



DÁIL ÉIREANN

AN BILLE UM BOIRD OIDEACHAIS AGUS OILIÚNA, 2012 EDUCATION AND TRAINING BOARDS BILL 2012

LEASUITHE TUARASCÁLA REPORT AMENDMENTS

DÁIL ÉIREANN

AN BILLE UM BOIRD OIDEACHAIS AGUS OILIÚNA, 2012 —AN TUARASCÁIL

EDUCATION AND TRAINING BOARDS BILL 2012 —REPORT

Leasuithe Amendments

1. In page 8, between lines 27 and 28, to insert the following:

“Education and Training Boards Ireland” means the association established to collectively represent education and training boards and promote their interests, which is recognised by the Minister for the purposes of this Act;”

—An tAire Oideachais agus Scileanna.

2. In page 8, to delete lines 41 and 42.

—An tAire Oideachais agus Scileanna.

3. In page 11, lines 38 and 39, to delete “provision of, education and training” and substitute the following:

“provision of education and training, including education and training for the purpose of employment;”

—An tAire Oideachais agus Scileanna.

4. In page 12, between lines 2 and 3, to insert the following:

“(d) enter into arrangements with, and provide support services to, education or training providers, in accordance with *section 22**;”

—An tAire Oideachais agus Scileanna.

[*Note: This is a reference to the section proposed to be inserted by amendment No 11.]

5. In page 12, line 17, to delete “effective.” and substitute the following:

“effective, and

(k) require an education and training board that includes a Gaeltacht area to ensure the delivery of its services in schools and education centres, including youth work services in Gaeltacht areas, through the medium of Irish.”

—Charlie McConalogue.

6. In page 12, between lines 21 and 22, to insert the following:

“(b) recognised teaching unions representing staff of an education and training board;”

—Jonathan O'Brien.

7. In page 13, between lines 12 and 13, to insert the following:

“(5) The Minister may request Education and Training Boards Ireland to—

- (a) make representations on behalf of an education and training board in respect of its functions,
- (b) conduct surveys in respect of information sought by the Minister in respect of the performance of functions by education and training boards, and
- (c) give such assistance to an education and training board as the Minister considers necessary for the effective discharge of its functions.”

—An tAire Oideachais agus Scileanna.

8. In page 15, line 27, to delete “*subsection (8)*” and substitute “*subsections (8) and (9)**”.

—An tAire Oideachais agus Scileanna.

[**Note: This is a reference to the subsection proposed to be inserted by amendment No 9.*]

9. In page 15, between lines 34 and 35, to insert the following:

“(9) The Minister may direct an education and training board to arrange for the secondment of the chief executive of its board to—

- (a) another education and training board, or
- (b) another public service body.

(10) An education and training board shall comply with a direction under *subsection (9)*.”

—An tAire Oideachais agus Scileanna.

10. In page 20, lines 35 and 36, to delete “the Irish Vocational Education Association” and substitute “Education and Training Boards Ireland”.

—An tAire Oideachais agus Scileanna.

11. In page 20, between lines 41 and 42, to insert the following:

“Cooperation by education and training boards with education or training providers.

22.—(1) An education and training board may, with the consent of the Minister, enter into an arrangement with an education or training provider for the joint performance of any of the functions of the board, subject to such terms and conditions as may be agreed by the board and the provider.

(2) Without prejudice to the generality of *subsection (1)*, but subject to *section 52* and any regulations made under that section, an arrangement under *subsection (1)* may relate to the acquisition, holding, management, maintenance, development (including project management of such development) and disposal of land, or any interest in land.

(3) The Minister may, at the request of an education or training provider, direct an education and training board to perform any of its functions jointly with that provider, subject to such terms and conditions as may be specified in the direction.

(4) An education and training board may, at the request of an education or training provider, with the consent of the Minister and subject to such terms and conditions as may be agreed by the board and the provider, provide support services to the education or training provider.

(5) The Minister may, at the request of an education or training provider, direct an education and training board to provide support services to the education or training provider, subject to such terms and conditions as may be specified in the direction.

(6) The Minister may request Education and Training Boards Ireland to give such assistance to an education and training board as he or she considers necessary for the implementation of a direction under this section.

(7) An education and training board shall comply with a direction under this section.

(8) In this section, “support services” includes—

- (a) the holding, management, maintenance or development of land,
- (b) project management,
- (c) the giving of assistance in relation to the purchase or procurement of goods and services,
- (d) human resources,
- (e) financial services,
- (f) legal services,
- (g) information and communications technology, and
- (h) corporate governance.”.

—An tAire Oideachais agus Scileanna.

12. In page 26, line 28, to delete “18 members” and substitute “21 members”.

—An tAire Oideachais agus Scileanna.

13. In page 26, line 28, to delete “18 members” and substitute “20 members”.

—Jonathan O'Brien.

14. In page 26, line 28, after “comprise” to insert the following:

“of whom a minimum of 8 shall be women and a minimum of 8 shall be men with the remainder to be composed of either men or women”.

—Jonathan O'Brien.

15. In page 26, line 29, to delete “10 members” and substitute “12 members”.

—An tAire Oideachais agus Scileanna.

16. In page 26, line 29, after “members” to insert the following:

“of whom a minimum of 4 shall be men and a minimum of 4 shall be women with the remainder to be composed of either gender”.

—Jonathan O'Brien.

17. In page 26, lines 36 and 37, after “*subsection (2)*” to insert the following:

“and the local authority will, where practicable, ensure that at least 3 of the 10 elected members will have the capacity to discharge functions in relation to the board in the Irish language”.

—Jonathan O'Brien.

18. In page 26, lines 36 and 37, after “*subsection (2)*” to insert the following:

“in a case where there are two or more counties represented on an Education and Training Board, the Minister may, by order or regulation, increase the number of elected representatives elected to the education and training board in order to ensure appropriate representation from each county”.

—Charlie McConalogue.

19. In page 26, between lines 40 and 41, to insert the following:

“(c) there shall be at least one staff representative from each county within an Education and Training Board and where there are more than two counties in an Education and Training Board, the number of staff representatives shall be increased proportionately;”.

—Charlie McConalogue.

20. In page 27, between lines 3 and 4, to insert the following:

“(d) there shall be at least one parent representative from each county within an Education and Training Board and where there are more than two counties in an Education and Training Board, the number of parents representatives shall be increased proportionately;”.

—Charlie McConalogue.

21. In page 27, line 4, to delete “(d) 4 members” and substitute “(d) 5 members”.

—An tAire Oideachais agus Scileanna.

22. In page 27, to delete line 4 and substitute the following:

“(d) 6 members appointed in accordance with *subsection (8)*, and where practicable, 3 of whom will be men and 3 of whom will be women appointed in accordance with *subsection (8)*.”.

—Jonathan O'Brien.

23. In page 27, line 5, to delete “Subject to *subsection (3)*, where” and substitute “Where”.

—An tAire Oideachais agus Scileanna.

24. In page 27, line 8, after “Minister” to insert the following:

“while ensuring that the education and training needs of these smaller local authorities are fairly represented”.

—Charlie McConalogue.

25. In page 27, line 10, to delete “10” and substitute “12”.

—An tAire Oideachais agus Scileanna.

26. In page 27, between lines 10 and 11, to insert the following:

“(3) Where—

(a) 3 local authorities are mentioned in *column (2)* of *Schedule 4* opposite mention of an education and training board in *column (1)* of that Schedule an order under *subsection (2)* shall specify that at least 3 members of that education and training board shall be elected by each of the local authorities concerned, and

(b) 2 local authorities are mentioned in *column (2)* of *Schedule 4* opposite mention of an education and training board in *column (1)* of that Schedule an order under *subsection (2)* shall specify that at least 4 members of that education and training board shall be elected by each of the local authorities concerned.”.

—An tAire Oideachais agus Scileanna.

27. In page 27, between lines 10 and 11, to insert the following:

“(3) The Minister shall have regard to the size of each outgoing Vocational Educational Committee in regard to staff, student numbers and budget as well as to the population of their respective counties in deciding an appropriate proportion of local authority members to be nominated to the Education and Training Board from each county.”.

—Charlie McConalogue.

28. In page 27, line 11, to delete “When making an order under *subsection (2)*,” and substitute the following:

“Subject to *subsection (3)**, when making an order under *subsection (2)*,”.

—An tAire Oideachais agus Scileanna.

[*Note: This is a reference to the subsection proposed to be inserted by amendment No. 26.]

29. In page 27, line 11, after “Minister” to insert the following:

“while ensuring that the education and training needs of each and every vocational educational committee area that existed prior to the establishment day shall not be disadvantaged under the education and training boards”.

—Charlie McConalogue.

30. In page 27, lines 17 and 18, to delete “the Irish Vocational Education Association” and substitute “Education and Training Boards Ireland”.

—An tAire Oideachais agus Scileanna.

31. In page 27, between lines 28 and 29, to insert the following:

“(7) The education and training board shall promote contact between parent associations in schools and the community and shall facilitate and give all reasonable assistance to parents associations who wish to elect their representatives to education and training boards.”.

—Charlie McConalogue.

32. In page 27, line 33, after “woman” to insert the following:

“each of whom shall be from and have knowledge of education and training in the functional area of the relevant education and training board”.

—Charlie McConalogue.

33. In page 27, line 41, after “woman” to insert the following:

“each of whom shall be from and have knowledge of education and training in the functional area of the relevant education and training board”.

—Charlie McConalogue.

34. In page 27, line 48, after “woman” to insert the following:

“each of whom shall be from and have knowledge of education and training in the functional area of the relevant education and training board”.

—Charlie McConalogue.

35. In page 28, to delete lines 1 to 7, and substitute the following:

“training—

- (i) at least one of whom shall be a body representative of business, industry and employers,
- (ii) at least one of whom shall be a body representative of learners, and
- (iii) at least one of whom shall be a body established for the purpose of representing the interests of persons engaged in the management of, or leadership in, recognised schools,

and each specified body shall nominate one man and one woman who reside within the functional area of the education and training board concerned, for appointment to that board.

(b) The members referred to in *paragraphs (a), (b) and (c) of subsection (1)* shall appoint 5 members to the education and training board from among the persons nominated under *paragraph (a)*—

- (i) at least one of whom shall have been nominated by a body referred to in *subparagraph (i) of that paragraph*,
- (ii) at least one of whom shall have been nominated by a body referred to in *subparagraph (ii) of that paragraph*, and
- (iii) at least one of whom shall have been nominated by a body referred to in *subparagraph (iii) of that paragraph*.

(c) The members appointed in accordance with *paragraph (b)* shall reside within the functional area of the education and training board and shall include at least 2 men and at least 2 women.”.

—An tAire Oideachais agus Scileanna.

36. In page 28, line 1, after “training” to insert the following:

“and a knowledge of business, employment and economic development of the functional area”.

—Charlie McConalogue.

37. In page 28, between lines 2 and 3, to insert the following:

“(b) the Minister shall, for the purpose of *subsection (1)(d)*, include a panel of Irish language bodies and organisations on the specified list of bodies which have a special interest in, or knowledge of, education and training. Each member of the panel will be asked to nominate one individual to the education and training board. The elected members of the board will then choose one of the nominees to serve on the board.”.

—Jonathan O'Brien.

38. In page 28, to delete lines 3 to 7 and substitute the following:

“(b) The members referred to in *paragraphs (a), (b) and (c) of subsection (1)* shall appoint 6 members to the education and training board from among the persons nominated under *paragraph (a)*, 3 of whom shall be men and 3 of whom shall be women and at least one of whom shall be a nominee of recognised voluntary secondary schools, the business sector, Údarás na Gaeltachta, a recognised teaching union, student unions and Adult Learners based in the functional area.”.

—Jonathan O'Brien.

39. In page 28, lines 4 to 7, to delete all words from and including “4 members” in line 4 down to and including “women” in line 7 and substitute the following:

“6 members to the education and training board from among the persons nominated under *paragraph (a)*, 2 of whom shall be men and 2 of whom shall be women and will include mandatory representation from individuals or groups belonging to or representative of voluntary secondary schools, the business sector, the Irish language sector, teaching unions, student unions and adult learners, who are nominated from a prescribed list of bodies agreed to by the Minister for Education and Skills.”.

—Jonathan O'Brien.

40. In page 29, line 4, to delete “4 members” and substitute “5 members”.

—An tAire Oideachais agus Scileanna.

41. In page 38, line 5, to delete “under *subsection (6)*” and substitute “in accordance with *subsection (7)*”.

—An tAire Oideachais agus Scileanna.

42. In page 40, line 14, after “reside” to insert “, as far as is practicable,”.

—Jonathan O'Brien.

43. In page 40, line 23, to delete “*paragraph (b)*.” and substitute the following:

“*paragraph (b)*, and

(d) that each school board of management should include at least one member of an education and training board.”.

—Charlie McConalogue.

44. In page 40, between lines 23 and 24, to insert the following:

“(d) that all Education and Training Board school boards of management shall include at least two members of the Education and Training Board and that at least one of those be present at any meeting of the board of management.”.

—Charlie McConalogue.

45. In page 50, line 8, after “board” to insert the following:

“and that as far as is practicable, serving teachers will be transferred within the boundaries of their current VEC administrative areas and will only be deployed within 45km of their current VEC place of work or confines of the original VEC area”.

—Jonathan O'Brien.

46. In page 55, line 24, after “specified” to insert “in”.

—An tAire Oideachais agus Scileanna.

47. In page 55, between lines 24 and 25, to insert the following:

“(2) Subject to this Act, references (however expressed) to a vocational education committee in any Act passed before the establishment day, or in any instrument made before that day under an Act, shall be read as references to an education and training board, unless the context otherwise requires.”.

—An tAire Oideachais agus Scileanna.

48. In page 75, line 56, to delete “(4)”.

—An tAire Oideachais agus Scileanna.

[*Note: A Printer error has resulted in incorrect line references in page 75 of the Bill. The line references in this amendment refer to the actual number of lines of text in page 75 of the Bill.*]

49. In page 75, line 57, to delete “to”.

—An tAire Oideachais agus Scileanna.

[*Note: A Printer error has resulted in incorrect line references in page 75 of the Bill. The line references in this amendment refer to the actual number of lines of text in page 75 of the Bill.*]

50. In page 82, line 45, after “of” to insert “ “Irish Vocational Education Association,” ”.

—An tAire Oideachais agus Scileanna.

[*Note: A Printer error has resulted in incorrect line references in page 82 of the Bill. The line references in this amendment refer to the actual number of lines of text in page 82 of the Bill.*]

51. In page 82, to delete lines 50 to 56, and substitute the following:

“

			definitions: “ ‘education and training board area’ has the same meaning as it has in the <i>Education and Training Boards Act 2013</i> ;”, and ‘Education and Training Boards Ireland’ has the same meaning as it has in the <i>Education and Training Boards Act 2013</i> ;”.
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—An tAire Oideachais agus Scileanna.

[*Note: A Printer error has resulted in incorrect line references in page 82 of the Bill. The line references in this amendment refer to the actual number of lines of text in page 82 of the Bill.*]

52. In page 87, between lines 17 and 18, to insert the following:

“

			<p>Section 18:</p> <p>In subsection (5) to delete “the Irish Vocational Education Association” and substitute “Education and Training Boards Ireland”.</p>
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—An tAire Oideachais agus Scileanna.

[Note: A Printer error has resulted in incorrect line references in page 87 of the Bill. The line references in this amendment refer to the actual number of lines of text in page 87 of the Bill.]