



Factsheets: **Cross-border mobility of secondary school teachers in the EMR**

In the context of EMRLingua, ITEM (Institute for Transnational and Euregional cross-border cooperation and mobility) carried out a research project on the legal obstacles for secondary school teachers to teach in a neighbouring country or region in the Euregio Meuse-Rhine (EMR). The report concludes that the case examples gathered through interviews with teachers and secondary schools confirm the three clusters of obstacles identified by the literature review, with recognition of professional qualifications being viewed as the most prevalent barrier in the cross-border mobility of secondary school teachers. Other obstacles emerged from differences in the employment conditions, as well as social security and taxation. These factsheets inform secondary school teachers about which aspects to consider if they would like to teach across the border.



Recognition of qualifications | table 1

Mobility to	Competent authority & Costs	Language requirements	Alternatives to enter teaching profession
Netherlands	Application must be submitted at <i>Dienst Uitvoering Onderwijs</i> (DUO). The procedure is free of charge.	The employer (school) may request a proof of Dutch language skills from the teacher.	<ul style="list-style-type: none"> • Lateral entry: Shortened teacher training of two years. During this training, the teacher candidates are employed in a school and receive a salary. Nuffic (the Dutch organisation for internationalisation in education) offers shortened programmes for native German and French speakers. • Guest/hybrid teacher: Teaching without (recognition of) qualifications is possible under the supervision of a qualified teacher as a guest teacher (<i>gastdocent</i>, also known as <i>hybride leraar</i>), if the teaching hours do not exceed 6 hours/week.
Germany (North Rhine-Westphalia)	Application must be submitted at <i>Bezirksregierung Arnsberg</i> . The procedure is free of charge (potential translation costs: documents must be submitted in German).	The employer may ask the teacher to provide proof of German language skills.	<ul style="list-style-type: none"> • Lateral entry: In situations of high demand and teacher shortages, schools may hire a teacher without formal qualifications if they possess a (non-teaching) degree in the desired subject area and are deemed suitable. Depending on the teacher's background, the lateral entry (<i>Seiteneinstieg</i>) includes training in the form of preparatory service as a two-year part-time period (<i>Berufsbegleitender Vorbereitungsdienst, OBAS</i>), or one-year pedagogical introductory course (<i>Pädagogische Einführung, PE</i>). • Teaching at a private school: At private schools (<i>Ergänzungsschulen</i>), the school is not subject to state regulation and has more freedom in the selection of teachers, also in respect to their education and training: in principle, (recognition of) qualifications is not required.
Belgium (Flemish Community)	Application must be submitted at <i>Agentschap voor Onderwijsdiensten</i> (AGODI). The procedure is free of charge.	The teacher must be able to demonstrate a sufficient level of Dutch language skills (some instances, also French). Otherwise, the teacher must apply for a derogation which is valid for 3 years, during which the teacher has to complete training necessary to meet language requirements.	<ul style="list-style-type: none"> • Exceptional circumstances: In exceptional and temporary situations, a teacher without a formal qualification may be appointed. This must be declared to the Ministry of Education and Training (Vlaams Ministerie van Onderwijs en Vorming).
Belgium (French Community)	Application must be submitted at <i>Direction de la reconnaissance des diplômes étrangers</i> . The procedure cost 65 euros.	The teacher must fulfil specific French language requirements. In case the requirements are not met, the teacher must pass a language exam (organised yearly by <i>Commission de langue française</i>) or apply for a (temporary) derogation.	<ul style="list-style-type: none"> • Temporary shortage of qualified school staff: Teachers lacking the necessary pedagogical training may temporarily fill in during teacher shortages, but they are eligible for permanent appointments only after successfully completing the required pedagogical training.
Belgium (German-speaking Community)	Application must be submitted at <i>Ministerium der Deutschsprachigen Gemeinschaft Belgiens</i> . The procedure is free of charge.	The teacher must fulfil language requirements: German and in some instances, French. If the required language skills are not met, the teacher may participate in language exams organised by the <i>Sprachenprüfungsausschuss Deutsch des Ministeriums der Deutschsprachigen Gemeinschaft</i> .	<ul style="list-style-type: none"> • Temporary shortage of qualified school staff: In these circumstances, schools may employ teachers who do not fulfil the required qualifications or language requirements specified by law. The school board must submit a written declaration to the Ministry.

Employment conditions | table 2

	Professional status	Salary	Working time
The Netherlands	Since 2020, teachers in both public and private schools are salaried workers under private employment law and part of a two-sided employment contract in negotiation with the school.	The teacher's salary is linked to the nature of their position and relevant staff duties. Example: under lateral entry, a teacher in training receives a regular salary + DUO-subsidy goes to the school paying for the training program.	Teaching hour: 50 minutes Maximum amount of teaching hours per week: 26 hours School holidays: 11,5 weeks
Germany (North Rhine-Westphalia)	Teachers are civil servants and employed by a State (NRW). In some situations, e.g., where requirements for obtaining civil servants are not met or in private schools, teachers may have a status as salaried worker . Note: the alternative routes described on the first table may affect whether the teacher is eligible for civil servant status.	With civil servant status: basic salary depending on group and grade + family and other allowances. With employee status: governed by Collective Agreement for the Public Sector of the Länder (TV-L).	Teaching hour: 45 minutes Maximum amount of teaching hours per week: Hauptschule, Realschule: 28 hours. Gymnasium, Gesamtschule: 25,5 hours School holidays = 12,5 weeks
Belgium (Flemish Community)	Teachers are formally not civil servants, but are governed by the <i>rechtspositieregeling</i> – a further distinction is made between the personnel of public authority schools and the personnel of subsidized schools. Teachers can also be hired contractually – a difference exists between those hired by the Ministry of Education and Training or those appointed based on the school's own resources.	Teachers' salary scales are linked to specific certificates of competence and are subject to biennial increases.	Teaching hour: 50 minutes Maximum amount of teaching hours per week: 29 hours School holidays: 15 weeks
Belgium (French Community)	Teachers work under a similar legal status as civil servants depending on the network where they teach (state or subsidized education).	Teachers' salary scales depend on the position held and the qualification (from <i>titre requis</i> to <i>titre de pénurie non listé</i>) and are subject to biennial increases.	Teaching hour: 50 minutes Maximum amount of teaching hours per week: 28 hours School holidays: 15 weeks (different schedule compared to the other Belgian Communities)
Belgium (German-speaking Community)	Teachers of community schools (GUW) obtain an 'official' status. Teachers of subsidized schools, both from subsidized public-law schools of the municipalities and from subsidized private-law independent Catholic schools acquire a comparable status. Temporary employment exists in different forms depending on which conditions are fulfilled.	A teacher's salary is determined by various factors such as the position held and the qualifications of the teacher. Salary scales are subject to biennial increases.	Teaching hour: 50 minutes Maximum amount of teaching hours per week: 24 hours School holidays: 15 weeks

Recognition of qualifications

The profession of a **secondary school teacher** is a regulated profession in the Euregio Meuse-Rhine: in the Netherlands, Germany (North Rhine-Westphalia) and Belgium. That means that if a teacher with foreign qualifications wishes to teach across the border, they must apply their teaching qualifications to be recognised by the local authority. In this procedure, the authorities compare the foreign qualifications (teacher education, as well as work experience) with the profession of secondary school teacher in the host Member State. In case the authorities find substantial differences in the skills and competences, they may impose compensation measures to the teacher (a test or a training period), the fulfilment of which will allow the teacher to obtain recognition and begin teaching.

The research found that this procedure may be perceived as a burdensome and lengthy procedure, particularly if compensation measures are imposed. This may influence the teacher's decision to seek employment opportunities across the border, particularly if they already have years of professional experience. However, there are alternative ways by which the teachers may enter the neighbouring labour market. Table 1 summarises these findings and the procedure on recognition of qualifications. More information is found from the full report.

Employment conditions

The differences in employment conditions of secondary school teachers across the EMR can either discourage or encourage cross-border mobility. Indeed, Table 2 presents that the professional status of teachers varies across the regions, with some regions having fully non-civil servant status for teachers, while other teachers enjoy the status of a civil servant (or a comparable), that might be subject to more beneficial terms of contract, salary and social security benefits and taxation regimes. Other factors to consider are differences in working time and holiday planning.

Social security and taxation

If a teacher starts to teach in a neighbouring country, it may also have effect on his social security rights (health insurance, sick leave, state pension) and where he is liable for taxation. The legal framework applicable to social security and taxation is a complex one and is highly dependent on the individual circumstances of the secondary school teacher. Some examples below clarify the functioning of these rules:

- The teacher resides in the Netherlands and starts full-time teaching at a secondary school in Germany. His/her social security will shift from the Netherlands to Germany, irrespective of whether he/she qualifies as either a civil servant or employee in Germany.
- The teacher resides in Belgium and starts full-time teaching at a secondary school in Germany. His/her social security will shift from Belgium to Germany, irrespective of whether he/she qualifies as a civil servant.
- The teacher resides in Germany, works as a teacher in Belgium, and is qualified as civil servant in an employment relation under public law for a Dutch education institution. He/she will be socially insured in the Netherlands.

Want to learn more?

Read the full research report at:

www.crossborderitem.eu

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