

Act
on the Education and Recruitment
of Teachers and Head Teachers in Pre-School,
Compulsory School and Upper Secondary School

No. 87, 12 June 2008

CHAPTER I
Scope, Objective and Administration

Article 1

Scope

This Act covers the education and recruitment of teachers and head teachers in pre-schools, compulsory schools and upper secondary schools, and to the legal protection of their occupational qualifications and title.

Article 2

Objective

The objective of the Act is to ensure that the education of those who practice teaching and take care of upbringing in pre-school, compulsory and upper secondary schools is relevant to their occupation and responsibility.

CHAPTER II
Teacher Education, Occupation Titles, Licences

Article 3

The Title of Pre-School Teacher

Only those that have been granted a licence by the Minister of Education, Science and Culture have the right to use the occupation title Pre-School Teacher and to work as such in public pre-schools or in other corresponding schools.

A licence to use the occupational title Pre-School Teacher may only be granted to those that have completed:

1. A Master's degree from a university that has been accredited by the Minister on the basis of the Higher Education Act no. 63/2006, in an accredited study field providing pre-school teaching education; or

2. Studies equivalent to a Master's degree cf. point 1 which the Minister recognises as being equivalent to pre-school teaching education.

Article 4

The Title of Compulsory School Teacher

Only those that have been granted a licence by the Minister of Education, Science and Culture have the right to use the occupation title Compulsory School Teacher and to work as such in public compulsory schools or in other corresponding schools.

A licence to use the occupational title Compulsory School Teacher may only be granted to those that have completed:

1. A Master's degree from a university that has been accredited by the Minister on the basis of the Higher Education Act no. 63/2006, in an accredited study field providing compulsory school teaching education; or
2. Studies equivalent to a Master's degree cf. point 1, which the Minister recognises as being equivalent to compulsory school teaching education
3. Qualification as Master craftsman in a trade, whenever those skills may be applied to teaching in a specific subject or within a specific study programme, in which case the licence shall stipulate such specialisation, in addition to 60 credit units in Teacher Certification Studies; or
4. Certified final examination from the fields of art, technology or vocational education, whenever those skills may be applied to teaching in a specific subject or within a specific study programme, in which case the licence shall stipulate such specialisation. The education in question shall be at least 270-300 credit units, whereof 60 credit units shall be in Teacher Certification Studies.

Article 5

The Title of Upper Secondary School Teacher

Only those that have been granted a licence by the Minister of Education, Science and Culture have the right to use the occupation title Upper Secondary School Teacher and to work as such in public compulsory schools or in other corresponding schools. The licence shall stipulate the subject/s or field of specialisation of the upper secondary school teacher concerned, according to further provisions stipulated in a regulation.

A licence to use the occupational title Upper Secondary School Teacher may only be granted to those that have completed:

1. A Master's degree from a university that has been accredited by the Minister on the basis of the Higher Education Act no. 63/2006, in an accredited study field providing upper secondary school teaching education; or
2. Studies equivalent to a Master's degree cf. point 1, which the Minister recognises as being equivalent to upper secondary school teaching education
3. Qualification as Master craftsman in a trade, whenever those skills may be applied to teaching in a specific subject or within a specific study programme, in which case the licence shall stipulate such specialisation, in addition to 60 credit units in Teacher Certification Studies; or
4. Certified final examination from the fields of art, technology or vocational education, whenever those skills may be applied to teaching in a specific subject or within a specific study programme, in which case the licence shall stipulate such

specialisation. The education in question shall be at least 270-300 credit units, whereof 60 credit units shall be in Teacher Certification Studies.

Article 6

Qualifications acquired in an EEA country or an EFTA member state

The Minister of Education, Science and Culture shall confirm the right to use the title of Pre-School Teacher, Compulsory School Teacher or Upper Secondary School Teacher when requested by citizens from countries within the European Economic Area, and shall the individual concerned provide a certificate of recognised teaching qualifications from a country within the area in accordance with provisions in Directive 89/48/EEC/, cf. Act on Recognition of Education and Qualifications no. 83/1993.

On the basis of an application from a citizen of a member state of the European Free Trade Association, the Minister of Education, Science and Culture shall confirm the right to use the title of Pre-School Teacher, Compulsory School Teacher or Upper Secondary School Teacher with the same conditions stipulated in paragraph 1, provided that the individual concerned produces a certification for teaching qualifications in a member state of the association.

Article 7

Evaluation committee

Should there be a doubt as to whether an individual applying for a licence to use the title of pre-school teacher, compulsory school teacher or upper secondary school teacher fulfils the requirements stipulated in this Act, a reference shall be sought from an evaluation committee appointed by the Minister of Education, Science and Culture for a four-year term.

Five representatives shall be appointed to the evaluation committee, one representative nominated by the cooperation committee of higher education institutions, two representatives nominated by a general association of teachers, one representative from the Association of Local Authorities in Iceland and one representative appointed without nomination who shall chair the committee. Same number of alternates shall be appointed in the same manner.

The committee procedures shall be further stipulated in a regulation.

Article 8

Content of education for pre-school, compulsory and upper secondary school teachers

The Minister of Education, Science and Culture shall issue a regulation where the content of education for pre-school, compulsory and upper secondary school teachers is defined in detail taking into account minimum requirements for the relevance of Teacher Certification Studies as well as the relevance of professional subjects.

The term credit units in this Act refers to ECTS credit units or standardised credit units, cf. The Higher Education Act no. 63/2006.

CHAPTER III

Occupational Qualifications and Recruitment in Pre-Schools

Article 9

Pre-school teachers and their recruitment

To be recruited as Pre-school teacher, an applicant shall have acquired the right to use the title of Pre-school teacher cf. Articles 3 and 21.

Of the full-time equivalent positions for teaching, upbringing and care in pre-schools, a minimum of 2/3 shall be counted as a full time equivalent positions of Pre-school teachers.

The local authorities, or any party entrusted with their authority, or other operating party, shall recruit Pre-school teachers and Pre-school head teachers according to this Act, provisions in legislation on pre-schools and provisions of the Local Government Act.

Article 10

Recruitment of head teachers in pre-schools

To be recruited as Pre-school head teacher or Pre-school assistant head teacher, an applicant shall hold the title of Pre-school teacher and have acquired additional education in management or have experience as teacher at pre-school level.

CHAPTER IV

Occupational Qualifications and Recruitment in Compulsory Schools

Article 11

Recruitment of teachers and specialists

To be recruited as Compulsory school teacher, an applicant shall have acquired the right to use the title of Compulsory school teacher cf. Articles 4 and 21.

Head teachers recruit Compulsory school teachers for temporary or replacement teaching, as well as other specialists cf. paragraph 3.

Notwithstanding provisions in paragraph 1, a specialist may be recruited on a temporary basis for a maximum of one school year at a time, to teach his/her specialist subject, as long as it involves no more than 240 minutes teaching a week.

Article 12

Recruitment of head teachers in compulsory schools

To be recruited as compulsory school head teacher or compulsory school assistant head teacher, an applicant shall hold the title of compulsory school teacher and have acquired additional education in management or have experience as teacher at compulsory school level.

CHAPTER V

Occupational Qualifications and Recruitment in Upper Secondary Schools

Article 13

Upper secondary school personnel and their recruitment

To be recruited as Upper secondary school teacher, an applicant shall have acquired the right to use the title of Compulsory school teacher cf. Articles 5 and 21. The aim is that upper secondary school teachers carry out teaching in subjects or within study fields covered by their education.

An Upper secondary school head teacher shall recruit upper secondary school personnel according to provisions in the Upper Secondary School Act and the Government Employee Act.

Notwithstanding provisions in paragraph 1, the head teacher may recruit a specialist on a temporary basis to teach his/her specialist subject for, as long as it involves no more than 240 minutes teaching a week.

Article 14

Upper secondary school head teachers

When recruiting people for head positions in upper secondary school, the applicant shall hold the title of upper secondary school teacher and have acquired additional education in management or have experience as teacher at upper secondary school level.

Article 15

Advertisements and recruitment

All vacant posts in upper secondary schools, both for teaching and for head positions, shall be advertised in accordance with rules set by the Minister of Finance regarding official advertisements for vacant public posts. The advertisement shall specify e.g. required subjects or fields of specialisation. Positions cf. Article 16 do not need to be advertised. Whenever possible, recruitments shall be completed by 31 May each year.

Article 16

Special cases

Whenever possible, teaching shall be assigned to Upper secondary school teachers already holding a permanent position. Teachers and other specialists may nevertheless be recruited, cf. Article 13, paragraph 3, without an advertisement for temporary or replacement teaching, e.g. because of vacation, illness, maternity/paternity leave or educational leave, as long as the replacement is not meant to last longer than 12 consecutive months

Upper secondary school teachers may also be recruited for teaching for a period of two months or shorter as well as for temporary posts that account for less than 1/4 of a full time post.

Recruitments cf. paragraphs 1 and 2 shall be made through a contract with a three-month mutual term of notice, which shall be one month for the first three months on the job, given that the recruitment is meant to last at least three months.

CHAPTER VI

Exemptions

Article 17

Exemption permission for pre-schools

If no qualified Pre-school teacher applies for an advertised post as Pre-school teacher, Pre-school head teacher or Pre-school assistant head teacher cf. Article 9, paragraph 2, despite numerous advertisements, there is a permission to recruit an individual who is not a Pre-school teacher on a temporary basis for one year at a time. The same applies if an applicant does not fulfil the general requirements necessary for recruitment. When a vacant post has been advertised twice and no Pre-school teacher has applied for it, an individual may be recruited according to further instructions in the Local Government Act and the relevant wage agreement. An employee recruited on the grounds of the aforementioned situation may not use the title of Pre-school teacher and cannot be re-hired without a preceding advertisement.

Article 18

Exemption committee for compulsory schools

The Minister of Education, Science and Culture appoints an exemption committee for the compulsory school for a four-year term. The committee shall be comprised of four members, one representative nominated by a general association of teachers, one representative from the Association of Local Authorities in Iceland, one representative nominated by the cooperation committee of higher education institutions and one representative appointed without nomination who shall chair the committee. Same number of alternates shall be appointed in the same manner.

It is not permitted to recruit other individuals than those that fulfil the provision of this Act as teachers in public compulsory schools or in other corresponding schools, cf. the Compulsory School Act.

If no qualified Compulsory school teacher applies for an advertised post despite numerous advertisements, the head teacher may apply for an exemption to the exemption committee for compulsory schools to hire a particular employee for teaching as a temporary measure, but never for more than a year at a time. The exemption committee is permitted to deviate from the requirements for repeating an advertisement when an exemption is requested to re-hire an individual who is studying for a teacher certificate. A confirmation of the study and a study progress plan shall accompany such an application. The head teacher is not required to approach the exemption committee if the teaching post involves teaching 240 minutes a week or less, cf. Article 11, paragraph 3.

Decisions of the exemption committee may be appealed to the Minister. An appeal does not delay the legal effect of the exemption committee's decision.

If neither the head teacher nor at least two school board members recommend recruiting a Compulsory school teacher for a teaching post, the head teacher may, notwithstanding provisions in paragraph 2, approach the exemption committee and wish for the committee's permission to hire another individual.

If the exemption committee grants a permission to recruit an individual on a temporary basis, cf. paragraphs 3 or 5, he/she shall be recruited with a special employment contract for a specific time with a mutual three-month term of notice, which shall be one month for the first three months on the job. Such an employee may not use the title of Compulsory school teacher and cannot be re-hired without a preceding advertisement.

The procedures of the exemption committee shall be further stipulated in a regulation.

Article 19

Exemption committee for upper secondary schools

The Minister of Education, Science and Culture appoints an exemption committee for the upper secondary school for a four-year term. The committee shall be comprised of three members, one representative nominated by a general association of teachers, one representative from the Association of Upper Secondary Schools in Iceland and one representative appointed without nomination who shall chair the committee. Same number of alternates shall be appointed in the same manner.

It is not permitted to recruit other individuals than those that fulfil the provision of this Act as teachers in public upper secondary schools or in other corresponding schools, cf. the Upper Secondary School Act.

If nobody fulfilling the requirements of this Act should apply for an advertised teaching post despite numerous advertisements, the head teacher may apply for an exemption to the exemption committee for upper secondary schools to hire a particular employee for teaching as a temporary measure, but never for more than a year at a time. The exemption committee is

permitted to deviate from the requirements for repeating an advertisement when an exemption is requested to re-hire an individual who is studying for a teacher certificate. A confirmation of the study and a study progress plan shall accompany such an application. The head teacher is not required to approach the exemption committee if the teaching post involves teaching 240 minutes a week or less, cf. Article 13, paragraph 3.

Decisions of the exemption committee may be appealed to the Minister. An appeal does not delay the legal effect of the exemption committee's decision.

If neither the head teacher nor at least two school board members recommend recruiting an Upper secondary school teacher for a teaching post, the head teacher may, notwithstanding provisions in paragraph 2, approach the exemption committee and wish for the committee's permission to hire another individual who has a specialised education in the advertised subject.

If the exemption committee grants a permission to recruit an individual on a temporary basis, cf. paragraphs 3 or 5, he/she shall be recruited with a special employment contract for a specific time with a mutual three-month term of notice, which shall be one month for the first three months on the job. Such an employee may not use the title of upper secondary school teacher and cannot be re-hired without a preceding advertisement.

The procedures of the exemption committee shall be further stipulated in a regulation.

CHAPTER VII General Provisions

Article 20

Evaluation of applications and prioritisation

When recruiting a head teacher for pre-school, compulsory and upper secondary school, the applicant's career development, management experience or further administration and management studies as well as references regarding the applicant's competences shall be taken into account when making a decision of recruitment. Should more than one individual apply for the same post and two or more fulfil all requirements, factors such as education, job experience and references regarding the applicants' competences shall be taken into account when making a decision of recruitment.

A Compulsory school teacher who is specialised in teaching a particular subject, in a particular field of study or in teaching a specific age group, shall have priority regarding recruitment for a corresponding teaching post.

Individuals holding a Bachelor's degree in the field of education and pedagogy, and those who have a comparable education that is useful for working in the pre-school shall have priority over others regarding recruitment for posts in pre-schools.

Individuals holding a Bachelor's degree in the field of education and pedagogy, and those who have a comparable education that is useful for working in the compulsory school shall have priority over others regarding recruitment for posts in compulsory schools.

Individuals with a vocational qualification or a university degree and have completed at least 120 credit units in the subject of the advertised post shall have priority over others regarding recruitment for posts in upper secondary schools.

Notwithstanding provisions in paragraphs 3-5, the individuals mentioned shall not have priority over those that hold the title of pre-school teacher, compulsory school teacher or upper secondary school teacher, cf. Articles 3-5.

Article 21

On the scope and publication of licences

The Minister of Education, Science and Culture grants a licence document to teachers for using teachers' occupation titles, cf. Articles 3-5. With respect to the scope of licences, the following shall apply:

1. The licence of Compulsory school teacher, who is specialised in teaching the younger children, also grants permission to teach the older groups in pre-school.
2. The licence of a Pre-school teacher, who is specialised in teaching the older children, also grants permission to teach children in 1st-3rd grade of compulsory school.
3. The licence of an Upper secondary school teacher also grants permission for teaching in his/her field of speciality in 8th-10th grade of compulsory school.
4. The licence of a Compulsory school teacher, who has completed at least 120 credit units specialisation in a particular subject, grants permission to teach in the field of speciality in basic courses in the upper secondary school.

A Pre-school teacher, who has completed at least 60 additional credit units in management studies or in specialised teaching, has the right to have a licence as compulsory school teacher and to work as such.

A Compulsory school teacher, who has completed at least 60 additional credit units in management studies or in specialised teaching, has the right to have a licence as Pre-school teacher and to work as such.

The Minister of Education, Science and Culture may assign universities, that have been accredited on the basis of the Higher Education Act and offer teacher education according to an agreement with the Ministry, to administer the issuing of licences, cf. this Act. The Minister shall then provide the institutions concerned, specific instructions as to how the issuing of licences shall be organised.

The Minister of Education, Science and Culture may issue a regulation stipulating in more detail how the issuing of licences shall be carried out.

Article 22

Older qualifications

Pre-school teachers holding a Bachelor degree in the field of education and pedagogy from an accredited institution providing teacher education, or other equivalent studies that provided a teacher qualification and were completed before the entry into force of this Act, shall keep their rights.

Compulsory school teachers and Upper secondary school teachers holding a licence at the entry into force of this Act shall have full rights equal to those that acquire a teacher qualification according to this Act.

Article 23

Entry into Force, etc.

This Act shall enter into force on 1 July 2008. At the same time, Act no. 86/1998 on the Education and Recruitment of Pre-School Teachers, Compulsory School Teachers and Upper Secondary School Teachers shall be repealed.

Provisions of Articles 3, 4 and 5 shall apply to those who start their education after the entry into force of this Act. Up until 1 July 2011, those that get a licence for teaching in pre-

schools, compulsory and upper secondary schools shall have completed a Bachelor's degree and the required Teacher Certification Studies.

As of 1 August 2008 the Act on Rights and Duties of Compulsory School Teachers and Principals no. 72/1996 shall be repealed.

Temporary Provisions

Upon entry into force of this Act, licences shall be issued to those pre-school, compulsory school and upper secondary school teachers that have that right and have not received such a licence, given that they so wish.

Employees without teacher qualifications who have been recruited cf. Article 12, paragraph 1 of the Pre-school Act no. 78/1994, shall, notwithstanding provisions of Article 9, paragraph 1, keep their posts. Their legal status shall otherwise be according to instructions in the relevant job contract and/or wage agreement, cf. Article 57, paragraph 1 of the Local Government Act no. 45/1998.