



**To: THE MANAGEMENT AUTHORITIES OF
COMMUNITY AND ETB POST-PRIMARY SCHOOLS**

Religious instruction and worship in certain second level schools in the context of Article 44.2.4 of the Constitution of Ireland and Section 30 of the Education Act 1998

1. Introduction

The purpose of this circular is to set out a new approach to the arrangements that are made for religious instruction and worship in the schools covered by this circular in order to ensure that the rights of children to attend the school without having to attend religious instruction will be conducted in a manner that takes account of the likelihood, given changing demographics, of an increasing number of families wanting to exercise their constitutional right to withdraw.

2. Schools covered by the circular

The circular applies to

- i. Community Post Primary Schools where in addition to an Education and Training Board (ETB) the patronage is exercised by one or more catholic religious orders and/or a catholic diocese.
- ii. All Education and Training Board (ETB) post primary schools (other than those where there is an agreement between the Education and Training Board and Educate Together whereby the school operates as a non-denominational school that is not required to provide for religious instruction).

3. Background

3.1 The existing Multi-denominational Basis for Religious Instruction or Worship

In establishing Community and VEC schools (now ETB schools) the State set a multi-denominational basis for religious worship and instruction that expresses requirements that are common in the relevant governance documents of Community Schools and the ETB schools concerned as follows:

The religious worship attended by any pupil at the school and the religious instruction given to any pupil shall be in accordance with the rites, practice and teaching of the religious denomination to which the pupil belongs.

If any question arises whether the religious worship conducted or the religious instruction given at the school is not in accordance with the rites, practice and teaching of a religious denomination that question shall be determined by the competent religious authority.

(Extract from Deed of Trust)

This circular does not alter that multi-denominational basis by which religious instruction is provided or amend any of the deeds, or legal instruments concerned.

3.2 Changing Practices

It may have been reasonable when the schools were established for a school to assume that its pupil population was predominately Catholic and to make arrangements for religious instruction and worship exclusively on that basis. Historically some ETB schools in addition to meeting Catholic needs also made provision for religious instruction that met the needs of pupils from local Protestant communities. Depending on their future pupil composition as multi-denominational schools, Community and ETB schools may have to make provision for religious instruction for those from other minority religions should it be required.

Past practice of assuming that the pupil body is predominately Catholic and arranging religious instruction accordingly is no longer an appropriate approach. In a changing context the constitutional right not to attend religious instruction must be given effect through changed practices.

The key change is that those who do not want instruction in line with the requirements of any particular religion should be timetabled for alternative tuition throughout the school year rather than supervised study or other activities.

4. Requirement to Consult Parents/pupils

In future instead of waiting for a parent to request a withdrawal and then having to make alternative arrangements for the pupil for the class periods concerned a school must establish the wishes of parents in relation to opting out of religious worship or instruction and where the pupil is over 18 establish the pupil's wishes.

Ascertaining parental/pupil choice in relation to religious instruction should be integrated with the school's processes for establishing subject choices generally.

In future the school must offer an alternative subject(s) for those who do not want religious instruction. Parents must be made aware that such alternative tuition is available and be asked to choose between religious instruction and the alternative subject(s) offered by the school. Once an opt-out has been expressed it should endure in subsequent years unless otherwise advised by the parents.

While in respect of those who want instruction in line with the requirements of a particular religion the school may appropriately engage with the parents in relation to their religious beliefs, there is no basis for a school to intrude in that regard on the privacy of those who are opting for the alternative subject(s). The only information required is that the parent wants to opt for the alternative subject(s).

5. The National Council for Curriculum and Assessment (NCCA) Developed Curriculum for Religious Education

The NCCA developed curriculum for Religious Education currently also serves to meet the religious instruction requirements of the Catholic Church and schools can continue this arrangement for pupils whose parents elect for Catholic religious instruction or other parents who wish to follow the NCCA curriculum, and where that is the case it is important in the information provided to parents that they are made fully aware that the curriculum is not necessarily confined to learning about religions.

6. Arrangements for Religious Worship

Best practice in relation to making appropriate arrangements for withdrawal from religious worship or events is to provide parents with information about religious worship in the school; its frequency, timing, duration and the nature of the services or events. Ideally this should be done at the start of every school year. Parents should be given the opportunity to advise the school of whether or not they want their child to participate in or be present during religious worship.

It should be clarified with parents who do not want their children to attend if they want the child to be excluded in all circumstances or whether they might view particular situations differently (e.g. where the religious activity is related to bereavement within the school community or where a religious service or event in the school is a multi-faith gathering or service). Decisions made by parents should endure in subsequent years unless a parent states otherwise.

7. Implementation

This circular supersedes all guidance or requirements in previous circulars (or parts thereof) that concern the participation of pupils in religious instruction and worship or arrangements for those who may not wish to participate.

While this circular has immediate effect it is acknowledged that the necessary adjustment of curricular timetabling may not be feasible until revised timetables are in place for the 2018/19 school year and time will be required to establish parent and pupil wishes. In implementing this circular, regard must also be had for current arrangements in place for curricular timetabling at Junior or Senior Cycle, and the curricular choices made by existing pupils in respect of those arrangements.

8. Dissemination of Circular

A copy of this circular should be provided to members of the board of management and the teaching staff of each school. This circular may be accessed on the Department of Education and Skills website at www.education.ie. An Irish version of this circular is also available on the Department's website.

9. Queries

Queries in relation to this circular should be e-mailed to the Department at:

schoolgovernance@education.gov.ie

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