

Student free days (SFDs)

This document is issued for general guidance only. It does not constitute professional advice. The issues with which it deals are complex and the document necessarily deals only with general principles. No reader should rely on this document for the purpose of making a decision as to action but should seek the appropriate advice from the Union on the particular circumstances of that reader. The Union accepts no responsibility for the consequences should any person act in reliance on this document without obtaining the appropriate advice from the Union.

What are student free days used for?

Student free days are days designated for staff professional development or school professional development activities. Staff professional development may cover topics such as literacy and numeracy or behaviour management. School professional development may cover topics such as curriculum implementation, pedagogical frameworks, or school strategic direction, as well as mandatory training such as fire training, code of conduct etc.

Usually, Queensland state schools undertake six student free days throughout the school year, however **this year the Minister for Education has determined that an additional student free day be held on Monday 16 April**, the first day of term 2, due to the closure of the Commonwealth Games on Sunday 15 April. This will mean that school will recommence for term 2 on Tuesday 17 April.

How many student free days are there in 2018?

In 2018, there are a total of seven student free days which all permanent (full and part-time) teachers must attend.

The table below summarises the arrangements in 2018.

Two days at the end of the summer vacation (fixed) Thursday 18 and Friday 19 January 2018	2
Four days during the autumn vacation (flexible) Wednesday 11, Thursday 12, Friday 13 and Monday 16 April 2018	4
The third Monday after spring vacation (flexible) Monday 22 October 2018	1
Total	7

The two student free days at the end of the summer vacation are fixed and cannot be changed, except by the Minister, however schools have flexibility to undertake the remaining five student free days during school vacation periods or as twilight sessions held at times outside of school hours, according to the school's needs and subject to consultation arrangements.

What is the department's policy on professional development?

In the department's Employee Professional Development Including Study and Research Assistance Scheme (SARAS) policy, the following are listed as inherent requirements of the teaching role:

- legislative compliance matters (such as student protection, workplace health and safety, and employee induction)
- accreditation courses mandatory to the teaching role being undertaken (such as vocational education or International Baccalaureate Studies)
- moderation duties and other curriculum-related activities.

It is important to note that instruction on matters forming an inherent requirement of the teaching role is deemed to be training and must be undertaken during rostered duty hours.

If schools determine that this training is to be taken at other times, after school, or to be completed online, the hours should be recognised as professional development in lieu of attendance at flexible student free days.

DET has informed the QTU that altogether the mandatory training should not take more than 10 hours per year. The timing of mandatory training should be considered when determining the use of the flexible professional development hours.

Which days should I attend and will I be paid?

Teachers are paid for the flexible student free days in the relevant pay period as identified on the official department calendar.

Teaching in State Education Award – State 2016 states:

15.9 Teachers, heads of program, school leaders, community teachers and assistant teachers are expected to report for a full day of duty on the student free days nominated for professional development activities during the school year, or any other days substituted for such days, or any additional days declared by the Minister as requiring the attendance of all permanent officers. Such employees will be paid in full for the time so worked.

The effect of this clause is that permanent teachers or temporary teachers whose contracts take them across the autumn vacation (including part-time teachers) are required to attend **all four** flexible student free days that fall during the autumn vacation period. Alternatively, if they do not attend school on these dates, they are required to undertake 20 hours of professional development outside of rostered duty time as determined by the school through consultation.

What consultation should occur around the flexible professional development hours?

School communities are required to negotiate their arrangements in consultation with their staff and through the local consultative committee or, for schools with less than 20 employees, a consultative body.

Through consultation, schools could:

- allocate one or more of the flexible student free days to the end of the summer vacation, usually adjoining the fixed student free days
- extend the hours of any designated student free days rather than use five hours of rostered duty time
- schedule blocks of professional development after school hours in twilight sessions
- allocate student free days to other vacation periods, e.g. first or last day of winter vacation
- adopt a combination of the suggestions above.

Arrangements for student free days must be finalised by the end of the previous year. Active consultation with staff is usually started and finalised during term three, in readiness for communication to regional offices in term four.

Dates and times should be defined and published for teachers, including those coming in on transfer, relocation or as temporary engagements. When deliberating on suitable models, consideration needs to be given to balancing work and family responsibilities. Further, the student free day program should allocate the time for the meal break and the paid rest pause.

What are the requirements for temporary (contract) teachers and SFDs/flexible PD hours?

The *Department of Education and Training State School Teachers' Certified Agreement 2016* makes particular reference to the employment pattern and related conditions of temporary teachers, including reference to attendance at student free days or flexible professional development hours and related payment. The certified agreement states:

"8.2.1 The parties acknowledge their shared interest in, and commitment to advancing temporary teacher professional development matters.

8.2.2 Temporary teachers are required to attend student free days that fall within the period of their temporary engagement.

8.2.3 Temporary teachers are required to attend professional development opportunities outside of school hours where those professional development opportunities are provided in lieu of student free days that fall within their temporary engagement period.

8.2.5 Where temporary teachers are required by the Department, including a school, to attend additional student free days, they shall be paid for their attendance.

Term one and semester one payments

Temporary teachers engaged for **all of term one** but less than one semester are paid for attendance at the (one) student free day held on the last day of the summer vacation (19 January).

Temporary teachers engaged for all of semester one or longer should attend and are paid for attendance at the two fixed student free days held on the last two days of the summer vacation (18 and 19 January).

Temporary teachers who are engaged for less than one term (i.e. up to Day 8) would commence duty on Monday 22 January. If the school requires temporary teachers to attend one or more of the fixed student free days, the school is required to pay the teachers out of the school budget.

Temporary teachers employed for semester one or whose temporary engagement encompasses the autumn vacation period would be paid for the autumn vacation, including the four student free days. To be paid, the teachers will be required to either attend the four student free days, or alternatively have made up 20 hours of flexible professional development outside of school hours, usually by participating in the school's twilight PD sessions or negotiated PD approved by the principal.

Temporary teachers who are not paid for the four autumn vacation student free days do not have to attend the four days or make up the 20 hours of flexible professional development outside of school hours.

A temporary teacher undertaking an engagement that encompasses the SFD in October would be paid for that day and either attend or make up the five hours of flexible PD as per the school arrangements.

Temporary teachers may attend flexible professional development on a voluntary basis without pay.

If flexible professional development is scheduled on non-rostered days, temporary part-time teachers should discuss their situation with the school principal and will need to make up the flexible professional development hours missed, if applicable.

Can the school day be extended on student free days?

In relation to the extension of the spread of school hours for the purpose of student free day arrangements, the Certified Agreement states:

2.8.2 Rostered duty time can exceed more than seven hours following consultation with the LCC for student free days only.

In planning for such an extension to a student free day it should be noted that rostered duty time should commence no earlier than 7am and conclude no later than 5pm. Note that the 10 minutes rest pause - provided each day - needs to be counted within rostered duty time. The unpaid uninterrupted meal break is not.

Emergent circumstances for non-attendance at flexibly arranged PD sessions

There will be emergent circumstances when a teacher will not be able to attend a flexible professional development session, e.g. through illness, emergent circumstances or family responsibilities. Such situations are resolved at the school level. Where a teacher has been paid for the flexible student free days in the autumn vacation, they will be expected to complete the required hours of professional development. Evidence of attendance at external PD, such as certificates of

participation or attendance, may be required. The authority to approve alternative arrangements rests with the school principal, who should allow negotiation.

What if I am on paid leave?

If a teacher commences paid leave during term one before the autumn vacation and has approved paid leave to continue in term two, they will not automatically receive payment for the four flexible student free days, as these days are designated as teaching days and have to be taken as paid leave.

If any flexible student free day time is undertaken prior to the commencement of the paid leave, the department should be notified, as payroll has the flexibility to hold back from debiting leave for the appropriate number of flexible student free days, depending on the amount of flexible student free day professional development undertaken. For example, if a teacher undertakes 10 hours of flexible student free day professional development before the leave commences, they will only have two of the autumn student free days debited for leave purposes.

NB. This does not apply to teachers on paid parental leave.

If a teacher, for whatever reason, is paid for the flexible student free days as paid leave rather than teaching days, then there is no obligation on the teacher to complete the flexible SFD PD scheduled at other times during the year.

What if I am sick?

Teachers who are ill and unable to attend twilight sessions of professional development will have to make up these hours at another time. Sick leave should not be deducted as the hours are outside of rostered duty time.

Seeking clarification

Teachers who are unsure of what student free days they are to attend and be paid for can seek advice in writing from the principal.