henry
Equality Officer: Susan Cartron

The Officers in St. Angela's have significant challenges ahead with the finalisation of contract negotiations being the first of these challenges. In this as in every other issue full support is committed by the Executive Committee.



ANN HENRY



HELEN MCGLOIN



TUI THIRD LEVEL TRAINING EVENT, ATHLONE HUDSON BAY HOTEL



Training Course

Sixteen Branch Officers from College Branches attended an intensive training course from the 17th to 19th January. The training course which is now becoming an annual event took place in the Hodson Bay Hotel, Athlone and all the indications are that the participants both enjoyed the three day course and benefited significantly from it.

Course trainers were Colm Long, Waterford Colleges Branch, Eddie Conlon, Dublin Colleges Branch, John McGabhann, Assistant General Secretary and Peter MacMenamin Deputy General Secretary.

The Executive Committee is very anxious to increase the availability of training, however the inevitable time problem keeps arising. It appears that this time, mid January is a time which works for Branch Officers in that each of the courses over the past three years have been over subscribed at that time of the year. [Courses are limited to sixteen participants.]

However the Executive has also found that any attempt to hold courses at other times of the year leads to significant under subscription with no more than 4 or 5 applicants. Ideas in this regard would be welcome as it is recognised by the Executive Committee that there is an enormous need for training of voluntary officers particularly in the Higher Education Institutes where they are dealing with qualified professional human resource staff.



TUI THIRD LEVEL TRAINING EVENT, ATHLONE HUDSON BAY HOTEL

IR Forum Matters

Things have not been going well down at the Forum. A number of claims which TUI believes are good and valid claims have been rejected or have reached an extreme level of difficulty.

The Union's Claim for All Lecturer

is to move to the grade of Lecturer was being discussed on a very positive basis and there were high hopes that it may have led to a satisfactory conclusion.

These discussions have now reached a state where it is extremely unlikely that any progress can be made in the matter.

Additional SLI(T) Claim

The Union had claimed several years ago an additional number of Senior Lecturer 1 Teaching posts for each Institute. This claim was acknowledged as being a valid claim. In making the claim the Union pointed out the significantly low level of Senior Lecturer posts in Institutes of Technology by comparison with Higher Education Institutions.

The Union has been told now however that no offer in respect of additional Senior Lecturer 1 Teaching posts will be made to the Union until such time as the Union agrees the Action Plan under Towards 2016.

This is seen by the Union as being an outrageous and negative development. It is clear and has been made even clearer in the recent past that no member of an Academic Grade represented by TUI will get the pay increases provided for under Towards 2016 until such time as the Action Plan is agreed.

It now appears that the Institutes and the students are to be made to suffer for this. It is clear that the allocation of further SL1Teaching posts is seen by both the management and the Department of Education and Science as being a benefit to the Institutes in that it provides a greater level of higher level posts and consequently higher level work. To punish the Institutes and in doing so the students because of a legitimate stance taken by TUI is to put at its mildest "strange".

PE Funding Package

Late last year the Education Minister released details of a funding package promising €2,000 for every primary school towards the costs of replacing and upgrading PE equipment schools.

The INTO has already indicated that much more substantial investment is required if the PE curriculum is to be implemented.

The announcement of a parallel package for post-primary schools is expected in the coming months.

The TUI has written to the Minister welcoming the initiative but indicating that significant higher investment is required if the measure is to have any real effect. Adequate funding is essential to ensure that schools have ready access to the basic facilities, equipment and materials necessary to

- promote active and healthy lifestyles among young people – increasingly important in modern times
- deliver the subject to exam level
- ensure a safe environment for students and teachers alike.

TUI will consider the issue with the other teacher unions, particularly the ASTI, and will be making further representations to the Minister on the matter. Comments are welcome and should be forwarded to TUI Head Office via your Area Representative or by email to showard@tui.ie

The Back To Education Initiative – Part-time Programme (BTEI)

The BTEI (Part-Time Programmes) has been in place since 2002. The primary aim of the Initiative is to increase the participation of young people and adults with less than upper second level education in a range of flexible learning opportunities. To date the Initiative can claim a high level of success with data for 2005 indicating that 22,000 learners were taking part in courses annually. Many of these have special needs of one kind or another, for example Travellers, those with a disability or drug users demanding specialised responses and a good deal of flexibility and innovation from local co-ordinators and teachers.

In 2006, the Further Education Development Unit, that co-ordinates national implementation on behalf of the Department of Education and Science circulated a discussion document on the Initiative. The document outlines trends in provision and the main issues emerging from a series of meetings held with local providers during 2005 and 2006. Particular consideration was given to Outreach, Pre-development and Community Based Provision; Targeting Special Interest Groups; Course Provision; Partnership and Interagency Relationships; Supports (for Learners) and Local Co-ordination Strategies. A number of recommendations for future developments were made, some of which are currently being progressed by the Further Education

Development Unit in consultation with the IVEA and VECs.

Most of the courses delivered under the BTEI are provided through the VEC sector. A small number of C&C schools and Voluntary Secondary Schools are also involved in delivery. Therefore, many of those involved in managing and co-ordinating the Initiative and delivering courses at local level are members of the TUI. In my previous role as Co-ordinator of Further Education Development I shared responsibility for national implementation of the BTEI with Mary Kett and co-authored the discussion document (which has been sent to all branch representatives). I have a wide knowledge and understanding and the Initiative, its successes and weaknesses and its strong potential for future development, in order that the TUI can raise issues of particular concern to its membership with the Department of Education and Science and the IVEA comments from TUI branches or individual members are invited. These should be identified under three headings Pay and Conditions; Funding Issues; General Policies and Guidelines and forwarded for my attention by the 26th February 2007.

Bernie Judge, Education and Research Officer
bjudge@tui.ie



AT THE AGM OF THE LIMERICK TEACHER COMMUNITY SCHOOLS' BRANCH WHICH TOOK PLACE AT THE CO LIMERICK GOLF CLUB WERE: TONY KEARNEY, MAEVE HICKEY, ELEANOR MORRISSEY, NIAMH O' TOOLE, MARY O' MEARA, GERRY COOKE, TIM O' MEARA (TUI PRESIDENT), JOE FARRELL, TOM MOLONEY, WILLIAM O' CONNELL AND SEAMUS DOLLERY.

Employment Assistance Service – An Update

The Employment Assistance Service was launched last November, and is open to educational personnel in primary and post-primary education, further education colleges and other centres whose posts are funded under the Department of Education and Science.

Teachers, principals, guidance counsellors, centre co-ordinators and their spouse or partners and their children above the age of 16 can use this service.

The service provides quick access and easy to emotional support and personnel counselling on work related issues, family issues, emotional concerns and relationship difficulties.

Given the early stage of implementation, data available at this moment is limited. However the number of initial queries, 285 - which may include repeat queries - to the service between October and December 2006 indicates shows a healthy level of interest. 52% of queries in this period were from teachers, 7% were from principals and 41% did not disclose the nature of their positions.

Contact can be made with the service at any time as the phone lines and e-mail are open 24 hours a day and 365 days a year. First access is generally to the Irish call centre but some members have got through to a call centre in America and found this 'off putting'. On seeking clarification on this the TUI has been advised that if all lines are busy, rather than putting calls through to an answering machine, the caller is diverted to a call centre in America.

If this happens users should not be discouraged from further engagement as follow on contact should not elicit the same response. However, users of the service are invited to keep the TUI us informed of any issues they have in this regard over time.

There is no requirement to be a member of VHI to avail of the scheme. VHI Corporate Solutions is a separate identity to the VHI and there is no relationship between membership of VHI medical insurance and eligibility to access the Employment Assistance Service which is free to those who wish to avail of it.

The unions have proposed to the Department that retired teachers should have access to the service for some time after retirement. Consideration is given to this and the Department has assured that if an individual is accessing the service on retirement they may continue to avail of the service within the overall guidelines.

The unions have been assured that those providing the counselling and support to those who engage with it are appropriately trained and qualified counsellors and psychotherapists. Confidentiality is guaranteed in keeping with good practise within all professional counselling services. An adhoc liaison committee, involving the teacher unions, is currently advising

the Department on issues related to the management and operation of the service. At a later point a more formal steering committee will be established. Comments and feedback on the service are most welcome via your local branch, area representative or directly to Bernie Judge, Education and Research Officer is responsible for liaising with the Department on this matter.

Your contributions will be treated in the strictest confidence and will be vital in terms of ensuring that the service develops in a manner that commands the respect and trust of those using it meets the needs of the TUI membership.

Contact the EAS at Freephone 1800411057 or eas@vhics.ie

B Judge – January 2007.

Infinity Project Launched



STUDENT KUNLE OYATERU, USES THE INFINITY PROJECT TO EXPLAIN IMAGE PROCESSING TO TOM KITT TD, MINISTER FOR STATE AND GOVERNMENT CHIEF WHIP.

An innovative hands-on programme relating to maths and science has reached Ireland, the first country outside the US to introduce the programme.

The Infinity Project makes it impossible for a student to say, "why do I need to learn this", according to Michael Tully (Project Director) of the Dublin Institute of Technology.

The nine-module course describes the maths and science connected to everyday devices. Learning about sound waves produced by a favorite song allows an introduction to the trigonometry that describes sine waves. Use of an MP3 player is connected to the data compression techniques that enable thousands of songs to fit on a device little bigger than a credit card. Digital images are used as a platform to explain binary numbers and matrices. Students learn to communicate securely with each other over the internet using information coding.

The Infinity Project, the first of its kind,

enables schools bring the maths and science fundamentals of the information revolution into classrooms and is now taught in schools in 32 states.

The programme which originated in Southern Methodist University, Dallas was designed by leading US educational experts and its curriculum has taken specific areas of modern digital technology and linked them to applications in students own daily lives.

The Project also sharpens mathematical and science based problem-solving skills and encourages students to be innovative and to develop a logical thinking process.

The curriculum is significantly enhanced by many hands-on experiments that are carefully integrated with the classroom material. This is achieved with a digital signal processor circuit board which is controlled by computer software designed specifically for the project. The curriculum material is presented in a

purpose written textbook and delivered using a customised PowerPoint presentation.

The first phase of the Infinity Project in Ireland began in June 2005 when a number of maths and science teachers nationwide attended training in the School Electronic and Communications Engineering, DIT, Kevin Street.

Since that time over seventy schools have shown serious interest in the Project and eighty teachers have attended training. The teachers attended at their own expense and in their own time, a true testimony to their dedication and the strength of the Project.

The second phase is to introduce the Project into transition year in secondary schools across the country.

A proposal to fund a pilot programme has been submitted to the Department of Education & Science.

The Infinity Project was officially launched in Ireland by Professor Brian Norton, President DIT in November 2006.

For further information
<http://www.electronics.dit.ie/infinity/>

State Examinations Issues

Each year a number of meetings are held between the State Examinations Commission (SEC) and the teacher unions (TUI and ASTI) to consider issues of interest and concern to their members. The last meeting was held in December and the main issues considered and outcomes are outlined below.

Payments, Advances, Fees and Returns

- The SEC has agreed to the application of the June 2006 and December 2006 general pay increases (2.5% and 3%) to the 2006 rate. In order to avoid undue delays in payments examiners should process claims through the Advising Examiner (who must confirm the claim) rather than sending them directly to the SEC. Claims should also be made each year as it is the policy of the SEC to finalise payments for the current years before processing back years. 99% of all examinations related payments are now processed by electronic fund. A detailed payslip also issues as will a letter advising contract staff of any overpayment. The SEC is to bring a proposal in respect of advances to the unions early in 2007 for consideration and agreed to consider the general issue of delays in payments and any individual cases that arise.
- Because of a reduction from 12 to 5 in the number of practical applications to be completed by candidates, the fee for marking the Coursework Journal has been reduced to €22 (at 2006 rates). General pay round increases will be applicable.
- It was agreed that a review of the rates for Junior Certificate Science would be conducted in time to inform a decision regarding the 2007 rate. A report from the Chief Examiner is to be tabled at the next meeting. The unions undertook to advise the SEC of teachers' experience of the additional preparatory work they

must engage in as a result of the revised assessment model. The view of the SEC is that the centrality of laboratory skills is a fundamental tenet of the revised syllabus. The unions maintained that the introduction of (assessed) assignments involves additional work for teachers.

- The unions advised the SEC that feedback suggests that the demands associated with the new (two-component) assessment regime for Leaving Certificate Geography and History are not adequately reflected in the rate of payment to examiners. The SEC considers that this may be a passing, 'year one' phenomenon but agreed to ask the Chief Examiner to assess the extent of the additional work and bring a report to the next meeting of the SEC with the unions.
- The SEC asked that the unions use their good offices to assist in requesting Advising Examiners to provide comprehensive information in their returns regarding the number of scripts monitored or additional work undertaken (on request) by Assistant Examiners.

Completion Dates/Assessment Requirements

- In response to union concerns about candidates who are absent when fieldwork is conducted, the SEC emphasises that this is an issue for schools to manage and that the Commission's sole requirement is that, in the interests of inter-candidate equity, the coursework be completed by the appointed date (end of April of year of examination).
- In relation to difficulties that have arisen as a result of an incorrect menu of texts or of fieldtrip options being used the SEC stated that this is not a system fault and that it is not possible to legislate for individual error. However, in order to

minimise the possibility of such mistakes, the Commission will seek to ensure that instructions relating to separate years will issue under separate cover.

Annotation of Certificates

- The recent finding by an Equality Officer in respect of annotation of the Leaving Certificate of students who have availed of reasonable accommodation resulted in:
 - the two complainants receiving un-annotated certificates (for the 2001 L.C. Exam) and an award for exemplary damages of €6000.
 - the State Examinations Commission is required to consider a system for individualised responses to students with special educational needs who seek accommodations, as opposed to the current provision of a menu of reasonable accommodations.
- The findings of the Equality Officer may not be used as a basis for reducing/ withdrawing any existing accommodations that may apply. This is significant given the experience in the UK, where the annotation of certificates is banned by law and has resulted in the withdrawal by the examination authorities of certain reasonable accommodations. The Equality Officer, however, has ruled that while the SEC is wrong to annotate certificates it is right to offer accommodations.
- The Minister for Education and Science has decided to appeal the Equality Officer's findings to the Circuit Court which will hear the case de novo. Pending the outcome of the appeal, the existing system of reasonable accommodations and the current structure of the certificate (annotated, as necessary) will continue for 2007.
- The Minister has also asked the SEC to

review the reasonable accommodations scheme. For its part, the SEC believes that the current system of reasonable accommodations constitutes individualisation of response on an evolving basis. Generic accommodations are incrementally added to the menu as specific needs are identified. The Commission regards the state examinations as standard tests, in that the knowledge/concepts and skills being tested and the means of testing them are the same for all, with modifications for those availing of certain reasonable accommodations that do no injury to the standard nature of the tests. The Commission does not individualise the test instruments (modes of assessment). However, the Equality Officer's findings would seem to indicate that it should do so.

Special Centres

- There were in excess of 5000 special centres for the 2006 examinations and this is expected to increase for 2007.
- The unions referred to concerns about the relative isolation of superintendents of special centres, especially in the event of critical incidents, the very significant number of special centres in some schools and the susceptibility of superintendents of special centres to allegations of impropriety. The unions have sought the appointment of attendants for special centres and have indicated a willingness to consider a workable ratio of centres per attendant.
- The current system of response by the SEC to school demands for additional attendants for special centres is regarded as unsatisfactory by the unions as it is not notified to schools as a possibility. Therefore, only schools that are "in the know" avail of it.



MS MARY HANAFIN, MINISTER FOR EDUCATION AND SCIENCE PICTURED WITH FETAC GRADUATES AT A SPECIAL AWARDS CEREMONY TO MARK THE ISSUING OF 500,000 FETAC AWARDS TO DATE.

- The SEC undertook to respond to the unions' requests at the next meeting.

Technological Subjects

- It was agreed that consideration should be given to assessment issues arising from the introduction of the four new and revised Leaving Certificate syllabi. Design and Communication Technology and Technology are to be first examined in 2009 with Engineering Technology and Architectural Technology scheduled to follow in 2010.
- Issues to be considered include: a consistency of approach to rates paid across the suite of subjects; examiner supply and competence (especially in relation to Technology); and second components - in regard to extent, value, authentication, timeframe.

Additional Time –

Leaving Certificate Examinations

- The unions expressed concern that the addition of 20 minutes to certain Leaving Certificate examination papers confers benefit

primarily on the most able academically and does not achieve its intended aim of facilitating completion of these examinations by students availing of reasonable accommodations. The provision may result in grade inflation and its general effect is to exacerbate rather than mitigate inequity.

- The unions asked that the provision be reviewed. This will be possible in the context of the review of reasonable accommodations to be conducted by the Commission.

Prize-winners

- The identification of prize winners (e.g. prize essay at Leaving Certificate Level) apparently involves an additional meeting/conference for Advising Examiners for which no fee is paid at present.
- The SEC undertook to investigate the position and report to the next meeting.

The next meeting is scheduled for March 5th. Your views and comments are welcome and should be forwarded via your area representative.

There's a Whole Lot of Learning Not Going On – Tim O' Meara, President, TUI

This was originally published in the Irish Independent on January 24th 2007, as a follow up to the findings of TUI's report on student discipline, which was the lead story in the same newspaper on January 19th 2007.

The nationwide survey of student disruption carried out by the TUI shows that it is a huge and critical problem. This should be a major concern to everyone. The survey shows that there is an increasing loss of teaching and learning time in our second level schools due to teachers' time being taken up every day on dealing with student disruption. This is having a major adverse effect on student and teacher morale. Teachers are very concerned and I believe so too are parents. Government, however, appears to be less concerned than we believe it should be.

After three national reports brimming with recommendations about what can and should be done to address the problem, the government's response is as unconvincing as it is underwhelming. The current system of student appeals against suspension and exclusion favours the disruptive student at the expense of the other students. The Minister has promised to change the appeal process. We anticipate that the current bias in favour of a disruptive student will be removed and that the right to education of every student and the teacher's right to teach will be upheld. The Minister has also established a Behaviour Support Service for schools. However, this is a service for only one in every fifteen schools. It is a great idea but it was 'asset-stripped' before construction. It is so fledgling it may never get off the ground.

If the Government is to take the problem of student indiscipline in our schools seriously we need more than these two commendable

but lonely initiatives. We insist that all the recommendations of the Minister's Task Force on Student Behaviour be implemented as an initial step. Teachers and well behaved students have endured for too long the inadequate approach to change in this matter. Teachers have been burdened with society's expectation that they can solve this matter on their own. They cannot, of course. They need back-up from parents and resources in terms of time, training and support services from the Department of Education and Science.

The pace of change must be quickened by the department. Faced with similar problems, Scotland made immediate and sweeping changes. €32 million was invested in initiatives to combat indiscipline in the first year of implementation of its 2001 report and in each year thereafter. Ireland's initial investment amounted to 6.3% of the funding assigned in Scotland. Scotland also has an implementation strategy - with the names of those assigned responsibility for implementation and with timeframes for implementation attached!

What should be done? Reductions in class sizes, targeted to areas of great need, and time to deal with disruption are urgently needed. The ratio of class teachers to students, disimproved in the cutback times of the early 1980s, has never been put to right. In schools where needs are most acute, classes must be made smaller to facilitate individualised learning. Secondly, almost all of the time that schools devote to student care and to dealing with disruption is taken from



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teaching time. Schools are obliged to rob students of learning time to meet students' pastoral care needs and teachers' voluntary work is exploited. Class tutors and Year Heads simply must be given time for their work which is not at a cost to their students learning time. Time is needed to help children struggling with their learning and behaviour, to foster positive behaviour and to encourage parents to help out more in their own children's interest. Implementation of these two key recommendations of the Task Force would be a huge help towards redressing the problems of unacceptable student disruption.

Dympna Coen – An Appreciation

Ba chúis mór bróin é bás Dympna Coen an samhradh seo caite. Déag sí ar an 23 lúil 2006 ina háit i cónaithe i nGort Inse Guaire. Chaith sí blianta fada ag obair sa gCeardscoil i nGort Inse Guaire, Co. na Gaillimhe, agus roimhe sin i scoileanna éagsula anseo agus ansíud i lár na tire. Múinteoir den scoth dob ea i agus biad na scoláirí agus a gcuid oideachais an chloch ba mho ar a paidriún.

The death of Dympna Coen of the Square, Gort in July 2006 was a source of sadness to her many friends and former work colleagues. Dympna started her teaching career in the Preston Private School Abbeyleix in 1950. In 1951 she moved to the Vocational school in Hacketstown, Co. Carlow. Three years later she moved to Tullow, Co. Carlow where she stayed until 1964. She later taught in Tuam Vocational School and subsequently in Gort Vocational School where she remained until her retirement in 1990. She was a renowned

teacher whose dedication to her work was legendary. She always had the interests of her pupils at heart. She co-ordinated the secretarial course in Gort Vocational School with great enthusiasm and vigour and was very successful in securing employment for hundreds of students in the State Sector long before the advent of the Celtic Tiger. Dympna was also an excellent accountancy teacher whose students always achieved high grades. Dympna had a strong presence and a quick wit. She was an excellent conversationalist and wonderful company. Her strong faith was a great source of consolation to her in her final illness. She was particularly fond of walking especially by the sea in New Quay or in Coole Park. She bore her illness with courage and was cheerful and positive right til the end. She will be sorely missed.

Ar dheis Dé go raibh sí.



DYMPNA COEN

Jim Rafferty – An Appreciation

Jim Rafferty, teacher and founder of Donegal Youth Orchestra – An Appreciation

The death of Jim Rafferty on 6 February 2006, brought to an abrupt end a life lived to the full, and robbed Glenties, and all of Co. Donegal, of a truly remarkable man of music, an inspiring music teacher, and a much-loved teaching colleague in St. Columba's Comprehensive School, Glenties.

A native of Coalisland, Co. Tyrone, Jim arrived in Glenties in 1978 and quickly settled into his adopted home. Jim made the small town of Glenties a centre of musical excellence. He persuaded a Strabane man to give brass lessons and out of this grew Glenties Brass Band which is still flourishing today. Jim gave piano and singing lessons and encouraged fine individual voices from the surrounding area. The 10 or so musicals including Oklahoma!, and Grease, which he produced in the school with his colleague Anne Gallagher were a huge success. Music for the Leaving Certificate became a subject of choice for many, and the high standard and individual attention he gave his students will never be forgotten.

In the early 1990s, Jim founded the Donegal School of Music and, when this flourished, with the help of a small, dedicated committee, and much needed practical support from Co. Donegal VEC, the Donegal Youth Orchestra. They proudly performed in the National Concert Hall for the Millennium Youth Orchestra Gala Concert in 2000. Then followed two ambitious projects: Haydn's Creation (2000) and Mendelssohn's Elijah (2001), in Letterkenny Cathedral, where the massed choirs of Donegal and the Youth Orchestra came together, and the music truly

"lifted the roof". As in all his dealings, Jim remained humble when such events received the accolades so richly deserved. It is entirely fitting that the youth orchestra and massed choirs formed the main part of a tribute concert for Jim in Letterkenny Cathedral on 10 December 2006, this time under the baton of his former pupil, Shaun Ryan, who teaches music at Magee College, Derry.

Jim didn't only encourage the young people around him. He had a fine baritone voice himself and gave numerous recitals during the early 1980s, and later sang with the Glendoon Singers in Letterkenny. He held music appreciation night classes in Glenties, where he awakened his enthusiastic students to the delights of classical music, taught them to sight-sing and traded folklore and fun in his own inimitable way, equally at home with canons of the Church and ordinary country folk. It is no wonder then, that his beloved St. Connell's Church choir, will miss him for much more than the wealth of fine liturgical music he taught them.

Behind the public persona, Jim Rafferty was a man who loved life and the countryside and the people he lived among. He delved into astronomy and mathematics, he tended his garden with loving care, he kept up with cinema and theatre and his joy was to get out tramping the lanes and bogs which surrounded him. He was a most genuine neighbour. Most of all he was a loving husband and father. Maria his wife and his children Aidan, Eileen and Sinead will cherish many wonderful memories, as indeed will all who knew and loved him. As one of his former pupils wrote of him: "He not only taught us the music, somehow he WAS the music".



JIM RAFFERTY

Protect your Interests - Register with the Teaching Council Now

Section 31 of the Teaching Council Act deals with the registration of teachers for the year beginning with the Council's Establishment Day which, as events transpired, was 28th March 2006. There are significant benefits and protections for teachers admitted to the register for this initial year, particularly in terms of entitlement to re-register for the year beginning 28th March 2007. The significance of registration becomes very stark when one considers the provisions of Section 30 of the Act which states that "A person who is employed as a teacher in a recognised school but

- a) is not a registered teacher, or
- b) is removed or suspended from the register

shall not be remunerated by the school in respect of his or her employment out of moneys provided by the Oireachtas."

This Section has not yet been commenced but we must assume that its commencement is imminent. Therefore, being registrable is critically important for a teacher and being first admitted to the register in

the initial (2006/7) registration year is hugely preferable to being first admitted in subsequent registration years when additional stringency will apply.

The Teaching Council is currently establishing its register of teachers for the initial (2006/7) registration year. Data verification forms were sent to teachers who were in service on the Establishment Day of the Council, 28th March 2006.

The teachers to whom the forms were sent were those whose details were returned to the Teaching Council by either the Department of Education and Science (C&C teachers) or the relevant VEC. In each case the employer's payroll database was used to supply the returns.

It was the clear understanding of the Teachers' Union of Ireland that all teachers - mainstream or non-mainstream, fully qualified or not fully qualified - who had an ongoing contractual relationship with the employer on the 28th March last would have their

details returned to the Council and would be appropriately accommodated in the Register to be established.

In effect, it was our expectation, on the basis of assurances sought and secured, that nobody who was in service on that day would be omitted from the initial register.

The union, of course, recognised that a teacher who is not fully qualified would not be registered without the application of conditions and indicated its preparedness to discuss what conditions might apply.

By now, you, as a teacher who was in service on 28th March 2006, should have received from the Teaching Council a Data Verification Form which you should return to the Council as quickly as possible. This form should have been pre-populated with the information from the payroll database that were supplied to the Council. In the case of fully qualified teachers this information should have included details of your qualifications as recorded by your employer/DES. If the form



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you received did not include these details one or other of the following happened: either the VEC/DES did not return those details or the Teaching Council failed to transfer correctly the data it received. The former is the more likely as it has come to our notice that some VECs either maintain or transferred incomplete data.

It is the union's view that fully qualified teachers who were in service on 28th March 2006 should not now have to produce the documentation that would be required of a newly qualified entrant to the profession. It is the responsibility of the employer to forward to the Council the necessary details of qualifications.

Teachers who were on approved (paid or unpaid) leave (including secondment, career break carer's leave etc.) on 28th March 2006 are considered to have an ongoing contractual relationship with their employers. Their data should also have been returned to the Council by the employers. It may not have been. If you are or if you know a teacher who was on approved leave on that date and if a Data Verification Form has not been sent to you or her/him, you are advised as a matter of extreme urgency to contact your employer and the Teaching Council and ensure that a Form issues immediately. It is imperative that you be placed on the initial register.

It is a matter of grave concern to the TUI that the Teaching Council and some employers have dealt ambivalently with teachers who are not fully qualified who were in service on 28th March last. Some employers have returned their details whilst others have not. The Council appears not yet to have posted Data Verification Forms to some



TUI THIRD LEVEL TRAINING EVENT, ATHLONE HUDSON BAY HOTEL

of these teachers. It is the strong advice of the union that all teachers who are not fully qualified and who were in service on 28th March 2006 should immediately contact their employers and establish

- Whether or not the employer returned their details to the Teaching Council
- Whether or not the Teaching Council asked the employer to return data in relation to teachers who are not fully qualified
- What the employer now intends to do in respect of the return of this data

They should also urgently contact the Teaching Council and, as well as asking the first two of the questions above, request that they be sent a Data Verification Form. Each such teacher should ask the Council to confirm that s/he will be accommodated on the first register, that is the register for the period 28th March 2006 to 27th March 2007.

In the event that the responses of either the employer or the Teaching Council fail to confirm to the satisfaction of the teacher concerned that s/he will be registered for the current registration year, the TUI School/Centre representative and the local Branch Officers should be informed. The Branch Officers, in turn, are asked to inform the Area Representative and Head Office.

The unambiguous and unapologetic TUI position on the critical question of registration is that everybody who was in service as a teacher – qualified or unqualified – on 28th March 2006 must be admitted to the initial register. The union will consider it an act of bad faith if any attempt is made to impede or frustrate registration by any of these teachers, thereby endangering their continued employment - in the context of the imminent commencement of Section 30 of the Teaching Council Act 2001.

We urge you to protect your interests – act now on this advice!

RMA News

Happy New Year to one and all - lots of dates for your diary in this bulletin.

First you will all be glad to know that the Denis Lynch case is finally put to bed with satisfaction all round.

As I indicated to you in the recent Newsletters there has been a difference of opinion in the RMA committee re the authority of the Executive Committee of the TUI and the RMA. As you know from the Diary the RMA is a sub committee of the TUI and therefore is subject to the Executive Committee. Issues seldom arise, we do our thing and they do theirs. However from time to time conflict may arise, in this event the Executive will come to a decision and we

have to accept it. In the current issue we were invited to have a representative on the AVC Trustee's Board. To achieve this we were requested to nominate three names. In the event we nominated one at our AGM in Killarney and forwarded this to the Executive. They have come back to us and again requesting three names as has applied to other persons on the Board. As it was a decision of the AGM, to change it requires another AGM or EGM. The RMA committee has decided to hold an Extraordinary General Meeting (EGM) to resolve the matter. The motion that will be put to the meeting will be: "That the Retired Members Association (RMA) of the Teachers Union of Ireland (TUI) accepts the Executive Committee of the TUI as the governing body of the TUI and the RMA accepts the decisions of the Annual Congress and of the Executive Committee."

The EGM will be held in the Ashling Hotel, Parkgate Street, Dublin 8 on Wednesday 7th March at 11.30am. More details will be sent to you later.

On a more cheerful note our spring break will be held in the Carlton Hotel Kinsale in March 25th, 26th, 27th and 28th with an option for three or four day stay. This is a new hotel and the latest in the Carlton Group, it is a four star hotel with magnificent views of Oysterhaven Bay and of course Dora has arranged a very special rate, more details later.

While you have the pen out you might like to record the dates for the AGM, which will be held in Whites Hotel Wexford in May 8th and 9th more details later.

Have you seen the TUI website recently? It's worth a look. Most of the information that you would require is on it and it is very well presented. Very soon we will have our own separate section on the website, which is due to be revamped in the coming months.

See you at the EGM on Wednesday 7th March.

Christy, Secretary.

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