

- 7 SEP 2018

Memorandum of Agreement

Certification of Highly Accomplished Teachers and Lead Teachers

Department of Education
and
Queensland Teachers' Union of Employees

Application and Purpose

1. This Memorandum of Agreement (MOA) applies to those employees covered by the *Department of Education and Training State School Teachers' Certified Agreement 2016* (Certified Agreement) (subject employees).
2. The purpose of the MOA is to outline the application, certification and recertification processes for subject employees to be recognised as Highly Accomplished Teachers (HAT) and Lead Teachers (LT).
3. The parties agree to abide by the terms of the MOA; having regard to the application and purpose of this MOA.

Date and Period of Operation

4. The MOA applies from the date of execution and continues until terminated under the provisions of this MOA.
5. The parties may agree to vary the terms of the MOA by written agreement signed by the parties.

Termination of Agreement

6. Either party may terminate this MOA by providing written notice to the other party.
7. This MOA will cease to have effect 16 weeks after a party provides such written notice of termination to the other party.

Dispute Resolution

8. In accordance with the Dispute Resolution provision (Part 3) of the Certified Agreement, either party may seek the assistance of the Queensland Industrial Relations Commission (Commission) in relation to a dispute arising from the application of the MOA.
9. The parties may not seek the assistance of the Commission in relation to the creation of this, or a replacement, MOA.
10. In accordance with s.234 of the *Industrial Relations Act 2016* (Qld), the parties must not engage in industrial action in relation to the MOA.

The Certifying Authority

11. Processes are underway to seek the amendment of the *Education (Queensland College of Teachers) Act 2005* (Qld) to provide for the Queensland College of Teachers (QCT) to become a Certifying Authority for the purposes of HAT and LT certification.

Eligibility

12. An employee may be eligible for certification as either a HAT or LT should they meet all of the following criteria:

- (a) hold full registration (i.e. recognition as Proficient under the Standards);
 - (b) be an Australian citizen or have a permanent residency visa;
 - (c) will have a minimum of five years of registered recognised teaching experience as at the next date designated for portfolio submission; and
 - (d) meet mandatory teaching requirements that they have an 'authentic' teaching role' (i.e. hold an ongoing teaching role with students that requires the applicant to plan, prepare, teach, differentiate, assess and report (to students and parents) on student outcomes of a prescribed educational program).
13. To be eligible, an employee must, in addition to the requirements in clause 11, have met all of the following criteria:
- (a) for HAT certification, have completed at least two annual performance reviews (or approved equivalent) in the two years preceding application, or for LT certification, have at least three annual performance reviews (or approved equivalent) in the three years preceding application; and
 - (b) engaged in a professional discussion with their Principal or, where the Principal has delegated that responsibility to a delegate, with the delegate, of their readiness to apply.
14. In addition, the employee should have completed the AITSL Self Assessment Tool.

Support for Eligible Applicants

15. Upon request, at Stage 1 of the certification process, eligible applicants will be provided with the opportunity to be relieved from their normal duties, for a total of one Teacher Relief Scheme (TRS) day, in order to prepare their HAT or LT application.
16. Any additional TRS time that is provided to applications is at the discretion of the Principal.
17. The timing will be subject to mutual agreement between the applicant and their supervisor, taking into consideration the operational needs of the school.
18. This opportunity is to be provided following the applicant's submission of an EOI in which they have met the eligibility criteria, and before they submit their portfolio.

HAT and LT Certification Process

Submission of Portfolio

19. Applicants for HAT or LT certification will be required to submit their portfolio aligned to timeframes determined by the Certifying Authority.
20. The portfolio will contain requisite documentation, as determined by the Certifying Authority, to evidence the suitability of the applicant for certification of either HAT or LT.

Stage 1 Assessment

21. The portfolio will be assessed by two qualified (i.e. trained to meet National requirements) Assessors, who will make a recommendation to the Certifying Authority.

22. Applicants for Lead Teacher must have led a project for a minimum period of six months that has had a sustainable and demonstrated impact on teaching or learning.
23. The Certifying Authority will make a decision and advise the applicant by way of written decision and report as to the outcome of the Stage 1 assessment.
24. Successful applicants may continue to Stage 2 Assessment.

Stage 2 Assessment

25. One of the Stage 1 Assessors will be assigned to collect the evidence for the Stage 2 assessment and submit this to the second Stage 1 Assessor. They will make a recommendation to the Certifying Authority.
26. The Certifying Authority will make a certification decision and advise the applicant and DoE by way of written decision and report as to the outcome of the Stage 2 assessment.

Review

27. If the Certifying Authority makes a decision at Stage 1 that the application does not meet Stage 1 requirements, or a decision at Stage 2 not grant certification, at each decision point the Certifying Authority will provide an information notice advising the unsuccessful applicant of review rights, which are initially for an internal review by the Certifying Authority.
28. If the unsuccessful applicant is still not satisfied then they may apply for an external review to the Queensland Civil and Administrative Tribunal (QCAT).

Renewal of Certification

29. Renewal of certification is required every five years as part of national certification quality assurance to verify that a certified employee continues to demonstrate the abilities, knowledge and skills appropriate for certification under the professional standards at the relevant level.
30. If a certified employee intends to apply to the Certifying Authority for renewal, they must advise the Certifying Authority of their intention twelve months prior to the expiry of their certification.
31. Any certified employee who intends to apply to the Certifying Authority for within the twelve month period prior to the expiry of their certification will have their application considered by exception, on a case by case basis.

Eligibility

32. To be eligible for renewal of certification as either a HAT or LT a renewal applicant must meet all of the following criteria:
 - (a) hold full registration;
 - (b) have been nationally certified as HAT or LT for the previous five year period;
 - (c) meet mandatory teaching requirements that they have an 'authentic' teaching role' (i.e. hold an ongoing teaching role with students that requires the applicant to plan, prepare, teach, differentiate, assess and report (to students and parents) on student outcomes of a prescribed educational program).

- (d) have continued to complete annual performance reviews (or approved equivalent) at the relevant career stage (Highly Accomplished Teacher or Lead Teacher) in the previous five years.

Assessment

33. Renewal applicants are required to submit an application for renewal of certification to the Certifying Authority, in line with the timeline and renewal documentation requirements of the Certifying Authority.
34. The application will be assessed by a qualified (i.e. trained to meet National requirements) Assessor, who will make a recommendation to the Certifying Authority.
35. The Certifying Authority will make a renewal decision and advise the renewal applicant and DoE by way of written decision and report as to the outcome of the assessment.
36. If the QCT decides to grant the application for renewal of certification it must provide a notice of approval to the renewal applicant, providing details of their recertification for a period of five years.
37. If the QCT makes a decision to refuse the application, the QCT must give an information notice to the renewal applicant and DoE stating the certification is ceased.

Review

38. If the Certifying Authority makes a decision to not grant renewal, the Certifying Authority will provide an information notice advising the renewal applicant of review rights, which are initially for an internal review by the Certifying Authority.
39. If the renewal applicant is still not satisfied then they may apply for an external review to the Queensland Civil and Administrative Tribunal (QCAT).

Payments

40. The Applicant must pay, to the Certifying Authority, the following fees:
 - (i) Stage 1 – Portfolio Assessment - \$850.00 payable upon submission.
 - (ii) Stage 2 –Assessment - \$650.00 payable upon submission.
 - (iii) Renewal of Certification - \$100.00 payable upon submission.
41. Fees may be amended by Government from time to time proportionate to changes in the cost of certification, following agreement between the parties.
42. The certification and recertification process will be periodically evaluated by the parties to ensure ongoing administrative efficiency.
43. Data will be provided by the Department per annum to the stakeholders which will include, but not be limited to, the following information:
 - the number of applications received for HAT;
 - the number of applications certified for HAT;

- the number of applications received for LT;
- the number of applications certified for LT;
- the number of recertification's for HAT;
- the number of recertification's for LT;
- the location code of each existing HAT and LT teacher across the state; and
- the number of TRS days claimed for HAT and LT application preparation.

Quotas

44. The parties agree that there will be no quotas on applicants or successfully certified HAT or LT classifications.

Additional Duties

45. The basis of certification as HAT or LT is recognition of professional standards not undertaking of additional duties.

SIGNING

Signed by the Parties on the dates set out below.

Tony Cook

G. Moloney

Signed for and on behalf of the **State of Queensland** represented by the **Department of Education**

Signed for and on behalf of the **Queensland Teachers' Union of Employees (QTU)** by the person named below who warrants they are duly authorised to sign for and on behalf of the **QTU**

by *Tony COOK*

by *GRAHAM MOLONEY*

this *3rd* day of *September* 2018

this *27th* day of *August*, 2018