

Ceartha Oideachais

A submission regarding the Education (Admission to Schools) Bill 2016

Executive Summary

Irish speaking families are a small minority in Irish medium schools outside the Gaeltacht; but play a vital role in supporting the learning of other children. Irish speaking families often face obstacles and struggles in accessing necessary services in their home language. It is therefore vital that they can access education in their home language, and the Education (Admission to Schools) Bill 2016 should not add further obstacles. *Cearta Oideachais*, a group of parents whose home language is Irish, submit that the Bill should be amended to recognise the established practice of many Gaelscoileanna of giving priority to pupils whose home language is Irish. This benefits not only these pupils but the wider school community in terms of education and of support for the Irish language. It is in line with international best practice in supporting a lesser used language. The attached submission contains proposals for amendment together with the underlying evidence and supporting material for such proposals.

1 Introduction

1.1 Background

The aim of *Cearta Oideachais* is to ensure that children whose home language is Irish will continue to be able to access Irish medium education as part of whatever reforms are implemented to School Admissions Policy.

Cearta Oideachais believes that Irish-medium schools should be allowed take into account the home language of Irish-speaking children in their enrolment policies. In other words, a child who is being raised through Irish should be given the opportunity to attend an Irish-medium school.

Cearta Oideachais also believes that Irish medium post-primary schools should be allowed give priority in their admissions policies to children who have previously been recognised by an Irish-medium primary school as having Irish as a home language. This is to copperfasten the right of native Irish speaking children to an Irish medium education right through to the end of post-primary education.

1.2 Our Recommendations

Cearta Oideachais seeks amendments to the *Education (Admission to Schools) Bill 2016* to include provisions to allow Irish-medium schools to:

1. give priority to children who are being raised through the medium of Irish.
2. assess the educational and linguistic requirements of applicant children who are from Irish-speaking families.

Regarding all-Irish post-primary schools, school authorities should be allowed to:

3. give priority to students who have previously been designated by an Irish-medium primary school as having Irish as a primary home language.

In Appendix 1, we have proposed draft amendments to the bill which we submit will achieve these objectives.

1.3 The Main Arguments supporting the Recommendations of *Cearta Oideachais*

- To ensure the viability of the Irish language, it is imperative that the youngest generation of native-speakers and families who are raising their children through Irish are supported. This is Government policy (20-year strategy for the Irish Language).
- Even in Irish-medium primary schools, children from Irish speaking households are a tiny minority. On average less than 5% of pupils in Irish medium primary schools come from Irish speaking backgrounds. Protecting the educational rights of this small minority of children is not a barrier to the promotion of cultural and social diversity in these schools.
- Children who have Irish as a first language scaffold other children's language learning. In Irish-medium schools they are therefore an important resource for peers for whom Irish is not the language of the home.
- International research in the areas of language acquisition and sociolinguistics affirms that education through the minority-language is essential for minority-language children to achieve additive bilingualism or equal competence in both the minority and the majority language.
- International bodies of which Ireland is a member, such as the United Nations and the Council of Europe, have consistently recognized that states have an obligation to provide mother-tongue education to indigenous linguistic minorities.
- Any provisions, which would discriminate against Irish-speaking children, a minority-group in both society and in the education system, are contrary to the spirit of pluralism and multiculturalism which the School Admissions Bill/Act purports to espouse.
- Families raising their children through Irish constantly face challenges accessing services through the medium of Irish. By ensuring that children with Irish as their primary language receive their primary and secondary education through Irish, this offers

equality and the assurance that such children will not have to receive their education through English.

- In order to ensure the future of the Irish language, Irish must remain a home language and this must be supported by Government policy.

The above arguments are set out in greater detail in our enclosed submission. We respectfully ask that our complete submission be taken into account in the formation of policy positions regarding the School Admissions Bill/Act.

1.4 Who are we?

The members of Cearta Oideachais include:

- Siobhán Nic Gaoithín , Oifigeach na Gaeilge, Institiúid Teicneolaíochta Bhaile Átha Cliath.
- Dr. Ríona Ní Fhrighil, Lecturer, NUI Galway.
- Dr. Pádraig Ó Duibhir, Executive Dean (Acting) , DCU Institute of Education
- Colmán Ó Drisceoil, Príomhoide Scoil Lorcáin, Baile na Manach, Co. Bhaile Átha Cliath
- Rónán Ó Muirthile, Head of Dept, Film and Media at the National Film School, IADT
- Páraic Ó Cualáin, Oifigeach Teicneolaíochta, Institiúid Teicneolaíochta na Gaillimhe-Maigh Eo.
- Barbara Uí Mhuirthile, Modern Languages Teacher, St. Michael's College, Ballsbridge, Dublin.
- Feargal Ó Cuilinn, Bainisteoir Tionscadal, Glór na Gael

We can be contacted at ceartaoideachais@gmail.com

For more information see www.facebook.com/CeartaOid

2 CEARTA OIDEACHAIS – OUR COMPREHENSIVE SUBMISSION

2.1 Background to the Education (Admission to Schools) Bill 2016 and the *Cearta Oideachais* group

Cearta Oideachais is a group of parents who are raising our children through Irish. We came together out of a concern that changes to school enrolment policies proposed by a former Minister for Education and Skills would result in children who are being raised through Irish being denied access to Irish-medium education. Our belief is that if we, as a society, wish to maintain Irish as a spoken language, then children need to be raised through Irish. This can only be done successfully if they are also educated through Irish. This belief informs our efforts.

The then minister Ruairí Quinn's 2011 discussion document 'Discussion Paper on a Regulatory Framework for School Enrolment' and some of his public comments indicated that there would be a provision preventing Irish language schools from giving preference in their admission policies to children who speak Irish as a home language. This provision was later dropped from the draft regulations which were published in September 2013. However, it appeared to us, that the regulations as drafted could still result in children from Irish speaking families being denied an education in their native language. It is unclear if a Gaelscoil will, under the proposed legislation, be permitted to include criteria in its enrolment policy giving a preference to children for whom Irish is a primary home language.

The Oireachtas Joint Committee on Education and Social Protection issued an invitation to interested individuals and groups to have their say on the proposed legislation on schools admissions. We forwarded a submission to the Committee and accepted an invitation to appear before it in November 2013. The Committee seemed to take on board our concerns in their report which was published in May 2014 and which recommended that:

The proposed legislation needs to take account of the need to protect the integrity of Irish-medium schools while ensuring that no discrimination takes place in relation to admissions.

The proposed legislation could take into account the

Twenty-year Strategy for the Irish language by considering allowing a high priority in their enrolment policies to the small percentage of schoolchildren who are native speakers of Irish (outside of the Gaeltacht).

On the 8th July 2016, the Minister for Education and Skills Richard Bruton published the Education (Admission to Schools) Bill 2016. *Cearta Oideachais* are concerned that the bill would allow the Minister for Education to effectively ban Irish medium schools from giving priority in their admission policies to children who speak Irish as a home language. The relevant section of the bill is section 64 which allows the minister to prohibit in school admission policies a requirement 'that a student, or his or her parents, attend an interview, open day or other meeting as a condition of admission'. This would prevent Irish medium schools from identifying children whose home language is Irish for the purpose of ensuring them access to primary education in Irish. The section also permits the Minister to prohibit a school from using the criteria of 'a student's academic ability, skills or aptitude;' as part of the admission process. We are concerned that this clause could be interpreted as applying to the ability of child from an Irish speaking home to speak their home language.

In a related development, on the 29th July 2016, the High Court upheld the right of Scoil Lorcáin, a south Dublin Gaelscoil, to give priority in its admissions policy to children being raised through Irish. The Court also found that it was reasonable for the school to expect a parent and child to be able to demonstrate a certain standard of Irish for the purpose of implementing this policy.

What follows is an updated version of the *Cearta Oideachais* submission outlining our arguments as to why Ireland should recognize and protect the educational rights of native Irish speaking children.

2.2 Education Rights

Unlike members of the Church of Ireland or the Catholic Church seeking to establish their right to priority enrolment in a faith based school, children raised through Irish do not have the equivalent of a baptism certificate to prove that they are native speakers. The absence of any authoritative third party certification makes it necessary for some oversubscribed Gaelscoileanna to meet with these children and their Irish-speaking parent or parents in order to determine that the children are indeed native Irish speakers. However, the Education (Admissions to Schools) Act 2016, as currently drafted, could result in this practice being deemed illegal, making it impossible to implement a policy of giving priority in the admission policies of Irish medium schools to children from being raised through Irish.

For the avoidance of doubt, we should highlight that this issue relates to Gaelscoileanna or Irish-medium schools outside of the Gaeltacht, and not to the normal local schools in Gaeltacht districts, which teach through the medium of Irish.

Our primary concern is the right of our children – members of Ireland’s indigenous linguistic minority and native speakers of the first national language – to receive an education in their first language, and to achieve full working literacy and competency in that language.

This issue relates to a small minority of the nation’s children, who are even a minority within Gaelscoileanna. Our research indicates that the percentage of children from Irish speaking families in Gaelscoileanna ranges from 0% to 10% with the average being around 3%, which would equate to about one child in every class of 30.

We believe to have identified a workable solution to this issue, which we outline below.

2.3 A Changed Enrolment Policy

At the outset, we very much support and welcome the efforts to reform the enrolment policy for schools in Ireland. The current situation is untenable and unfair on all children and families. We also want our children to attend schools with children from all backgrounds, religions, ethnicities and abilities. The current situation is especially difficult for families who have moved to an area with older children and find it almost impossible to get places in local schools.

A narrative, however, has developed that Gaelscoileanna and parents of children who attend Irish-speaking schools are ‘elitist’ and use the language as a means to screen children who wish to attend the school. This is certainly not the case with Cearta Oideachais. The opposite is in fact the case. We hope that all Gaelscoileanna are seen as open, welcoming and pluralistic in

their approach to enrolment and ensuring that native speakers of Irish attend Gaelscoileanna only adds to greater diversity in school life.

Ceartha Oideachais would welcome and support measures to tackle the perception of 'elitism' in Gaelscoileanna and to increase diversity in these schools. We believe that it is not necessary to erode the rights of one minority – the small community of Irish speaking families - in order to promote the rights of other minorities. For example, Scoil Caitlín Maude in Dublin has addressed this issue by including a provision of positive discrimination in favour of children from other minority groups in its admissions policy – a policy that promotes diversity and inclusion without excluding children from the minority Irish speaking community.

We believe that giving children who have Irish as a home language the right to attend a Gaelscoil should not be regarded as excluding children from any background. There are parents who are not Irish who have learnt the language and are passing it onto their children. There are other families where an Irish parent speaks Irish to the children and a non-Irish parent speaks a language other than Irish or English to them. Parents who grew up outside Ireland have often lived in bi-lingual and multi-lingual societies and have experience of the language diversity which Gaelscoileanna promote. Hopefully the number of such families will increase as cultural diversity becomes more deeply rooted in Irish society.

A parent's decision to raise children through Irish in contemporary society is an endorsement of linguistic diversity. Parents who make this commitment undoubtedly welcome greater linguistic and cultural diversity in the Gaelscoil population, as this normalises multilingualism from a child's perspective i.e. not everybody speaks only English as their first language in Ireland.

2.4 The Current Situation

In 2013 Ceartha Oideachais carried out a survey of the admissions policies of as many Gaelscoileanna as we could contact throughout the state. Our research indicates that there is a broad range of approaches to the issue of the educational rights of children from Irish speaking families in Gaelscoil admission policies. At one end of the spectrum are Gaelscoileanna, which give top priority to such children over all other categories of applicants, and at the other end there are Gaelscoileanna, which give no priority at all to such children, with many variations of practice in between. However, the various approaches can be broken down into three main categories.

1. Schools which clearly state in their admissions policy that children who are being raised through the medium of Irish will receive a certain priority in allocating places in a

situation of excess demand. The level of priority given to these children varies from school to school. The admissions policies usually state that attendance at a meeting may be required for the purposes of determining that a child is indeed being raised through the medium of Irish. This is a fairly limited provision as the number of such children as already stated is always very small. Determining whether a preschool child speaks Irish as a home language is a fairly objective exercise as children of such an age will not have fluent Irish unless they have acquired it in the home.

2. Gaelscoileanna which operate an 'Irish language ethos' type priority in their admissions policy. This might involve giving priority to families based on the competence of the parents in Irish or based on 'support for' or 'interest' in 'Irish language and culture' and usually involves an interview with the parents. Children who speak Irish as a home language will gain priority access under such provisions but they also benefit a wider section of the population.

Some Gaelscoil admission policies contain both type 1 and type 2 provisions.

3. A minority of Gaelscoileanna give no priority at all based on ability to speak Irish or interest in the language. Many of these schools told us that they had given little thought to this aspect of their admissions policies as they are based in areas with no Irish speaking families or they have never been in a situation where demand for places exceeded supply.

Only 22% of primary Gaelscoileanna and 28% of Gaelcholáistí are experiencing excess demand for places at present.

The results of the complete survey of Dublin Gaelscoileanna based on a 100% response from the 21 schools indicate that 18 schools or 86% had provisions which would give some sort of priority to children who are being raised through Irish while just 2 schools or 14% had no such provision.

Gaelscoil admission policies Dublin

| Priority only for Children being raised through Irish | Irish language Ethos type priority | Both types of priority | No priority |
|---|------------------------------------|------------------------|-------------|
| 9 | 2 | 7 | 3 |
| 42% | 9.5% | 33% | 14% |

The results of the incomplete national survey based on information from 77 out of 124 Gaelscoileanna indicate that 58 schools or 75% had provisions which would give some sort of priority to children who are being raised through Irish.

Gaelscoil admission policies nationally

| Priority only for Children being raised through Irish | Language Ethos type priority | Both types of priority | No priority |
|---|------------------------------|------------------------|-------------|
| 43 | 5 | 10 | 19 |
| 56% | 6.5% | 13% | 24.5% |

By and large the current situation ensures that children who are being raised through the medium of Irish gain access to Irish-medium education although we are aware of a number of cases where such children have failed to obtain places in a suitable Gaelscoil and have been compelled to attend English-medium schools.

If Gaelscoileanna are unable to implement a policy of giving priority to children from Irish speaking families, the number of such children who will be unable to gain access to Irish-medium education will increase.

2.5 Minority Language Education Rights – The International Context

Creating a situation whereby children from Ireland’s Irish speaking minority community would be compelled to attend schools in the majority language would run counter to the increasing emphasis in International law on the rights of linguistic and other minorities.

*Kishore Singh, United Nations Special Rapporteur on the Right to Education writes: ‘A child learns best in its mother tongue, especially at the early stage in education, and among linguistic minority groups.’*¹ The right to receive education in one’s mother tongue or native language is recognized in several international instruments. Under the provisions of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (1992), States are required to take appropriate measures so that, wherever possible, persons belonging to minorities may have adequate opportunities to learn their mother tongue or to have instruction in their mother tongue. Provisions for education in mother tongue are contained in several international conventions, namely, the Indigenous and Tribal Peoples Convention (1989), the Convention on the Rights of the Child (1989) and the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (1990).’ Ireland has ratified the latter two Conventions and it would seem paradoxical that Ireland would have the facilities and resources to ensure this internationally recognized right is respected, and then to introduce legislation that would deny it to some of our Irish speaking minority.

Under the Canadian Charter of Rights and Freedoms, children whose home language is French and who live in a province where the majority language is English have a legal right to primary and secondary education in the French language. The same applies to children whose home language is English and who live in provinces where French is the majority language. The method for determining if a child is a French speaker for the purposes of implementing the above right is a matter for individual provinces and territories to determine. Provinces such as Ontario and Quebec have long established and relatively complex legal conventions for determining whether someone is a ‘French language rights holder’ or an ‘English language rights holder’ for the purpose of access to minority language education. Once someone has established such a right it may be passed on to following generations. Establishing such a complex system is probably too ambitious in the Irish context.

¹ <http://www.unesco.org/new/en/education/themes/strengthening-education-systems/languages-in-education/international-mother-language-day/articles-impld-2012/>

However, the province of New Brunswick operates a much simpler method of establishing minority language education rights which is similar to the practice of Gaelscoileanna which give priority in their admission policy to children from Irish speaking families. Section 5(2) of the New Brunswick Education Act dealing with the entitlement of children whose home language is French to access elementary education in that language states:

5(2) Where a superintendent has a doubt as to the linguistic proficiency of a person, the superintendent shall administer such tests as the Minister considers necessary to determine the linguistic proficiency of the person.

In all provinces and territories in Canada once a child is eligible for elementary education in their home language, that eligibility stays with them throughout their school years, guaranteeing them access also to second level education in their home language.

The New Brunswick provisions have been in operation for many years as have the similar provisions in many Gaelscoileanna (i.e. meetings with children and parents for the purpose of determining whether Irish is a primary home language of the family). There are similar provisions in other officially bilingual and multi lingual states, for example in Finland where the right of members of the Swedish-speaking minority to an education in the medium of Swedish is enshrined in law.

There has been at least one successful case taken at the European Court of Human Rights over the failure of a state to provide education to members of an indigenous linguistic minority in their own language. In *Cyprus v Turkey* Application no. 25781/94 European Court of Human Rights May 2001 the court held that Turkey had violated the right to education provision of the European Convention of Human Rights (right to education) in respect of Greek Cypriots living in Northern Cyprus in so far as no appropriate Greek language secondary-school facilities were available to them. The Court found that "the discontinuance" (that is, closure) of Greek-medium secondary schools amounted to a denial of the right to education.

Providing full primary and secondary education to indigenous linguistic minorities can pose logistical and financial challenges for states. However, in Ireland we are fortunate to have – by international standards – a comparatively well-developed network of schools operating through the medium of the lesser-used national language, due to the popularity of these schools among a large section of the broader population. By and large most children from Irish speaking families live within a reasonable distance of Irish-medium education, especially at primary level, even if some of them will have to travel a little bit further than is the norm for most school

children. When viewed in the international context, creating a situation whereby children from Irish speaking families would be denied access to Irish-medium education because of a policy decision rather than because of any lack of resources would seem nonsensical and counter to common sense.

2.6 The Irish Educational and Socio-Linguistic Context

From the point of view of the individual child whose first language is a minority language, it is widely recognised that education through the medium of that minority language is essential for the child to be an active bilingual, equally competent in the home-language and in the language of the community (Colin Baker 1988; Jim Cummins 2003).

Children raised through Irish, especially outside traditional *Gaeltacht* areas, are bilingual from early childhood. Unfortunately, there is little practical support in the community for their home-language; Irish-language crèches, toddler swimming lessons or music lessons etc. through Irish are simply not an option. Their use of Irish is generally restricted to the home domain. If their education as well as their socialisation is through the medium of English, inevitably their proficiency in Irish diminishes, often dramatically (C. Ó Giollagáin & S. Mac Donncha 2007).

It is important to understand the different educational context of majority native English speaking and minority native Irish speaking children. No native English-speaking children in Ireland will be denied a proper education in their native language as a result of changes to school admissions policy. Native English speaking children attending English medium schools achieve full literacy and competency in their native language. Native English speaking children attending Gaelscoileanna also achieve full literacy and competency in English. This is due to the high standard of English teaching in Gaelscoileanna, the fact that both the teachers and the majority of the pupils have native speaker ability, and even the children from Irish speaking homes have a fluency in the language. However, the educational outcomes for Irish speaking children in their native language differ dramatically depending on whether they attend an Irish-medium or English-medium school. There is no way that a native Irish speaking child will achieve full literacy and competency in his or her native language if that child is compelled to attend an English-medium school, where Irish is being taught as a second language and where the child will often have better Irish than the teacher. It would be akin to expecting an English speaking child to become fully literate in English by attending a school in France which only teaches English as a foreign language and where the English teacher is not a fluent English speaker. It would therefore seem absurd if a situation were to emerge where native-speakers of Irish were denied entry to Irish-language primary and secondary schools.

The exclusion of children whose home language is Irish and who have a learning difficulty from Irish medium education would be an even greater injustice. Provisions which give priority admission to children whose home language is Irish do not discriminate on grounds of ability – in fact they ensure the native Irish speaking child with a learning difficulty is not discriminated against.

Irish-speaking children are a very small minority within the *Gaelscoil* population. It is of course well-documented that children scaffold each other's learning, (L. Vygotsky 1978), including language-learning (N. Blanc *et al.* 2012). Irish-speaking children in Irish-medium schools are therefore an important linguistic resource for their peers for whom Irish is a second-language.

The Irish government must ensure that enrolment policies, aimed at promoting equality and diversity in education, are cognisant of the linguistic needs and rights of minority groups, including the indigenous minority group of Irish-speaking children.

2.7 Education (Admission to Schools) Bill 2016

Cearta Oideachais came together for the sole purpose of representing the educational rights of children for whom Irish is a primary home language. For that reason, we are seeking amendments that would be aimed solely at addressing the right of these children to achieve full competency and literacy in their native language.

The bill published on the 8th July 2016 gives the Minister for Education the power to introduce certain regulations which could, in effect, prohibit Irish medium schools from giving priority in their enrolment policies to children who speak Irish as a home language.

Section 64 of the Bill empowers the Minister to 'make regulations for the purpose of the preparation and publication by schools of admission policies and the admission of students to schools.' In making these regulations the Minister may specify 'certain selection criteria that schools shall be prohibited from applying in cases where the number of students seeking admission to the school is greater than the number of places being made available at the school'. The selection criteria which the Minister may prohibit include 'a student's academic ability, skills or aptitude'. We are concerned that this wording could be interpreted to include the assessment of children who are being raised through Irish to speak and understand that language. The selection criteria which the Minister may prohibit also include 'a requirement that a student, or his or her parents, attend an interview, open day or other meeting as a condition of admission;' Such a prohibition would effectively ban the only practical method by which Irish medium schools can identify children who are being raised through Irish for the purpose of giving the priority in their enrolment policies. At a time when the Department of Education and Skills is about to launch a new policy for Gaeltacht Education where the rights of native speakers in the Gaeltacht to Irish medium education will be protected, it would seem

unjust, that the rights of other native speakers are being eroded by virtue of their place of residence.

Ceartha Oideachais therefore submits that the Education (Admission to Schools) Bill 2016 needs to be amended to ensure the educational rights of children who speak Irish as a home language. The objective of such an amendment or amendments would be to ensure that it shall be permissible for an Irish-medium primary school which gives priority in its admissions policy to children who speak Irish as a primary home language, to require that a child and one of his or her parents attend a meeting where such attendance is required for the purpose of confirming that Irish is a primary home language of the child and parent, and subject to such attendance or information not being used for any other purpose. We also propose that the bill be amended to ensure that it shall also be permissible for an Irish-medium post-primary school to give priority in its admission policy to students who have previously been designated by an Irish-medium primary school as speaking Irish as a primary home language. Our proposed amendments are set out in Appendix 1.

We believe the model we are proposing is the simplest and most effective way of dealing with the educational needs of native Irish speaking children in the context of Schools Admissions policy. It is based on current best practice at primary or elementary level both in Ireland and in New Brunswick. The secondary element is a new innovation in the Irish context and is based on current best practice in all the Canadian provinces and territories. It is far easier and more practical to determine the home language of pre-school children than that of children seeking enrolment in secondary schools, which is why it makes sense for this designation to follow the child as he or she moves to second level.

An alternative approach which Ceartha Oideachais would support would be to transfer the responsibility for determining whether Irish is the home language of children to a body independent of the schools. This could be modelled on the discontinued 'Scéim Labhairt na Gaeilge' which was administered in Gaeltacht areas by the Department of the Gaeltacht (in its various guises) for many decades. Such a model would have the advantage of removing any perception of 'cherry picking' on the part of the schools.

Such amendments as we are proposing would amount to a limited provision affecting only about 3% of places in Gaelscoileanna and would therefore have a minimal impact on the overall effect of the new school admissions legislation and regulations.

We understand that an important principle underpinning the new legislation is to remove any 'soft barriers' for children from various minority and ethnic groups and children with physical and intellectual disabilities. We too are very conscious of not creating new barriers in any way.

We believe that amendments based on the formula we have described above would limit the possibility of this happening to such an extent as to be of negligible impact. The practice of meeting with parents and children for the purpose of determining that Irish is a primary home language of the family is already underway in Gaelscoileanna and as outlined above in many international contexts. As our research shows we are talking about a very limited number of children ever being in a position to avail of such a preference in any given year.

2.8 Understanding the role of Gaelscoileanna

Before the huge increase in the popularity of Gaelscoileanna in recent years, these schools were usually founded largely through the voluntary efforts of Irish-speaking families who wanted their children to be given an Irish-medium education. However, from the beginning these schools also welcomed children from non-Irish speaking households in a spirit of inclusiveness and a desire to share the Irish language with all. Some of the members of Cearta Oideachais are the children, grandchildren or even great grandchildren of the generation that founded these schools. We believe the existence of these schools is part of the reason for this successful intergenerational transmission of the language in otherwise unfavourable linguistic circumstances. It seems to us that it would be an injustice if the current generation of Irish speaking families would be excluded from the Irish-medium education, which a previous generation worked so hard to make available to them. As the number of children from Irish speaking homes attending Gaelscoileanna make up only a very small proportion of the student body attending such schools, provisions to ensure they receive education through their native language would not prevent inclusive and fair enrolment policies.

2.9 Conclusion

It is generally accepted that Irish Language policy since the foundation of the state has fallen short of achieving its objectives. What keeps the language alive is the dedication of families all over the country who continue to speak Irish in the home despite living in an English-speaking world. We as parents were in most cases given our Irish by our parents and we want to pass that heritage on to our children. We believe this to be of huge benefit to Irish society in terms of cultural diversity and identity. Without families actively speaking the language then there is no language. In order to ensure that the Irish language continues as a living language, spoken in the home, it must be supported by our Education system and children raised through Irish must always be able to receive their education through Irish.

3 Appendix 1

Proposed amendments to the Education (Admission to Schools) Bill 2016

Insert after 61(2)(b)

“(c) a school which teaches through the medium of Irish, and which gives priority in its admission policy to students who speak Irish as a home language, the admission statement of the school shall include a statement that the school does not discriminate in relation to the admission of students where it admits a student who has Irish as a home language in preference to others whose home language is not Irish.”

Insert after 64(3)(d)(vi):

“(vii) Nothing in this subsection shall prohibit a primary school which teaches through the medium of Irish from giving priority in its admissions policy to students who speak Irish as a home language and from requiring that such a student and one of his or her parents or legal guardians should attend an assessment, the sole purpose of which would be to determine whether Irish is the primary language of communication between that parent and child.

(viii) Nothing in this subsection shall prohibit a post primary school which teaches through the medium of Irish from giving priority in its admissions policy to a student who has previously been determined by a primary school in accordance with 64(3)(d)(vii) to be a student with Irish as a home language.