




IRISH VOCATIONAL EDUCATION ASSOCIATION  
AN CUMANN GAIRMOIDEACHAIS IN ÉIRINN



**PILOT FRAMEWORK FOR EDUCATIONAL  
PROVISION FOR MINORITY LINGUISTIC  
GROUPS INCLUDING ASYLUM  
SEEKERS AND REFUGEES**

AN IEA WORKING GROUP REPORT, 2004  
**VOLUME III: FURTHER EDUCATION**



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# Definitions

## Legal Terms

### Asylum seeker

A person who arrives independently in the State seeking to be granted protection under the Refugee Convention.

### Refugee

A person who has been recognised as needing protection under the Refugee Convention. In the Convention, a refugee is defined as someone who: has a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group, or political opinion; is outside the country they belong to or normally reside in and is unable or unwilling to return home for fear of persecution.

### Leave to remain

Leave to remain is granted at the discretion of the Minister for Justice, Equality and Law Reform as an exceptional measure to allow a person who does not fully meet the requirements of the Refugee Convention but may still need protection to remain in the State.

### Programme refugee

A person who has been given leave to enter and remain by the Government, usually in response to a humanitarian crisis, at the request of the United Nations High Commissioner for Refugees (UNHCR).

### Refugee Convention

The United Nations Convention relating to the Status of Refugees 1951 and 1967 Protocol.

## Terms Referring to People and Practices

### Anti-racism

Anti-racism refers to all strategies that contribute to the elimination of racism in all its forms, interpersonal and institutional<sup>1</sup>.

### Assimilation

An approach to diversity which forces a minority ethnic group(s) to abandon its own cultural practices and values and be absorbed into the dominant culture. An assimilationist approach assumes the superiority of the dominant or host culture.

### Bilingual

Bilingualism refers to the phenomenon of competence and communication in two languages. A bilingual individual is someone who has the ability to communicate in two languages alternately<sup>2</sup>. Most bilingual speakers will have learned two languages in the family from native speakers since infancy.

### Black

Originally used for describing people of African descent; the term 'black' has evolved into a political umbrella term to encompass second generation Asians, Africans and African-Caribbean people of dual heritage and refugees from non-white countries<sup>3</sup>.

### Ethnic minority

Ethnic minority is a generic term used to describe people who are identifiably different to the ethnic majority because of their ethnic origin (including language or religion).

### Institutional racism

"The collective failure of an organisation to provide an appropriate or professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitude and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness, and racist stereotypes which disadvantage minority ethnic people"<sup>4</sup>.

### Interculturalism

Interculturalism: "acceptance not only of the principles of equality of rights, values and abilities but also the development of policies to promote interaction, collaboration and exchange with people of different cultures, ethnicity or religion living in the same territory... interculturalism is an approach that can enrich a society and recognises racism as an issue that needs to be tackled in order to create a more inclusive society"<sup>5</sup>.

<sup>1</sup>Department of Education and Science *Promoting Anti-racism and interculturalism in education: Draft recommendations towards a National Action Plan Dublin: 2002.*  
[http://www.education.ie/servlet/observet/fe\\_antiracism\\_report.doc](http://www.education.ie/servlet/observet/fe_antiracism_report.doc)

<sup>2</sup>Lam, A. "Bilingualism" in Carter, R. & Nunan, D. (ed.s) *The Cambridge Guide to Teaching English to Speakers of Other Languages*, Cambridge University Press, Cambridge: 2001.

<sup>3</sup>Dadzie, S. *Adult Education in a Multi-Ethnic Europe*, NIACE, Leicester, UK: 1999.

<sup>4</sup>MacPherson, W. *The Stephen Lawrence Inquiry: Report of an Inquiry by Sir William MacPherson of Cluny*, presented to Parliament by the Secretary of State for the Home Department by Command of Her Majesty, London: 1999.

<sup>5</sup>NCCRI: 2001.

## Integration

"Integration means the ability to participate to the extent that a person needs and wishes in all of the major components of society, without having to relinquish his or her own cultural identity"<sup>6</sup>. Within educational practice, it generally means a limited recognition of the culture of minority ethnic groups, but from the perspective of the dominant culture. This approach generally ignores the need to implement systemic change in order to meet the educational needs of a culturally diverse society.

## Minority Linguistic Group

In Ireland, the term 'minority linguistic group' is used to describe people who were born in, or have family origins in, countries where the mother tongue(s) is a language other than English.

## Multiculturalism

The term multiculturalism is used in a variety of ways within different countries. In Ireland it is generally understood in a similar sense to that used in the British context, as a general statement of the co-existence of different cultures within society, although without necessarily any positive interaction between them. Within education, multiculturalism, used in this sense, generally implies a recognition of superficial elements of minority cultures, often taken out of context and emphasising the exotic. This approach ignores inequalities and fails to deal with institutional racism.

## Multilingual

Multilingualism refers to the phenomenon of competence and communication in more than two languages.

## Racial discrimination

Any distinction, exclusion, restriction or preference, based on race, colour, descent, national or ethnic origin, which has the purpose of modifying or impairing recognition, the enjoyment or exercise on an equal footing of human rights and fundamental freedom in the political, economic, social, cultural or any field of public life constitutes racial discrimination<sup>7</sup>.

## Racism

Racism is a specific form of discrimination and exclusion faced by black and minority ethnic groups. Racism is based on the false belief that some 'races' are inherently superior to others because of different skin colour, nationality, ethnic or cultural background. Racism deprives people of their basic human rights, dignity and respect. There are different forms of racism and it manifests itself at different levels<sup>8</sup>.

## Terms referring to Teaching Practices

### English as a Foreign Language (EFL)

EFL refers to circumstances where English is not the primary language means of communication and instruction. Most EFL settings offer limited exposure of the target language outside the classroom and syllabuses are carefully structured with extensive recycling of key target language items<sup>9</sup>. In EFL, accreditation mechanisms usually dictate course direction and the teacher has overall responsibility for introducing a cultural dimension to programmes. In addition, EFL is taught in the learner's mother tongue and frequently in private language schools<sup>10</sup>.

### English for Speakers of Other Languages (ESOL)

ESOL is primarily concerned with developing speaking and listening skills in functional language for everyday use. ESOL programmes are learner-centred and needs-based with attainable short-term goals. ESOL prepares learners for independence and takes account of educational/employment aspirations. ESOL also incorporates communicative language techniques for mixed levels and cross-cultural approaches which recognises a learner's other languages/cultures<sup>11</sup>. ESOL is traditionally used to describe English language teaching for adults.

### English as an Additional Language (EAL)

English as an Additional Language (EAL) is used to describe English language teaching to bilingual and multilingual students in schools. EAL caters for a wide range of learners varying in age, first language background and fluency, English language fluency, previous experience of schooling, and prior and current exposure to English. EAL recognises that these learners need to acquire English at the same time as progressing through the mainstream curriculum. EAL is therefore primarily concerned with teaching English through the context of the whole curriculum.

EAL pedagogy recognises the need for learners to be able to use English for both social and academic purposes. It acknowledges the time taken for learners to gain fluency in the spoken and written language of the academic curriculum, whilst taking into account the need to learners to gain the knowledge, skills and understanding of all curriculum subjects<sup>12</sup>.

<sup>6</sup> Interdepartmental Working Group on Integration of Refugees in Ireland. *Integration A Two Way Process – Report to the Minister for Justice, Equality and Law Reform By the Interdepartmental Working Group on the Integration of Refugees in Ireland*, Government Stationery Office, Dublin: 1999.

<sup>7</sup> Article 1, UN International Convention on the Elimination of All Forms of Racial Discrimination, 1969, signed by Ireland in 1986 and ratified in December 2000.

<sup>8</sup> Department of Justice, Equality and Law Reform. *Towards a National Action Plan Against Racism in Ireland – A Discussion Document to Inform the Consultative Process*, Department of Justice, Equality and Law Reform, Dublin: 2002.

<sup>9</sup> Nunan, D. *Second Language Acquisition* in Carter, R. & Nunan, D. *The Cambridge Guide to Teaching English to Speakers of Other Languages*, Cambridge University Press, Cambridge: 2001.

<sup>10</sup> Jordan, J. *An introduction to teaching English as an Additional Language to Adults* Basic Skills Agency, London: 2001.

<sup>11</sup> Department of Education and Skills. *Adult ESOL Core Curriculum*, DfES:UK: 2001.

<sup>12</sup> Definition supplied by Department of Education & Skills, London.



# Glossary of Terms

## **APVSCC**

Association of Principals of Vocational Schools and Community Colleges.

## **BTEC**

Business and Technician Education Council.

## **BTEI**

Back to Education Initiative: national DES initiative to provide opportunities for young people and adults to return to learning.

## **CEO**

Chief Executive Officer.

## **COE**

Council of Europe: a pan-European intergovernmental organisation with 46 Member States. Although separate to the European Union, all EU Member States are part of the Council of Europe (refer to section 3.1.1).

## **DES**

Department of Education and Science.

## **EO**

Education Officer.

## **ESF**

European Social Fund.

## **FÁS**

The National Training Awards Council: A national statutory award body for further education and training.

## **FETAC**

Further Education Training Awards Council: a national statutory award body for further education and training.

## **HND**

Higher National Diploma.

## **IILT**

Integrate Ireland Language and Training: established by the DES under the aegis of Trinity College, Dublin to co-ordinate language support for refugees and others with legal residency.

## **IRC**

Irish Refugee Council: A membership based NGO responsible for public awareness and promoting asylum seeker/refugee rights.

## **IVEA**

Irish Vocational Education Association: the IVEA is the national representative Association for the 33 Vocational Education Committees.

## **NALA**

National Adult Literacy Agency: a membership based NGO responsible for co-ordinating adult literacy work in Ireland.

## **NCGE**

National Centre for Guidance in Education: an agency of the DES that supports and develops guidance practice in all areas of education.

## **NCCRI**

National Consultative Committee on Racism and Interculturalism: a partnership organisation established by the Department of Justice, Equality and Law Reform to develop actions against racism and act in a public policy advisory role.

## **NGO**

Non-governmental organisation.

## **NNEB**

National Nursery Examination Board.

## **PLC**

Post Leaving Certificate: the PLC programme provides appropriate education/training to prepare individuals for work and higher education. The vast majority of PLC courses are available through local VECs.

## **RIA**

Reception and Integration Agency: established by the Department of Justice, Equality and Law Reform, the RIA is responsible for co-ordinating reception and integration for asylum seekers and refugees.

## **UNHCR**

United Nations High Commissioner for Refugees: an international UN agency mandated to co-ordinate international actions and responses for the protection of refugees and other displaced persons.

## **VEC**

Vocational Education Committee: Ireland's 33 VECs are statutory bodies responsible for the provision of a wide range of education, training and support services to all sectors of the community. VEC education and training programmes to include second level, adult, community and second chance education, post-leaving certificate (PLC) programmes, prison education, traveller education and a variety of EU funded and co-operative training programmes.

## **VTOS**

Vocational Training Opportunities Scheme: supported by the European Social Fund and provided by VECs, VTOS is a targeted intervention by the DES to assist unemployed adults progress into education, training and employment.

## **Youthreach**

The Youthreach programme is aimed at young people aged between 15 and 20 years of age who have left school without formal qualifications. It aims to equip students with opportunities for basic education, personal development, vocational training and work experience. Youthreach programmes are provided primarily through VECs.



The Irish Vocational Education Association (IVEA) is the national representative body of Ireland's thirty-three Vocational Education Committees (VECs). Part of IVEA's role is to develop policy guidelines in a range of areas in the Vocational Education sector. This is done in consultation with its member VECs.

In recent years there has been a significant increase in the number of minority linguistic groups arriving in Ireland. This culturally enriching development poses a number of challenges to Irish political culture and governance, particularly to the education sector. Fortunately, Ireland is in a position to learn from the experiences of neighbouring European States which have met these obligations with varying degrees of success in earlier decades.

The IVEA has researched the challenges posed to the Irish education system on a national and international basis. Ensuring opportunity of access, adult education practices in the VECs are underpinned by a commitment to equality, diversity of choice and empowerment of the individual. Historically, the VECs have tackled poverty and social exclusion through specialised services/initiatives targeting marginalized communities. Meeting the needs of asylum seekers, refugees and other minority linguistic groups presents a considerable challenge to the Vocational Education sector. However, the working group's findings suggest that it is imperative that the Further Education sector effectively addresses educational provision for new minority linguistic communities to prevent economic deprivation and social fragmentation.

Following an emergency resolution of IVEA Congress in 2000 a specialist working group was established to examine the potential opportunities and resources needed to cater successfully for the educational needs of asylum seekers and refugees. The working group later extended its brief to include minority linguistic groups with English language needs.

Membership of the specialist working group is comprised of educationalists and researchers with a keen interest in or expert knowledge of educational provision for asylum seekers, refugees and other minority linguistic groups. Members are drawn from a wide geographical catchment area, reflecting the dispersal and settlement of the refugee/asylum seeker population throughout Ireland.

### Members of the IVEA specialist working group:

- Luke Murtagh, Co. Tipperary North Riding VEC : Chairperson and CEO;
- Sarah Kavanagh, IVEA Secretariat : Working Group Co-ordinator;
- Moya Corry, Co. Kildare VEC : Principal and Educationalist;
- Eithne Cunneen, City of Limerick VEC : Adult Literacy Organiser;
- Cróna Gallagher, Co. Donegal VEC : Adult Education Organiser;
- Rachel Hegarty, City of Dublin VEC : Language Tutor and Lecturer;
- Marie Humphries, Whitehall College of Further Education : TUI Representative and Educationalist;
- Frank Nash, City of Cork VEC : Public Representative and Educationalist;
- Olga Ncube, Nominee of Irish Refugee Council : Educationalist;
- Karl Quinn, Co. Clare VEC : Co-ordinator and Language Tutor;
- Tanya Ward<sup>13</sup>, City of Dublin VEC : Research and Development Officer.

The research conducted by the working group during 2000/2001 resulted in a report with detailed findings and recommendations. The *IVEA Policy on Educational Provision for Asylum Seekers, Refugees and other Non-nationals* was presented to IVEA Congress 2001 and unanimously adopted. The policy outlines broad parameters for the delivery of educational services to refugees, asylum seekers and other minority linguistic groups by the VECs.

During 2001/2002 the working group focused on preparing a framework for the implementation of IVEA policy. The group chose to focus initially on producing a pilot framework for the adult and community education (Lifelong Learning) sector as no guidelines or structures had been established to cater for the educational needs of the adult refugees, asylum seekers and minority linguistic groups. In October 2002 the IVEA published a report entitled *Pilot Framework for Educational Provision for Asylum Seekers, Refugees and Minority Linguistic Groups; Volume I: Lifelong Learning*.

This 2002 publication contains a recommended framework for the delivery of services within the adult and community education sector. Upon publication, the Pilot Framework was circulated to all Vocational Education Committees. After a period of three months, the VECs were invited to send delegates to a series of consultative workshops organised to seek feedback on the contents of the Pilot Framework (2002).

Over one hundred delegates including CEOs; EOs; AEOs; ALOs; VTOS Co-ordinators; practitioners; and VEC administrative staff attended the workshops. IVEA received valuable feedback from delegates and has incorporated their suggestions and comments into the present document. In addition, the National Adult Literacy Agency (NALA) and other non-governmental organisations (NGOs) gave feedback to IVEA on the publication.

IVEA will adopt a similar consultative approach for the Further Education sector.

The IVEA working group is currently conducting research on the education and language needs of migrant workers.

## 1.2 FURTHER RESEARCH AND DEVELOPMENT WITHIN THE VOCATIONAL EDUCATION SECTOR

Several VECs have been involved in research on the education and language needs of refugees, asylum seekers and other minority linguistic groups since 2001. The White Paper on Adult Education, *Learning for Life*, (2000)<sup>14</sup> made adult asylum seekers eligible for language and literacy support through the VECs and recommended that a study should be undertaken on their language needs. In response, the City of Dublin VEC, in association with County Dublin VEC, initiated a major research project on adult asylum seekers. Researched and written by Tanya Ward, the report was entitled – *Asylum Seekers in Adult Education: A Study of Language and Literacy Needs* (2002). Considering provision for asylum seekers holistically, this research stresses that language/literacy issues are inextricably linked to equality and interculturalism. The research advocates a learner centred and needs based approach for the delivery of programmes through a mainstream state adult education service. Written from a gendered perspective, particular attention is paid to survivors of torture and people with disabilities.

During the research, separated children were identified as experiencing immense difficulties accessing and remaining in education. Supported by the Department of Education and Science and working in collaboration, the City of Dublin VEC, County Dublin VEC and Dun Laoghaire VEC initiated a research project on the education/language needs of separated children in 2001. The project aims to compile a profile of separated children living in Dublin and evaluate current educational provision, paying particular attention to: equality and anti-discrimination; reception and orientation; supporting bilingual/multilingual students in schools; teaching materials; school attendance; guidance; and student supports. The Dublin based VECs will publish this research in 2004.

<sup>14</sup> Hereinafter "The White Paper" and/or "Learning for Life" refers to the Government White Paper on Adult Education, *Learning for Life*, 2000.

<sup>15</sup> Please note that in the context of this document the term "educational institution" refers to Further Education colleges and centres and any other VEC venue at which a Further Education course/programme is available.

<sup>16</sup> *Promoting Anti-racism and Interculturalism in Education: Draft Recommendations Towards a National Action Plan Against Racism*, Department of Education and Science: 2003 (unpublished): p. 26.

The City of Dublin VEC and County Dublin VEC have also published another report entitled: *Immigration and Residency in Ireland: An Overview for Education Providers* (2003). Providing up-to-date information and statistics, this document outlines the social/economic rights that pertain to each immigrant group residing in Ireland. This document was widely distributed to all other VECs.

The Dublin based VECs record of research in this area indicates that with adequate funding, VECs can draw on expertise within their organisations and be at the forefront of research and development. The work of the CDVEC in educational provision and research for asylum seekers, refugees and, in particular, separated children was recognised by the United Nations High Commissioner for Refugees (UNHCR) when it received a Certificate of Recognition in June 2003. This is only the second time an Irish based organisation was presented with this award.

The IVEA recognises the importance of supporting VECs and their colleges/centres/programmes/educational institutions<sup>15</sup> in meeting the needs of minority linguistic groups including asylum seekers and refugees. VECs are invited to implement the suggested framework on a pilot basis in 2004/5. IVEA will revise guidelines, incorporating VEC and learner feedback, to ensure that the scheme fully meets the needs of learners and providers.

## 1.3 SUGGESTED FRAMEWORK

The overall strategy adopted by the IVEA following the publication of the *IVEA Policy on Educational Provision for Asylum Seekers, Refugees and other Non-nationals* in 2001 was to prepare implementation guidelines for the following areas of VEC activity:

- Adult and Community Education (Lifelong Learning);
- Second Level;
- Further Education.

The present document focuses on the Further Education sector.

The Department of Education and Science-compiled *Draft Recommendations Towards a National Action Plan Against Racism* states:

*Future policies must be developed within the context of a rights based equality approach, catering for diversity as the norm within all education settings. This approach needs to be taken account of in the intrinsic design of systems<sup>16</sup>.*

Incorporating such an approach, the aims of the present document are to:

- Prepare the community of the college/centre/programme/

- educational institution for dealing with bilingual/ESOL learners;
- Enable educational institutions to integrate bilingual/ESOL learners into the educational institution's learning programme(s);
- Enable the college/centre/programme/educational institution to provide language and cultural supports to enable participation;
- Empower learners to follow the mainstream courses available in the college/centre/programme/educational institution if appropriate;
- Enable educational institutions to provide support services.

The present publication locates Further Education provision for bilingual/ESOL learners within an equality and human rights framework and builds on national policy such as the White Paper on Adult Education, *Learning for Life* (2000). It also fits into the general IVEA policy framework, the work of the Dublin VECs and national and international research on the educational needs of bilingual/ESOL learners. This document is also located within a national and international legal context.

The IVEA intends to meet with the Department of Education and Science to seek agreement on additional resourcing, including staffing, to enable VECs to deliver the proposed service.

This publication needs to be located within the overall IVEA policy framework and the following section describes this framework. There is a wide range of agencies, statutory and voluntary, involved in the provision of services to refugees, asylum seekers and minority linguistic groups. Because the situation in this area developed so rapidly and to such an extent over the last number of years, it appears that services were introduced on an *ad hoc* basis in order to deal with the issue.

In order to bring greater efficiency to existing services IVEA recommends that a national co-ordinating body be established comprising all agencies, both statutory and voluntary, with a brief to ensure that services are delivered in the most efficient way possible and to eliminate overlapping of services. The IVEA recommends that the co-ordinating body be operated on three levels: **national, local and community**. This pillar of IVEA policy is elaborated on in **Appendix I**.

Following publication of the *IVEA Policy on Educational Provision for Asylum Seekers, Refugees and other Non-nationals (2001)*, IVEA promoted its recommendations with the Department of Education and Science and other education bodies. The IVEA met directly with officials in the Further Education Section of the DES and the Reception and Integration Agency. IVEA also met with representatives from several political parties.

The IVEA Working Group has met with other agencies and providers at national level with a view to discussing policy positions and sharing information, including the Irish Refugee Council (IRC) and the National Consultative Committee on Racism and Interculturalism (NCCRI). The IVEA co-operates and is represented on the following Working Groups:

- The National Council for Curriculum & Assessment (NCCA)
  - Interculturalism and the Curriculum Steering Committee;
- Education Working Group on Awareness Programme for Anti-racism and Interculturalism (led by the DES);
- The NALA ESOL Working Group;
- The IILT Materials Development Working Group (at the request of the DES).

## 3.1 LEGAL CONTEXT

## 3.1.1 The International Dimension

International public law incorporates European Union (EU)<sup>17</sup> law and international agreements/instruments. EU law is supranational in character and supersedes domestic law. EU law is legally binding and consists of Treaties, Directives, Regulations and European Court of Justice decisions. In addition, EU Resolutions, while not legally binding, influence national government policy in the Member States.

The most effective human rights instrument in Europe, the European Convention on Human Rights (1950) is an international treaty of the Council of Europe<sup>18</sup>. Formed at the end of World War II, the Council of Europe is a pan-European intergovernmental organisation. The First Protocol (which deals with education) was added to the Convention because the original document did not include Articles concerning education.

Article 2 of Protocol 1 reads:

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

Article 2 provides, in its initial sentence, that the State shall not deny any person the right to education. The State cannot interfere with an individual's exercise of the right to education, by excluding them from State provided educational opportunities. According to Glendenning<sup>19</sup>, if challenged, the State is in a stronger position rather than if the duty were affirmatively stated. The burden is on the individual to prove they have been denied access to specific educational provision. Moreover, the second sentence of Article 2 provides the State with some discretion with regard to education and teaching. *“Generally, this indicates that the State is not obligated to establish certain types of educational opportunities or to ensure that each person achieves the education he or she desires<sup>20”</sup>.*

The Convention was incorporated into domestic law when the European Convention on Human Rights Act, 2003 was enacted in December 2003. The Irish Government has chosen an interpretative model whereby the Irish Courts will be expected to interpret the

<sup>17</sup>EU Member States: Austria; Belgium; Cyprus; Czech Republic; Denmark; Estonia; Finland; France; Germany; Greece; Hungary; Ireland; Italy; Latvia; Lithuania; Luxembourg; Malta; Poland; Portugal; Slovakia; Slovenia; Spain; Sweden; The Netherlands; and the United Kingdom.

<sup>18</sup>The Council of Europe is comprised of forty-six members: Austria; Georgia;

Iceland; Liechtenstein; the former Yugoslav Republic of Macedonia; Moldova; Monaco; Norway; Romania; Russian Federation; San Marino; Serbia and Montenegro; Switzerland; Turkey; and the Ukraine. The Council of Europe strives to promote Europe's cultural identity and diversity, combats discrimination and social exclusion, as well as promoting democratic stability.

<sup>19</sup>Glendenning, D. *Education and the Law* Dublin: 2000.

<sup>20</sup>ibid.

Convention in accordance with the Irish Constitution. Courts can also make a 'declaration of incompatibility' when a clause of the Convention is deemed contrary to existing legislation or practice. This is an important development for the education sector and provides a human rights dimension to Irish education legislation.

International human rights instruments have a persuasive impact upon signatory countries, for example the United Nations Convention on Economic and Social Rights (1976).

## 3.1.2 The National Dimension

National or domestic law comprises Bunreacht na hÉireann (the Constitution of Ireland), Irish statute law and Irish case law. In this context, the most significant sources are the Education Act, 1998; the Equal Status Act, 2000; and the Vocational Education (Amendment) Act, 2001 (refer to **Appendix II** for salient features).

## (a) The Education Act, 1998

This is the most important source of law for this policy from a practical point of view. Schools, teachers and VECs must keep in mind its provisions, and particularly bear in mind that there is no distinction between citizens of the State and non-citizens in relation to the provision of education and right to receive it.

## (b) The Equal Status Act, 2000

The Equal Status Act, 2000 prohibits discrimination in the provision of goods, services, disposal of property and access to education, on any of the nine grounds referred to under the Employment Equality Act, 1998. These grounds are gender, marital status, family status, sexual orientation, religion, age, disability, race and membership of the Traveller Community. The Act prohibits discrimination (subject to certain exceptions) in all public and private services generally available to the public. These include public state services, provision of accommodation, educational establishments and registered clubs. Schools must not discriminate across the nine grounds and in four specific areas:

- The admission of a student, including the terms of conditions of the admission of the student;
- The access of a student to a course, facility or benefit provided by the school;
- Any other term or condition of participation in the school;
- The expulsion of a student or any other sanction<sup>21</sup>.

### 3.2.2 Lifelong Learning as a Systemic Approach

Lifelong learning, as defined in the White Paper, refers to adult learning in a multiplicity of sites including schools, conventional education institutes, training centres, homes and community groups.

*It also requires ease of movement and progression between learning sites based on parity of esteem between providers; the development of methods of assessment of learning independently of the context in which such learning occurs; the need to provide the requisite infra-structural supports to the learner in the form of guidance and counselling; the provision of childcare and transport and appropriate mechanisms of accreditation and assessment<sup>24</sup>.*

This has particular significance for asylum seekers and refugees. They are a group of learners who regularly attend programmes in a multiplicity of learning sites, most of which are in community based settings. These initiatives are often crucial to ensure participation by individuals who may not be able to attend mainstream institutions e.g. cultural constraints and lack of childcare facilities can be determining factors in participation. Community based learning requires considerable co-ordination and support. The White Paper further recognises the necessity of tackling education disadvantage in a systematic way and states that lifelong learning encompasses the individual's education from *"the cradle to the grave"*<sup>25</sup>.

### 3.2.3 Equality

A number of tentative steps have been taken by the Irish Government to accommodate an intercultural and diverse Ireland. The ratification of EU Treaties and Directives, the Good Friday Agreement and the Partnership Agreement, *Sustaining Progress*, 2002 set the context for new initiatives in all sectors including education. Recent legislation, such as the Employment Equality Act, 1998 prohibits discrimination on the grounds of gender, marital status, family status, sexual orientation, religion, age, disability, race, and membership of the traveller community. The Equal Status Act, 2000, further prohibits discrimination (with certain exceptions) regarding access to education on these nine grounds. The White Paper on Adult Education, 2000 marks the first time the DES has made a pledge to promote equality in all sectors of education. For example, there has been an allocation of IR£19.6m ( 24.9m) for several equality initiatives.

In co-operation with the Equality Authority, the DES has launched a new document promoting the Equal Status Act, 2000 in schools<sup>22</sup>. Recognising that major challenges still exist for education, the document notes inclusion in mainstream education involves not only equality of access and participation but also 'equality of outcome'. Taking account of and valuing difference, an inclusive school considers how decisions will impact on the student body across the nine grounds<sup>23</sup>. In moving towards an inclusive school, it advises equality should be promoted in: (1) The school development plan; (2) the admission policy; (3) the code of behaviour; (4) building awareness/ understanding; and (5) training [refer to section 4.2].

#### (c) Vocational Education (Amendment) Act, 2001

The Vocational Education (Amendment) Act, 2001 confers on Vocational Education Committees the role of policy making. The Chief Executive Officer and VEC staff are required to implement VEC policy. It is envisaged that all VECs will adopt the present IVEA framework as part of their overall Further Education policy.

#### (d) Disability Legislation

Learners who are identified as having a disability as defined by Section 2 of the Education Act, 1998 and Section 2 of the Equal Status Act, 2000 are entitled to the same level of assistance and support as any other student. Education providers, therefore, must ensure that appropriate supports are made available to them. In this context, education providers must be aware of the provisions relating to disability in these Acts and the anti-discrimination provisions in Section 4 of the Equal Status Act, 2000. Dedicated legislation catering for adults with disabilities is expected to be drafted in the near future.

## 3.2 POLICY FRAMEWORK

### 3.2.1 Introduction

The Government White Paper on Adult Education – *Learning for Life* (2000) represents an important new departure in education policy in Ireland. The White Paper seeks to accommodate difference based on three central principles:

- 1) Lifelong learning as a systemic approach;
- 2) Equality;
- 3) Interculturalism.

<sup>21</sup>Equality Authority/DES. (2003) *Schools & the Equal Status Act*, 2000, Equality Authority: Dublin, p. 6.

<sup>22</sup>Ibid.

<sup>23</sup>Ibid, p.8

<sup>24</sup>Department of Education and Science White Paper on Adult Education *Learning for Life*, 2000: 32.

<sup>25</sup>Ibid: 30.



The White Paper defines equality in terms of:

*Equality of access, participation and outcome for participants in adult education, with pro-active strategies to counteract barriers arising from differences of socio-economic status, gender, ethnicity and disability. A key priority in promoting an inclusive society is to target investment towards those most at risk<sup>26</sup>.*

### 3.2.4 Interculturalism

*Learning for Life* recognises the new environment of an intercultural and diverse Ireland and defines interculturalism as:

*... the need to frame educational policy and practice in the context of serving a diverse population as opposed to a uniform one, and the development of curricula, materials, training and in-service, modes of assessment and delivery methods which accept such diversity as the norm. This refers not only to combating racism and encouraging participation of immigrants, refugees and asylum seekers in education, but also to a recognition that many minority groups such as travellers, people with disabilities, older adults, participants in disadvantaged areas may have distinct needs and cultural patterns which must be respected and reflected in an educational context. It also envisages a more active role by adult educators in the promotion of Irish language and culture<sup>27</sup>.*

The White Paper singles out refugees and asylum seekers as a single category requiring special provision. It states that the Government is interested in exploring the scope for providing a national programme through the VECs and other further education providers. Highlighting the need for research in this area, it also proposes discussions should be held with relevant stakeholders to assess the recommendations from the study in relation to funding, co-ordination of staff and the implementation of arrangements.

The White Paper recognises the learning rights of asylum seekers. For asylum seekers with the right to work it provides for:

- Free access to active labour market programmes such as VTOS or PLC if over 21 and six months registered as being unemployed, on the same basis as other participants.
- Access to free ESOL tuition through the Back to Education Initiative<sup>28</sup>.

For all asylum seekers it provides:

- Free access to adult literacy, English language and mother culture supports<sup>29</sup>.

### Definition of 'Literacy'

The letter of sanction issued to VECs in 2002 in relation to the Back to Education Initiative (BTEI) defines literacy as:

*...the integration of reading and writing, listening, speaking, and mathematics or numeracy for everyday life. Personal development, improving self-esteem and confidence are an integral part of the process, as well as the use of basic ICT skills. The key objective is empowerment to facilitate the target group to actively participate in social, civic and economic life, to communicate effectively, and to develop the skills of learning to learn.*

## 3.3 DEVELOPMENTS SINCE THE WHITE PAPER

### 3.3.1 Introduction

Since the publication of the White Paper, the most important development for the F.E. sector has been the publication of the McIver Report in 2003. This Report proposes the formal establishment of a Further Education sector for the first time in Ireland in line with the practice of other European countries.

In addition, the DES has issued letters clarifying the legal situation of asylum seekers and refugees in regard to access to Post Leaving Certificate (PLC) courses; Vocational Training Opportunities Scheme (VTOS); and Youthreach programmes.

<sup>26</sup>Ibid: 13.

<sup>27</sup>Ibid.

<sup>28</sup>Ibid: 173.

<sup>29</sup>Ibid.

### 3.3.2 Report of the Steering Group to the PLC Review established by the Department of Education and Science; prepared by Mclver Consulting, 2003

Following a recommendation of the White Paper, the Department of Education and Science established a Steering Group to spearhead the PLC Review to be prepared by Mclver Consulting. This Report was published in 2003.

The Report recognised that PLC courses provide an important progression route to higher education through the Institutes of Technology. These courses have also become an important re-entry route for older adults wishing to return to learning. For example 48% of PLC students in 2000/01 were over 21 years of age. This contrasts with the low participation rates of older adults in third level full-time education.

Local access, a community based response and education and training in niche areas of the economy have attracted a continuing increase in student numbers, at a time when the population of young people leaving the school system is declining.

National certification by the National Council for Vocational Awards (NCVA) was implemented for the first time in 1994, and the work of the NCVA was assimilated into the new Further Education and Training Awards Council (FETAC) with effect from 2001 in the context of the Qualifications (Education & Training) Act, 1999. In October 2003, the National Qualification Authority, established under this Act, published the 'National Framework of Qualifications'. This new qualifications framework is an essential dimension in the future development of the PLC sector.

VEC PLC providers are not uniform in nature. A number of colleges in urban areas have evolved into specialised adult education institutions. In other parts of the sector, PLC and second level provision are combined. The Mclver Report noted that while 225 centres are providing PLC courses, 37 colleges with PLC enrolments ranging from 150+ to 2,500+ account for 72% of the overall PLC enrolment.

However, notwithstanding these developments, the administrative, management, staffing and ancillary support structures for the PLC area have continued to be those of a second level school, and this has led to difficulties in grappling with the changing context and delivery requirements associated with the provision of Further Education.

### Recommendations of the Mclver Report

When implemented, the recommendations of the Mclver Report will establish Further Education as a distinct education sector in Ireland. The recommendations will entail an improvement of facilities available to students within the F.E. sector. This will be important for all students, but particularly, for minority linguistic learners. The recommendations set out in the PLC Review include:

- To **transform the student experience** to enable him/her to get the full benefit of a high quality inclusive learning environment. This requires that constraints concerning inadequate support and guidance structures, lack of space, access to equipment, library, canteen, social and recreational facilities are addressed.
- To **enable PLC colleges to play a full role in supporting flexible life-long learning** and responsiveness to changing economic and social needs and relieve the strains which are a feature of the current system. This will require:
  - **positioning the sector as a distinct element of Further Education** insofar as possible;
  - increased **flexibility** in timing and duration of provision;
  - **greater linkages with industry and external bodies** in terms of area planning, programme content and delivery, and marketing, student recruitment and progression;
  - **greater emphasis on staffing of the non-teaching aspects of the programme, both academic and non-academic**, particularly in regard to team planning and integration, assessment, student support, enhanced quality assurance, curriculum and IT support, development of increasing specialisms and competencies, and the provision of appropriate administrative, business and technical staff.
- Overcoming limitations of scale through the development of **national and regional support services**.
- Where both Further Education and second level provision are present in a college, and where the scale of provision at both levels is sufficient, the college should normally be divided into **separate FE and second level institutions**. The threshold for the scale of FE provision being considered for separation should normally be set at 500 full-time equivalent FE students.
- To the extent that is consistent with effective management of the institution, schools and colleges with dual provision that includes 150 or more PLC students should **operate second level and FE provision separately** where possible and have their management and organisational structures staffed accordingly.

- Organisations involved in the FE sector should form a **Council of FE Colleges** to engage with the National Adult Learning Council and Department of Education and Science on policy and research, to provide for a leadership mechanism within the sector, and to facilitate inter-college planning processes and initiatives. The specific composition of that body should be discussed further.
- Colleges should provide greater **diversity of delivery approaches** which would include full-time provision but with different start and end times during the college day or over the year, part-time options, twilight, evening and week-end courses, provision for Back to Education Initiative [BTEI] students, other groups and industry clients, and part-time self funded courses.
- **Increased modularisation of courses**, delivery in community and workplace locales, time-tabling throughout the year and integrated quality assurance systems, for full-time and part-time activity are part of this process.
- The Department of Education and Science should develop **separate specifications for FE Colleges** along the lines which apply in Institutes of Education.
- Key Requirements include **increased space** for study, circulation, tutorial, staff and student working areas, crèche, student union, canteen and recreational facilities, specialist and library facilities, storage and disability issues.
- **Untimetabled access** for students to **open learning centres**, with networked computers, web access and email accounts should be available.
- The college Board of Management should pay particular attention to FE issues with the involvement of the social partners and students. Larger colleges should establish an **industry advisory group**.
- **Quality assurance** in colleges should be supported through a compulsory induction programme for teachers new to FE sector, an annual training plan for each department, and an increased budget for staff development. Continuing professional development should be a normal part of staff work which does not affect student hours delivered at the college.
- Policy on access to higher education should **recognise the PLC sector's leading role** in providing access to post-second level education for groups not well represented at third level, and in facilitating access to third level for those same groups.
- Where possible the changes recommended **in this report should be implemented on a pro-rata basis** for colleges with 150 and fewer PLCs.
- **Technical support staff** numbers should be calculated on the basis of the number of computers, or number of specialist laboratories in near-full time use as laboratories.
- The recommended basis for staffing in Stand-Alone PLC Colleges includes **more administrative staff and specialist staff**, e.g. Industrial Liaison Officer.
- **Building specifications** should be improved and include a learning centre/study area, social area/canteen and access to sporting facilities (gymnasium, sports centre, playing fields).
- All students and staff involved in FE should have **web access & e-mail accounts**.
- **Learning centre:** There should be a learning centre (optimally attached to library) with untimetabled access to computers with standard office software and printers and with access to on-line learning resources.
- **Childcare** for FE students should be prioritised under the National Development Fund Childcare Provision.
- Provision for **Socio-Medical services:** The service should include referral to other services.
- **Industry Advisory groups:** Colleges should develop industry advisory groups at the level of Department or at school level.

IVEA has welcomed the publication of the Report of the Steering Group to the PLC Review (2003) and is presently conducting negotiations with the Department of Education and Science with a view to securing the implementation of the Mclver Report as soon as possible.

**IVEA recommends that the Government implement the terms of the Mclver Report on a phased basis as a matter of urgency to allow the Further Education sector to continue to grow and develop and to bring the Irish F.E. sector into line with that of other European countries.**

In terms of promoting equality in education, equality objectives need to be identified and included in the development plan of the educational institution and its admission policies should ensure no student is denied a place in the educational institution under the nine grounds<sup>30</sup> of the Equal Status Act, 2000. Educational institutions also require codes of behaviour, which explicitly names the nine grounds and prohibits harassment/sexual harassment. Policies and procedures also need to be incorporated within the code to effectively deal with harassment for the entire body of personnel and students in the educational institution. According to the Equality Authority/DES, these procedures should include the following steps:

1. Identify actions to ensure harassment does not occur and steps that will be taken if it does occur (grievance procedure);
2. Ensure all members of the educational institution community are aware of the code of behaviour;
3. Build an anti-harassment culture through training for staff;
4. Implement proper procedures when incidents do occur to prevent future harassment;
5. Prepare codes of behaviour in consultation with teachers, principals and learners.

The Department of Education and Science/Equality Authority publication *Schools and the Equal Status Act*<sup>31</sup> offers some advice on the challenges that can be encountered in striving to create an inclusive educational institution and how these challenges can be met. IVEA has taken this advice on board and presents an adapted form of the advice in the boxes that follow.

### Challenges in attaining the inclusive educational institution

There are a number of significant challenges to attaining the inclusive educational institution. Three key challenges can be identified:

#### (1) Inclusion for all across the nine grounds

One of the challenges is inclusion for all across the nine grounds in the mainstream provision of education. Inclusion in mainstream education involves not only issues of access and participation, but also of achieving outcomes in terms of education credentials and personal development. Segregation remains an experience on grounds of gender, religion, disability, and ethnicity. Issues that this raises include access to educational institutions, course take-up, non-completion and practical supports for mainstreaming.

#### (2) Accommodating diversity

Accommodating diversity presents a second challenge. Differences need to be acknowledged and valued. In order for that to happen, they will need to be understood. The inclusive educational institution will take account of the specific needs of all, will assess the impact of decisions on all and will create a positive environment for all, across the nine grounds<sup>32</sup>.

#### (3) Helping learners to develop their ideas and values

A third challenge lies in the role that educational institutions have in helping learners develop their ideas and values. This is done directly through what is taught and indirectly through the educational institution's ethos and culture.

The information that is given to learners about different groups in society, including those who experience inequality and discrimination, is important in this regard. Educational institutions have a role in helping students, including those from minorities and disadvantaged groups, to learn about themselves and their differences from others in a way that is positive and affirming of diverse identities. Educational institutions can also play an important role in helping students to understand the causes of inequality and empowering them to oppose these inequalities.

<sup>30</sup>These grounds are gender, marital status, family status, sexual orientation, religion, age, disability, race and membership of the Traveller Community.

<sup>31</sup>Department of Education and Science/Equality Authority, Dublin: 2003.

<sup>32</sup> Refer to footnote 30.

### **The ethos of the educational institution**

The ethos of the educational institution can contribute to the values of students through the expectations and standards of behaviour set for students and through its practices and procedures in all areas of school life. For example, the subject choices and the range of extra-curricular activities that are offered convey messages about how groups are valued that can be as strong as statements in the code of behaviour and its implementation.

### **Moving towards the inclusive educational institution**

According to *Schools and the Equal Status Act*, a number of opportunities for action exist:

- **The educational institution's development plan:**

The educational institution's development plan is an appropriate place in which to identify a commitment to achieving equality. It must contain equality objectives and identify the steps that will be taken to achieve them. It should be based on an identification of the educational needs of students across the nine grounds. Consulting groups that represent those who experience inequality in the development and monitoring of the plan can help to inform the educational institution's commitment to equality.

- **The admission policy:**

The admission policy will ensure that no student is denied a place in the educational institution because of their membership of a group under any of the nine grounds. However, an exemption is allowed if it is proved that a refusal is essential to maintain the religious ethos of the institution (however, in practice this exclusion does not apply to VEC schools/education centres which are nondenominational). It will seek to ensure adequate resources and supports are available to make the enrolment of those students a reality. This should include a commitment to making reasonable accommodation to enable students with disabilities to enrol and participate in the educational institution. The policy must identify the measures the educational institution will take to achieve maximum accessibility and ensure the principles of equality. It could also include positive action that is designed to promote equality for those who are disadvantaged or have the kind of special needs referred to in the Equal Status Act, 2000 [refer to chapter 5].

- **The code of behaviour:**

The code of behaviour should explicitly name the nine grounds and require behaviour that respects diversity across them. It should prohibit harassment and sexual harassment. The code should set out the policy and procedures to deal with harassment across all of the grounds and sexual harassment, and should identify action to ensure such harassment does not occur and the steps that will be taken if it does occur. Steps to prevent harassment occurring include ensuring all members of the community of the educational institution – including parents and staff – are made aware of the code of behaviour and that harassment and sexual harassment are prohibited. They also include building an anti-harassment culture through training for both staff and students. Proper implementation of the procedures when incidents do occur is essential in preventing future harassment. The preparation of the code of behaviour should involve consultation with teachers, principals and learners.

- **Building awareness and understanding:**

Learners in the inclusive educational institution will be offered opportunities to develop their knowledge and understanding of inequalities, what causes inequalities and how they can challenge them.

- **Training:**

Teachers will need skills to ensure positive outcomes for all students, to prevent and address harassment and sexual harassment and to understand the situation of those who experience inequality.

Intercultural and anti-racist strategies should be situated within the overall equality framework of an educational institution.

**IVEA recommends that the following initiatives be undertaken for all staff:**

- Anti-racist and cultural awareness training programmes be developed and delivered to all staff (managers, tutors, support staff, frontline staff) in consultation with organisations with expertise who are already active in this area of work (such as the Equality Authority and the NCCRI), and involving target groups in the design and delivery of programmes;
- Specific training programmes for specialist areas be developed e.g. women, survivors of torture;
- Information sessions be provided for staff on asylum policy and process, working with groups with special needs etc.;
- Accredited training programmes be developed for staff which could be undertaken on a modular basis;
- Translation of all documentation into key languages.

# 5

## ENABLING THE EDUCATIONAL INSTITUTION TO INTEGRATE BILINGUAL/ESOL LEARNERS INTO THE LEARNING PROGRAMME

### 5.1 INTRODUCTION

The first contact between the prospective learner and the educational institution must be welcoming and open. Many learners may not have been involved in education for a number of years. Reception and admission staff need to be sensitive to these prospective learners.

Each educational institution has a responsibility to plan induction and assessment of learners to ensure that the needs of learners are identified and the capacity of the institution to meet those needs determined.

### 5.2 INITIAL ENROLMENT AND ASSESSMENT

When enrolling a student, specific information is required to help organise and plan provision. Questions should be asked in a non-threatening environment.

Assessment is vital to understand the educational background and English language needs of the prospective students. Assessment should be about valuing previous experience and additional languages and cultures. There are currently no initial educational or language assessment tools for adult and further education. Providers currently use a range of assessment tools (formal ELT and self-made tools).

The IVEA recommends that an assessment framework be developed to assess and establish:

- Educational background;
- Listening, speaking, reading and writing skills in English;
- Study skills;
- First language literacy;
- Numeracy.

#### 5.2.1 Assessment/Enrolment of Minority Linguistic Learners: Guidelines

The following sections contain guidelines [S. 5.2.1] and a sample enrolment form [S. 5.2.2] which have been adapted from an enrolment form for second level students devised by Jessica Wanzenböck, Co-ordinator of the VEC Education Service for Separated Children at City of Dublin VEC. They are partly based on Hall Deryn's 2001 publication entitled *Assessing the Needs of Bilingual Pupils – Living in Two Languages* (2nd edition, David Fulton Publishers, London).

In order to fully assess the learning needs of students from minority linguistic groups, more information is required than is usually sought through 'normal' admission procedures for monolingual learners. A more complete picture of a learner's linguistic situation will enable educational institutions to more easily identify learning needs; identify when and if additional support is necessary; identify potential learning difficulties; deal with problems that may arise; and, generally, be in a position to more fully understand a student's progress and development in the educational institution.

Please note:

**This is NOT a comprehensive educational assessment tool. If a learner's educational progress is causing concern, more detailed assessment and monitoring needs to be undertaken, which includes – amongst other things - English and first language development.**

The following form [Section 5.2.2] is meant as an aide to find out about a learner's general background.

#### How should such an assessment be conducted?

The following information/assessment form is meant as a guide to be used while conducting a more detailed conversation with the learner at enrolment/admission stage. It is important to establish good communication with the learner at the earliest stage possible. Teachers should be aware that learners might have different cultural expectations in respect of their involvement in the educational institution's affairs, for example their previous experience of school may be negative; they may distrust the school as being an 'official agent of the state' etc.

The educational institution should take the following steps:

- A meeting should be arranged with the learner.
- The atmosphere for this meeting should be relaxed and friendly.
- Relevant information should be sought through discussion/ conversation rather than through a formal interview scenario.
- It should be made clear that the information is confidential and explained who has access to the information and what it will be used for. Questions should not be intrusive or inappropriate for an initial conversation/interview and should relate to the learner's educational and linguistic background.

The following factors may cause disruption in a learner's life and should be taken into consideration if a student is causing concern:

- General Health - physical, psychological, emotional.
- Accommodation Situation - hostel accommodation, crowded conditions, cold, noisy, not being able to sleep, etc.
- Food and Diets - unfamiliar diets as cause of health problems, missing meals because of fixed meal times.
- Asylum Procedure/Insecure Immigration Status - can cause stress, worries, depression, etc.
- Financial Situation - social welfare, direct provision ( 19.10 per week), extra school costs, etc.
- Family Situation – single parents, families split up, etc.
- Cultural Differences – expectations regarding education; time-keeping; teacher-student relationship; discipline; etc.

**This is not meant to be an exhaustive list, teachers and other staff need to be alert to other** (educational and non-educational) issues that may have a negative impact on a learner's progress.



## 5.2.2 Sample Enrolment Form for Minority Linguistic Learners

Learner's First Name(s)

Surname

Name should be called  
at the educational institution

Name used at home / with friends

### Sex

Male

Female

### Basic Details

Date of Birth

PPS Number

Country of Origin

Nationality (if different)

Place of Birth

Contact address in Ireland

Who should be contacted in case of an emergency?

Religion (optional)

Festivals observed

View of important illness/or other medical factors seen as important:

(This might include dietary needs, allergies, regular medication, ...)

### Educational/Language Background

Language(s) spoken at home **by learner**

Language(s) used by family members **with learner**

Can learner read/write in English?

Read

Write

Can learner read/write in a language other than English?

Read

Write

Language(s):

Is learner learning to read/write in a language other than English?

### Previous education \*

Has the learner been to school/another educational institution in Ireland?

Details (how long, where,...):

Length of previous schooling/education abroad:

Type of school

(primary, secondary, Quranic School (Madras), Red Cross, college, university etc.)

Did learner have extended absences from school/college etc. abroad? (due to illness, war, etc...)

What subjects did the learner study abroad?

Has learner attended English language classes in Ireland?

Where?

For how long?

Contact

Any other relevant information:

**I understand that the above information will be kept confidentially and will not be passed on to other people.** I agree to observe all the rules and regulations of this educational institution.

Signature of Applicant:

Date:

Interviewed by:

**\* If the learner has already attended school in Ireland this information should be available from the previous school. Newly arrived students, in particular refugees, may not have school related documentation from their home country available. Previous education will have to be ascertained through conversation.**

## 5.3 Identifying the needs of the learner

Having established a profile of the learner, the educational institution should, in consultation with the learner, the course co-ordinator and the guidance counsellor, make a decision on the most appropriate course for the learner. The learner should be clearly aware of the course progression, transfer and accreditation paths.

## 6.1 INTRODUCTION

IVEA recommends that English for Speakers of Other Languages (ESOL) methodology be used in catering for the English language and literacy needs of minority linguistic learners.

## 6.2 ENGLISH FOR SPEAKERS OF OTHER LANGUAGES (ESOL)

ESOL is primarily concerned with developing speaking and listening skills in functional language for everyday use. Programmes are learner-centred with attainable short-term goals. Preparing learners for independence, ESOL takes account of educational/employment aspirations. ESOL also incorporates communicative language techniques for mixed levels and cross-cultural approaches which recognises a learner's other languages/cultures.

In ESOL, learners should not be referred to as 'non-English speaking' as this reflects a deficit model of language acquisition. A deficit model perceives language learning as a technical process and does not value linguistic diversity or further learning of home languages.

Learners with little or no English require Reception or 'Access Programmes' to develop their basic proficiency in English, together with preliminary technical language appropriate to the course of their choice. Learners can then be integrated into mainstream programmes at their own pace and ESOL support can be provided on a withdrawal basis. Language support teachers need to work closely with subject teachers to ensure that withdrawal sessions prepare students for mainstream classes. In addition, subject teachers need to take responsibility for supporting language development as well<sup>33</sup>, by incorporating language aware teaching methods into classroom practice. Furthermore, other strategies supporting first languages are crucial for language development. This can be achieved by creating signs and notices in home languages, using dual-text books<sup>34</sup> and adding home languages to the mainstream curriculum.

Integrate Ireland Language and Training (IILT) has devised *English Language Proficiency Benchmarks for the Pre-vocational Sector*<sup>35</sup>. Content-based language teaching materials are required to support these benchmarks and the development of pre-vocational language.

**IVEA recommends that:**

- Accredited ESOL teacher-training which takes account of the

specific circumstances of minority linguistic learners' needs be devised and delivered. To implement this recommendation, a National ESOL Co-ordinating Committee should be established by the Department of Education and Science immediately.

- Opportunities to learn first languages as part of Further Education should be made available as part of mainstream PLC programmes.
- Dual textbooks incorporating English and an additional language (e.g. English and Russian, English and Romanian etc.) should be made available.
- Signs etc. translated into key languages should feature prominently in the educational institution.
- Further Education teachers need to be trained in language-aware teaching methods.
- Content-based language teaching materials are required for the development of pre-vocational language.

## 6.3 LITERACY FOR ESOL LEARNERS

Lack of literacy and basic education support is currently the biggest gap in provision for bilingual/multilingual students. Transfer is the key to understanding the difference between literacy/basic skills students and other language learners<sup>36</sup>. Individuals who are not literate in their first language<sup>37</sup> lack the conceptual basis for literacy acquisition. It is difficult for them to become literate in a second language without first mastering literacy in their first language. Students who have spent many years in schooling have sophisticated learning/life skills and are already fully literate and competent in more than one language. These skills are easily transferable to learning situations in Ireland.

Basic education learners usually do not have these skills and require intensive/specialised programmes of support designed for their specific needs, but within a mainstream school setting. Joining sports and other activities provide additional opportunities to acquire language from other learners and understand Irish culture. Educational institutions need a dedicated room for small group teaching. ESOL assessments should identify learners with an interrupted education early on, by asking students to complete reading and writing tasks in their home language and inquiring about prior education<sup>38</sup>. Moreover, a clear progression route needs to be developed for learners using the new National Qualifications Framework. IVEA notes that there is no specific programme developed as yet to cater for the basic education needs of these learners and recommends that such a programme be developed as a matter of urgency.

<sup>33</sup>Hall, D. revised and updated by Griffiths, D., Haslam, L. & Wilkin, Y. (2002) *Assessing the Needs of Bilingual Pupils*, David Fulton Publishers: London, p. 7.

<sup>34</sup>Dual text-books are key books which incorporate translations for the bilingual/multilingual students, see Gravelle, (2001), p.59.

<sup>35</sup>Published in 2000 & available from the IILT.

<sup>36</sup>Burnaby, B. & Bell, J *The role of Literacy in Methods of Teaching English as a Second Language* in Taylor, C.C. & Draper, JA. (eds) *Adult Literacy Perspectives* Krieger, Canada: 1994.

<sup>37</sup>Freire, M *Refugees: ESL and Literacy Trying to Reinvent the Self in a New Language, Refuge*, Vol 10, No.2: 1990.

<sup>38</sup>Rutter, J. (2001) *Supporting refugee children in 21st century Britain: An essential compendium of essential information*, Trentham Books: Stoke on Trent, pp. 102-103.

Training and materials need to be devised for practitioners for teaching literacy to ESOL learners. Funded by the Department of Education and Science, the City of Dublin VEC in association with Co. Dublin VEC and the National Adult Literacy Agency (NALA) organised one week of training on literacy for ESOL. Delivered by the London Language and Literacy Unit (LLLU), the programme was held in June 2002 and attended by twenty-two participants from CDVEC, Co. Dublin VEC, Co. Clare VEC, Co. Tipperary N.R. VEC, Co. Longford VEC and several NGOs.

IVEA recommends that more formal and extensive training of this nature is organised as a matter of urgency.

#### **IVEA recommends that:**

- Students with first language literacy needs be identified early on through assessment [refer to section 5.2];
- Separate tuition should be organised for developing reading and writing skills for learners with literacy/basic education needs. Educational institutions need a dedicated room for small group teaching;
- A clear progression route be developed for learners using the new National Qualifications Framework;
- Materials be developed to support first language literacy;
- The possibility of bilingual literacy programmes be examined;
- A specific programme to cater for the basic education needs of minority linguistic learners be developed as a matter of urgency.

## **6.4 STANDARD ENGLISH FOR AFRICAN ENGLISH SPEAKERS**

Standard English is just one of many varieties of English. The emergence of 'Black English' is closely linked to the Slave Trade and Black English speakers include African pidgins, Caribbean Creole, the English of the southern states of America and the Black English of post-colonial British Isles.<sup>39</sup> Through separate language evolution, the grammatical structure in English pidgins and Creoles is partly based on Standard English. However, the system of tones in African languages affects the meaning of words and direct expressions from mother tongues are incorporated affecting syntax and meaning.<sup>40</sup> Standard English is the language of power<sup>41</sup> and individuals without it will experience difficulties entering third level education or working in professional occupations.

African English speakers need to develop listening, speaking, reading and writing skills in Standard English before moving onto advanced skills located in the English curricula in Ireland. Teachers need training in new approaches that value their students other Englishes as well as additional language materials.

IVEA recommends that training and materials are devised for minority linguistic learners. It is recommended that educational institutions offer specific classes and workshops to support the development of Standard English for African English speakers.

## **6.5 SAMPLE COURSES**

Many students do not have a sufficient level of English to participate fully in a PLC course. Therefore, many colleges offer one-two year English language courses at beginner and intermediate levels. Some providers within the VEC sector have developed courses to address the English language needs of minority linguistic learners. The following section outlines courses available in Whitehall College of Further Education and Ballsbridge College of Further Education.

### **6.5.1 Whitehall College of Further Education**

#### **Sample Course: 'New Horizons' available through Whitehall College of Further Education**

##### **Target Audience**

VTOS-eligible asylum seekers with a working knowledge of English.

##### **Course Outline**

The course is available at two levels – intermediate and advanced - and contains the following elements: ECDL (European Computer Driving Licence), MOUS (Microsoft Office User Specialist), English and CSPE (Civic, Social and Political Education).

##### **Staffing**

Normal PLC staff.

##### **Teaching Materials Used**

Audio-visual materials and Cambridge English Language exams.

##### **Additional Resources Needed**

Extra audio-visual materials.

##### **Support Services Needed**

Literacy supports;  
Counselling.

*Annette Flynn, Course, Co-ordinator, Whitehall College of Further Education.*

<sup>39</sup>McCrum, R., MacNeil, R. & Cran, W. (2002) *The Story of English*, Faber & Faber/BBC Books: London, pp.349.

<sup>40</sup>McCrum, R., MacNeil, R. & Cran, W. *ibid*, p. 353. Coelho, E. (1998) *ibid*, p. 89.

## 6.5.2 Ballsbridge College of Further Education

**Sample Courses:** *'English as a Foreign Language & Business Communications'* and *'English as a Foreign Language & Media Studies'* available through Ballsbridge College of Further Education

### Target Audience

EU nationals, non-EU nationals, refugees and asylum seekers.

### Course Outline

Business Studies course: 10-12 EFL<sup>42</sup> classes, the remainder business and IT modules.

### Media Studies course:

10-12 EFL classes, 6 hours of media-related and IT modules.

### Staffing

Normal PLC staff.

### Teaching Materials Used

Language level evaluation instruments, text books, photocopies, videos, past Cambridge exam papers, authentic texts audio materials (cassettes & CDs).

### Additional Resources Needed

Language labs.

Time to deal with students' specific needs.

Adequate internet access for marketing of courses.

### Support Services Needed

Secretarial support & an Assistant Principal to deal with queries relating to the Department of Justice, Equality & Law Reform and the Department of Social & Family Affairs, accommodation, Visa issues etc.

*Paul Whelan & Peter Keogh, Ballsbridge College of Further Education.*

<sup>42</sup>EFL (English as a Foreign Language) refers to circumstances where English is not the primary language means of communication and instruction. Most EFL settings offer limited exposure of the target language outside the classroom; syllabuses are carefully structured with extensive recycling of key target language items. In EFL, accreditation mechanisms usually dictate course direction and the teacher has overall responsibility for introducing a cultural dimension to programmes. In addition, EFL is taught in the learner's mother tongue and frequently in private language schools (Jordan, J. *An introduction to teaching English as an Additional Language to Adults* Basic Skills Agency, London: 2001). While the course offered by Ballsbridge College caters for a wide audience and uses the EFL methodology, IVEA recommends that ESOL be the teaching methodology used in catering for the English-language needs of refugees and asylum seekers.

# 7

## FOLLOWING THE MAINSTREAM CURRICULUM, IF APPROPRIATE

### 7.1

#### PROGRESSION FROM ENGLISH LANGUAGE CLASSES TO PLC

Some students have sufficient English to enter directly into PLC courses. Some will have come through English language courses in the college.

### 7.2

#### TEACHERS' PERSPECTIVES

##### *Teachers' Perspectives...*

Informal interviews carried out by an IVEA working group member with teachers in F.E. colleges during 2003 revealed some of the issues that can emerge when students from the minority linguistic learners join mainstream classes:

##### **Back-up for students**

- Extra administration time needed e.g. letters references etc.
- Extra tutorial time in English for written English and English grammar. For example, for English-speaking Nigerians whose written English may not be of a sufficiently high standard. This could be arranged for small groups of similar standards.
- Extra tutorial time for technical terms e.g. accounting terms, business terms & economic terms.
- For Work Experience - minority linguistic learners do not have the connections that Irish students might have and may face prejudice from potential employers. Therefore, the educational institution must be more proactive in arranging work experience placements for minority linguistic learners.
- In some cases there is a difference between the educational system students have come from and the system in Ireland, for example, they may be used to providing 'text book' answers rather than providing their own opinions. Such cultural differences can result in difficulties, particularly in a class of mixed ethnic or national backgrounds.

##### **Inservice for teachers**

- General anti-racism inservice should be provided for all teachers (regardless of whether they currently teach minority linguistic groups or not).
- Inservice in dealing successfully with a class group of mixed backgrounds (ethnic, national, religious) and mixed standards of English should also be provided for all teachers.

##### **General Points**

- New students may be from different educational backgrounds e.g. some have been educated to degree level (in different languages and other subjects) whereas, others have had an interrupted educational background.
- These students can be extremely highly motivated and willing to work extremely hard.
- Difference in attitude, seriousness and determination can separate them from other members of the class group.
- These learners can take up, or be perceived to take up, more of the teachers' time and effort.
- It takes huge skills on the part of the teacher to cope effectively.

### 7.3

#### WORK EXPERIENCE

#### 7.3.1

##### Introduction

Work experience is a fundamental component of all PLC courses. To achieve a FETAC Level II award the learner must complete a work experience module. A successful work experience placement can be an important stepping stone into the labour market. Minority linguistic learners frequently experience discrimination in seeking employment in Ireland and their previous qualifications are generally not recognised. A work experience placement helps the transition into employment for these learners.

#### 7.3.2

##### Work Experience in the context of Minority Linguistic Learners

Irish students have often done a work experience module before as part of a transition year programme. The work experience involved in a PLC course is more important because, by now, students should have developed many of the work skills that they will need. Obtaining a job directly from their work experience is a real possibility. Many of them may also be working part-time and have had a number of part-time jobs. For these Irish students, organising work experience is not a huge difficulty. Many can also use connections e.g. parents; brothers; sisters; friends; and/or neighbours in order to obtain a work experience placement. For instance, the commercial banks do not generally offer work experience placements for security reasons but they will offer placements to family of employees. Minority linguistic students also need to complete the work experience module for FETAC level II awards. Many either do not complete it, or have difficulty organising it. Sometimes they will obtain work experience but not in the specialist area they would wish in order to tie in with their area of study.

It is very important that the work experience is not a wasted opportunity. For minority linguistic students particularly, it is a very valuable chance to introduce students to the work place in Ireland.

Some students may be eligible for courses but not eligible to work. Therefore, work experience may not be a possibility for them. Educational Institutions must be aware that if work experience is possible, it may lead to false expectations and it may prejudice their application to stay in Ireland. Lack of information in this whole area causes difficulty.

In considering work experience in the context of minority linguistic learners it is important to bear in mind the following points:

- Backup is needed for a successful Work Experience programme. Irish students made use of an informal network of family friends etc. Minority linguistic groups do not have similar backup and would need more input from the college/centre/programme/ educational institution.
- Students are far more exposed at work and may need additional support from the educational institution.

**IVEA recommend that each F.E. educational institution designate/employ a member of staff to deal with links to industry in the context of work experience.**

## 7.4 FETAC MODULES

### 7.4.1 Introduction

FETAC (Further Education and Training Awards Council) is the Irish examining body which certifies a large percentage of courses in the PLC area (Certification by this body is required for ESF<sup>43</sup> funding of courses). Other bodies which certify courses at present include BTEC<sup>44</sup>, HND<sup>45</sup>, NNEB<sup>46</sup> etc.

The make up of a full FETAC award at Level II comprises of 8 modules. The following modules are compulsory: Communications, Work Experience and General Studies. The remaining five modules relate to the specific area being studied, e.g. Business, Information Technology, Childcare, etc.

In general, for many students it would be a good idea if more emphasis was placed on presenting work in a variety of formats e.g. media, audio tape etc. as well as in written format.

## 7.4.2 FETAC Modules

FETAC, in conjunction with Shannon Curriculum Development Unit, has produced three centralised modules on Interculturalism at different levels:

1. Living in a Diverse Society - Foundation Level;
2. Understanding Interculturalism - Level 1;
3. Intercultural Studies – Level 2.

### Teacher's perspective on the new FETAC modules...

While writing these modules is an excellent first step, unless the necessary backup and training is provided, offering these modules could do more harm than good in the long run. Because we all have prejudices of one sort or another, we need to be aware of our prejudices before embarking upon teaching in an intercultural environment. If we are not aware of our prejudices, we risk passing them on, thereby failing to help our students to recognise and confront whatever prejudices they might have. In the majority of these studies, it was found that a more general approach was taken. Interculturalism was incorporated into as many subjects as possible and approached from an institutional angle, rather than as a stand-alone isolated subject. As part of the research involved in writing these modules studies were carried out on the current practice in a number of countries including Canada, Australia and Scotland. As this is a new area, it is recommended that these modules only be taken on where sufficient backup and training is available. There was a suggestion that these modules be introduced on a pilot basis initially so that intensive inservice could be provided. The pilot scheme should be limited to a number of educational institutions, monitored carefully, and evaluated before being offered more widely. At the time of going to print, there is no inservice planned for these modules.

*Marie Humphries, Whitehall College of Further Education & IVEA Working Group member.*

<sup>43</sup> ESF: European Social Fund.

<sup>44</sup> BTEC: Business and Technician Education Council.

<sup>45</sup> HND: Higher National Diploma.

<sup>46</sup> NNEB: National Nursery Examination Board.

### 7.4.3 FETAC ESOL Modules

At the time of going to print, the recommendation from FETAC is that its language modules are generic and that the generic language modules can be adapted to cater for ESOL students. However, IVEA experts and practitioners feel that many teachers will be approaching ESOL for the first time and need inservice and specific and appropriate modules to successfully meet the needs of minority linguistic learners including asylum seekers and refugees. ESOL is the most appropriate methodology for meeting the English language needs of this target group.



Providing crèche facilities is essential to enable minority linguistic learners including asylum seekers and refugees to participate in Further Education. IVEA recommend that all F.E. educational institutions, where possible, provide childcare supports for minority linguistic learners or make childcare supports available to them.

**The following section was supplied by Ms. Lynette Dowling, Whitehall College crèche.**

### Advantages of Crèche Attendance

For many parents the opportunity for their child to attend a crèche or day-care service allows them the chance to return to or to participate in Further Education. This is particularly important for minority linguistic learners, as they may not have the same back-up from family/friends that the general community usually has. Therefore, the support of having a childcare service greatly enhances their opportunity to participate in education.

For parents, a childcare service offers an ideal situation to meet other parents and the prospect of building a support network of parents in a similar situation to themselves. Meeting and talking with childcare professionals also offers them support in rearing their child, through having someone to talk to or share ideas with.

Being in a crèche offers all children the opportunity to socialise and mix with other children and adults and enjoy their company. A childcare service offers many opportunities for children to grow and learn through providing:

- Appropriate activities which emphasise the process of play and early learning;
- Adults who are responsive to their individual needs and interests;
- A holistic approach to development and learning.

Children attending a childcare service get the chance to mix with children who have different abilities and who may come from different ethnic, religious, and cultural backgrounds. Meeting and mixing with others from different backgrounds widens children's knowledge and experience of people and is part of their education.

Attending a childcare service can also aid a child's language development. For many children of the minority linguistic group, English is a second language. However, as many will remain in Ireland

this is the primary language children will use in school. It is, therefore, extremely important that children improve their English-speaking and come to terms with local terminology and the type of language they may hear in school. A childcare environment that has an organised routine and is focused around a child's developmental needs practises skills that a child will need in an educational environment when they move on to school.

Being in an organised childcare facility offers a child a stable element in their lives. Many of the toys, outdoor facilities, and play opportunities offered in a childcare centre are unavailable to children in their home environments. This is particularly true of minority linguistic learners as they may have had many changes in their accommodation arrangements in a short time. Having their child in such a service near to where a parent is studying offers comfort to parents and makes it easier for them to maintain a commitment to study.

*Lynette Dowling  
Whitehall College Crèche.*

Department cuts in funding for childcare provision in July 2003 constituted a backward step penalising the most marginalised students including minority linguistic learners. Such cuts deny parents the chance to continue their education and prevent children from making rapid progress and integrating. Negotiations between the Department of Education and Science and IVEA have resulted in some improvement in the situation. IVEA views childcare support as vital to facilitating educational provision for many parents and particularly to minority linguistic learners and disadvantaged groups.

## 8.2 CAREER GUIDANCE

Career Guidance is particularly important to minority linguistic learners who generally lack the support and 'contact' network that Irish students have. In this context, IVEA recommends that F.E. educational institutions and providers endeavour to offer a comprehensive career guidance service to minority linguistic learners (and all students).

## 8.2.1 Experiences of Guidance Counsellors in a PLC College

The following section was supplied by Ms. Finola Butler and Mr. Paul Rudden, Guidance Counsellors at Whitehall College of Further Education.

### Experiences of Guidance Counsellors in a PLC College

#### Introduction

The service provided in Further Education colleges at the moment is by the guidance counsellor only with limited referral arrangements to psychologists if considered necessary and if available. The service involves primarily advice about careers and opportunities for further study as well as meeting certain counselling needs.

#### Needs of minority linguistic students

##### General Needs

These students are likely to face a huge number of difficult issues during their time at the college. Many issues that pose little or no problem for Irish students are problematic for minority linguistic learners and therefore come to the attention of class teachers and guidance counsellors (e.g. nature of accommodation; different status of students; financial issues; accessing services such as education; and, health and psychological issues).

##### Language Issues

In many situations the student in your college may be the only person in their family group to have a reasonable level of competence in English. They are needed to sort out the problems of the whole family - this leads to interruption in their course work and also can mean they look for support in the college for a wide variety of needs. Even with excellent English finding your way through the red tape of a new system can require help and support. If the level of English or written English is weak everyday living can be problematic. Many minority linguistic learners in our colleges as they need either a qualification in English or a local qualification and reference.

##### Educational Issues

Many students are desperate to succeed and want to fast track. Many have degree and diploma level qualifications attained in their own countries and we get requests to attend two courses at the same time or to mix and match different courses. Many wish to obtain recognition of qualifications received in their own country. The career guidance teacher can only guide students and give them information. They don't want to give the students false hope. Some students try to

use the career guidance service as a general support and are looking for far more back up than the service is in a position to give. Some students have little knowledge of our educational system and this can be a barrier to achieving their full potential.

#### Cultural Issues

Cultural difficulties can also make what would seem to us routine tasks into more difficult situations. Cultural differences can cause problems; for example, it is difficult for women to remain in the same traditional roles when living in Ireland. In interview situations men may do all the talking on behalf of their wife or child. Cultural issues arise during counselling. Solutions to personal problems like relationship breakdown e.g. leaving the home or having time apart in a relationship may not even be considered as an option. They can be reluctant to discuss their situation openly with the career guidance teacher.

#### Other Issues

Other more serious issues like homelessness, drugs, domestic violence or serious psychological problems also arise. Under the present constraints, there are severe limitations on accommodation to meet with students on a one-to-one basis to address their issues. Providing a career guidance service to minority linguistic learners under the present circumstances can be very time consuming and a drain on the career guidance resources of the college.

*Finola Butler & Paul Rudden, Whitehall College of Further Education.*

## 8.3 SOCIAL NEEDS

Minority linguistic learners can often be isolated – for a variety of reasons. Social events/facilities are extremely important in this context.

#### IVEA recommends that the following social facilities be provided:

- Social and exercise facilities e.g. gym facilities and other social outlets (as recommended by McIver report).
- Access to a canteen (hot drinks, tea making facilities etc). This is an important facility for all students generally but, in the context of minority linguistic learners, has a useful social aspect also.
- Educational institutions should not expect minority linguistic learners to automatically be familiar with all aspects of Irish culture and should consider social events as a way to share cultures (e.g. organising musical events, food fairs etc.).

## 8.4 STAFFING

Because of the nature of adult/further education provision in Ireland, many of the staff members are employed on a part-time basis. This brings a number of problems, e.g. staff members are likely to move to more secure positions as opportunities arise and this may lead to high staff turnover and a loss of expertise to the new initiative. Tutors on temporary contracts feel wary of voicing their opinions in the same way as permanent staff. This can sometimes lead to students and staff not getting the resources they should have. Staff (who are appropriately qualified) on these new programmes should be offered permanent positions as soon as possible. It is recommended that educational institutions consider employing individuals from the minority linguistic community with suitable qualifications as teachers/tutors. This can mean a very large step is made towards becoming a truly multiethnic, intercultural and inclusive organisation very quickly.

## 9.1 THE ROLE OF MANAGEMENT

Senior management at both VEC and institutional levels has an important role to play in the implementation of the policy to provide a service for the client group.

**VEC Level:**

At VEC level senior management and management within the Further Education service need to familiarise themselves with the recommended policy and adopt it to the particular circumstances of their own VEC. They also need to ensure that the resources and training necessary to implement the policy are put in place or are sought from the Department of Education and Science. If the issues around provision for minority linguistic learners are to be resolved it is important that senior management engages in dialogue through the IVEA to develop and implement a cohesive national response by VECs to the needs of minority linguistic learners.

**Institutional Level:**

The Principal has a key role within an institutional setting. This fact is borne out by research into curriculum and policy development. It is vital that the Principal takes the lead in introducing the policy to the institution, in allocating resources to it, in ensuring that the service is fully integrated into the life of the school and in creating the supportive culture necessary for a policy, in such a sensitive area, to succeed. IVEA will also consult with APVSCC<sup>47</sup> in this regard.

## 9.2 CONCLUSION

This document is intended to serve as a framework in which VECs and Further Education providers within VECs can meet the needs of minority linguistic learners including asylum seekers and refugees.

The following key concepts underpin service delivery:

- Preparing the educational institution and Further Education community for dealing with minority linguistic learners including asylum seekers and refugees;
- Integrating the group into the educational institution's learning programme(s);
- Providing language and cultural supports to enable participation;
- Following the mainstream curriculum of the educational institution's programme(s) if appropriate;
- Enabling educational institutions to provide support services.

This document locates PLC provision for minority linguistic learners including asylum seekers and refugees within national policy as enunciated in the White Paper on Adult Education, *Learning for Life (2000)* and the McIver Report (*Report of the Steering Group to the PLC Review established by the Department of Education & Science: prepared by McIver Consulting, 2003*). It also fits into the general IVEA policy framework, the work of the Dublin VECs and national and international research on the educational needs of minority linguistic learners. The document is also located within a national and international legal context.

The present document forms part of a series of publications aimed at supporting VECs in providing a comprehensive service to minority linguistic learners including asylum seekers and refugees.

IVEA invites VECs to implement this framework on a pilot basis in 2004/5. As with our previous publication, *Pilot Framework for Educational Provision for Asylum Seekers, Refugees and Minority Linguistic Groups; Volume I: Lifelong Learning* (2001), IVEA will seek feedback from those within the VEC F.E. sector in 2005.

<sup>47</sup>APVSCC: Association of Principals of Vocational Schools and Community Colleges.

# SUMMARY OF RECOMMENDATIONS

## CHAPTER 2

### [S. 2.1 Co-ordinating Structures]

In order to bring greater efficiency to existing services IVEA recommends that a national co-ordinating body be established comprising all agencies, both statutory and voluntary, with a brief to ensure that services are delivered in the most efficient way possible and to eliminate overlapping of services.

The IVEA recommends that the co-ordinating body be operated on three levels: national, local and community.

This pillar of IVEA policy is elaborated on in **Appendix I**.

## CHAPTER 3

### [S. 3.3.2 Report of the Steering Group to the PLC Review established by the Department of Education and Science; prepared by Mclver Consulting, 2003]

**IVEA recommends that** the Government implement the terms of the Mclver Report on a phased basis as a matter of urgency to allow the Further Education sector to continue to grow and develop and to bring the Irish F.E. sector into line with that of other European countries.

## CHAPTER 4

### [S. 4.1 Preparing Policies and Procedures]

In terms of promoting equality in education, equality objectives need to be identified and included in the development plan of the educational institution and its admission policies should ensure no student is denied a place in the educational institution under the nine grounds<sup>48</sup> of the Equal Status Act, 2000. Educational institutions also require codes of behaviour, which explicitly names the nine grounds and prohibits harassment/sexual harassment. Policies and procedures also need to be incorporated within the code to effectively deal with harassment for the entire body of personnel and students in the educational institution. According to the Equality Authority/DES, these procedures should include the following steps:

- Identify actions to ensure harassment does not occur and steps that will be taken if it does occur (grievance procedure);
- Ensure all members of the educational institution community are aware of the code of behaviour;
- Build an anti-harassment culture through training for staff;
- Implement proper procedures when incidents do occur to prevent future harassment;
- Prepare codes of behaviour in consultation with teachers, principals and learners.

### [S. 4.2 Department of Education and Science/Equality Authority: *Schools and the Equal Status Act*]

**IVEA recommends that** educational institutions take on board the opportunities for action outlined in the Department of Education and Science/Equality Authority publication, *Schools and the Equal Status Act*.

## **Moving towards the inclusive educational institution**

According to Schools and the *Equal Status Act*, a number of opportunities for action exist:

### • **The educational institution's development plan:**

The educational institution's development plan is an appropriate place in which to identify a commitment to achieving equality. It must contain equality objectives and identify the steps that will be taken to achieve them. It should be based on an identification of the educational needs of students across the nine grounds. Consulting groups that represent those who experience inequality in the development and monitoring of the plan can help to inform the educational institution's commitment to equality.

### • **The admission policy:**

The admission policy will ensure that no student is denied a place in the educational institution because of their membership of a group under any of the nine grounds. However, an exemption is allowed if it is proved that a refusal is essential to maintain the religious ethos of the institution (however, in practice this exclusion does not apply to VEC schools/education centres which are nondenominational). It will seek to ensure adequate resources and supports are available to make the enrolment of those students a reality. This should include a commitment to making reasonable accommodation to enable students with disabilities to enrol and participate in the educational institution. The policy must identify the measures the educational institution will take to achieve maximum accessibility and ensure the principles of equality. It could also include positive action that is designed to promote equality for those who are disadvantaged or have the kind of special needs referred to in the Equal Status Act, 2000 [refer to chapter 5].

### • **The code of behaviour:**

The code of behaviour should explicitly name the nine grounds and require behaviour that respects diversity across them. It should prohibit harassment and sexual harassment. The code should set out the policy and procedures to deal with harassment across all of the grounds and sexual harassment, and should identify action to ensure such harassment does not occur and the steps that will be taken if it does occur. Steps to prevent harassment occurring include ensuring all members of the community of the educational institution are made aware of the code of behaviour and that harassment and sexual harassment are prohibited. They also include building an anti-harassment culture through training for both staff and students. Proper implementation of the procedures when incidents do occur is essential in preventing future harassment. The preparation of the code of behaviour should involve consultation with teachers, principals and learners.

### • **Building awareness and understanding:**

Learners in the inclusive educational institution should be offered opportunities to develop their knowledge and understanding of inequalities, what causes inequalities and how they can challenge them.

### • **Training:**

Teachers will need skills to ensure positive outcomes for all students, to prevent and address harassment and sexual harassment and to understand

the situation of those who experience inequality.

#### **[S. 4.3 Intercultural and Anti-Racism Policy]**

**IVEA recommends that** intercultural and anti-racist strategies be situated within the overall equality framework of the educational institution.

#### **IVEA recommends that the following initiatives be undertaken for all staff:**

- Anti-racist and cultural awareness training programmes be developed and delivered to all staff (managers, tutors, support staff, frontline staff) in consultation with organisations with expertise who are already active in this area of work, and involving target groups in the design and delivery of programmes;
- Specific training programmes for specialist areas be developed e.g. women, survivors of torture;
- Information sessions be provided for staff on asylum policy and process, working with groups with special needs etc.;
- Accredited training programmes be developed for staff which could be undertaken on a modular basis;
- Translation of all documentation into key languages.

### CHAPTER 5

#### **[S. 5.2 Initial Enrolment and Assessment]**

When enrolling a student, specific information is required to help organise and plan provision. Questions should be asked in a non-threatening environment.

Assessment is vital to understand the educational background and English language needs of the prospective students. Assessment should be about valuing previous experience and additional languages and cultures. There are currently no initial educational or language assessment tools for adult and further education. Providers currently use a range of assessment tools (formal ELT and self-made tools).

#### **The IVEA recommends that an assessment framework be developed to assess and establish:**

- Educational background;
- Listening, speaking, reading and writing skills in English;
- Study skills;
- First language literacy;
- Numeracy.

#### **[S. 5.2.1 Assessment/Enrolment of Minority Linguistic Learners: Guidelines & S. 5.2.2 Sample Enrolment Forum for Minority Linguistic Learners]**

**IVEA recommends that** educational institutions use the guidelines for enrolment and assessment of bilingual/ESOL students [section 5.2.1] and take on board the sample enrolment form for bilingual/ESOL students [section 5.2.2] which has been adapted by IVEA from sections devised by Jessica Wanzenböck<sup>49</sup>, CDVEC for IVEA's Pilot Framework for Educational Provision for Bilingual Learners including Asylum Seekers and Refugees; Volume II: Second Level (2004).

#### **[S. 5.3 Identifying the needs of the learner]**

Having established a profile of the learner, the educational institution should,

in consultation with the learner, the course co-ordinator and the guidance counsellor, make a decision on the most appropriate course for the learner. The learner should be clearly aware of the course progression, transfer and accreditation paths.

### CHAPTER 6

#### **[S. 6.2 ESOL]**

##### **IVEA recommends that:**

- English for Speakers of Other Languages (ESOL) methodology be used in catering for the English language and literacy needs of minority linguistic learners.
- Accredited ESOL teacher-training which takes account of the specific circumstances of minority linguistic learners' needs be devised and delivered. To implement this recommendation, a National ESOL Co-ordinating Committee should be established by the Department of Education and Science immediately.
- Opportunities to learn first languages as part of Further Education should be made available as part of mainstream PLC programmes.
- Dual textbooks incorporating English and an additional language (e.g. English and Russian, English and Romanian etc.) should be made available.
- Signs etc. translated into key languages should feature prominently in the educational institution.
- Further Education teachers need to be trained in language-aware teaching methods.
- Content-based language teaching materials are required for the development of pre-vocational language.

#### **[S. 6.3 Literacy for ESOL Learners]**

##### **IVEA recommends that:**

- Students with first language literacy needs be identified early on through assessment [refer to section 5.2];
- Separate tuition should be organised for developing reading and writing skills for learners with literacy/basic education needs. Educational institutions need a dedicated room for small group teaching;
- A clear progression route be developed for learners using the new National Qualifications Framework;
- Materials be developed to support first language literacy;
- The possibility of bilingual literacy programmes be examined;
- A specific programme to cater for the basic education needs of minority linguistic learners be developed as a matter of urgency.

#### **[S. 6.4 Standard English for African English Speakers]**

**IVEA recommends that** training and materials are devised for minority linguistic learners. It is recommended that educational institutions offer specific classes and workshops to support the development of Standard English for African English speakers.

#### **[S. 7.3.2 Work Experience in the context of Minority Linguistic Students]**

In considering work experience in the context of minority linguistic learners it is important to bear in mind the following points:

<sup>49</sup>The guidelines and sample enrolment form are based on Hall Deryn's 2001 publication *Assessing the Needs of Bilingual Pupils – Living in Two Languages* (David Fulton Publishers, London: 2001).

- Backup is needed for a successful Work Experience programme Irish students made use of an informal network of family friends etc. Minority linguistic groups do not have similar backup and would need more input from the college/centre/programme/educational institution.
- Students are far more exposed at work and may need additional support from the educational institution.

**IVEA recommends that each F.E. educational institution designate/employ a member of staff to deal with links to industry in the context of work experience.**

## CHAPTER 8

### [S. 8.1 Childcare]

Providing crèche facilities is essential to enable minority linguistic learners including asylum seekers and refugees to participate in Further Education. IVEA recommend that all F.E. educational institutions, where possible, provide childcare supports for minority linguistic learners or make childcare supports available to them.

### [S. 8.2 Career Guidance]

Career Guidance is particularly important to minority linguistic learners who generally lack the support and 'contact' network that Irish students have. In this context, IVEA recommends that F.E. educational institutions and providers endeavour to offer a comprehensive career guidance service to minority linguistic learners (and all students).

### [S. 8.3 Social Needs]

**IVEA recommends that the following social facilities be provided:**

- Social and exercise facilities e.g. gym facilities and other social outlets (as recommended by the McIver report).
- Access to a canteen (hot drinks, tea making facilities etc.).  
This is an important facility for all students generally but, in the context of minority linguistic learners, has a useful social aspect also.
- Educational institutions should not expect Minority linguistic learners to automatically be familiar with all aspects of Irish culture and should consider social events as a way to share cultures (e.g. organising musical events, food fairs etc.).

### [S. 8.4 Staffing]

Because of the nature of adult education provision in Ireland, many of the staff is employed on a part-time basis. This brings a number of problems, e.g. staff members are likely to move to more secure positions as opportunities arise and this may lead to high staff turnover and a loss of expertise to the new initiative. Tutors on temporary contracts feel wary of voicing their opinions in the same way as permanent staff. This can sometimes lead to students and staff not getting the resources they should have.

**IVEA recommends that:**

- Staff (who are appropriately qualified) on these new programmes should be offered permanent positions as soon as possible.
- Educational institutions should consider employing individuals from the minority linguistic community with suitable qualifications as teachers/tutors. This can mean a very large step is made towards becoming a truly multiethnic, intercultural and inclusive organisation very quickly.

## CHAPTER 9

### [S. 9.1 The Role of Management]

Senior management at both VEC and institutional levels has an important role to play in the implementation of the policy to provide a service for the client group.

#### **VEC Level:**

At VEC level senior management and management within the Further Education service need to familiarise themselves with the recommended policy and adopt it to the particular circumstances of their own VEC. They also need to ensure that the resources and training necessary to implement the policy are put in place or are sought from the Department of Education and Science. If the issues around provision for minority linguistic learners are to be resolved it is important that senior management engages in dialogue through the IVEA to develop and implement a cohesive national response by VECs to the needs of minority linguistic learners.

#### **Institutional Level:**

The Principal has a key role within an institutional setting. This fact is borne out by research into curriculum and policy development. It is vital that the Principal takes the lead in introducing the policy to the institution, in allocating resources to it, in ensuring that the service is fully integrated into the life of the school and in creating the supportive culture necessary for a policy, in such a sensitive area, to succeed. IVEA will also consult with APVSCC<sup>50</sup> in this regard.

### [S. 9.2 Conclusion]

IVEA invites VECs to implement this framework on a pilot basis in 2004/5. As with our previous publication, *Pilot Framework for Educational Provision for Asylum Seekers, Refugees and Minority Linguistic Groups; Volume I: Lifelong Learning* (2001), IVEA will seek feedback from those within the VECs' F.E. sector in 2005.



## APPENDIX I

### NATIONAL STRUCTURES

*The following section adapted from IVEA's 2001 policy publication entitled: IVEA Policy on Educational Provision for Asylum Seekers, Refugees and other Non-nationals.*

#### Over-arching Co-ordinating Structure

There is a wide range of agencies, both statutory and voluntary, involved in the provision of services to asylum seekers, refugees and minority linguistic groups. Because the situation in this area developed so rapidly and to such an extent over the last number of years, it appears that services were introduced on an ad hoc basis in order to deal with the issue.

In order to bring greater efficiency to existing services it is vital that a national co-ordinating body be established comprising all agencies, both statutory and voluntary, with a brief to ensure that services are delivered in the most *efficient* way possible and to eliminate overlapping of services.

The many agencies working in this area include: Local Authorities, Regional Authorities, Health Boards, various Government Departments, FÁS, VECs, primary and secondary schools etc., as well as a large number of voluntary bodies, drawn from all sections of society. Much of their work is done quietly and efficiently. To all of them the introduction of a co-ordination service would be of tremendous help in delivering a more efficient and improved service.

#### The IVEA recommend that the co-ordinating body be operated at three levels: national, local and community:

- A **National Co-ordinating Committee** should be established with the purpose of linking all relevant national agencies in both the co-ordination of services and the formulation of policy. The IVEA therefore calls on the Government to set up a National Co-ordinating Committee which would incorporate all the relevant Government departments and state agencies.
- At local (regional or county) level, **Local Co-ordinating Committees** which include representatives from a wide range of relevant and interested statutory, voluntary and community organisations should be established to co-ordinate formulation of policy and delivery of services at local level and to feed into the National Co-ordinating Committee.
- **Community Support Groups** aimed at co-ordinating services at community level and providing practical support and information to individuals would be of benefit to the asylum seeker/refugee communities and also to host communities. These support groups could link back to the Local Co-ordinating Committees.

## APPENDIX II

Annex II details the most relevant sections of the various pieces of legislation<sup>51</sup> applicable in the context of educational provision for asylum seekers, refugees and other minority linguistic groups in the Further Education sector.

### **Extract from: The Education Act, 1998**

#### **Objects of Act.**

- 6.—** Every person concerned in the implementation of this Act shall have regard to the following objects in pursuance of which the Oireachtas has enacted this Act:
- (a) to give practical effect to the constitutional rights of children, including children who have a disability or who have other special educational needs, as they relate to education;
  - (b) to provide that, as far as is practicable and having regard to the resources available, there is made available to people resident in the State a level and quality of education appropriate to meeting the needs and abilities of those people;
  - (c) to promote equality of access to and participation in education and to promote the means whereby students may benefit from education;
  - (d) to promote opportunities for adults, in particular adults who as children did not avail of or benefit from education in schools, to avail of educational opportunities through adult and continuing education;
  - (e) to promote the right of parents to send their children to a school of the parents' choice having regard to the rights of patrons and the effective and efficient use of resources;
  - (f) to promote best practice in teaching methods with regard to the diverse needs of students and the development of the skills and competences of teachers;
  - (g) to promote effective liaison and consultation between schools and centres for education, patrons, teachers, parents, the communities served by schools, local authorities, health boards, persons or groups of persons who have a special interest in, or experience of, the education of students with special educational needs and the Minister;
  - (h) to contribute to the realisation of national educational policies and objectives;
  - (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;
  - (l) to enhance the accountability of the education system, and
  - (m) to enhance transparency in the making of decisions in the education system both locally and nationally.

#### **Functions of a school.**

- 9.—**A recognised school shall provide education to students which is appropriate to their abilities and needs and, without prejudice to the generality of the foregoing, it shall use its available resources to—
- (a) ensure that the educational needs of all students, including those with a

<sup>51</sup>The full text of the Acts listed is available on the following website [www.irishstatutebook.ie](http://www.irishstatutebook.ie)



- disability or other special educational needs, are identified and provided for,
- (b) ensure that the education provided by it meets the requirements of education policy as determined from time to time by the Minister including requirements as to the provision of a curriculum as prescribed by the Minister in accordance with **section 30**,
  - (c) ensure that students have access to appropriate guidance to assist them in their educational and career choices,
  - (d) promote the moral, spiritual, social and personal development of students and provide health education for them, in consultation with their parents, having regard to the characteristic spirit of the school,
  - (e) promote equality of opportunity for both male and female students and staff of the school,
  - (f) promote the development of the Irish language and traditions, Irish literature, the arts and other cultural matters,
  - (g) ensure that parents of a student, or in the case of a student who has reached the age of 18 years, the student, have access in the prescribed manner to records kept by that school relating to the progress of that student in his or her education,
  - (h) in the case of schools located in a Gaeltacht area, contribute to the maintenance of Irish as the primary community language,
  - (i) conduct its activities in compliance with any regulations made from time to time by the Minister under **section 33**,
  - (j) ensure that the needs of personnel involved in management functions and staff development needs generally in the school are identified and provided for,
  - (k) establish and maintain systems whereby the efficiency and effectiveness of its operations can be assessed, including the quality and effectiveness of teaching in the school and the attainment levels and academic standards of students,
  - (l) establish or maintain contacts with other schools and at other appropriate levels throughout the community served by the school, and
  - (m) subject to this Act and in particular **section 15 (2) (d)**, establish and maintain an admissions policy which provides for maximum accessibility to the school.

#### Functions of a board.

- 15.—**(1) It shall be the duty of a board to manage the school on behalf of the patron and for the benefit of the students and their parents and to provide or cause to be provided an appropriate education for each student at the school for which that board has responsibility.
- (2) A board shall perform the functions conferred on it and on a school by this Act and in carrying out its functions the board shall—
- (d) publish, in such manner as the board with the agreement of the patron considers appropriate, the policy of the school concerning admission to and participation in the school, including the policy of the school relating to the expulsion and suspension of students and admission to and participation by students with disabilities or who have other special educational needs, and ensure that as regards that policy principles of equality and the right of parents to send their children to a school of the parents' choice are respected and such directions as may be made from time to time by the Minister, having regard to the characteristic spirit of the school and the constitutional rights of all persons concerned, are complied with,
  - (e) 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 in society,

(g) use the resources provided to the school from monies provided by the Oireachtas to make reasonable provision and accommodation for students with a disability or other special educational needs, including, where necessary, alteration of buildings and provision of appropriate equipment.

#### Functions of Principal and teachers.

- 22.**(1) The Principal of a recognised school and the teachers in a recognised school, under the direction of the Principal, shall have responsibility, in accordance with this Act, for the instruction provided to students in the school and shall contribute, generally, to the education and personal development of students in that school.
- (2) Without prejudice to **subsection (1)**, the Principal and teachers shall—
- (c) collectively promote co-operation between the school and the community which it serves...

### Extract from: The Equal Status Act, 2000

#### Discrimination (general)

**3.—**(1) For the purposes of this Act, discrimination shall be taken to occur where—

- (a) on any of the grounds specified in **subsection (2)** (in this Act referred to as “the discriminatory grounds”) which exists at present or previously existed but no longer exists or may exist in the future, or which is imputed to the person concerned, a person is treated less favourably than another person is, has been or would be treated,
  - (b) (i) a person who is associated with another person is treated, by virtue of that association, less favourably than a person who is not so associated is, has been or would be treated, and
  - (ii) similar treatment of that person on any of the discriminatory grounds would, by virtue of **paragraph (a)**, constitute discrimination, or
  - (c) (i) a person is in a category of persons who share a common characteristic by reason of which discrimination may, by virtue of **paragraph (a)**, occur in respect of those persons,
  - (ii) the person is obliged by the provider of a service (within the meaning of section 4(6)) to comply with a condition (whether in the nature of a requirement, practice or otherwise) but is unable to do so,
  - (iii) substantially more people outside the category than within it are able to comply with the condition, and
  - (iv) the obligation to comply with the condition cannot be justified as being reasonable in all the circumstances of the case.
- (2) As between any two persons, the discriminatory grounds (and the descriptions of those grounds for the purposes of this Act) are:
- (a) that one is male and the other is female (the “gender ground”),
  - (b) that they are of different marital status (the “marital status ground”),
  - (c) that one has family status and the other does not or that one has a different family status from the other (the “family status ground”),
  - (d) that they are of different sexual orientation (the “sexual orientation ground”),
  - (e) that one has a different religious belief from the other, or that one has a religious belief and the other has not (the “religion ground”),
  - (f) subject to **subsection (3)**, that they are of different ages (the “age ground”),
  - (g) that one is a person with a disability and the other either is not or is a person with a different disability (the “disability ground”),
  - (h) that they are of different race, colour, nationality or ethnic or national origins (the “ground of race”),

- (i) that one is a member of the Traveller community and the other is not (the “Traveller community ground”),
- (j) that one—
  - (i) has in good faith applied for any determination or redress provided for in *Part II or III*,
  - (ii) has attended as a witness before the Authority, the Director or a court in connection with any inquiry or proceedings under this Act,
  - (iii) has given evidence in any criminal proceedings under this Act,
  - (iv) has opposed by lawful means an act which is unlawful under this Act, or
  - (v) has given notice of an intention to take any of the actions specified in *subparagraphs (i) to (iv)*, and the other has not (the “victimisation ground”).
- (3) Treating a person who has not attained the age of 18 years less favourably or more favourably than another, whatever that other person’s age, shall not be regarded as discrimination on the age ground.
- (4) The Minister shall, not later than two years after the commencement of this section, review the operation of this Act to assess whether there is a need to add to the discriminatory grounds specified in *subsection (2)*.

### **Educational establishments.**

- 7.—**(1) In this section “educational establishment” means a preschool service within the meaning of Part VII of the Child Care Act, 1991, a primary or post-primary school, an institution providing adult, continuing or further education, or a university or any other third-level or higher-level institution, whether or not supported by public funds.
- (2) An educational establishment shall not discriminate in relation to—
- (a) the admission or the terms or conditions of admission of a person as a student to the establishment,
  - (b) the access of a student to any course, facility or benefit provided by the establishment,
  - (c) any other term or condition of participation in the establishment by a student, or
  - (d) the expulsion of a student from the establishment or any other sanction against the student.
- (3) An educational establishment does not discriminate under *subsection (2)* by reason only that—
- (a) where the establishment is not a third-level institution and admits students of one gender only, it refuses to admit as a student a person who is not of that gender,
  - (b) where the establishment is an institution established for the purpose of providing training to ministers of religion and admits students of only one gender or religious belief, it refuses to admit as a student a person who is not of that gender or religious belief,
  - (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,
  - (d) without prejudice to *section 3 of the Refugee Act, 1996*, where the establishment is an institution providing adult, continuing or further education or a university or other third-level institution—
    - (i) it provides different treatment in relation to—

- (l) fees for admission or attendance by persons who are nationals of a member state of the European Union and persons who are not, or
  - (ll) the allocation of places at the establishment to those nationals and other nationals, or
  - (iii) it offers assistance to particular categories of persons—
    - (l) by way of sponsorships, scholarships, bursaries or other awards, being assistance which is justifiable, having regard to traditional and historical considerations, or
  - (ll) in relation to the allocation of places at the establishment, where the allocation is made pursuant to an agreement concerning the exchange of students made between the establishment and an educational institution or authority in a jurisdiction other than the State, or
  - (e) where the establishment is a university or other third-level institution, it provides different treatment in the allocation of places at the establishment to mature students (within the meaning of the Local Authorities (Higher Education Grants) Acts, 1968 to 1992).
- (4) *Subsection (2)* does not apply—
- (a) in respect of differences in the treatment of students on the gender, age or disability ground in relation to the provision or organisation of sporting facilities or sporting events, to the extent that the differences are reasonably necessary having regard to the nature of the facilities or events, or
  - (b) to the extent that compliance with any of its provisions in relation to a student with a disability would, by virtue of the disability, make impossible, or have a seriously detrimental effect on, the provision by an educational establishment of its services to other students.

### **Extract from: The Vocational Education (Amendment) Act, 2001**

#### **Functions of vocational education committee.**

- 9.—**(1) Without prejudice to the operation of any other enactment by or under which functions are conferred on a vocational education committee, a vocational education committee shall—
- (a) plan, coordinate and review the provision of education and services ancillary thereto in recognised schools and centres for education established or maintained by that committee,
  - (b) assess whether the manner in which it performs its functions is economical, efficient and effective,
  - (c) adopt and submit, in accordance with section 30, an education plan,
  - (d) adopt and submit a service plan to the Minister in accordance with section 25,
  - (e) where it considers appropriate, make all reasonable efforts to consult, in relation to the performance by it of its functions, with—
    - (i) boards of management of schools established or maintained by that vocational education committee,
    - (ii) persons performing, in relation to centres of education established or maintained by that vocational education committee, functions the same as, or substantially the same as, those exercised by boards of management in relation to schools referred to in subparagraph (i),
    - (iii) students registered at such schools or centres for education,
    - (iv) parents of students who are so registered and who have not reached the age of 18 years,
    - (v) members of the staff of that vocational education committee, and
    - (vi) such other persons as it considers are likely to be affected as a result of the performance by it of its functions, or as it considers have a particular

- interest or experience in relation to the education or training provided in recognised schools or centres for education established or maintained by it, and
- (f) in the performance of its functions and in so far as is practicable, cooperate with other vocational education committees, schools and such persons providing services similar to or connected with those provided by the vocational education committee concerned in relation to the vocational education area of that committee as the vocational education committee considers appropriate.
- (2) (a) A vocational education committee may, with the consent of the Minister, cause such one or more private companies to be formed and registered under the Companies Acts, 1963 to 1999, as it considers appropriate, to perform such of its functions, as it considers appropriate.
- (b) A company formed and registered pursuant to paragraph (a) shall be wholly owned by the vocational education committee concerned.
- (c) The memorandum and articles of association of a company formed and registered pursuant to paragraph (a) shall be in such form consistent with this Act as may be determined by the vocational education committee concerned with the consent of the Minister and the Minister for Finance.
- (d) For the purposes of this subsection a company shall be wholly owned by a vocational education committee if it has no members other than that vocational education committee and its nominees.

#### **Conferral of additional functions on vocational education committee.**

- 10.—**(1) The Minister may, by order, confer on a vocational education committee such additional functions connected with the functions for the time being of that committee as he or she thinks fit, subject to such conditions (if any) as may be specified in the order.
- (2) An order under this section may contain such incidental, supplementary and additional provisions as may, in the opinion of the Minister, be necessary to give full effect to the order.
- (3) The Minister may by order amend or revoke an order under this section (including an order under this subsection).

#### **Reserved functions.**

- 11.—**(1) Each vocational education committee shall, subject to section 31, perform by resolution of the vocational education committee concerned such of its functions as are declared by or under this Act to be reserved functions and “reserved functions” shall in this Act be construed and have effect accordingly.
- (2) A function of a vocational education committee under an enactment specified in column (3) of Schedule 2 is hereby declared to be a reserved function.
- (3) The Minister may by order declare any function conferred by him or her on a vocational education committee under section 10 to be a reserved function.
- (4) Any dispute as to whether or not a particular function is a reserved function shall be determined by the Minister.
- (5) The chief executive officer of a vocational education committee shall assist the vocational education committee for which he or she is the chief executive officer in the performance of its functions, in such manner as that vocational education committee may require.
- (6) The Minister may by order amend or revoke an order under this section

(including an order under this subsection).

- (7) A vocational education committee shall not perform by resolution of its members, or give a direction in relation to the performance of, a function of that vocational education committee that is not a reserved function.

#### **Executive functions.**

- 12.—**(1) Every function of a vocational education committee that is not a reserved function shall be an executive function of that vocational education committee, and “executive function” shall, in this Act, be construed and have effect accordingly.
- (2) The executive functions of a vocational education committee shall be performed by the chief executive officer of that vocational education committee.
- (3) A chief executive officer shall in the performance of an executive function act in accordance with the policies for the time being of the vocational education committee for which he or she is the chief executive officer.
- (4) A chief executive officer shall provide such information to the vocational education committee concerned regarding the performance of his or her functions as the vocational education committee may from time to time require.
- (5) A chief executive officer shall provide such information to the Minister regarding the performance of his or her functions as the Minister may from time to time require.
- (6) A chief executive officer shall, in relation to the performance of his or her functions, be accountable to the vocational education committee for which he or she is the chief executive officer.

#### **Chief executive officer.**

- 15.—**(1) There shall be a chief executive officer of each vocational education committee who shall be known as and is referred to in this Act as a “chief executive officer”.
- (2) The appointment of a chief executive officer shall be a reserved function.
- (3) A chief executive officer shall perform for the vocational education committee for which he or she is the chief executive officer the executive functions of that vocational education committee.
- (4) Subject to section 11, a chief executive officer shall, in addition to the functions conferred on him or her by or under this Act or any other enactment (whether passed before or after the passing of this Act)—
- (a) carry on and manage, and control generally, the administration and business of the vocational education committee for which he or she is the chief executive officer, and
- (b) ensure that a service plan adopted under section 22 by that vocational education committee is implemented.
- (5) Subject to sections 7 and 8 of the Vocational Education (Amendment) Act,

1944, and section 11, a chief executive officer shall, in addition to the function conferred on him or her by or under this Act or any other enactment (whether passed before or after the passing of this Act), perform any function relating to the control, supervision, service, remuneration, privileges or superannuation of members of the staff of that vocational education committee, or any one or more of such members of staff.

- (6) A chief executive officer shall hold office upon and subject to such terms and conditions (including terms and conditions relating to remuneration and allowances) as may be determined by the vocational education committee for which he or she is chief executive officer with the consent of the Minister.

## APPENDIX III

### LEGAL INSTRUMENTS

#### International Instruments

- European Convention on Human Rights (1950).
- UN Convention relating to the Status of Refugees (1951).
- UN Convention on the Elimination of All Forms of Racial Discrimination (1966).
- Protocol relating to the Status of Refugees (1967).
- United Nations Convention on Economic and Social Rights (1976).
- United Nations Convention on the Rights of the Child (1989).

#### National Instruments

- Bunreacht na hÉireann (Constitution of Ireland), 1937.
- Education Act, 1998.
- Education (Welfare) Act, 2000.
- Employment Equality Act, 1998.
- Equal Status Act, 2000.
- European Convention on Human Rights Act, 2003.
- Refugee Act, 1996 (as amended).
- Vocational Education Acts, 1930-2001.

## APPENDIX IV

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## APPENDIX V

### CONTACT LIST OF STATUTORY AND NON-STATUTORY AGENCIES

#### Government Departments

##### **Education and Science (Department of)**

Marlborough Street  
Dublin 1  
Tel: (01) 873 4700  
Fax: (01) 889 2367  
Website: [www.education.ie](http://www.education.ie)

##### **Enterprise, Trade and Employment (Department of)**

Kildare Street  
Dublin 2  
Tel: (01) 631 2121  
Fax: (01) 631 2827  
Website: [www.entemp.ie](http://www.entemp.ie)

##### **Health and Children (Department of)**

Hawkins House  
Poolbeg Street  
Dublin 2  
Tel: (01) 635 4000  
Fax: (01) 635 4001  
Locall: 1890 200 311  
Website: [www.doh.ie](http://www.doh.ie)

##### **Justice, Equality and Law Reform (Department of)**

72-76 St. Stephen's Green  
Dublin 2  
Tel: (01) 602 8202  
Fax: (01) 661 5056  
Website: [www.justice.ie](http://www.justice.ie)

#### Government, state agencies and representational bodies

##### **Advisory Council for English Language Schools (ACELS)**

44 Lesson Place  
Dublin 2  
Tel: (01) 676 7374  
Fax: (01) 676 3321  
Website: [www.iol.ie/~acels](http://www.iol.ie/~acels)

##### **Asylum Seekers Unit (ASU)**

Northern Area Health Board  
77 Upper Gardiner Street  
Dublin 1  
Tel: (01) 858 5100  
Fax: (01) 858 5149  
Website: [www.nahb.ie](http://www.nahb.ie)

##### **Combat Poverty**

Bridge Water Centre  
Cunningham Road  
Islandbridge  
Dublin 8  
Tel: (01) 670 6746  
Fax: (01) 670 6760  
Website: [www.cpa.ie](http://www.cpa.ie)

##### **Equality Authority**

Clonmel Street  
Dublin 2  
Tel: (01) 417 3333  
Fax: (01) 471 3366  
Website: [www.equality.ie](http://www.equality.ie)

##### **Irish Vocational Education Association (IVEA)**

McCann House  
99 Marlborough Road  
Donnybrook  
Dublin 4  
Tel: (01) 496 6033  
Fax: (01) 496 6460  
Website: [www.ivea.ie](http://www.ivea.ie)

##### **Development Cooperation Ireland (formerly: National Centre for Development Education/NCDE)**

Department of Foreign Affairs  
Bishops Square  
Redmond Hill  
Dublin 2  
Tel: (01) 408 2000  
Fax: (01) 408 2880  
Website: [www.dci.gov.ie](http://www.dci.gov.ie)

##### **National Centre for Guidance in Education (NCGE)**

1st Floor  
42/43 Prussia Street  
Dublin 7  
Tel: (01) 869 0715  
Fax: (01) 869 0717/882 3817  
Website: [www.ncge.ie](http://www.ncge.ie)

##### **National Consultative Committee on Racism and Interculturalism (NCCRI)**

26 Harcourt Street  
Dublin 2  
Tel: (01) 478 5777  
Fax: (01) 478 5778  
Website: [www.nccri.com](http://www.nccri.com)

##### **Reception and Integration Agency (RIA)**

Department of Justice,  
Equality and Law Reform  
Block C  
Ardilaun Centre  
112-114 St. Stephens Green West  
Dublin 2  
Tel: (01) 418 3200  
Fax: (01) 418 3271  
Website: [www.ria.gov.ie](http://www.ria.gov.ie)

##### **Refugee and Asylum Seeker Service**

Department of Psychology  
St. Brendan's Hospital  
PO Box 418  
Dublin 7  
Tel: (01) 868 0166  
Fax: (01) 868 0166

##### **Refugee Applications Centre (RAC)**

Refugee Applications Centre  
79-83 Lower Mount Street  
Dublin 2  
Tel: (01) 602 8000  
Fax: (01) 602 8124  
Locall: 1890 292 418  
Website: [www.orac.ie](http://www.orac.ie)

##### **Refugee Appeals Tribunal (RAT)**

6/7 Hanover Street East  
Dublin 2  
Tel: (01) 474 8400  
Fax: (01) 474 8410  
Locall: 1890 201 458  
Website: [www.gov.ie/refappeal/](http://www.gov.ie/refappeal/)

**Refugee Legal Service (RLS)**

48/49 North Brunswick Street  
Georges Lane  
Smithfield  
Dublin 7  
Tel: (01) 646 9600  
Fax: (01) 476 0271  
Website: [www.legalaidboard.ie](http://www.legalaidboard.ie)

**Non-governmental organisations (NGOs)****Access Ireland (Refugee Social Integration Project)**

41 Dominick Court  
Dublin 1  
Tel: (01) 878 0589  
Fax: (01) 878 0591  
Website: [www.accessireland.ie](http://www.accessireland.ie)

**African Refugee Network (ARN)**

90 Meath Street  
Dublin 8  
Tel: (01) 473 4523  
Fax: (01) 454 0745  
Website: [www.refugee.150m.com/home.html](http://www.refugee.150m.com/home.html)

**Amnesty International**

48 Fleet Street  
Dublin 2  
Tel: (01) 677 6361  
Fax: (01) 677 6392  
Website: [www.amnesty.ie](http://www.amnesty.ie)

**Association of Refugees and Asylum Seekers in Ireland (ARASI)**

213 North Circular Road  
Dublin 7  
Tel: (01) 838 1142  
Fax: (01) 838 1143  
Email: [arasi@indigo.ie](mailto:arasi@indigo.ie)

**Bosnian Community Development Project (BCDP)**

40 Pearse Street  
Dublin 2  
Tel/Fax: (01) 671 9202  
Email: [bcdp@iol.ie](mailto:bcdp@iol.ie)

**Centre for the Care of Survivors of Torture (CCST)**

Spiritan House  
213 North Circular Road  
Dublin 7  
Tel: (01) 838 9664  
Fax: (01) 868 6500  
Website: [www.spirasi.ie](http://www.spirasi.ie)

**Cherish**

2 Lower Pembroke Street  
Dublin 2  
Tel: (01) 662 9212  
Fax: (01) 662 9096  
Website: [www.cherish.ie](http://www.cherish.ie)

**Children's Rights Alliance**

3 Harcourt Street  
Dublin 2  
Tel: (01) 405 4823  
Fax: (01) 405 4826  
Website: [www.childrenrights.ie](http://www.childrenrights.ie)

**Dún Laoghaire Refugee Project**

Apartment 70  
The Pavillion  
Marine Road  
Dun Laoghaire  
Co. Dublin  
Tel: (01) 663 6354

**Free Legal Aid Centre (FLAC)**

49 South William Street  
Dublin 2  
Tel: (01) 679 4239  
Fax: (01) 679 1554  
Website: [www.flac.ie](http://www.flac.ie)

**Immigrant Council of Ireland (ICI)**

Social Innovations  
42 Upper Dorset Street  
Dublin 1  
Tel: (01) 865 6525  
Fax: (01) 874 9695  
Website: [www.immigrantcouncil.ie](http://www.immigrantcouncil.ie)

**Institiúid Teangeolaíochta Éireann (ITÉ) (Linguistics Institute of Ireland)**

31 Fitzwilliam Place  
Dublin 2  
Tel: (01) 676 5489  
Fax: (01) 661 0004  
Website: [www.ite.ie](http://www.ite.ie)

**Integrate Ireland Language and Training (IILT)**

Unit 4A  
Trinity Enterprise Centre  
Grand Canal Quay  
Dublin 2  
Tel: (01) 677 5344  
Fax: (01) 677 5334  
Website: [www.iilt.ie](http://www.iilt.ie)

**Integrating Ireland**

C/O Comhlanh  
10 Upper Camden Street  
Dublin 2  
Tel: (01) 478 3490  
Fax: (01) 478 3738  
Website: [www.comhlanh.org](http://www.comhlanh.org)

**Irish Red Cross**

16 Merrion Square  
Dublin 2  
Tel: (01) 676 5135  
Fax: (01) 661 4461  
Website: [www.redcross.ie](http://www.redcross.ie)

**Irish Refugee Council**

88 Capel Street  
Dublin 1  
Tel: (01) 873 0042  
Fax: (01) 873 0088  
Website: [www.irishrefugeecouncil.ie](http://www.irishrefugeecouncil.ie)  
Regional office  
1 Bank Place  
Ennis  
Co. Clare  
Tel/Fax: (065) 682 2026

**Islamic Cultural Centre of Ireland (ICCI)**

19 Roebuck Road  
Clonskeagh  
Dublin 14  
Tel: (01) 208 0000  
Website: <http://iccislam.org/>

**NASC – The Irish Immigrant Support Centre**

St. Marie's of the Isle  
Sharman Crawford Street  
Cork City  
Tel: (021) 431 7411  
Fax: (021) 431 7402  
Website: <http://homepage.eircom.net/~iisc/>



**National Youth Development Education Programme (formerly: YARD: Youth Action Against Racism and Discrimination)**

C/o National Youth Council of Ireland  
3 Montague Street  
Dublin 2  
Tel: (01) 478 4122  
Fax: (01) 478 3974  
Website: [www.youth.ie/programmes/ard.html](http://www.youth.ie/programmes/ard.html)

**Pavee Point**

46 North Great Charles Street  
Dublin 1  
Tel: (01) 878 0255  
Fax: (01) 874 2626  
Website: [www.paveepoint.ie](http://www.paveepoint.ie)

**Refugee Information Service**

27 Annamoe Terrace  
North Circular Road  
Dublin 7  
Tel: (01) 838 2740  
Fax: (01) 838 2482  
Website: [www.ris.ie](http://www.ris.ie)

**Refugee Project**

Columba Centre  
Maynooth  
Co. Kildare  
Tel: (01) 505 3157  
Fax: (01) 601 6401

**Spiritan Asylum Services Initiative (SPIRASI)**

213 North Circular Road  
Dublin 7  
Tel: (01) 868 3504  
Fax: (01) 868 6500  
Website: [www.spirasi.ie](http://www.spirasi.ie)

**Trócaire, The Catholic Agency for World Development**

Maynooth  
Co. Kildare.  
Tel: 01 6293333  
Fax: 01 6290661  
Website: [www.trocaire.org](http://www.trocaire.org)

**Vincentian Refugee Centre**

St. Peter's Church  
New Cabra Road  
Phibsboro  
Dublin 7  
Tel: (01) 810 2580  
Fax: (01) 838 9950  
Website: [www.vincentians.ie/vrc/html](http://www.vincentians.ie/vrc/html)

## Academic Institutions

**Children's Research Centre**

Trinity College, Dublin  
Ireland  
Tel: (01) 608 2901  
Fax: (01) 608 23 47  
Website: [www.tcd.ie/childrens\\_centre/](http://www.tcd.ie/childrens_centre/)

**Educational Research Centre**

St. Patrick's College  
Drumcondra  
Dublin 9  
Ireland  
Tel: (01) 837 3789  
Fax: (01) 837 8997  
Website: [www.spd.dcu.ie/academy.htm](http://www.spd.dcu.ie/academy.htm)

**Equality Studies Centre**

Room 511  
Library Building  
National University of Ireland, Dublin  
Belfield Campus  
Dublin 4  
Tel: (01) 716 7104  
Fax: (01) 716 1107  
Website: [www.ucd.ie/~esc/](http://www.ucd.ie/~esc/)

**Irish Centre for Human Rights**

National University of Ireland, Galway  
Galway  
Tel: (091) 750 464  
Fax: (091) 750 575  
Website: [www.nuigalway.ie/human\\_rights/](http://www.nuigalway.ie/human_rights/)

**Irish Centre for Migration Studies (ICMS)**

National University of Ireland, Cork  
Western Road  
Cork  
Tel: (021) 490 2889  
Fax: (021) 490 3326  
Website: [www.migration.ucc.ie](http://www.migration.ucc.ie)

**Social Science Research Centre (SSRC)**

Room 524  
5th Floor Library Building  
National University of Ireland, Dublin  
Belfield  
Dublin 4  
Tel: (01) 716 7001  
Fax: (01) 716 7057  
Website: [www.ucd.ie/~ssrc/index](http://www.ucd.ie/~ssrc/index)

## International Organisations

**Council of Europe**

**Language Policy Division**, DG IV  
Education, Culture and Heritage, Youth and Sport  
Council of Europe  
Allee de la Robertsau  
67075 Strasbourg Cedex  
France  
Tel: (+ 33) 3 88 41 23 84  
Fax: (+ 33) 3 88 41 27 88/06  
Website: [www.coe.int/T/E/Cultural\\_Co-operation/](http://www.coe.int/T/E/Cultural_Co-operation/)

**European Council on Refugees and Exiles (ECRE)**

Clifton Centre  
110 Clifton Street  
London EC2A 4HT  
United Kingdom  
Tel: (+ 44) 20 7729 5152  
Fax: (+ 44) 20 7729 5141  
Website: [www.ecre.org](http://www.ecre.org)

**International Organisation for Migration (IOM)** (Irish address)

9 Marlborough Court  
Marlborough Street  
Dublin 1  
Tel: (01) 878 7900  
Fax: (01) 878 7901  
Website: [www.iom.int](http://www.iom.int)

**United Nations High Commissioner for Refugees (UNHCR)** (Irish address)

27 Upper Fitzwilliam Street  
Dublin 2  
Tel: (01) 632 8675  
Fax: (01) 632 8676  
Website: [www.unhcr.ch](http://www.unhcr.ch)