



An Bille Oideachais (Ranníocaí Saorálacha) 2021

Education (Voluntary Contributions) Bill 2021



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Education (Voluntary Contributions) Bill 2021

Bill

An Act to make provision whereby the Minister for Education shall make regulations governing the collection by schools of voluntary contributions from parents/guardians; to provide for the publication of the total monies collected annually and a detailed expenditure of those monies by schools; and for those purposes to amend the Education Act of 1998.

Be it enacted by the Oireachtas as follows:

Definitions

1 In this Act –

“Act of 1998” means the Education Act 1998;

“Minister” means the Minister for Education;

“Schools” means recognised schools as defined by the Education Act 1998, who are primarily funded by the exchequer and are not recognised fee paying schools;

“Voluntary contribution” means any financial contribution made by parents/guardians of students enrolled in a school towards the operating costs of the school.

Amendment of section 12 of the Act of 1998

2 Section 12 of the Act of 1998 is hereby amended by the insertion of subsection (6) as follows:

“(6)(a) The Minister shall, following consultation with patrons, national councils of parents, recognised school management organisations, recognised trade unions and staff associations representing teachers and school staff, student representative bodies and such other persons as the Minister considers appropriate, make regulations governing the collection of voluntary contributions from parents/guardians.

(b) Regulations under this section shall:

- (i) contain a provision that requires schools to state clearly that any contribution made by parents/guardians towards the operating costs of the school are voluntary and there is no obligation on parents/guardians to make such a contribution;
- (ii) contain a provision that no student will be differentiated in terms of reasonable access to school facilities due to the choice or otherwise of parents/guardians to make a voluntary contribution;
- (iii) contain a provision that any contact by the school seeking a voluntary contribution, either in writing or by any other means, is delivered directly to parents/guardians and not to the student;
- (iv) contain a provision that no school may contact a parent/guardian more than once per school year seeking a voluntary contribution;
- (v) contain a provision that the Minister shall request from the Office of the Comptroller and Auditor General a report evaluating the efficacy of exchequer funding alone in meeting all reasonable operating costs of schools, including but not limited to educational materials, stationery, refuse costs and any other costs that may be reasonably deemed essential for the purposes of operating a school. This report shall be submitted to the Minister within 6 months of this request, and every 12 months thereafter;
- (vi) contain a provision that schools will be prohibited from collecting a voluntary contribution from parents/guardians, upon such date that the Minister is satisfied, having regard to the report(s) of the Office of the Comptroller and Auditor General provided for by *subsection (v)*, that the exchequer funding provided to schools is sufficient to provide for the reasonable operating costs of the school.”

Amendment of section 18 of the Act of 1998

3 Section 18 of the Act of 1998 is hereby amended by the insertion of subsection (3) as follows:

“(3) (a) Schools in receipt of voluntary contributions, in accordance with section 12, shall provide to parents and the Department of Education information relating to said voluntary contributions, inclusive of the total monies collected annually, and a detailed expenditure of those monies by the school.

(b) The Department of Education shall publish the information collected from schools under *subsection (a)* online, updating it on an annual basis.

(c) The amount received by any one individual must not be discernible in any publication as provided for by *subsection (b)*. “

Short title and commencement

4 (1) This Act may be cited as the Education (Voluntary Contributions) Act 2021.

(2) This Act shall come into operation on such day or days as the Minister may appoint by order or orders.

Deputies Donnchadh Ó Laoghaire, Matt Carthy

August 2021