

**FROM:** ALAN McVEIGH

**DATE:** October 1997

To: PS/Minister

cc Secretary  
Mr Shaw  
Mr R D Hill  
Mr Smith  
Dr Davidson  
Mr Birch  
Miss Matchett  
Mr Ashe  
Dr Browne  
Mr B Hill

## **IRISH MEDIUM EDUCATION: NON-STATUTORY PROVISION**

### **Purpose**

1. The purpose of this submission is to consider 3 policy issues relating to non-statutory provision in the Irish-Medium sector and to seek the Minister's agreement to the recommended approach to each. The issues are:-

- Pre-school provision;
- Post 16 provision;
- A level provision.

### **Pre-School Provision**

1. With the exception of a few projects supported by the EU Special Support Programme for Peace and Reconciliation, no Irish-medium pre-school provision at present is grant-aided by the Department. This situation has arisen for a number of reasons. Firstly, resource constraints have severely restricted the development of nursery education for many years. Development in the more mainstream sectors (controlled and Catholic maintained) has been confined to the limited expansion which has been possible through the Making Belfast Work and Londonderry Regeneration Initiatives: only 725 additional places have been created since 1988, 675 of which have been under the aegis of these special initiatives. Secondly, Irish-medium education is a relatively new phenomenon with demand at viable levels only becoming evident in recent years. Thirdly, the statutory bar to grant-aided nursery provision in the integrated sector has effectively been applied in the Irish-medium sector because it would be inconsistent to support Irish-medium pre-school provision but deny the integrated equivalent when we have a statutory duty to encourage and facilitate integrated education.

3. The current situation has, therefore, evolved to take account of prevalent circumstances rather than being representative of a clear policy. Circumstances are, however, changing: the Minister has recently agreed to remove the statutory prohibition on the development of integrated nursery provision and proposals will be brought forward soon on plans for a general expansion of pre-school education which will include the extension of grant-aid to the private and voluntary sectors. Irish-medium pre-school provision, like the integrated equivalent, is currently part of the voluntary sector.

#### **Recommendation**

4. As it would be inequitable to extend the possibility of grant-aid to the voluntary sector but exclude one element of it, **it is recommended** that Irish-medium pre-school provision should be eligible for grants in circumstances where settings:-

- can meet the Department's quality standards; and
- form part of an Education and Library Boards Pre-school Education Development Plan.

5. It is also recommended that the policy of excluding Irish-medium pre-school provision from the nursery education sector should be ended. This would mean that, like the integrated sector, fully grant-aided nursery provision through the medium of Irish may be possible provided it forms part of a Board's Pre-school Education Development Plan.

6. The arrangements proposed in paragraphs 6 and 5 would result in a consistent application of pre-school policy to all sectors.

#### **Post 16 Provision**

7. The Department's general policy on sixth form provision was set out in Mr McVeigh's paper of 17 July (copy attached). This is in effect a holding measure until a more coherent policy can be developed.

8. Although the Irish-medium sector is small and demand for post-16 provision is only beginning to emerge at the only grant-aided secondary school, Meanscoil Feirste, there is no reason **in principle** why our interim policy should not be extended to that sector. However, the position in the Irish-medium sector is slightly different in that examination papers, curriculum materials etc have

to be translated into Irish to enable the school to make the provision: other schools operating through the Medium of English do not have this difficulty. There are, therefore, practical issues which require attention before we can be satisfied that post-16 Irish-medium provision is efficient and effective. It is, therefore, recommended that:-

- **in principle** post-16 Irish medium education should be permissible; and
- consideration of the practical issues should be through the statutory development proposal process: the Meanscoil should be asked to publish a proposal.

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**A McVEIGH**

**FROM:** ALAN McVEIGH

**DATE:** June 1997

**cc** Secretary  
Mr R D Hill  
Mr Peover  
Dr Browne  
Mr B Hill  
Mr Whitten

**To:** PS/Minister

## **LEGAL PROHIBITION OF INTEGRATED NURSERY SCHOOL PROVISION**

### **Purpose**

1. The purpose of this minute is to seek the Minister's agreement to end at the earlier<sup>st</sup> possible opportunity the legal prohibition on the provision of grant-aided integrated nursery schools and units.

### **Background**

2. Articles 68(2)(a) and 90(2)(a) of the Education Reform (NI) Order 1989 prohibit existing nursery schools from transforming to either grant-maintained or controlled integrated status. This prohibition was included in the Order because, at the time of drafting, the Department did not consider it appropriate to extend integrated status to nursery schools because they were already fairly well mixed in terms of the religion of pupils, particularly in the controlled sector.

3. Recent legal advice (copy attached) has indicated that the prohibition on transformation must be equally applied to the establishment of new schools and units attached to schools. To permit one form of provision when another is legally prohibited could be construed as a device to evade the intention of the law.

4. In the past this restriction has had a collateral advantage in that as resource constraints did not allow a general expansion of nursery education, the Department could legitimately refuse to grant-aid nursery units attached to GMI primary schools. However, as it is intended to bring forward proposals to expand pre-school provision generally, it would be anomalous to continue to prohibit integrated nursery provision: this would be interpreted as discriminatory.

#### **Recommendation**

5. It is recommended therefore that the 1989 Order be amended to remove the restriction. The earliest this could be achieved would be in any NI Education Order put to Parliament in the 1997/98 session.

**A McVEIGH**



Solicitor R F Cole

Departmental Solicitor's Office

Victoria Hall 12 May Street BELFAST BT1 4NL

Telephone: 01232 251251  
Fax: 01232 251240

Direct Dialing No: 251244  
DX464 NR Belfast 7

CC : DR BRUNNE  
MR McVEIGH

- POSITIVE  
CONFIRMED RE  
INTEGRATED  
NURSERY  
PROVISION!

Mr Jim Russell  
School Policy & Planning  
Department of Education for NI  
Rathgael House  
Balloo Road  
BANGOR  
Co Down BT19 7PR

18 June 1997

*[Handwritten signature]* 19  
6

MR TABOART,  
TO NOTE + PA.  
PLEASE: THE  
NOTICE LEGISLATION  
MAY NOT BE THE  
BEST PLACE *[Signature]* 19  
6

Dear Jim

**INTEGRATED NURSERY SCHOOLS**

I refer to your letter of 13 June 1997 and our subsequent telephone conversation. 6

The note of our conversation dated 10 March 1997 is accurate.

Article 68(2) and 90(2) clearly exclude nursery schools from integrated education. If the Department were to allow nursery "units" attached to integrated primary schools to become grant-aided, the Department could be accused of using a patently transparent device to evade a clear legislative prohibition. There is no substantive difference between a nursery "unit" attached to a primary school and a nursery school operating near to or in association with a primary school. While the primary legislation is not 100% satisfactory (ie, Article 68 and 90 should have referred to "education" rather than "schools"), the intention of the legislation is clear and the Department would require amendments to the primary legislation if it were intended to include nursery education in the integrated education sector.

Yours sincerely

*[Handwritten signature]*

N KELLY  
Assistant Solicitor

NJK.3048

MARK,

THIS IS LEBLIE ABHE'S  
PAPER ON IN 'A' LEVELS

- HE SUGGESTED WE  
INCLUDE IT IN OUR  
GENERAL PAPER ON THE  
PROVISION.

- CHRISTINE HAS NOT  
CLEARED IT YET.

 13  
11

## **DRAFT PART SUBMISSION**

### **IRISH MEDIUM A-LEVELS**

1. The availability of public examinations through the medium of Irish will be critical to whether the school will be able to attract pupils post-16. This issue must be considered from two aspects:
  - the overall policy on the provision of public examinations through the medium of Irish; and
  - the practicalities of providing IM A-levels including costs.

### **BACKGROUND**

2. In 1995 a decision was taken that CCEA would make available a limited range of GCSE subjects through the medium of Irish to pupils in Meanscoil Feirste. The full suite of GCSE subjects would not be made available in Irish, rather they would be restricted to the limited range of subjects offered by the school: English, English Literature, mathematics, science (single award and double award), art and design, design and technology, geography, history, Spanish. The arrangements are that only the pupil-related material (examination papers and tapes) are made available in Irish; teacher-related material (syllabuses, guidance materials, instructions, timetables, stationery etc) are provided in English. In English (language) no modification of the papers is made required and pupils responses are in English. In the English Literature papers the rubric is in Irish and the pupil responses are in Irish but the source materials in the questions are in English.

3. The provision of the examinations is subject to CCEA being able to recruit suitable examiners, fluent in Irish, in each subject. The Council appointed a bi-lingual member of staff to its professional staff; the costs involved in this appointment provided savings in the areas of setting Irish medium Transfer tests and Irish medium assessments thus reducing the overall cost of providing IM GCSEs.

4. At that time no decision was taken about the provision of A-levels through the medium of Irish; this was left to be considered until such time as it was raised by the school. We have now been approached by the school which is this year offering post-16 courses for the first time. The subjects being followed by pupils are A-level Irish, English, Art, History and Geography (Modular) for examination in summer 1999. Pupils following the Geography (Modular) course are examined a points throughout the course: the first modular examination is in February 1998.

## TIMING

5. Fairly urgent. The first Geography modular examination takes place in February; to give CCEA time to translate and print the papers and source materials a decision is required by Mid-November.

## THE PRINCIPLE

6. It can be argued that on educational grounds there is no obligation to provide bespoke Irish-medium examinations on the grounds that the pupils will be living and working in an English-speaking society and it will be in their best educational (and social and economical) interests that they should be examined in the medium in which they will have to function thereafter. Indeed within higher education it would clearly be impractical to offer university courses through the medium of Irish given the very small numbers likely to be involved in any one course.

7. The other side of the argument is that the position of Irish medium education within the Northern Ireland education system is now well established, the Irish medium primary schools continue to flourish and now that the Meanscoil has grant-aided status the number of pupils passing through the school to GCSE will increase; the school predicts a 6<sup>th</sup> form of some 80 pupils in due course (although this may be optimistic). The availability of IM GCSEs has created amongst parents and pupils an expectation that pupils should be able to complete their secondary education through the medium of Irish and to take IM examinations. There is an argument that since it is a fundamental principle in the design of public examinations that they should offer candidates the optimum opportunity to demonstrate what they know, understand and can do, pupils who have been educated through the medium of Irish would be disadvantaged if they had to take their examinations in English as they would have to come to terms with the basic subject terminology (including technical terminology) in two languages.

## WALES, SCOTLAND AND ENGLAND

8. In Wales there are large areas where Welsh is the first language; there is a high proportion of Welsh language schools and there is a bi-lingual system of examinations.

9. In Scotland there are no Gaelic-medium secondary schools, although pupils from Gaelic-medium primary schools are permitted to study some subjects in Scots Gaelic in some (otherwise English-medium) secondary schools to maintain their expertise in the language. The Scottish Education Department has no established policy on public examinations through the medium of Gaelic but rather it and the Scottish Examinations Board (SEB) respond as far as is possible to what is a small demand. SEB currently provide Scottish standard grade examinations in Gaelic, mathematics, history and geography; there are no plans to extend the range of subjects ( there were no entrants for mathematics this year and none are expected next year) nor to offer Highers

10. In England there are no Gaelic speakers in densities meriting or seeking their own schools but there are instances of native speakers in other languages, particularly the Asian languages. There are several schools, particularly in inner city areas, which have high densities of pupils whose first language is not English. Examinations and assessment is conducted in English and there is no significant pressure from lobby groups for public examinations in the medium of other languages. Special arrangements are available for candidates whose first language is not English: the use of a bi-lingual dictionary is permitted but additional time is not allowed nor is the translation of questions into the candidate's first language.

## **PRACTICALITIES**

11. The practical issues are similar to those for GCSE:

- the availability of personnel, fluent in Irish, to carry out the Council's functions relating to the conduct of examinations, including the marking of scripts and the need to ensure consistent standards;
- the translation of papers and the availability of teachers' materials and source materials for pupils in Irish; and
- cost.

12. Irish-medium papers would largely be translations of the English-medium papers. In linear subjects, where there is a lengthy timescale for the preparation of papers, the translation of papers into Irish would not pose a major problem, although the Council would have to employ language and subject specialists as there is not the capacity within the Council's professional staff who are fluent in Irish to carry out all the work involved. In modular subjects pupils are examined at specified times throughout the course and the timetable for the preparation of papers is significantly shorter; this

reduces the time available of translation and printing of IM papers and is expected to put additional pressures on CCEA's arrangements. Although there are difficulties, the Council considers they can be overcome.

13. In GCSE we have taken the view that teachers should be fully competent in the use of English (as, indeed, should pupils). This means that materials for teachers such as syllabuses, teachers' guidance, examination instructions timetables are provided in English. Some papers require candidates to respond to source material provided with the examination paper. For example, in English Literature extract from books or poetry may be provided, in history pupils may be asked to respond to texts provided and, in Geography, Ordnance Survey maps and other source materials such as extracts from say a planning enquiry report or a newspaper article may be provided. For GCSE we have taken a view that materials for pupils are provided in the medium of Irish so far as is practically possible and consistent with the materials themselves: for example materials which comprise extracts from published works or documents, including Ordnance Survey maps, would not be translated. We propose that the same approach be taken for A-level.

14. Marking papers also poses a problem. The Council requires examiners to be qualified to teach in Northern Ireland and normally to have at least 3 years recent teaching experience at the relevant level; they are prohibited from marking the scripts of a candidate whom they have prepared for the examination: this rules out the Meanscoil's own staff. While it would be possible to vary the criteria for the selection of examiners, on this sensitive issue and in the context of securing rigorous and consistent standards in examinations such a course of action could generate controversy. We therefore consider that the Council should seek appropriate personnel for each subject under its stated criteria but that if appropriate numbers cannot be found we should conclude that the subject cannot be offered at this level.

15. To ensure consistency of marking within a subject it is necessary for the markers of IM papers to mark a number of English-medium scripts so that their marking standards can be assessed and moderated. The Council has managed to find sufficient numbers for the range of IM GCSE examinations offered to the Meanscoil but it may be difficult to find additional personnel for A-levels although a number of GCSE examiners will be used. Having to mark a subject at both GCSE and A level in English and in Irish will put additional pressure on the examiners but CCEA considers that marking A levels would be manageable if the number of English language scripts that each IM

examiner is required to mark is reduced from between 250 and 300 to between 125 and 150. The Council considers this would not weaken its measures to ensure consistent standards between the pupils taking the same subjects through the medium of Irish and those through the medium of English.

## COSTS

16. The additional costs relate to the translation and production of papers in Irish. The Council estimates that each paper would take about a week to translate (it involves translation by a language specialist followed by scrutiny by a subject specialist fluent in Irish to ensure that technical terms and language are accurately translated). The total cost per paper is estimated to be between £2,500 and £2,750 for translation and production (the higher costs are where resource materials have to be translated). Linear examinations usually have 3 papers while modular subjects have 4 or 6 (Geography has 6). The additional annual cost of translating and producing the papers for the subjects being followed at the Meanscoil is therefore:

	£
Irish	-
English	7,500
Art	7,500
History	7,500
Geography	16,500
Total	39,000

CCEA has stated that the production of IM papers at A level was not budgeted for and that additional resources will be required. The costs associated with the first geography module (£2,500) will be incurred in the current financial year; assuming the same number of subjects in future years the Council will incur additional expenditure of some £39K per annum thereafter.

17. We expect that the additional costs for the current year (£2,500) can be found within the Council's existing allocation. A costed work-programme for 1998/99 is not yet available but in light of the position this year and with a reduced allocation for 1998/99 it is likely that the Council will argue that it does not have the resources to make IM A levels available. The options are to either provide

additional resources or to ask the Council to reassess its priorities and decide what activities must be abandoned to make resources available for IM A levels.

### **Recommendation**

18. There are arguments for and against IM A levels but in view of the expectations generated by the provision of GCSEs and the sensitivities surrounding IM provision generally in the present political climate where a refusal could be presented by the Irish Medium lobby, possibly supported by the RoI, as a barrier to the reasonable aspirations of a minority group, largely within the nationalist community, we recommend that, in principle, provision should be made to provide A-levels through the medium of Irish.

19. The caveat is the practicality of CCEA to deliver the subjects which the schools wishes to offer. Subject to the availability of resources the Council expects to be able to offer the A levels which the school is following. Widening the range of subjects may cause difficulties if suitable personnel to translate the papers cannot be found. Therefore the range of subjects on offer is always going to be subject to the ability of the Council to find suitable personnel. This should be made clear to the school and it should be impressed on the school that it must give CCEA adequate notice of the subjects which it intends to offer to pupils.