

Marino Institute of Education

Title:

‘It's No Big Deal’: The perspectives and practices of primary school principals catering for children opted-out of religious instruction in Irish Catholic primary schools.

By

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**Declaration**

I hereby declare that this dissertation is a presentation of my original research work.

Wherever contributions of others are involved, every effort is made to indicate this clearly.

This work has not been submitted previously at this or any other educational institution. The work was done under the guidance of Dr Aiveen Mullally at the Marino Institute of Education, Dublin. I agree that the Library may lend or copy this dissertation upon request.

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### **Abstract**

This study explores the perspectives and practices of principals catering for children who have been opted-out of religious instruction in Irish Catholic primary schools. The new Education (Admission to Schools) Act was signed into law in July 2018. Section 62.7 of the Act requires all primary schools to publish an admission policy which includes details of their arrangements for children opted-out of religious instruction. This study investigates whether the schools have updated their admission policies to include these arrangements. Today, religious instruction and sacramental preparation are part of every-day school life for most pupils, with 88.9 per cent of primary schools under Catholic patronage (Central Statistics Office, 2019). However, Ireland has experienced a significant growth of inward migration over the past 20 years which is reflected in the increasing levels of ethnic, cultural, and religious diversity in schools. A qualitative research design using semi-structured interviews with nine principals of Catholic schools was adopted for the thesis. This qualitative study also details the number of children opted-out of religious instruction and sacramental preparation in the schools. This study shows that none of the schools included in this research have updated their school admission policies in line with the new Education Act. This study reveals that significant numbers of children are opted-out of religious instruction and sacramental preparation in the schools. Findings highlight that many of the children opted-out are remaining in the class or participating in the lessons. Findings indicate that most parents are not raising concerns with school principals about what happens to their children despite opting them out of religious instruction and sacramental preparation. The thesis concludes by considering the implications emerging from this research and offers recommendations for reflection by the various stakeholders of Irish Catholic schools.

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To my Katie, who put up with me reading with the light on for so many nights, and to our little ones Jack and Rose; Daddy loves you very much.

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**Acronyms**

ECHR	European Convention on Human Rights
ECHR	European Court on Human Rights
NCCA	National Council for Curriculum and Assessment
DES	Department of Education and Skills
DES	Department of Education and Science (1997-2010)
OECD	Organisation for Economic Co-operation and Development
EU	European Union
FOPP	Forum on Patronage and Pluralism in the Primary Sector
IHRC	Irish Human Rights Commission
COE	Council of Europe
UCHR	European Court of Human Rights
UNCRC	United Nations Committee on the Rights of the Child
ODIHR	Office for Democratic Institutions and Human Rights
OSCE	Organisation for Security and Co-operation in Europe
CSO	Central Statistics Office
UN	United Nations
CCPR	Centre for Civil and Political Rights
ERB	Education about religion and beliefs
ET	Education Together
CNS	Community National School
GMGY	Goodness Me Goodness You
JMB	Joint Managerial Body Secretariat of Secondary Schools

CSP Catholic Schools Partnership

IRHC Irish Human Rights Commission

CPPREC Catholic Preschool and Primary Religious Education Curriculum

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## **Chapter 1: Introduction**

This study explores the perspectives and practices of nine Irish Catholic primary school principals catering for children opted-out of religious instruction and sacramental preparation. This first chapter provides the rationale and scope of the research. The contextual background for the thesis is discussed. An overview of the current landscape of religious instruction in the Irish primary school system and the historical relationship of Church and State are outlined. The researcher's positionality within the context of the study is explained. Finally, a description of the aims of the research and an outline of the thesis concludes the chapter.

### **1.1 Defining the terms 'to opt-out' and 'religious instruction'**

Defining what is meant and understood by the terms 'to opt-out' and 'religious instruction' are worthy of study in their own right. Concerning the term 'to opt-out', both the Irish Constitution (1937) and the European Convention on Human Rights (ECHR, 2004) protect freedom of religion and state that parents have the right to opt their child out of any subject that is against their conscience. Article 44.2.4 of the Irish Constitution (1937) states that children do not have to attend religious instruction classes if it is the wish of parents or guardians. Section 30 2 (e) of the Education Act 1998 reflects this Constitutional right and Section 15 -2 (e) of the Education Act 1998 obliges the school to respect parents' beliefs. Rule 69 – 2(a) of the Rules for National Schools (1965) states that: "No pupil shall receive, or be present at, any religious instruction of which his parents or guardians disapprove."

In primary schools, does 'to not attend' or 'to be present at' mean they have the right to leave the classroom during religious instruction lessons? Does it mean they can leave the school? Does it mean they remain in the classroom? If so, what do the children do during religious instruction lessons? For continuity and flow, the interpretation used for this thesis is

that to ‘opt-out’ means that the child’s parents have requested they do not participate in religious instruction or sacramental preparation lessons.

There is also discourse around the use and definition of the terms ‘religious education’ and ‘religious instruction’ (Catholic Schools Partnership, 2015; Deenihan, 2002; Jackson, 2013; Kitching, 2020; Rymarz, 2013). Historically, in Ireland, the term ‘religious instruction’ has been used in the Constitution and legal documents and circulars to refer to the educating *into* a particular religious tradition. Religious education generally aims to adopt a broader approach than religious instruction and seeks to open children to learning *about* different beliefs in society (Coolahan, 1981). In this document the term ‘religious instruction’ is interpreted to mean a strong emphasis on the beliefs associated with a particular religion, in this case Catholicism.

## **1.2 The Education (Admission to Schools) Act 2018**

The Irish Education Act of 1998 ensures formal provision for the education “of every person in the State, including any person with a disability or who has other special educational needs” (Department of Education and Science, 2004). It was updated in 2018 with several new rules for schools. Section 11 precludes schools from using religion as a selection criterion in school admissions and includes protections for applicants of a minority faith and of no religious belief. The Act also states that schools must admit all applicants, where the school has places available and is not oversubscribed. Of particular relevance to this study is section 62.7 which as of February 2020, obliges primary schools to provide details of their arrangements in respect of children, where the parents or guardians have requested for them to be opted-out of religious instruction and sacramental preparation

lessons. This study investigates have the schools updated their admission policies to include these arrangements.

### **1.3 Recent increase in diversity in Irish schools**

Today's Irish primary classrooms enjoy a diverse range of languages, cultures and religions. In the past decade however, the suitability of the structure of the Irish primary education sector to meet the needs of an increasingly diverse, multi-faith and secular society has been debated (Darmody & Smyth, 2017; Faas, Foster & Smith, 2018; Hyland & Bocking, 2016; Kitching, 2020). Those identifying with a minority religion in Ireland has grown significantly over the past decade: Muslim by 29 per cent, Orthodox by 38 per cent and Hindu by 34 per cent (Central Statistics Office, 2016). Furthermore, the number of people identifying as having no religious belief or identifying as atheist or agnostic has risen by 74 per cent since 2011 to almost half a million people in the last census (CSO, 2016). It has been posited that "considering these trends the issue of religion and belief identity is of growing political and educational importance" (Darmody & Smyth, 2017, p. 17).

While immigration to Ireland following the 2008 financial crash came mainly from within the European Union (EU), since 2011 there has been a rapid increase in non-EU immigration, accounting for 35.6 per cent of the total number of immigrants in 2020 (CSO, 2020). Similarly, there has been a significant increase in non-EU immigrants from non-Catholic backgrounds, rising from 16 per cent in 2011 to 22 per cent in 2016 (CSO, 2016). The practices of principals catering for children opted-out of religious instruction has become much more relevant in recent years due to this increase in diversity.

### **1.4: Religious instruction and sacramental preparation in Irish Catholic primary schools**

In the 88.9 per cent of primary schools under Roman Catholic patronage, religious instruction is provided for Catholic children and preparation for the sacraments of Reconciliation (First Confession), First Eucharist (Holy Communion) and Confirmation takes place within school hours. However, the role of the parent as the primary educator of the child is highlighted by the Irish Catholic Bishops: “Religious education and faith formation initiatives in Catholic schools are provided for Catholic pupils as a support for families and parishes and not as a way of replacing their responsibilities” (Irish Episcopal Conference 2010). The *Primary School Curriculum* (1999) suggests religious education is allocated two hours and 30 minutes per week in Irish primary schools. A survey of primary school teachers suggested that considerably more time is spent on religious instruction, particularly during preparation for the sacraments (INTO, 2013). A report by the Organisation for Economic Co-operation and Development (OECD) showed that Irish primary schools are second only to Israel in the amount of time spent on religious instruction (OECD, 2014).

The current provisions for children opted-out of religious instruction and sacramental preparation in Irish primary schools have been called into question and are considered inadequate on human rights grounds (Kilkelly, 2009; Irish Human Rights Commission, 2011; Mawhinney, 2006, 2007, 2009, 2015). As outlined earlier in this chapter, the new Education Act (2018) has introduced reforms to address this issue. Religious instruction and sacramental preparation are long-established features of the Irish primary school system and are likely to continue to be as long as it remains the wishes of the parents.

### **1.5 Historical relationship between the Churches and State in education in Ireland**

From an international context the historical relationship between the Churches (Catholic and Church of Ireland) and State in education in Ireland is unique. Since the penal laws against Catholics began to ease around the end of the 18<sup>th</sup> century, there has been a

strong Catholic presence in Irish education (Coolahan, 1981). A national system of education was established in Ireland in 1831 as a result of a number of social, political, religious and economic factors (Akenson, 2012). The framework for this new model was outlined by the Chief Secretary Lord Stanley, with one of its primary aims being the unification of children from different denominations (Coolahan et al., 2012). Although written almost 200 years ago its objectives were remarkably forward thinking, with inclusive moral and literary instruction and for religious instruction to take place outside of school hours (Akenson, 1970).

While initially the government had intended a clear divide between religious and secular instruction, pressure from the churches resulted in some modifications to allow both religious content and instruction to occur within the school day (Coolahan, 1981). The religious orders in Ireland opposed a mixed denominational system and envisaged schools to be ideal conduits in which to impart their religious beliefs and doctrines (Walsh, 2016). This resulted in most schools coming under the patronage of individual clergymen of different denominations (Coolahan et al., 2012). During this time when the State had very limited funds, the Churches often gave land to schools and contributed to the cost of building and running them (Walsh, 2016). The State was indebted to the churches, with the IHRC (2011) acknowledging the prominent role the churches and in particular the Catholic Church has played in Irish education, especially at a time when the State was unable to do so itself. By mid-century however, the national school system had become a denominational one (Akenson, 1970). It was now in a dominant position in Irish primary schools in terms of ownership, management and control of the education system (Walsh, 2016). This continued over the next 40 years where Irish identity became intertwined with Catholic identity (Farrell, 2009). Fuller (2002) commented that in 1950's Ireland, there was little evidence of religious diversity or secularisation.

The Churches presence and influence remained constant in Ireland through the 80's and 90's, until the revision of the primary curriculum in 1999 (Fuller, 2002). It was notable in that it made no mention of God or religious education, instead it stated "religious education remained the responsibility of the different Church authorities" (DES, 1999, p. 2). This ostensibly indicated a separation of responsibilities between the Church and the State regarding religious education (Farrell, 2009).

Amid growing pluralism in Irish society, religious beliefs and practices were also changing and many parents did not want their children receiving religious instruction during school hours (Coolahan et al., 2012). Whyte (2010) commented that while conflict between the ideologies of education and religion did not surface for many years, due largely in part to the dominant role in Irish society that the Catholic Church enjoyed, attitudes have changed in recent times. This was acknowledged by the Catholic Church and it was clear there was a need for change in school patronage provision, diversity of school-types and in the provisions for children opted-out of religious instruction (McCormack, 2000). In the following years, both domestic and international agencies also addressed this need for change. The IHRC in 2011, the United Nations Convention on the Elimination of Racial Discrimination (CERD) in 2005, the Council of Europe (COE) in 2006 and the International Covenant on Civil and Political Rights (ICCPR) in 2008 all expressed concerns. They called on Ireland to recognise the rights of the child to be opted-out of religious instruction and to accommodate the growing cultural and religious diversity in schools (Jacobs, White, & Ovey, 2010). As outlined earlier in this chapter, the new Education Act (2018) has recognised some of these concerns and has put in place new rules relating to admission to schools for those of minority faiths and no religious beliefs.

A significant body of scholarship has been conducted particularly in the past decade regarding the complexities and injustices of the Catholic-dominated Irish school sector in a wider European context (Kitching, 2020). However, most academic literature to date has tended to focus more broadly on the role of religious education in multi-cultural schools in Ireland (Darmody, Lyons & Smyth, 2011; Darmody & Smyth, 2017; Faas, Darmody & Sokolowska, 2015; Hyland & Bocking, 2015). Ireland's approach to religious education has also been analysed from a philosophical and legal context (Daly, 2012; Fischer, 2016; Mawhinney, 2006, 2007, 2009, 2015). Limited research has explored the perspectives and practices of principals catering for children who have been opted-out, the numbers of children opted-out or whether admission policies have been updated. Therefore, this timely study attempts to fill some of the gaps in the research.

### **1.6 Aims of the Thesis**

There are four primary aims of this thesis (i) to explore the practices of principals catering for those children opted-out in the nine schools (ii) to explore the perspectives of principals catering for those children opted-out (iii) to investigate how many children are opted-out in the schools and (iv) to investigate whether schools have updated their admission policies to include arrangements for those children who have been opted-out. From the main aims of this thesis, other relevant questions emerge:

- Is 'opting-out' a challenging issue for principals?
- To what extent is there discourse between principals, teachers and parents on the issue?

### **1.7 Outline of the Thesis**

As a primary school teacher, the researcher teaches religious instruction daily and has prepared several classes for the sacraments of First Eucharist and Confirmation. He has also taught several classes in schools where children have been opted-out of religious instruction

and sacramental preparation, and has observed the different approaches adopted by principals and teachers. He is therefore in an advantageous position to pose specific, relevant questions to elicit informed and genuine responses (Dwyer & Buckle, 2009).

This chapter briefly outlined the context and history of religious education in Ireland and the relationship between the Churches and State. It has discussed why research is needed to explore the perspectives and practices of principals and how they cater for children opted-out of religious instruction and sacramental preparation. Chapter two details the literature review, including constitutional and human rights law, criticisms of the Irish education system, and the views of stakeholders in Irish religious education. In Chapter three, the research design is explained, as well as procedures, ethical considerations, data analysis and limitations. Research findings are analysed and interpreted in Chapter four. The final chapter discusses recommendations and concludes the thesis.

## **Chapter 2: Literature review**

### **2.1 Introduction**

Investigating how Catholic primary school principals are catering for children opted-out of religious instruction and sacramental preparation requires a review of literature from a variety of sources. Presently, very limited research has been published dealing specifically with the opt-out clause from the perspective of primary school principals. This chapter will review the literature pertaining to how the matter is considered in constitutional law and in human rights' documents. This chapter will examine the views of some of the stakeholders in Irish education concerning the opt-out clause: The State, The Department of Education and the Catholic Church. A review of the relevant academic research is included in this chapter. This broad analysis is necessary in order to establish what is contained in legal and human rights documents as well as church and state guidelines concerning the rights of the parent to opt their child out of religious instruction and sacramental preparation. These will be compared and contrasted when examining the current practices in Irish Catholic primary schools.

### **2.2 Constitutional, Educational and Human Rights Law**

The right to not attend denominational religious instruction classes in Irish primary schools is enshrined in both the Constitution of Ireland (1937) and the Irish Education Act (1998). The Constitution addresses the issue of education in Articles 42 and 44. The former deals with education generally while Article 44 is concerned with religion. Perhaps showing prescience, Article 44 gave rise to more issues in terms of its drafting than any other provision in the Constitution (Keogh, 1988). Article 42 recognises the family as the primary educator of the child and grants them the right to provide for their religious, moral,

intellectual, physical and social education. Article 44 has two sections which specifically address religion and education. Article 44.2.3 declares that the State will not make any discrimination on the basis of religious profession, belief or status. Article 44.2.4 states that:

Legislation providing State aid for schools shall not discriminate between schools under the management of different religious denominations, nor be such as to affect prejudicially the right of any child to attend a school receiving public money without attending religious instruction at that school. (Bunreacht na hÉireann, 1937)

Article 44.2.4 allows for a child to attend a school receiving public money without attending religious instruction (Mawhinney, 2007). This has only been considered by the courts on one occasion, in the case of the *Campaign to Separate Church and State Ltd v Minister for Education* (1998). The court stated that “if a school was in receipt of public funds any child, no matter what his religion, would be entitled to attend it. But such a child was to have the right not to attend any course of religious instruction at the school” (1998, p. 360). This was echoed by Mawhinney (2009) who argued that while state funded schools may teach religious instruction they must have in place effective opt-out clauses which satisfy the wishes of parents. Whyte (2010) noted evidence of a juxtaposition in this ruling however, positing that by implication, denominational schools who receive public funding are therefore not entitled to consider the factor of religion in their admission policy. He continued that if this indeed were the case it would defeat the purpose of such schools, particularly in the case of religious minorities (2010).

Section 30.2 (e) of the Education Act (1998) states that the Minister for Education is legally responsible for protecting the right of children to not attend any subject that is against their conscience. These standards are mirrored in European and International human rights’ laws where opt-out clauses are considered a sufficient means to protect and respect the right

to freedom of thought, conscience and religion for those who do not wish to participate in religious instruction (Mawhinney, 2009). Article 2 of the European Convention on Human Rights (COE, 1950) states:

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

Mawhinney (2011) refers to this as a negative right; the State must guarantee that children are *not* taught subjects or subject matter that their parents object to. Furthermore, schools in receipt of state funding are obligated to not teach a religiously integrated curriculum whereby it is impracticable for children to not attend religious instruction (Mawhinney, 2011). This is further complicated by the rights of a school to a characteristic spirit or ethos. Both national and international law upholds the rights of parents to see their child educated in accordance with their beliefs (ECHR, 2004; IIHR, 2011). The European Court of Human Rights (ECHR) held in *Campbell and Cosans v UK*, that Article 9 and Protocol 1(2) ECHR requires a state funded school, respecting the parents' wishes, to separate religious instruction from the rest of the curriculum. Only then can a right of 'opt-out' be properly exercised. Finally, Article 18(4) of the International Covenant on Civil and Political Rights outlined that the State is to have respect for the liberty of parents to ensure the religious and moral education of their children is in conformity with their own. However, there is a wealth of literature arguing that there is a rightful place for denominational schools and religious instruction in the Irish education system as part of a pluralistic society (Lane, 2013; Murray, 2008; Renehan & Williams, 2015; Tuohy, 2013).

It is clear therefore that by statute, legislation, the constitution and international agreements on human rights, parents have the right to opt their child out of religious instruction and schools in receipt of state funding are obliged to provide supervision outside the classroom during this time.

### **2.3 The position of the Catholic Church concerning religious education**

The *Catholic Preschool and Primary Religious Education Curriculum for Ireland* (2015) was written in accordance with the *Catechism of the Catholic Church* (1992) and *Share the Good News: National Directory for Catechesis in Ireland* (2011). It was developed in response to the evolving cultural and educational context of Catholic primary religious education in Ireland (Irish Episcopal Conference, 2015). Religious teachings in Irish Catholic schools are described as having two dimensions; education and faith formation (IEC, 2015). Religious education focusses on the teachings and values of the Catholic Church, while faith formation “forms children’s characters in the virtues and values of Jesus; supports their faith development, and helps them to experience what it means to be a member of the Church community called to witness to Jesus in service of others” (IEC, 2015, p. 13).

Referencing inter-religious dialogue and education they highlighted that programmes and resources had been developed to reflect social and cultural diversity within the school and society (IEC, 2015). Developing inter-religious literacy is also one of the key skills promoted by the *Primary Religious Education Curriculum* (IEC, 2015). While they noted that Catholic schools respected and supported the right of parents to withdraw their children from religious instruction, no further reference was made in the curriculum guidelines.

The CSP (2015) outlined what they considered to be the role of Catholic primary schools in a more culturally diverse Ireland. Issues relating to the Constitution, religious education and the rights of the child to be opted-out, admission policies, inclusion, diversity,

and parental rights were addressed. It is recognised by the CSP that in both the Rules for National Schools and the Irish Constitution the term used to describe the time spent on religious learning in schools is ‘religious instruction’. They argued however that this misrepresents what happens as part of a broader religious education in primary schools (2015). They referred to Hull’s suggestion that there are three different ways to teach religious education in Catholic schools: ‘learning into religion’, ‘learning about religion’ and ‘learning from religion’ (Hull, 2001). They comment that all “three types of learning are evident in Catholic primary schools today” (CSP, 2015, p. 6).

Addressing how opt-out provisions should be facilitated in Catholic schools, they are closely aligned to those proposed by the FOPP (2014), which are discussed later in the chapter. They noted that they were related to available school resources and staffing and the schools’ need to comply with their own policies on curriculum, supervision and child safeguarding (2015). As per the Constitution (1937), they recognise that the Minister for Education is responsible for the provision of such resources; however they highlighted that some Catholic schools had developed local arrangements to accommodate parents (CSP, 2015). The Advisory Group of the FOPP sought examples of these arrangements from the CSP (Coolahan et al., 2012). Included in the 2014 progress report was a reference by the CSP to some parents who had chosen to collect their children from school in order to ensure that they were not present for religious instruction lessons (FOPP, 2014). The FOPP acknowledged that this could pose challenges for parents regarding their own domestic or work commitments (FOPP, 2014).

On the issue of the inclusion of schools’ opt out provisions in admission policies, the CSP advised that parents should be made aware that there may be prayers at assembly and during the school day, which faith-based schools have constitutional rights regarding

characteristic spirit or ethos. They suggest that this could be used as a time of reflection for children of minority faiths and no religious beliefs (CSP, 2015). Concerning the management of those opted-out of religious instruction, they advise meeting with parents to answer any questions they may have to allow them make an informed decision on their child attending religious instruction lessons (2015). Mawhinney (2011) argued that parents may feel compelled to compromise their own beliefs in order to ensure a school place for their child, which could amount to an infringement of their right to freedom of thought, conscience and religion. This was addressed in the new Education Act with the removal of the ‘baptism barrier’ in 2018.

Regarding the options schools can provide parents with when a request to opt-out of religious instruction is made, the CSP recommended for the child to remain in the classroom, participating in what they described as “an interesting, educationally appropriate and child-friendly activity, where alternative supervision is not feasible” (2015, p. 26). This was viewed as a satisfactory situation for teachers and parents (CSP, 2015). Coolahan et al. noted that “this perspective does not illustrate sufficient understanding of the human rights issues involved.” (2012, p. 82). Other options included split timetabling of religious instruction between class groups, supervised project work in another room where a member of staff is available and parents removing the child from school.

Addressing those children in Catholic schools whose parents identify with a minority faith or no religious belief, the CSP highlighted the inclusive nature of schools, stating that all traditions are acknowledged, respected and welcomed (CSP, 2015). The CSP stated that “children from all faith traditions and none are welcome to participate in the religious education programme that the school provides” (2015, p. 25). They stated that Catholic schools co-operate with parents of other and no religious beliefs who wish to provide

religious instruction for the children in their own tradition (CSP, 2015). However, they point out the ruling by Justice Barrington, that while a child attending a school run by a religious denomination different from their own has a constitutional right not to attend religious instruction, the Constitution cannot protect them from being influenced by the religious ethos of the school (2015). They added that religious groups are free to establish their own schools to cater for members of their particular faith (2015).

#### **2.4 Criticism of Ireland's education system**

Ireland has been widely criticised by national and international human rights groups for the lack of suitable opting-out possibilities in primary schools (COE, 2017; IHRC, 2011; United Nations Committee on the Rights of the Child, 2016). In his report in 2017, The Commissioner for Human Rights of the COE Nils Muiznieks told the Irish Government that the State had the responsibility to address the infringement of human rights of atheist and minority faith pupils and parents in Irish schools (COE, 2017). The IHRC cautioned that “unless religion classes are moved outside of the school day, human rights standards suggest that it is necessary to put in place mechanisms to ensure supervision of children who wish to be exempted” (2011, p. 100). The Minister of Education at the time commented that “Ireland will continue to be the subject of international criticism if it does not move to address the concerns raised by the monitoring committees of the international human rights treaties to which it is a party” (Quinn, 2014, p. 6). Concerns have also been raised that children are not being ensured the right to effectively opt out of religious classes, in addition to a lack of appropriate alternatives to such classes (UN, 2016). Ireland has been repeatedly called on by The European Convention on Human Rights to promote the establishment of non-denominational and multi-denominational schools to accommodate the growing religious and cultural diversity in Ireland (Jacobs et al., 2010).

Whether or not religious instruction constitutes a breach of Article 18(4) of the International Covenant on Civil and Political Rights (ICCPR) has been argued in the European Court of Human Rights (ECHR). The cases of *Hartikainen v Finland* (1981) and *Ciftci v Turkey* (2004) both held that opt-out clauses must be provided for those who do not wish to participate in religious instruction (ECHR, 1981, 2004). However it has been posited that the jurisprudence of the European Convention suggests that a state need only to provide a right to withdraw from religion classes (Mawhinney, 2007). In the case of *CJ, JJ and EJ v Poland*, a child had to wait in the corridor during religion lessons (ECHR, 1996). This was upheld by the ECHR, stating that as the child was deemed to have ‘voluntarily’ returned to classes following dialogue with teachers and classmates, it did not breach Article 9 as there was no clear evidence of indoctrination or coercion (ECHR, 1996). The IHRC acknowledged the challenges in implementing the rights of the child to be opted-out of religious instruction where there are no alternative schools in the area (2011). It has been highlighted that smaller rural schools lack appropriate provisions for children who have been opted-out, resulting in them remaining in classrooms and the possibility of “othering” among children (Darmody, Byrne, & McGinnity, 2014).

## **2.5 Ireland’s response to criticisms**

Historically, the Irish State has moved to assure UN Committees that the right to freedom of thought, conscience and religion is protected in schools (Mawhinney, 2007). In its first report to the Human Rights Committee it stated that no child in a state funded primary school can be required to take part in religious instruction if the parent informs the school of their wish to withdraw the child (Centre for Civil and Political Rights, 1992). In the second report the Government referenced the Education Act, declaring it provides the child with the right to withdraw from any subject which is contrary to the conscience of the parents (CCPR,

1992). In 2015 in their reports to the UNCRC and the COE, Ireland repeatedly referred to Article 44.2.4 to indicate that a child's freedom of thought, conscience and religion was protected in Irish primary schools (Mawhinney, 2015).

## **2.6 The involvement of the state in the Irish primary school religious curriculum**

Concerning religious education, the NCCA (2016) state that the development and implementation of the curriculum in religious education in primary schools is the responsibility of the relevant patron bodies, which as discussed earlier is overwhelmingly the Catholic Church at just under 90 per cent (DES, 2019). The NCCA noted that schools should be flexible in making alternative arrangements for those parents who have opted their child out of the particular religious education it offers (2016). This has also been echoed by the Admissions to School Act (2018), the CSP and the Joint Managerial Body for Voluntary Secondary schools (JMB) who state that diversity and inclusion are at the heart of Catholic education (Mullally, 2019). Recognising the potential sensitivity of parents concerning opting their child out, the JMB states it needs to be addressed “in a spirit of understanding, especially with parents of different beliefs” (p. 16). Suggestions and recommendations for students opted-out include studying something relating to their own religious tradition or belief and if a student is of no religious belief to avail of relevant literature or philosophical texts during this time (JMB, 2019). This approach highlights the importance schools place on the religious or spiritual formation of all of its students who have their own personal journey that should be encouraged and respected (JMB, 2019).

## **2.7 The Toledo guidelines**

The Toledo Guiding Principles (2007) are based on human rights through the lens of freedom of religious beliefs and non-beliefs in public schools. The principles are considered to be inclusive with a focus on religions, beliefs and non-beliefs (Jackson, 2013). The

guidelines state that the teaching about religions and beliefs should be balanced and well researched, and the child's learning environment is mindful and respectful of human rights and freedoms (Office for Democratic Institutions and Human Rights, 2007). Concerning the rights of the child to be opted-out of religious instruction and sacramental preparation, they advise that a school curriculum should be designed to be sufficiently impartial and balanced and to grant the right to opt-out on the grounds of conscientious objection (ODIHR, 2007). They added that this right must be achievable in practice and not just a theoretical possibility, and cautioned against stigma and discrimination on account of the exercise of this right (ODIHR, 2007).

Citing The European Court of Human Rights (ECHR) they declared that "excessive involvement of religious authorities from one community in decisions that affect the rights of those belonging to another community may itself amount to a violation of the right to freedom of religion or belief." (ODIHR, 2007, p 65). Of the fifty six states in the OSCE, only the Catholic Church objected to the Toledo guidelines, who referred to them as a "reductive view of religion and a conception of the secular nature of States and their neutrality that obfuscates the positive role of religion, its specific nature and contribution to society" (Holy See, 2007). They argued it infringed on their right to religious freedom and questioned why they were not involved in the consultation process, stating that the Toledo guidelines contradict the Organisation for Security and Co-operation in Europe's understanding of religion (2007). The main areas of concern for the Holy See were the danger that teaching *about* religions may replace the teaching *of* religions in some countries, the risk that religions may be portrayed negatively and the issue of parental rights in the religious education of their children (Holy See, 2007).

## **2.8 The Forum on Patronage and Pluralism**

In 2011, included in the programme for government was a commitment to establish a Forum on Patronage and Pluralism (FOPP) in the primary sector (Government of Ireland, 2011). The Minister for Education and Skills at the time appointed an advisory group stating the main objective of the forum was to ensure that a greater diversity of patronage be available in primary schools (Coolahan et al., 2012). The intention of the school patronage process was to provide an appropriate form of education for children and their parents in line with their beliefs (Coolahan et al., 2012). Included in the report were recommendations for primary schools to be inclusive irrespective of beliefs and to provide children with the opportunity to learn about other religions, philosophies and traditions (Faas et al., 2015). In 2014 the Forum published best practice regarding inclusive practices following submissions from schools (FOPP, 2014).

Further recommendations suggested school enrolment policies with information for parents on religious practices be made more open and easily understood (Coolahan et al., 2012). These were included in the new Education Act (2018). Religious instruction was recommended to be taught as a discrete subject and time spent on sacramental preparation was not to be at the expense of the general curriculum (Coolahan et al., 2012). The feasibility of this has been questioned (Kitching & Shanneik, 2015; Kitching, 2020; Mawhinney, 2006; O'Mahony, 2015). It is argued how sacramental preparation is to be taught as a discrete subject considering "how Catholic sacramental preparation is particularly clearly sewn into the structure of Catholic schools" (Kitching & Shanneik, 2015, p. 36).

One of the key concerns highlighted by the FOPP was the implementation of opt-out arrangements in schools. The FOPP underlined that provisions in schools remained inappropriate and inadequate on human rights grounds because children who had been opted-

out were being deprived of the opportunity to learn about other religions and ethics and to develop knowledge, values and attitudes towards religions (Coolahan et al., 2012). They called for an ethics course appropriate to life in a democratic society to be introduced, stating there was an urgent need to address the issue (Coolahan et al., 2012). Based on the recommendations of the FOPP, a curriculum in Education about Religions and Beliefs (ERB) and Ethics was developed by the NCCA. Its aim is “to help children understand the cultural heritage of the major forms of religion, belief traditions and worldviews” (NCCA, 2015, p 6). It adds that the curriculum “does not nurture the belief or practice of any one religion; instead it focuses on fostering an informed awareness of the main theist, non-theist, and secular beliefs” (NCCA, 2015, p. 6). However the program has been met with opposition and according to the draft primary curriculum framework published in 2020, it is not expected to be introduced until 2025 at the earliest (NCCA, 2020).

The FOPP outlined several practical and resource challenges preventing the implementation of the right of the child to be opted-out of religious instruction, particularly for smaller and rural schools. Currently, 44 per cent of Irish primary schools are defined as small, having four teachers or fewer (DES, 2019). Challenges included the provision of alternative programs and appropriate supervision outside of class for those opted-out in smaller schools (Coolahan et al., 2012). These alternatives are similar to those adopted by the CSP in their guidelines (2015) which are detailed in this chapter.

They FOPP suggested a number of other solutions that, while acknowledging they were unsatisfactory, could be implemented in the short term pending a new ERB and Ethics programme (Coolahan et al., 2012). They proposed for religious instruction classes to be held at different times for different class groups to allow those opted-out to participate in another class (Coolahan et al., 2012). Schools were to explore the feasibility of religious instruction

being timetabled for the beginning or end of the school day, as recommended by several groups, including the IRHC (Coolahan et al., 2012). This was to facilitate parents to drop off or collect their children during this time. They noted however that this could pose challenges for parents and their own domestic or work commitments (Coolahan et al., 2012). The CSP advised it should not take place at the end of the school day as it might undermine its importance (CSP, 2015). The Forum also recommended the involvement of the Parents' Association in adopting a programme of activities and supporting minority groups in the school should be explored and to provide belief specific education for minority groups (Coolahan et al., 2012).

The FOPP recommended for Boards of Management to develop school policy on the measures they will put in place to meet their obligations to children and parents, including the views and suggestions of children (Coolahan et al, 2012). They suggested that the Education Act should be amended so the Board is accountable to the parent body, while upholding the characteristic spirit of the school and the constitutional rights of parents and children (Coolahan et al, 2012). They advised for the Minister for Education and Skills to review and update the Rules for National Schools. Finally, Rule 68 should be deleted as soon as possible and to make schools aware of the human rights requirements of national and international law (Coolahan et al, 2012). Many of these recommendations were included in the new Education Act 2018.

Rule 68 was rescinded in 2016: however, it has been argued what impact its removal will have, as school ethos permeates throughout the school day in Catholic schools. The Bishops' Council for Education (2016) stated although Rule 68 had been abolished, it would not change the teaching of religious education in Catholic schools. They added it was not the role of the Minister to determine or interfere with the ethos of faith schools (2016). Following

the announcement, the United Nations reiterated its call for Ireland to take measures to increase non-denominational or multi-denominational schools to eliminate discrimination and to amend equality legislation so children can enrol in local schools regardless of their beliefs or non-beliefs (UN, 2016).

Both the IHRC and Atheist Ireland agreed rescinding rule 68 would not remove the religious integrated curriculum from schools (IHRC, 2015; Atheist Ireland, 2016). In their report on human rights issues in Ireland, the IHREC stated that despite the removal of Rule 68, religion still permeated school life in the vast majority of national schools (2016).

O'Toole framed Rule 68 as “evidence of the State’s failure to protect children and leaves those from minority faiths and none subject to the whims of the denominational authorities” (2015, p. 96). It was framed by the State as a positive step towards a more inclusive school system, however it is presently unclear what has actually changed in faith-based schools.

Regarding the curriculum guidelines the FOPP recommended that the introduction to the *Primary Curriculum* be revised to ensure that provision is made for religious instruction to be taught as a discrete subject (Coolahan et al, 2012). However considering the integrated curriculum, this would undoubtedly prove very challenging for faith-based schools. During the consultation on the FOPP children were asked on their thoughts and feelings towards religious instruction and what happens during lessons for those who have been opted-out. The responses varied, including a sense of being left out and having to do other work, to a general lack of understanding of their beliefs and feeling obliged to participate in religious classes (Coolahan et al, 2012). Several of these alternatives are seen as problematic from a human rights perspective and impractical due to the integrated curriculum (Mawhinney, 2011; Hyland & Bocking, 2016; Smyth & Darmody, 2011). Faas et al., (2018) posited that the

integration of religious education into the curriculum makes opting-out unachievable in practice.

## **2.9 School divestment**

In 2009, 73 Irish primary schools were multi-denominational, which accounted for 2.3 per cent of all primary schools (DES, 2016). As of 2020 that number has increased to 150, for a total of 4.8 per cent (DES, 2020). Humphreys (2015) noted that the initial dynamism of the minister in the divesting of schools and promoting pluralism had seemingly given way to inaction. It should be noted that the issue of school divestment is an extremely complex one, and involves the State, the Catholic Church, local schools and their communities as well as the wishes of parents. The CSP stated that the process of divesting schools was a huge logistical challenge, raising all sorts of challenging questions (CSP, 2011). The Programme for Government (2014) committed to achieving a target of at least 400 divested multi-denominational primary schools by 2030 to improve parental choice. As of March 2021 that number stands at 15.

## **2.10 Sacramental preparation**

Involvement in the preparation of Catholic children for the Sacraments of First Eucharist and Confirmation is an integral part of the life of a Catholic primary school (CSP, 2015). As 44 per cent of Irish primary schools have four teachers or fewer, many children may spend up to four years in the same classroom and could be involved in sacramental programmes in all eight years of their primary schooling (FOPP, 2014). Due to the considerable time involved, the rights of the child to be opted-out of religious instruction can become more challenging during sacramental preparation (Faas et al., 2018). Their recent study in Irish Catholic schools found that some teachers felt the practice was exclusionary, and that its place within the school day was problematic for children and teachers (2018).

They reported that “the practice of separating children of minority faiths and none during the school day draws clear lines of difference between Irish Catholic children and those perceived as “others” (Faas, et al., 2018).

The CSP however states that the average of thirty minutes per day devoted to religious instruction should remain the same during the sacramental years and the “encroachment on the time for other curriculum areas need not be problematic when the overall year is taken into account” (2015, p. 27). Mawhinney argued that this practice of conducting sacrament preparation during school hours renders any exemption clause ineffectual, and is in violation of human rights standards (2011). She pointed out that the time given to sacrament preparation may also infringe on the right of a minority belief child to an effective education (2011). For children who have been opted-out of sacramental preparation, the CSP referred back to the previous suggestions listed earlier in this chapter, as well as the school offering the child the opportunity to participate in choirs, art, drama and other aspects of school support for the sacramental programme (2015). The practice of sacrament preparation during school hours in Irish Catholic schools was not mentioned in Irish reports to the Human Rights Committee, the Committee of Economic, Social and Cultural Rights, or the Committee on the Rights of the Child (Mawhinney, 2006). This is still the case in 2021.

### **2.11 The challenges of opting-out in Irish primary schools**

While research on ethno-cultural diversity and intercultural and religious education in Ireland is deepening, little is still known about how different types of primary schools are responding to increasing religious and cultural diversity (Faas et al., 2018). The issue of children being opted-out of religious instruction and sacramental preparation is an area of contention (Harmon, 2018). In some schools it is being managed well, as noted by the CSP (2015, p. 26). Although children have the right to be opted-out of religious instruction, they

usually remain in class doing other work or participating in the lesson (Darmody & Smyth, 2009). Kilkelly noted that despite its importance, discussion of a child's rights in the education system is "greeted with a degree of scepticism" (2010, p. 1). Referencing The Children's Rights Commissions' concern about the impact of the opt-out clause on children in the school system, she argued that it was not an appropriate solution to the problem, not least where the integrated curriculum is employed.

Mawhinney (2006) argued that "the opt-out clause is a flawed mechanism for the protection of freedom of religion in schools" (p. 102). Coolahan et al (2012) highlighted "there is an insufficient understanding of the human rights issues involved and an urgent need for opt-out arrangements to be dealt with more satisfactorily in schools" (p. 82-83). O'Toole argued that the lack of provision for children who do not wish to attend religious instruction represents a clear infringement on their liberty (2015). While children have the right to be opted-out of religious instruction in Irish Catholic schools, this approach to dealing with diversity has been seen by minority-belief parents to be unsatisfactory and problematic, with children being excluded or bullied (Lodge, 2004). It was in response to all of this that the new Education Act 2018 was enacted, where it sought greater transparency, equity and consistency around the issue.

Mawhinney (2006) examined the teaching of religious instruction and the operation of opt-out provisions in Irish schools, including a survey of principals, teachers and parents. Her data showed that 98 per cent of Catholic schools taught religious instruction each day, with 35 per cent of schools reporting that parents exercised their right for their child to opt-out of religious instruction (2006). In the Catholic schools surveyed, those children opted-out remained in the class doing work (68 per cent) or were withdrawn by their parents (14 per cent). The issue of opting-out had not arisen in 16 per cent of the schools (2006). Sacramental

preparation was carried out in all Catholic schools with 60 percent stating that considerable time was required for preparation outside religion class during school hours, particularly leading up to the sacramental services (2006). For those children opted-out of sacramental preparation, generally they remained in the class doing their own work (2006).

Mawhinney highlighted five areas of concern from her findings: (i) some schools not offering parents the choice for their child to opt-out, with the onus on parents to raise the issue (ii) reluctance of some parents to withdraw their child from religious instruction classes in case it would have a negative impact on the child (iii) parents leaving the child in the class despite it compromising their beliefs (iv) the impracticality of opting out in sacrament years due to the time taken outside religious instruction and (v) teachers felt that daily Catholic school life did not lend itself to children opting-out as there were limited options for them to do so with an integrated curriculum (2006). She called on international human rights tribunals to examine the reality of the practicalities of withdrawal provisions in Irish Catholic schools (2006).

More recently, Darmody, Lyons & Smyth (2015) undertook a case study, which looked at the interactions and negotiations between home and school over religious education. They examined the challenges facing schools attempting to cater for those children who had been opted-out. Principals cited a lack of space and available teaching staff as the primary factors preventing the physical removal of children in four of the five schools (2015). This resulted in children remaining within the class while doing homework, reading or participating in the lesson (2015). They also found a degree of ambivalence regarding the issue among some principals and teachers who took part in the study, suggesting there were limitations to the extent schools could accommodate those who had been opted-out of religious instruction (2015). Notably, the view was expressed by some that children from

minority groups should follow the same rules as their Catholic classmates and to adhere to the rules of the school (2015). Shanneik (2015) highlighted that while it has been well established that children may theoretically opt-out of religious instruction classes at their parents' request, schools may be unwilling or unable to accommodate such requests. This issue was addressed in the new Education Act of 2018 and obligated schools to include arrangements in their admission policies.

The responsibility of school principals comes into focus here, and their approaches to diversity in their schools. In Devine's (2013) study of Irish primary schools, she noted some principals engaged in reflective practices relating to the development of whole-school inclusive initiatives. Some principals sought continuity and preservation of the schools' ethos, supporting only those children who became visible through their needs rather than a systematic focus on the requirements of minority children and their parents (2013). Research indicates that some principals accommodate migrant children and their parents through inclusive school practices (Blair, 2002; Gaetane, 2008). Others are considered 'hard to reach' (Crozier & Davies, 2007) engaging in a form of passive racism as they 'manage' diversity to preserve the status quo (Parsons, 2009). Devine (2013) argued the effort principals put into fostering diversity and inclusion is also influenced by the resources provided by the State to support inclusive practices in schools.

## **2.12 International literature on the right to opt-out in faith based schools**

The subject of religious education and instruction internationally in primary schools differs significantly from nation to nation (Franken & Loobuyck 2011; Jackson, Miedema & Willaime, 2007; Kitching, 2020; Rothgangel, Jäggle & Schlag, 2014). Most countries use different religious curricula depending on their historical, religious, social and cultural contexts and traditions (Von Brömssen, Ivkovits & Nixon, 2020). Broadly, there are four

types of teaching about religions in primary schools; non-confessional religious education, optional confessional religious education, compulsory confessional religious education with opt-out possibilities and teaching of religious facts integrated into relevant subjects. Religious instruction school programmes in Europe vary greatly and in most countries it remains optional (Pépin, 2009).

As outlined in chapter one, Ireland's education system is unique, due to the historical relationship between Church and State. Comparing Ireland's provisions for children who have been opted-out of religious instruction with other jurisdictions requires a review of both the existence of an opt-out clause from religions and beliefs, in addition to the provisions made for those who have exercised such a right (Grayson, O'Donnell & Sargent, 2014). Religious instruction in Spain and Italy is compulsory for schools but optional for children, whose parents are required to inform the school whether they wish for their child to be opted-out when they register (Dietz & Gunther, 2007; Willaime & Mathieu, 2005). In Romania and Cyprus, it is considered compulsory as it is part of the core curriculum, however children can be opted-out if the parents provide a written request (Pépin, 2009). Similar to Ireland there are no alternative subjects offered. In Greece religious instruction is part of the compulsory curriculum, however it has become optional since 2008 for all children (Willaime & Mathieu, 2005). In Malta, Catholic religious instruction is a compulsory subject in the curriculum, with an opt-out clause for children (Pépin, 2009).

As with the Republic of Ireland, Northern Ireland, Scotland and Wales' school policies allow for parents to opt their child out of religious instruction (Grayson et al., 2014). In England the child has the right to not attend religious instruction but not other subjects where discussion about religion may occur (Pépin, 2009). English primary schools have a duty to supervise any children who opt-out, however they are not required to provide any

additional teaching (Pépin, 2009). In Scotland, guidelines recommend that primary schools should make appropriate arrangements for a child who has been opted-out to participate in a ‘worthwhile activity’ (Pépin, 2009). In both England and Scotland, schools are recommended to provide parents with information about the religious education curriculum, to help them make informed decisions, with an annual review available to determine whether they still wish to opt-out (Pépin, 2009).

In Austria, 59 per cent of primary schools use a Catholic curriculum and children have the right to not attend religious instruction within the first five days of a school year (Von Brömssen, Ivkovits & Nixon, 2020). As in Ireland, children have the right to not attend religious instruction or any subject that is against their conscience (Ritzer, 2003). Due to an increase in the numbers of children whose parents wish to opt them out, some schools in Austria have established an ethics program to offer as an alternative. Children can decide whether to attend religious education or Ethics, although for the Catholic Church, it is argued that ethics constitutes a competitor for religious education (Von Brömssen et al., 2018).

New Zealand is an interesting case study to compare with Ireland, as it has a similar religious education landscape. Neither religious education nor religious instruction is officially part of their formal curriculum framework (Grayson et al., 2014). Catholic primary schools in New Zealand are integrated with the state system, receive public funding and have a strong cultural diversity program influencing the curriculum (Grayson et al., 2014). New Zealand’s Human Rights Commission (2010) states that schools can teach about religions and beliefs but not religious instruction in one particular faith. The New Zealand Education and Training Act specified that teaching in state primary schools must be secular while the school is open (Ministry of Education, 2020). Legislation in New Zealand declared that primary schools may close for 60 minutes a week during school hours and up to 20 hours in any

school year, for any class, for the purposes of religious instruction (Ministry of Education, 2020). This requires parents or guardians to ‘opt-in’ rather than the more exclusionary ‘opt-out’.

In compliance with the Bill of Rights Act (1990) and the Human Rights Act (1993), schools that close to allow religious instruction must protect the rights of children and their families to be free from discrimination based on their religious or non-religious beliefs. They outlined a number of recommendations for school boards to ensure they meet these obligations in their *Guidelines for Religious Instruction* (Ministry of Education, 2020). These included consulting with the local community to discuss whether or not to allow religious instruction, to provide full and accurate information to the local community and to offer valid alternatives to religious instruction if it takes place when the school would usually be open for teaching (2020). Other recommendations involved the use of vetted volunteers to lead religious instruction lessons, to provide secular school and child support services and to have a school complaints procedure to resolve issues (2020).

### **2.13 Conclusion**

This chapter has examined literature concerning the rights of parents to opt their child out of religious instruction in both Irish and European jurisdictions. It has highlighted criticisms of the Irish education system regarding school diversity and the provisions for those who have been opted-out as well as the State’s response to them. It has explored some of the potential challenges school principals face when catering for children who have been opted-out and the feasibility of the recommendations and guidelines from the FOPP and the CSP. It has examined the positions of stakeholders in Irish religious education and analysed the current academic research relevant to this study.

## **Chapter 3: Research Methodology**

### **3.1 Introduction**

This research explores the perspectives and practices of principals catering for children opted out of religious instruction and sacramental preparation. The purpose of this chapter is to outline the research paradigm and the design and methodologies adopted in order to achieve the aims of the study. It details the various considerations taken into account when deciding on the appropriate research methodologies considered to be compatible with the design of the study. Researcher positionality is discussed, along with a description of the context in which the research took place. A justification for selecting a qualitative approach will be presented. An outline is given of how the data was gathered and analysed and the criteria for ensuring the validity and reliability of the research are discussed. Finally, the various ethical considerations and procedures involved and the limitations of this study are outlined.

### **3.2 Research paradigm**

An interpretivist paradigm was chosen for this study. The aim of interpretivist research is to engage with the world of the research participants by relying on their interpretations (Creswell 2014). This seemed most appropriate for this thesis as it is investigating the experiences of principals catering for children who have been opted-out of religious instruction and sacramental preparation. The interpretive paradigm allows researchers to view the world through the perceptions and experiences of the participants and uses those experiences to construct and interpret their understanding from gathered data (Creswell, 1994; Thanh & Thanh, 2015). It is widely accepted that the interpretivist paradigm predominantly uses qualitative methods, which was also selected for this study (Denzin and

Lincoln 2000; Glesne & Peshkin, 1992; Silverman, 2000; Willis, 2007; Nind & Todd, 2011). Patterns and theories emerge from the participants rather than being predetermined by the researcher (Creswell 1994). Interpretive research is more subjective and interpretivists believe an understanding of the context in which any form of research is conducted is essential to the interpretation of data gathered (Willis, 2007).

### **3.3 Research design**

Researchers can choose either a qualitative or quantitative approach to their study, depending on the nature of the research being undertaken and the questions being asked (Denscombe, 2014). In quantitative research, the researcher identifies a problem and attempts to gather measurable data using tools that are viewed as impartial to ensure that the researcher's personal biases and values do not influence the results (Creswell, 2012). Quantitative research and its mechanisms were deemed incongruent with the aims of this study due to the method chosen of semi-structured interviews. A qualitative research method was chosen for this study and was considered appropriate as it suits the interpretivist paradigm well. Qualitative research attempts to gain a deeper knowledge of a social phenomenon by relying on the views of participants through interviews or focus groups (Yin, 2010). Qualitative researchers take a post-positivist view of the world where events or phenomena are open to interpretation (Cohen, Manion, & Morrison, 2007). Qualitative researchers utilising the interpretivist paradigm reject positivist notions of universal laws and objective truths (Creswell, 2014). Instead, they adhere to nomological networks of cumulative evidence, depending on the perspective of the participant (Saad, 2017).

The qualitative approach suited the purpose of this study as it sought to gain a more nuanced understanding of the experiences, challenges and perspectives of school principals accommodating children who have been opted-out of religious instruction and sacramental

preparation. This conclusion was reached whilst acknowledging the limitations and criticisms of qualitative research methods. It has been critiqued as being overly subjective and susceptible to generalisation (Bryman, 2004). Silverman (2010) argued that qualitative research serves only to support the more reliable quantitative methods and is therefore assigned low credibility in relation to its reliability and validity. If the researcher relies on just one method such as a qualitative approach, it “may bias or distort the researcher’s picture of the particular slice of reality they are investigating” (Cohen et al., 2007, p. 141).

However, Creswell (2014) argues in favour of qualitative research, stressing the importance and value of the practice of reflexivity by the researcher. Their positionality in the study, their background and experiences are all recognised in how they shape the direction of the study (Creswell, 2014). Qualitative researchers can negate the potential for generalisation and lack of transparency by developing “a complex picture of the problem or issue under study, report multiple perspectives, and identify the many factors involved in a situation” (Creswell 2014, p. 186).

### **3.4 Researcher positionality**

It is argued that researchers of educational practice bring their own set of assumptions, values and experiences and are “unable to retain a ‘value free’ position” because they are influenced by their gender, class, ethnicity, age and status (Hitchcock & Hughes, 1995, p. 44). These can have an impact on the interpretation of the findings due to the researcher’s own personal values and biases. It is also argued that researcher positionality not only shapes their work “but influences their interpretation, understanding, and, ultimately, their belief in the truthfulness and validity of other’s research that they read or are exposed to” (Holmes, 2020). A primary teacher for almost ten years, I have worked as an educator in Catholic, Educate Together and Community National schools during that time. I have

prepared children for the Sacraments of First Eucharist and Confirmation. I have also taught several classes where children were opted-out of religious instruction and sacramental preparation lessons. With no knowledge at the time of human rights law or education acts or what was written in the Constitution, as a new teacher, it appeared on the surface to be an exclusionary practice to have some children participate in a lesson while others coloured or read a book, all while being in the same class. It can also be argued however that the children had been 'opted-out' rather than excluded, and that the failing is the lack of provision in schools for them. These experiences provided the impetus for this study. I recognise the critical importance of meaningful recognition and inclusion of the needs and rights of minority groups in schools (Bryan & Bracken, 2011). I am aware of the potential advantages and limitations of my position as an 'inside researcher' and I will discuss this in the next section.

### **3.5 Insider researcher**

As a primary school teacher in a Catholic school, the term 'insider researcher' can be used to describe my role in this study. Researchers however can be viewed as never fully 'insiders' or 'outsiders' and should be placed on a continuum (McDermid, Peters, Jackson, & Daly, 2014). An insider researcher offers many advantages, as there can be an implicit assumption from participants that the researcher shares their views and experiences and is therefore more disposed towards engaging in dialogue about their experiences (Unluer, 2012). The researcher shares a common language, similar cultural identity and a familiar work experience with the research participants, excluding the unique context of their role as principal.

Denscombe (2014) posits that interviewees may alter their responses depending on how they view the interviewer. I was aware that some principals may have felt that they had

to give the 'right answer' and this may have impacted their responses. I was also aware that principals may have been reluctant to openly critique or reflect on their practices regarding children who have been opted-out of religious instruction or sacramental preparation with an 'outsider'. The researcher adopted a calm warm demeanour throughout and ensured the interviewee was ready to begin the interview before asking permission to record (Opdenakker, 2006). The insider researcher is also able to recognise issues or situations that the participant may be alluding to which may not be easily discernible to an outsider (Brannick & Coghlan, 2007; McDermid et al, 2014).

Although there are numerous benefits to research being conducted by an insider, it can raise concerns relating to objectivity and bias (Smyth & Holian, 2008). The position of an insider researcher also has ethical implications because, while attempting to be removed and neutral, my employment as a primary teacher can curtail this objectivity (Hitchcock & Hughes, 1995). This may impact upon the analysis of the findings, particularly if the results are critical of school practices. Brannick & Coghlan (2007) posit that insider researchers should observe caution when interviewing, as they may assume too much and not expand on topics with the participants as an outsider might. Another potential issue when interviewing colleagues is that they may presume the researcher already knows the answer and therefore give very limited responses (McDermid et al., 2014). It has been argued however that being an insider or an outsider is not important (Dwyer & Buckle, 2009). It is suggested that the honesty and authenticity of the researcher in shaping their research findings accurately are more important than whether a researcher is an 'insider' or 'outsider' researcher (Dwyer & Buckle, 2009).

### **3.6 Research participants**

As outlined previously, the aim of the research is to explore the perspectives and practices of principals in Irish Catholic schools when catering for children opted-out of religious instruction and sacramental preparation. While teachers, parents and childrens' experiences were also considered for inclusion in the research, it was determined that principals should be the focus for two primary reasons; they are the leaders and decision-makers in their respective schools and teachers, children and parents look to them for guidance and instruction (Fullan, 2006). Concerning school ethos, the duty of the school principal is to facilitate a consistent and coordinated approach to religious education, and to oversee the school's contribution to the Christian initiation of its Catholic pupils (Catholic Primary Schools' Management Association Board of Management Handbook, 2016). Furthermore, school principals are to ensure no pupil need receive, or be present at, any religious education of which her or his parents or guardians disapprove (CPSMA, 2016). Regarding the role of the principal in accommodating children of minority groups in schools, Devine (2013, p. 395) posited that "within a neo-liberal paradigm, it is school principals who must exercise a form of 'super-leadership' as they counter-balance competing demands." She highlights that tensions exist in leadership practice, such as when managing increasing diversity and the preservation of school ethos.

The participation selection process was not chosen at random as it is argued it is inappropriate for qualitative studies (Marshall, 1996). Convenience sampling was also not chosen as it is considered a type of non-random sampling where members of a target population that meet specific criteria, such as ease of access, geographical proximity, availability, or the willingness to participate are included for the purpose of the study (Dornyei, 2007). While studying a random sample of schools may provide the best opportunity to generalize results, it is not the most effective way of developing an

understanding of complex issues (Marshall, 1996). Choosing exclusively small rural schools for example would have elicited limited findings, due to the majority of the pupils ostensibly being children of Catholic parents.

Purposive sampling was selected, as I had decided what needed to be known and attempted to find principals who can and were willing to provide the information by virtue of their knowledge or experience (Etikan, Musa, & Alkassim, 2016). None of the principals, with the exception of the pilot interview were known to me. This was done deliberately to ensure as much objectivity as possible. Purposive sampling is the deliberate choice of a participant due to the qualities the participant possesses (Etikan et al., 2016). It is considered a non-random technique that does not require underlying theories or a set number of participants (Gentles, Charles, Ploeg, & McKibbin, 2015). As most qualitative studies tend to be small (Yin, 2010) it was critical that the schools involved were ones that could adequately answer the research questions and to fulfil the aims of the study. Therefore the schools selected fell into one of three categories; (i) predominately ‘Catholic, White and Gaelic’ (Parker-Jenkins & Masterson, 2013), (ii) schools with some religious diversity, and (iii) schools with significant religious diversity. A mix of primary school types were therefore selected; Deis band I and II, Non-Deis, small, medium and large schools and inner city, urban and rural.

Contact was initiated with over 60 professional colleagues to ascertain the level of diversity in their schools in different locations around Ireland. This was done through messaging with private teacher groups on various social media platforms, such as Facebook and WhatsApp. Contact was also made with school inspectors and universities involved with diversity projects who suggested potential schools to participate in the study. A total of 20 schools were considered suitable, with an initial email outlining the details of the study sent

to the principals in each school (See Appendix 1). This initial larger-scale contact was made in order to ensure as broad a range of school type as possible and to allow for those principals who did not wish to participate. Twelve principals expressed an interest in participating in the study, with nine schools selected based on the criteria listed earlier in this chapter. This was considered a sufficient number of principals to interview in order to gather the necessary data and to avoid repetition. A balance of male and female principals was also part of the selection process.

*Figure 1: School type and principal gender*

School	A	B	C	D	E	F	G	H	I
School type	Deis I Inner City	Deis II Urban	Deis I Inner city	Non Deis Rural	Deis I Inner city	Deis I Urban	Deis II Inner city	Deis I Urban	Non Deis Rural
Gender of principal	F	M	M	M	F	F	M	M	F

### 3.7 Research procedures

An introductory email or phone call outlining the general aims of the study was sent to all principals. Once consent had been given, a second email was forwarded with a proposed time and date for interview and further details of the study, including a letter of consent and the list of questions (see appendix 2). Due to Covid-19 restrictions, all but one interview was conducted using the Zoom conferencing application. One interviewee requested it be conducted in person, with all health and safety protocols adhered to. No issues were experienced by the researcher whilst conducting the interviews remotely. The research was carried out in February and March 2021.

In order to establish how many children were opted-out of religious instruction and sacramental preparation in their schools, principals would have needed to inspect their enrolment forms and consult with teachers prior to interview. It was therefore decided to forward the list of questions prior to the interview to ensure that principals had the relevant information they needed in order to answer them accurately and that the data collected was valid (Denscombe, 2014). It is argued that honesty is a crucial question facing the researcher who uses interview data, particularly when the interview concerns matters such as the views, perspectives and experiences of the interviewee (Denscombe, 2014).

A pilot interview was conducted with a principal who was not participating in the study in order to ascertain what type of data would be gathered from the questions the researcher had planned to ask. The interview, scheduled to last approximately 30-40 minutes lasted in excess of two hours. The researcher asked each question in the order in which they were written, prompting the participant for clarification or to elaborate on points made. While there was a set of specific questions, they were too numerous, and extended into areas not within the scope of a study of this size. Therefore the final set of questions were more concise and specific to keep within the time frame of the interview.

### **3.8 Data collection method: Semi-structured interviews**

In order to establish current school practices for children who have been opted-out, semi-structured interviews were conducted with nine principals in Irish Catholic schools. Semi-structured interviews were considered to be the most appropriate tool in gathering the data required for this study. Interviews are considered an effective research instrument when researchers are interested in understanding the perceptions of participants (Berg & Lune 2012). The method of semi-structured interviews allows for flexibility in how the interview is conducted and the adaptation of the questions to suit the interviewees (Denscombe, 2014).

Berg and Lune (2012) posited that interviews are particularly useful “when investigators are interested in understanding the perceptions of participants or learning how participants come to attach certain meaning to phenomena or events” (p. 115). Denscombe (2014) argued that semi-structured interviews allow participants to develop ideas around topics discussed throughout the interview. Given the potentially sensitive nature of the study, one-to-one interviews were selected as they give sufficient opportunities for participants to explain and clarify their experiences (Newby, 2010; Lewis & McNaughton, 2014). Semi-structured interviews allow for further investigation beyond the initial question to establish a deeper understanding of the participant’s reality (Berg & Lune, 2012).

### **3.9 Ethical considerations**

Throughout the study, I was very aware of the ethical considerations required in producing an authentic set of findings. For this study, the ethical issues were anonymity and confidentiality. I used Dencombe’s (2014) four basic ethical principles as guidelines for conducting ethical research. The first principle asserts that participants’ interests should be protected at all times. Considering the interview questions had the potential to show that schools were not adhering to certain school guidelines, or constitutional and human rights laws regarding the rights of the child, it was critical that all participants, and any information related to their school were kept strictly anonymous and confidential. Anonymity was achieved by assigning all participants and schools letters of the alphabet, for example; school ‘A’, principal ‘D’. Confidentiality was assured by removing any information from the research that might indicate a participant’s identity, the name of their school or the school’s location (Berg & Lune, 2012).

Participation in the research was voluntary and based on informed consent (Newby, 2010; Denscombe, 2014). Informed consent was attained through consent forms, emails and

telephone calls with the research participants. Webster, Lewis, & Brown (2014) outline that research participants should be provided with sufficient details in order to make an informed decision on whether to participate or not. The researcher should conduct themselves at all times in an objective and transparent manner, informing the participant what will happen to the data once collected (Denscombe, 2014; Mozersky, Parsons, Walsh, Baldwin, McIntosh & DuBois, 2020). This was relayed both prior to and after concluding the interview. Finally, it is incumbent upon researchers to operate with scientific integrity and to uphold the highest standards of professionalism with regard to how they treat their data (Denscombe, 2014). Researchers should not allow personal preferences or ideals to cloud their judgement when interpreting findings (Keltner & Lerner, 2010). The research was given approval by the Marino Institute of Education Ethics in Research board.

### **3.10 Data analysis**

Data analysis has been defined “as the process of bringing order to the data, organising what is there into patterns, categories and descriptive units, and looking for relationships between them” (Brewer, 2000, p. 105). Hsish & Shannon (2005) defined it as a subjective interpretation of the content of text data through the systematic classification process of coding and identifying themes or patterns. Qualitative data analysis is an interpretative process and is still in its early stages in research development (Walliman & Buckler, 2008). In order to interpret the qualitative data gathered, I implemented Denscombe’s (2014) five stages in the analysis of qualitative data to ensure credibility: preparation of the data, familiarity with the data, interpreting the data, verifying the data and representing the data.

A substantial amount of data was gathered in the form of transcripts from the nine interviews in this study. Each interview was transcribed verbatim, including times when the

participant paused for long periods before responding to a question, or reconsidered their answer. Each interview transcript was re-read several times and all data was examined thoroughly to provide an overall synopsis (Creswell, 2009). I coded the sections and responses that were of particular relevance to the study. The analytical process of coding requires the researcher to review, select, interpret and summarise the data without distorting it (Walliman & Buckler, 2008). Creswell defined coding as “the taking of data gathered during data collection, segmenting sentences and labelling those categories with a term” (2009, p. 186). The completed coded transcripts were then sub-divided into separate documents to evaluate what themes emerged. Emerging themes were identified on the right hand margin of the transcripts (see Appendix D). I structured his findings in a manner that made analysis and the drawing of conclusions possible (Creswell & Clarke, 2007; Grbich, 2013).

### **3.11 Interpreting the data**

The data display involved converting the data into displays such as tables and charts which assisted in clarifying the main focus of the analysis (Walliman & Buckler, 2008). Drawing conclusions from the data involved observing the emerging patterns and themes and deciding what these may mean (Miles & Huberman, 1994). The similar codes that were grouped together were finally reduced to five major themes with several minor themes. The verification of these conclusions drawn were then tested by triangulating them with the relevant literature.

### **3.12 Reliability and validity**

Lincoln & Guba (1985) state that in order for research to be considered reliable its credibility, transferability, dependability and confirmability must be examined. Credibility is defined as the ‘truth’ of the findings, while transferability relates to how the findings may be applied to other settings. Dependability looks at whether the findings would be consistent if

the study was repeated. Finally, confirmability measures the extent to which the findings are based on the respondents answers as opposed to researcher bias and interests. The areas where the research was lacking are outlined in the next section.

### **3.13 Limitations**

As a qualitative approach was used, the size and scale of the study is a limitation. Although the research involved nine principals from a diverse school sample it is not appropriate or accurate to extend the findings to represent all primary Catholic schools in Ireland. However, as each school was selected due to their particular diversity, school type and location, the findings should still be of interest to schools not involved in the study as they are likely to mirror their own context in some way. Due to the aims of the study, logistical issues surrounding Co-Vid 19 and time restraints, a single data collection instrument was implemented.

### **3.14 Conclusion**

This chapter has presented and given the rationale for the research design of this study, summarising the interpretative paradigm, the qualitative methodology it employs and the methods of analysis used. It has outlined how the use of semi-structured interviews were deemed the most appropriate data collection tool, given the nature of the study. It looked at the impacts of the ‘inside researcher’ and all ethical considerations were explored and outlined. The criteria required for valid and reliable research were highlighted. The procedures followed in the analysis of data were described and finally, the limitations of the study were considered. The aim in qualitative research is not to exclude the influence of the researcher but to comprehend it and use it constructively: “validity in qualitative research is not the result of indifference, but of integrity” (Maxwell, 2013, p. 124).

## **Chapter 4: Data Analysis and Interpretation**

### **4.1. Introduction**

The purpose of this chapter is to present the main findings from the interviews with the nine principals involved in this study. The chapter highlights connections between this research and previous research discussed in the literature review. As the data was coded and analysed, six broad themes and minor sub-themes emerged from the discussions with the interviewees:

### **4.2 Themes**

- Theme 1: Significant numbers of children are being opted-out of religious instruction and sacramental preparation in the schools
  - 1.1: Changes in school demographics are contributing to the number of children being opted-out
- Theme 2: Children opted-out of religious instruction are remaining in the classroom in all schools
  - 2.1: Varying arrangements for children who have been opted-out of sacramental preparation
- Theme 3: Principals' ambivalence
- Theme 4: A lack of formal procedures and provisions in the schools for children who have been opted-out
- Theme 5: Teachers are primarily responsible for the arrangements for children who have been opted-out
  - 5.1: The use of resource teachers to supervise children who have been opted-out

- Theme 6: School admission policies are not being updated to include arrangements for children who have been opted-out

6.1: Principals' experiences with parents who identify with a minority faith or no religious belief

6.2 The assumptions of principals concerning the wishes of parents

6.3: School ethos

Each of the six themes which emerged are explored individually in the sections of this chapter. Other sub-themes emerged from the data, including the role of religious instruction in diverse schools and inclusive school practices for those children of minority faiths and none. These, however, are beyond the scope of this thesis. I revisited the literature to gain a deeper understanding of the experiences of the research participants. This chapter presents a discursive account of the findings and a discussion of the data.

### **Theme 1: Significant numbers of children are being opted-out of religious instruction and sacramental preparation in the schools**

As discussed in chapter three, prior to the interviews taking place I had asked each principal to establish how many children in their schools are opted-out of religious instruction and sacramental preparation. All percentages are based on the total number of children in each school. The data shows that in most of the schools included in the study there are significant numbers of children opted-out of religious instruction and sacramental preparation.

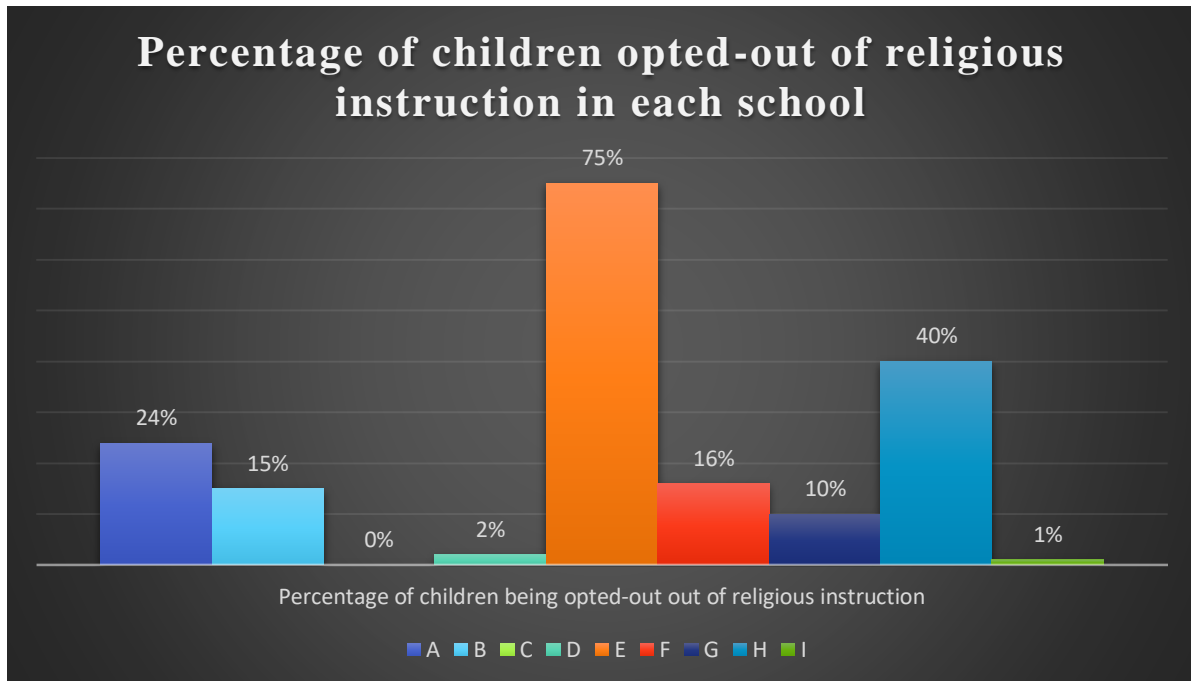


Figure 2: The percentage of children opted-out of religious instruction in each school

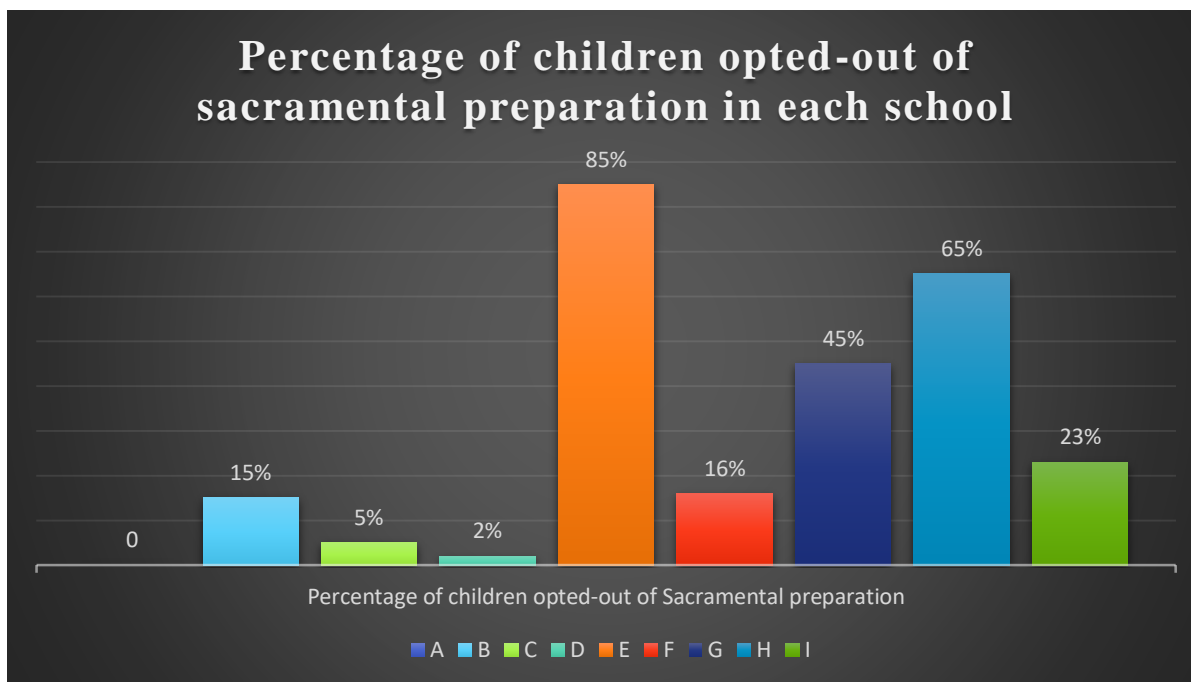


Figure 3: The percentage of children opted-out of sacramental preparation in each school

Figures 2 and 3 above represent (i) the percentage of children opted-out of religious instruction and (ii) the percentage of children opted-out of sacramental preparation for the year 2020-2021 in each school. As can be seen in the graphs above, the percentage of children opted-out of religious instruction varies greatly from school to school. School I has just one per cent, school A has 24 per cent while school E currently has 75 per cent of their enrolment opted-out of religious instruction. School C is the only school that currently has no children opted-out of religious instruction that the principal is aware of.

School A is omitted from Figure 3 as there is no sacramental preparation in the school. In schools B, D and F, the percentage of children opted-out of sacramental preparation is the same as it is for religious instruction. Of the remaining five schools, each one has more children opted-out of sacramental preparation in addition to those already opted-out of religious instruction. Also, in all of the schools those numbers are either remaining relatively the same or increasing.

A number of the principals commented that they had experienced an increase in parents opting their children out over the past five to ten years. In their submissions to the NCCA regarding the proposals for a new ERB and Ethics program, the Irish Catholic Bishops Conference (ICBC) stated that their research indicated that the percentage of children opted-out was just 1.2 per cent (NCCA, 2016). The number of schools surveyed, their location or school type were not included in the submission. The Catholic Primary School Managers' Association (CPSMA) in their submission stated that the number of parents seeking to opt their children out of religious instruction in Catholic schools was relatively small and those children were willingly accommodated (NCCA, 2016). Additional data or academic research on the percentage of children opted-out in Irish Catholic schools is currently very limited in Ireland. Considering this study included only nine schools, out of the

2760 Catholic primary schools currently in Ireland (DES, 2019) accurately comparing the findings of this research with existing data or research is not possible. However, as each of the nine schools were selected specifically to represent as broad a range of Catholic school type as possible, it is reasonable to posit that significantly more than one per cent of children are opted-out of religious instruction and sacramental preparation in many schools.

### **1.1 Changes in school demographics are contributing to the number of children being opted-out**

Schools A and E have undergone a rapid cultural shift over the past ten years, emphasising the point made in chapter two that a lot has changed very quickly on this topic. Principal E: “Up until about ten years ago the school was nearly all white Irish kids.” Since then there has been an increase annually in the number of children in the school whose parents identify with a minority faith or no religious belief. Presently, 75 per cent of the children attending school E are opted-out of religious instruction, with 85 per cent opted-out of sacramental preparation. Principal A has had similar experiences, commenting that up until six years ago approximately “90 per cent of our enrolment was Catholic”. Currently, 40 per cent of the children in the school have parents with a minority faith or no religious belief, and 25 per cent are opted-out of religious instruction: “It seemed to happen in a blink of an eye that the children coming to the school changed”.

The principals of schools C and D stated their current enrolment is almost exclusively Catholic and has remained the same over the past decade. Principal C has never had a parent request their child be opted-out of religious instruction lessons in their time at the school. Of the remaining five schools the percentage of children opted-out began to increase approximately 15 years ago and has remained relatively constant the past five years.

As discussed in chapter two, it is clear from academic research that religious diversity in Irish schools is increasing (Faas, et al., 2018; Hession, 2013; Kitching, 2020; Smyth, Lyons & Darmody, 2013). Faas (2018) noted that growing secularisation and the arrival of new religiously diverse migrants are posing new challenges to schools in the Republic of Ireland. Kitching argues that this diversity “has been mobilised as a positional good by both patrons and politicians in order to responsabilise parents to ‘opt in’ to their local school ethos” (2013, p. 27). As discussed in chapter two, the increase in diversity and inward migration, coupled with the recent developments regarding Brexit and free travel would suggest the percentage of children whose parents are from a minority faith or no religious belief is likely to continue to increase in Irish Catholic primary schools.

### **Theme 2: Children opted-out are remaining in the classroom during religious instruction lessons in all schools**

The schools selected differed in many ways in terms of school type, size, geographical location and diversity. However, there was a commonality in their approaches to catering for children opted-out of religious instruction. In all nine schools the children remained in the classroom. Also, no parent had requested for their child to be physically removed from the classroom in any of the schools. What those children did during the religious instruction lessons was also similar. Principal B: “We have kids who are doing a little bit of reading in the back or a different part of the room..... others will sit there and they're either happy enough to listen, or happy enough to be there”. This approach was similar in all nine schools; children who have been opted-out remain in the classroom either listening, participating in the lesson or doing work. Principal I: “The children stay in the class, we don't offer supervision...the parents might say, would you be able to give them some extra work or for example, if they're struggling with English, you know, to do better work on that.”

Principal E, who has 75 per cent of their current enrolment opted-out of religious instruction lessons responded that: “For religious instruction they remain in the classroom, we include them as much as we can.....we try and take the parts of ‘*Grow in Love*’ that are possible to do with most of the children”. Principal A has adopted a similar approach, where the teachers use ‘*Grow in Love*’ for the majority of the lesson with all pupils. When it comes to more specific instruction in the Catholic faith they would do other pre-assigned work. Those activities were “linked to their specific needs at that time, depending on what was being done in the class that week”. The principal in school H responded that: “What we have done is, if the children didn’t do religion and they had access to learning support that’s the time they would go out to learning support, otherwise they would do other work themselves in the classroom”.

The provisions and procedures in schools in this study catering for children who have been opted-out are similar to other schools included in research in this area. Darmody et al., (2015) and Mawhinney (2006) reported in their studies that children who had been opted-out remained in the classroom at all times, doing various activities or participating in the lesson. Faas et al., (2018) found that teachers experienced little difficulty including minority faith children in regular religious instruction lessons. However, sacramental preparation during the school day posed great difficulty in this regard (2018). Harmon’s (2018, p. 105) findings were also analogous: “Children who were not taking part in religious instruction lessons admitted to listening in at times and sometimes saw it as interesting. For most of the time they were happy doing other work during this period”. The practice of children who have been opted-out either taking part or listening in on the religious instruction lesson is also advised by the CSP where supervision is not available (2015). While this situation appears relatively harmonious in the schools included in this study, as discussed in chapter two, this

raises several constitutional and human rights concerns regarding the rights of the child.

O'Toole noted that "while this form of domination may appear to be benign.....it represents a clear infringement on liberty" (2015, p. 59).

### **Theme 2.1: Varying arrangements for children who have been opted-out of sacramental preparation lessons**

It is generally accepted that sacramental preparation takes up more time of the school day than religious instruction lessons (INTO, 2013) and permeates throughout the curriculum. The provisions in the majority of the nine schools for those opted-out of sacramental preparation are generally the same, with the children remaining in the classroom. During church visits for sacramental preparation practice a mixture of children going with the class, or remaining behind with a resource teacher was reported.

The principal of school E, with very high numbers of children opted-out has adopted a different approach. During sacramental preparation lessons they remove the children who are receiving the sacrament, with those opted-out remaining in the classroom: "More often than not, we withdraw to teach the Sacraments. Confirmation is done every second year, everyone in fifth and sixth makes it every second year because we don't have the numbers to make it every year." The same approach applied to First Eucharist. Sacramental preparation had historically involved the local parish priests, who visited the school weekly to guide the preparation: "We have had great support from the parish and there are four priests running the Parish and they would have called every week....it was great that they could take the kids and do the Sacraments." Just prior to the interview, Principal E learned that three of the four priests were leaving the parish, which will require the school to make alternative arrangements for sacramental preparation: "We have one priest in the parish now. One class teacher will take the ones to do preparation and the other teacher will take the other kids".

This led the researcher to ask what happened to the majority of the children who had been opted-out of sacramental preparation during this time: Principal E: “It wouldn’t usually be every day it would be once or twice a week, the teacher would just give them work or whatever.”

Principal G responded that for those children preparing for First Eucharist, the groups were split, with one teacher taking the children for sacramental preparation and the other teacher taking the children who had been opted-out to “do some work”. For the confirmation class, this approach had to be altered as there was presently only one sixth class in the school. Those opted-out went to a resource teacher during this time.

### **Theme 3: Principal ambivalence**

All nine principals, despite some having high numbers of children opted-out, responded that it wasn’t a significant issue or challenge for their schools. Several principals expressed ambivalence or indifference towards the issue. Statements such as “go with the flow” and “it’s no big deal” were common. Principal I replied when discussing their provisions for those opted-out stated that: “The school just doesn’t make such a big deal about it. This is just the way it is, yes, we are a Catholic school, if your child isn’t that’s fine, do this instead and it seems so far so good.” Principal F had a similar response: “No one is ever going to try proselytising them or converting them or whatever.” Principal D has had similar experiences: “It hasn’t really come up. The parents have come to me and they’ve explained to me their reasons, they said, you know, we don’t have any religious beliefs. And that’s fine.” They felt parents were happy with this: “Yeah, it’s not really an issue. It’s like, it’s just, it’s kind of go with the flow here. They’d be okay.” The principal of school C, with a very high percentage of Catholic children, commented that they had never had a conversation with a parent about their child opting-out, although they were aware that a very small

minority did in the school: “I haven't actually spoken to any parent in the school. I think that's handled at just sixth class and second class level, but the teachers themselves would know, but I've never, ever actually spoken to a parent”.

**Theme 4: A lack of formal procedures and provisions in the schools for children who have been opted-out**

None of the schools currently have formal procedures or provisions for those children opted-out. All principals expressed satisfaction with their arrangements for the children who had been opted-out. The principals in all schools deferred the responsibility to classroom teachers to decide on the arrangements. Principal A was asked did they have conversations with other teachers as to what arrangements were in place for those opted-out: “We will make sure that the teachers know that (the child has been opted-out) and nothing will be forced upon them, but they will make them feel wanted I'm sure and they can take part (in the sacraments), if they want to.” The principal of School D commented that all three children who have been opted-out in their school have parents who identify as atheists. When asked what the children did during religious instruction lessons they responded:

But if they're atheist they're not going to believe in anything, so it's hard to do world religions with those children even. It's just sometimes you just give them extra work. But the children either.... sometimes they're listening in or sometimes they do other work.

This lack of formal provisions and procedures for children who have been opted-out is a concern. It should not be the prerogative of the classroom teacher to determine what provisions they should have in place for children who have been opted-out. This is the responsibility of the principal. The new Education Act (2018) has instructed schools to have in place suitable arrangements for those children opted-out. As discussed in chapter two,

Devine (2013) highlights the importance of the role of principals in accommodating children of minority groups in schools. Also highlighted in chapter two was how the different approaches and provisions implemented by principals' influences school practices (Blair, 2002; Crozier & Davies, 2007; Gaetane, 2008; Parsons, 2009).

**Theme 5: Teachers are primarily responsible for the arrangements for children who have been opted-out**

In all of the schools in the study, the specific arrangements for the children who have been opted-out are deferred to the classroom teacher. Generally during religious instruction and sacramental preparation lessons, those children opted-out either did specific work or activities assigned by the teacher, or participated and listened in on the lessons. All principals responded that generally, parents, teachers and children were all satisfied with this arrangement. Principal F, giving the example of their current second class commented that:

We have nine children not doing it (RI), and they (the teacher) know who they are and they know whether they are Muslim or Chinese or whatever it is...and that just follows through, they just don't do religion in the classroom...they would just do whatever.... you'd get them to do their math or whatever, it's up to the teacher.

Principal B replied that "It's the teachers' responsibility to sort out, like, how many of those kids in the class (are opted-out), and what their parents are happy about doing (during religious instruction) and the preparation for sacraments." Principal E: "Being honest we absolutely don't do half an hour of religion every day...we pass a good bit back to parents although most don't take us up on it...it's up to the teacher to decide, whether it's work or whatever". The principal in school C responded that "It's down to the teacher to sort it out at a local level, and we've never had any issues... we've never had parents come in to say, it isn't appropriate what's happening there." Regarding the provisions the school has for those

who have been opted-out, principal H replied that “The teacher will put them in a corner and distract them from the lesson with some other activities”. Principal C wasn’t aware of what happens to those children opted-out, leaving it to the class teacher to decide. As discussed in the previous section it should not be the prerogative of the classroom teacher to determine what provisions they should have in place for children who have been opted-out.

### **5.1: The use of resource teachers to supervise children who have been opted-out**

A common practice emerged from the interviews involving the use of resource teachers. During church visits, or for children who had been separated for sacramental preparation, resource teachers supervised the children in many of the schools. This was done despite some principals being unsure whether the children had access to resource hours. Principal G: “This year we have only one sixth class so the resource teacher takes the kids not doing it.” Asked whether the children going to the resource teacher had special needs that granted access to resource hours, the principal responded “I’m not sure”. In school H, during church visits they remain behind with a resource teacher: “The teacher would assign some work or they do some whatever....I don't know it depends on the teacher, I suppose, and that would be it.”

This raises concerns about the appropriate use of resource teachers’ time and the likelihood that children that have access to resource hours may not be receiving them.

### **Theme 6: School admission policies are not being updated to include arrangements for children who have been opted-out**

As outlined earlier, in line with the new Education Act (2018) all schools are now obliged to include details in their admission policies of their arrangements for children who have been opted-out. When asked whether their school admission policies have been updated to include these details, all nine principals stated they had not. Each principal stated that they

had a box in their application form for parents to tick if they wanted to opt their child out. Five of the principals had a section telling parents who want their children to “not attend religious teaching” should meet with the school to discuss the arrangements. Principal F responded that “We always insist on getting the baptismal cert, it's not to do with enrolments it's to do with the fact that if they decide to get first Holy Communion we need to know that they have a baptismal cert.” If they do not give a baptismal cert, the principal worked off the assumption that they were opted-out: “So it's not a case of somebody coming to us and saying, ‘I don't want my child to do religion’, we automatically just get them to tick the box or not when they arrive, and we know, that’s it.” When asked did they ever have discussions with parents they replied that:

We make no apology that we are a Catholic school and it's in our enrolment policy and we make it very clear. But we are very very accepting and, you know, inclusive of all, we do have options if they are Muslim or how we can facilitate them. But, if it doesn't come up, we don't bring it up, we just don't make an issue.

The principal followed this up by querying the requirements of the new admissions policy:

You know, having to go back to a teacher and say "Mr so and so wants his son to be doing math and the other Mr so and so wants his son to do this and then for me to go back and have to tell the teachers.... no, it's not okay to be doing whatever suits you.... but I'm not going to be doing that and I think, our statement is fine.

Principal C noted that they have not updated their policy and saw no reason to do so, given the current school demographic: “No we don’t have anything on that.... but nobody.... even parents don't know about it, you could let them know, but they don't care.” Principal A felt that their standard letter, with a ‘tick the box’ option to opt in or out was sufficient, and noted that they included a line telling the parents to contact the school if they wanted to

discuss it further. Principal B sends a letter out to all parents who have enrolled their children in the school prior to the first term. Included in the letter is information regarding the schools 'opt-out' policy where they tell the parents it is their right to opt-out, and to contact them if they wish to discuss it.

Principal B: "It's never been an issue. If you (the parent) want an alternative arrangement for your child during religion time, you need to put it in writing. I've never had a letter." The principal in school C noted that when meeting parents who identify with a minority faith or no religious belief, they almost felt like they had to apologise to a parent if they thought they might want to opt-their child out, given the high percentages of children of Catholic parents in the school: "When they're signing up their child, when I'm going through the form, obviously we get to, you know, religion, and I always... maybe I'm nearly apologising for it in a way like, Oh, is 'Johnny'... has he religion?" The principal concluded by saying "I get the feeling that either way, parents aren't very exercised by it, whether they're Catholic or not Catholic". The principal in school E, when discussing with parents about religious instruction in school replied that "I would have conversations with parents and I would say to them very clearly we're not trying to indoctrinate. If we are being very tolerant towards other religions, would it be beneficial for your son to do the same?" They added that "So far it has been quite successful."

### **6.1: Principal's experiences with parents who identify with a minority faith or no religious belief**

All principals responded that the practice of children opted-out remaining in the classroom during religious instruction or sacramental preparation lessons was not an issue for the vast majority of parents. Principal I: "We've never had any issues with parents..... they don't say, I want my child taken out of the class or anything". Principal G: "It's no big deal,

we just go with it.... the parents are happy with what we're doing mostly, you know, once their kids are happy and safe they really don't care." Principal E replied that parents were generally satisfied with the school's arrangements: "We would only ever have the odd parent ask questions, usually Muslim parents checking that there wouldn't be any indoctrinating going on". The principal in school A has been in their school for over 20 years and has built a good rapport with parents and felt that it has helped them when discussing their children. Principal A: "Parents are happy and don't complain.... some would opt-out when going to the church.... they know we are not trying to force religion down their throat." Principal B commented that everyone seemed "happy enough" with the approach of children remaining in the room and participating in the lessons if they wanted to: "The parents are happy enough, they have told us when we've had that conversation with them that they're happy enough for them to..... just say for example the Communion, they go to the Church for all the practices, the whole lot." Principal H, regarding children remaining in the classroom stated "the parents are happy with that, kids are happy and teachers are happy".

## **6.2 The assumptions of principals concerning the wishes of parents**

None of the schools have updated their admissions policies to include the arrangements they have in place for parents who wish to opt-out their child from religious instruction. Therefore, none of the schools are complying with Section 62.7(n) of the Education Act. It also does not appear to be causing concern for the school or parents. One principal suggested, that this was because the parents "don't know, and don't care".

The argument can be made that if the parents do not know, because they are not told, then they do not have the information to decide if they care or not. Including a line advising parents to seek a meeting with the principal is not the same as including the details and arrangements in the admissions policy. Bruton (2016) outlined that the purpose of including

the details in the Admission Policy is to prevent exactly this type of situation arising. A recent survey undertaken by Atheist Ireland (2020) found that out of 40 Catholic primary schools, 75 per cent included only that a written request should be made to the principal of the school. Smyth & Darmody (2011) noted that some parents do not remove their child from religious instruction for fear of being seen as ‘different’ from the others in their school community. It should also be noted that, considering what limited information is contained for parents in school admission forms, it could be that parents are not aware that they have the right to ask for their child to be removed from the classroom during religious instruction.

### **6.3: School ethos:**

School E, with 85 per cent of their enrolment currently opted-out, have experienced few challenges when catering for those children. “We’re very careful in terms of how we approach sacramental preparation in general I suppose, to make sure we are being very inclusive.” Religious symbols or artwork are not prominent in the school: “We don’t have big religious symbols all over the shop.... it’s not up in your face.” School assemblies do not include any prayers, and Mass was not celebrated in the school. When asked about classroom prayers they responded that: “Prayers before and after meals might be done in the classrooms but in a way that allows everyone to pray however they want”. They commented that the children knew to say to the teacher if they were not permitted to take part in the lessons.

Principal E:

All of the children right from infants are able to say “teacher I’m not doing this” or “I’m not allowed do this” and they know they can say that and no one is going to say anything to them other than “absolutely that’s fine you can choose what it is you want to do and they’ll (the teacher) find something else to do.

Principal G replied when discussing those opted-out: “They just listen in and..... they might write about their own religion or I think, as a school we try to give a broad religious education. We don't try to indoctrinate in the Catholic faith but we're very mindful that we are a Catholic school”. They continued “I think that's very important because if 50 per cent of the children in front of you are not Catholic.... it's.... is very, you know..... you have to be very mindful of course”. The principal in school H has also experienced few significant challenges; “We're very inclusive, we take anyone.... all faiths are welcome in our school.” Regarding the religious diversity in their school: “Children like talking about their own culture, their own faith and other children are interested in knowing about it, which is great because we're such a diverse school you know?” Referencing what they have read in the media regarding the demand for alternative schooling and more diversity, they concluded that: “I think children are so accepting of each other, it's sometimes the outside noise that kind of, you know, gets in the way.” They noted that the children of Muslim parents were given a half-day on Fridays to allow them to go to the local Mosque. This was also practised in school G.

Example of inter-faith and inclusiveness practices in their school were highlighted by the principal of school H. They have a high percentage of children whose parents identify as Muslim and Hindu. They found that the children of Hindu parents were happy to go to the church for mass and sacramental preparation with the rest of the class. The local Imam would also attend some school masses as well as the sacramental ceremonies: “He (Imam) would have sat in on the Communion.... they would have been mentioned by the Bishop... and so on Communion day they would have been sitting there in a special place and they would have had a special prayer.” The Imam would also be involved with Christmas celebrations and felt that “the give and take was very good.” There had however been concerns raised by some

Muslim parents: “There would have been some issues where some parents would have come in and said, “No, we don't want this to happen”.... with the Muslim community, like you would have more radical parents.” For those parents, the children would remain behind with another teacher: “What happens is when the Mass is on, the Muslim kids or the children who have no religion would have gone to another teacher....they would do something else like a project or world religions or something like that”.

The principal in school G, which has a high percentage of children whose parents identify as Muslim, provides access to the school for religious instruction lessons. In the mornings a local Imam instructs the children in their faith for 30 minutes before school: “So then when the teachers are doing religion in the school, then they (children of Muslim parents) would be able to take out the Muslim instruction stuff and work away themselves.” The principal was asked was there a school teacher or any school supervision present during the Muslim classes in the morning, to which the principal responded “no”.

### **4.3 Conclusion**

The data shows that all school principals have had experiences of children being opted-out of religious instruction or sacramental preparation by their parents or guardians. Despite it being a relatively recent phenomenon, in some of the schools the numbers of children opted-out are significant. It can be posited that the number of children being opted-out will remain constant or, more likely, to increase based on three parameters: (i) current school demographics (ii) continued EU and non-EU inward migration and (iii) the considerable increase in those identifying as having no religion, or identifying as atheist or agnostic.

The research presents current school practices regarding the opt-out clause and the perspectives and practices of principals in nine Catholic schools. It is evident that, for the

vast majority of children, they remain in the classroom during religious instruction and sacramental preparation lessons. The study details the arrangements for those children who have been opted-out during religious instruction or sacramental preparation lessons: (i) complete other work or activities (ii) participate or listen in on the lesson (iii) engage in activities related to their parents' beliefs. Based on the schools included in this study, principals and parents appear satisfied with these arrangements. However, a number of reports have shown that there is a desire from some parents for alternative schooling. A Department of Education report showed that over 25 per cent of parents whose children are in Catholic schools would move their children to a school with a non-religious patron, if possible, with the Educate Together model being the overwhelming choice (DES, 2012). A survey by Dublin and Dun Laoghaire ETB showed that 32 per cent of parents were not satisfied by the current choice of school patronage (2019). It is also noticeable from the findings of this study that parents don't seem to mind that their children stay in the class and no school has reported parents being incensed by this practice.

The study reports that none of the principals have experienced significant challenges catering for children who have been opted-out, irrespective of the numbers who do so. Generally, the responsibility and the specific arrangements are managed by the class teacher. All principals are satisfied with their current school arrangements and have no plans to update their admission policies in line with the New Education Act. All principals regard their schools as inclusive and welcoming for children of all faiths and none. The study also highlights a number of concerns regarding the rights of the child, and whether schools are in breach of Section 62(7) (n) of the Education Admissions to School Act.

## **Chapter 5: Conclusions and Recommendations**

### **5.1 Introduction**

This concluding chapter will address the research questions which were posed at the outset of the study. It will proceed to make recommendations for reflection while proposals for further research will also be made.

### **5.2 Response to the research questions**

The overall aim of this research was to investigate the perspectives and practices and of principals catering for children opted-out of religious instruction and sacramental preparation. This was done through semi-structured interviews. The research also attempted to answer the following questions: (i) how many children are opted-out of religious instruction and sacramental preparation in the schools (ii) what arrangements do schools have for the children during this time and (iii) have school admission policies been updated to include details of their arrangements for children who have been opted-out by their parents or guardians.

In response to the above questions the findings illustrate that significant numbers of children are opted-out of religious instruction lessons in most of the schools. The numbers of children opted-out also increases again for sacramental preparation in most schools. The provisions and arrangements taken to cater for those children are the same; they all remain in the classroom. Generally, the classroom teacher has primary responsibility for what arrangements are made for those children during this time. The children do other work or activities, or voluntarily listen in and participate with aspects of the lesson. As discussed earlier, this raises several concerns regarding the right of the child to 'not attend' or to be physically removed from the classroom in line with constitutional and human rights law (Mawhinney, 2006, 2009, 2011, Kilkelly, 2009, IHRC, 2011). However, based on the schools

involved in this study, this does not appear to be an issue for either the principals or the parents. Parents are generally not raising concerns about their child remaining in the room, or what happens to them during religious instruction lessons.

All principals stated that they have experienced few significant challenges catering for children who have been opted-out. This was irrespective of whether they have a high percentage of children opted-out or not. Principals are satisfied with their current school arrangements and as long as the parents were happy they see no need to change them. School admission policies have not been updated to include details of arrangements the school has for children who have been opted-out in any of the schools. This is despite governmental legislation being passed instructing schools to do so. We can posit from this study that principals are not updating their policies for two key reasons: (i) an assumption that parents are not interested or concerned with what arrangements the school has in place for children who have been opted-out (ii) no pressure to do so, either from stakeholders or parents.

As discussed in chapter two, the practicalities of children who have been opted-out leaving the room and being supervised are not feasible in most schools, due to lack of available staff and space. This is despite both constitutional and human rights law stating that the child does have the right to be removed from the room and state schools receiving public funding are obliged to use this funding to supervise children who have been opted-out. There is a dissimilarity in children ‘not participating’ in religious instruction or sacramental preparation lessons while remaining in the classroom and ‘not attending’ outside of it. A legal opinion brought by Atheist Ireland (2020) argues that from a Constitutional perspective, the right protects more than sitting at the back of a religion class. It encompasses, at the very least, the right to leave the classroom during religious instruction while remaining supervised or being taught another subject.

However, there is no evidence to date that these are the wishes of the majority of parents; that in addition to opting their child out, they also want them to leave the room during religious instruction lessons. This is further complicated by the integrated curriculum used in Irish primary schools. While a child's parents may opt them out of religious instruction, they cannot opt them out of all instances of religious teachings or from the Catholic school ethos that permeates throughout the school day.

While there have been preliminary discussions regarding an overhaul of the Irish education system in a shift to a more secularised curriculum, there is no evidence of an appetite from the Church, State, Education Department or parents to do so. The responses from parents to the FOPP indicated a comfort with the cultural norms associated with Catholic schools. The proposed introduction of the new ERB and Ethics program has already met with several obstacles as to what is contained in it as well as to how it is to be implemented in schools, including strong criticism from the Catholic Church (Faas & Fionda, 2019).

### **5.3 Recommendations**

Due to the scope of this thesis, the recommendations given are brief and do not unpack all the various issues associated with their implementation.

There have already been several recommendations and suggestions made by the State, the Department of Education, the FOPP and the Catholic Church concerning the future role of religious instruction and sacramental preparation in Irish primary schools. These include sacramental preparation taking place outside of school hours, a new ERB and Ethics curriculum, religious instruction to take place at certain times of the school day, more school divestment and the establishment of multi-denominational and non-denominational schooling alternatives for parents. (FOPP, 2014; CSP, 2015). All of these recommendations have

encountered significant challenges to their implementation or have not begun to be implemented at all. This can be attributed to a myriad of factors, including ambivalence on the part of parents and schools as well as a reluctance from the Catholic Church to change the status quo.

**Recommendation 1: A pilot program to be introduced in schools with significant religious diversity where sacramental preparation moves to a more parish-based approach**

Both the CSP and the FOPP are in accord that sacramental preparation needs to move to a more parish-based approach with more involvement from the parents, who are the primary educators of the child. The CSP recommended that a pilot program commence in a selection of primary schools, with training to prepare volunteers in parishes to support families in preparation for the sacraments. While there are anecdotal reports of some schools undertaking this themselves, there have been no further details published as to whether this pilot program has been implemented in any schools or parishes. This pilot program is needed and would be the principle recommendation from this study. This is based on its likelihood to bring about significant reform when compared with the other recommendations. The recommendation is for the pilot program to be introduced in select Catholic schools with high percentages of children of minority faiths and none, where sacramental preparation would take place outside of school hours. The experiences of the schools would be documented and used for further programmes.

**Recommendation 2: A pilot programme of ‘opting-in’ to religious instruction in large schools with significant religious diversity**

The concept of ‘opting-in’ to religious instruction lessons is not a new one, and has been implemented successfully in primary schools in other countries, including the example

in this study of New Zealand. A recommendation from this research is to establish a pilot programme of ‘opting-in’ to religious instruction lessons in schools with high levels of religious diversity. While acknowledging the logistical challenges for parents, schools would reserve 60 minutes of the school week for religious instruction classes, where parents can ‘opt-in’. This is open to all faiths that parents have expressed an interest in having their child instructed in. This would also involve vetted members of the community as well as teachers. Ideally these lessons would take place either during the first or last hour of the school day. If parents express an interest and want their child to receive instruction in their beliefs this is a workable option for both schools and parents.

**Recommendation 3: All school admission policies to be updated and listed on the school website**

Many schools are not updating their admission policies to show what arrangements they have for children who have been opted-out. A recommendation is for all schools to publish their updated admission policies online stating what arrangements they have for children who have been opted-out. They can therefore be viewed by parents and inspected to ensure they are adhering to Section 62.7 of the new Education Act (2018). This has been a requirement since February 2020.

**Recommendation 4: An ERB and Ethics programme as an *alternative* to religious instruction lessons**

While the proposed ERB and Ethics programme is intended to be integrated into the new primary curriculum, this has the potential to repeat the same issues of some children being opted-out of it. The programme, scheduled for publication around 2025 has already experienced several challenges related to its content and how it will be taught in schools. Several countries included in this study have successfully implemented an ethics programme

as an alternative to religious instruction in primary schools. The curriculum in primary schools is already overloaded; adding yet another subject to be integrated into the timetable is putting additional and unnecessary pressure on schools and in particular teachers.

Parents have the right if they so wish, to have options for their children: whether they want Catholic religious instruction, or an Ethics programme which teaches about different religious beliefs, philosophies and none. Schools can co-ordinate to run both religious instruction lessons and the ethics programme contemporaneously at a set time during the school day. Classes can be mixed so teachers can take set groups for the lessons. There are many obvious challenges with offering an ethics programme as an alternative, rather than in addition to a religious instruction one. In particular, those children opting in for religious instruction lessons may lose the opportunity to learn about other religious and non-religious beliefs. However, the parents have the choice, as the primary educators of the child. This would also provide useful data on how many parents are choosing an ethics programme over a specific religious instruction one.

#### **5.4 Suggestions for Further Research**

There is a clear lack of empirical research on the provision of religious instruction in Irish schools and the implications for minority students. A much deeper investigation of how many children are opted-out and how schools are catering for them is recommended, particularly in major towns, cities and urban areas, where the greatest diversity exists. A more expansive investigation of the perspectives and experiences of principals is also recommended, focussing primarily on inner city and urban areas with high diversity.

Further research is needed on the experiences and views of children opted-out of religious instruction by their parents. Their voices are important and should be documented.

How do they feel being in a predominately Catholic school? Is it an issue for them? How are they viewed by their peers? Do they feel excluded or marginalised by others in their class?

Research on the views and opinions of parents is also recommended. Are they as indifferent and unconcerned as this research suggests? What is it that parents want from a school for their children? Are they afraid to challenge the authority of the school? Are they worried about potentially singling out or excluding their child from their peers? Do they care if their child participates in Catholic religious instruction classes?

### **5.5 Final thoughts**

It is clear from this study that the issue of the ‘opt-out’ clause in Irish primary schools is an extremely complex one. We need only to look at the enormous number of submissions from stakeholders, interest groups and individuals to the Forum on Patronage and Pluralism to get a glimpse of the complexity of the issues surrounding the role of religion and religious education in Irish primary schools. The recent changes to school admission policies and the rescinding of Rule 68 are welcome developments. The lack of school diversity is a concern. This study highlighted other concerns, including the lack of formal provisions and procedures in schools for those children opted-out, admission policies not being updated, the apparent ambivalence of principals and the perceived lack of interest of parents. While it is clear schools are in breach of constitutional and human rights law, it does not appear to be causing concern for either the principals or the parents in the schools included in this study. The findings from this and similar studies and research would suggest that any significant changes to the ‘opt-out’ clause will likely involve a series of small incremental steps and pilot programmes rather than broad sweeping reform. Therefore, a first step of open discourse and discussion involving all stakeholders is clearly needed.

Every country on earth is now trying to figure out how do we educate our children so they have a sense of cultural identity. The problem is they're trying to meet the future by what they did in the past, and on the way they are alienating millions of kids who don't see any purpose in going to school. (Robinson, 2010).

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## Appendices

### Appendix A: Letter to inform school principal of research project

Dear principal,

I am a post-graduate student at Marino Institute of Education studying for a Masters in Intercultural Leadership and Learning. As part of my studies I am carrying out research for a dissertation on the perspectives and challenges of primary school principals in implementing the 'opt out' provision for religious instruction in Catholic schools.

Many of our primary classrooms include children from minority faiths and none, and some parents have expressed a wish for their children to not participate in religious instruction or sacramental preparation. To date, little is known as to how schools can or are accommodating these children, and the potential challenges they encounter in doing so. I intend to interview several principals to get their views and experiences. Our interview is expected to last approximately 45 minutes and I will forward the questions to you beforehand for your approval.

Your participation will remain strictly confidential. Your name and the name/location of your school will remain anonymous at all times. The interviews will be digitally recorded in person or on Zoom, stored on a password protected file and deleted at the conclusion of the study.

I will ask you to sign a consent form, and you will be free to withdraw at any time from the study. If you agree to participate you can contact me on 086 3451199 or at shanedonoghue9@gmail.com.

Your participation in this project is sincerely appreciated. Should you have questions please contact me at any time. You may also contact my advisor for the project, Dr Aiveen Mullally at [aiveen.mullally@mie.ie](mailto:aiveen.mullally@mie.ie).

*This study has been considered from an ethical perspective by the Marino ethics in research committee. Should you have any questions or concerns about the ethical approval or conduct of this study, please contact [MERC@mie.ie](mailto:MERC@mie.ie)*

Yours faithfully,

Shane Donoghue

*You will be given a copy of this information to keep for your records.*

**Appendix B: Statement of consent letter for principals****Statement of Consent:**

Please Complete the Following (circle Yes or No for each question):

- I have read the outline letter of the research being undertaken Yes / No
- I understand the information provided Yes / No
- I have had an opportunity to ask questions and discuss this study Yes / No
- I have received satisfactory answers to all my questions Yes / No
- I understand that I will be interviewed about my experiences and views on how our school caters for different religious and belief groups Yes / No
- I am aware that my interview will be digitally recorded Yes / No
- I understand that I will be sent a copy of the interview transcript to review Yes / No
- I am aware that I may request to view the final study upon completion Yes / No
- I understand that all information provided in this interview will be confidential Yes /  
No
- I am aware that I am free to withdraw from this study at any time by contacting the researcher Yes / No

Signature: \_\_\_\_\_

Date:

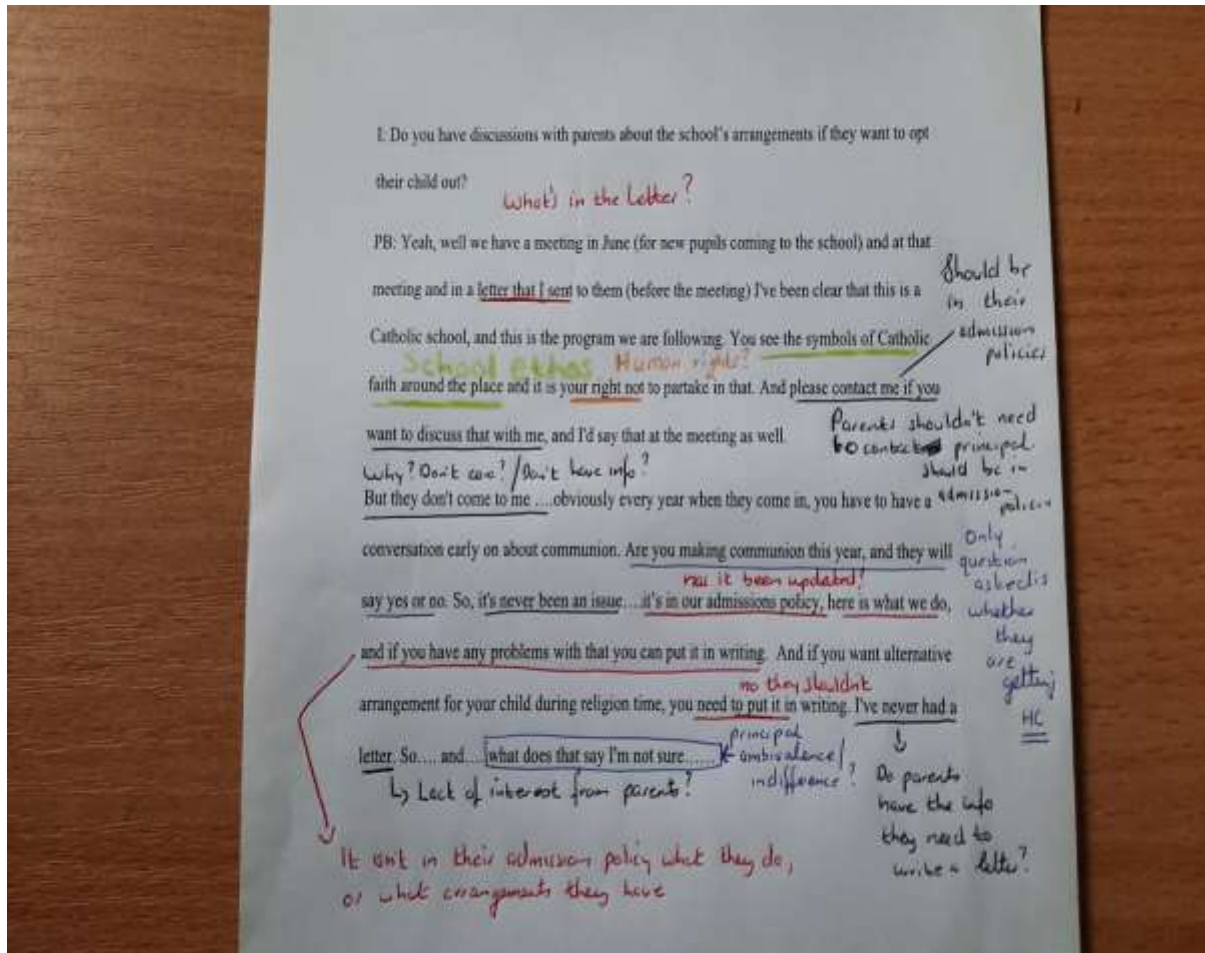
Signature of Investigator: \_\_\_\_\_

Date:

**Appendix C: Interview questions for principals**

- General information on school – Number of pupils, percentage of Catholic children/children of other faiths and none
- What percentage of children are being opted out of religious instruction each year – Is it increasing/staying the same/decreasing?
- If a parent asks for their child to be opted-out of religious instruction, how is/can the school cater for that child?
- What are the challenges your school faces in catering for those children whose parents wish for them to be opted-out of religious instruction?
- In sacramental classes, what do children do during related activities, such as art, music or church visits?
- In your schools' admissions policy, what is contained regarding religious instruction?
- What information is included in your admission policy for parents who wish for their child to be opted-out of religious instruction?

Appendix D: Colour-coded sample of qualitative data analysis



**Appendix E: Emerging themes from qualitative data**