The Forum on Patronage and Pluralism in the Primary Sector

Report of the Forum's Advisory Group

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Contents

Note on Terminology

The Advisory Group is aware that a certain fluidity exists in the use of terms in relation to religious education and the characterisation of schools. Some of the terms found in older documents are no longer in general current usage. Other aspects relate to the fact that religious education has become an area of high academic and public interest. A great deal of innovative thinking has been taking place on the nature and content of religious education. Pedagogical approaches, very different from those of earlier generations, have been devised in recent times. In this Report, the Advisory Group has to relate with both older and more recent terms, and seeks to employ terminology which is sensitive to all involved. In the interests of clarity, the Advisory Group sets out the following as reflecting the working meaning of terms employed in this Report.

Denominational Religious Education: This means education as 'formation' in a belief system. It involves learning how to live a life according to religious guidelines and learning modes of thinking, values formation and moral action in the light of religious beliefs. It incorporates the constitutional and legal term "religious instruction" whose connotation is now regarded as pedagogically limiting, but whose usage was widespread in the past. Religious education also incorporates a dimension of critical thinking and is opposed to the indoctrination of pupils.

Education about Religion and Beliefs (ERB): By this is meant a programme which helps pupils to know about and to understand the rich cultural heritage of forms of religion and beliefs which have been embraced by humankind. It is not focussed on nurturing a belief or practice system of any religion, but to have an informed awareness of the main theist and non-theist beliefs and of key aspects of their cultural manifestations. It also aims to foster a respect for adherents of such religions and beliefs. A current synonym for this programme is ERB, education about religion and beliefs.

Denominational patronage: A school under the patronage of a single religious community. Such a school provides religious education according to the traditions, practices and beliefs of the specified religious community. It may also provide a wider education about religion and facilitate parents of other faith traditions to enable them to provide for religious education in their belief system.

Inter-denominational patronage: A school under the patronage or trusteeship of more than one religious faith community. Such a school provides for a variety of religious education opportunities.

Multi-denominational patronage: In the Irish context, two types of primary schools are categorised as multi-denominational:

- firstly, those schools that do not provide religious education as formation, during the school day, but do provide education about religions and beliefs. If they so desire, parents may arrange for denominational religious education outside school hours in such schools
- secondly, those schools that provide education about religions and also provide some faith formation for different denominations, depending on parental requests, during the school day, over a 3 or 4 week period.

Non-denominational Patronage: Schools under the patronage of a secular body and which has an explicitly secular ethos. This does not preclude the provision of a programme on education about religion. As yet, there are no non-denominational national schools in Ireland.

Patron: See Section 8 of the Education Act (1998)

Ethics Programme

While the formation of ethical behaviour forms part of religious education programmes, the Advisory Group is concerned that the rights of children, who do not participate in such programmes, to ethical education are also safeguarded. Learning about ethics is important for all but developing modes of ethical behaviour is of central importance to human development. The teaching of ethics includes the formation in and the promotion of a personal commitment to the dignity and freedom of all human beings, the importance of human rights, the place of justice within society, and the service of the common good. These are all essential to education in citizenship and the proper functioning of democracy.

Abbreviations / Acronyms

AMCSS	Association of Management of Catholic Secondary Schools
An Foras	An Foras Pátrúnachta
ATCS	Association of Trustees of Catholic Schools
B. Ed.	Batchelor of Education (degree)
BOM	Board of Management (of a Primary School)
CAO	Central Applications Office
CHoICE	Conference of Heads of Irish Colleges of Education
CICE	Church of Ireland College of Education
CNS	Community National Schools
CPD	Continuing Professional Development
CSO	Central Statistics Office
CSP	Catholic Schools Partnership
DAG	Divestment Advisory Group
DCYA	Department of Children and Youth Affairs
DES	Department of Education and Skills
ECHR	European Convention on Human Rights
ERB	Education about Religion and Beliefs
ERC	Educational Research Centre
ESRI	Economic and Social Research Institute
EU	European Union
EVS	European Values Survey

GIS	Geographical Information System
HEA	Higher Education Authority
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICT	Information and Communication Technology
IHRC	Irish Human Rights Commission
INTO	Irish National Teachers' Organisation
IPPN	Irish Primary Principals' Network
ISSP	International Social Survey Programme
IVEA	Irish Vocational Education Association
JMB	Joint Managerial Body
LA	Local Authorities
NABMSE	National Association of Boards of Management in Special Education
NCCA	National Council for Curriculum and Assessment
NCSE	National Council for Special Education
NPC	National Parents Council - Primary
NUI	National University of Ireland
NSEG	New Schools Establishment Group
OCO	Ombudsman for Children's Office
OECD	Organisation for Economic Co-operation and Development
PAG	Patronage Advisory Group
PDST	Professional Development Service for Teachers
RE	Religious Education

REDCo   **R**eligion, **E**ducation, **D**ialogue, **Co**nflict (European Commission)

REMC   Religious Education in a Multicultural Society

RI   Religious Instruction

RME   Religious and Moral Education

UCD   University College Dublin

UNCERD   United Nations Convention on the Elimination of Racial
           Discrimination

UNCRC   United Nations Convention on the Rights of the Child

UNHRC   United Nations Human Rights Council

UPR   Universal Periodic Review

VEC   Vocational Education Committee

WSE   Whole School Evaluation

List of Tables and Figure   Page

Introduction
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The School Patronage Issue

The fact that 96 percent of primary schools in Ireland are under denominational patronage is unique among developed countries. The reasons for this are deeply rooted in history and in the belief system of the population. With the establishment of the National (Primary) School system in 1831 the State provided financial support to local patrons for primary school provision, on the condition that patrons observed the regulations of the newly established Commissioners of National Education. While the State favoured applications from patrons of mixed denominations, what evolved, in practice, was that the great majority of schools came under the patronage of individual clergymen of different denominations.

At that time, and for several generations afterwards, the vast majority of Irish people were affiliated to denominational churches, mainly to the Catholic Church. From the beginning, regulations sought to prevent proselytism, through the national schools, and efforts were to be made to protect the belief system of pupils who did not share the religious belief of the majority in the school they attended. Section I of this Report gives an overview of school patronage as an issue in the development of Irish primary education up to the current era.

Over recent decades, Irish society has been undergoing major political, social, economic, cultural, demographic and educational change. Among key changes, which have particular relevance for this Report, are the greater diversity of religious belief systems and the more multicultural composition of the population. There is also a minority of about 10 percent who declare themselves as having 'no religion'. There are also parents of denominational beliefs who prefer a multi-denominational education for their children. The changed character of the population is evidenced in Section II of this Report.

It is also the case that over recent decades a number of international conventions has been agreed, to which Ireland is a signatory, which set out the rights of children and which highlight the human rights of all citizens, including their educational rights. There is now a mis-match between the inherited pattern of denominational school patronage and the rights of citizens in the much more culturally and religiously diverse contemporary Irish society.

The challenge of re-shaping the structure of primary school provision so that it is more congruent with the needs and rights of current and future citizens focuses on three main issues. Ireland has a very high number of primary schools per head of population, and has one of the highest proportions of small schools among developed

countries. The profile of current school provision is set out in Section II. Except in areas of expanding population, it is not economically feasible, nor educationally justifiable, to further extend the stock of schools. However, in areas of rapidly expanding population, it is necessary and desirable to provide new schools. In June 2011, the Government took the initiative of identifying areas for new schools and planning for their provision so as to provide for greater diversity of school type, linked to new requirements regarding patronage.

The second area of challenge refers to areas of static, or declining, population where there is already a cluster of denominational schools, but where parental demand exists for a diversity of school type. In these instances, what policy-makers seek is that existing patrons agree to divest their patronage of a school to the State, so that the State can allocate it to an alternative patron or establish a school itself.

The third aspect of the challenge relates to the fact that many of the schools in Ireland are what is termed, denominational Stand Alone schools. These serve a local community where it is not possible to provide a second school. The concern here is to try to ensure that such schools are as inclusive as possible, and accommodate pupils of varied belief systems, while ensuring that the work of the school does not infringe their rights (belief systems). The school, at the same time, needs to respond to the needs and rights of the majority of pupils attending.

Another aspect of diversity of schools relates to language rights. Irish is the first official language of the State. It is State policy to promote bilingualism across Irish society, and the State is committed to supporting the rights of parents who seek an Irish medium education for their children. Strong parental demand has been expressed for all Irish medium schools and the patronage groups representing such parents are pressing for greater provision of such schools.

The issue of the future of primary school patronage has been a live one in Irish society for some time. The various patronage groups and the Department of Education and Skills have been in discussions and negotiations on the issue. A range of reports have also been published recently which focus on aspects of the issue. There is an acceptance by all agencies involved that a greater diversity of primary schooling is necessary in Irish society. The problem is how best to promote and develop this diversity.

A public regard for education has been a striking feature of the Irish historical experience, even in most unpropitious times of dispossession and poverty. It is also the case that over the generations Irish society has been well served by the commitment, professionalism and caring instincts of its educators. Communities traditionally display great loyalty and allegiance to their schools, and schools have tended to reflect local identity and sense of belonging as successive generations attend them. Religious belief plays a sensitive and intimate part in people's lives. In Ireland, the religious dimension has been very interwoven with the primary schools' way of life. Thus, when a re-shaping of school provision is on the agenda so as to

reflect greater diversity of belief systems, it is to be expected that concerns and apprehensions will be involved. To achieve patronage change is a political and educational issue which requires good communication, understanding, patience and a clear sense of purpose. The cultivation of trust and confidence in the process of transition is important so that people can understand the rationale for change and the values for the common good on which it is based, as well as the legal necessity for change.

It is with these considerations in mind that patron groups and teacher organisations have sought a dialogic framework through which the multi-faceted aspects involved could be teased out, and the best courses of action devised.

The Forum and its Work

The fact that the issue of appropriate forms of primary school patronage for the diverse society of modern Ireland is a live one is borne out by its inclusion in the Programme of Government, issued on 6 March, 2011. It stated:

> We will initiate a time-limited Forum on Patronage and Pluralism in the Primary Sector to allow all stakeholders including parents to engage in open debate on change of patronage in communities where it is appropriate and necessary. The Forum will have concise terms of reference and will sit for a maximum of 12 months[1]

To give effect to this, Minister Quinn, TD, announced the establishment of the Forum on Patronage and Pluralism in the Primary Sector on 28th March, 2011, so that all stakeholders could contribute to the debate and possible solutions. The Forum would be conducted by an independent Advisory Group, who would report to the Minister on the outcomes.

The Minister set out the terms of reference for the Forum to advise him as follows:

1. how it can best be ensured that the education system can provide a sufficiently diverse number and range of primary schools catering for all religions and none

2. the practicalities of how transfer/divesting of patronage should operate for individual primary schools in communities where it is appropriate and necessary

3. how such transfer/divesting can be advanced to ensure that demands for diversity of patronage (including from an Irish language perspective) can be identified and met on a widespread basis nationally

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[1] Government of Ireland, Government for National Recovery 2011-2016, 6 March, 2011, p.42

In undertaking this work the Forum will, in particular, have regard for the following:

- the expressed willingness of the Roman Catholic Church to consider divesting patronage of primary schools

- the current financial constraints within which the State is operating, the need for continued restraint into the future and the requirement in this context to make maximum use of existing school infrastructure in catering for future demands

The Minister appointed an Advisory Group to oversee the work of the Forum. The members of the Advisory Group are Professor John Coolahan (Chairman), Professor Emeritus at NUI Maynooth, Dr Caroline Hussey, former Registrar and Deputy President of UCD and Ms Fionnuala Kilfeather, former Chief Executive of the National Parents Council – Primary.

The Advisory Group was given administrative backup assistance by officials from the Department of Education and Skills.

On 19th April 2011, Minister Quinn, TD, formally launched the Forum. In his speech, he noted "the significant societal changes that have taken place in Ireland in recent years have led to increased demand for new forms of multi-denominational and non-denominational schooling. They have also led to increased demand for Irish language schooling in many parts of the country. …. The key issue that the Forum will address is how change can be implemented"….. He stressed that the report from the Advisory Group will be "completely independent".

Work of the Forum, April to December 2011

In effect, a multi-dimensional approach was adopted by the Advisory Group. There were three key phases to their work – a consultation / inquiry phase, an interpretation and analysis phase and the third phase involved the preparation of this Report by the end of 2011. In total the Advisory Group formally met on 27 occasions.

Consultation and inquiry

The Advisory Group sought written submissions from key stakeholders and other interested parties (no more than 5,000 words) on three key themes. The three themes were:
- establishing parental and community demand for diversity

- managing the transfer/ divesting of patronage

- diversity within a school or a small number of schools

215 submissions were received. These are available on the Department's website www.education.ie.

There was a three day open working session of the Forum on 22nd, 23rd and 24th June. This involved dialogue, based on their written submissions, between the Advisory Group and thirteen main stakeholders plus the Department of Education and Skills. (See Appendix 1 which lists the stakeholders). A limited number of places were reserved for members of the general public to attend this working session. In addition, a recording of the three day session was made by HEAnet and it was broadcast live via the Department's website www.education.ie. The aim of the website was to make the work of the Forum available to the general public, with a geographic spread.

The Advisory Group engaged in further consultations, between May and October, with a number of key stakeholders to clarify particular points. (See Appendix 2)

Eighty one children from primary schools and junior cycle of post-primary were consulted to obtain their views on the key issues being addressed by the Forum. Experts from the Department of Children and Youth Affairs oversaw the consultation with the children. The views of the primary pupils were received on one day followed by those of the post-primary students on a separate day. The Ombudsman for Children provided the venue for these consultations. Appendix 3 provides a summary report of the consultation with the young people.

Interpretation and Analysis

The Advisory Group members studied the various views and perspectives within the 215 written submissions. They studied the Constitution, relevant books, many reports, published papers, CSO data, legislation, international conventions and also additional material furnished by the partners (see Bibliography). They examined the arrangements for the recognition of new schools which were announced on 27th June by the Minister and the implications of these for their work. They analysed comparable experiences and circumstances in a number of other European countries. (see Appendix 4). All this consultative, deliberative and analytical work aided the Advisory Group in its reflections and debate.

The members sought legal advice in relation to school ownership issues which were highlighted by the Association of Trustees of Catholic Schools at the June working session. At its request, the Secretary General of the DES sought clarification on this topic from the ATCS. The Advisory Group was briefed on the latest situation by DES officials.

On 17th November, at an open public session, the Advisory Group made an oral presentation of the range of its reflections for final consideration by interested parties. Participants were invited to make short oral responses to the presentation, and were

invited to make final written submissions (no more than 1,500 words) by 1 December 2011. In total 32 submissions were received.

Final Report

After the public session on 17th November, the Advisory Group considered the views received both on 17th and in written submissions thereafter and then prepared this final Report. This Report comprises nine sections:- School Patronage as an Issue in the Development of the Irish Primary School System; The Current School and Demographic Profile; Planning towards Future Patronage Arrangements; Divesting School Patronage; Irish Medium Primary Schools; The Stand Alone School; Issues Underpinning Diversity in All Schools, Resourcing and Recommendations.

In presenting this Report to Minister Quinn, TD, the Advisory Group wishes to record its sincere thanks to the Secretary to the Group, Ms Breda Naughton. She took a keen interest in the work, was assiduous in support of the Group, and was most courteous and efficient in the conduct of the Forum's work. The Group also wishes to thank Ms Mary Ryan for the care she took in the preparation of the Report. Other members of the Department's staff, in particular Mags Jordan, Paul Dolan, Sarah Miley and Fidelma Lyons, were generous in their assistance, particularly at the Open Working Sessions of the Forum, and in the consultations with the young people, for which the Group is very grateful.

The Advisory Group also wishes to thank the Department of Children and Youth Affairs Citizen Participation Unit and its team of trained facilitators led by Ms Anne O'Donnell. Thanks are also due to the Ombudsman for Children, Ms. Emily Logan, for the use of her offices for the consultations with the young people.

A Changing Attitudinal Climate

The issue of how best to accommodate children and parents regarding their religious and linguistic rights in a State school system, or in State supported systems, has been a challenging issue for all developed countries. The increase in globalisation and multiculturalism has brought the issue into greater public prominence in recent years. Agencies such as the UN, the EU and the Council of Europe have been focussing attention on the need for all citizens to have an education about religions and belief systems for satisfactory democratic engagement. This is in addition to the rights of citizens to have instruction and formation in the denominational belief systems to which they subscribe. The rights of citizens who are non-believers to participate in primary schooling, in which their value system is protected and respected need to be accommodated. It is not always easy for public policy to secure a balancing of rights for all its citizens, but it is incumbent on States to make every effort to do so.

The Advisory Group examined the diversity of primary school provision in a number of European countries (See Appendix 4). All the countries examined had a greater diversity of school provision than Ireland, and Ireland can learn from other countries' experiences. Yet, the school system in any country is shaped by the historical, cultural, religious and political circumstances which prevail. In re-shaping its school patronage system, Ireland needs to be conscious of this, and draw on its traditions, values, and community aspirations for the future.

The terms of reference of the Forum did not require the Advisory Group to draw up a new design for primary schooling but, rather, to recommend adaptations to the existing system so that it might achieve a better balancing of rights with greater inclusivity and diversity. The work of the Forum has been occurring at a time when international organisations are keen to promote greater mutual understanding of diverse belief systems in modern democratic society. The Churches are also operating in a more ecumenical climate and engaging in more dialogue between all religious systems, than in former generations. Something of the spirit of this era is caught from the Catholic Church's Vatican II document, Nostra Aetate, when it states:

> The Church, therefore, exhorts her sons, that through dialogue and collaboration with the followers of other religions carried out with prudence and love and in witness to the Christian faith and life, they recognise, preserve and promote the good things, spiritual and moral, as well as the socio-cultural values found among these men.[2]

At the launch of the Forum on 19 April 2011, concepts of tolerance, pluralism and compromise were quoted to help guide mindsets. Now, at the conclusion of the Forum, they are re-iterated. The late Professor Kevin Boyle, of the Human Rights Department of NUI Galway, was quoted as follows:

> There is a positive component to the concept of tolerance which is linked to the idea of pluralism. That is beyond mere toleration to acceptance of the other. Tolerance is recognition and acceptance of the other and equally an attitude that prides itself in no superiority to others. A tolerant society is one which recognises and accepts the uniqueness of human groups, however distinguished from other groups, whether by colour of skin, by ethnic background, national origin, by culture, religion, or language, or other attributes which alone or in combination define their collective identity.[3]

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[2] Vatican II Documents, Nostra Aetate, (Austin Flannery (ed.), 1981)
[3] Kevin Boyle, "Pluralism and Tolerance in a Changing World", in Pluralism in Education: Conference Proceedings (1996, n.p.) pp.27-38

The second quotation was from Dr. Geraldine Smyth, OP, of the Irish School of Ecumenics. She had stated "Pluralism is about how we can live together in the one world-house (oikoumene), about how we can live in an ecumenical spirit".
She went on to emphasise the importance of true compromise in promoting pluralism as follows:

> In the quest for what will best contribute to the common good, compromise holds the power to liberate and consolidate across divisions and ancient loyalties and allegiances. Compromise carries us beyond an individualist solution and holds out the possibility of a new and shared future. Compromise invites us to face one another, to take one another seriously enough to enter not just a contract but a mutual promise that implies, in some way, a taking of responsibility together for the future.[4]

It is gratifying to report that the spirit of these sentiments prevailed in the submissions to, and in the discussions at the Forum. While representing a variety of perspectives, participants engaged in a focussed way, in a spirit of good-will, and with an effort to reach out to understand alternative positions on the issues under discussion. In the tradition of the consultative processes which have formed a distinctive tradition in education policy formation in Ireland, participants listened and learned from each other, and demonstrated respect for the *bona fides* of participants with varying perspectives. The Advisory Group met with co-operative and courteous assistance from all with whom it consulted. A distinctively enriching dimension was the input from 81 young people in relation to their perspectives on aspects of how religion was dealt with in contemporary primary schools. A summary report of their views is included in Appendix 3.

The Forum also benefited from hearing the views of those who consider themselves excluded, or disadvantaged from current schooling arrangements, as a balance to the providers' concept of accommodating them in their inclusiveness. While there is no absolute right to a school of one's choice, we need to exhibit a humanitarian concern to secure the educational rights of our neighbours, as far as is possible.

The responsible reporting of the media in eschewing sensationalising issues helped to prevent unnecessary misapprehensions among the public with regard to issues under review.

The key aim of the Forum was to examine existing practice with a view to its improvement and to make recommendations aimed at ensuring that, as far as is possible, the rights of Irish children and their parents are provided for in our primary education system. It is the sincere wish of the Advisory Group that its Report and recommendations will assist in the achievement of this aim.

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[4] Geraldine Smyth, "Foreword", in ibid, p.5

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School Patronage as an Issue in the Development of the Irish Primary School System

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Introduction

The patronage of national schools is an issue that is deeply rooted in Irish educational and political history. The Irish national school system is 180 years in operation in 2011, and the patronage of schools was a contentious issue from its inception in 1831. Participants at the open working sessions of the Forum, as well as other commentators, have rightly stressed the importance of parental viewpoints on the issues relating to patronage and possible changes to it. It was also emphasised, however, that many parents do not have a good understanding of school patronage and tended to focus more on the quality of the schools in their locality. While this preoccupation is understandable, the future pattern of patronage of primary schools is an important matter for Irish society. Accordingly, in the interest of informed debate, participants are entitled to have an understanding of how school patronage evolved as it did, what changes have been occurring in the recent past, and the relevant constitutional and legal context in which the debate is taking place. As Dympna Glendenning remarks, regarding the current debate, "Parents need to be fully informed of all aspects of school life but particularly of those elements of education which pertain to ideology and religion which are primarily within their constitutional remit".[5] Hence, this opening section of the Report aims to give an overview of these features, against which the contemporary debate can be best understood.

The Origins of the Patronage System

In early nineteenth century Ireland, against a background of intense denominational animosity and political division, the education of the young became a significant political issue. The traditional hegemony of the Established Church was being challenged by a demand for the equal acceptance of the rights of all citizens to a state-supported education, in accordance with their religious affiliations. A landmark effort to establish this position was the <u>Fourteenth Report of the Commissioners of the Board of Education</u>, 1812, which sought to devise a schooling system that would include all children to receive the benefits of education, "as one undivided today, under one and the same system, and in the same establishments." It set out the fundamental principle which should underpin such a scheme – "that no attempt shall

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[5] Dympna Glendenning, <u>Religion, Education and the Law</u>, (Tottel Publishing, 2008) p.359

be made to influence or disturb the peculiar religious tenets of any sector or description of Christians"[6]. This daring stance, against a prevailing climate of proselytism, was adopted by Lord Stanley in 1831 for the national school system.

Announcing a state-supported primary school system, Stanley stated that a main aim of the system was to unite the children of different denominations, with the schools being open for combined literary and moral instruction for four or five days a week, while separate denominations' religious instruction could take place at times outside of these days. The new Commissioners of National Education were to assist local initiative in the provision of schooling, and applications from mixed denominational local groups were to be especially favoured. Predictably, however, the churches opposed a mixed denominational system, and long and bitter struggles took place to re-shape it to being a denominational one. While the system remained *de jure* a mixed system, it became *de facto* a denominational one. As Akenson notes, "By approximately mid-century, the national school system had become a denominational system".[7] Pressures to make it more overtly denominational continued throughout the nineteenth century.

Shortly after the establishment of the national school system the Commissioners of National Education set up two central teacher training establishments, one for men and one for women, at their Dublin headquarters. These were to be managed by the Commissioners on the mixed education (religious) principle. The same provisions were to hold for a range of regional model schools, set up during the mid century. These had an apprenticeship training role (monitorial) for aspiring teachers. The mixed education principle was not regarded as satisfactory by the main religious denominational leaders. From 1860, the Catholic hierarchy, in particular, strongly opposed the Commissioners' institutions. Eventually, in 1884, following much agitation, the State agreed to give financial support to denominational training colleges which increased in number and expanded in size over subsequent years. This support was a significant concession to the denominational emphasis in primary education.

In a pastoral letter, issued in 1900, the Catholic hierarchy formally acknowledged the success in remodelling the national school system from the original plan, stating:

> The system of National Education … has itself undergone a radical change, and in a great part of Ireland is now, in fact, whatever it is in name, as denominational almost as we could desire. In most of its schools there is no mixed education whatsoever[8].

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[6] Extract from the 14th Report of the Commissioners of the Board of Education, 1812, in Áine Hyland and Kenneth Milne (eds.), Irish Educational Documents, Vol. I, (Dublin, 1987), pp. 64,65
[7] Akenson, Donald H., The Irish Education Experiment, (London, Routledge and Kegan Paul, 1970), p. 223
[8] Pastoral quoted in The Irish Teachers' Journal, 6 October, 1900, p.4

The vast majority of the schools came under the control of patrons of a particular denomination. However, the Commissioners retained formal demarcation lines between literary and moral instruction, on the one hand, and religious instruction on the other. When religious instruction was being given it was essential that the time be publicly notified in advance and that a large notice with the words 'Religious Instruction' be publicly displayed. At all other times, the other side of the notice which read 'Secular Instruction' should be on display. Furthermore, during secular instruction sessions, no religious emblems or images should be on public display. From the 1830s the principle of the conscience clause was in operation, whereby "No child shall receive, or be present at, any religious instruction of which his parents or guardians disapprove." Furthermore, the Rules stated "the time for giving religious instruction shall be so fixed that no child shall be thereby, in effect, excluded, directly or indirectly, from the other advantages which the school affords".[9]

However, the Rules did not specify how exempted pupils were to be actually cared for during the period of religious instruction.

Post-Independence (1922) Policy

Following the 1918 General Election and the War of Independence, the partition settlement led to education on the island being under the control of two different legislatures. In October 1921, the Catholic Clerical Managers Association issued the following statement:

> In view of the pending changes in Irish education, we wish to assert the great fundamental principle that the only satisfactory system of education for Catholics is one where children are taught in Catholic schools by Catholic teachers under Catholic control.[10]

Other denominations also wanted their schools to be fully reflective of their religious ethos.

In 1925, the Minister for Education, Eoin MacNeill, convened a conference to examine the programme and aspects of primary education, which was chaired by Fr. Lambert McKenna S.J. With regard to religious education the Conference Report stated:

> Of all the parts of a school curriculum Religious Instruction is by far the most important … we assume, therefore, that Religious Instruction is a fundamental part of the school course … a religious spirit should inform and vivify the whole work of the school. The teacher – while careful, in the presence of children of different

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[9] Commissioners of National Education, Rules and Programme for National Schools, 1917 Ed., p.3.
[10] Reported in The Times Educational Supplement, 29 October, 1921, p.323.

religious beliefs, not to touch on matters of controversy – should constantly inculcate, in connection with secular subjects, the practice of charity … and other moral virtues.[11]

These sentiments were included in the opening paragraph of the new edition of the Rules and Regulations relating to Religious Instruction. While the rule concerning the display of the Religious Instruction notice was dropped, the clauses concerning the conscience clause, and not losing out educationally through opting out of Religious Instruction, were retained.[12] Regarding the administration of primary schools a striking feature of the political changeover was the lack of change, and the continuity of the inherited tradition of primary schooling.

The centenary of Catholic Emancipation was celebrated with fervour in 1929, the year which also saw the publication of Pope Pius XI's encyclical, Divini Illius Magistri (On the Christian Education of Youth). This set out an exclusivist view regarding Catholic schooling:

> It is necessary that all the teaching and the whole organisation of the school, as well as the teachers, the syllabus, and the textbooks in every branch be regulated by one Christian spirit, under the direction and maternal supervision of the church …[13]

The encyclical also clearly set out the subsidiary nature of the State's role in education *vis a vis* the family and the church, providing an influential framework of reference in the 1930s.

The Constitution, enacted in 1937, has been a fundamental bedrock of legal rights in Ireland. Article 42 on Education and Article 44 on Religion in the Constitution give clear expression to the rights of the family, religious denominations and the State regarding education. In Article 42.1 the State "acknowledges that the primary and natural educator of the child is the Family and guarantees to respect the inalienable right and duty of parents to provide, according to their means, the religious and moral, intellectual, physical and social education of their children". Article 42.4 states:

> The State shall provide for free primary education and shall endeavour to supplement and give reasonable aid to private and corporate educational initiatives … with due regard, however, for the rights of parents, especially in the matter of religious and moral formation.

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[11] Report and Programme presented by the National Programme Conference to the Minister for Education, (Dublin: Stationery Office, 1926), p.21
[12] Rules and Regulations for National Schools (Dublin: Stationery Office, 1946 ed.), p.44
[13] Pope Pius XI, Divini Illius Magistri, (On the Christian Education of Youth), 31 December 1929, in Papal Teachings: Education (St. Paul's Editions, 1960, pp. 200-248.

Article 44.2.4 reads:

> Legislation providing State aid for schools shall not discriminate between schools under the management of different religious denominations, nor be such as to affect prejudicially the right of any child to attend a school receiving public money without attending religious instruction at that school.[14]

Among key emphases of these articles were the subsidiary role of the State providing 'for' education, and giving aid to other agencies. Under Article 42.2 it had the right to establish schools but, up to 2008, it had not provided primary schools. The rights of parents for the education of their children is very emphasised, and in 42.3 the State undertakes not to oblige parents to send their children to any school in violation of their conscience. Article 44.2.5 stresses that "every religious denomination shall have the right to manage its own affairs, own, acquire and administer property, movable and immovable, and maintain institutions for religious or charitable purposes." State aid for schools, it was stressed, would not discriminate between schools under the management of different denominations. Furthermore, the conscience clause was upheld whereby the State respected the right of any child to attend such a school without attending religious instruction there. The Constitutional Articles have provided the framework within which rights with regard to primary education in Ireland, since 1937, have largely depended.

Developments in a Changing Society (1960s and 1970s)

No significant policy changes affecting Irish primary education took place thereafter until the 1960s. The sixties was a period of significant political, economic, social, cultural and demographic change. The State assumed a more proactive stance in the reform of education whose deficiencies were clearly exposed by the Investment in Education Report conducted, in conjunction with the OECD, and published in 1966[15]. The catch phrase became 'investment in education' as a means to improve the economic and social well-being of an increasing population. The outcome of the Vatican II Council of the early sixties was to have significant influence on educational as well as other social and religious thinking. Education got an increasingly high profile in the media, including the new Telefís Éireann station. The manifestos of the political parties highlighted education reform issues during these years.

The spotlight of education reform focussed more on post-primary and tertiary education, but significant changes were also underway in primary education. In the edition of the Rules for National Schools issued in 1965, the Preface states, "The

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[14] Government of Ireland, Bunreacht na hÉireann (Constitution), (The Stationery Office, 1937)
[15] Survey Team (in association with the OECD), Investment in Education (Pr.8311), (Dublin: Stationery Office, 1966)

State provides for free primary education for children in national schools and gives explicit recognition to the denominational character of these schools."[16] This was the first time in the 134 years of the national school system that the schools were formally recognised as denominational.

The phrase from the 1926 Report that teachers should "be careful in the presence of children of different religious beliefs not to touch on matters of controversy" was dropped.

In 1966, the Department of Education began a major overhaul of the primary school programme. The new Primary School Curriculum was published in 1971 and it represented a significant change in conception, in range of courses, in the organisation of subjects and in pedagogical approach. A key change was viewing the curriculum as an integrated programme. The introduction to the Curriculum stated:

> That the separation of religion and secular instruction into differentiated subject compartments serves only to throw the whole educational function out of focus.[17]

This represented a formal sundering of the long established principle of national schooling emphasising the distinction between secular and religious instruction. It went on to state the integration of the curriculum may be seen "in the religious and civic spirit which animates all its parts."[18]

In the section on Religion, it quoted the revised rule 68 from the 1965 edition, which was a more emphatic expression of the sentiments expressed in the 1926 report, beginning as follows:

> Of all the parts of a school curriculum Religious Instruction is by far the most important, as its subject matter, God's honour and service, includes the proper use of all man's faculties, and affords the most powerful inducements to their proper use. Religious instruction is, therefore, a fundamental part of the school course and a religious spirit should inform and vivify the whole work of the school.[19]

The kind of denominational thinking involved may be detected in a public statement by an Assistant Secretary of the Department with regard to the new primary school curriculum, when he stated:

> The purpose of education in a given society should reflect the philosophy of that society. Ours is a Christian society. We should

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[16] Rules for National Schools (1965 ed.), Preface
[17] Primary School Curriculum, Teachers Handbook, Part I, 1971, p.19.
[18] Ibid.
[19] Ibid., p.23

have no apology to offer for an educational policy which consistently seeks to inculcate Christian values and principles.[20]

Such views incorporated no space in state-supported school provision for non-Christian citizens.

The changes in the 1965 edition of the Rules, coupled with the stated philosophy underpinning the revised curriculum, were occurring at a time when Irish society was changing, becoming less homogenous and more questioning of authorities. No provision was made for the rights of children whose parents did not wish them to attend exclusively denominational schools. The conscience clause in the Rules which allowed children to opt-out of religious instruction to which their parents objected, still remained, but no guidance was given as to how it could be operated practically in the school day. With the new emphasis on the integration of religion with the secular subjects, and with the religious spirit animating all the curriculum parts, it would be extremely difficult, if not impossible, for such children not to be exposed to religious values to which their parents might object.

While the rights of parents regarding the education of their children were given impressive expression in the Constitution, the active involvement of parents in policy-making or administration in the schooling system was extremely limited. In the 1960s, parents began to be more expressive concerning their marginalisation, and parent-teacher meetings became a feature in some schools. In line with Vatican II thinking, the Irish Catholic hierarchy, in 1969, gave their endorsement to the movement promoting parent-teacher meetings. Parents also became actively involved in the issues associated with the closure or amalgamation of many of the small national schools, inherited from an earlier era, and which lacked the hygiene, heating and facilities required in modern education. Such restructuring was not achieved without disputes and disagreements among some local communities. Nevertheless, between 1962 and 1979, over 2,000 one- and two-teacher schools were closed. An older tradition of single-sex primary schools also largely changed, and boys and girls from rural areas benefited from a new school transport scheme.

In 1975, the first significant change in the management of national schools took place since the establishment of the system in 1831. The State took the initiative of establishing management boards, with a financial incentive for schools to do so. For the first time, parents and teachers were involved directly, albeit in a minority position, with the patron's nominees in the management of schools. To give support to parents' representatives, a Council for Elected Parents' Representatives was established.

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[20] Tomas Ó Floinn, "New Curriculum for Primary Schools," An Múinteoir Náisiúnta, Vol. 14, No. 6, December 1969, p.5.

A significant "bottom-up" movement by parents for the establishment of multi-denominational schools also began in the early seventies. The first such school was established by a group of parents in Dalkey, Co. Dublin, and it opened in 1978. This was followed by the Bray School Project in 1981 and the North Dublin School project in 1984. This was not a straight-forward or easy process and the parent groups encountered various forms of opposition. As one of the pioneers recorded, "Some administrators at both local and central levels seemed to have difficulty in accepting that a multi-denominational school could be a vital part of the national school system".[21] However, difficulties were surmounted and parents formed a co-ordinating group – Educate Together, in 1984, which also acted as a support group for other groups of parents throughout the country who were interested in multi-denominational education. The movement gathered momentum and there are now 58 multi-denominational schools under the co-ordination of Educate Together.

Another "bottom-up" parental movement in education took place in the seventies and that was the drive of parents who wished their children to be educated through the medium of Irish. They established naonraí for the young children and gaelscoileanna for children of national school age. Gaelscoileanna Teoranta became a support group for these schools. An Forás Patrúnachta has established patronage rights for all Irish medium schools. Schools under its aegis operate as denominational, inter-denominational and multi-denominational, depending on the wishes of the parents.

Such agencies as Educate Together and Gaelscoileanna have brought more diversity to the provision of primary schools, but they still only form a very small percentage of the overall number of national schools, at less than 4 per cent.

The parents' voice in schooling became much more co-ordinated through the establishment of the National Parents' Council in 1985. The Council comprised two sections – one for primary schools, and one for post-primary. The Parents' Council was given consultative and negotiating rights with the Department of Education. Since its establishment it has taken a full partnership role in educational policy and issues, and has given a more democratic character to educational debate and administration.

The Recent Past

As was the case in the 1960s, the nineties was a period during which Irish education underwent a great deal of appraisal, consultation and review which resulted in many reforms and an unprecedented raft of educational legislation. In 1992, the Government published a Green Paper – Education for a Changing World. It envisaged a more responsible role for schools' boards of management. The boards were to be re-constituted with a minority representation from the trustees/ patron in

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[21] Áine Hyland, "Multi-Denominational Schools in the Republic of Ireland", in Chris Moffat (ed.) Education Together for a Change, (Fortnight Educational Trust, 1993)

relation to other members. The chairperson was to be elected from among members of the board, with rotation of this position being encouraged.[22] In October 1993, a National Education Convention took place to consider the many issues raised by the Green Paper and the education partners' reactions to them. During the discussions at the Convention the church bodies took a very hard line on the school management proposals, warning of strong resistance to any attempt by the State to interfere with either the composition or functions of the boards of management. In its Report the Convention Secretariat called for a clearer specification of the functions of patronage and of school management. It urged a more democratic composition of boards of management with equal representation of patrons' nominees and those elected by parents and teachers and they should have the power to co-opt from the local community. It urged that the selection of chairperson should be subject to further negotiation.[23]

The Convention also examined problems of providing multi-denominational and secular education in response to changing patterns of religious belief and practice in Irish society. In its presentation to the Convention the Department of Education acknowledged the emergence of a more pluralist society and the demand of different groups of parents for other than denominational schools. The Secretariat put the issue as follows:

> The main issue here is that, in many cases, parents not only do not want their children to attend religious instruction classes, but they also object to their children being educated within schools whose dominant ethos is not of their faith/beliefs. These parents have the right, of course, to withdraw their children from religious instruction. But, besides the possible peer-stigmatising effects that such withdrawal may bring, the point has been made strongly that an issue of civil liberties may be involved for such pupils/parents attending schools where religion is fully integrated with the rest of the curriculum and where the ethos and "hidden curriculum" fully reflect the religious ideals of the school.

As a way forward, the Secretariat stated:

> The dilemma and challenges posed for policy makers and school authorities require not only dialogue at the school level but the development of "good practice" guidelines by a suitably qualified and representative working group convened by the Department. Such a working party might also explore legal and, perhaps, constitutional issues that may be involved.[24]

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[22] Green Paper – Education for Changing World, (Dublin: Stationery Office, 1992), p.145
[23] John Coolahan (ed) Report on the National Education Convention, (Dublin: Stationery Office, 1994), p.29
[24] Ibid., p.33

The Government's White Paper – Charting our Education Future (1995) accepted this recommendation stating, "Such a working party will be convened in the near future".[25]   Regrettably, this did not happen, and the matter was allowed drift. The State did accept and apply another significant recommendation of the Convention that, for the future, primary school buildings would be publicly owned, as far as possible, and leased out to school patrons.

While the State did not take up the Convention's suggestion about exploring the constitutional and legal issues involved in the current pattern of schooling provision, the issue did come under the scrutiny of the Constitution Review Group (1996). In its lead-in to the examination of the constitutional issues the Group's Report quoted Gerry Whyte's comment on Articles 42 and 44. He stated that as they were:

> Drafted at a time when there was little or no demand for non-denominational education, these provisions reflected Roman Catholic social teaching by enshrining a principle of parental supremacy in respect of the education of children. Operating now in a different type of society to that of the 30s, this constitutional principle may have practical consequences which were never envisaged nor intended by the authors.[26]

Noting the impact of the rule changes of 1965, the formal recognition by the State of the denominational character of the primary school system and the impact of the integrated curriculum of 1971, the Review Group pointed to the difficulties created for Article 44.2.4 regarding the right of each child to attend a state-supported school without receiving religious instructions in that school.

The Review Group concluded:

> In summary, therefore, the present reality of the denominational character of the school system does not accord with Article 42.2.4. The situation is clearly unsatisfactory. Either Article 44.2.4 should be changed or the school system must change to accommodate the requirements of Article 44.2.4.[27]

Following the National Education Convention, the Minister for Education, Niamh Bhreathnach, TD, instituted discussions by the education partners on the composition and deeds of trust of boards of management in primary schools. It was to take two years of negotiation before agreement was reached, in November 1996. As regards composition, it resulted, as the Convention had suggested, with equal representation of patron's nominees, teachers, parents, and the community. The deeds of trust, termed Deeds of Variation, which emerged were a variation on the old lease or deed

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[25] White Paper – Charting our Education Future (Dublin: Stationery Office, 1995), p.24
[26] Gerry Whyte, "Education and the Constitution", in Dermot Lane (ed.), Religion, Education and the Constitution, (Dublin, Columba Press, 1992), pp. 84-118
[27] Report of the Constitution Review Group, (Government Publications, 1996), Articles 40-44.

of trust. The latter did not refer to the ethos or philosophy of the school patron, but merely required that the building be used for national school purposes for a period of 99 years. The new Deeds of Variation, on the other hand, set out the ethos of the school patron or trustee and gave legal effect to it. In the case of the Roman Catholic Deed of Variation, for instance, the boards of management were required to:

- Firstly, manage the school in accordance with the doctrines, practices and traditions of the Roman Catholic Church

- Secondly, make and keep themselves familiar with the ethos of the Roman Catholic Church and the Roman Catholic faith insofar as the same relates to education and schools and

- Thirdly, manage and cause the school to be managed in a manner which will uphold and foster such ethos….[28]

In a similar vein the ethos of other patron bodies was to be protected and supported. Thus, the State facilitated the strengthening of the responsibility of boards of management to sustain the ethos of the existing patron bodies in the schools, but it did not take action to protect the rights of citizens who did not belong to a group which owned or managed schools.

Ireland's first comprehensive Education Act for the school system was enacted in 1998. In Section 8 of the Act, the Minister for Education is required to maintain a register of school patrons and to enter patrons' names on the register. The Act bestows considerable powers on the school patron. Under Section 14 (4), the patron has the right to appoint members of the schools' boards of management subject to agreed protocols. Under Section 16 (1) of the Act, and subject to the consent of the Minister, the patron may

(a)   for good and valid reasons, stated in writing to a member of a board of management, remove that member from that office, or

(b)   if satisfied that the functions of a board are not being effectively discharged, dissolve that board.

Section 15 specifies the functions of the boards of management and their responsibilities to the patron. In the conduct of their work, boards are urged to –

have regard to the principles and requirements of a democratic society and have respect and promote respect for the diversity of values, beliefs, traditions, languages and ways of life of the society (Section 15.2.e)

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[28] Text of Deed of Variation in Áine Hyland, "The Patronage of National Schools", Education Matters Yearbook, June 2010

Section 30(2)(e) of the Act relates to the long-established conscience clause provision, but with wider application –

> the Minister shall not require any student to attend instruction in any subject which is contrary to the conscience of the parent of the student or in the case of a student who has reached the age of 18 years, the student.[29]

The conscience clause was no longer confined to religious instruction. The 1971 curriculum was revised in 1999 and it pointed to

> … the responsibility of the school to provide a religious education that is consistent with its ethos and at the same time to be flexible in making alternative organisational arrangements for those who do not wish to avail of the particular religious education it offers. It is equally important that the beliefs and sensibilities of every child are respected.[30]

This put the responsibility on the school to make alternative organisational arrangements for those who did not wish to participate in its religious instruction programme, but the curricular document refrained from making any suggestions regarding good practice in this area.

The late decades of the twentieth century witnessed a very significant decline in the numbers of men and women in religious life. Many religious congregations also engaged in reflective self-questioning and re-visiting the original charism of their founders. There has been quite a withdrawal by religious from the frontline activity of schools towards a concentration on support structures and a re-structuring of trusteeship, with lay participation, and with a view to sustaining their values and ethos in the schools of the future. During the late nineties some religious spokespersons expressed views favouring greater diversity of school patronage. For instance, the theologian, Rev. Dr. Dermot Lane remarked:

> The Catholic Church, therefore, should welcome the development of other alternative forms of educational choice such as Gaelscoileanna, multi-denominational education and non-denominational education … Such diversity of form and choice in education can only be good for Catholic education as it will act as a stimulus to develop what is distinctive about its own identity and ethos. The absence of diversity in education in the past has not always served the best interests of Catholic education.[31]

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[29] Education Act, 1998, Number 51 of 1998
[30] Primary School Curriculum, 1999, p.58
[31] Dermot Lane, "The Expanding Horizons of Catholic Education" in Pádraig Hogan (ed). The Future of Religion in Irish Education, (Veritas, Dublin, 1977), pp. 123-137, p.133

Sr. Teresa McCormack, Secretary of the Conference of Major Religious Superiors wrote:

> There is now a very strong consensus in Irish education that the most appropriate way of accommodating the growing pluralism in society is through the availability of a diversity of school types. There is a commitment on the part of government, arising from a corresponding concern in contemporary society, to try to ensure that, as far as possible, parents will be able to choose schools that reflect their religious, ethical or cultural values.[32]

The climate of thinking was changing and a greater realisation of the need for change in school patronage provision was being publicly acknowledged by Catholic Church personnel.

Recognising the increasing diversity of faiths among pupils in the primary schools and the need to establish "an appropriate religious education for all schools which would reflect this diversity", the INTO, at its Annual Conference in 2002, called for the setting up of a forum. It hoped that such a forum would "initiate a reflective process involving all the partners in education in order to find accommodation and inclusiveness".[33]

Some International Perspectives on Schooling Provision in Ireland

From the last decade of the twentieth century and through the first seven years of this century, Irish society experienced an unprecedented period of economic growth and prosperity, which earned it the sobriquet of The Celtic Tiger. Ireland became a very attractive destination for immigrants from East European, African, and some underdeveloped countries in search of employment. Many members of the Irish diaspora living abroad were also attracted home. In line with trends in other European countries, Ireland experienced two countervailing features with regard to religious belief. Linked to secularisation trends in European society, Ireland has seen a decline in the proportion of the population indicating a formal religious affiliation, and a marked decline in regular religious practice. The latter is most pronounced in urban areas. Furthermore, in recent years, a number of reports highlighted extensive forms of abuse of people in institutions run by religious organisations, and the unsatisfactory manner in which complaints and investigations were handled by church authorities. These developments have affected the public status of the churches, have alienated many believers and have led to a diminishing role of the institutional churches in people's everyday lives. On the other hand, the arrival of large numbers of immigrants, many with strong religious affiliations, has led to a

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[32] Teresa McCormack, "Future Directions for Trusteeship" in Catherine Furlong and Luke Monaghan (eds.) School Culture and Ethos: Cracking the Code, (Dublin: 2000), pp.152-162

[33] John Carr, "Foreword", to INTO, Teaching Religion in the Primary School: Issues and Challenges (Dublin, INTO, 2003), p.2

much greater diversity in religious beliefs, including non-Christian beliefs, among the population.

In fast-changing developed societies it is recognised that the influence of media and social networks is proving highly influential in shaping public attitudes. There is a greater emphasis on individual and group rights, with less regard for paternalism or the edicts of authority figures. Family life has been undergoing great change with higher levels of marital breakdown, people co-habiting as partners rather than as married couples, and larger numbers of children being born to single parents. In the current recession unemployment is very high and many families are experiencing severe hardship from inability to pay mortgages for their homes, high debt levels and various forms of socio-economic deprivation.

Such developments are being experienced in many countries. In line with the increasing internationalism in the trends of educational policy-making, provision and assessment, the role of school and its engagement with education and religion, with human rights, and with changing family relationships has increasingly become a matter of international concern and reflection. Through agencies such as the UN, the EU, and the Council of Europe, countries have signed up to conventions and protocols which include the aim to promote education with a strong focus on human rights. Ireland is a party to many of these international conventions.

Among such conventions and instruments which have specific import for religion and education are the European Convention on Human Rights (ECHR); the International Covenant on Civil and Political Rights (ICCPR); the UN Convention on the Elimination of Racial Discrimination (CERD); UN International Covenant on Economic, Social and Cultural Rights (ICESCR); UN Convention on the Rights of the Child (CRC); Council of Europe, Framework Convention for the Protection of National Minorities.

These various conventions contain articles relating to citizens' rights under many headings as, for instance, in Article 2 of the ECHR "Right to Education" –

> No person shall be denied the right to education. In the exercise of
> any functions which it assumes in relation to education and to
> teaching, the State shall respect the right of parents to ensure such
> education and teaching is in conformity with their own religions and
> philosophical convictions.

Periodically, the international agencies carry out reviews on how well different countries are fulfilling their obligations under such conventions. In March 2005, UN CERD, noting the great preponderance of denominational primary schools in Ireland, recommended "the State party (Ireland) to promote the establishment of non-denominational and multi-denominational schools." Similar recommendations were issued by the Council of Europe in October 2006, when it recommended Ireland to "Pursue on-going efforts to accommodate growing diversity in Irish schools,

including in terms of demand for non-denominational or multi-denominational schools". In October 2008, the ICCPR stated, "The Committee notes with concern that the vast majority of Ireland's primary schools are privately run denominational schools that have adopted a religious integrated curriculum, thus depriving many parents and children who so wish to have access to secular primary education". It went on to urge the State to increase the diversity of primary schools. In the more recent CERD commentary, issued on 10 March 2011, it stated:

> The Committee notes with concern that the education system in the State party (Ireland) is still largely denominational and is mainly dominated by the Catholic Church. The Committee further notes that non-denominational or multi-denominational schools represent only a small percentage of the total and, regrets that, according to reports there are not enough alternative schools,…

Its Recommendation was as follows:

> The Committee reiterates its previous concluding observations and recommends that the State party accelerates its efforts to establish alternative non-denominational or multi-denominational schools and to amend the existing legislation that inhibits students from enrolling in a school because of their faith or belief[34]

Ireland underwent a Universal Periodic Review (UPR) of the UN Human Rights Council on 6 October 2011 at which some countries criticised Ireland on similar lines to the above. The Committee overseeing the UPR will issue its findings in March 2012.

Thus, apart from consideration of the issue within Ireland itself, there has been international pressure in recent years that greater diversity of school patronage be provided in Ireland.

The Evolving Situation in Ireland

In 2006, the Minister for Education, Mary Hanafin, TD, initiated moves towards evolving a new form of school patronage. Following discussions with educational partners this concept evolved into what became known as Community National Schools (CNS). The first CNS began to operate in 2008, and there are now five such schools in existence. They are regarded as pilot schools and reflect a number of novel features. At present, the Minister for Education and Skills is the temporary patron, but it is planned, following legislation, to transfer the patronage to the relevant Vocational Education Committee, where such schools are located. The Community

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[34] UN, <u>Concluding Observations of the Committee on the Elimination of Racial Discrimination: Ireland,</u> (CERD/C/IRL/CO/3-4), 10 March 2011

National Schools are developing, on an action research basis, a multi-belief programme to cater for all faiths and none within the normal school day. A programme research officer is being assisted by a widely based support group. The part of the programme in which the children are taught / learn together is referred to as the Core Programme. In addition, for 3-4 weeks each year children are differentiated into various belief groups, in accordance with the wishes of parents. During these faith specific modules, the beliefs and practices appropriate to the relevant faith are nurtured.

The experiment seeks to provide a combined religious / ethical programme for all the children, while making available some specific faith formation teaching, during the school day, in keeping with the faith belief systems of different categories of parents. The pilot scheme breaks new ground in Irish school patronage models, and it remains to be seen how successful it will be and how potentially influential it may be in an evolving scenario.

The Department of Education and Science also took the initiative of convening a National Conference on 27 June, 2008 entitled "The Governance Challenge for Future Primary School Needs". All stakeholders were invited to contribute and participate in this one day conference, held in Dublin. The Minister for Education, Mr. Batt O'Keeffe, TD and the Archbishop of Dublin, Most Rev. Dr. Diarmuid Martin were plenary speakers. Conference speakers focussed on many aspects of education in an increasingly multicultural society. The Minister laid special stress on the pilot community national schools, and on their potential as a new form of patronage. The concept was discussed by many speakers. Archbishop Martin welcomed them, and also stated:

> The Catholic school will only be able to carry out its specific role if there are viable alternatives for parents who wish to send their children to schools inspired by other philosophies. The demand is there. The delay in provision of such alternative models has made true choice difficult for such parents and, indeed, for many teachers.

He went on to make a very significant statement about a potential way forward:

> I believe that ways can be found to expand the role of other patronage models, where such demand exists, through a form of structured divestment by the Catholic patron, which recognises the rights and interests of all parties. It would flow, as I see it, from a gradual movement of children and teachers towards differing schools in an area, each of which would evolve towards the ethos of a particular patron.[35]

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[35] Speaking notes of Most Rev. Dr. Martin, Archbishop of Dublin and Primate of Ireland to the Conference, "Governance Challenge for Future Primary School Needs", 27 June 2008

In the context of a country which already had a very high proportion of schools per head of population the idea of a possible divestment of patronage from one patron to another opened up possibilities for national policy.

The Catholic Bishops' Conference had also been considering aspects of the future of primary schools in a changing Ireland. In 2007, they published, "Catholic Primary Schools: A Policy for Provision in the Future"[36] and, in 2008, "Vision 08 : A Vision for Catholic Education in Ireland." The 2007 document welcomed the exercise of the right of parents of other faith traditions and none to schooling according to their beliefs. It identified two types of circumstances where action could be taken, in new centres of population, and in more established areas. With regard to the former, the document stated:

> In new centres of population it is incumbent upon the State to plan for the provision of school sites and to ensure, in consultation with the various patron bodies, that there is a plurality of school provision reflecting the wishes of the parents in the area.

It went on to state:

> In some areas where historically there were large numbers of parents who wanted a Catholic School, circumstances may have changed and an existing school may be no longer viable as a Catholic school … In certain circumstances it may be considered desirable to enter into new patronage arrangements …[37]

In 2008, negotiations were initiated between Catholic Church representatives and the Department of Education and Science in relation to issues involved in a divesting of school patronage process. Arising from the discussions the Department undertook to prepare a list of areas where, on the basis of the configuration of schools and demographic data, a *prime facie* case existed for appraisal. In August 2010, the Department produced an initial list of 43 town areas and 4 Dublin suburbs, which was narrowed to 10 areas. In the light of this, the Catholic Schools Partnership has undertaken consultation and reflection among all involved parties in relation to possible areas for divesting of patronage and the most appropriate process for undertaking this. The Partnership reported on their consultations in October 2011 but did not refer to the 10 identified areas.[38]

In September 2008, the Minister for Education and Science instructed that a review of the criteria and procedures for the establishment of new primary schools be

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[36] Irish Catholic Bishops Conference, Catholic Primary Schools: A Policy for Provision in the Future, 2007

[37] Irish Catholic Bishops Conference, Vision 08: A Vision for Catholic Education in Ireland, May 2008. p.6

[38] Irish Catholic Bishops' Conference, Patronage in Catholic Primary Schools in the Republic of Ireland : A Qualitative Study, October 2011

undertaken by the Commission on School Accommodation. A Technical Working Group and a Steering Committee with wide ranging representation reviewed a range of relevant issues. Its report was published in February 2011.

A number of the Commission's recommendations refer specifically to school patronage issues. It sets out a number of criteria which it thinks should be applied in the selection of a patron for a new school. It expresses the aspiration that the work underway by Catholic Church authorities on the possible divesting of patronage will "realise greater diversity of patronage through maximising the use of existing infrastructure." It recommends that there should be separate processes for inclusion of a new patron in the Department's register and for the recognition of a new primary school. The Commission also supported the expansion of all Irish medium school patronage. The report recommended the establishment of a new body, by the Minister, to be known as the Patronage Advisory Group (PAG), to undertake responsibilities with regard to patron recognition for new schools and change of patronage for existing schools in consultation with all relevant parties. The PAG should also consider the development of criteria for the inclusion of a patron on the patron register, evaluation of the performance of a patron, and arrangements to remove a patron if they are not performing their role correctly.[39]

In November 2010, the Irish Human Rights Commission (IHRC) held a conference on "Religion and Education: A Human Rights Perspective", followed by a consultation process on the theme. In May 2011, it published its Report on that theme. The Report examined many aspects of schooling provision from the constitutional and human rights perspectives. Its key recommendations with reference to school provision and patronage were the following:

- the overarching recommendation of the IHRC is that the State should ensure that there is a diversity of provision of school type within educational catchment areas throughout the State which reflects the diversity of religious and non-religious convictions now represented in the State …
- Section 15 of the Education Act should be amended to provide for modifications to the intended curriculum to ensure that the rights of minority faith or non-faith children are also recognised therein…..
- the Minister for Education and Skills should codify and review the Rules for National Schools, to ensure that the human rights standards set out in this paper (IHRC) are upheld
- where diverse provision of education does not exist in a school's catchment area, consideration should be given to more formal religion classes at the start or end of the school day
- the State should seek to ensure that all patrons in schools funded by the State are sensitive to the impact that manifestation of religious beliefs may have on children of other faiths or non-faith backgrounds. Guidelines and examples of

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[39] Commission for School Accommodation, Revised Criteria and Procedures for Establishment of New Primary Schools, February 2011, pp. 51-55

good practice, together with the allocation of necessary resources to implement such good practice, should be developed in tandem with the enhanced complaints mechanism being recommended to the Government

- there should be an expanded Ombudsman body with a remit to consider complaints concerning exemption procedures or any unwanted exposure to indoctrination or proselytism …[40]

Such recommendations have significant import for the issues affecting the diversification of school provision and the protection of the human rights of children and parents to which attention has been drawn in earlier parts of this Report.

Conclusion

From the foregoing overview, it can be concluded that the issues of school patronage and the educational rights of parents and children in Ireland have been the focus of considerable attention and debate over a long time period. From the very beginning of the national school system there was concern to protect the rights of all citizens of a multi-denominational society within a single state-supported system. The original principle for a 'mixed education' plan of the central administration largely gave way to pressures which sought the shaping of the system into a range of denominational patterns, reflective of the prevailing religious groups. Yet, from the beginning, the Commissioners of National Education insisted on a distinction being drawn between literary and moral instruction on the one hand, and religious instruction on the other. They also insisted on a conscience clause whereby children should not be present at any religious instruction of which their parents disapproved. They also stressed that any children excluded from religious instruction should not lose out on "other advantages which the school affords". These clauses, in various formulations, have continued to be a bedrock of the system. However, to this day, no guidelines or exemplars of good practice have been provided to schools as to how, in practice, these provisions can be safeguarded.

Following political independence, with a very predominant Catholic population in the Irish Free State, a new edition of the Rules involved a dilution of the distinction between literary and moral instruction and religious instruction. The new formulation of the Rules stated the "Religious Instruction is by far the most important" subject and "a religious spirit should inform and vivify the whole work of the school".

The Constitution of 1937 saw the State's role as supportive of private and corporate educational initiatives, in "providing for" education. Article 44.2.4 reasserted the principle that in giving State aid to denominational schools it should protect the child's right of attending such a school without attending religious instruction in that school. A new edition of the Rules in 1965 for the first time gave explicit recognition

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[40] Irish Human Rights Commission, Religion and Education: A Human Rights Perspective. (Dublin, May 2001), pp.104-106

to the denominational character of the schools. Rules, such as 68 and 69, were phrased from an exclusively Christian point of view. The new primary school curriculum of 1971 regarded religion as the vivifying force of the integrated curriculum.

From the early 1970s, in a society undergoing considerable change, the inherited pattern of primary schooling came under increasing question. For the first time since 1831, management boards of trustees, parents and teachers were established for primary schools in 1975. Parental groups such as Educate Together and Gaelscoileanna successfully challenged the prevailing school patronage system. Parents' role in the school system became more pronounced, symbolically reflected in the National Parents' Council, set up in 1985.

During the consultative reappraisals of Irish education and in government policy statements of the 1990s, fundamental questions were raised about the appropriateness of the existing school provision for a society becoming increasingly multi-cultural and reflecting very varied religious belief systems. Existing curricular arrangements and the Rules for National Schools, unaltered since 1965, were increasingly regarded as problematic and outdated. Yet, changes in the deed of trust for national schools, agreed in 1996, and the Education Act of 1998 did not reflect this thinking, nor address restructuring of the system in line with the needs of a changed society.

However, as developments in Ireland and internationally over the last decade indicate, the concern for change has gathered momentum rather than evaporated. In summary, Ireland is being increasingly criticised by a range of international agencies for the lack of balance in the character of its primary school system, which is so heavily dominated by denominational schools. In Ireland, senior Catholic spokespersons, as well as the collective body of bishops have drawn attention to the unsatisfactory configuration of the primary school system. At least four Ministers for Education, over recent years, have stressed the need for changes, and taken some initiatives in that regard. Agencies, such as the Commission on School Accommodation, have called for a greater diversity of school patronage. The national teachers union, the INTO, has called for change and sought multi-partner talks to pave the way for change. The Constitution Review Committee has raised serious questions about the compatibility of current Rules with the Constitution. The Irish Human Rights Commission has called for a diversity of provision of school type to reflect the diversity of religious and non-religious convictions, now represented in the State.

Thus, it seems fair to conclude that there is a widespread awareness of the need for changes in school patronage, there is a readiness among key partners for change and the time is well due for the responsible agencies to seize the opportunity to plan for satisfactory action to resolve this national education problem.

II

The Current School and Demographic Profile

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Profile of Primary Schools in Ireland

There were some 3,169 primary schools in Ireland in 2010/2011. Currently 96% of primary schools are under denominational patronage, as noted in Table 1.

Table 1. Total number of primary schools by patron body (2010/11)*

Patron Body	No of Schools	% of Total
Catholic	2,841	89.65
Church of Ireland	174	5.49
Presbyterian	17	0.54
Methodist	1	0.03
Jewish	1	0.03
Islamic	2	0.06
Quaker	1	0.03
John Scottus Educational Trust Ld	1	0.03
Lifeways Ireland Ltd	2	0.06
An Foras Pátrúnachta na Scoileanna Lán-Ghaeilge Teo	57	1.80
Educate Together Ltd (national patron body)	44	1.39
Schools in Educate Together network with their own patron body	14	0.44
Vocational Education Committees**	5	0.16
Minister for Education & Skills***	9	0.29
Total	**3,169**	**100%**

*This table outlines the patronage of ordinary mainstream primary schools and does not include special schools

** Community National Schools are under the interim patronage of the Minister while draft legislation to confirm VEC patronage is being processed

***The Minister for Education and Skills is patron of the nine Model Schools.

Traditionally, Ireland has had a large number of primary schools per head of population, many of which are small in comparative terms. Table 2 sets out the profile of Irish primary schools.

Table 2. A profile of Irish primary schools (2010/2011)*

	Pupil size of School						
	Less than 50	**50-99**	**100-199**	**200-299**	**300-499**	**500 over**	**Total**
Schools	618	836	816	492	310	93	3,165
Teaching Teachers	1,281	2,953	4,859	4,694	4,703	2,114	20,604
Total Teachers	1,793	4,976	9,183	8,942	8,532	3,794	37,220
Pupils	18,937	62,638	116,411	117,954	120,237	56,565	492,742
Pupil-Teacher Ratio	10.6	12.6	12.7	13.2	14.1	14.9	13.2
Average Class Size	14.8	21.2	24.0	25.1	25.6	26.8	23.9
Average Teachers per School	2.9	6.0	11.3	18.2	27.5	40.8	11.8

Source: Statistical Report, Department of Education and Skills, 2011 (table 2.4)
*Note: This table excludes pupils with special needs in ordinary national schools and their teachers as well as pupils in special schools and their teachers.

As can be noted from Table 2, 20% of the primary schools in Ireland have fewer than 50 pupils. At first sight, this might appear unusual, but as Table 3 illustrates, Ireland is by no means unique in having such a category of very small schools.

Of the jurisdictions noted in Table 3, Ireland has by far the highest proportion of schools with fewer than 100 pupils at 45.9%. With an average of 156 pupils, Ireland has the smallest average school size of any of the jurisdictions listed. Almost 33% of the Irish national schools have fewer than five teachers employed, with teaching principals. Such features, coupled with the larger number of schools per head of population, raise serious policy issues regarding further extensive provision of the school stock. However, in contrast to many of the other jurisdictions listed in Table 3, which are experiencing stable or declining numbers at primary level, Ireland is exceptional as enrolment numbers are projected to increase significantly, up to 2017. To meet this specific demand, the Department of Education and Skills plans to build 20 new primary schools over the next six years.

Table 3. Outline of primary school provision in selected jurisdictions *

Jurisdiction	No. of schools	% schools < 50 pupils	% schools < 100 pupils)	No. of pupils (all schools)	Average class size	Average school size
Ireland	3,165	19.5	45.9	492,742	23.9	156**
Northern Ireland	863	11.8	34	154,452	23	179**
England	16,971	N/A	14.7	3,963,980	26.4	234**
Wales	1,435	13.5	30.4	191,460	24.8	181
Scotland	2,099	20.7	34.8	365,326	23.1	174**
New Zealand	2,033	19.5	35.5	416,587	N/A	205**
Victoria, Australia	1,565	16.2	25.6	461,162	22	295**

Source: Extract from unpublished thesis 2010, quoted with permission from the author
*See Appendix 5 – for greater detail and references
** Calculated by dividing number of pupils by number of schools

A further policy initiative is underway by means of a Value for Money Review of Small Primary Schools. The review, by the DES, focuses on primary school provision and specifically on small primary schools, namely the subset of primary schools with less than 50 pupils. It is examining:

- the organisation of primary school provision in Ireland

- the costs and resources associated with small primary schools

- the current evidence in regard to the effectiveness of performance of the small school

Based on the evidence, it will draw conclusions as to the scope that exists for reorganisation of provision, consequent implications of any reorganisation and make recommendations as appropriate.

The number of children enrolled in primary education in Ireland has been steadily increasing. As can be noted from Table 4, the number has increased each year from 2000/01, when it was 439,560, to 2010/11 when it reached 509,652. This involved an increase of 16% over this short period.

Analysis of demographic data indicates that the trend revealed in Table 4 is likely to continue for some years to come.

**Table 4. Number of pupils in primary schools in Ireland from
2000/2001 to 2010/11**

	Pupils in mainstream classes	Pupils in special classes in mainstream schools	Pupils in special schools	Total first level
	A	B	C	A+B+C
2000/01	423,344	9,092	7,124	439,560
2001/02	424,707	9,376	6,982	441,065
2002/03	427,529	9,384	6,807	443,720
2003/04	429,971	9,340	6,718	446,029
2004/05	433,320	9,357	6,621	449,298
2005/06	441,966	9,296	6,627	457,889
2006/07	455,455	9,486	6,578	471,519
2007/08	470,270	9,555	6,619	486,444
2008/09	482,593	9,668	6,653	498,914
2009/10	490,010	9,083	6,905	505,998
2010/11	492,742	9,732	7,178	509,652

Source: Department of Education and Skills, 2011

In June 2011, the Department of Education and Skills published its Projections of Full Time Enrolment: Primary, Second and Higher Level, 2011 – 2031. In summary, it noted that historical evidence indicated that enrolment at primary level is mainly determined by the number of births and, to a much lesser extent, family migration. Births have risen since 1994 and reached 74,000 in 2010, among the highest number of births since the late 19th century.[41]

The increase in births has been the result of a combination of (i) rising fertility, (ii) increasing numbers of women born in Ireland in the 1970s and giving birth in the last decade, and (iii) rising numbers of women who immigrated to Ireland in the last decade. The vast majority of the increase in births is due to the first two factors. For the period 2011 – 2014 it is highly unlikely that enrolment at primary level will fall, even if large scale emigration occurs. The projected increase in enrolment is of the order of 26,000 to 33,000 between September 2010 and September 2014 as is illustrated in Figure 1.

As is indicated in Figure 1, all projection scenarios show falling enrolment numbers from 2020, due to fewer females being born in the 1990s, constant or falling fertility rates, and outward migration. If this outcome is realised there will be a significant fall in demand for primary places throughout the decade beginning in 2020.

[41] Department of Education and Skills, Projections of Full Time Enrolment: Primary, Second and Higher Level, 2011-2031, June 2011

Figure 1: Projections of Enrolment at Primary Level *
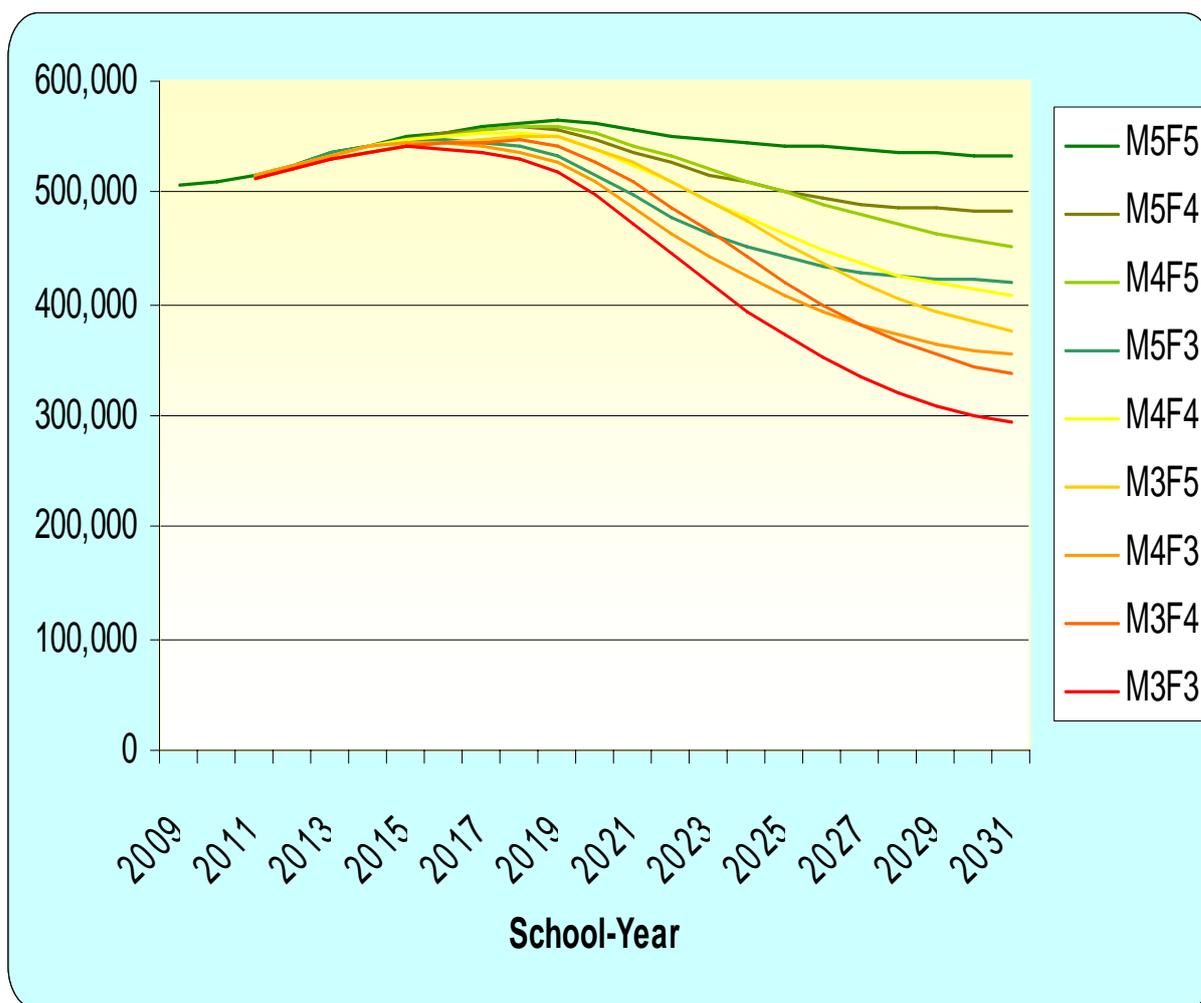
Source: Department of Education and Skills, Projections of Full Time Enrolment – Primary, Second and Higher Level, 2011 – 2031, 2011

* The different projections are based on different migration (M) and fertility (F) rates.

Tracking Population Change

In the past, Ireland had a largely homogeneous population, the great majority of whom were affiliated to denominational religious belief systems, and predominantly to the Catholic Church. The school patronage system reflected that configuration. Over recent decades, the population has become much more heterogeneous, with much more varied belief systems, and a significant minority of non-believers, as well as more parents who wish to choose multi-denominational education. The inherited pattern of school patronage no longer satisfies the educational needs and rights of many citizens. Furthermore, in recent times, the issue of human rights and associated obligations have come to the fore in Irish and international law and conventions. Against this background, accurate data are needed on the demographic changes which have been taking place, upon which informed planning and policy can be formulated so that current and future citizens' rights can be satisfactorily provided for.

The Department of Education and Skills has been improving its mechanisms for gathering this type of data to feed into its planning processes. Its Forward Planning Section has developed an extensive capacity to analyse statistics and demographic data using the Department's Geographical Information System (GIS). The GIS utilises a broad range of data, all of which are geocoded to the relevant specific reference points on the map and can therefore be interrogated and analysed. The Department gathers data from:

- the Central Statistics Office (CSO), such as census data and population projections

- Ordnance Survey Ireland for all the mapping layers

- An Post's geodirectory which provides details on all buildings and their usage and occupancy status

- the General Registrar's Office which provides data re live births

- the Department of Social Protection which provides anonymised child benefit data in respect of every child aged from 0-18 years

- Local Area plans from the local authorities

These data sources are, of course, in addition to the data used from the Department's own suite of databases regarding enrolments (both current and 5 and 10 year trends), the staffing details of all schools and the recently introduced inventory of school accommodation.

The census data are very important as they provide the benchmark figure for the entire population, by age, on a given date every 5 years, and it is very specific geographically. That being said, of course, the census is a snapshot of the population at a particular point in time. The population in Ireland has been in both a dynamic and organic phase for a number of decades. Therefore, the Department could not rely solely on the census data for school planning purposes as changes to the population during inter-censal periods would not be picked up until after the event and, therefore, not in time to plan or deliver school accommodation.

To overcome this problem, the Department has found that the most reliable method of tracking movements and changes to the population in all areas across the country is to use the child benefit data which are updated on a quarterly basis every year. To this end the Department pays particular attention to the child benefit data for the 0 to 4 year olds as these children are the junior infants for each of the next 5 years. A comparison exercise between the numbers of 0 to 4 year olds in any given area, as against the number of pupils in each of the classes from junior infants through to 6th class, shows what is likely to happen to the overall school population within that area. The child benefit data are quite specific geographically and, given that parents have a financial incentive to keep their address details up to date, it tends to be accurate. As a quality control check the Department always compares the child benefit data for

each area to the actual enrolments in the schools and invariably it proves to be largely reliable. There are instances, of course, where the two datasets will not tally, but the Department is able to account for these discrepancies as they arise due to outflows and inflows of pupils across catchment areas.

The GIS allows the Department to conduct detailed analysis on the demographics of each part of the country, and enables the Department to model a range of forecast scenarios for each area for the coming years and assess the likely changes to the school-going population in those areas. This allows the Forward Planning Section of the Department to identify the areas where, due to demographic changes, there will be a requirement for significant additional school provision at both primary and post-primary levels over the coming years. It, of course, also allows for the identification of areas where there is little evidence of demographic change, or a decrease in the school populations in other areas.   The precision of this approach to demographic data gathering should be of major benefit now and into the future with regard to matching school provision with the population's needs.

Population Profile in Ireland

The population profile has changed dramatically in the last twenty years as is indicated in Table 5. From 1991 to 1997 the trend in annual births was generally downwards. Since 1997 the trend has reversed and the annual births have increased from 50,700 to 75,100 in 2011 (preliminary results). This increase is reflected in school enrolments which have risen steadily since 2000, as noted in Table 4.

Table 5. Components of population change 1991 – 2011

Year ending April	Births	Deaths	Natural Increase	Immigrants	Emigrants	Net Migration	Population Change
	Thousands						
1991	53.1	31.1	22.0	33.3	35.3	-2.0	19.9
1994	49.1	32.6	16.6	30.1	34.8	-4.7	11.8
1997	50.7	31.7	19.0	44.5	25.3	19.2	38.2
2000	54.0	32.1	21.8	52.6	26.6	26.0	47.9
2003	60.8	28.9	31.9	60.0	29.3	30.7	62.6
2006	61.2	27.0	34.2	107.8	36.0	71.8	106.0
2009[1]	74.5	29.4	45.1	57.3	65.1	-7.8	37.3
2011[1]	75.1	27.4	47.7	42.3	76.4	-34.1	13.6

Source: CSO document on Population and Migration Estimates April 2011 (published Sept 15, 2011)
[1] Preliminary

Table 6 sets out the estimated population by age groups, 0 – 24 years. Over the last seven years there has been a significant increase in the 0-14 year old sector of the population. These young people are the target group for the primary sector.

Table 6. Estimated population 2006 – 2011 by age groups (0 – 24years).

Persons in April of each year						
Years	**2006**	**2007**	**2008**	**2009**	**2010**	**2011**
	Thousands					
0-4	302.3	312.3	327.9	341.6	353.8	367.0
5-9	288.5	295.9	303.4	308.0	311.6	316.5
10-14	274.2	275.6	281.0	288.1	293.6	299.1
15-19	290.9	286.0	283.9	278.6	273.3	269.1
20 – 24	347.5	347.8	334.0	304.8	275.7	249.5

Source: CSO - Population and Migration Estimates April 2011, published Sept 15, 2011, adapted from Table 6 (figures for 2007 – 2011 are preliminary)

Table 7. Estimated immigration 2006 – 2011

Immigrants						
	Thousands					
	2006	**2007[1]**	**2008[1]**	**2009[1]**	**2010[1]**	**2011[1]**
Irish	18.9	20.0	16.2	18.4	13.3	17.1
UK	9.9	5.9	7.0	4.4	2.4	2.6
Rest of EU15[2]	12.7	10.4	8.6	8.6	4.3	5.8
EU12[3]	49.9	52.7	33.7	13.5	5.8	9.0
USA	1.7	2.8	2.0	1.1	0.3	0.3
Rest of World	14.7	17.8	16.3	11.3	4.6	7.6
Total	107.8	109.5	83.8	57.3	30.8	42.3

Source: CSO – Population and Migration Estimates April 2011, adapted from Table 2, published Sept 15, 2011)
   1   Preliminary
   2   Rest of EU15: countries before enlargement on 1 May 2004 (i.e. Austria, Belgium, Denmark, Finland, France, Germany, Greece, Italy, Luxembourg, Netherlands, Spain, Sweden, Portugal).
   3   EU12: defined as the 10 accession countries that joined the EU on 1 May 2004 (i.e. Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia), and includes the 2 new accession states that joined the EU on 1 January 2007 (i.e. Bulgaria and Romania).

The number of immigrants coming to Ireland peaked in 2006 and 2007. This peak was caused mainly by the arrival of immigrants from the new accession States to the EU when access for them to Ireland opened in May 2004. Table 7 sets out the pattern of immigration for the last six years.

It is not correct to say that migration is all in one direction. Emigration has continued to rise since 2006, after having fallen from the early nineties. The emphasis has turned in the last few years back to the situation where emigration is dominant. Table 8 illustrates the emigration pattern over recent years.

Table 8. Estimated emigration 2006 – 2011

Emigrants						
	2006	**2007[1]**	**2008[1]**	**2009[1]**	**2010[1]**	**2011[1]**
	Thousands					
Irish	15.3	13.1	13.4	18.4	27.7	40.2
UK	2.2	2.3	2.4	2.9	2.6	3.8
Rest of EU 15[2]	5.1	6.9	4.2	5.5	7.8	9.1
EU12[3]	7.2	14.4	18.8	30.1	19.1	15.2
Rest of World	6.2	5.5	6.4	8.3	8.1	8.2
Total	36.0	42.2	45.3	65.1	65.3	76.4

Source: CSO - Population and Migration Estimates April 2011, adapted from Table 3, published Sept 15, 2011

1   Preliminary
2   Rest of EU15: countries before enlargement on 1 May 2004 (i.e. Austria, Belgium, Denmark, Finland, France, Germany, Greece, Italy, Luxembourg, Netherlands, Spain, Sweden, Portugal).
3   EU12: defined as the 10 accession countries that joined the EU on 1 May 2004 (i.e. Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia), and includes the 2 new accession states that joined the EU on 1 January 2007 (i.e. Bulgaria and Romania).

In 2011 over 76,400 emigrated from Ireland, but in that same year 42,300 immigrated into this country. The immigrants are more likely to bring their children with them than are the emigrants who are leaving. Table 9 shows the change in net migration pattern in recent years.

Table 9. Net migration 2006 – 2011

	Thousands
2006	71.8
2007[1]	67.3
2008[1]	38.5
2009[1]	-7.8
2010[1]	-34.5
2011[1]	-34.1

Source: CSO - Population and Migration Estimates April 2011, adapted from Table 4, published Sept 15, 2011

      1   Preliminary

The Changing Population and School Patronage

It can be clearly observed from the above tables that the Irish population has been changing greatly in size and composition over the last twenty years. It is also clear that the pattern of primary school patronage has retained largely the configuration inherited from the past. The traditional infrastructure of large numbers of schools, many of them very small, has also continued into this current era. A minority of the population is not happy with the current arrangements for school patronage and consider that their human rights and rights as citizens are being infringed by current arrangements. The exact scale of this minority is not known. As well as non-believers, this cohort includes parents who are members of churches who would prefer multi-denominational to denominational schooling for their children.

As was noted in Section I, since the 1970s groups other than the main denominational churches have taken initiatives to establish alternative patron models. Initially, the number of such schools was very small but, as Table 10 illustrates, there has been more momentum in recent years. While denominational patrons opened up 30 new schools, other patronage agencies established 89 schools.

Table 10. Breakdown of new schools opened by patron bodies between 1997/1998 and 2011/2012

Year	Catholic	Educate Together	Foras Pátrúnachta	Schools in Educate Together Network with own Patron Body.	Other denominational bodies	Other mulit-denominational bodies	Total
1997/98	0	0	1	2	0	0	3
1998/99	0	1	6	0	0	0	7
1999/00	1	1	3	0	0	1	6
2000/01	1	1	2	0	0	0	4
2001/02	3	2	2	0	1	0	8
2002/03	0	7	3	0	0	0	10
2003/04	3	3	1	0	0	0	7
2004/05	0	4	1	0	1	0	6
2005/06	6	4	3	0	0	0	13
2006/07	2	2	5	0	0	0	9
2007/08	6	3	4	0	1	1	15
2008/09	3	12	3	0	0	3	21
2009/10	0	0	0	0	0	0	0
2010/11	2	2	0	0	0	3	7
2011/12	0	2	1	0	0	0	3
Total	**27**	**44**	**35**	**2**	**3**	**8**	**119**

Source: Department of Education and Skills, 2011

From Table 1 it has been already noted that Educate Together is now patron of 58 primary schools, while An Foras Pátrúnachta has 57 schools under its patronage. The pressure for schools of a new patronage type has been sustained. At the Forum's open working session in late June 2011, both Educate Together and An Foras Pátrúnachta stated that they were under parental pressure to open up to a total of 60 new schools, but that the State had not approved such applications since 2008.

Since 2008, official policy has been not to grant recognition for the establishment of new primary schools unless fully warranted by increased population. That position has been sustained in the Minister's recent announcement in June, 2011 regarding the establishment of new schools over the coming years. The applications from Educate Together and An Foras in relation to starting new schools in areas where these are not warranted by the demographics have, therefore, not been approved.

In response to the demographic changes and diversity in population and to increasing calls for greater choice of primary school for parents, in 2007, the Minister for Education and Science, Mary Hanafin, TD, with the approval of Government, took

the initiative of establishing a new type of school – the Community National School (CNS). This broke new ground in modern Ireland whereby the State was taking the initiative of designing a new form of primary school which would be placed under the patronage of Vocational Education Committees. The ethos of the school would be based on inclusivity and respect for diversity, seeking to cater for pupils of all beliefs and none during the school day in accordance with the wishes of parents. There are now five CNS schools which operate as a pilot initiative, and are discussed in more detail in Section III.

Some Indications of Changing Patterns of Religious Observance and Attitudes

It is not easy to obtain precise and accurate information on the size of the minority which is opposed to denominational schooling and seeking alternative forms of schooling. In seeking to establish general indicators of those who might be expected not to favour denominational schooling, some evidence may be drawn from the national census.

In 2002, there were 138,264 people who, under religious belief, registered "no religion". By the 2006 census this number had increased to 186,318 people, an increase of 34.8% when the actual population increase was just over 8% (Table 5, 2006 Census, Vol. 13).[42] The data from the 2011 Census will not be available until early in 2012, but it is expected that the trend of those recording 'no religion' will increase.

A significant change in the pattern of marriage ceremonies has been taking place over recent years. While, in 1996, civil marriage ceremonies accounted for less than 6% of all marriages, in 2002 this had increased to 18%, and by 2008 civil marriages accounted for 24% of the total[43]. The decision by almost a quarter of Irish couples to get married through a civil ceremony rather than a church ceremony may indicate an attitude towards denominational religion which might influence them in the type of schooling they would choose for their children. While it can only be a supposition, it may well be indicative that if they do not choose a church marriage they may not wish their children to attend a denominationally patroned school.

In his study "Modernity and Religion in Ireland; 1980-2000", published in 2002, Eoin G Cassidy draws on an examination of the International Social Survey Programme (ISSP) and the European Values Study (EVS) surveys. In his conclusion, he states that "over 9 per cent of Irish people do not belong to any religious denomination." (p.21). As regards religious practice, the 1999 EVS recorded that 59% of those questioned declared that they attended Mass once a week or more, but among the age range 18-26 year olds, the percentage reduced to 23% (p.26). The percentage of Irish

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[42] CSO, Census 2006: Volume 13 – Religion, November 2007
[43] CSO, Marriages 2008, 16 September, 2011

respondents expressing "complete or great deal of confidence in the Church as an organisation" was recorded in the category 28%-21% in the 1998 ISSP study (p.37).[44]

An ESRI poll which included attitudes to religious observance was conducted in winter 2007 – 08. It is reported on in MacGréil and Rhatigan's, The Challenge of Indifference, 2009. The overall conclusion was that religious practice has been declining in the Republic of Ireland for thirty years. Weekly religious worship has fallen to 42% (for the total sample) in 2007-08, from 79% in 1988-89. Mass attendance by Roman Catholics was at 43% 'weekly or more often'. Of Roman Catholic respondents 9.1% stated they "never" attended Mass, 16.6% "never" went to Holy Communion and 32.9% declared that they "never" went to Confession. When asked the question "How important would you say it is for children to be brought up with the same religious views of their parents?" - 65% replied in the affirmative. This marked a decline of 17% since 1988-89. In 1988-89, 4% of respondents stated it was best to leave the matter to children themselves. In 2007-08, this percentage had increased to 24%. The author interpreted this as further evidence of the growth of indifference and the decline of the perceived role of the family in raising the children in the faith of the parents.[45]

A Red C poll conducted for the Iona Institute in 2009 found a weekly church attendance rate of 46% while among 18- 24 year olds the weekly Mass attendance rate was recorded at 31%. The figure for older people is the highest, with the over 65s recording a 70% weekly attendance[46].

Attitudes to Denominational Schools and Religion in Schools

While indications of changing belief systems and religious practice do not automatically convert into citizens' opposition to denominational primary schooling, they do tell a message about the shift from a largely denominationally committed population with a high level of religious observance in former times to a much more varied public.

There are not many studies on parents' views on the place of religion in Irish primary schools. However, some studies in recent years are revelatory of parental perspectives on survey questions put to them on aspects of religious education.

In late 2007 and early 2008, the Council for Research and Development of the Irish Catholic Bishops Conference conducted a survey of 500 parents whose children were attending Catholic primary schools. Parents were presented with a wide range of aspects of primary schooling upon which they were asked for their views. Such replies reflect serious divergences of opinion among parents about key features of

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[44] Eoin G Cassidy, "Modernity and Religion in Ireland: 1980-2000" in Eoin G. Cassidy's (ed.) Measuring Ireland: Discerning Values and Beliefs, (Dublin, Veritas, 2002), pp.17-45
[45] Micheál MacGreil, SJ and Fergal Rhatigan, The Challenge of Indifference: A Need for Religious Revival in Ireland (Maynooth: Dept of Sociology, 2009 Tables 3.2 et al)
[46] Red C, Poll on church attendance, for Iona, November 2009

schooling provision. For the purposes of this Report on school patronage a number of issues are selected as being most pertinent to the Forum. These are highlighted in Table 11.

Table 11. Survey of 500 Parents

Statement /question	Agreed (%)	Disagreed (%)
Should the church continue to have prominent role in provision of Primary schooling?	63.3	24.2
State's main role is not to provide education itself, but to assist others who provide education	51.5	36.5
Religious education should present the beliefs and practice of all world religions and beliefs	58.6	23.7
Cultural diversity in today's schools makes my child's spiritual development more difficult	19.7	62.7
Religious, moral and spiritual education is the most important aspect of primary schooling for my child?	32.4	53.6
When parents want a secular education, withdrawing their children from religious education lessons is the best way to ensure this	21.5	46.8

Source: Adapted from a survey of 500 parents for the Council for Research and Development of Irish Catholic Bishops Conference (2008)

Also, in early 2008, the Iona Institute had a survey commissioned on the attitudes of Irish adults towards different types of schools. 47% of respondents would favour "A Catholic school", 37% would choose "A State run school where all religions are taught", while a further 11% would opt for "A school in which no religions are taught". Of the under 35 year olds, the highest proportion, at 45%, opted for "A State run school where all religions are taught", with 38% favouring a Catholic school, and 14% a school in which no religion is taught. Very little difference was recorded in the responses of those living in urban or rural areas. 73% of respondents supported the view that "parents should have the right to choose from a variety of schools for their children", while 26% stated that all children should go to the same kind of schools "in order to promote social integration"[47].

A survey of principals was carried out for the IPPN before their 2007 conference. Of the principals who responded to the questionnaire regarding the "Different Religions" of pupils in their schools, 62% stated that between 2 and 5 religions were represented,

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[47] Iona Institute, Schools Research, prepared by Red C, February/March 2008

and 11% indicated that a range of between 6 and 10 religions were represented in the student body of the school.

In June 2008, the Red C agency carried out a survey on "Religion in Schools" on behalf of the IPPN[48]. This survey recorded very divided views about religion in schools among those consulted. Less than half (43%), of all those with children under 15 would like to see the two and a half hours "spent on teaching religion each week" retained. More than half (56%) considered that religious instruction and the preparation for Sacraments should be taught by the class teacher during school hours. When presented with a choice as to which type of school they would prefer – "a school managed by and promoting the faith of a particular religion" or "a school managed by the State with equal status and opportunity for all religion", 25% of respondents favoured the former type of school, with 72% favouring the school managed by the State[49].

In January 2010, the Irish Times reported on a poll conducted for it in January 2010 by IPSOS/MRBI. When asked whether the Catholic Church should give up its "control of the primary school system" 61% of respondents considered that the Church should give up such control, 28% said it should maintain its position, and 11% had no opinion on the matter. In terms of age of respondents no great difference was recorded. The numbers favouring the Church giving up its control were greater in urban than in rural areas[50].

In 2011, a survey of the values and attitudes of parents in Protestant primary schools was published. When asked about their support for Church patronage of schools, 54.1% regarded it as "very important" or "important", 24.4% registered "moderate support" and 21.5% indicated that it was of "little or no importance" to them. The majority of those who thought it "very important or important" were members of the main Protestant churches.[51]

Another such study was carried out on behalf of Educate Together in November 2010. It was a national survey of 348 parents of mainly pre-school children regarding their preferences for types of primary school.

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[48] IPPN, Pre-Conference Survey, 2007, Response to Question 64
[49] IPPN, Religion in Schools – What 750 Principals Say, a survey carried out by Red C, 28 June 2008
[50] Irish Times, IPSOS/MRBI Poll, 20 January 2010
[51] Tuohy, D. The School Community: Values and Attitudes of Parents in Protestant Primary Schools, December 2011, p.20

Table 12. The results from a survey of 348 parents for Educate Together in 2010

Statement / Question	Very important (%)	Quite important (%)
Schools should understand and respect a broad range of belief systems and religions	55	32
School with a strong religious influence	16	32
School where the study of religion is minimised	7	19
Attitude to where religion is not part of the school curriculum	5	13

Source: Educate Together, Choices in Primary School Selection: a survey of pre-school parents, 2011

Of the parents involved, 51% practised religious observance, 34% were non-practising, 9% were lapsed members, and 4% had no religious affiliation. It is striking that 87% of parents surveyed wished a school to focus on a broad range of belief systems and religions. Less than 50% considered it important or very important that a school would have a strong religious influence. Furthermore, 26% favoured a school where the study of religion was minimised and, for 18%, it was important or very important that religion was not part of the classroom curriculum.[52]

It is not possible to generalise from such studies, but as scientifically conducted studies of representative samples of parents, they are indicative of the attitudes of parents in contemporary Ireland. It is quite clear that the assumed homogeneity of parental views on religion in the primary schools no longer holds. There are significant pointers to be drawn for future policy from the variety of respondents' viewpoints recorded. Quite clearly, while religious education continues to be of importance to the majority of parents, there are significant minority preferences which need to be accommodated in primary school provision into the future.

The Irish Primary Principals Network (IPPN) designed a questionnaire survey of principal teachers, in conjunction with the Educational Research Centre, on attitudes to school patronage and pluralism. 51% of respondents considered that the current models of patronage should undergo "a major overhaul" or "be completely replaced". Opinion was almost evenly divided on a question regarding the churches' control of schools. 45% felt that church management of schools works and should not change, while 52% felt that "it is no longer appropriate to have schools owned/managed denominationally."[53] These data represent a significant division of opinion among contemporary school principals on the current pattern of school patronage.

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[52] Educate Together, Choices in Primary School Selection: A Survey of Pre-School Parents (Dublin, Behaviour and Attitudes, 2011)

[53] IPPN, "Leading and Learning: Patronage and Pluralism in the Primary Sector" submission to the Forum, June 2011

To help inform public opinion on issues involved in the school patronage debate in contemporary society, this Section has sought to present a factual profile of the current primary school system. It has also set out relevant data on the changing composition of Irish society over recent decades. It then sought to examine how and if the existing pattern of school provision matches the rights and needs of the changed citizenry of Ireland. In doing so, it has drawn on a range of studies conducted in recent years on attitudes towards religion, aspects of religious practice and views on religion in schools and the control of schools. The Advisory Group does not claim that such data are definitive or exhaustive, but it does regard them as indicative, and of relevance to the issues facing the Forum.

III

Planning Towards Future Patronage Arrangements

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The profile of the primary schools system and the changing profile of the country's population, as outlined in Section II, underline the urgency for policy and action to resolve school patronage difficulties. The latter parts of Section I also highlight many relevant issues which need to be addressed with regard to school patronage. But, as "The Evolving Situation in Ireland" implied, the matter has been a live policy issue and this Section of the Report describes some recent policy initiatives.

Community National Schools

The Community National School (CNS) model of primary school patronage is a recent policy initiative by the State, in response to demographic changes and increasing calls for wider choice for parents in primary education. The initiative was announced in February 2007 by Minister Hanafin, TD, and the first two pilot schools began operating in 2008. The model seeks to offer an alternative to the State's traditional reliance on private sector patron initiatives for the establishment of primary schools.

The model is currently under the patronage of the Minister for Education and Skills with Vocational Education Committees (VECs) acting as patrons-designate pending the introduction of legislation to facilitate VEC patronage at primary level. There are now five pilot CNS schools in operation under the auspices of County Dublin, Kildare and Meath VECs. A distinctive feature of the schools is their multi-denominational character whereby they aim to cater for children of a variety of belief systems, and also for those whose parents do not wish their children to receive faith specific teaching. The religious education provision is organised in the form of a multi-belief programme known as Goodness Me! Goodness You!, which includes separate faith formation provision for children of different denominations over a three or four week period during the year. A progress report of the CNSs is currently being compiled in respect of the first three years' experience of the two largest CNSs. It is hoped that the progress report will inform policy decisions on the more general viability of this model. The model is particularly challenging in that it seeks to answer the needs of many faith and belief systems, provide faith-specific teaching for some, while also accommodating non-theist perspectives. The religious education programme is operating as an action research project, and is still a work in progress. The project is supported by a representative Religious Education Reference Group.

One of the questions considered in the progress report was "does the CNS model provide an additional option for primary patronage to supplement existing patronage models where the specific local circumstances warrant a new approach?" The Draft Progress Report (October 2011) considered that until the issue of patronage and boards of management was formally decided for the model it was too early to make a determination on the matter. However it stated:

> Based on experience to date in the two schools under review it is considered that the model is likely to provide a potential additional option for primary school patronage. Feedback from the various consultations and from research conducted to inform the report of the model indicates an overall positive view of the Community National School model and of the role of the CNS within the community it serves. (p.49)

The "General Scheme of an Education and Training Boards Bill, 2011", gives new powers to the traditional VECs, which are being reconstituted. It includes, in Part 4, Section 23, a provision which will facilitate the patronage by VECs of recognised schools. If the Bill passes into law it would seem to clear the way for the new Education and Training Boards to engage in primary school patronage.

The Advisory Group considers that the pilot Community National Schools are potentially a significant initiative, which can be built on and could, in the future, take different forms. But, as it is early days with the experiment, delegations at the Forum tended to reserve judgement. Doubts were expressed about the viability, in the full-span of a school's life, of sustaining specific faith formation classes for a large variety of faiths within school time, as supplemental to the general religious education programme. The Community National Schools could form a more established component of the diversity in forms of Irish school patronage which is desired, into the future. There are also possibilities of establishing forms of joint patronage between the new Education and Training Boards and other patrons for primary schools which could have many advantages, including the provision of support services to all schools in their region.

The Advisory Group recommends that the pilot scheme should be sustained and that it would be advantageous if these schools had boards of management established within them, which is a requirement under the Education Act 1998.

Patronage of New Schools

The Commission on School Accommodation was requested by Batt O'Keeffe, TD, Minister for Education and Science in September 2008 to carry out a review of the criteria and procedures for the establishment of new primary schools. Its Steering

Committee, with 35 members, and its Technical Working Group, comprising 16 members, was highly representative of the stakeholders in education. In its report, published in February 2011, the Commission set out a range of conditions or requirements which should be met by prospective patrons in making applications for the patronage of schools. It also set out seven criteria which should be considered when deciding on the award of patronage.

On 27 June 2011, Minister Quinn, TD, announced that 20 new primary and 20 new post-primary schools are to be established over the next six years in order to meet the needs of the growing population of school going children. He also announced new arrangements for applications to be made from prospective patrons for the establishment of the schools, and new criteria for deciding on the form of patronage which "place a particular emphasis on parental demand for plurality and diversity of patronage". The requirements set out for applicants for patronage and the criteria to be used in deciding on the form of patronage are those recommended by the Commission on School Accommodation.

The criteria to be considered in deciding on patronage are the following:

- the development already achieved by recently established schools of a particular patronage in the identified area and the potential for future growth of these schools

- the extent or range of diversity of patronage offered across existing schools in the identified area, having regard to the views of parents

- the proximity of schools of similar ethos to those proposed by the applicant patrons

- how the proposed schools under the respective patrons would provide for extending or strengthening diversity of provision in each area, having regard to the views of parents

- parental demand for the school that a patron is willing to establish

- the extent to which schools of similar patronage in the area have already expanded to at least three streams (subject to space on an existing site etc)

- in an area to be served by a single school, the extent to which the needs of all pupils in the area can be met by the school

The Department has committed itself to engage proactively in identifying the areas where significant additional school accommodation is required, to determining the size of new primary schools, and to identifying the appropriate location for the schools. The Minister has set up a New Schools Establishment Group (formerly called the Patronage Advisory Group), as an independent agency, to advise him on the patronage of the new schools following its consideration of a report on the applications prepared by the Department.

The policy for the patronage of new schools, enunciated by Minister Quinn, TD, marks a new departure for the patronage of such schools. It benefits from being based on requirements and criteria which have been developed by a committee of involved stakeholders. While the implementation of policy is in its early stages, it has implications for adjustments which could be made in the patronage of existing schools, to bring it more into harmony with citizens' rights and wishes.

Discussion Paper on School Enrolment

As a further contribution towards shaping the future of schooling to meet changing social circumstances, in June 2011, the Department of Education and Skills published a "Discussion Paper on a Regulatory Framework for School Enrolment".[54] Interested parties were invited to respond to this Paper by 31 October 2011. Referring to difficulties being encountered by schools and parents, Minister Quinn, TD, in his foreword raised the question "Can we find a better way for all concerned?" He stated that he planned to bring forward legislative change to ensure the objective of having "access through inclusive, transparent and fair enrolment policies and practices in our schools". While the Discussion Paper does not focus on school patronage issues *per se*, it is linked in so far as any proposed changes in patronage are required to be cognisant of the inclusiveness criterion. Furthermore, the Paper provides evidence of the proactive stance of the Department towards legislative and regulatory change to ensure that schools better serve society's needs.

Among specific suggestions in the Discussion Paper is that "regulations might provide that the enrolment policy (of the board of management) should set out the characteristic spirit (also known as the school's ethos) and general objectives of a school. The inclusion of the characteristic spirit in the enrolment policy informs parents and applicants of the fundamental values particular to the school. Regulations might provide that a requirement could be included in enrolment policies that pupils who enrol in a school should respect the ethos of the school as distinct from any requirement for pupils or their parents to actively support the ethos of the school" (p.29). Another proposal relevant to pupils' faith issues in schools states that where denominational schools "decide to make a portion of the school places available to applicants who are not of that faith, it may be desirable to provide statutory support for such arrangements". (p.32). The outcome of the consultations on such proposals is likely to have relevance to aspects of school patronage.

Non-Denominational Schools

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[54] Department of Education and Skills, Discussion Paper on a Regulatory Framework for School Enrolment, June 2011

Ireland has no secular or non-denominational schools. In the past, regulations and the attitudes of officialdom inhibited the establishment of such schools. The Department of Education and Skills declared to the Forum, in June 2011, that there were no longer objections to the establishment of such schools, if sought by sufficiently large groups of parents, who otherwise fulfilled the requirements for patronage. The Advisory Group welcomes such a position which may open the way for further school diversity into the future. It could well be that the Community National School model could be developed so as to respond to the needs of parents, should they be in sufficient numbers to justify a new school or, possibly, benefit from a transfer of patronage to the State, which would use its best judgement in the allocation of the patronage for a new educational purpose.

Joint-Campus School Arrangements

The recent report of the Commission on School Accommodation favours the idea of joint campus arrangements, whereby schools of different patronage could share common educational and leisure facilities of the overall campus. As well as involving economies of scale, such arrangements could nurture good citizenship attitudes among children of different belief systems.

The Advisory Group recommends that active consideration should be given to this concept (joint-campus) when making decisions on school patronage.

Forum on Patronage and Pluralism in the Primary Sector

In addition to the initiatives outlined above, the Minister established the Forum in March 2011 to determine how best to cater for a sufficiently diverse number and range of primary schools catering for all religions and none – on a widespread basis, nationally. The Forum is another response by the Minister towards achieving a solution to identified school patronage difficulties in the primary sector that reflects changing Irish circumstances.

IV

Divesting School Patronage
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Building on Experience

The whole aim of the change in the school patronage process is to provide the appropriate form of education for pupils and their parents in line with their beliefs and value systems. Hence, their needs are the priority concern.

There are a number of key points which need to be borne in mind when planning for a greater diversity of primary school patronage provision:

- the population of Ireland is less homogeneous than it used to be and is more diverse in its culture and belief systems

- contemporary parents are more confident and vocal in seeking their educational rights than former generations

- there is a constitutional and legislative underpinning of rights and responsibilities regarding the provision of schooling

- there is a need for a greater diversity of school type to meet the needs and rights of citizens in a more pluralist society

- denominational schools will continue to be the preference of many parents

- when new schools were being planned for areas of rising population, the Catholic Church did not apply, in some instances, to be considered as patrons, so as to facilitate diversity

- there has been a successful, if limited, tradition of transfer and divesting of patronage from denominations to allow for new forms of patronage, such as Educate Together and An Foras Pátrúnachta, over recent decades

- Ireland is a party to a range of international laws and conventions which also impinge on Ireland's responsibilities for educational provision

- rights of individual parents have to be balanced against the common good

Way Forward

In seeking to provide more primary school diversity in prevailing circumstances, there are three targets on which policy should focus.

Target 1

This addresses the provision of diversity among new schools for areas of rising population.

Target 2

This relates to areas where there is a sufficiency of schools for stable population needs, but where parental demand for an alternative form of school patronage has been identified. Greater diversity of school type can result from the transfer of schools from existing patrons to the State, for re-distribution to new patrons.

Target 3

This focuses on how a Stand Alone school (or a small number of schools) which serves a local community may be enabled to respond more effectively when the pupil body incorporates children of a number of faiths and none, or parents who do not wish their children to receive denominational religious education. Target 3 is addressed in Section VI.

Target 1   New schools for Areas of Rising Population

As regards new schools in areas of rising population, as was noted in Section III, the Minister for Education and Skills, on 27 June 2011, announced new requirements and criteria for deciding on patrons of new schools. Announcing plans for 20 new primary schools, over the next 6 years, for the estimated increase of 45,050 pupils, expected by 2017, the Minister stated, "The criteria to be used in deciding on patronage of the new schools place a particular emphasis on parental demand for plurality and diversity of patronage".

Patronage applications (end Oct. 2011) for these schools have been received from a number of patrons and are listed on the Department's website (www.education.ie).[55] The applications are currently being considered by the Department.

The New Schools Establishment Group[56] will advise the Minister on the patronage of the new schools following its consideration of a report on the applications to be prepared by the Department. The Advisory Group commends the approach being taken for the recognition of patronage, where new schools are required, and it considers that many of the requirements and criteria used have relevance when considering patronage in Target 2 areas.

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[55] Applications were received from: Educate Together, a number of VECs, An Foras Pátrúnachta, Redeemed Christian Church of God and Lifeways Ireland.
[56] In the Commission on School Accommodation Report, February 2011, there was reference to the Patronage Advisory Group. The June 2011 initiative for new schools called its Advisory Group the 'New Schools Establishment Group'.

Target 2　　Divesting of Patronage from Existing Patrons in Areas of Stable Population

Context

In his terms of reference to the Advisory Group, Minister Quinn, TD, stated that it should have particular regard for "the expressed willingness of the Roman Catholic Church to consider divesting patronage of primary schools".

There are a number of facts which need to be considered:

- the inherited pattern of school patronage is one whereby 96% of the existing school stock is under denominational patronage (See Table 1). Ireland has a very large proportion of primary schools per head of population by international standards, and many are small schools (See Tables 2 and 3). Bearing these factors in mind, it is neither socially desirable nor economically feasible to build new schools where the population is relatively stable

- in areas where there is a cluster of denominational schools, with a stable population, but a parental demand for an alternative form of school patronage, it is generally accepted that the main target for divesting is from an existing patron, through the Department of Education and Skills, to a new patron

- there is a legal obligation on the State to provide for the primary education of all children, in a preferred type of school, as far as is possible and reasonable. Thus, it is incumbent on the State to take a proactive stance in seeking to facilitate and encourage the divesting from existing patrons to new patrons to provide for diversity of patronage

- there is a moral obligation on all stakeholders to facilitate and encourage divestment, where appropriate, so that the conscientious concerns of citizens and neighbours for the form of primary education which they wish for their children can be accommodated, as far as is possible.

- there is no absolute right to the education of one's choice. The State needs to act with prudence in the expenditure of taxpayers' money on schools.

Phase One

In instances where the Department has identified a possible need for a change of patronage, the Advisory Group recommends that a catchment area / district approach be adopted. It would be unwise to target a particular school or community without a broad reflection on the overall school provision in the area and a clear enunciation of the value to the community as a whole of the change envisaged. There is urgency for action on divesting. But a "big bang" or radical upheaval approach is not advisable. In this context, change of patronage should happen in a phased, incremental way.

There are three stages in Phase One

A.   Evidence gathering by the Department of Education and Skills

B.   Provision of options by the Patrons

C.   Evaluation by the Department and decision by the Minister

The process should be supported by an independent Divestment Advisory Group (DAG) or through the expansion of the remit of the New Schools Establishment Group.

Stage A   Evidence Gathering by the Department of Education and Skills

There are 5 elements to this

A 1	The forty seven catchment areas
A 2 and A 3	Gathering evidence of parental preferences to determine the "ideal" range and distribution of patronage categories (with respect to religious denomination and / or language) based on parental choice and accessibility of other types of primary schools in the immediate vicinity
A 4	Recognise that there are already identified demands for diversity of patronage
A 5	Adapting the Register of Patrons

A 1   The Forty Seven Catchment Areas

Arising from a request from the Catholic Church, the Department drew up a matrix of areas for possible divesting. Using a set of criteria, based on population and primary school provision, 43 towns and 4 areas in the greater Dublin region were identified in August 2010. To facilitate what were expected to be early pilot initiatives by the Catholic Church authorities, 6 town areas and the 4 Dublin areas were selected by the DES from the original 47 areas and detailed data were provided. However, no schools have yet been divested but the Advisory Group understands some work is being undertaken by the patrons.

Bearing in mind that there is already experience of instances of patronage transfer, and the need to get a better balance between the 96% of denominational patronage and the 4% of other forms of patronage, **the Advisory Group recommends that, for Phase One, work be undertaken in 43 towns and 4 Dublin areas**. **This will**

involve 18 dioceses and scrutiny of approximately 250 schools, out of which approximately 50 may be divested. Table 13 provides data on the 47 areas.

While a good case could be made for the inclusion of other areas, particularly urban areas, such as Cork and Limerick, the Advisory Group considers that it is best to proceed with the areas already selected by the Department. The Department has made data available for the 47 areas. These data may need to be updated, for example, with further data on schools, population trends, pupil numbers, and on spare capacity/ unfilled places within the schools, also data on Irish medium schools, aspiring patrons, and schools under other patrons, in the selected catchment areas. The Advisory Group realises that there will be a significant amount of work involved. Even if this process resulted in one school being transferred in each of the areas selected, it would amount to less than 50 schools or 1.6% out of a total of 3,169 primary schools, but it is a meaningful start.

A 2   A Preference Register for Parents with Pre-School Children

Traditionally in Ireland, the primary school has been closely integrated with the life of its local community. Through the generations ties of identity and loyalty were fostered to the local school. When new times require adjustments in traditional provision, it is understandable that concerns and emotional upset may be occasioned. But when a change of patronage is involved it is very important to make every effort to avoid social conflict and disharmony.

The Advisory Group is not in favour of plebiscites or large town hall gatherings. They can be divisive and upsetting for communities. The solution, for the common good, needs to be sought in a calm, respectful and reasonable way. It is imperative that the Department establishes the "ideal" range and distribution of patronage categories that are identified by parents.

In this context two complementary approaches to determining parental choice are suggested:

- A 2 relates to a preference register for parents with pre-school children in the 47 areas

- A 3 seeks information from parents with children already enrolled in primary schools in the 47 areas

The Advisory Group notes from submissions and consultations that there is a lack of familiarity among many parents in relation to the concept of patronage and of the role and responsibilities of patrons. This has important implications for satisfactorily establishing parental choice, in that the role of the patron must be explained and the school characteristics of the different patrons must be set out clearly for parents as an important part of this consultation process.

Table 13. Data on the 43 towns and 4 Dublin areas in Phase One

Area	Catholic Diocese	County	2006 Population	2002 to 2006 % Growth Rate	No. of Schools (within town boundary)	No. of Multi-Denominational Schools
Arklow	Dublin	Wicklow	11759	17.7	5	0
Athlone	Ardagh and Clonmacnoise & Elphin	Westmeath	17544	10.1	7	0
Ballina	Killala	Mayo	10409	7.9	6	0
Ballinasloe	Clonfert	Galway	6303	1.4	3	0
Bandon	Cork and Ross	Cork	5822	12.8	4	0
Birr	Killaloe	Offaly	5081	14.5	4	0
Buncrana	Derry	Donegal	5911	12.1	4	0
Carrick-on-Suir	Waterford and Lismore	Tipperary	5906	5.7	3	0
Carrigaline	Cork and Ross	Cork	12835	14.7	4	1
Castlebar	Tuam	Mayo	11891	4.6	3	0
Ceannanus Mór (Kells)	Meath	Meath	5248	18.7	3	0
Celbridge	Dublin	Kildare	17262	7.8	6	1
Clonmel	Waterford and Lismore	Tipperary	17008	0.6	7	0
Cobh	Cloyne	Cork	11303	15.2	5	0
Droichead Nua	Kildare and Leighlin	Kildare	18520	10.6	7	1
Dunboyne	Meath	Meath	5713	6.5	4	0
Dungarvan	Waterford and Lismore	Waterford	8362	12.2	3	0
Enniscorthy	Ferns	Wexford	9538	6.4	4	0
Killarney	Kerry	Kerry	14603	11.2	5	0
Leixlip	Dublin	Kildare	14676	-2.3	6	0
Letterkenny	Raphoe	Donegal	17586	15.5	6	1
Longford	Ardagh, Clonmacnoise & Elphin	Longford	8836	16.9	5	0
Malahide	Dublin	Dublin	14937	8	4	0
Mallow	Cloyne	Cork	10241	14.6	6	0
Maynooth	Dublin	Kildare	10715	5.6	4	1
Monaghan	Clogher	Monaghan	6710	13	5	0
Mullingar	Meath	Westmeath	18416	17.9	6	1
New Ross	Ferns & Ossory	Wexford	7709	17.9	4	0
Portmarnock	Dublin	Dublin	8979	7.2	3	0
Roscommon	Elphin	Roscommon	5017	11.8	3	0
Shannon	KIllaloe	Clare	9222	7.7	6	0
Skerries	Dublin	Dublin	9535	4.2	5	1
Sligo	Elphin	Sligo	19402	-1.7	8	1
Thurles	Cashel and Emly	Tipperary	7682	3.5	4	0
Tipperary	Cashel and Emly	Tipperary	5065	2	5	0
Tramore	Waterford and Lismore	Waterford	9634	16	3	0
Trim	Meath	Meath	6870	16.6	4	0
Tuam	Tuam	Galway	6885	15.8	4	1
Tullamore	Meath	Offaly	12927	16.5	8	1
Westport	Tuam	Mayo	5475	-2.8	4	0
Wexford	Ferns	Wexford	18163	5.4	8	1
Wicklow	Dublin	Wicklow	10070	7.6	4	1
Youghal	Cloyne	Cork	6785	2.8	3	0
Dublin 4	Dublin	Dublin	34,272	-.07	9	1
Dublin 6 and 8	Dublin	Dublin	122,349	2.0	26	2
Portmarnock/ Malahide	Dublin	Dublin	27,031	12.0	7	0
Whitehall	Dublin	Dublin	19,754	1.9	11	1

Source: Department of Education and Skills, August 2010

Therefore to fill this identified information gap and to enhance parental understanding of the primary sector and of patronage in particular, the Department should provide parents with; an impartial and brief description about each type of school; the role of the patron and the implications for their child's education; with particular reference to religion, language and characteristic spirit, so that they can give an informed response to questions of preference. This information would be prepared by the Department, in consultation with the patrons.

The Advisory Group has evidence that:

- most parents reach a decision in relation to primary schooling very early in the life of their first child and that their other children will probably attend this school

- a variety of factors can influence the parents' choice of school, but the two most persuasive factors appear to be educational quality, often expressed as successful advancement of pupils to a good post-primary school, and convenient location

Since this decision on school preference is usually made only once in the lifetime of a family, it is important to capture this information as early as possible to facilitate planning for both the capacity and type of local primary schools.

The Advisory Group, therefore, recommends the establishment of a register of parents of pre-school children which would indicate their preference for a type of school patronage.

The Department might consider the benefit to accelerating Phase One of the process by ascertaining the views of parents of children in Department of Children and Youth Affairs (DCYA) funded pre-schools.

This information could possibly be collected by the DCYA whose current enrolment form for free pre-school year seeks the name of the primary school chosen by parents.

The Advisory Group, mindful of a cost neutral approach, considers that the DCYA could also be asked to collect data on primary school **type** preference, on a specifically designed form, which is suitable for electronic analysis. Accompanying the form would be information on patronage and differences between school types, as noted above.

This preference register would greatly enhance Department of Education and Skills' planning if the DCYA collected this information a year earlier (at age 2+, instead of 3+ as at present). It would add to the data already used by the Department in its forward planning. It would provide an indicative guide and enhance the Department's ability to assess parental demand, preferably two years ahead of enrolment. It is recognised that this would be an added function of DCYA for which support resources would be needed. Alternatively, other ways to ensure the views of parents of pre-school children should be considered by the Department.

A number of measures might be required to streamline the register and ensure its accuracy, e.g. each child would require a unique identifier, such as the child's PPS number, and the area/ address of the child so that it can be linked in to one of the 47 areas. Transparency of process is very important; anonymised data from the Preference Register should be maintained on the DES website, for use by the partners, including patrons and schools.

Data for the Preference Register would be collected in Phase One in the 47 areas.

A 3   Measuring Preferences of Parents of Children in School

Following consultation with the partners, a questionnaire should be prepared by the Department, with the assistance of specialist expertise, to ascertain, from parents of children who are already in school, their preference for school type. The questionnaire should be in a format that is suitable for electronic analysis. As with element A2, the Preference Register for parents with pre-school children, data to inform parents on this topic should accompany the questionnaire. The information in relation to this questionnaire would particularly relate to choice within denominational, multi-denominational, non-denominational and Irish / English language medium choice.

For Phase One, this questionnaire would be issued to all parents in the schools within the 47 chosen areas. The information would be confidential between parents and the Department. The schools would be responsible for the distribution and collection of the questionnaires and their return to the Department. Any published data would be anonymised.

In the context of its cost neutral brief, **the Advisory Group recommends that the Department, with the assistance of specialist expertise, should be responsible for the preparation and administration of the questionnaire, and the analysis of the data collected from the questionnaires**. **This will require staff to be allocated from within DES to assist the Forward Planning Section with this initiative. If it was considered to be more cost effective, it could be outsourced to a specialist group, such as the ERC.**

The Department should prepare a report on parental preferences for each of the 47 catchment areas from both the preference register for parents with pre-school children and from the questionnaire survey of parents of children in school.

The Advisory Group recommends that the CSO be asked to consider an appropriate way to include a question on school type preference which would be supplemental to the register for parents with pre-school children. This could, perhaps, be through the census or a quarterly national household survey.

A 4   Existing Demand for Diversity

The Department, since 2008, already has evidence of demand for schools under alternative patronage. However, no new schools have been established since 2008 in areas of stable population.

Where very significant demand for a new school type has already been evidenced, the Department, in consultation with established patrons, should prioritise this so that a building can be made available from existing school stock. The Advisory Group recommends that such a decision should not await, or be part of, the Phase One process, but be acted upon as soon as possible.

A 5   Register of Patrons

The Department already maintains a register of patrons for primary schools. In the past, recognition of new patrons was linked to the establishment of new schools. The Department has more recently recognised that the two processes should be decoupled, so that the suitability of a body for primary school patronage can be judged independently of any decision in relation to a particular school.

A register of patron bodies who may wish to be considered in the process of patronage transfer to increase diversity should be developed and maintained on the DES website.   **The Advisory Group recommends that prospective patrons who wish to be included on the register must demonstrate that they comply with criteria of suitability, as set out by the DES.   They should also define the characteristic spirit of schools under their patronage**.

The implementation of the school's ethos should be reviewed in school self-evaluation at regular intervals and consideration should be given to collecting and reporting on parental and pupil satisfaction with the implementation of the school's stated ethos during school inspections.

Summary Stage A

In summary, it will be the responsibility of the Department to provide data to the patrons for use in Stage B. This data should also be available on the Department's website.

It might be advisable if each of the patron groups who wishes to have patronage transferred to them nominate a spokesperson to engage in consultations with the Department, so as to facilitate implementation.

Stage B   Provision of Options by the Patrons

As early as 2007, the Catholic Bishops stated, "As the Catholic Church accepts that there should be choice and diversity within a national education system, it believes that parents who desire schools under different patronage should, where possible, be facilitated in accessing them".[57]   Since then, periodic discussions have taken place between Episcopal representatives and Department of Education and Skills officials on issues involved.

In a position paper in 2011, the Catholic Schools Partnership stated:

> With regard to areas of stable population where there are unlikely to be any new schools over coming years some existing schools may no longer be viable as Catholic schools. In such situations, the Catholic Patron, in dialogue with the local community, might make any buildings which are surplus to requirements available so that the Department of Education and Skills could plan for greater diversity of school provision in that area … If sufficient demand for a school under different patronage can be demonstrated then all of the stakeholders should work in partnership towards that goal.[58]

The Advisory Group is mindful of the views expressed by the Catholic Bishops. The Catholic Bishop is the patron of the vast majority of the primary schools in his diocese. As patron of the majority of the schools in each of the 47 areas, the Catholic Bishop will be asked by the Department to examine the data gathered from Stage A to assist in assessing the feasibility or appropriateness of divesting the patronage of a school (or schools), in the interests of greater school diversity. All parties to the Forum recognised the significance in any proposed divesting arrangements of consultation with parents, school personnel and local communities. This would be reflective of the stakeholder partnership called for by the Catholic Schools Partnership.

The Advisory Group does not underestimate the complexity of the processes involved here, but for progress to be made, it is incumbent on the patrons, as owners of schools, to promote this initiative. While parents' views are very important, expectations of a "bottom up" initiative for change of patronage are unrealistic.

The Advisory Group recommends that the patrons should, following consultations with school communities, provide the Department of Education and Skills with a range of options for divestment. Consideration should be given

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[57] Irish Catholic Bishops' Conference, Catholic Primary Schools: A Policy for Provision into the Future, 2007 (Section 5.1)
[58] Catholic Schools Partnership, Catholic Schools in the Republic of Ireland, A Position Paper, 6 April 2011

to the overall school provision in each catchment area. The best interests of the children should be at the core of the divesting process.

Past experience suggests that the modes of patronage transfer which are most feasible occur in instances where, through the amalgamation of a boys' and a girls' school, or a junior and senior school, a school or classrooms became available for transfer to the State. Another instance which has been fairly clear-cut is when a school became non-viable for a patron body, or surplus to its current requirements, and so could be made available for transfer. Since the school year of 2002-03, 51 new schools have come into existence resulting from amalgamations. However, local circumstances and demand may often require more varied forms of patronage transfer in addition to these examples.

The Advisory Group recommends that schools involved in amalgamations continue to be given the additional support that follows such amalgamations to assist with the transition process.

The Advisory Group recommends that transfer of school buildings should be to the State which would decide on alternative patronage. The process of transferring property to the State through lease agreements is noted as being a much shorter process than divesting the ownership of a property, which could take a good deal of time. Leasing arrangements are quite satisfactory for the State in facilitating change of patronage.

While the ownership of most primary schools lies primarily with the bishops or religious congregations, submissions to the Forum emphasised that the resources for such schools came from the parish, school communities and patrons. This is in addition to the considerable exchequer funding for the common good purpose of public education. For instance, the State paid €193 million in capitation fees and €240m in capital funding for primary schools in 2010. If the divested primary schools were to continue to supply public primary education under new patronage arrangements, monetary compensation to the divesting patrons should not be a significant issue.

There is an urgency to make progress on the transfer issue. The Advisory Group recommends that from an agreed starting point, each Catholic patron should be required to submit a report on the school cluster in his jurisdiction within six months. Preparatory work could also be in train during Stage A since the 47 areas have already been identified since 2010. If the patron has encountered a significant problem during that time the patron should be able to call on the assistance of the independent Divestment Advisory Group (DAG) (see below) or the Department of Education and Skills.

Stage C   Evaluation by the Department and Decision by the Minister

The Department of Education and Skills would evaluate the options received from the 18 dioceses in relation to the 47 areas. In light of the preferences recorded, the Department would adjudicate as to the most appropriate patron for the divested school, or it may decide to establish a school itself. The Department would submit a report with recommendations for consideration by the Minister.

Divestment Advisory Group (DAG)

This process for the 47 catchment areas in Phase One should be supported by an independent Divestment Advisory Group (DAG).

While the Advisory Group to the Forum is conscious that within the current political/economic environment the establishment of new bodies or agencies is not popular, yet, because of the seriousness of the issue for the future of primary schools, there should be a small specialist group appointed by the Minister, who would be available to inquire into and help resolve difficulties which might be encountered and would also validate for the public that all due process was followed. **The Advisory Group to the Forum considers that there is a need for an independent group to provide assistance and validation to the patronage divesting process. This could involve the establishment of the DAG or the remodelling of the New Schools Establishment Group, to make it available for Phase One of the patronage divestment process. Whichever option is adopted, this group should not be engaged in negotiations on divestment but act in an advisory role only in Stage B.**

Limiting the Disruption to Pupils' Education

The aim in patronage transfer would be to limit the disruption to pupils' education to the minimum. The steps taken to do this would depend on local circumstances and the form patronage transfer would take. In some instances, a phasing in over a number of years for a cohort of pupils may need to take place. In other forms of transfer, it would seem possible that the arrangements could be much shorter. Sensitivity to children's rights and voices should be maintained at all stages.

Conclusion – Phase One for Areas of Stable Population

All stakeholders have rights and responsibilities, and all need to contribute to resolving what is accepted as a national problem, through cooperation and

collaboration so that a new range of school types becomes the norm and reflects, where identified in the Phase One areas, the need for diversity of school type.

The Advisory Group acknowledges, and does not underestimate, the important and sometimes difficult, role that boards of management and principals will have to play in achieving successful change. The Advisory Group realises their existing workloads but acknowledges the need for positive, proactive leadership where the children's rights are the priority concern.

If Phase One resulted in one school being transferred in each of the 47 areas selected, this would amount to less than 50 schools, out of a total of 3,169 primary schools, but the Advisory Group regards this as a worthwhile start. Table 14 summarises the key elements of the three main stages of Phase One.

Table 14. Summary of the proposed three stages of Phase One, with a suggested timeline

Stage	Who is responsible?	Description	Outcome	Suggested Time line
A: Evidence Gathering	DES	A1: Provide data on 47 areas A2: Develop a Preference Register for parents with pre-school children in the 47 areas A3: Organise questionnaire of parents of children in schools in 47 areas A4: Be cognisant of existing demand for diversity A5: Register of Patrons	Data from five components of stage A will be made available to the Patrons	Feb to Oct. 2012
B : Options	Patrons	Preparatory work could commence Consult with school communities	 Identification of options to enable divesting happen	February 2012 onwards October 2012 to March 2013
C: Evaluation and Decision	Officials in DES Minister	DES officials to evaluate Patrons' options Report for Minister	Report for Minister Minister to make decisions	April to June 2013 September 2013

Towards Future Phases

Following the end of Phase One, the Minister should be in a good position to know the outcomes and plan appropriately for the future. Phase One will provide information on the levels of success and highlight difficulties which have occurred. The phased process would help eliminate unnecessary apprehension among parents that a total re-casting of the primary school system was envisaged. Public trust and

confidence would be more likely to be promoted by a phased approach rather than by an over-zealous radical change.

Phase Two should proceed as soon as substantial progress has been achieved on Phase One and a report on Phase One has been drawn up by the Department of Education and Skills and consultation has taken place with other stakeholders.

In Phase Two, and other phases, it is recommended that a mix of other urban and rural areas would be included and suggestions from the Patrons could be invited in this regard. The Advisory Group considers that a sequence of phases will be necessary if greater diversity of school patronage is to be made available nationwide.

V

Irish Medium Primary Schools

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The Status of the Irish Language

While the provision of Irish medium primary schools, for parents who wish to have their children educated through the medium of Irish, forms part of the diversity of patronage process, there is also a special dimension to the issue. The denominational or religious character of the school is not a cause of concern here, and Irish medium-schools exist under a variety of religious patronage arrangements – denominational, multi-denominational and inter-denominational. The distinguishing feature regarding these schools is the significance of the Irish language in Irish society and the desire of some parents that it be the medium of school education.

The Advisory Group notes, and welcomes, that Irish medium schools are included within the remit of the new school patronage arrangements announced by the Minister in June 2011.

To appraise the matter satisfactorily, it is important to note the place of the Irish language in the Constitution, legislative provision and statements of government policy. Article 8 of the Irish Constitution states "The Irish language as the national language is the first official language".

The Education Act (1998) sets out responsibilities in relation to Irish in the objects of the Act in Section 6:

> (i)   to contribute to the realisation of national policy and objectives in relation to the extension of bi-lingualism in Irish society and in particular the achievement of a greater use of the Irish language at school and in the community
>
> (j)   to contribute to the maintenance of Irish as the primary community language in Gaeltacht areas
>
> (k)   to promote the language and cultural needs of students having regard to the choices of their parents

In Section 9 – functions of a school - it notes that a recognised school shall provide education which will:

(f)   promote development of the Irish language and traditions, Irish literature, the arts and other cultural matters

(h)   in the case of schools located in the Gaeltacht area, contribute to the maintenance of Irish as the primary community language

The objective of Government policy in relation to the Irish language is to increase the use and knowledge of Irish as a vibrant community language, increasing the number of families who use Irish as a daily means of communication, promoting the use of public services through Irish as a choice for citizens, and providing strong linguistic support for Gaeltacht communities. The "Strategy for the Irish Language 2010-2030", (2010)[59], is based on a "Government Statement on the Irish language" (2006)[60] and one of its objectives was:

Objective 6 "A high standard of all Irish education will be provided
to school students whose parents/ guardians so wish. Gaelscoileanna
will continue to be supported at primary level and all Irish provision
at post primary level will be developed to meet follow-on demand."

The Strategy notes that "the education system is one of the critical engines for generating the linguistic ability on which this 20 year strategy is premised". It highlights the need for "a focus on developing expertise and skills among the teaching profession – given the critical importance of the school in influencing language awareness and behaviour".

The Programme for Government, "Government for National Recovery 2011-2016" (2011) stated "We will support the 20 Year Strategy for the Irish Language 2010-30 and will deliver on the achievable goals and targets proposed".[61]

The Advisory Group recommends that parental demand for Irish medium schools should form part of the analysis of the 47 areas, recommended in Section IV of this Report.

Teaching through Irish in Primary Schools: the Current Situation

It is clear from the above statements that the concerns of parents for Irish-language medium schooling have very strong official support.

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[59] Government of Ireland, 20 Year Strategy for the Irish Language 2010-2030, 2010
[60] Government of Ireland, Government Statement on the Irish Language, 2006
[61] Government of Ireland, Government for National Recovery 2011-2016, 2011

Currently, approximately 8% of primary schools teach through the medium of Irish and this percentage is reflected also in the number of students and classes who study through Irish.

It can be seen from Table 15 below that the number of schools in the Gaeltacht where the language of instruction is Irish has dropped from 153 to 106 between 1975/76 and 2010/11. The number of students has also dropped. In contrast, the number of schools teaching through the medium of Irish outside of the Gaeltacht has risen from 20 to 140 in the same time period. These schools now have almost 30,000 pupils enrolled.

Almost all the Irish medium schools are under the patronage of Catholic bishops or An Foras Pátrúnachta na Scoileanna Lán-Ghaeilge Teoranta.

Table 15. Ordinary national schools taught through the medium of Irish

Descriptor	Years				
	1975/76	**1985/86**	**1995/96**	**2005/06**	**2010/11**
Schools in Gaeltacht	153	126	113	106	106
Schools outside Gaeltacht	20	53	95	132	140
Pupils in Schools in Gaeltacht	10,789	10,958	8,621	7,303	7,302
Pupils in Schools outside the Gaeltacht	2,818	6,747	15,952	24,376	29,675

Source: Department of Education and Skills, Statistics Section, (based on returns from schools), 2011

Census Data on People who can Speak Irish

Almost 1.66 million people, aged 3 years and over, were able to speak Irish in 2006 compared with 1.57 million in 2002. (There was an increase of 8% in the total population during that time period). This information was gathered in the 2006 National Census. Further information obtained is provided below and is abstracted from Volume 9 of the 2006 Census of Population – Irish Language (Oct 2007)[62]. In percentage terms, there was a slight decline from 42.8 per cent in 2002 to 41.9 per cent in 2006.

[62] CSO, 2006 Census of Population – Irish Language, Vol. 9, October 2007

Ability to speak Irish was highest among the school-going population with over two-thirds of 10-14 year olds recorded as being able to speak the language. The figure for 15-19 year olds dropped back from 66.3% to 64.7%. Ability declines in the immediate post-education age groups but picks up again for 45-54 year olds.

Irish speakers accounted for 70.8% per cent of the population aged 3 years and over in Gaeltacht areas in 2006 – down from 72.6 per cent in 2002. The proportion of Irish speakers varied between Gaeltacht areas. It was highest in County Waterford (79.5%) and lowest in the part of the Galway Gaeltacht located in Galway City (50.7%). All Gaeltacht areas, apart from Meath and Waterford, experienced a decline in the proportion of Irish speakers between 2002 and 2006.

Of the near 1.66 million persons who indicated that they could speak Irish, just over 1 million (60%) either never spoke the language or spoke it less frequently than weekly. 485,000 (29.3%) spoke the language on a daily basis within the education system. However, the majority of these (453,000) did not speak the language outside the education system. Just over 72,000 persons, representing 4.4 per cent of all those who could speak Irish, spoke it on a daily basis outside education while one in four of these also spoke it daily within the education system.

A total of 36,500 Irish speakers living in the Gaeltacht, representing 56.8 per cent of all Irish speakers in Gaeltacht areas, spoke Irish on a daily basis around the time of the 2006 census. 14,000 (38.3%) of these daily speakers spoke the language within the education system only. Nearly 19,500 (30.3%) of those able to speak Irish in the Gaeltacht either never spoke the language or spoke it less frequently than weekly.

The occupational groups with the highest ability to speak Irish were teachers (78%), gardaí (74%) and religious (59%). The higher the educational level attained, the more likely the ability to speak Irish.

Recommendations

- **Accurate information on schooling through an all Irish medium should be made available to all parents, whose school preferences are being solicited, as set out in Section IV.**

- **It was stressed at the Forum that many all Irish medium schools tend to start out from a small parent base, but subsequently thrive. The Advisory Group recommends that the DES should analyse the pattern of such experience, as a guide towards evaluating future applications for such schools.**

- **Because of the State's special commitments with regard to the Irish language, the Advisory Group recommends that the current regulation on flexibility of transport arrangements for parents seeking access to all Irish schools, should be maintained, and enhanced where judged appropriate.**

- **The DES and the educational partners should explore the possibility of a special category on the teachers' redeployment panel to facilitate Irish medium schools in recruiting staff appropriately proficient in the Irish language.**

- **The Advisory Group recommends that the concept of a "Satellite" entity for an emerging school, under the auspices of a well-established Irish medium school, should be piloted.**

VI

The Stand Alone School

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The Stand Alone school, Target 3, in Section IV, is addressed in this section. There are approximately 1,700 Stand Alone schools, outside urban areas, where the nearest school is approximately 3km away. There are approximately 310 schools where the nearest school is 5km away.

As has been stated, the inherited tradition of Irish school patronage has resulted in 96% of schools being denominational, most of these under Catholic patronage. As the Commission on School Accommodation pointed out, "The first objective of the DES must be that a school place is available to every child."[63] Therefore, where there is only one school, a Stand Alone school, to serve a small population it is clear that provision of diversity through a choice of school under another patron is not an option. The wishes of parents as individuals need to be balanced against the common good.

As far back as Vatican II (1965) it was considered that:

> In the exercise of their Rights, individual men and social groups are bound by the moral law to have respect both for the rights of others, and for their duties towards others and for the common welfare of all.[64]

There is an educational and social dividend to be gained from all the children in a rural setting, village or small town attending school together.

The Stand Alone school should be an inclusive school open to children from differing religious or secular belief backgrounds, from a range of ability and special educational needs, from many cultural and linguistic backgrounds, from the Traveller and settled communities and from all socio-economic backgrounds.

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[63] Commission on School Accommodation, Revised Criteria and Procedures for Establishment of New Primary Schools, February 2011

[64] Vatican II Documents, Declaration on Religious Freedom (Dignitatis Humanae) (7), December 1965

A Protocol for Diversity in the Stand Alone School and in Schools with Pupils from a Range of Belief Backgrounds

The Minister for Education and Skills at the opening of the Forum noted that one of the strengths of the Irish primary system has been that the local primary school has been very inclusive of all the students within its community.

During the course of the Forum it was generally accepted that, especially where there is no choice of school, it is necessary to have an agreed Departmental protocol to protect the rights of <u>all</u> children enrolled in a school.

Proposed Framework of a Protocol for an Inclusive School

In response to the calls for a protocol, the Advisory Group is suggesting a framework for a Department protocol to accommodate diversity in a Stand Alone school. Such a protocol should, in fact, be used by all schools which have pupils from a range of belief backgrounds.

Key elements for an inclusive school protocol could include the following:

P 1   Composition of Boards of Management
P 2   Whole School Evaluation
P 3   School Self Evaluation
P 4   School Ethos or Characteristic Spirit
P 5   Enrolment
P 6   Patronage
P 7   Opting-out of Denominational Religious Education/Faith Formation
        7.1   Constitution, Legislation and Rules for National Schools
        7.2   Primary School Curriculum Guidelines
        7.3   Considerations in Relation to Opting-out
        7.4   Practical and Timetable Options
P 8   Denominational Religious Education /Faith formation
P 9   ERB -Education about Religion and Beliefs and also Ethics
P 10   Religious Artefacts, Celebrations, and other non-taught issues

P1 to P 7 are addressed here in Section VI and P 8 to P 10 are covered in Section VII.

The Advisory Group recommends that the Department should, following consideration of this proposed framework, issue a protocol which will give clarity to schools on their responsibility to protect the rights of the children enrolled in the school, **with regard to denominational religious education and religious practice. Exemplars of good practice should accompany the protocol.**

The Advisory Group recommends that each school translate the protocol into action. Practical applications of the protocol should be discussed, agreed and documented in each school plan. It is important that schools continue to evaluate their experiences and remain flexible so that they can respond to changing needs into the future.

P 1   Composition of Boards of Management

It is probable that in most communities the Stand Alone school will, unless parental demand is otherwise, remain a school under religious patronage.

The Advisory Group recommends that the membership of the board should, where possible, reflect the diversity of the local community. This could be achieved through appointment by the patron, election by parents or the selection of representatives of the wider community. In this context, it is important to take account of the following criteria:

- **possession of skills complementary to the Board's skill requirements**

- **interest in education and its promotion**

- **consciousness of having a gender balance on the Board**

- **support for an ethos of inclusiveness within the school**

P 2   Whole-School Evaluation for the Inclusive School

The State has the lead responsibility for ensuring that the constitutional rights of children and their parents are upheld. During the course of Whole-School Evaluation in the primary school, the Inspectorate gathers the views of parents through the issuing of parent questionnaires, which are available in several languages. (English, Irish, Polish, Latvian and Lithuanian). In schools with up to 8 mainstream teachers questionnaires go to all parents and in larger schools the percentage of parents involved is proportional to the number of teachers. All forms are returned directly to the Inspectorate in sealed envelopes. The views of children, generally from third class up, are also ascertained by the Inspectorate through the administration of pupil questionnaires during the in-school evaluation phase. Following analysis of the questionnaire responses by the Inspectorate, each school's combined statistics are returned to them and pertinent outcomes from the questionnaires are also included in the school's report.

The Advisory Group recommends that Whole-School Evaluation includes practice on diversity and poses some questions relating to diversity on the questionnaires to parents and children.

P 3   Self-Evaluation for the Inclusive School

Rather than respond on an *ad hoc* basis, all schools, including Stand Alone schools, will need to plan for making equitable provision for diversity for children who are at present in the school and those who may enrol in the school in the future. To begin the planning process each Stand Alone school will need to evaluate its existing practice and provision for diversity.

The Inspectorate is at present piloting a 'new suite' of self-evaluation tools for schools, a development from the 2003 'Looking at our School' initiative. It is intended that whole-school type inspections will review the outcomes of the school's self-evaluation process.   School self-evaluation will be mandatory for all schools from 2012/13.

The Advisory Group recommends that the Department's 'new suite' of self-evaluation tools should include self-evaluation on diversity needs and practice and include questions on this topic for parents and children.

P 4   School Ethos or Characteristic Spirit

The concept of school ethos is often interpreted in a narrow way and assumed to be religious ethos. The reality for children is that the ethos they experience is whether their rights and dignity are respected and celebrated in the everyday life of the school. It is about the day-to-day experience of the interaction of the members of the central school community, children, teachers and other school staff, parents and visitors. All schools, whatever their patronage, should share these attributes. The Advisory Group was impressed by the statement of the Irish Commission for Justice and Peace:

> While trustees insist, and rightly so, on certain minimum requirements as facilitating the creation of a particular ethos, there are intangibles at the heart of a living ethos which cannot really be compelled. Ethos is best expressed, helped to develop, and enriched within the school community as the result of the continuing interaction between a shared dialogue on the core values of the school, embracing the patron, trustees, principal, staff, parents and students, and the daily practice which endeavours to embody those values.[65]

The Council of the Catholic Schools Partnership announced recently that it would provide Catholic schools with a self-evaluation tool for use in 2011-2012 "to facilitate deeper understanding of what it is to be a Catholic school…to prepare the way for the

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[65] J. Coolahan, ed., Report on the National Education Convention, (Dublin, Stationery Office, 1994), p.22

change of patronage…to reflect on identity and priorities with all of the school community…results will provide examples of good practice..” [66]

Educate Together has developed an ethos self-evaluation tool which is used in ET schools.

The Advisory Group welcomes proposals to share good practice drawing on examples from the above and other initiatives.

The Advisory Group recommends that, based on the experience of the Inspectorate and drawing on initiatives of the Catholic Schools Partnership, Educate Together and others, the DES issue guidelines/exemplars of good practice to assist schools to evaluate their ethos.

The views and experience of young people should also inform the guidelines. During the consultation on their experience of diversity and pluralism in their schools the Advisory Group was struck by the insightfulness, wisdom and interest of the young participants.

P 5   Enrolment in a Stand-Alone school

The Advisory Group agrees with the principles set out in the Department's Discussion Paper on a Regulatory Framework for School Enrolment (2011)[67]. As stated in the Minister's foreword, "The enrolment policies and practices that served schools and parents well in the past may not now fully accommodate the needs and diversity of our modern society."

As indicated earlier, the Advisory Group considers that enrolment policy in a Stand Alone school should not discriminate on religious/belief, socio-economic, language, cultural, special needs or other grounds.

The Advisory Group endorses the Minister's view that equitable enrolment policies are essential for achieving fairness and diversity. Particularly in some Stand Alone schools, the Group noted that the derogation in the Equal Status Act, 2000, Section 7(3)(c)[68] may impede the Department of Education and Skills

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[66] Statement by Fr Michael Drumm at the Launch of the Catholic Schools Partnership Report on CSP Research and Consultation 2010-2011, October 2011

[67] Department of Education and Skills, Discussion Paper on a Regulatory Framework for School Enrolment, June 2011

[68] Government of Ireland, Equal Status Act, 2000, Section 7(3) An educational establishment does not discriminate under *subsection (2)* by reason only that (c) where the establishment is a school providing primary or post-primary education to students and the objective of the school is to provide education in an environment which promotes certain religious values, it admits persons of a particular religious denomination in preference to others or it refuses to admit as a student a person who is not of that denomination and, in the case of a refusal, it is proved that the refusal is essential to maintain the ethos of the school.

duty to provide for education for all children. In the light of experience, further consideration might need to be given to the amendment of this derogation.

P 6   Patronage

Following self evaluation, schools will start to plan for diversity. Sometimes a school community may question whether the wishes of the parents can be met under the current patron and might identify themselves as candidates for divestment through:

- their own self-evaluation

- Whole School Evaluation

- information obtained from the Department's Preference Register of parents with pre-school children (See Section IV)

- in the future, from data gathered by the Department of the views of parents whose children are in school (see Section IV)

The centrality of parental choice was strongly expressed by the Catholic Schools Partnership (2011) when it noted that:

> Parental choice in education is recognised in most democracies and enshrined in the Irish Constitution, the Universal Declaration of Human Rights, in United Nations and European legal instruments. It is also strongly affirmed in the teaching of the Catholic Church[69]

It is timely to reflect that in a Stand Alone school the constitutional rights of <u>all</u> the children and their parents must be upheld by the existing patron or by any new patron of the school.

School communities, depending on local circumstances, might explore a change of patronage, co-patronage towards transition to a new patron or transition to a Community National School or another model under the aegis of a VEC. The IVEA, in its written submission to the Forum, listed the supports that the VECs provide at post- primary level and said that they "could mobilise all this experience and expertise in supporting primary schools…" As already noted the Education and Training Boards Bill 2011 contains proposals for support systems for schools, whatever their patronage.

The role of the BOM and the school principal will be significant in ensuring that a calm and reflective process underpins discussions. The views expressed by the Irish

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[69] Catholic Schools Partnership, <u>Catholic Schools in the Republic of Ireland – A Position Paper</u>, 6 April 2011

Primary Principals Network at the Forum on a change process could be further explored. The IPPN stressed the importance of the leadership role of the principal in the context of discussions within the school community.

The Advisory Group recommends that, where a Stand Alone school community has gathered evidence that shows that change of patronage is warranted, a calm, reflective process should follow.

P 7 Opting-out of Denominational Religious Education /Faith Formation

7.1 Constitution, Legislation and Rules for National Schools

The right to opt out of denominational religious education (faith formation/ religious instruction) classes is enshrined both in the Constitution and in the Education Act 1998. In order to ensure their compatibility with the Constitution, legislation and human rights conventions ratified by Ireland, consideration needs to be given to the Rules for National Schools and statements in the Primary School Curriculum documents.

Irish Constitution

Article 44.2.4 states that "Legislation providing State aid for schools shall not discriminate between schools under the management of different religious denominations, nor be such as to affect prejudicially the right of any child to attend a school receiving public money without attending Religious Instruction at that school".

Education Act (1998)

S.15 – Boards of Management to "have respect and promote respect for the diversity of values, beliefs, traditions, languages and ways of life of the society"

S.30 (2) (e) "shall not require any student to attend instruction in any subject which is contrary to the conscience of parent of the student..."

The Advisory Group recommends that the Education Act, S. 15, should be amended to include a new section after 15(2)(b), whereby the Board shall be accountable to the parent body, while upholding the characteristic spirit of the school, for also upholding the constitutional rights of parents and children with regard to denominational religious education/ faith formation.

Rules for National Schools

The Rules for National Schools[70] were mentioned in submissions and, particularly Rule 68, was discussed at the Forum. <u>The Rules for National Schools</u> were last published in 1965.

Rule 68 states that:

> Of all parts of a school curriculum Religious Instruction is by far the most important, as its subject matter, God's honour and service, includes the proper use of all man's faculties, and affords the most powerful inducements to their proper use. Religious Instruction is, therefore, a fundamental part of the school course, and a religious spirit should inform and vivify the whole work of the school.

The Advisory Group recommends that the Minister for Education and Skills should review and update the <u>Rules for National Schools</u>.

The Advisory Group recommends that, as a first step and in line with the general view expressed at the Forum, Rule 68 should be deleted as soon as possible.

In order to clarify the constitutional and legal rights of children and parents and to reflect changes to the <u>Rules for National Schools</u>, the Advisory Group recommends that the Minister for Education and Skills should make schools aware of the human rights requirements of national and international law.

7.2   The Curriculum Guidelines

The Primary Curriculum (1999) states that the school should:

> be flexible in making alternative arrangements for those who do not wish to avail of the particular religious education it offers.

> In planning for the implementation of the Curriculum schools will need to consider the nature and purpose of each curricular

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[70] Department of Education, <u>Rules for National Schools under the Department of Education,</u> (Dublin Stationery Office, 1965 ed.)

area, how subjects can be treated in a discrete as well as in an integrated manner…[71]

In their submission to the Forum, the Association of Trustees of Catholic Schools, stated:

> It was never envisaged that this initiative (integrated curriculum) would result in children being forced to participate in religious instruction classes against the wishes of their parents. This possibility can be avoided by time-tabling the religious instruction lesson for a particular period in the day that is convenient for parents and pupils.

In the discussion session with the representatives of the Association of Trustees of Catholic Schools at the Forum Open Days, they stated:

> The 1971 revised curriculum advocated an integrated curriculum but it never applied to religion. Religion was a completely separate programme. It was taught from the beginning of the year in line with the liturgical calendar and never integrated but continued to be taught during a specific half-hour. It is possible to put it in a time to accommodate people who do not wish to attend.

The Advisory Group recommends that the introduction to the Primary Curriculum should be revised to ensure that, while the general curriculum remains integrated, provision is made for denominational religious education/faith formation to be taught as a discrete subject.

7.3   Considerations in Relation to Opting-out

As has been clearly enunciated in earlier sections of this Report, the right of pupils to opt-out of the religious education class in schools is long established. It also exists in a number of other countries. (See Appendix 4). The key concern of the Advisory Group is the satisfactory implementation of opt-out arrangements. In its submission to the Forum, the Council for Education of the Irish Episcopal Conference pointed to limited State resources as a difficulty in this regard. It went on to state:

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[71] Government of Ireland, <u>Introduction to the Primary School Curriculum</u>, 1999, p.64

However, even with current resources, Catholic schools have developed local arrangements to accommodate the valid wishes of such parents, and steps are currently in hand further to develop the practical arrangements required to be put in place in this regard.[72]

In its submission to the Forum, the Association of Trustees of Catholic Schools put forward a similar view when it stated:

Sensitive to the growing religious diversity among the school population, various strategies have been developed in recent times to accommodate the wishes of parents who do not want their children to be part of the religious education programme.[73]

The Advisory Group warmly welcomes such assurances but when it sought illuminating examples of "the local arrangements" and "various strategies", these were not provided.

Eventually, following a further request at the Forum meeting on 17 November, exemplars of the practices in six schools were submitted to the Group. However, they vary greatly in the quality of the provision made, and in some cases the approach being taken is clearly unsatisfactory. One school's submission read as follows:

The general practice for religion time is that the children of other faiths are present, sometimes engaging in an activity of their own and sometimes taking an active part in RE where conversation relates to non-religious elements. This seems to be a happy situation for teachers and also for the parents of the children of other faiths.

This perspective does not illustrate sufficient understanding of the human rights issues involved.

That the situation regarding the opt-out in many schools remains unsatisfactory was indicated in several written submissions to the Advisory Group, in the conversations with pupils, and in oral discussions the Group has had with various stakeholders. Hence, the Group considers that there is an urgent need for 'opt-out' arrangements

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[72] Council for Education of the Irish Episcopal Conference, Submission to the Forum, 2011, p.6
[73] Association of Trustees of Catholic Schools, Submission to the Forum, 2011, p.13

to be more satisfactorily dealt with in schools. The next sub-section, 7.4, provides a number of suggestions.

7.4 Practical and Timetable Options - Suggestions

During the consultation some children told the Advisory Group that "While people do religion, the children that don't have to, do some other work and they feel left out." and "No-one believed in my religion … they forced me to do religion." and "They accepted my religion … I chose what I wanted to do." [74]

During the Forum many groups stated that there are practical and resource problems for small schools with regard to meeting the constitutional and human rights of a child to attend a school receiving public money without attending religious instruction in that school.

The IHRC, in discussing exemption procedures where there are no alternative schools in the area, points out that:

> While provision is made in the Education Act for the right of parents to withdraw their children from attending any 'instruction' that conflicts with their own convictions in recognition of their right to do so under Article 44.2.4 of the Constitution, this provision is not backed up by formal guidelines or by resources.[75]

Fr Michael Drumm, speaking at the launch of a report of the Catholic Schools Partnership, stated that:

> A protocol should be agreed on the timing of religious education class in primary schools. This protocol will identify best practice with regard to parents who, on conscientious grounds, do not wish their child to receive religious formation....[76]

The Advisory Group acknowledges the resource problem, particularly in relation to providing alternative programmes and in supervision of opt-out pupils, and provides some practical suggestions on timetabling religious instruction in the Stand Alone school. While the

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[74] Consultation with Young People, Appendix 3, November 2011
[75] Irish Human Rights Commission, <u>Religious Education: A Human Rights Perspective</u>, (Dublin, May 2011), p. 100
[76] Fr Michael Drumm at the launch of the Catholic Schools Partnership Report on Research 2010-11, October 2011

arrangements suggested below are not ideal, in the short term and pending the development of a new ERB and Ethics curriculum (See Section VII), they could provide interim mechanisms to protect the rights of those wishing to opt-out:

- with flexible timetabling, religion classes might be held at different times for different class groups. This would allow those opting out of religion to participate in another class

- currently the time for denominational religious education/faith formation is usually interpreted as half an hour per day. However, within curriculum guidelines this may be read as two and a half hours per week. In some schools this may allow for more flexible timetabling

- another option is to timetable denominational religious education at the beginning or end of the day. This has been suggested by several groups, including the IRHC. The Catholic hierarchy has

  expressed the view that religious education should not take place at the end of the school day as this might undermine its importance

- schools could also explore with parents of minority belief groups and their leaders how they might assist the 'opt-out' children, for example, through the provision of age-appropriate materials for the children to use, supplemented by occasional visits from representatives of their belief system

- there is a strong tradition of voluntary work in communities in Ireland, and in the context of the school, the parent association has a role in adopting "a programme of activities which will promote the involvement of parents, in consultation with the principal, in the operation of the school".[77] Opportunities for community and parent association assistance in supporting minority groups in the school should be explored. Garda vetting, for those who are going to work with children, is necessary

- school transport matters will be relevant to discussions in some schools

- the use of ICT could be of assistance in providing belief specific education for minority groups, either during or outside school hours or in the home. A blend of e- and live learning participation for minorities, whose communities are dispersed, should be explored by groups. For example, an Imam or a Rabbi might give classes from time to time in support of e-learning. On-line, on demand e-education programmes are in use in many countries

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[77] Education Act 1998 s26 (2)(b)

The Advisory Group recommends that boards of management, who are, or may be, accommodating children from diverse backgrounds in their school, should develop a school policy, in accordance with the Department's Diversity Protocol and, in consultation with parents, on the measures the school will put in place to meet their obligations to children and parents. The views and suggestions of the children should also be taken into account.

P 8, 9 and 10 are addressed in Section VII and they, too, are an integral part of the proposed framework of the protocol.

VII

Issues Underpinning Diversity in All Schools

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As noted in Section VI, issues which impact particularly on Stand Alone schools and the inclusive schools, were discussed in the context of the development of a proposed protocol framework. Here factors affecting diversity in all primary schools, including Stand Alone schools, are considered. Three of the factors, P8, P9 and P10 are also directly relevant to the proposed protocol framework.

- Denominational Religious Education (P8)

- Education about Religion and Beliefs, and Ethics (P9)

- Religious artefacts, celebrations and other non-taught issues (P10)

- Social Inclusion

- Children with Special Educational Needs (SEN)

- Complaint Procedures at local level

- Independent Appeals Procedure

- Teacher Education

- Teacher Employment

- School Transport

- Information and Communication Strategy

P 8   Denominational Religious Education

Denominational religious education and sacramental preparation are long-established features of the Irish primary school system and are likely to continue to be so, in many schools, as long as parents wish it.

However, the Catholic Schools Partnership 2011 noted that:

> It would be helpful if a group of parishes or a diocese were to undertake a pilot programme over several years to experiment with a more parish-based religious education. In particular, this might focus on the sacrament of confirmation. In the meantime, other parishes and dioceses would continue to strengthen the element of parish support for school-based religious education. Many believe

that this is a time to strengthen the links between parish and school so that this nexus sustains Christian faith in a secular world. Others believe that the parish should now take on many responsibilities currently discharged by Catholic schools, not least with regard to the sacrament of confirmation.[78]

In a small primary school, children may spend up to four years in the same classroom and could be involved in sacramental programmes in all eight years of their primary schooling. The Advisory Group welcomes the statement by the Catholic Schools Partnership and the new emphasis in the National Directory for Catechesis in Ireland[79] and the new Catholic curriculum for Religion in primary schools on the role of the parish in faith formation.

The Advisory Group recommends that sacramental preparation, or education for religious rites of other belief systems, should not encroach on the time allocated for the general curriculum and recommends on-going discussion with parents and clergy with regard to the parish role in sacramental preparation.

P 9   Education about Religion and Beliefs (ERB), and Ethics

It is important to distinguish between Education about Religion and Beliefs (ERB), which promotes learning *about* religions and Denominational Religious Education which focuses on faith formation.

The current situation for children opting out of Denominational Religious Education in primary school is inappropriate and inadequate on human rights grounds. It is unsatisfactory because some children are deprived of an educational opportunity to learn about religions and ethics. It is important that all children should be enabled, through an ERB programme, to develop knowledge, values and attitudes towards religions. There is also a need for an Ethics course appropriate to life in a democratic society. As early as the 1830s there was concern about children losing out educationally because of the opt-out clause. The Rules of the time stated that "no child shall receive, or be present at, any religious instruction of which his parents or guardians disapprove." Furthermore, the Rules stated "the time for giving religious instruction shall be so fixed that no child shall be thereby, in effect, excluded, directly or indirectly, from the other advantages which the school affords".[80]

In a submission to the Forum, the Ombudsman for Children's Office drew attention to concerns expressed by the UNCRC: "It is noted that the UN Committee [on the

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[78] Catholic Schools Partnership, Catholic Schools in the Republic of Ireland – A Position Paper, 6 April 2011
[79] Irish Episcopal Conference, Share the Good News – National Directory for Catechesis in Ireland, (Veritas, December 2011)
[80] Commissioners of National Education, Rules and Programme for National Schools, 1917 ed., p.3.

Rights of the Child] had become increasingly concerned about the issue of ensuring freedom of religion in the context of compulsory education".

Expressed in the context of examining other States' implementation of the UNCRC, the Committee's concerns include:

- lack of, or inadequate, provision for the rights of children belonging to religious minorities in a context where classes in one particular religion are part of the formal curriculum.

- inadequate provision *in practice* for alternative classes in schools where religious education is not compulsory or there are arrangements for exemptions[81].

Considerable agreement was expressed at the Forum that all children should have access to, and benefit from, a programme in Education about Religion and Beliefs and a course in Ethics which would cultivate a knowledge of the beliefs of others in their community and the wider world and nurture ethical behaviour.

The Catholic Church favours education about other faiths. In the context of religious education in primary schools, the National Directory for Catechesis in Ireland states, "All students should be encouraged to have a good knowledge of the Catholic faith and its traditions, and also of other faith communities[82]."

In the context of this discussion, two groups, the Humanist Association of Ireland and Atheist Ireland, who represent a small but significant sector of Irish society, agreed that such an approach to Religious Education would be acceptable to them.

In their submission to the Forum in June, the Humanist Association stated, 'A discussion-based subject concentrating on citizenship, religions, ethics and so forth, as opposed to religious instruction in any particular creed, would cater for all those who do not wish any particular belief system to be permeating the school day or denominational instruction during school hours.' (Humanist Association of Ireland written submission to the Forum)

In a discussion with the Advisory Group, Atheist Ireland noted, 'We don't have any problem with our children being taught about religion and beliefs if it is done consistently with the Toledo Guiding Principles.' (summary of a discussion with the Advisory Group as reported on Atheist Ireland website). The Toledo Guiding Principles are in Appendix 6.

During the Advisory Group's consultation with children and young people (summarised in Appendix 3), many of the primary school children spoke positively

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[81] Ombudsman for Children, Submission to the Forum, August 2011
[82] Irish Episcopal Conference, Share the Good News – National Directory for Catechesis in Ireland, Veritas, December 2011

about learning and celebrating other religions in school; conversely, children from minority religions often regretted the lack of opportunities to inform their peers about their religious experiences and practices.

Dr Emer Smyth has commented on the variable experience of children in Irish primary schools in relation to other belief systems:

> In Ireland the different focus of RME [Religious and Moral Education] across schools had implications for children's knowledge and awareness of the belief systems. In the Educate Together school, learning about world religions was an explicit part of the curriculum, a feature which was seen positively by many children. Children attending the Church of Ireland school reported some knowledge of other religions…In contrast children attending Catholic Schools were less likely to mention learning about other religions, a gap in their knowledge upon which some commented negatively.[83]

Older, post-primary students, when asked '*What's not good about the way religion is taught?'* replied in terms of their primary school focusing on their own religion, and students not having an opportunity to learn about other religions and beliefs. Having regard to their teachers, criticisms included: lack of knowledge and attention to other religions.

Challenged about what they would do, if they were Minister for Education for a day, in order to change primary schools to ensure that all religions and beliefs were respected, post-primary students advocated learning about other beliefs and religions, as well as celebrating other religions and cultures in school. Several recommended that religion be taught in a more positive way, and that teachers should improve their knowledge of different beliefs and religions.

Post-primary student groups all advocated learning about other beliefs and religions. Amongst primary school children, in discussion about how they would change the way religion was taught, learning or talking about religions and allowing students to talk about their own religions was the most popular choice.

An enhanced interest in the religions and beliefs of others is increasingly evident among Irish students of all ages. As the theologian Dr Dermot Lane pointed out in his submission to the Forum, external reasons prompting a new debate about Religious Education go back to the beginning of this century. Specifically, they include the events of 9/11 in the USA in 2001, followed by the Madrid bombings, the London bombings, the controversy surrounding the Danish cartoons of Muhammad, and the Paris riots – all of which took place between 2004-2005. In addition, there

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[83] Smyth, E, <u>Religious Education in a Multicultural Society: School and Home in Comparative Context</u>, (REMC, 2010), p.42

have been vast levels of migration and the emergence of religious diversity as a fact of life, especially in the west, through the phenomenon of globalisation. Furthermore, there has been the non-fulfilment of the secularisation thesis.

The Department of Education and Skills concurs that "the principles of Ethics and ERB should be incorporated into the school curriculum and is agreeable to examining how progress can be made in this area". In the context of the Literacy and Numeracy Strategy[84], the Department has already asked the NCCA to examine how time is organised across the curriculum and will ask the Council to examine how the Advisory Group's proposals can best be implemented in this context. (DES response to the Advisory Group's Reflections; Forum, November 2011).

While the formation of ethical behaviour forms part of denominational religious education programmes, the Advisory Group is concerned that the rights of children, who do not participate in such programmes, to ethical education are also safeguarded. Learning about ethics is important for all, and developing modes of ethical behaviour is of central importance to human development. The teaching of ethics includes the formation in and the promotion of a personal commitment to the dignity and freedom of all human beings, the importance of human rights, the place of justice within society, and the service of the common good. These are all essential to education in citizenship and the proper functioning of democracy. As the NCCA devises its ERB programme with the assistance of appropriate experts and key stakeholders, it should be in a position to call on relevant expertise for the ethics dimension, which goes deeper than "learning about" religion.

During discussions at the Forum, general support was expressed for such a programme. An important consideration is that the NCCA has been successful, through the education partnership, in creating ownership of and acceptability of curricula. NCCA Religious Education programmes, of an ERB character, are already in place at second level for Junior and Leaving Certificate students.

Several primary school Religious Education programmes exist which the NCCA should examine; for example, the Catholic Church programme *Alive O*. The Advisory Group understands that the *Alive O* programme is currently being revised and that the new programme will contain more information about other religions.

Other primary Religious Education programmes include the Church of Ireland *Follow Me* programme, Educate Together *Learn Together* ethical education curriculum and the Community National School *Goodness Me! Goodness You!* programme which is currently being developed as an action research project. Other belief groups, particularly non-Christian groups, should also be asked to make their programmes available to the NCCA.

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[84] Department of Education and Skills, <u>Literacy and Numeracy for Learning and Life, The National Strategy to Improve Literacy and Numeracy among Children and Young People, 2011-2020</u>, July 2011

Representatives of Churches informed the Forum that their programmes, as well as faith formation and doctrinal issues specific to their denominations, also incorporate knowledge and respect about other religions.

The Advisory Group is of the view that all children have the right to receive education in ERB and Ethics and the State has the responsibility to ensure that this is provided.

The Advisory Group requests that the NCCA, with assistance from the partners and mindful of existing programmes, should develop curriculum and teacher guidelines for ERB and Ethics, in line with the Toledo Principles[85], the RedCo[86], and the Cambridge Primary Review[87].

The Advisory Group has a particular concern for those children who do not participate in religious programmes in denominational schools. They may go through their primary schooling without any ERB and ethical education. For these children, the proposed programmes in ERB and Ethics are of central importance.

For other children, where programmes, already in existence, provide for some ERB and Ethics, the proposed NCCA programmes can be supplementary and the amount of the new programmes provided may be flexible within existing timetable provision.

Each Patron Body will have a duty to examine its provision in this field in the light of the ERB and Ethics programmes and will need to satisfy the State Inspectorate that appropriate provision in this field is made available. The proposed ERB and Ethics programmes are in no sense intended to supplant faith formation education in denominational schools.

The Advisory Group does not see its role as being prescriptive about time allocation but urges consultation between patron bodies, NCCA and DES about appropriate time arrangements.

P 10   Religious Artefacts, Celebrations and other Non-Taught Issues

Many schools are already inclusive in their celebrations of different religious beliefs and cultures.

During consultation with primary school pupils, a group of children agreed that 'some people are sad because they don't celebrate holidays their religion has at school.'

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[85] OSCE/ODIHR, Toledo Guiding Principles on Teaching about Religions and Beliefs in public schools, 2007
[86] European Union, REDCo Project (Religion, Education, Dialogue, Conflict), funded by the European Commission Framework 6 Initiative
[87] Cambridge Primary Review, Towards a New Primary Curriculum, Interim Reports, University of Cambridge, 2009

Older, post-primary students wanted their schools to celebrate religious festivals, such as Eid and Hanukkah, in addition to Christmas and Easter.

The young people consulted were asked how they would feel about taking part in a Nativity Play or another drama with any religious theme. They were emphatic that nobody should exclude themselves, or be excluded, on religious grounds, pointing out that there were numerous ways in which people could contribute to a stage production, e.g. scenery, lighting or music, without being explicitly involved in the religious content.

The JMB-AMCSS Guidelines on the Inclusion of Students of Other Faiths in Catholic Secondary Schools, would generally also be applicable to primary schools. They include some thoughtful and creative suggestions on a variety of ways in which a Catholic second level school may become more sensitive to the spiritual needs of students of other denominations and other faiths and includes a Calendar of Religious Festivals for the Major World Religions. Interestingly, this publication reports that inter-faith and inter-cultural initiatives work best in schools where the Catholic students and parents are most committed to their own religious practice.[88]

Some young people proposed that "every school could have a display wall on which all the beliefs in the school were represented".

The Advisory Group recommends that boards of management should develop a school policy, supported by Department guidelines, on religious and cultural celebrations in their schools. Boards should ensure that celebrations are inclusive, educational and respectful of the differing traditions of the children in their schools.

Examples of good practice should be gathered and Department guidelines should assist the development of consistent good policy by boards.

The Advisory Group recommends that the board of management should have the responsibility to develop a policy on the educational display of religious and non-religious artefacts and works of art in a school. Such displays ought not to be exclusive to any one faith or tradition but should have a balance, reflective of the beliefs of children attending the schools. To educate children in the beliefs of the wider community, the religious or cultural significance of statues and other artefacts should be explained.

Although most young people said they liked prayers during the school day, some of the older students suggested that these should be non-denominational prayers, and others suggested that it might be better if there was a quiet moment for reflection, instead of a prayer.

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[88] JMB-AMCSS, Guidelines on the Inclusion of Students of Other Faiths in Catholic Secondary Schools, 2010

The Advisory Group recommends that communal prayers, reflections, hymns, or school assemblies, where these take place, should be respectful of the beliefs and culture of all children, and must not be in conflict with their constitutional, legal or human rights.

Social Inclusion

Several submissions to the Forum sounded a note of caution reminding the Advisory Group that one of the great strengths of our primary school system has been that children from all social strata have attended school together. Although this is probably no longer the case in urban areas, in any reconfiguration of primary school patronage, there is a danger of much greater social stratification.

In the opening up of Irish society since the 1960s and the vocal assertion of rights by an increasingly educated and confident parent body, a greater diversity in school choice has gradually taken hold. Ironically, this has led to a situation where the greater the available choice, the greater the risk of segregation along lines of class and religion. Some submissions to the Forum claimed that segregation is already evident in rapidly expanding urban areas, where a pattern may be becoming established of Catholic schools serving the mainly white, indigenous community on the one hand, and 'newer' multi-denominational schools serving the immigrant community.

The Department of Education and Skills, with the education partners, is aware of the risk of social stratification and segregation inherent in increased diversity of school provision. In its submission to the Forum, the Department stresses its expectations that patrons and boards of management will ensure schools distribute places to students who reflect the composition of the local community. Greater choice should not lead to a hierarchy based on academic or social selectivity.

While recognising the inherent social divisiveness of many Irish town planning decisions, as illustrated by the clustering of DEIS schools in certain urban areas, the Advisory Group welcomes the Minister's announcement in June 2011 that bodies who aspire to patronage of new primary and post-primary schools must meet diversity criteria and be able to demonstrate their commitment to social and religious equality and the equitable provision of places for students with special needs.

The Advisory Group welcomes the Department's proposal to offer 24-year leases on school properties to successful applicants for patronage of the new schools, provided the patron honours the Department's requirements for diversity and social inclusion. The Advisory Group understands that the lease on divested or amalgamated schools will be offered on similar terms to their new patrons. In both cases, the Department should monitor the impact of diversification of

patronage on the representation of minority groups in various categories of schools.

Children with Special Educational Needs (SEN)

The National Council for Special Education (NCSE) in a submission to the Forum stressed the need for an agreement that patrons' school(s) will enrol pupils with special educational needs from their community on the basis that all schools are resourced in line with the prevailing Ministerial policy. Similarly, the National Association of Boards of Management in Special Education (NABMSE) poses the question, *Can the patron body confirm, credibly and visibly, its commitment to the special education sector if it is requesting or being requested to become a patron in the special education sector?*

The Education for Persons with Special Educational Needs Act 2004 makes specific provision for the inclusive education of children with special educational needs.[89]

The Advisory Group notes the very specific requirement for a commitment to enrol special needs pupils among the criteria laid down by the DES in its document of June 2011 relating to patronage of new schools and endorses the Department's policy that schools should not attempt to place resourcing conditions as the basis on which they will enrol a child with special needs.

Complaints and Appeals

With proper procedures in place, and with support for school boards, most complaints will be resolved at local level. The Advisory Group, in the context of this Report, draws attention to two areas where it will be necessary to provide for complaint procedures at local level and an independent appeals system for the minority of complaints not resolved at local level:

- Complaints and appeals concerning a school's enrolment policy or the implementation of enrolment policy

- Complaints and appeals about alleged breaches of human, constitutional or statutory rights relating to religion

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[89] Government of Ireland, Education for Persons with Special Educational Needs Act, 2004

Complaints Procedures at Local Level

The annual report 2010 of the Ombudsman for Children states that:

> Education accounted for the highest proportion of complaints received by this office in 2010 and showed a 36% increase on the number of such complaints received during the previous year. This may, to some extent, reflect the fact that statutory arrangements set out for parents to raise their concerns about the actions of schools (under Section 29 Education Act 1998) and about the actions of teachers (under Part V of the Teaching Council Act 2001) have not been put in operation.

> and

> The Office has continued to see complaints referred relating to the actions of schools. A source of difficulty encountered in effectively progressing the examination of such complaints, and indeed effectively identifying possible bases for local resolution, concerns the provision by school authorities of insufficiently elaborated reasons for decisions reached[90].

The National Parents Council Primary, in a submission to the Forum, noted that it:

> Believes strongly that complaints in the first instance need to be dealt with at local level within the school, that Section 28 Education Act 1998 needs to be implemented as a matter of urgency and that all boards of management should get adequate training to deal with complaints.

Independent Appeals Procedure

As suggested in Section 1.2.1 of the Department of Education and Skills discussion paper on a Regulatory Framework for School Enrolment,

> The experience of recent years suggests that an alternative to the Education Act 1998, Section 29 process may be required for dealing with appeals of decisions to refuse enrolment. Within a new regulatory framework of clearly set out requirements, procedures and prescribed timelines, better transparency and effective compliance mechanisms, including perhaps ultimately the potential to remove enrolment from the Board's control, the number of cases where appeals might need to be taken should diminish. An alternative is to provide for a combination of an enhanced local appeal process

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[90] Ombudsman for Children, Annual Report 2010, 2011

combined with an external appellate process in those cases where a pupil can get no place at all.'

The Irish Human Rights Commission (2011) has suggested that:

> There should be an expanded Ombudsman body with a remit to consider complaints concerning exemption procedures or any unwanted exposure to indoctrination or proselytism. Further, it is recommended that the remit of Schools Inspectors should include inspection of how religion classes are conducted in schools, regard being had to the effectiveness of exemption procedure being put in place by schools further to the recommendations in this report[91].

The National Parents Council Primary in a submission to the Forum stated that it:

> Very much welcomes the recommendation that parents need an effective, non-adversarial and cost effective mediation and appeals system. NPC is interested in exploring how an expanded role for the Ombudsman for Children might provide for this.

The INTO also considers that it is important that there is access to some outside appeal for parents in relation to issues such as enrolment and disputes about religion, as these matters are difficult for a board of management at local level to resolve.

While the Advisory Group acknowledges that, with proper procedures in place and with support for school boards, most complaints will be resolved at local level, yet it considers that there is an urgent need for the development of an effective, timely, non-adversarial and cost effective statutory appeals system.

An expanded role for the Ombudsman for Children could be explored so as to provide an appropriate mediation and appeals mechanism for parents.

The Advisory Group considers that the implementation of these recommendations would need to take account of the provisions of Sections 28 and 29 of the Education Act 1998, the existing and possibly expanded role for the Ombudsman for Children's Office and the provisions of the Equal Status Act 2000.

Teacher Education

There are five Colleges of Education for the education of primary teachers. Four of the colleges operate under denominational patronage. The fifth, Froebel College, is

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[91] Irish Human Rights Commission, <u>Religion and Education: A Human Rights Perspective</u>, 2011

in the process of being accommodated within the National University of Ireland Maynooth. While the Church of Ireland College is required to give priority to student teachers of Protestant faiths, all colleges accept students of any faith or none. There are no religious tests applied and entry is processed through the CAO system, as is entry to the vast majority of higher education courses. In line with the changing character of primary schooling, the colleges have recently been adjusting their religious education courses. As with other subject areas of the primary curriculum, the B.Ed. course includes a methodology course on religious education. Traditionally, this course was predominantly aimed towards teaching in denominational schools but, nowadays, this course is aspiring to prepare the students to teach religious education in a variety of school settings. Outside the B.Ed. course the colleges also offer a Certificate in Religious Studies as an optional course. While it is not compulsory, the fact that the Certificate tends to be a requirement for appointment in a denominational school leads the great majority of the students to take the Certificate programme.

As well as the five long-established Colleges of Education, Hibernia College is an online, third-level institution delivering web-based educational programmes. Among its programme offerings is a post-graduate diploma course of eighteen months duration for aspiring primary teachers. Hibernia College provides a religious methodology programme for its students. It has been holding consultations with Educate Together and other relevant agencies as the College restructures the programme to ensure that student teachers are prepared to teach religion in diverse types of primary school.

Over recent years, the Colleges of Education have been developing new approaches to the methodology of religious education. In two colleges an alternative programme to the religious methodology programme has been already provided with an emphasis on ethics, moral education and education about belief systems. It is aimed to cater for students who may have conscientious objections to taking the traditional religion methodology course. With assistance from the Department of Education and Skills, Colleges have been co-operating with Educate Together personnel in providing an optional course focussed on the Educate Together approach to religious education. As well as this, one College of Education has been incorporating the methodology of the Community National Schools' approach to religious education.

From their discussions with various College of Education leaders (CHoICE), the Advisory Group formed the view that each College was alert to the need to prepare students to teach in a variety of school settings, whether denominational or otherwise. Currently, all courses for initial teacher education are being restructured in the context of extended course duration and new requirements of the Teaching Council. The time is apposite for incorporating a dual approach to the religious education methodology programme.

In this context, the Group agrees with the conclusion of Honohan and Rougier in their study of cultural diversity in Irish schools when they state, "Whatever the shape of

future Irish education, teachers need to be equipped to deal with religious and cultural diversity within schools. There is a clear need for more compulsory training for teachers in this area".[92]

The Advisory Group recommends that, as well as providing a broadly based religious methodology programme, a course focussed on ethics, morality and world religions should be compulsory for all students to prepare them for the introduction of the proposed ERB and Ethics programmes. Students with conscientious objections would not be required to take the religious methodology course. But both courses should be available for all students who wish to take them, to prepare them for the variety of school circumstances in which they may find themselves. Staff in the colleges should have the academic freedom to employ their best expertise in devising these programmes.

Teacher Employment

In the context of the economic recession there has been a more rigorous approach to teacher re-deployment. Panel systems operate for most patron bodies, but there is not a specific panel for An Forás Pátrúnachta. In the case of An Foras, the requirement of language competence to teach in Irish medium schools is discussed in more detail in Section V.

Teachers have contractual rights in schools to which they are appointed while these are still viable. From surveys, such as that of the IPPN, it is clear that some teachers have fears linked to patronage transfer. On the other hand, it is reported that teachers who have lost their denominational beliefs can feel frustrated and hypocritical in teaching religious education and faith formation to their classes. The teachers' union, the INTO, was the first group to call for the establishment of a forum on school patronage and religious education in 2002.

The issue has also been raised that, with the vast majority of primary schools currently designated as denominational, non-theist student teachers may have to engage in dissimulation practices if they are to ensure a teaching appointment. Such situations are unsatisfactory to all parties and need to be addressed. While not specifically in the Forum's terms of reference, the exemption of schools from the provisions of the Employment Equality Act, Section 37 (i) must be a factor in any discussion of teacher employment. A greater diversity of school patronage types may relieve some of these pressures and is in the overall interest of the teaching force now and into the future.

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[92] Iseult Honohan and Nathalie Rougier, Accept Pluralism: Discourses and Practices Addressing Cultural Diversity in Irish Schools, (European University Institute, 2011), p.50

The INTO and the IPPN indicated at the Forum open Working Sessions that they are well aware of the issues involved. It seems likely that they would lend their weight to reasoned discussions towards increasing diversity of provision.

The Advisory Group recommends that, at local level, understanding, tact and flexibility should form part of discussions with teachers, and every effort should be made to accommodate their professional concerns. With goodwill and co-operation, and flexible use of the panel and redeployment process, it should be possible for satisfactory accommodations to be reached.

School Transport

The outcomes of patronage transfer arrangements affecting school transport will depend on the specific circumstances of the local situation. The aim should be to arrange for pupils to attend schools as close to their homes and communities as possible. National school transport policy has been reconsidered, with a view to achieving greater value for money.

The Advisory Group recommends that flexibility and facilitation arrangements should continue to be available to assist, where needed, in patron transfer situations, particularly where children with special educational needs, children of minority faiths and children attending Irish medium schools are concerned. The Advisory Group acknowledges that where a Stand Alone school provides protection for the human rights of pupils by adopting the Department's diversity protocol, as proposed by the Group, it should reduce the need for transport for children to access alternative schools.

Information and Communication Strategy

At the public sessions of the Forum, many contributors stressed the need for clear, objective and accurate information to be disseminated by the Department at all stages of processes leading to divestment and transfer of patronage, but particularly in relation to:

- the role and responsibilities of a primary school patron

- the meaning of 'ethos' or 'characteristic spirit' of a school

- the school ethos fostered by each patron

- the availability of denominational religious education and sacramental preparation within or outside school hours

- the range of patron choices available where transfer of patronage is under consideration

- how choice of patron will be assessed

- the requirements and criteria on which the Minister will base any decision on patronage transfer

- the timeline for patronage transfer

- the enrolment policies of all primary schools in a catchment area

In order to ensure clarity and accuracy, all necessary information should be disseminated by the Department, following discussion with the Partners, as provided for in Section IV of this Report; other parties, particularly those with vested interests, should not be encouraged to circulate parents and other members of the community.

The Advisory Group recommends that the Department should adopt an information and communication strategy aimed at promoting diversity, using a variety of traditional and electronic media. While recognising the need to make information accessible to a wide range of parents, the Department should rely increasingly on ICT to make information available about school choices and to receive information from parents.

VIII

Resourcing – Can Patronage Transfer be Implemented in a Cost Neutral Manner?

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In his terms of reference to the Advisory Group, Minister Quinn, TD, specified that the arrangement ensuing from the work of the Forum should be "cost neutral". While the current recession places severe limits on extra resources being available for the achievement of greater diversity and pluralism in Irish primary education, in the light of the significance of this objective and of the complex processes involved in its realisation, it is not realistic to expect that it could be achieved at no cost to the exchequer.

The achievement of diversity of patronage using the existing school stock in areas of stable population (in conjunction with a programme of provision of new schools in areas of growing population) would be of major advantage to the State. As an alternative to the capital costs which would be involved in building additional new schools to respond to citizens' educational rights in contemporary Irish society, some expenditure on the process of patronage transfer would appear to be eminently justifiable. However, given the current financial challenges presented to the State, any funding will need to be minimised. Various delegations at the Forum's open Working Sessions accepted that financial resources would be restricted, but the provision of <u>no</u> extra resources was regarded as unrealistic.

The Advisory Group raised this issue with DES officials who accepted that progress could be made at very limited cost, subject to prioritisation of resources within the overall education budget and staffing levels and to savings measures being taken to set off these costs. While the Group has ruled out major marketing surveys or plebiscites, costs will arise as a result of the survey work identified by the Group. There will be additional costs in organising the implementation of Phase One.

In relation to compensation for patron bodies for the use of their property following divesting or transferring patronage to the State or other patron body, the Group has already outlined that it does not consider that this should arise.

There will be some additional costs if the DES is to commission the NCCA to develop an ERB programme and an Ethics programme for primary schools. In addition to the development costs sustained by the NCCA, there will also be gearing-up costs of continuing professional development for primary teachers.

It was not the role of the Advisory Group to do a detailed costing exercise arising from its recommendations. Nevertheless, it considers it desirable to give some indicative costs for the changes envisaged. Having consulted with officials in the Department, it is estimated that the costs could be under €1m in the first year, with a continuing lower spend in future years. The work of the NCCA and also of the Professional Development Service for Teachers (PDST) would be spread over a few years. Extra staff would be required in the Department's Forward Planning Section, the NCCA and the PDST to meet the requirements outlined.

Administrative funding would need to be prioritised to assist the processes involved in Phase One of the project. Having consulted the Department a figure of €500,000 was estimated as a cost for this purpose in year 1 and €250,000 for each of the following years. In relation to the additional staff required by the Forward Planning Section, there should be no additional cost to the Department if existing staff are reallocated to the Section for this work. Funding for the NCCA to prepare the ERB programme and the Ethics Programme is required. Our enquiries informed the Advisory Group that an Education Officer and associated supports would be required over a two year period at a total cost of €200,000. The programme of continuing professional development for teachers has been calculated at costing €400,000 per annum.

The funding for minor upgrading where patronage transfer or amalgamations occur should be provided from the existing capital budget. However, there will be very limited funding available for this in light of the need to focus all education capital on meeting demographic demands. In addition, incentives for amalgamation of schools should be retained, in line with current practice.

The Advisory Group considers that goodwill and a concern for the common good need to be very much in evidence if the process of patronage transfer is to be achieved at minimum cost. However, for the Irish public, the educational issues involved in this process are of such importance, as is recognised by the Government in its Government for National Recovery 2011 – 2016, March 2011, that they should merit priority attention and receive urgent action.

IX

List of Recommendations

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III. Planning Towards Future Patronage Arrangements

Community National Schools

The Advisory Group recommends that the pilot scheme should be sustained and that it would be advantageous if these schools had boards of management established within them, which is a requirement under the Education Act 1998.

Joint-Campus School Arrangements

The Advisory Group recommends that active consideration should be given to this concept (joint-campus) when making decisions on school patronage.

IV. Divesting School Patronage

Target 2   Divesting of Patronage from Existing Patrons in Areas of Stable Population

Phase One

In instances where the Department has identified a possible need for a change of patronage, the Advisory Group recommends that a catchment area / district approach be adopted. It would be unwise to target a particular school or community without a broad reflection on the overall school provision in the area and a clear enunciation of the value to the community as a whole of the change envisaged. There is urgency for action on divesting. But a "big bang" or radical upheaval approach is not advisable. In this context, change of patronage should happen in a phased, incremental way.

Stage A   Evidence Gathering by the Department of Education and Skills

A 1   The Forty Seven Catchment Areas

The Advisory Group recommends that, for Phase One, work be undertaken in 43 towns and 4 Dublin areas. This will involve 18 dioceses and scrutiny of approximately 250 schools, out of which approximately 50 may be divested.

A 2   A Preference Register for Parents with Pre-School Children

The Advisory Group recommends the establishment of a register of parents of pre-school children which would indicate their preference for a type of school patronage.

A 3   Measuring Preferences of Parents of Children in School

The Advisory Group recommends that the Department, with the assistance of specialist expertise, should be responsible for the preparation and administration of the questionnaire, and the analysis of the data collected from the questionnaires. This will require staff to be allocated from within DES to assist the Forward Planning Section with this initiative. If it was considered to be more cost effective, it could be outsourced to a specialist group, such as the ERC.

The Department should prepare a report on parental preferences for each of the 47 catchment areas from both the preference register for parents with pre-school children and from the questionnaire survey of parents of children in school.

The Advisory Group recommends that the CSO be asked to consider an appropriate way to include a question on school type preference which would be supplemental to the register for parents with pre-school children. This could, perhaps, be through the census or a quarterly national household survey.

A 4   Existing Demand for Diversity

Where very significant demand for a new school type has already been evidenced, the Department, in consultation with established patrons, should prioritise this so that a building can be made available from existing school stock. The Advisory Group recommends that such a decision should not await, or be part of, the Phase One process, but be acted upon as soon as possible.

A 5   Register of Patrons

The Advisory Group recommends that prospective patrons who wish to be included on the register must demonstrate that they comply with criteria of suitability, as set out by the DES. They should also define the characteristic spirit of schools under their patronage.

The implementation of the school's ethos should be reviewed in school self-evaluation at regular intervals and consideration should be given to collecting

and reporting on parental and pupil satisfaction with the implementation of the school's stated ethos during school inspections.

Stage B   Provision of Options by the Patrons

The Advisory Group recommends that the patrons should, following consultations with school communities, provide the Department of Education and Skills with a range of options for divestment.

The Advisory Group recommends that schools involved in amalgamations continue to be given the additional support that follows such amalgamations to assist with the transition process.

The Advisory Group recommends that transfer of school buildings should be to the State which would decide on alternative patronage. The process of transferring property to the State through lease agreements is noted as being a much shorter process than divesting the ownership of a property, which could take a good deal of time. Leasing arrangements are quite satisfactory for the State in facilitating change of patronage.

There is an urgency to make progress on the transfer issue. The Advisory Group recommends that from an agreed starting point, each Catholic patron should be required to submit a report on the school cluster in his jurisdiction within six months. Preparatory work could also be in train during Stage A since the 47 areas have already been identified since 2010.

Stage C   Evaluation by the Department and Decision by the Minister

The Department of Education and Skills would evaluate the options received from the 18 dioceses in relation to the 47 areas. In light of the preferences recorded, the Department would adjudicate as to the most appropriate patron for the divested school, or it may decide to establish a school itself. The Department would submit a report with recommendations for consideration by the Minister.

Divestment Advisory Group (DAG)

The Advisory Group to the Forum considers that there is a need for an independent group to provide assistance and validation to the patronage divesting process. This could involve the establishment of the DAG or the remodelling of the New Schools Establishment Group, to make it available for Phase One of the patronage divestment process. Whichever option is adopted, this group should not be engaged in negotiations on divestment but act in an advisory role only in Stage B.

Towards Future Phases

Phase Two should proceed as soon as substantial progress has been achieved on Phase One and a report on Phase One has been drawn up by the Department of Education and Skills and consultation has taken place with other stakeholders.

In Phase Two, and other phases, it is recommended that a mix of other urban and rural areas would be included and suggestions from the Patrons could be invited in this regard. The Advisory Group considers that a sequence of phases will be necessary if greater diversity of school patronage is to be made available nationwide.

V. Irish Medium Primary Schools

- The Advisory Group notes, and welcomes, that Irish medium schools are included within the remit of the new school patronage arrangements announced by the Minister in June 2011.

- The Advisory Group recommends that parental demand for Irish medium schools should form part of the analysis of the 47 areas, recommended in Section IV of this Report.

- Accurate information on schooling through an all Irish medium should be made available to all parents, whose school preferences are being solicited, as set out in Section IV.

- It was stressed at the Forum that many all Irish medium schools tend to start out from a small parent base, but subsequently thrive. The Advisory Group recommends that the DES should analyse the pattern of such experience, as a guide towards evaluating future applications for such schools.

- Because of the State's special commitments with regard to the Irish language, the Advisory Group recommends that the current regulation on flexibility of transport arrangements for parents seeking access to all Irish schools, should be maintained, and enhanced where judged appropriate.

- The DES and the educational partners should explore the possibility of a special category on the teachers' redeployment panel to facilitate Irish medium schools in recruiting staff appropriately proficient in the Irish language.

- The Advisory Group recommends that the concept of a "Satellite" entity for an emerging school, under the auspices of a well-established Irish medium school, should be piloted.

VI. The Stand Alone School

Proposed Framework of a Protocol for an Inclusive School

The Advisory Group recommends that the Department should, following consideration of this proposed framework, issue a protocol which will give clarity to schools on their responsibility to protect the rights of the children enrolled in the school, with regard to denominational religious education and religious practice. Exemplars of good practice should accompany the protocol.

The Advisory Group recommends that each school translate the protocol into action. Practical applications of the protocol should be discussed, agreed and documented in each school plan. It is important that schools continue to evaluate their experiences and remain flexible so that they can respond to changing needs into the future.

P 1   Composition of Boards of Management

The Advisory Group recommends that the membership of the board should, where possible, reflect the diversity of the local community. This could be achieved through appointment by the patron, election by parents or the selection of representatives of the wider community. In this context, it is important to take account of the following criteria:

- possession of skills complementary to the Board's skill requirements
- interest in education and its promotion
- consciousness of having a gender balance on the Board
- support for an ethos of inclusiveness within the school

P 2   Whole-School Evaluation for the Inclusive School

The Advisory Group recommends that Whole-School Evaluation includes practice on diversity and poses some questions relating to diversity on the questionnaires to parents and children.

P 3   Self-Evaluation for the Inclusive School

The Advisory Group recommends that the Department's 'new suite' of self-evaluation tools should include self-evaluation on diversity needs and practice and include questions on this topic for parents and children.

P 4   School Ethos or Characteristic Spirit

The Advisory Group recommends that, based on the experience of the Inspectorate and drawing on initiatives of the Catholic Schools Partnership, Educate Together and others, the DES issue guidelines/exemplars of good practice to assist schools to evaluate their ethos.

P 5   Enrolment in a Stand-Alone school

The Advisory Group endorses the Minister's view that equitable enrolment policies are essential for achieving fairness and diversity. Particularly in some Stand Alone schools, the Group noted that the derogation in the Equal Status Act, 2000, Section 7(3)(c) may impede the Department of Education and Skills duty to provide for education for all children. In the light of experience, further consideration might need to be given to the amendment of this derogation.

P 6   Patronage

The Advisory Group recommends that, where a Stand Alone school community has gathered evidence that shows that change of patronage is warranted, a calm, reflective process should follow.

P 7   Opting-out of Denominational Religious Education /Faith Formation

    7.1   Constitution, Legislation and Rules for National Schools

        The Advisory Group recommends that the Education Act, S. 15, should be amended to include a new section after 15(2)(b), whereby the Board shall be accountable to the parent body, while upholding the characteristic spirit of the school, for also upholding the constitutional rights of parents and children with regard to denominational religious education/ faith formation.

        The Advisory Group recommends that the Minister for Education and Skills should review and update the Rules for National Schools.

        The Advisory Group recommends that, as a first step and in line with the general view expressed at the Forum, Rule 68 should be deleted as soon as possible.

In order to clarify the constitutional and legal rights of children and parents and to reflect changes to the Rules for National Schools, the Advisory Group recommends that the Minister for Education and Skills should make schools aware of the human rights requirements of national and international law.

7.2 The Curriculum Guidelines

The Advisory Group recommends that the introduction to the Primary Curriculum should be revised to ensure that, while the general curriculum remains integrated, provision is made for denominational religious education/faith formation to be taught as a discrete subject.

7.4 Practical and Timetable Options - Suggestions

The Advisory Group recommends that boards of management, who are, or may be, accommodating children from diverse backgrounds in their school, should develop a school policy, in accordance with the Department's Diversity Protocol and, in consultation with parents, on the measures the school will put in place to meet their obligations to children and parents. The views and suggestions of the children should also be taken into account.

VII. Issues Underpinning Diversity in all Schools

P 8 Denominational Religious Education

The Advisory Group recommends that sacramental preparation, or education for religious rites of other belief systems, should not encroach on the time allocated for the general curriculum and recommends on-going discussion with parents and clergy with regard to the parish role in sacramental preparation.

P 9 Education about Religion and Beliefs (ERB), and Ethics

The Advisory Group is of the view that all children have the right to receive education in ERB and Ethics and the State has the responsibility to ensure that this is provided.

The Advisory Group requests that the NCCA, with assistance from the partners and mindful of existing programmes, should develop curriculum and teacher guidelines for ERB and Ethics, in line with the Toledo Principles, the RedCo, and the Cambridge Primary Review.

The Advisory Group has a particular concern for those children who do not participate in religious programmes in denominational schools. They may go through their primary schooling without any ERB and ethical education. For these children, the proposed programmes in ERB and Ethics are of central importance.

For other children, where programmes, already in existence, provide for some ERB and Ethics, the proposed NCCA programmes can be supplementary and the amount of the new programmes provided may be flexible within existing timetable provision.

Each Patron Body will have a duty to examine its provision in this field in the light of the ERB and Ethics programmes and will need to satisfy the State Inspectorate that appropriate provision in this field is made available. The proposed ERB and Ethics programmes are in no sense intended to supplant faith formation education in denominational schools.

P 10   Religious Artefacts, Celebrations and Other Non-Taught Issues

The Advisory Group recommends that boards of management should develop a school policy, supported by Department guidelines, on religious and cultural celebrations in their schools. Boards should ensure that celebrations are inclusive, educational and respectful of the differing traditions of the children in their schools.

The Advisory Group recommends that the board of management should have the responsibility to develop a policy on the educational display of religious and non-religious artefacts and works of art in a school. Such displays ought not to be exclusive to any one faith or tradition but should have a balance, reflective of the beliefs of children attending the schools. To educate children in the beliefs of the wider community, the religious or cultural significance of statues and other artefacts should be explained.

The Advisory Group recommends that communal prayers, reflections, hymns, or school assemblies, where these take place, should be respectful of the beliefs and culture of all children, and must not be in conflict with their constitutional, legal or human rights.

Social Inclusion

While recognising the inherent social divisiveness of many Irish town planning decisions, as illustrated by the clustering of DEIS schools in certain urban areas, the Advisory Group welcomes the Minister's announcement in June 2011 that bodies who aspire to patronage of new primary and post-primary schools must meet diversity criteria and be able to demonstrate their commitment to social and religious equality and the equitable provision of places for students with special needs.

The Advisory Group welcomes the Department's proposal to offer 24-year leases on school properties to successful applicants for patronage of the new schools, provided the patron honours the Department's requirements for diversity and social inclusion. The Advisory Group understands that the lease on divested or amalgamated schools will be offered on similar terms to their new patrons. In both cases, the Department should monitor the impact of diversification of patronage on the representation of minority groups in various categories of schools.

Children with Special Educational Needs (SEN)

The Advisory Group notes the very specific requirement for a commitment to enrol special needs pupils among the criteria laid down by the DES in its document of June 2011 relating to patronage of new schools and endorses the Department's policy that schools should not attempt to place resourcing conditions as the basis on which they will enrol a child with special needs.

Complaints and Appeals

While the Advisory Group acknowledges that, with proper procedures in place and with support for school boards, most complaints will be resolved at local level, yet it considers that there is an urgent need for the development of an effective, timely, non-adversarial and cost effective statutory appeals system.

An expanded role for the Ombudsman for Children could be explored so as to provide an appropriate mediation and appeals mechanism for parents.

The Advisory Group considers that the implementation of these recommendations would need to take account of the provisions of Sections 28 and 29 of the Education Act 1998, the existing and possibly expanded role for the Ombudsman for Children's Office and the provisions of the Equal Status Act 2000.

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School Transport

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Information and Communication Strategy

The Advisory Group recommends that the Department should adopt an information and communications strategy aimed at promoting diversity, using a variety of traditional and electronic media. While recognising the need to make information accessible to a wide range of parents, the Department should rely increasingly on ICT to make information available about school choices and to receive information from parents.

Appendices

Appendix 1 – Stakeholders involved in Working Sessions of the Forum in June and November, 2011

Association of Trustees of Catholic Schools

Catholic Primary Schools Management Association

Council for Education of the Irish Episcopal Conference

Department of Education and Skills

Educate Together

Foras Pátrúnachta na Scoileanna Lán-Ghaeilge Teoranta

Gaelscoileanna Teoranta

General Synod Board of Education, Church of Ireland

Irish National Teachers' Organisation

Irish Primary Principals' Network

Irish Vocational Education Association

Islamic Foundation of Ireland

National Association of Boards of Management in Special Education

National Parents Council – Primary

Appendix 2 – List of others consulted

Professor Emer Smyth and Dr Merike Darmody, ESRI

Mr Éamonn Mac Aodha, Mr Des Hogan and Ms Sinead Lucey, IHRC

Officials from the Office of Minister for Children and Youth Affairs (then Department of Children and Youth Affairs) in relation to the consultation with Children

Officials from the DES

Ms Emily Logan, Ombudsman for Children and Mr Colm Keenan, official from Office

Dr. Clare Moloney, Researcher for *Goodness Me! Goodness You!* programme in Community National Schools and Dr Anne O Gara, President, Marino Institute of Education.

Representatives of the Humanist Association of Ireland (Ms Anne James, Ms Catherine O Brien and Mr Brian Whiteside)

Representatives of Atheist Ireland (Ms Jane Donnelly and Mr Michael Nugent)

CHoICE – Representatives from the Conference of the Heads of Irish Colleges of Education (Dr. P Travers, Dr Dermot Lane, Dr Anne O Gara, Marie Mc Loughlin, Dr Anne Taheny, Professor Eugene Wall and Dr. Anne Lodge)

Dr. Anne Looney, Chief Executive, NCCA

Professor Áine Hyland, Emeritus Professor of Education, UCC

Dr. Dermot Lane, Mater Dei Institute

Appendix 3

Summary of the Consultation with Young People
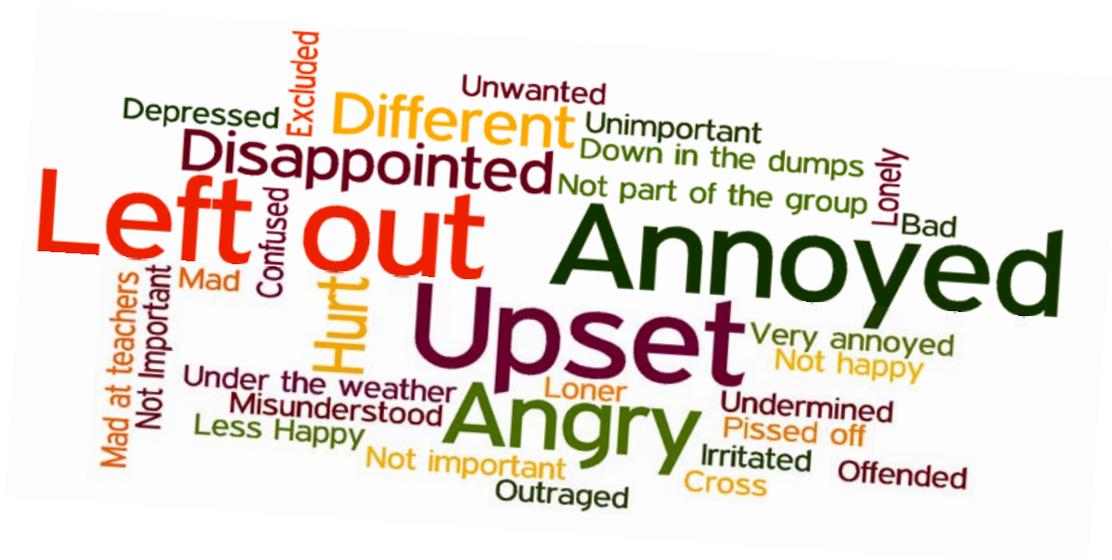
The Process

The Advisory Group to the Forum on Patronage and Pluralism in the Primary Sector wanted to obtain the views of young people on their experiences of religion while at primary schools. The Advisory Group asked the Department of Education and Skills to organise separate consultation meetings with a small sample of primary and post-primary students and to prepare a report on the consultation for its consideration.

The Department of Education and Skills sought the assistance of the Citizen Participation Unit in the Department of Children and Youth Affairs in conducting the consultations with the young people. The consultations were led by the Department of Children and Youth Affairs and its team of trained facilitators. They were assisted by members of the Advisory Group, staff from the Department of Education and Skills and a primary school principal. The key findings and overall conclusions are outlined below. A full report on the consultations will be available on the Department's website, www.education.ie

Introduction

Eighty-one young people from nineteen different schools participated in two consultation events on 17th and 20th of October 2011. The first event was attended by forty primary school children, primarily from fourth class, from ten different schools. The second event was attended by forty-one post-primary students, primarily from second-year, from nine different schools. The young people were of a range of different religions, beliefs and none.

Through involvement in discussion and activities, the students shared their experiences and perspectives on religious education and practice, and on pluralism and diversity in their primary schools. As this was a consultation process, the facilitators did not look for a consensus view from the groups and a range of views was expressed. This was not considered problematic as the views of all of the students are valid and contribute to a better understanding of their experiences of religious education in primary school.

In keeping with the terms of reference for this exercise, no recommendations are made by the authors in relation to religious education in primary school, as that is a matter for the Advisory Group to the Forum. The recommendations made by the students themselves as part of the 'Minister for the day' exercise are considered to be very illuminating and merit serious consideration by the Advisory Group when reporting to the Minister for Education and Skills.

The key findings and overall conclusions from the two consultation exercises are outlined below.

Primary Pupils

Identity Boxes Exercise

Belonging in school

Having friends in school was the most frequently cited example of 'belonging in school'. Other frequently cited examples included: doing art, doing PE, taking part in various activities, having fun, and having nice teachers. No specific faith-based issues arose during this exercise.

Special at school

All groups identified 'being picked' whether for a team, school play, to do messages, or to help a teacher as occasions where they felt special at school. No specific faith-based issues arose during this exercise.

Celebrating things at school

The most commonly cited things celebrated at school were: Halloween (possibly because the consultations took place in October), birthdays, Christmas, and Easter.

Left out at school

Being excluded from playing with others and not being picked for teams / activities were the most commonly cited situations where participants felt left out at school. Other situations cited included: lack of friends, people being mean, being lonely, having special needs, being laughed at, bullying, being shouted at, and getting in trouble and being punished. No child explicitly identified religion as a reason for feeling left out during this exercise.

Moving Debate

Thirty-three of the forty children (82.5%) agreed with the motion that, 'school should be a place where everyone feels included'. Two children disagreed and five were undecided.

What's good about the way religion is taught?

The majority of children gave positive feedback on this topic. Some children spoke about enjoying the way it is taught, particularly the colouring pages in the books, singing, learning prayers and having fun. Other children framed their feedback in terms of learning about and celebrating other religions in school. However, a small number of children did not have anything positive to say about the way religion is taught.

What's not good about the way religion is taught?

Some children, primarily but not exclusively, those of a minority religion or non-faith background gave feedback on specific issues which reflected their own or their friend's experiences. For example, one participant expressed the view that, *"they think that Christian is the only good religion"*. Issues raised included having to say prayers and go to Church even though you are of a different religion or an atheist. Other students said that religion was, *"boring"*, *"repetitive"*, and *"dull"*. Again, contrary views were also expressed. One participant said, *"there is no bad thing for me",* while another said, *"everything is good"*.

What would you change about the way religion is taught?

The children listed and then voted on what they would change about the way religion is taught. Learning or talking about other religions and allowing children to talk about their own religions was the most popular choice securing twenty-two percent of all votes cast. Make games out of religious education in class / making it more fun was the second most popular change securing seventeen percent of the votes.

Preparation for First Holy Communion

The main focus of a number of the children that had made their First Holy Communion related to the attention they got, their dresses, the parties afterwards and the presents / money they received. Conversely, a number of those who had not made their Communion expressed feelings of envy and jealously at having missed out in this regard. Other children that had not made their Communion spoke about feeling left out during the preparations, while others mentioned that their school had tried to involve them in the preparations. One group of non-Catholic children said that there was *"nothing good"* about the preparation for Communion in their schools.

Things that were identified as working well included:

- Having an after school club for First Communion preparation
- Learning all the prayers and songs
- Visiting the church to practice
- Being involved in preparations (if not making Communion)
- Going to church to support friends (if not making Communion)

Things that were identified as not working well included:

- Spending too much time on preparations
- Too much focus on Communion
- Feeling left out (if not making Communion)

- Doing all the preparation (if not making Communion)
- Staying in class and doing homework and/or reading a library book (if not making Communion)

What Works Well About Preparation for Communion? - Voting

The most popular thing that worked well was that those not making Communion could tell the others in their class about their religion (21 votes). The fourth most popular choice was also quite similar; people not making Communion should be asked about their celebration (7 votes). Combined, these two practices represent forty-four percent of all the votes cast. Children want everyone to be included.

What does not work well about preparation for Communion? – Voting

Jealously, in terms of missing out on the attention, dresses, parties and presents associated with making Communion rather than its religious significance, received the most votes (18). This was followed by feeling left out (10 votes) and the need to learn about other things apart from Communion (10 votes). Combined, the top three represent almost fifty-three percent of all votes cast.

Non-Taught Issues (Religious Pictures, Prayers etc.)

The children were asked a series of Yes / No questions about non-taught religious issues in their school. The results were as follows:

- 32 (80%) said that their school had prayers during the school day
- 5 (13%) said their school has a chapel / prayer room / altar sacred space/ mediation room
- 25 (63%) said their school had holy pictures or statues
- 33 (83%) said that their principal / teacher spoke about God during class, and
- 24 (60%) said that apart from Communion they went to Mass with their class during school time.

How Children's Beliefs Permeate the School

What things are celebrated in your school?

The children identified 32 separate things / events that are celebrated. Events such as Christmas, Easter, Halloween and birthdays were identified by each group.

How do children feel when the things they want are not celebrated in school?

In response, the children expressed a range of negative feelings and emotions. Typical responses included: sad, angry, left out, hurt and jealous.

Voting on the events the children would most like to be celebrated in school.

The children voted on, 'what events they would most like to be celebrated in school'. The top seven events and the number of votes they received are: birthdays (15), Chinese New Year (10), Kids' day (8), Christmas (7), Easter (6) Italian Day (6), and Eid (5).

Post-Primary Students

The key findings from the consultation with the post-primary students are outlined below. It should be noted that all the students' reflections are on their primary school experience.

Identity Boxes Exercise

Belonging in school

Participation in school shows, plays, sports and school teams were by far the most frequently cited examples of belonging in school.

Special at school

The most frequently cited examples of situations / events / people that made them feel special at school were: plays, friends, teachers, being sent on errands / messages and graduation.

Celebrating things at school

The most frequently cited things celebrated at school were: Christmas, Confirmation, end-of-school year / summer, Communion, birthdays, Halloween and Easter. These events were identified by all groups. Graduation, various GAA events, music festivals and being awarded Green Flags were also cited on a number of occasions.

Left out at school

The most commonly cited situations related to bullying, not taking part in activities in general and not making Confirmation. Religion and trips to church were also cited.

Moving Debate

Following discussion, thirty (73%) of the young people agreed with the motion that, 'In my primary school everyone's religion and beliefs were respected', eleven (27%) young people disagreed and none were undecided.

What's good about the way religion was taught?

The majority of young people identified a number of good things about the way religion was taught. Most commonly they identified the use of art/colouring, songs and stories as positives. Other positives identified by a number of participants included: recognition of other faiths and beliefs, and choice to participate or not. It was also the case that some young people had little, if anything, positive to say. One person commented that, *"In primary school, religion (well Christianity anyway) is taught in a very detailed and thorough way. However, religion in primary school is basically nothing but Christianity. I think that primary school should at least acknowledge and respect other faiths and beliefs."*

What wasn't good about the way religion was taught?

The most common criticism related to schools focussing on their own religion and students not having an opportunity to learn about other religions and beliefs. Other common criticisms related to inclusion, participation and feeling left-out. Teachers and teaching practices also received quite a lot of criticism. Having regard to teachers, the students' criticisms included: bias, lack of knowledge and apathy. Criticisms in relation to teaching practices included: too much singing and colouring, too much repetition, not being fun enough, and the textbook (Alive O) being boring. The issue of a lack of choice was also raised by a number of young people. Views expressed included not being told that they had a choice, and if you were a non-Catholic in a Catholic school, being either forced to listen to religious education or do something else entirely.

What would you change about the way religion is taught?

The students listed and then voted on the things they would change about the way religion is taught in primary school. A desire to learn about other world religions and beliefs was by far the most popular change receiving forty-three votes[93]. Furthermore, when this vote is aggregated with the votes for other similar changes sought such as: teaching more religion so that students are better prepared for secondary school (8 votes), celebrating other religious days (6 votes), and teaching other religions with respect (3 votes), they represent almost fifty percent of all of the votes cast.

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[93] The young people each had three stickers to use in this exercise.

Preparation for First Holy Communion and Confirmation in Primary School

Things that were identified as working well included:

- Spending time in the church which was "enjoyable and really fun"
- Children not making their Communion / Confirmation were allowed to join their classmates in church for preparation, if they wished
- Church of Ireland preparation took place in the Rectory, so there was no adverse effect on school life

Things that were identified as not working well included:

- Students not making Communion / Confirmation sat at the back of the class and did extra work, homework or nothing (varied from class to class). Some participants felt left out, while others felt annoyed or embarrassed by this experience.
- Preparation for Communication / Confirmation should take place in the parish outside of school hours and not in school.
- There should be two education streams: one stream for those making Communion / Confirmation and an ethics stream for the others pupils.
- Being made take part in preparations by the school even though they didn't want to 'in case they changed their mind'.

What Works Well - Voting

Having a 'choice' received the most votes (27). The next most popular practices were: preparing in the Parish and not the school (10 votes), not being sent to another class if you were not participating (9 votes), preparing in school (8 votes), and including friends who are not making their Communion (6 votes).

What Does Not Work Well – Voting

Excluding people not making their Communion / Confirmation received the most votes (20). One group, in particular, voted heavily in support of a story relayed by one student about the alleged exclusion, on religious grounds, experienced by a young girl, which it was suggested contributed to her subsequent tragic suicide. This specific incident received the second most votes (19) overall. Aggregating these two results accounted for almost thirty-two percent of all votes. A lack of choice in terms of having to learn religion, having to go to church and not being allowed to go to church to support their friends received a total of twenty-three votes (19%).

Non-Taught Issues (Religious Pictures, Prayers etc.)

The young people were asked a series of Yes / No questions about non-taught religious issues in their primary school. The results were as follows:

- Thirty-eight (93%) said that their primary school had prayers during the school day
- One (2%) said their school has a chapel / prayer room / altar sacred space / mediation room
- Twenty-nine (71%) said their school had holy pictures or statues
- Eleven (27%) said that their principal / teacher spoke about God during class
- Thirty-three (80%) said that apart from Communion / Confirmation they went to Mass with their class during school time.

Discussion in relation to Non-Taught Issues

A number of interesting views emerged during the discussions that followed the Yes / No questions:

- In general, having prayers during school was seen as a good idea for Christian schools. However, there were also views that prayers should be mixed-up to be inclusive of all religions, and in multi-cultural schools it would be good to have reflections rather than prayers.
- Most students were in favour of all schools having a room or quiet space which could be used by all religions and beliefs for prayer / reflection etc.
- One group of students suggested that each class / school should have a wall that reflects the religions and beliefs of all the children.
- Some non-Catholic students indicated that they were forced to go to Mass, which they were not happy about.

How children's beliefs permeate their primary school

What things were celebrated in your school?

The young people identified fifty-six separate things / events that were celebrated in their primary schools. Four or more of the groups identified several events in common such as: birthdays, Christmas, Easter, Halloween, St. Patrick's, St. Brigid's Day, Ash Wednesday, Graduation and Sport day.

How do children feel when the things they want are not celebrated in their primary school?

In response, the majority of young people cited negative feelings and emotions. Frequently used expressions included feeling; *"left out"*, *"annoyed"* and *"upset"*.

Voting on the events the children would most like to be celebrated in school.

The young people voted on what events they would most like to be celebrated in their primary schools. Aggregated, religious holidays account for almost thirty-one percent of the total vote cast. Other popular events included; birthdays, Thanksgiving and achievements outside of school.

Minister for the Day

The young people were divided into five groups for this exercise. They were asked what they would do if they were Minister for Education and Skills for one day to change primary schools to ensure that all religions and beliefs were respected. As with the other exercises, this produced lively debates and discussions in the groups. There was, in fact, a high degree of consensus on several of the recommendations / actions advocated, however, dissenting opinions were also expressed.

Recommendations made by three or more groups

- All groups advocated learning about other beliefs and religions
- All groups advocated celebrating other religions and cultures in school
- Four of the five groups advocated that no one should feel left out or discriminated against due to their religion
- Having regard to teachers and the teaching of religion, most groups recommended that religion must be taught in a positive way and that teachers should improve their knowledge of different beliefs and religions

Recommendations made by one or two groups

- Preparation for sacraments should be held in the parish rather than in school
- Preparation for Communion should be pushed back until third or fourth class so that children would be older and have a better understanding
- Religious education should be an optional subject in all schools
- Religious education should be split into three stands: Catholic, Protestant and Other World religions. Students could then choose which religion(s) they wanted to learn about
- Preparation for Confirmation should start near the end of fifth class
- Provision should be made for the preparation of other religions' sacraments in school
- Mass should be held in school and a priest should come in every two months
- Where there was more than one religion in a school, prayer should be replaced by reflection
- One group advocated more iconography in schools and classrooms, while another group advocated less

- There should be some form of multi-denominational oratory for reflection or meditation in schools

Overall Conclusions

Despite the age gap between the primary pupils and post-primary students, the overall conclusions that can be drawn from both groups are very similar. They are summarised below:

- The students articulated a clear desire that school should be a place where all students feel included, irrespective of their beliefs.
- Most, but not all, non-Catholic students attending Catholic schools expressed negative feeling about the teaching of religion in their schools. These students reported a disregard for their beliefs and frequently cited feeling left-out, annoyed, angry, sad and hurt. Some non-Catholic students reported being forced to say prayers and attend Church.
- Non-Catholic students attending Catholic schools would like to be able to tell their Catholic peers about their beliefs, festivals and ceremonies. Catholic students expressed an interest in learning about the beliefs of their non-Catholic peers.
- Students not preparing for First Holy Communion and Confirmation would like to be given a choice of being involved, or not, in the preparations and in going to church to support their peers.
- The majority of students identified a number of good things about the way religion is taught. However, several students also felt that teachers should improve their knowledge of different beliefs and religions.
- Finally, nearly all of the students expressed a strong desire to learn about other religions and beliefs, and to celebrate other religious festivals in school.

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Appendix 4

Provision of Religious Education in Primary Schools in a number of European jurisdictions

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DENMARK	
Time for RE/RI in school day	The ministry has laid down regulations according to which the subject "Christian studies" is to be taught in all grades (1st-9th), except the year in which the pupils can decide to prepare for confirmation in the Lutheran church. There are recommended requirements for the number of lessons in each subject in public primary and lower secondary schools. The subject of Christian studies/religious education has a recommended number of lessons equalling 30 hours per year in all grades except 1st and 6th grade (where the number is 60 hours), and 7th grade (in which the subject is not taught, as many students will be preparing for confirmation in the Lutheran church). In private schools, education standards must measure up to those in municipal schools. There are no minimum requirements for the number of lessons of any subject. The schools can choose to inform the Ministry of Education that they will not offer Christian studies if it conflicts with the values of the school.
Time of school day	There are no regulations or guidelines on this issue, in either public or private independent schools.
Opt in/ out?	Christian studies as a subject has a neutral content and it aims to provide knowledge in the same way as the other subjects. The main area of knowledge is the Evangelical Lutheran Christianity of the Danish State church. In the higher grades, particularly in lower secondary school, the teaching also includes knowledge of other religions and belief systems and philosophies. Whilst the subject is compulsory for all form levels, except for the year in which confirmation takes place, parents have the right of withdrawal on religious grounds, and some Muslim parents do so. Most mosques and Muslim associations provide some form of Islamic instruction outside school hours. The relevant legislation provides for a specific procedure of informing parents of the neutral nature of the subject. In opting out, the parents make a statement that they will take responsibility for the child's religious/ethical education. Usually, parents abstain from using a private school if they don't approve of the school's religious education. These schools can determine if pupils can opt out of class.
Syllabus development	The binding overall attainment targets for the subject are developed by the ministry. A proposed curriculum is also developed by the ministry. Schools are free to adopt their own curriculum, within the limits of the overall attainments targets for the subject. The vast majority of schools choose to use the proposed curriculum. In public schools, instruction in Christian studies concerns knowledge about Christianity and other religions and outlook on life. The subject is of a comparative, philosophical and descriptive nature. The "folkeskole" (public primary schools) are strictly forbidden from pursuing any objective of transmitting beliefs. However, knowledge about Christianity is given more emphasis than other religions and belief systems in the curriculum.

	In private schools, it is widely accepted that religious education can include some degree of faith formation.
Textbook development	Textbooks for both public and private independent schools are developed by private companies and purchased by the schools. The ministry has no role in approving or recommending textbooks. Approving textbooks and other educational materials is the responsibility of the school boards, both in public and private independent schools.
School / religions relationship	Folkeskole are owned and operated by the municipalities, which are local, self-governing regions. The municipalities are governed by locally elected municipal councils. The municipalities make all decisions on the folkeskole within the framework laid down in national legislation. This also means that each folkeskole is directly bound by the learning goals for each subject as well as rules regarding school governance, cooperation with parents, evaluation etc. The folkeskole are funded through municipal budgets.
	Private schools are recognised and receive government financing regardless of the ideological, religious, political or ethnic motivation behind their establishment. It is characteristic of such schools that they are smaller than the folkeskole. They are self governing institutions with governing boards as the highest authority and no patrons as such.
	The private schools must be independent, i.e. free from involvement of religious or other organisations in the ownership and management of the school.
School/ religions/ family relationship	In the folkeskole, parents form the majority of the school board which makes decisions about overall principles for organising the school's activities, cooperation between school and home, approving the school budget and approving teaching materials. They do not, however, have influence on the content of the subjects, including whether the instruction in Christian studies should have any denominational bias.
	In private schools, parents must elect at least two of the members of the governing board and they often get to elect more than two. Thus parents have a role in determining the school's profile. Parents must also supervise the school, including educational activities.
	In public schools, instruction and other activities related to religion do not involve communities, apart for normal cooperation between school and home. The instruction might involve visits to places of worship and witnessing religious activities, but the church or similar authorities have no role as such. Activities to prepare for confirmation takes places outside school, and are not a part of the school's activities, but in normal school hours, and the school and the local church coordinate the preparation time and the schedule of the school to ensure this can take place. In addition to this, there is the indirect involvement mentioned above, namely that the planning of lessons have taken account of the fact that in 7th grade, most children will be preparing for confirmation.
	Private independent schools are free to cooperate and coordinate with religious communities, e.g. reserving time in the school day for the children to attend

	mass or other religious activities, as long as the school maintains its independence, i.e. is free from involvement of religious or other organisations in the ownership and management of the school.
Handling of religious diversity in classrooms	Children in public schools who opt out of the instruction in Christian studies are under the supervision of the school, but depending on their age they can be allowed to use the time as they please; they can, for example, leave the school premises. Schools and parents can agree on other activities for the children to carry out during this time. Opting out is not conditioned on the children carrying out faith specific activities, but the parents undertake to provide for the children's religious/ethics instruction. Private schools are not required to allow the children to opt out of religious instruction - if the school offers such instruction. The ministry has no knowledge of the specific measures taken by any private schools which allow this.
Inspections	The Minister for Education determines the regulations and objectives for specific form levels (form level objectives) for the specific subjects/topics. The end and form level objectives establish a national objective for the direction and goals of the teaching, ensuring that students acquire the knowledge and skills in the subject/topic at, respectively, the end of their programme of education and the conclusion of specific form levels. There is no central inspection in the public school area. The only national/ ministerial requirement is that the municipalities submit an annual "quality report" on the quality of their schools, containing, inter alia, statistical information in a number of areas. Apart from the "quality reports", municipalities are free to decide how they wish to monitor the activities and academic level of schools. There are mandatory exams after 9th grade in a number of subjects, including Christian studies. In private independent schools, it is the parents themselves who must choose supervisors to check the pupils' level of achievement in Danish, arithmetic, mathematics and English and whether in general the overall teaching of the school measures up to what is normally demanded in the municipal school. In extraordinary circumstances, the Ministry of Education may establish special supervision, for example if there is reason to believe that the school teaches Danish so poorly that the children's ability to cope with life in Denmark may be impaired. There is no specific supervision of individual subjects such as Christian studies.
Sacramental preparation	See the information given regarding "schools/religions/family relationship".

FINLAND

Time for RE/RI in school day	Normally all schools spend an hour on religion per week.

Time of school day	RE is provided in primary schools for one hour per week. All schools must provide RE for all pupils. Some Christian schools would have a little bit more RE, but not more than 12-14 weeks worth of hours per nine years.
Opt in/ out?	Religion or ethics are core subjects in the curriculum. If instruction in a pupil's own faith is available, they have no right to opt out from it. Religion as a mandatory subject is still considered necessary, because it supports development of the child's own identity and world view, which also establishes a foundation for an intercultural dialogue.
Syllabus development	The Finnish National Board of Education draws up and approves national core curricula and requirements of qualifications and carries out evaluations of learning results. The Finnish National Board of Education is managed by the Managing Board, the members of which represent experts in education, local authorities, teachers and social partners. The churches are not involved directly in curricula issues or in developing the RE curriculum; usually there are RE teachers (denominational representatives) from different school levels involved and the working group is led by a representative from National Board of Education. The current national core curriculum includes objectives and assessment criteria. Within this framework, schools and local authorities then form their own curricular regulations that are sensitive to the local context. The Basic Education Act regulates the subjects included in the curriculum. The Government decides on the overall time allocation by defining the minimum number of lessons for core subjects during basic education. In primary education the objectives of the instruction are to: 1. familiarise the pupil with his or her own religion 2. familiarise the pupil with the Finnish spiritual tradition 3. introduce the pupil to other religions 4. help the pupil to understand the cultural and human significance of religions 5. educate the pupil in ethical living and help them understand the ethical dimension of religion.
Textbook development	Publication companies publish RE books, based on the national curriculum, but some freedom of content exists. Schools have the right to choose which book they want to use-teachers choose their own teaching methods and have freedom to select their own teaching materials.
School / religions relationship	The educational administration and the national board managing educational issues were established in the late 19th century; the Church had responsibility for all educational matters until the State and the Church were separated in 1869. In the same year, the Board of Education was founded, and it functioned as a central body managing educational matters for over one hundred years. Most schools are maintained by local authorities or joint municipal boards (federations of municipalities). In addition, there are several private comprehensive schools, which are also connected with local authorities[94]. Private education providers are licensed by

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[94] In 2010, 65 of 2,952 comprehensive schools were privately- owned.

	the Government. As part of granting a licence to provide basic education, the Government may also assign a specific task to the provider. Such a task has been assigned, for example, to Steiner schools, religious schools and foreign language schools. Specialist schools may emphasise the curriculum according to the assigned task. This specific emphasis can be reflected in the schools' values, pedagogical aims and philosophy. The activities, ideology or operational culture can not, however, be in conflict with the general aims set for pre-primary and basic education. These can neither be such that they require personal commitment by the pupils or that they aim at committing the pupil to the ideology in question or membership in a community representing such an ideology. The private schools follow the same legislation and national core curricula as public schools.
	Opponents of RE education argue that it is the responsibility of the church to offer the purposes of teaching in religion, and see RE as irrelevant for schools. Advocates of RE argue that it is an important aspect of cultural heritage. Students cannot understand Finnish culture without having some knowledge about the Bible and religious movements in Finland. There are historical, cultural and ethical reasons that justify the place of religious education in schools. Since an important goal of the school system is to guide children to reflect on different views of life and their rationale, RE can be justified as providing a unique perspective on many questions that deal with basic human issues.
School/ religions/ family relationship	Schools and churches are separate in Finland.
Handling of religious diversity in classrooms	'Religion or ethics' is part of the compulsory core subjects in basic education. Instruction in religion is arranged in accordance with the religion of the majority of the pupils. Pupils not belonging to this religious community are entitled to instruction in their own religion if their parents/guardians so wish, and if there are three or more pupils of the same religion to form a group. If instruction in a pupil's own religion is not available, the pupil must be provided with some other form of instruction or supervised activities.
Inspections	There is no separate school inspectorate and inspection visits to schools conducted by State authorities have been abandoned. The activities of education providers are guided by objectives laid down in legislation and the national core curricula. The system relies on the proficiency of teachers in their efforts to meet the objectives laid down in the curricula. Education providers, particularly local principals, are responsible for self-evaluation of the education they provide and they are expected to participate in national and international evaluations. In difficult situations, the National Board of Education can give consultative advice.
	Local school principals are responsible for ensuring standards in primary schools. The National Board of Education devised the RE core curriculum,

	and schools devise their own programmes based on this. Teachers must teach according to the local curricula.
Sacramental preparation	In Finland, schools and churches are separate. Preparation does not take place during school time.

GERMANY (FEDERAL STATE Level)

Time for RE/RI in school day	According to the current state of knowledge of the Standing Conference there are no statements about a daily amount of time intended for the subject of religion or religious topics. In general, an average of two hours is provided for religious instruction per week.
Time of school day	In Germany, there are usually no set times for religious and moral education (RME), it is part of the regular timetable and therefore can take place on any day and time during the week.
Opt in/ out?	Religious Education is a mandatory subject in public schools for those students who have certain religious beliefs according to their religious confession. In the majority of the Länder, Ethics is a mandatory subject for students who do not participate in RI. Basic Law (Art. 7 (2)) provides that "Parents and guardians shall have the right to decide whether children shall receive RI".
Syllabus development	For State schools, the State has an absolute right regarding organising, planning, controlling and supervising the entire curriculum, including RME as a genral subject area. The arrangements in practice tend to be that RME, for most Länder, is part of the standard curriculum. For RI specifically, churches generally decide curriculum content, and the State pays for the instruction. Churches also cooperate with the State for appointing teachers- who must have a specific mandate from the relevant church. Growing secularisation saw increasing withdrawal/ opting out- which led to concerns that there was no form of moral education through schooling in such cases. As a result, Ethics was made compulsory for students opting out of RI.
Textbook development	In general, the development of books is carried out by publishers. School books are usually approved for lessons by the Länder. They have to be in accordance with the constitution and curriculum specifications. Regarding religious education, the churches are involved in the development of textbooks. There is no responsible central organization across the federal States, and publishers offer their books in various Länder simultaneously.
School / religions relationship	Post WWII, society evolved rapidly and there was a period of conflict and litigation in the 1970s. Consequently, the West German Länder tried to exclude ideological/ religious pressures as much as possible. This was especially the case in North-Rhine-Westphalia and Lower Saxony. Conflicts nowadays are rather rare. 98% of primary schools are public, with 2% private.

	Several court decisions have ruled that this model adopts "a pragmatic and reasonable balance" between those seeking denominational/secular education. The State is responsible for RI as it is part of the State curriculum, therefore it must provide financial assistance towards costs of RI personnel and materials (see "Schools/religions/family relationship"). This organisation is done in cooperation with the respective churches.
School/ religions/ family relationship	Basic Law (Art. 7 (3)) provides that "RI shall form part of the regular curriculum in State schools, with the exception of non-denominational schools. Without prejudice to the State's right of supervision, RI shall be given in accordance with the tenets of the religious community concerned. Teachers may not be obliged against their will to give RI".
Handling of religious diversity in classrooms	Generally, there is provision of a mandatory replacement class, in the case of RI withdrawal. The Federal Constitutional Court has ruled that in a pluralistic society, the State cannot meet the ideological preferences of all parents, and so parents have no claim against the State regarding the ideological orientation of compulsory education. Thus, the remit of German public schools is seen as running in parallel with parental rights. Neither can claim absolute priority. There is evidence of increasing demand from Muslims for respect and parity for their faith and its manifestation in State schools. This is in contrast to another trend of increasing secularisation. In most Länder, Ethics is a mandatory subject for the students who do not take RI classes. In addition, some Länder have begun to introduce RI focussing on Islam.
Inspections	Basically, religious education lies under State supervision as a regular subject. On the other hand, the churches obtain the right to inspect the religious education lessons. The State's school supervising authority itself as supreme authority is located with the ministries. Additionally there are often regional school supervising authorities for communities or local education authorities.
Sacramental preparation	In Germany, sacramental preparation is usually not offered during RI lessons, with the preparation taking place instead in communities.

NORTHERN IRELAND

Time for RE/RI in school day	Primary schools provide RE lessons for one half hour per day, or two and a half hours per week.
Time of school day	Schools are free to timetable RE when it is most convenient. In addition to RE, The Education and Libraries (Northern Ireland) Order 1986 requires each school, to include collective worship as part of its daily programme. Collective worship is often known as "morning assembly" but the Order does not specify any particular time of day when it should take place. Collective worship may be in one assembly for the entire school or in more than one assembly.

Opt in/ out?	Parents have the right to withdraw their child from all or part of collective worship and/or RE lessons on the grounds of conscience. Teachers also have the right to withdraw from the teaching of RE/collective worship on the grounds of conscience.
Syllabus development	Legislation provides that the Department may specify a Core Syllabus for RE for use in schools and that such a syllabus must be prepared by a drafting group representative of 'persons having an interest in the teaching of religious education in grant-aided schools'. "Persons having an interest" historically was deemed to be the 4 main churches. An additional factor is that, in controlled schools, the legislation specifies that religious education should be based on 'the Holy Scriptures according to some authoritative version or versions thereof but excluding education as to any tenet distinctive of any particular religious denomination'. Since the 4 churches, in the interests of community cohesion, wished to use a common core syllabus, the legislative requirement thus influenced the core syllabus for both controlled and maintained schools.
Textbook development	To support teachers in the delivery of RE, the Council for the Curriculum, Examinations and Assessment (CCEA) established an RE Advisory Group. The Group's remit is to support and provide materials for teachers. Schools are of course free to use any resources that help them in the delivery of the revised curriculum.
School / religions relationship	The education system in Northern Ireland consists of different types of schools under the control of management committees who are also the employers of teachers. There are a total of 846 primary schools, excluding 17 Grammar School preparation departments. The different type of schools are: • Controlled (nursery, primary, special, secondary and grammar schools) are under the management of the schools Board of Governors and the Employing Authorities are the five Education and Library Boards (383 (45%) of primary schools) [95]. • Maintained (nursery, primary, special and secondary) are under the management of the Board of Governors and the Employing Authority is the Council for Catholic Maintained Schools (CCMS) (396 (47%) of primary schools) • Other Maintained (primary, special and secondary) (25 (3%) of primary schools) • Voluntary (grammar), Integrated (primary and secondary) and Institutions of Further and Higher Education – each school is under the management of a Board of Governors. (42 (5%) of primary schools)
School/ religions/ family relationship	In addition to the non- denominational RE required in schools, ministers of religion and other suitable persons, including teachers of the school to whom the parents do not object, must be granted reasonable access at other times for the purpose of giving religious education. Within the context of Northern Ireland the persons who come into a school will normally be ministers or other

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[95] Percentages are rounded up with the figures used taken from the 2010/2011 school year statistics

	leaders of Christian denominations, however, there is no provision for excluding other ministers or people from other denominations. The Department does not gather information on who is invited into schools as this is a matter for individual schools to decide.
Handling of religious diversity in classrooms	The Revised Core Syllabus aims to reflect the changing world and requires Key Stage 2 pupils to become aware of and have respect for differing cultures and faiths, as well as providing for Key Stage 3 pupils to study 2 world religions (and for Key Stage 4 pupils to study the Christian Church from both a Protestant and Roman Catholic tradition). The Core Syllabus is not intended to represent the total provision for RE in schools, but provides the basis on which each individual school can build a programme to suit the needs of its pupils and reflect the ethos of the school. Schools can, for example, include additional teaching on world religions, including drawing out similarities and differences between the main religions here, or make provision for any other RE-related matter. In doing so, schools can also build on the increased flexibility of the revised curriculum and make valuable links between RE and areas such as personal development and citizenship. Parents have the right to withdraw their child from RE and/or Collective Worship. Education & Library Board (ELB) guidance recommends that pupils should be accommodated in a separate room from which the RE lesson is taking place. Principals are required to organise their schools in such a way that pupils whose parents withdraw them from RE shall not be at a disadvantage, directly or indirectly, in their participation in the rest of the activities of the school. The Department does not gather information on how this operates in practice. The Department has informed schools of their requirements and responsibilities to publish information in their prospectuses, including the teaching of RE and of parents' right to withdraw their children from RE and/or Collective Worship.
Inspections	RE is currently not subject to the same inspection arrangements as other subjects in the curriculum and legislation provides for it only to be inspected by the Education Training and Inspectorate at the invitation of the Board of Governors of the school. Provision exists in grant aided schools for ministers of religion and other suitable persons, including teachers of the school, to whom the parents do not object, to be given reasonable access to inspect and examine the RE provided.
Sacramental preparation	Catholic maintained schools provide instruction for the sacraments during school time. Catholic parents must make arrangements for their children attending other types of schools in sacramental instruction.

SCOTLAND	
Time allowed for RE/RI in school day	All Catholic schools are expected by the Bishops' Conference of Scotland to follow guidelines established by the Catholic Education Commission on the provision of adequate time for religious education within the school curriculum. These guidelines indicate a requirement for a minimum of 2.5 hours per week in primary school and 2 hours per week in all stages of secondary school. In all secondary stages this minimum time allocation is expected by the Commission to be provided through 2 periods of religious education classes per week and enriched by additional activities throughout the school year. In non-denominational schools, it is expected that RME is given the time necessary to deliver the experiences and outcomes in a meaningful and progressive manner.
Time of school day that RE/ RI takes place	There is no such provision in Scottish schools, this is decided by the individual school.
Opt in/ out?	Under section 9 of the Education (Scotland) Act 1980, the conscience clause advises that parents have a statutory right to withdraw children from participation in religious and moral education in non- denominational schools and religious education in Roman Catholic schools. Schools should provide parents with sufficient information on which to base a decision, and ensure that parents are aware of the content of the religious and moral education or religious education that the school wishes to undertake. Teachers registered with GTC Scotland have to meet the Standard for Full Registration and part of that is about delivering the curriculum which in a primary context includes RME.
Syllabus development	The curriculum in Scotland is not prescribed in statute; the Education (Scotland) Act, 1980, imposes a statutory duty on local authorities to provide religious education and religious observance in Scottish schools. Local authorities are responsible for ensuring their schools have appropriate curricular programmes, tailored to their needs and resources and drawing on the relevant experiences and outcomes. These can be viewed at the following web link – www.ltscotland.org.uk/curriculumforexcellence. RME (in both denominational and non-denominational schools) is one of the 8 core curriculum areas. For non- denominational schools, children learn about Christianity and other world beliefs, such as Islam and Judaism. In Catholic schools, the focus is on "Catholic Christianity" specifically, with pupils also learning about other religions such as Islam and Judaism.
Textbook development process for RE/ RI	The Scottish Government has no policy on use or development of textbooks. Again it is for schools and LAs to decide which resources they use. Education Scotland's website does have banks of resources which they are free to choose from.

| School /
religions
relationship	From the latter half of the 16th century until 1872 the Church of Scotland carried the main responsibility for elementary education. Even after education had become the responsibility of central government, the Church dominated the system of School Boards through to 1918, when they were replaced by local authorities. The Church of Scotland still has the right to be represented on the education committee of every local authority, if the authority sets up such a committee. Until 1918 the Roman Catholic Church had its own primary and secondary school system. The State then took over responsibility for the schools, on the understanding that they would remain denominational. The Roman Catholic Church retains considerable influence over the appointment of staff, the teaching of religious education and the ethos of the schools. Like the Church of Scotland, it has the right of representation on education committees. Of the total of 2,099 primary schools, 1,780 (85%) are non-denominational with 314 (15%) Roman Catholic. In Scotland there is 1 Jewish school and 1 Muslim school[96]. The provision of publicly funded pre-primary and school education is the responsibility of the 32 local authorities. Councils in each local authority operate through a committee structure, including a committee which deals with educational matters, although there is no longer a statutory obligation on Councils to set up a committee specifically concerned with education. Education committees are composed of local councillors but must also have members representing the main Churches.
School/
religions/
family
relationship | |
| Handling of
religious
diversity in
classrooms | Scotland is now a nation which reflects a wide range of beliefs, values and traditions. RME enables children and young people to explore the world's major religions and approaches to living which are independent of religious belief, and be challenged by these difference beliefs and values. RME plays an important part in helping to understand difference and is no longer just about promoting one faith. While it is important to recognise Christianity as the major religious tradition of this country, schools are also encouraged to use the rich resources available to develop a programme of study to help pupils with a greater understanding of and respect for people of other faiths, and of course those people who adopt a non-religious stance for living. To ensure that lessons are both relevant and appropriate, schools are encouraged to work with members of the school community to plan the content of religious and moral education, as well as religious observance, taking into account local needs. However, some parents and carers may still feel they do not want their child participating in this area of the curriculum. Under section 9 of the Education (Scotland) Act 1980, the conscience clause advises that parents have a statutory right to withdraw children from participation in religious and moral |

[96] Figures used are for 2010 and percentages are rounded up

	education and religious education in Roman Catholic schools. Where a child or young person is withdrawn, schools should make suitable arrangements for them to participate in a worthwhile alternative activity. In no circumstances should a pupil be disadvantaged as a result of withdrawing from religious and moral education or religious education in Roman Catholic schools. An additional factor which parents should consider is that in choosing a denominational school for their child's education, they choose to opt in to the school's ethos and practice which is imbued with religious faith and it is therefore more difficult to extricate a pupil from all experiences which are influenced by the school's faith character.
Inspections	Education Scotland (which now encompasses HM Inspectorate of Education (HMIE)) is responsible for external evaluation of the education services. Local authorities also carry out their own quality assessment of the various aspects of the educational provision which they make. Individual schools are required by the Standards in Scotland's Schools Act 2000 to produce an annual Standards and Quality report.
Sacramental preparation	In Roman Catholic schools, children prepare for the sacraments, in that they learn about the meaning and place of the sacraments in the faith during the religious education programme used.

NETHERLANDS

Time for RE/RI in school day	The core objectives for primary education describe in global terms what every pupil should know or should have mastered at the end of primary school. For religion the core objective is: "The pupils learn essentials of religious movements that play an important part in the Dutch pluralistic society, and they learn to respect people's differences of opinion". The number of hours spent on the various subjects and the moment when this is done is at the school's discretion.
Time of school day	As schools are free to allocate teaching time to the several subjects according to their own interpretation of the attainment targets it differs from school to school, both in private and public education (although time devoted to this subject will be very limited and the content of the lessons very general).
Opt in/ out?	In public education schools can opt (also at the request of parents) for providing religious education. Parents can indicate that their child will not participate in these lessons.
Syllabus development	The Constitution allows for freedom of education, which means that religious education is not included as a core curriculum objective at central level. Religious education in private education is defined by the school; parents can be consulted on content through the school's representative advisory board. In public education it can be offered as an extracurricular subject, outside school hours. There is no confessional teaching in public schools, but teaching about religious and philosophical movements is now part of the curriculum.

	Public schools can, however, set up courses on the Christian (or another) religion, if requested by families; in which case the teachers are trained and paid by the churches.
	In 1985, a new law introduced into the primary curriculum (for both public and private schools) a new field of knowledge covering religious and philosophical movements. This could be taught separately or included in other subjects and was an important step in opening up the Dutch school system to religious diversity in the world. In practice, it means that in Christian schools, where religion used to only be taught from a Christian point of view, it is now expected to be taught also from an objective point of view. In public schools, however, where religious education was never previously taught, religion is a new subject and its position still remains very vague.
	Public primary schools may also facilitate the setting up of optional courses on specific religions at the request of parents. They provide the necessary teaching space and make available the time needed.
	Private (mainly confessional) schools, attended by the great majority of children (more than 75%), are completely free to recruit their own teachers and to make decisions about subjects, such as religion, which are outside the core curriculum.
	Syllabus development is done by the organisation/institution providing religious education in public education (probably in consultation with the school management). Central government and local authorities are not involved in this; in public education it will be done in collaboration of the school and the invited person who will provide the lessons (which are not compulsory). In private education it is at the school's discretion.
Textbook development	Text books are drawn up by commercial publishers; the choice is at the school's discretion.
School / religions relationship	One of the key features of the Dutch education system, guaranteed under article 23 of the Constitution, is freedom of education, i.e. the freedom to found schools (freedom of establishment), to organise the teaching in schools (freedom of organisation of teaching) and to determine the principles on which they are based (freedom of conviction). People have the right to found schools and to provide teaching based on religious, ideological or educational beliefs. As a result there are both publicly run and privately run schools in the Netherlands.
	Publicly run schools-
	• are open to all children regardless of religion or outlook;
	• are generally subject to public law;
	• are governed by the municipal council (or a governing committee) or by a public legal entity or foundation set up by the council;
	• provide education on behalf of the State.
	• Privately run schools-
	• can refuse to admit pupils whose parents do not subscribe to the belief or ideology on which the school's teaching is based;

	- are subject to private law and are State-funded although not set up by the State; - are governed by the board of the association or foundation that set them up; - base their teaching on religious or ideological beliefs and include Catholic, Protestant, Jewish and Muslim schools. The Catholic and Protestant pillars remain very much part of an education system where there is total freedom of education (including freedom to set up schools), and where private schools, mainly confessional, and public schools are funded on an equal footing. Private schools such as these form the largest sector (covering more than 75% of students), and are for the most part confessional. The Netherlands is one of the few EU countries (along with Belgium) where private education, assisted by State grants, is bigger than State education. Although this organization, compartmentalized into 'pillars', has lost its relevance and vitality in a society which has today become strongly secular, it nevertheless remains a real part of the education system. Entry to many of the schools in this sector is today open to a wide public. The Ministry is not informed about the direct involvement of the clergy in schools.
School/ religions/ family relationship	The Ministry has no information on that, it is done at the school's discretion.
Handling of religious diversity in classrooms	Diversity within a school is at the school's/the competent authority's discretion. There is no interference in this by central government. Under the pressure of multiculturalism and the secularisation of society, many confessional schools have opened their doors to an increasingly diversified public. Parental choice of a confessional private school seems to be less and less determined by its religious character and more and more by its reputation. In the Netherlands, the freedom to set up schools, combined with financial equality between private and public schools and an approach focusing on the needs of different communities ('pillarisation'), has allowed the Muslim community to benefit from about 40 Islamic schools that are funded by the State. But these schools are currently the target of criticism, as much for their quality and financial management as for their ideological approach. It should be noted that only around 5% of Muslim children are in fact schooled in this way. By providing space and allocating time, some municipal authorities assist, at the request of parents, in setting up courses (often run by a local Imam) in local State schools. Some 7% of all State primary schools offer this possibility. In 1997 the Islamic University of Rotterdam was created. Funded by the State, it aims to help improve the integration of Islam into society by training Imams, teachers of Islam, etc. The University of Applied Sciences also offers a four year training course for Imams on the teaching of religion, developed in close association with five representative Islamic organizations. 'Desegregation' has become an important aim of official Dutch education

	policy, to be pursued through various measures (ie no more funding of new private schools with more than 80% of students from a low socio economic background; active citizenship education and social participation). The Netherlands faces a very low level of social and religious mixing, particularly in the big cities.
Inspections	The freedom to organise teaching means that private schools are free to determine what is taught and how. The Ministry of Education, Culture and Science does however set quality standards which apply to both public and private education and prescribe the subjects to be studied, the attainment targets or examination syllabuses and the content of national examinations, the number of teaching periods per year, the qualifications which teachers are required to have, giving parents and pupils a say in school matters, planning and reporting obligations, and so on. The Inspectorate, based on the results of the school's pupils in the final test in primary education, conducts inspections.
Sacramental preparation	This is beyond the responsibility of central government; and takes place at the school's discretion.

NORWAY

Time for RE/RI in school day	
Time of school day	
Opt in/ out?	All schools were instructed to provide parents with sufficient information about the planned teaching in the subject, and schools were instructed to respect the requests from parents for partial exemption from activities in the Religion, Philosophies of Life and Ethics subject. It was underlined that the right to exemption should be practiced liberally, particularly as to the Christian elements of the subject. The schools were instructed to be "extremely cautious about setting aside parents' requests for exemption". The Education Act, 1998, allows parents to withdraw their children from any subject that is "contrary to the conscience of the parent" and that gives parents a legal opt out. Following written notification by parents, pupils shall be exempted from attending those parts of the teaching that they, on the basis of their own religion or philosophy of life, perceive as being the practice of another religion or adherence to another philosophy of life, or that they on the same basis find objectionable or offensive. It is not necessary for parents to give grounds for notification of exemption.
Syllabus development	The subject Religion, Philosophies of Life and Ethics is a compulsory subject in primary education. It must be taught in an objective, critical and

	pluralistic manner to ensure that different religions and philosophies of life are dealt with in a qualitatively equivalent way.
	The subject was altered substantially after criticism in a 2004 recommendation of the UN Human Rights Committee and a 2007 Judgment from the European Court of Human Rights. In the case of *Folgerø a.o. v. Norway* where the Court found that there had been a violation of the applicants' rights to obtain for their children education and teaching in conformity with their own religious and philosophical convictions (Article 2 of Protocol No. 1). Instruction in the subject should only consist of information, and not include preaching or religious practice. It was furthermore emphasised that the teaching should be carried out in a neutral and objective manner and promote the same degree of respect and understanding for all religions and philosophies.
Textbook development	
School / religions relationship	Almost every primary school in Norway is State funded- about 99.9%. In addition to the State funded public primary schools, there are also a number of State funded private primary schools. 3 % of the Norwegian pupils attend private schools. The municipalities are the patrons of the public State funded primary schools. State funded private schools are owned and run by companies, foundations and other private institutions.
School/ religions/ family relationship	
Handling of religious diversity in classrooms	The Education Act, 1998, states that the school shall respect the religious and philosophical convictions of pupils and parents and secure the right to equivalent education.
Inspections	
Sacramental preparation	

SWEDEN

Time for RE/RI in school day	For compulsory primary and secondary education, the minimum number of hours for each subject for all nine years of schooling is regulated in the national timetable. Religion is part of a larger block – Social subjects – that also includes Geography, History and Social studies. During the nine year compulsory period, a minimum 800 hours (out of a total of a minimum of 6,665 hours) are to be spent on Social subjects.
Time of school day	There are no regulations or recommendations in this regard.

Opt in/ out?	The guardian of a pupil in compulsory education can ask for the pupil to be relieved from specific compulsory elements of the tuition. The principal of the school can decide that a pupil may be relieved from elements of the tuition during the school year, but only as an exception and if there are particular reasons. The regulation regarding exemption from compulsory elements of the tuition was strengthened with the new Education Act, 2010. The regulation is the same for both municipal and independent schools.
Syllabus development	It is expressly stated in the Education Act that education in municipal schools or pre-schools are to be non-confessional. Education in independent schools or pre-schools can have confessional/religious aspects (for example morning prayer) if these aspects are voluntary for the pupil. Tuition itself has to be non-confessional even in religious independent schools. There is a subject called religion, but tuition in this subject deals with religion, religious history in general and is not meant to teach children how to be, for instance, a good Christian. Syllabi for subjects in compulsory school are developed by the National Agency for Education (www.skolverket.se) and decided by the Government. The national syllabi and curricula are to be used by both municipal and independent schools.
Textbook development	Textbooks are developed by authors and private companies. There is no regulation concerning textbooks. Schools and teachers are free to use different textbooks, as long as the tuition is in compliance with the subject syllabus.
School / religions relationship	Most schools are run by the municipalities (84 % of primary schools). The rest are so called independent schools, ie. schools funded by the municipality but run by private organisations (corporations or associations). These independent schools have to abide by the same curriculum and syllabi as the municipal schools. Independent schools have to be open for all pupils alike – just like municipal schools. Religious organisations can run an independent school, but within the same legal framework as other schools. According to the Education Act, the municipality is obliged to fund independent schools according to the same principles that are used for the schools run by that municipality. A religious organisation can run an independent school and thus have influence over the education in that school. However all schools have to operate within the framework of the Education Act and the Curriculum. Religious organisations normally do not have any influence over education in municipal schools.
School/ religions/ family relationship	It is expressly stated in the Education Act that education in municipal schools or pre-schools is to be non-confessional. Education in independent schools or pre-schools can have confessional/religious aspects (for example morning prayer) if these aspects are voluntary for the pupil. Tuition itself has to be non-confessional even in religious independent schools. There is a subject called religion, but tuition in this subject deals with religion, religious history in general and is not meant to teach children how to be, for instance, a good Christian.

Handling of religious diversity in classrooms	As a rule all schools and pupils are to follow the same curriculum. Municipalities and schools have comparably extensive possibilities of adapting tuition within the framework decided by the government. Discussion in Sweden on relieving pupils from education has mainly focused on the subject of physical education and, for instance, Muslim girls being exempt from swimming instruction. In these cases schools sometimes organise the tuition into different groups so that girls and boys are separated. According to the curriculum, education is to be conducted in such a way that opting out of, for instance, the subject of religion should not be necessary. This is from the national curriculum for compulsory education: "As well as being open to different ideas and encouraging their expression, the school should also emphasise the importance of forming personal standpoints and provide pupils with opportunities for doing this. Education should be objective and encompass a range of different approaches so that all parents will feel able to send their children to school confident that they will not be prejudiced in favour of a particular view."
Inspections	The Swedish Schools Inspectorate can conduct inspections of tuition in a certain subject, for instance Religion. The Schools Inspectorate was started in 2008 and has so far not conducted such inspection in compulsory education. An inspection of tuition in Religion in Upper Secondary School is currently being conducted and is planned to be finished by the end of 2011.
Sacramental preparation	See above- School/ religions/ family relationship. Children with Christian parents often attend instruction in their spare time to prepare for confirmation. This instruction is conducted by the local church and not connected to the national education system.

Appendix 5 – Details of Primary Education from a Number of Countries

Outline of primary school provision in selected jurisdictions

Jurisdiction	No. of schools	No. schools at each pupil size					
		<50	50-99	100-199	200-299	300-499	500+
Ireland	3,165	618	836	816	492	310	93
Northern Ireland	863[97]	102[98]	191[98]	270[98]	132[98]	129[98]	37[98]
England[99]	16,971	N/A[100]	2,499[101]	4,819[102]	5,190[102]	4,003[102]	460[102]
Wales[103]	1,435	194[104]	243[104]	441[104]	337[104]	130[104]	90[105]
Scotland[106]	2,099	434	297	541	448	361	18
New Zealand[107]	2,033	397	324	480	306	380	146
Victoria, Australia[108]	1,565	254	147	327	302	354	181

Source: Unpublished Thesis, 2010, quoted with permission from the author.

[97]Department of Education Northern Ireland summary data'Schools and Pupils in Northern Ireland 1991/92 to 2010/11'. Downloaded from: www.deni.gov.uk/index/32-statisticsandresearch_pg

[98] Derived from spreadsheet with all primary and preparatory schools with full time equivalent pupils - 2010/11. "PTRs for individual schools in Northern Ireland". Downloaded from:
http://www.deni.gov.uk/index/32-statisticsandresearch_pg/32-statistics_and_research_statistics_on_education_pg/32_statistics_on_education-pupil_teacher_ratios_pg.htm

[99] Department of Education: Schools, Pupils and their Characteristics: January 2010 (excel sheets based on data added June 2010). Downloaded from:
www.education.gov.uk/rsgateway/DB/SFR/s000925/index.shtml

[100] There are no official figures available for this category.

[101] This figures encompasses schools with 100 pupils or less.

[102] England school categories relate to 101-200, 201-300, 301-500 and in excess of 500 pupils.

[103] SDR 153/2011 School Census 2011 – Final results. 3. Primary education tables. Downloaded from:
http://wales.gov.uk/topics/statistics/headlines/schools2011

[104] Welsh maintained schools categories comprise up to 50, 51-100, 101-200, 201-300, 301-400, 400 or above

[105] This figure relates to schools with 400 pupils or above.

[106] Statistical Series Education Bulletin – Pupils in Scotland 2010. December 2010 (pupil numbers updated June 2011) Downloaded from: www.scotland.gov.uk/Topics/Statistics/Browse/School-Education/pupilsupdata

[107] These figures relate to March 2008. The data on each school was acquired directly from an official of the Ministry of Education. Figures relates to full primary schools (years 1-8), contributing primary school (years 1-6) and intermediate schools (years 7-8) only.

[108] Figures do not include 229 schools which cover both primary and secondary education. Categories are 50 pupils or less, 51-100, 101-200, 201-300, 301-500, in excess of 500. Source: Department of Education and Early Childhood Development Summary Statistics for Victorian Schools February 2011. Downloaded from: :
www.education.vic.gov.au/about/publications/newsinfo/factsandfigures.htm

Outline of primary school provision in selected jurisdictions – further details

Jurisdiction	No. of schools	% schools < 50 pupils	% schools < 100 pupils)	No. of pupils (all schools)	Average class size	Average school size
Ireland	3,165	19.5	45.9	492,742	23.9	156[109]
Northern Ireland	863[110]	11.8[111]	34[111]	154,452[110]	23[112]	179[109]
England[113]	16,971	N/A[114]	14.7	3,963,980	26.4	234[109]
Wales[115]	1,435	13.5	30.4	191,460	24.8	181
Scotland[116]	2,099	20.7	34.8	365,326	23.1	174[109]
New Zealand[117]	2,033	19.5	35.5	416,587	N/A	205[109]
Victoria, Australia[118]	1,565	16.2	25.6	461,162	22	195[109]

Source: Unpublished Thesis, 2010, quoted with permission from the author

[109] Calculated by dividing number of pupils by number of schools

[110] Department of Education Northern Ireland summary data 'Schools and Pupils in Northern Ireland 1991/92 to 2010/11'. Downloaded from: www.deni.gov.uk/index/32-statisticsandresearch_pg

[111] Derived from spreadsheet with all primary and preparatory schools with full time equivalent pupils - 2010/11. "PTRs for individual schools in Northern Ireland". Downloaded from: http://www.deni.gov.uk/index/32-statisticsandresearch_pg/32-statistics_and_research_statistics_on_education_pg/32_statistics_on_education-pupil_teacher_ratios_pg.htm

[112] Northern Ireland Statistics and Research Agency – theme: Children, Education and Skills (24 March 2011) Enrolments at schools and in funded pre-school education in Northern Ireland 2010/11 (revised). Downloaded from: www.deni.gov.uk/index/32-statisticsandresearch_pg/32_statistical_publications-indexofstatisticalpublications_pg/32_statistical_publications_pressreleases_pg/32_statisticalpublications_enrolmentspressreleases_pg.htm

[113] Department of Education: Schools, Pupils and their Characteristics: January 2010 (excel sheets based on data added June 2010). Downloaded from: www.education.gov.uk/rsgateway/DB/SFR/s000925/index.shtml

[114] There are no official figures available for this category.

[115] SDR 153/2011 School Census 2011 – Final results. 3. Primary education tables. Downloaded from: http://wales.gov.uk/topics/statistics/headlines/schools2011

[116] Statistical Series Education Bulletin – Pupils in Scotland 2010. December 2010 (pupil numbers updated June 2011) Downloaded from: www.scotland.gov.uk/Topics/Statistics/Browse/School-Education/pupilsupdata

[117] These figures relate to March 2008. The data on each school was acquired directly from an official of the Ministry of Education. Figures relates to full primary schools (years 1-8), contributing primary school (years 1-6) and intermediate schools (years 7-8) only.

[118] Figures do not include 229 schools which cover both primary and secondary education. Source: Department of Education and Early Childhood Development Summary Statistics for Victorian Schools February 2011. Downloaded from: : www.education.vic.gov.au/about/publications/newsinfo/factsandfigures.htm

Appendix 6

Toledo Guiding Principles on Teaching about Religion and Beliefs in Public Schools

Whenever teaching about religions and beliefs in public schools is provided in OSCE participating States, the following guiding principles should be considered:

1. Teaching about religions and beliefs must be provided in ways that are fair, accurate and based on sound scholarship. Students should learn about religions and beliefs in an environment respectful of human rights, fundamental freedoms and civic values.

2. Those who teach about religions and beliefs should have a commitment to religious freedom that contributes to a school environment and practices that foster protection of the rights of others in a spirit of mutual respect and understanding among members of the school community.

3. Teaching about religions and beliefs is a major responsibility of schools, but the manner in which this teaching takes place should not undermine or ignore the role of families and religious or belief organizations in transmitting values to successive generations.

4. Efforts should be made to establish advisory bodies at different levels that take an inclusive approach to involving different stakeholders in the preparation and implementation of curricula and in the training of teachers.

5. Where a compulsory programme involving teaching about religions and beliefs is not sufficiently objective, efforts should be made to revise it to make it more balanced and impartial, but where this is not possible, or cannot be accomplished immediately, recognizing opt-out rights may be a satisfactory solution for parents and pupils, provided that the opt-out arrangements are structured in a sensitive and non-discriminatory way.

6. Those who teach about religions and beliefs should be adequately educated to do so. Such teachers need to have the knowledge, attitude and skills to teach about religions and beliefs in a fair and balanced way. Teachers need not only subject-matter competence but pedagogical skills so that they can interact with students and help students interact with each other in sensitive and respectful ways.

7. Preparation of curricula, textbooks and educational materials for teaching about religions and beliefs should take into account religious and non-religious views in a way that is inclusive, fair, and respectful. Care should be taken to avoid inaccurate or prejudicial material, particularly when this reinforces negative stereotypes.

8. Curricula should be developed in accordance with recognized professional standards in order to ensure a balanced approach to study about religions and beliefs. Development and implementation of curricula should also include open and fair procedures that give all interested parties appropriate opportunities to offer comments and advice.

9. Quality curricula in the area of teaching about religions and beliefs can only contribute effectively to the educational aims of the Toledo Guiding Principles if teachers are professionally trained to use the curricula and receive ongoing training to further develop their knowledge and competences regarding this subject matter. Any basic teacher preparation should be framed and developed according to democratic and human rights principles and include insight into cultural and religious diversity in society.

10. Curricula focusing on teaching about religions and beliefs should give attention to key historical and contemporary developments pertaining to religion and belief, and reflect global and local issues. They should be sensitive to different local manifestations of religious and secular plurality found in schools and the communities they serve. Such sensitivities will help address the concerns of students, parents and other stakeholders in education.

Bibliography

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Arrangement:

Submissions

Legislation

Texts of Public Addresses

Reports and Official Publications

Articles

Books and Pamphlets

Submissions

215 submissions were received by the Advisory Group before the Open Working Sessions in June 2011

31 responses were received by the Advisory Group after the Open Working Sessions in November 2011

All submissions and responses are available from the Forum webpage of the Department of Education and Skills website Http://www.education.ie/home/home.jsp?pcategory=10856&ecategory=56743&language=EN

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