AN tACHT UM SOLÁTHAR MÉADAITHE SAN OIDEACHAS TRÍ MHEÁN NA GAEILGE, 2022

ACHT CHUN FORÁIL A DHÉANAMH I gCOMHAIR SOLÁTHAR MÉADAITHE SAN OIDEACHAS TRÍ MHEÁN NA GAEILGE

DE BHRÍ GO bhFORÁILTEAR LE BHUNREACHT NA hÉIREANN GURB Í AN GHAEILGE AN PHRÍOMHTHEANGA OIFIGIÚIL ÓS Í AN TEANGA NÁISIÚNTA Í.

AGUS DE BHRÍ GURB É BEARTAS SOCRAITHE AN STÁIT AGUS AN RIALTAIS A CHINNTIÚ GO mBEIDH AN OIREAD SAORÁNACH AGUS IS FÉIDIR DÁTHEANGACH I nGAEILGE AGUS I mBÉARLA.

AGUS DE BHRÍ GUR CUSPÓIR SONRACH DEN STÁT AGUS DEN RIALTAS AN LÍON DAOINE A LABHRAÍONN GAEILGE GO LAETHÚIL A MHÉADÚ

AGUS DE BHRÍ GUR CUSPÓIR SONRACH DEN STÁT AGUS DEN RIALTAS LÍON CHAINTEOIRÍ LAETHÚLA NA GAEILGE A MHÉADÚ GO DTÍ 250,000 THAR THRÉIMHE FICHE BLIAIN MAR MHÓRSPRIOC

AGUS DE BHRÍ GURB É BEARTAS SOCRAITHE AN STÁIT AGUS AN RIALTAIS AN LÍON FOIRNE DE CHUID COMHLACHTAÍ POIBLÍ ATÁ INNIÚIL I nGAEILGE A MHÉADÚ IONAS GO mBEIDH A LUAITHE IS INDÉANTA 20 FAOIN gCÉAD AR A LAGHAD DEN FHOIREANN A EARCÓFAR CHUIG COMHLACHTAÍ POIBLÍ INNIÚIL SA GHAEILGE.

AGUS DE BHRÍ GURB É BEARTAS SOCRAITHE AN STÁIT AGUS AN RIALTAIS GO gCUIRFEAR OIDEACHAS LÁN-GHAEILGE AR ARDCHAIGHDEÁN AR FÁIL DO DHALTAÍ SCOILE ARB É MIAN A dTUISMITHEOIRÍ/gCAOMHNÓIRÍ É.

AGUS DE BHRÍ GO SEASANN AN BUAN-ÉILEAMH AR OIDEACHAS TRÍ MHEÁN NA GAEILGE AG OS CIONN FICHE FÁN gCÉAD AGUS NACH bhFUILTEAR A RIARADH DÓ.

ACHTAÍTEAR AG AN OIREACHTAS MAR A LEANAS:

1. - Tiocfaidh an tAcht seo i ngníomh an lá a achtaítear é.

2. – San Acht seo—

Ciallaíonn ‘An Chomhairle’ an Chomhairle um Oideachas Gaeltachta agus Gaelscolaíochta.

Ciallaíonn ‘oideachas trí mheán na Gaeilge’ go seachadtar an curaclam agus go ndéantar an teagasc ar fad sa scoil trí mheán na Gaeilge agus gurb í an Ghaeilge teanga oibre agus riaracháin inmheánaigh na scoile agus a cuid seirbhísí tacaíochta gan dochar don scothchleachtas an Béarla agus teangacha ón iasacht a mhúineadh trí mheán na sprioctheanga.

Ciallaíonn ‘iarbhunscoil lánGhaeilge’ iarbhunscoil ina seachadtar an curaclam agus go ndéantar an teagasc ar fad sa scoil trí mheán na Gaeilge agus gurb í an Ghaeilge teanga oibre agus riaracháin inmheánaigh na scoile agus a cuid seirbhísí tacaíochta gan dochar

don scothchleachtas an Béarla agus teangacha ón iasacht a mhúineadh trí mheán na sprioctheanga.

Ciallaíonn 'bunscoil lánGhaeilge' bunscoil ina seachadtar an curaclam agus go ndéantar an teagasc ar fad sa scoil trí mheán na Gaeilge agus gurb í an Ghaeilge teanga oibre agus riaracháin inmheánaigh na scoile agus a cuid seirbhísí tacaíochta gan dochar don scothchleachtas an Béarla agus teangacha ón iasacht a mhúineadh trí mheán na sprioctheanga.

Tá ag 'údarás áitiúil' a chiall a dtugtar dó san Acht Rialtais Áitiúil 2001, mar atá leasaithe.

Ciallaíonn 'An tAire' an tAire Oideachais.

3. – De bhun cheart tuismitheoirí agus caomhnóirí oideachas trí mheán na Gaeilge a roghnú dá gclann ag an mbunleibhéal agus ag an iarbhunleibhéal, cuirfidh an tAire an [] lá de [] 2022, agus gach ceithre bliana dá éis ceithre huaire ceanglas ar an gComhairle plean 4 bliana chun soláthar an oideachais trí mheán na Gaeilge sa Stát a mhéadú a tharraingt suas laistigh de 6 mhí. Forálfar sa phlean sin i gcomhair na módúlachtaí:-

(a) Chun líon iomlán na ndaltaí i mbunscoileanna lán-Ghaeilge sa Stát a mhéadú 6 fán gcéad in aghaidh na bliana;
(b) Gan dochar do ghinearálta fo-alt (a) tabharfar aird ar leith ar na limistéir rialtais áitiúla nó codanna de limistéir rialtais áitiúla ina bhfuil líon na ndaltaí i mbunscoileanna lán-Ghaeilge ag leibhéal níos lú ná 20% de na daltaí uile bunscoile;
(c) Chun líon iomlán na ndaltaí in iarbhunscoileanna lán-Ghaeilge sa Stát a mhéadú 9 fán gcéad in aghaidh na bliana;
(d) Gan dochar do ghinearálta fo-alt (c) tabharfar aird ar leith ar na limistéir rialtais áitiúla nó codanna de limistéir rialtais áitiúla ina bhfuil líon na ndaltaí in iarbhunscoileanna lán-Ghaeilge ag leibhéal níos lú ná 20% de na daltaí uile iarbhunscoile;
(e) Agus an plean á tharraingt suas aici, beidh aird ag an gComhairle ar aighneachtaí arna ndéanamh ag patrúin scoile, tuismitheoirí agus páirtithe leasmhara eile, lena n-áirítear an tAire, a thugann fianaise maidir le héileamh áitiúil ar oideachas trí mheán na Gaeilge nach bhfuiltear ag freastal air agus lorgófar na haighneachtaí sin ag tús na tréimhse chun an plean a tharraingt suas;
(f) Agus an plean á tharraingt suas aici, déanfaidh an Chomhairle gach iarracht lena chinntiú go mbeidh na scoileanna lán-Ghaeilge ionadaíoch ar shochaí na hÉireann trí chéile ina héagsúlacht uile;
(g) Agus an plean á tharraingt suas aici, déanfaidh an Chomhairle gach iarracht lena chinntiú go ndéanfaidh na scoileanna lán-Ghaeilge freastal ar dhaltaí a bhfuil riachtanais speisialta oideachtais nó riachtanais bhreise oideachtais acu;
(h) Chun an soláthar trí mhéan na Gaeilge ag an tríú leibhéal a leathnú le tacú le soláthar múinteoirí don oideachas trí mheán na Gaeilge ag an mbunleibhéal agus ag an iar-bhunleibhéal, go sonrach an méadú sa soláthar de bhun fho-ailt (a) agus (c);

(i) Chun áirithiú go mbeidh na tacaí agus na hacmhainní a bheidh ar fáil as Gaeilge do scoileanna lán-Ghaeilge ag leibhéal agus de chaighdeán nach lú a mbuntáiste i gcomórtas leis na tacaí agus leis na hacmhainní a bheidh ar fáil as Béarla;

(j) Chun na costais mheasta idir chaipiteal agus reatha a leagan amach maidir leis an bplean a chur i bhfeidhm do gach bliain de na ceithre bliana.

4. – (a) A luaithe is a fhaigheann sí an plean ceithre bliana molta ón gComhairle féadfaidh an tAire é a fhaomhadh laistigh de 4 seachtaine, faomhadh nach gcoinneofar siar go mí-réasúnach.

(b) Má fhaomhann an tAire an plean, tógfaidh sí gach céim laistigh dá cumhachtaí agus dá húdarás chun é a chur i bhfeidhm go hiomlán agus íocfar na costais a bhaineann leis as an Státchiste.

(c) Má mhainníonn an tAire an plean a fhaomhadh laistigh de 4 seachtaine ón uair a fhaigheann sí é, féadfaidh sí laistigh de 4 seachtaine eile leagan leasaithe de a chur chuig an gComhairle lena fhaomhadh, faomhadh nach gcoinneofar siar go mí-réasúnach.

(d) Má fhaomhann an Chomhairle an plean leasaithe laistigh de 2 sheachtain eile, tógfaidh an tAire gach céim laistigh dá cumhachtaí agus dá húdarás chun é a chur i bhfeidhm go hiomlán agus íocfar na costais a bhaineann leis as an Státchiste.

(e) Mura bhfaomhann an Chomhairle an plean leasaithe laistigh de 2 sheachtain ón uair a fhaigheann sí é, féadfaidh sí laistigh de 4 seachtaine eile leagan ath-leasaithe de a chur chuig an Aire lena fhaomhadh, faomhadh nach gcoinneofar siar go mí-réasúnach.

(f) Mura bhfaomhann an tAire an plean ath-leasaithe laistigh de 2 sheachtain ón uair a fhaigheann sí é, déanfaidh an tAire agus an Chomhairle laistigh de 2 sheachtain eile an t-ábhar a chur chun eadrána ceangailtí le riaradh trí mheán na Gaeilge ag eadránaí neamhspleách arna shannadh ag Uachtarán na hArd-Chúirte laistigh de 2 sheachtain ón uair a gcuirtear chun eadrána é agus eiseofar an rialú sin laistigh de 4 seachtaine ón uair a shanntar an t-eadránaí.

(g) I gcás mainneachtana faoin alt seo a mbíonn an próiseas faoin alt seo ina stad dá dheasca féadfaidh an tAire nó an Chomhairle iarratas a dhéanamh i scríbhinn chuig Uachtarán na hArd-Chúirt go gceapfaidh sí eadránaí neamhspleách agus beidh feidhm ag forálacha fo-alt (f) *mutatis mutandis*.

(h) Sa chás nach bhfuil an t-eadránaí arna shannadh toilteannach nó in ann feidhmiú agus/nó rialú a thabhairt uaidh, sannfaidh Uachtarán na hArd-Chúirte eadránaí malairteach.

(i) Beidh rialú an eadránaí ceangailteach agus beidh mar chuid de aguisín leis plean 4-bliana a bheidh de réir fhorálacha alt 3.

(j) Íocfar na costais a bhaineann le haon eadrán faoin alt seo as an Státchiste agus féadfar iad a chur chun próis bhreithnithe.

(k) A luaithe is a eisíonn an t-eadránaí rialú, tógfaidh an tAire gach céim laistigh dá cumhachtaí agus dá húdarás chun an rialú agus an plean a cheanglaítear de a chur i bhfeidhm go hiomlán agus íocfar na costais a bhaineann leis as an Státchiste.

5. -Féadfar “an tAcht um Soláthar Méadaithe san Oideachas trí Mheán na Gaeilge 2022” a ghairm den Acht seo.

INCREASED PROVISION OF IRISH MEDIUM EDUCATION ACT, 2022

AN ACT TO PROVIDE FOR INCREASED PROVISION OF IRISH MEDIUM EDUCATION

WHEREAS PURSUANT TO BUNREACHT NA hÉIREANN THE IRISH LANGUAGE AS THE NATIONAL LANGUAGE IS THE FIRST OFFICIAL LANGUAGE

AND WHEREAS IT IS THE SETTLED POLICY OF THE STATE AND THE GOVERNMENT TO ENSURE THAT AS MANY CITIZENS AS POSSIBLE ARE BILINGUAL IN BOTH IRISH AND ENGLISH

AND WHEREAS IT IS A SPECIFIC OBJECTIVE OF THE STATE AND THE GOVERNMENT TO INCREASE THE NUMBER OF PEOPLE WHO SPEAK IRISH ON A DAILY BASIS

AND WHEREAS IT IS A SPECIFIC OBJECTIVE OF THE STATE AND THE GOVERNMENT TO INCREASE THE NUMBER OF DAILY SPEAKERS OF IRISH TO 250,000 OVER A 20 YEAR PERIOD AS A HEADLINE GOAL

AND WHEREAS IT IS THE SETTLED POLICY OF THE STATE AND THE GOVERNMENT TO INCREASE THE NUMBER OF STAFF OF PUBLIC BODIES WHO ARE COMPETENT IN THE IRISH LANGUAGE SO THAT AS SOON AS PRACTICABLE AT LEAST 20 PER CENT OF STAFF RECRUITED TO PUBLIC BODIES ARE COMPETENT IN THE IRISH LANGUAGE

AND WHEREAS IT IS THE SETTLED POLICY OF THE STATE AND THE GOVERNMENT THAT A HIGH STANDARD OF IRISH MEDIUM EDUCATION BE PROVIDED TO SCHOOL STUDENTS WHOSE PARENTS/GUARDIANS SO WISH.

AND WHEREAS THE SETTLED DEMAND FOR IRISH MEDIUM EDUCATION STANDS AT OVER TWENTY PER CENT AND IS NOT BEING MET

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1. - This Act shall come into operation on its enactment.

2. - In this Act—

‘An Chomhairle’ means an Chomhairle um Oideachas Gaeltachta agus Gaelscolaíochta.

‘Irish medium education’ means where the curriculum is delivered, and all teaching in done in the school through the medium of Irish, and where Irish is the language of work and internal administration of the school and of its support services without prejudice to the best practice of teaching English and foreign languages through the target language.

‘Irish medium post-primary school’ means a post-primary school where the curriculum is delivered and all teaching in done in the school through the medium of Irish, and where Irish is the language of work and internal administration of the school and of its support services without prejudice to the best practice of teaching English and foreign languages through the target language.

‘Irish medium primary school’ means a primary school where the curriculum is delivered, and all teaching in done in the school through the medium of Irish, and where Irish is the

language of work and internal administration of the school and of its support services without prejudice to the best practice of teaching English and foreign languages through the target language.

'local authority' has the meaning assigned to it by the Local Government Act 2001, as amended;

'The Minister' means the Minister for Education

3. - Pursuant to the right of parents and guardians to choose Irish medium education for their children at primary and post-primary level, the Minister shall on the [] day of [] 2022, and at four four-yearly intervals thereafter, require an Chomhairle to draw up within 6 months a 4-year plan to increase the provision of Irish medium education in the State. Such plan shall provide for the modalities:-

(a) to increase by 6 per centum per annum the total number of pupils in Irish medium primary schools in the State;
(b) without prejudice to the generality of subsection (a) particular attention shall be paid to those local authority areas or parts of local authority areas where the number of pupils in Irish medium primary schools represents less than 20% of all primary school pupils;
(c) to increase by 9 per centum per annum the total number of pupils in Irish medium post-primary schools in the State;
(d) without prejudice to the generality of subsection (c) particular attention shall be paid to those local authority areas or parts of local authority areas where the number of pupils in Irish medium post-primary schools represents less than 20% of all post-primary school pupils;
(e) In drawing up the plan, an Chomhairle shall have regard to submission made by school patrons, parents and other interested parties, including the Minister, evidencing unmet local demand for Irish medium education and such submissions shall be sought at the beginning of the period for the drawing up of the plan;
(f) In drawing up the plan, an Chomhairle shall make every effort to ensure that Irish medium schools are representative of Irish society as a whole in all its diversity;
(g) In drawing up the plan, an Chomhairle make every effort to ensure that Irish medium schools cater for pupils with special or additional educational needs;
(h) to expand Irish medium provision at tertiary level to support teacher supply for Irish medium education at primary and post-primary level, in particular the increase in provision pursuant to sub-sections (a) and (c);
(i) to ensure that supports and resources available in Irish for Irish medium schools are at a level and of a standard not disadvantageous in comparison with supports and resources available in English.
(j) to set out the estimated costings, both capital and current regarding the implementation of the plan for each of the four years.

4. – (a) Upon receipt of the proposed four-year plan from an Chomhairle, the Minister may approve it within 4 weeks, said approval not to be unreasonably withheld.

(b) Where the Minister approves the plan, she shall take all steps within her powers and authority to implement it in full and the costs thereof shall be met by the Exchequer.

(c) Where the Minister fails to approve the plan within 4 week of its receipt, she may within a further 4 week send an amended version to an Chomhairle for its approval, said approval not to be unreasonably withheld.

(d) Where an Chomhairle approves the amended plan within a further 2 weeks, the Minister shall take all steps within her powers and authority to implement it in full and the costs thereof shall be met by the Exchequer.

(e) Where an Chomhairle does not to approve the amended plan within 2 weeks of its receipt, it may within a further 4 week send a further amended version of the plan to the Minister for her approval, said approval not to be unreasonably withheld.

(f) Where the Minister does not approve the further amended plan within a further 2 weeks of her receiving it, the Minister and an Chomhairle shall within a further 2 weeks submit the matter to binding arbitration to be conducted through the medium of Irish by an independent arbitrator appointed by the President of the High Court within 2 weeks of the matter being submitted to arbitration and said award of arbitration shall issue within 4 weeks of the appointment of the arbitrator.

(g) In the case of a default under this section as a result of which the process under this section comes to a halt the Minister or an Chomhairle may make application to the President of the High Court in writing that she appoint an independant arbitratior and the provisions of sub-section (f) shall apply *mutatis mutandis*.

(h) Where the appointed arbitrator is unwilling or unable to act and/or produce a ruling, an alternative arbitrator shall be appointed by the President of the High Court.

(i) The arbitrator's ruling shall be binding and shall include an appended 4-year plan which shall accord with the provisions of section 3.

(j) The costs of any arbitration under this section shall be met by the Exchequer and may be submitted to a process of adjudication.

(k) As soon as the arbitrator issues a ruling, the Minister shall take all steps within her powers and authority to implement the ruling and appended plan in full and the cost thereof shall be met by the Exchequer.

5. -This Act may be cited as "The Increased Provision of Irish Medium Education Act 2022."