



Circular Letter 0016/2022

**To: The Managerial Authorities of Recognised Primary, Secondary,
Community and Comprehensive Schools and
The Chief Executives of Education and Training Boards**

**Employment of 3rd and 4th Year Undergraduate Student Teachers and
application of the '5 Day Rule'**

1. Introduction

- 1.1 This circular updates employers regarding the current temporary changes to the employment of 3rd and 4th year undergraduate student teachers and the application of the '5 day rule' on their employment from 15th February 2022 to 30th June 2022.
- 1.2 In accordance with this circular, the employment of 3rd and 4th year undergraduate student teachers is permitted beyond 5 days until 30th June 2022.
- 1.3 Please note that the general sequence in relation to sourcing substitute teachers should be followed as set out in relevant publications from the Department including [Circular 0050/2021](#).

2. Employment of 3rd and 4th year undergraduate student teachers

- 2.1 The making of Regulation, [S.I. 745 of 2021](#), by the Teaching Council, provides for 3rd and 4th year undergraduate student teachers to be registered under the new teacher registration Route 5.
- 2.2 The Teaching Council are currently developing a system to provide for this new Route 5 registration. Once developed eligible student teachers will be able to register online with the Teaching Council. Information on ongoing developments of this new registration process is available on the [Teaching Council website](#).
- 2.3 Pending registration with the Teaching Council, these students are still classified as unregistered persons and subject to provisions under S.I. 32 of 2014 i.e. '5 day rule'. Until the system to provide for their registration is in place and in order to allow this category of student teacher, i.e. those encompassed in S.I. 745 of 2021, to be employed by schools to carry out substitution without the restriction of the '5 day rule', the Minister has made amending regulations to provide for an interim provision to exclude 3rd and 4th year undergraduate student teachers from the '5 day rule'.

3. Temporary lifting of '5 day rule' for 3rd and 4th year undergraduate student teachers

- 3.1 On 15th February 2022, the Minister for Education signed [S.I. No. 68 of 2022](#), Education Act 1998 (Unregistered Persons) (Amendment) Regulations 2022, which amends Regulation 7 of the Education Act 1998 (Unregistered Persons) Regulations 2014 ([S.I. No. 32 of 2014](#)).
- 3.2 This temporary amendment to Regulation 7 of the Education Act 1998 (Unregistered Persons) Regulations 2014 (S.I. No. 32 of 2014) permits payment for periods of more than 5 consecutive school days to 3rd and 4th year student teachers, who satisfy the criteria to be eligible to apply to the Teaching Council for registration, pursuant to Route 5 of the Schedule to the Teaching Council (Registration) Regulations 2016 (S. I. No. 444 of 2016) (amended by the Teaching Council (Registration) (Amendment) (No. 2) Regulations 2021 (S.I. No. 745 of 2021)).
- 3.3 Please note that this temporary amendment to statute is strictly time limited, as its effect is from 15th February 2022 and expires on 30th June 2022.
- 3.4 The '5 day rule' remains in place for the employment of all other unregistered persons as per S.I. No. 32 of 2014.
- 3.5 The full text of Education Act 1998 (Unregistered Persons) (Amendment) Regulations 2022, S.I. No. 68 of 2022) can be accessed here: <https://www.irishstatutebook.ie/eli/2022/si/68/>

4. Circulation of Information Note

- 4.1 Please ensure that this Circular Letter is circulated to all members of the Board of Management/Education and Training Boards and its contents are brought to the attention of all schools.
- 4.2 This Circular Letter can be accessed on the Department's website at gov.ie.

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